Actors, Institutions, and the Making of EU Gender Equality Programs

Petra Ahrens

Gender and Politics

"This book masterfully applies a political sociology approach to account for the retrenchment of EU gender equality policy at the EU level. Through an actor-centered approach, Ahrens illuminates the dynamics of EU policy change and underlines the importance of policy instruments in shaping the power relations among stakeholders in a policy field."
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"Ahrens' comprehensive text merges sociological and political science approaches to analyse the EU's 2006-2010 Roadmap for Equality and the changes that this policy brought to the overall structure of gender equality policy in the EU. One of the strengths of the text is the attention that Ahrens pays to the interplay between structures and agents, in which she considers both vertical and horizontal processes, and draws out hidden processes at work in the EU's gender policy. The findings are important to furthering our understanding of gender equality in the EU and the importance of specific actors in a complex and supranational system."
—Professor Heather MacRae, *York University, Canada*

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To Nico Freya

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Introduction: EU Gender Equality Policy-Making

I miss the times when women's issues, gender issues were a priority.
(Interview with NGO representative)

In December 2015 gender equality policy-making in the European Union experienced a major set-back when the European Commission published its 'Strategic engagement for gender equality 2016–2019' as a Commission staff working document. It meant the end of gender equality policy programmes as previously known. Until then gender equality policy programmes were published as a form of soft law which were approved by the Council of Ministers and the European Parliament, or at least as a Commission communication. Although the European Commission had generally changed its proposals from hard law to soft law in the last decade, abandoning the previously effective tool of EU gender equality policy came as a surprise. While new public management tools became commonplace (Héritier 2003), the Commission 'softened its soft law' even further—despite protests from the European Parliament and member states (Ahrens and Van der Vleuten 2017). It signalled a new quality in the retrenchment of EU gender equality policy.

The consequences of these recent developments are yet to be investigated. This book takes a close look at an earlier, but similarly significant change in the soft law instrument of the EU's gender equality

policy programmes: the 'Roadmap for Equality between Women and Men 2006–2010'. The latest retrenchment of gender equality policy programmes is reflected in the policy-making processes which led to the Roadmap. This study highlights the changes and unintended consequences in the Roadmap process. The book also helps to understand the possible consequences of the new 'strategy' by illuminating the emergence of major changes in the gender equality policy and its actors.

Since the Roadmap, gender equality programmes have significantly changed in terms of content and involvement of supranational gender equality actors. The Roadmap did not have its own budget and, unlike the interventions of previous gender equality policy programmes, was not followed by actions that affected member states. The Roadmap was also the last programme which was developed by the Directorate General Employment (DG EMPL). By analysing the policy process that led to the Roadmap we can better understand the background of today's changes. Why has the EU gender equality policy-making changed since 2010? What were the crucial reasons for moving the Gender Equality Unit of DG Employment to DG Justice? What caused the start of the European Institute for Gender Equality? The major policy developments behind the EU's gender equality today were established by the Roadmap. It influenced which actors were involved or excluded and how. It also had an impact on the lack of resources and the topics it dealt with. The Roadmap was the first major retrenchment of policy programmes. This book demonstrates that there were alternative pathways—apart from the one leading to the Commission staff working document 'Strategic engagement for gender equality 2016–2019'.

By exploring the making of the Roadmap[1] this book provides an in-depth, actor-centred, sociological case study. We still lack an understanding of how actors participate in gender equality policy-making, in particular how they collaborate (or not) when adopting the EU's main legislative tool, soft law. By analysing policy-making processes vertically (inside institutions) and horizontally (among institutions), this case study covers the whole spectrum of actors who are involved in this policy area.

This study shares the idea of European sociology that *'studies should concentrate primarily on actors' attitudes rather than on institutional structures'* (Saurugger 2014: 163). When studying EU affairs the sociological perspective allows the examination of policy-making arenas and actors beyond the core EU institutions. It is a perspective which has previously been associated with research on 'advocacy coalitions' (Sabatier 1998; Sabatier and Jenkins-Smith 1993), 'epistemic communities' (Cross 2011; Haas 1992), policy

networks (Falkner 2000) or interest groups (Greenwood 2007). The professionalisation or expertisation of EU policy-making has recently become an area of research (Büttner et al. 2015) and Jacquot (2015) specified the way in which this trend transformed EU gender equality policy.

The turn of the century brought a number of fundamental changes in the EU's gender equality policy: the enlargement to Central and Eastern Europe, the implications of the Treaty of Amsterdam and the Lisbon Treaty, and ultimately the reign of a centre-right EU Commission under José Manuel Barroso. At the same time the development of gender equality mechanisms, the number of actors and resources were larger than at any point in the EU's history (Ahrens 2008). This study focuses on the consequences of these turning points in gender equality policy. It describes in detail the reasons for the relatively weak outcome of this period. Thus, this study is vital for understanding the state of gender equality policy in the EU today, as it provides the missing link between the present and the past.

What were the key factors in the development of gender equality in the EU? Major changes evolved by limiting the creation of EU gender equality policy to the Commission, reducing the responsibility of member states and ending the close collaboration with civil society and gender equality actors in the European Parliament. The Roadmap process had dramatic consequences for the constellation of actors in EU gender equality policy and thereby led to more devastating effects when the policy area was transferred to DG Justice.

The examination of the Roadmap process reveals the complex interactions of actors and the creative use of formal and informal rules. An inside look at policy programme making provides a better understanding of EU gender equality policy and provides explanations for the shifts in the use of legislative instruments and limitations in the policy content. Moreover, the book focuses on the time after the enlargement to Central and Eastern Europe. This is a period which has not yet been adequately addressed in research literature.

From the start gender equality policy[2] has been part of the supranational policy project: the European Union.[3] However, it took political actors some decades to recognize the connection between the EU and gender equality and establish an on-going discourse. Nowadays a European Union without a gender equality policy seems unthinkable, even though the issues in this policy area continue to trigger support as well as critique. To be able to understanding how EU gender equality policy changes over time we need to find out how much room for manoeuver the actors actually have.

Explaining the ups and downs of gender equality policy across time and space has always been of particular interest to feminist scholars (Jacquot 2015; Kantola 2010; Klatzer and Schlager 2014; Krizsan et al. 2012; Van der Vleuten 2007). As one of the latest emerging institutional and geopolitical arenas, the European Union (EU) has served as a focus for studying the changes and particular features over time (Abels and Mushaben 2012; Kantola and Nousiainen 2012; Lombardo and Forest 2012).

Gender equality policy is nothing new at the supranational level of the European Union; quite the opposite. EU gender equality developed *'in a piecemeal, somewhat organic fashion, reflecting broader concerns about the commitment of the EU to social policy more generally, the turn in EU politics towards a concept of citizenship, (…)'* (Beveridge and Velluti 2008: 2). The piecemeal, organic fashion started with a small article on equal pay for equal work in the Treaty of Rome. This was subsequently extended by a number of directives and supplemented by measures in employment policy. This has been followed by gender equality policy programmes[4] since the beginning of the 1980s and most recently, by gender mainstreaming in the mid-1990s. While research has paid much attention to hard law,[5] gender perspectives in policy areas and to the implementation of gender mainstreaming, surprisingly little attention has been devoted to gender equality policy programmes, apart from Hoskyns (2000) and Jacquot (2015).

EU policy programmes are a common supranational measure. They reflect one element of soft law[6] and were often written as communications by the European Commission.[7] When equipped with more outreach and impact they were adopted as decisions by the Council of Ministers,[8] sometimes in collaboration with the European Parliament.[9] Using soft law as a steering mechanism of EU integration has become the rule, rather than the exception of EU policy-making (Héritier 2003). The Open Method of Coordination (OMC) is one of the most prominent examples (Beveridge and Velluti 2008; Büchs 2007; Tholoniat 2010). Soft law tools, like benchmarking and best practice, together with the emphasis on subsidiarity, define what can be proposed by the European Commission and what will be accepted by member states. Gender equality with its policy programmes and strategy gender mainstreaming fits perfectly into this scheme (Ahrens and van der Vleuten 2017; Jacquot 2015). These programmes are a specific feature and specific soft law tool in gender equality policy. Understanding the making of soft law policy programmes is of great value for understanding the main processes of EU integration and policy-making.

From the beginning EU gender equality policy programmes initiated networking among member states and involved Social Partners, non-governmental organisations[10] and member state bodies. They promoted gender equality on topics that were unusual to most member states at the time, such as supporting female employment in technical areas (Abels and Mushaben 2012). In addition to directives and gender mainstreaming, gender equality policy programmes need to be understood as the third tool of the European Commission's promotion of gender equality.

When investigating gender equality policy at a supranational EU level, it is crucial to analyse Commission communications as the standard policy instrument of the EU. In terms of their direct supranational impact on member states, EU gender equality policy programmes rank particularly high on the list of measures, although they are rarely acknowledged as such. The EU shapes the gender equality discourse, gender relations and gender regimes in member states through hard and soft law. It sets benchmarks and, last but not least, defines gender equality policy programmes, where governments often concede supranational pressure.

Looking at one policy instrument—the Roadmap—in detail has the advantage of making actors the main protagonists of the decision-making process at EU level, while analysing how and why decisions are taken in this policy area. The Roadmap can be seen as a paradigm for EU gender equality policy-making, because it was the most important framework for all EU equality policies. Without this specific document it would be much more difficult to look at the developments in this policy area from an overall perspective (Ahrens 2015). The Roadmap also required the voluntary engagement of actors. This helps to identify the usual actors and their institutional and individual attitudes and activities. The focus on the Roadmap allows for the conceptualising of EU gender equality policy as an area of supranational professionalisation and as a platform for the production of expert knowledge (Büttner et al. 2015).

However, the in-depth study of policy programmes may distort EU perspectives, because soft law is hardly a 'hot issue', e.g. the EP and the Council are hardly engaged in its design. Particular conflicts between member states, feminist advocates in the EP and the Commission may simply be avoided due to the nature of the policy instrument. The perspective of this book does not incorporate the investigation of institutions as socially reproduced; instead it concentrates on how actors monitor what they do, how they utilise rules and resources in the evolving interaction.

Another disadvantage of the Roadmap is that it is a paradigm for gender equality policy. It makes it hard to tackle intersectional aspects, since other grounds for discrimination, as enshrined in Article 19 of the Lisbon Treaty, are covered by other actors and instruments.

Nevertheless, gender equality policy programmes are a typical product of the EU policy-making process and can be seen as an indicator of how political goals and subjects change over time. The impact of policy programmes as soft law measures should not be underestimated, given that they have always been crucial in supporting a positive action approach and were thus *'powerful instruments for policy innovation'* (Abels and Mushaben 2012: 7). According to Hoskyns (2000: 45), gender equality policy programmes followed their own implementation logic: *'Once the action programme is adopted, and the budget agreed upon, the precise aims and objectives set out in the text will provide the basis as appropriate for legislative proposals, the funding of projects, and the commissioning of studies and research'*.

The main argument of this book is that the whole character of EU gender equality policy-making changed with the adoption of the Roadmap. The changed actors' collaboration unintentionally lowered the policy implications of EU gender equality policy programmes and the policy itself. The Roadmap signified a fundamental shift to a well-known soft law instrument, namely EU gender equality policy action programmes. With the adoption of the Roadmap, the traditional format of EU gender equality policy action programmes was abandoned. The character of EU gender equality policy was seriously altered due to severe changes in the interactions between the actors. It shifted from close collaboration to sceptical observation. At a time when the development of gender equality mechanisms and the number of actors and resources were larger than at any point in the EU's history, the Roadmap was merely set up as a Commission communication without the need for formal agreement by institutions other than the Commission. The decisions concerning the choice of instrument and the ultimate constellation of actors reduced the scope and impact of gender equality underwritten by EU policy statements.

What is the key to understanding gender equality policy-making in the EU? It is a framework of actors and structure. In the following sections I will introduce my critical reading of structuration theory and its application to EU gender equality policy and analyse the milestones in the history of the EU gender equality policy in terms of its actors, (legislative) scope and content.

1.1   THEORISING ACTORS, STRUCTURE AND CONTENT

The theoretical perspective for the investigation of the complex dynamics of actors and hidden aspects of the EU's gender equality policy-making is informed by one of the fundamental debates in sociology and political science: the relationship between agency and structure. While most theoretical approaches include elements of both, few systematically combine the two. This study argues that an actor-centred perspective is required that carefully takes structure into account to find out how EU gender equality policy-making is actually done and which actors participate. By incorporating the actor-structure perspective into the micro-political level of the Roadmap I will offer an inside perspective into the actors, the internal and external policy processes and their formal and informal rules.

A combination of sociology and political science is rarely adopted in either discipline. This is mainly due to the internal debates within the disciplines, rather than a lack of overlaps between them (Favell and Guiraudon 2011). While political science turned towards economists in the 1970s and 80s, sociology maintained its focus on cultural and ideas-driven approaches, such as social theory, Europeanisation and international socialisation. Sociology asks about *'(…) the ordering role of collective values, identity and the stabilizing pressure of social norms (…)'* (Favell and Guiraudon 2011: 7). Political science followed this approach and started studying the EU as a new source of identity and novel political construction.

While political science informs us about the macro-functioning of EU policy-making, we understand less about the details of why policies developed in a certain way. Political science helps to discover the broad aspects, whereas the sociological approach helps to address the detailed decision-making process. Who decided when and under what structural constraints? What action is supported in favour of another in everyday working processes over time? It is necessary to understand how and why actors (re) act in certain situations the way they do. What influences them? How do they influence the structure themselves? How and why do they make which choices? What is their reality? What are the differences and similarities among actors? Investigating gender equality policy involves studying a complex, transversal policy area full of contradictory developments. The analysis of recent EU developments is a complex task due to its very nature as a *'moving target'* (Imig and Tarrow 2001), and particularly because *'actors generally discuss policy in closed committee rooms in Brussels and in the member states'* (Woodward 2012: 87).

I will approach EU policy-making predominantly by adopting a socio-logical approach to a research question that is usually addressed in political sciences. However, both disciplinary approaches are necessary. I will inves-tigate gender equality policy and the social practices of actors and focus on what these actors actually do (Mérand 2011). This means exploring the procedural dynamics and their (unintended) consequences for the content of a policy. I will take into account a broad variety of actors, rather than examining only one actor in depth. The hidden aspects of policy-making can be revealed by examining how and why actors (re)act as they do in certain situations; how they are influenced and how they simultaneously influence the structure; why they make which choices. Following the policy developments through the lens of structuration theory provides space for both actors and structures and allows the detailed analysis of a period that has not been well-researched to date. The important sociological question is: How does the interplay of actors and structure lead to a retrenchment or stabilisation of the status quo, rather than a progressive policy?

This study is located in the broader theoretical context of sociological approaches to EU integration. It is based on the common understanding that the prime concern of EU integration studies should be the actors' attitudes and actions, while institutional structures solely provide the con-text (Saurugger 2014). The aim is 'to bring the actor back in' (Georgakakis 2008 quoted in Saurugger 2014: 163). Sociology enquires about *'(…) the ordering role of collective values, identity and the stabilizing pressure of social norms (…)'* (Favell and Guiraudon 2011: 7). This means analysing individual actors, their (institutional) ties and (inter)actions, as well as their private and professional (gendered) socialisation. Although European integration theories (such as social constructivism, multi-level-governance, network governance and others that address discourse, insti-tutional context and gendered knowledge) inform the theoretical approach, they are not sufficient to fully cover the actor-centred perspec-tive. The study specifically employs the research strategy of strategic con-duct analysis (Giddens 1984) which acknowledges that institutions are reproduced. Yet it places an emphasis on how actors monitor their actions, how they draw upon rules and resources in the development of their interactions.

We must ask how actors act the way they do within a certain context and structure. Actors must be at the centre of the analysis because they do not simply provide the context; they rather shape the character of policy-making. In terms of policy processes, we must ask which conditions

prompt actors to develop gender equality policies in a certain way. We need to know what changed and what remained stable in the relationships between actors and how this has influenced the way in which policy content was developed.

The majority of actor-centred theoretical approaches to EU policy-making has investigated the so-called stages heuristic of a policy cycle.[11] Although the stages heuristic have helped to structure policy process analysis by reducing its complexity, they have been rightly criticised for lacking causal mechanisms and ignoring multiple, interacting cycles. They remain descriptive and suffer from a top-down focus (Sabatier and Jenkins-Smith 1993: 3). The Advocacy-Coalition-Approach (ACF) developed by Paul Sabatier and Henk Jenkins-Smith (1993) has provided an alternative actor-centred theoretical framework. It has addressed the criticism of the stages heuristic by focusing on policy implementation from both a top-down and bottom-up perspective. It has also understood the significant role that technical information and policy learning plays in the policy process (Sabatier 1999). The most important hypothesis of the ACF is the phenomenon of advocacy coalitions which can be defined as actors' groups (such as interest group leaders, agency officials, legislators, researchers and journalists) who work together, sometimes unconsciously, yet more often consciously. Advocacy coalitions share a set of normative and causal beliefs and engage in a non-trivial degree of co-ordinated activities over time with the goal of influencing policies in a subsystem. Therefore, the ACF is close to the concept of 'political opportunity structures' (McAdam et al. 1996) and 'windows of opportunity' (Kingdon 1984).

In general, the ACF tried to evaluate policy learning and the role of scientific information in public policy. Policy learning and experts' advice are essential to European policy and more specifically to gender equality policy, as these studies are still not part of mainstream research (Hawkesworth 2010; Perreira 2012). Although Sabatier (1998) suggested small adjustments, the ACF has faced some severe difficulties regarding the EU.[12] The ACF entirely fails to explain important minor changes that result in large differences. The institutional setting is taken for granted as an important framework for actors. Therefore, the ACF falls short in acknowledging that the structures are also subject to change and that even the actors sometimes aim to change the structures in order to reach their goals.

From the perspective of structure, institutionalism has emphasised the structural aspect rather than the actors' influence. Institutions have gained increasing importance to both political science and sociology, although

the two disciplines have a different focus. While political scientists have tended to focus on the characteristics of institutions and compared them to similar institutions in other circumstances (e.g. the role and function of supreme courts), sociologists have mainly attempted to explain the process of institutionalisation (Peters 1999: 96).

The re-focus on institutions is mainly due to the conviction that ideas, norms, culture, etc. are embedded in structure, which is maintained and confirmed by institutions. The publications of March and Olsen (1984, 1989) and Hall and Taylor (1996) signify this (re)initialised concern with institutions in (modern) societies. Institutionalism became famous because researchers questioned the proposition that all action is driven by actors who are maximising their self-interest (Immergut 1998), in contrast to the dominant research strands of rational choice and behaviourism. New institutionalism investigated which mechanisms in institutions shape individual behaviour (Granovetter 1985) and how individuals shape institutions (Cohen et al. 1972).

Peters (1999) provided an early definition which was the beginning of what we presently call 'normative institutionalism'. It provided the basis for distinguishing between different approaches, typically summarised as 'historical institutionalism' (Pierson and Skocpol 2002; Thelen and Steinmo 1992), 'rational choice institutionalism' (Shepsle 2006; Weingast 1996), 'sociological institutionalism' (DiMaggio and Powell 1983; Powell and DiMaggio 1991) and more recently 'discursive institutionalism' (Schmidt 2008).

The majority of new institutionalism scholars have failed to integrate gender aspects into their theoretical approaches. This gap has been filled by feminist scholars who have established 'feminist institutionalism', providing a combination of various 'new institutionalisms' and feminist perspectives (cf. Chappell 2010; Kenny 2007; Krook and Mackay 2011; Mackay et al. 2010; Waylen 2007).

Although various institutionalisms are certainly sufficient to help us understand policy-making in the EU, they were too specific for this study. Even sociological institutionalism fails to address essential aspects in the research questions at hand and ignores significant aspects, such as power and conflict (Ortmann 2008: 39).

Finally, the role of actors and how they are able to initiate political change has also been addressed by social constructivism. Constructivism remains one of the leading approaches of feminist theory, as well as sociology in general (Locher and Prügl 2001). It is appealing because it

acknowledges that nothing is set in stone and that there is constant change. Constructivism investigates how and why actors perform certain roles, how they construct their social world and how their interests and norms change.

Since the 1990s the theory of international relations experienced a 'constructivist turn' (Checkel 1998). The theory had to take into account intersubjectivity—the impact of social interaction of states on the structure of the international system, as well as institutional aspects (Christiansen et al. 2001: 6–7). According to Christiansen et al. (2001), scholars following the constructivist turn either belong to the sociological constructivists who study the impact of norms on actors' identities, interests and behaviour, or to the Wittgensteinian constructivists who include language as action constituting meaning (Christiansen et al. 2001: 8).

Constructivism—similar to structuration theory—has stressed the influence of language, symbols, discursive formations, culture and norms on EU actors who might otherwise be conceived as acting 'rationally' in terms of pre-defined 'interests' (Lombardo 2016). Social constructivist approaches to European integration offer valuable assistance in understanding European governance, although it has rightly been criticised that *'there is no one social constructivism, and that the current literature is more united on what is being rejected than on what is being proposed'* (Smith 2001: 197). In terms of gender equality policy, there is a rich scholarship that—similar to the theoretical framework of this book—allows the focus on actors and includes power as a central concept of the analysis (Lombardo 2016).

For this study it was more important to understand how and why actors (re)act the way they do in certain situations, how they influence the structure, how they are influenced by it and how and why they make which choices.

1.1.1   Structuration Theory

Theoretical perspectives that focus on either agency or structure help us to understand social practice from a certain perspective. However, an in-depth analysis of EU gender equality policy-making requires the analysis of the duality—and not the dualism—of agency and structure. The study explores how actors act within structures, which institutional limits and freedoms they are aware of and how this leads to particular strategies in policy documents. In this respect, structuration theory proves to be the

most useful approach, as it concentrates on the indivisible reciprocity of agency and structure, whereas most other approaches treat them as polarised entities. Structuration theory *'simply <u>opens</u> avenues for inquiry where several other theories reduce features that can be investigated'* (Christiansen et al. 2001: 12; emphasis in the original). It *'rejects the mutual exclusiveness of theorising about either action or institutions'* (Wolffensberger 1991: 89).

Giddens suggests that we should not decide on either structure or agency, but rather accept the duality and indivisible connection of structure and agency.[13] Structuration theory is a *'discontinuous theory of social change'* that *'places time-space distanciation and issues of power at the center of analysis'* (Tucker 1998: 107–108). Apart from the agency-structure question, structuration theory comprises other typical sociological oppositions, such as individual-society, voluntarism-determinism and subject-object.

A pragmatic use of structuration theory allows us to apply selective elements to various contexts, in this case EU gender equality policy. Giddens himself suggests this pragmatic application: *'The concepts of structuration theory (…), should for many research purposes be regarded as sensitizing devices, nothing more'* (Giddens 1984: 326). Structuration theory is a social theory; it is applied in this study to offer a useful meta-theoretical framework for research into EU policy-making.

The study is based on a strategic conduct analysis which is appropriate for a focus on actors. Strategic conduct analysis is defined as: *'Social analysis which places in suspension institutions as socially reproduced, concentrating upon how actors reflexively monitor what they do; how they draw upon rules and resources in the constitution of interaction'* (Giddens 1984: 378).[14] It allows the investigation of the hidden aspects influencing EU gender equality policy, because it gives primacy to actors and their discursive and practical consciousness and *'to strategies of control within defined contextual boundaries'* (Giddens 1984: 288). This study analyses how actors reflect and narrate policy-making and its inherent logic and what kind of institutionalised setting is (re)produced in time and space.

Structuration theory is valuable as one of its central questions is how agents and structure reproduce routines by following rules and using resources in space and time. In terms of EU gender equality policy, the question was turned upside down: it is no longer about how routines are reproduced, but rather how they are set up and by whom, how they live on, while there are constant changes to structure and agency. The changes to structure and agency occur with every treaty revision, with every new

set-up of the Commission, EP and Council. It is surprising that gender equality policy remains on the agenda, albeit to a lesser extent and in a different form.

A critical-realist feminist theory of politics shares the basic assumptions of structuration theory in terms of (re)production of routines by following rules and resources in space and time:

> *A historical and materialist theory of gender as a specific social system of relations and activities, produced in and through identifiable, historically changing social relations and practices, institutions and norms in specific cultural settings. This theory of gender connects ontological assumptions about gender to specific-level theories of its production and includes, but is not limited to, discursive representations of masculinities and femininities and theories of sexual difference.* (Jónasdóttir and Jones 2009: 44)

Feminist theory has long argued that there are no 'natural' gender relations and gender regimes (Walby 2004), but rather that these are all constructed by actors within a certain structure, time and space (Butler 1990), culminating in a patriarchal state (MacKinnon 1989; Walby 1990) whereby institutions and policies are gendered (Marshall 1994; Marshall and Witz 2004).[15]

Despite the (re)production of social inequalities being a central element (Lamla 2003), structuration theory has overseen influences from gendered relations. Therefore, when structuration theory is used as the theoretical framework, a gendered reading still needs to be developed. The fact that structuration theory failed to properly address gender aspects has already been discussed by various researchers (Davis et al. 1991; Kahlert 2005; Marshall 1994; Murgatroyd 1989; Wolffensberger 1991). Giddens himself admitted *'that, like many others working in social theory, I have simply not accorded questions of gender the attention they undeniably deserve'* (Giddens 1989: 282). Even though he tried to respond to this failure by raising further questions when connecting gender to social theory (Giddens 1989: 284), he did not sufficiently address the way in which social life is gendered.[16]

Integrating a gender perspective means being sensitive about how gender is socially constructed and reproduced in the everyday life of actors, as well as in structure. Marshall stresses that taking 'gendered subjectivity' into account is *'central to an understanding of the way gender becomes embedded in both subject and structure, and their relationship'* (Marshall 1994: 94).

One way of doing this is to refer to gendered power relations rooted in symbolic structures and the androcentric definition of reality (Bourdieu 2005). Butler (1990) has pointed to three central assumptions that are universal, out of time and socially constructed: the 'reification' of gender through dichotomous and hierarchical constructions of binarity, the symbolic reliance on the male model as the standard norm, and essentialist approaches presenting masculinity and femininity as 'a natural sort of being', resulting in 'natural' men's and women's behaviour'.

Integrating a gender perspective in structuration theory means connecting different aspects on different levels and developing a *'concept of engendered structure'* (Wolffensberger 1991: 93). First, in relation to the individual actor this means taking account of *'doing gender'* and looking at gender as an effect of performance (Butler 1990: 136). This leads to the dichotomous and asymmetrical construction of gender roles with consequences for knowledgeable agents. Second, taking account of the genderedness of organisations (Acker 1990, 1992; Benschop and Dorreward 1998), gendered power relations (Bourdieu 2005; Davis et al. 1991) and gender symbolic orders (Connell 1987) which influence the duality of structure. Third, the interplay results in an overall specific content of gender equality policy. These gendered issues are illustrated in the remainder of this chapter.

1.1.2   Structuration Theory and EU Gender Equality Policy

When examining EU gender equality policy-making it is necessary to translate Giddens' concept of agency into the concept of actors. At the same time Giddens' concept of structure needs to be put more into the context of EU policy processes. Applying structuration theory and the concept of the duality of structure also need to be adapted to the specific transnational setting of EU gender equality policy-making. Furthermore, we need to discuss content as a product and outcome of the interplay of agency and structure.

Agency
In Giddens' theory of structuration, individuals are *'spontaneous agents, capable of choice, particularly in relation to the constraining powers of the state'* (Loyal 2003: 25). Therefore, actors are highly knowledgeable agents: *'every social actor knows a great deal about the conditions of reproduction of the society of which he or she is a member'* (Giddens 1979: 5).

Consequently, Giddens' understanding of the concept 'agency and action' is phenomenological:

> *It is analytical to the concept of agency: (a) that a person 'could have acted otherwise' and (b) that the world as constituted by a stream of events-in-process independent of the agent does not hold out a predetermined future.* (Giddens 1976: 75)

When applied to EU policy this means that actors, such as civil servants, are aware of their individual institutional situatedness and—at the same time—aware of how 'their' institution is placed vis-à-vis other institutions. They are aware of multiple constraints, as well as *'windows of opportunity'* (Kingdon 1984). They implicitly, and sometimes even explicitly, know their options and have a choice to act in different ways.

The Knowledgeable Agent
Structuration theory includes a stratification model of the agent and distinguishes between three 'layers' of cognition/motivation (Giddens 1984: 5–8, 41–51):

- Unconscious motives/cognition: *'The unconscious includes those forms of cognition and impulse which are either wholly repressed from consciousness or appear in consciousness only in distorted form'* (Giddens 1984: 4–5).
- Discursive consciousness: *'What actors are able to say, or to give verbal expression to, about social conditions, including especially the conditions of their own action; awareness which has a discursive form'* (Giddens 1984: 374)
- Practical consciousness: *'What actors know (believe) about social conditions, including especially the conditions of their own action, but cannot express discursively; no bar of repression, however, protects practical consciousness as is the case with unconscious'* (Giddens 1984: 375)

The three layers relate to *'the motivation of action (which may be partly unconscious), the rationalisation of action (agents' articulated reason for action), and the reflexive monitoring of action (agents' knowledge of what they are doing)'* (Bryant and Jary 2001: 13). The conditions of individual situations are not considered the main factors that influence knowledgeability. Instead, Giddens' concept of knowledgeability heavily relies on

one's individual ability and motivation to learn and change the scope of one's practical consciousness, thereby discharging the way in which structures play out differently for different individuals.

In this study practical consciousness is considered the most important layer in terms of agency and structure; it steers everyday life and mirrors people's understanding of the world. Agents use their practical consciousness to follow the institutional order in day-to-day life without questioning it, which means that *'they reproduce its 'factivity'*' (Giddens 1984: 331, quote in the original). Agents thereby contribute to the reproduction of the institutional order and maintain the same conditions of action, including its gendered aspects. The reproduced factivity not only comprises consequences for the agent in question, but also produces unintended consequences, with the effect that other individuals might have to develop a similar practical consciousness within the same institution.

An example from EU policy in general is the on-the-job training of new civil servants and their adjustment to institutional norms and rules (Checkel 2005; Hooghe 2005). Everyday work forms practical consciousness by discursive interaction with others. It can be expected that agents are, to some extent, able to reflect upon their practical consciousness within a certain institution. Given that practical and discursive consciousness is not strictly divided, an agent is somewhat able to use his or her discursive consciousness and is capable of elaborating on reasons and motivations for day-to-day-routines.

Giddens calls this modern phenomenon 'reflexive monitoring': agency includes the possibility of acting otherwise, providing reasons for one's actions and reflecting upon and monitoring them (Giddens 1976). The agents' ability to reflect upon their actions is extremely useful when investigating EU gender equality policy-making. Interviewees describe their day-to-day-routines and at the same time they are able to distance themselves from them; they criticise the routines and explain gaps, failures and changes; they explain how they should be changed, while following the routine. In fact, gender equality policy can be seen as a policy area where it is constantly expected that (institutional/political) agents will challenge practical consciousness, where they will question it and question the reproduction of the social system and work towards change (Jacquot 2010). This special feature of gender equality policy—the constant struggle between practical and discursive consciousness with the aim of changing the social system—renders structuration theory as a valuable theoretical framework.

The knowledgeability of actors is limited in the structure, as well as informed by practical and discursive consciousness. Knowledgeability has spatial breadth. Agents are only aware of their own environment, but not of the other spheres of social life (laterally and vertically). For example, although they have a basic understanding of other institutions, agents can seldom assess the specific constraints other individuals and institutions have in their work and why they did not choose to act in a different way. There are unacknowledged conditions of action, including unconscious and practical knowledge and unintended consequences of action. This means that socialisation and the specific contextual knowledge determine how people react to specific requests and problems.

Lombardo et al. (2009) provide important examples of how actors use their knowledgeability for shaping gender equality policy in a certain direction, e.g. when bending, stretching or shrinking the policy scope. Different choices are available to different actors and depend on the given structure and on-going processes. Lombardo et al. also point to the unintended consequences of choices:

> *The way in which policy actors will use or reinterpret a fixed meaning is rather unpredictable in the sense that it can have different effects than the ones expected both from actors in the meaning's elaboration and the actors who engage in challenging this meaning.* (Lombardo et al. 2010: 117)

In this respect Giddens provided three analytical aspects of interaction: power, communication and sanction. Giddens defines power *'as the capability to secure outcomes where the realisation of these outcomes depends upon the agency of <u>others</u>'* (Giddens 1976: 111, emphasis in the original). In interactions actors *'could have done otherwise'* (Giddens 1979: 92), they have *'transformative capacity'*, and as such *'power is intrinsically related to human agency'* (Giddens 1979: 92).

In terms of gender equality policy, actors insert their ideas into policy documents. Their understanding of gendered relations reflects the political goals they consider appropriate. Thus actors not only perform an institutional role, they also influence and shape this role, which subsequently affects the policies. Individual actors gain their knowledge in relation to gender equality from their own socialisation. The understanding of gender equality is also shaped by different contexts in different countries (Esping-Andersen 2002; Sainsbury 1996). Actors combine ideas about content and are connected with the policy processes.

Agency and Actors

Agency and actors are related, although they are not identical. The term 'actors' is a substitute for a variety of possible elements and includes individuals, groups, institutions and organisations. Whereas Giddens predominantly defines agency on an individual level and places it vis-à-vis structure, in this study agency is translated into the term actors, which captures two different, yet connected relationships:

- Individuals in relation to the institution or organisation within which they work. This is a direct transfer of Giddens' structuration theory into a defined societal subsystem, namely politics.
- Individuals as representatives of their institution vis-à-vis other institutions within the political subsystem. For example, this refers to how those responsible for gender equality within institutions or organisations, such as the European Commission, European Parliament, Social Partners or NGOs, locate their institutions in relation to other institutions.

Structuration theory mainly speaks of individuals according to the first definition and offers few insights into the relationship between individual actors and the institution they represent, as defined in the second sense. Structuration theory clearly underestimates the way in which individual actors consciously and unconsciously act as if they were institutional actors. This study will show that actors think about their institution, about the roles, interests and needs of the institutions they represent. Actors represent their institution, they speak for their institutions, and therefore the institutions need to be seen as actors themselves. The individual actor and the institution become one; they are the same.

Actors—individuals, institutions, organisations and groups—are defined as an entity that participates in the EU gender equality policy-making. This includes those who are present and visible and those who participate in the background. In this sense, non-participating actors are also part of the actors' constellation, as long as they are relevant to gender equality policy. Relevant in this context are those actors who perform a certain role in the policy process, such as institutions that have to adopt policy proposals (although they do not actively participate in the formulation of gender equality policy content). Actors, such as NGOs and interest groups which try to participate in the policy process and aim to make their

voices heard, are also relevant, even though they are ignored by the decision-making institutions.

Although Giddens does not make this distinction, it helps to differentiate between these three groups: (1) participating actors, (2) non-participating actors that try to participate and (3) non-participating actors that have a certain role to perform. However, the main focus here is on the first group. The distinction is vital in order to understand the actors' constellation and the overall policy-making context relevant to each actor.

The role and function that institutions perform in the tension between gender equality policy and the rest of the EU policy system is a question of power—which is a typical sociological question. Moreover, the role and function of institutions is also tied to the question of informal and personal ties (Woodward 2004). The analysis of the institutional and the personal roles that people play is a useful distinction in respect of gender equality policy. It is a norm-driven policy area, which means that people may sometimes be torn between their political motivation and the institutional role they have to fulfil. Indeed, this applies to any kind of political orientation, not only to feminists.

For example, the institutional role might be a civil service job in the Commission. Civil servants perform an institutional role. This means they have to follow rules: who to contact, when and for what reason. At the same time the rules are subject to change in many ways. For instance, when treaties, commissioners, etc. change, the job portfolio might also change. Actors might switch to another job where they have comparable, but different tasks. This means that civil servants have a certain institutional role in the policy process, although the content can change. They might work with new colleagues, followed by changes within the job portfolio. Therefore, there are always dynamic and stable elements in the life of actors.

Structure

In structuration theory the interaction of subjects is interlocked with the reproduction of structuring properties *'allowing the 'binding' of time-space in social systems, the properties which make it possible for discernibly similar social practices to exist across varying spans of time and space and which lend them 'systemic' form'* (Giddens 1984: 17, quotes in the original). This means that subjects interact within the structure and cannot do this outside the structure; at the same time they reproduce this very structure by the interaction taken. Giddens emphasises that structure is not

merely a reproduced constraint, but also offers enabling paths for subjects: *'Structures must not be conceptualized as simply placing constraints upon human agency, but as enabling. This is what I call the <u>duality of structure</u>. Structures can always in principle be examined in terms of their <u>structuration</u> as a series of reproduced practices. To enquire into structuration of social practices is to seek to explain how it comes about that structures are constituted through action, and reciprocally how action is constituted structurally'*[17] (Giddens 1976: 161, emphasis in the original).

Structuration theory does not clearly define the relationship between actors and institutions. The distinction between structure and structural entities is much clearer, i.e. institutions: *'A structure is not a 'group', 'collectivity' or 'organization': these **have** structures'* (Giddens 1976:121, quotes and emphasis in the original).

This study sees structure and its structuring properties as part of the logical framework of policy processes and analyses its inherent logic of rules, resources, routines and time-space-relations in the EU system. The concept of the duality of structure assumes that there are constant changes and dynamics in the policy process. It realises that there are no stable systems, but different stages, depending on the institution, the actors and other perspectives. These varying systems and stages never take place simultaneously, but have different speeds, powers and effects. Systems and structures only have a virtual existence (Bryant and Jary 2001). Structure only exists in the memory of knowledgeable actors and is reproduced in action.

Rules, Resources and Routines

One particularly useful argument of structuration theory is *'that people follow rules patterned in social structure; collective knowledge of social rules is the condition of social interaction'* (Tucker 1998: 81). All rules are transformable, transferable and generalisable to other situations (Giddens 1979). *'Rules are inseparable from the exercise of social power'* (Tucker 1998: 82) and *'rules and resources drawn upon in the production and reproduction of social action are at the same time the means of system reproduction'* (Giddens 1984: 19). As a result, rules play a significant role in constituting meaning; they are closely connected with sanctions, they are applied techniques or generalisable procedures (Giddens 1984: 20f).

Giddens distinguishes between formulated (codified) rules, such as laws or bureaucratic rules, and rules which are relevant to general questions[18] (Lamla 2003). While the former are abstract and sometimes used to establish sanctions, the latter are rarely challenged. The rules are followed by

reacting to situations; for example, language only exists in the moment when it is spoken or written, and people often react strongly against others who do not follow the rules and conventions of language (Giddens 1984: 21, 24). Such strong reactions also apply to violations of the social order, as Garfinkel's studies on 'normal' behaviour have shown (Giddens 1984: 23). Rules not only work by themselves, they can also become *'frames'*, which are *'clusters of rules which help to constitute and regulate activities, defining them as activities of a certain sort and as subject to a given range of sanctions'* (Giddens 1984: 86). Frames provide certainty to the knowledgeable agent, they can be used unconsciously, shape interaction and to some degree guarantee predictability—routines, so to speak.[19]

Rules and routines are therefore of special relevance to politics. Actors are often very conscious of codified formal and informal rules that guide the course of policy-making. Routine is an important aspect in the context of the EU, because we can explore the reasoning of actors to better understand which rules they follow and where these rules come from, if they were transformed or transferred from a different context. This also means that actors have ideas about the content of gender equality policy (meaning), institution-related knowledge (power) and process-related knowledge (conduct).

Resources are also an important basis for reproducing social practices by providing actors with power. Structuration theory differentiates between allocative and authoritative resources. The former refers to *'transformative capacity generating command over objects, goods or material phenomena'*, and the latter to *'transformative capacity generating command over persons or actors'* (Giddens 1984: 33). Both kinds of resources are important for the study of EU gender equality policy-making. For example, the control over allocative resources includes the power to assign or withdraw budgets, offices and other equipment to policy areas. This control also demonstrates how important a policy area is considered to be. The control over authoritative resources translates into *'the co-ordination of the activity of human agents'* (Giddens 1984: XXXI). It is a crucial element of policy-making and includes questions like: who is responsible for which policy area, how many people are responsible and whether they have the power to decide and enforce decisions.

Resources are not equally distributed among men and women, nor do resources and rules work in the same way for men and women; on the contrary, they function as *'media of twofold reproduction'* and are reproduced together in interaction (Wolffensberger 1991: 93, 104). When

investigating EU policies, gendered power relations have to be considered. At the level of general policies there is a common understanding which Directorate General is powerful (e.g. Trade, Competition, Enterprise and Industry, Internal Market) or powerless (e.g. Education and Culture, Employment, Health and Consumer Protection) (Hooghe 2002).

Rules and resources can be understood as aspects of (structural) routines. The EU can be defined as a political construct sui generis: it is always developing, never finished, and this logically applies to all its routines. Central decision-making routines are prescribed in the treaties, although they might be changed with every treaty revision. This not only leads to the reproduction of a special EU social life, a distinctive EU social system, but also to new routines. The important question is therefore to check which routines exist, how these routines constrain the actors and how they relate to these constraints. Which routines do the actors accept? Which do they carry out every day without even questioning them? One routine that steers EU gender equality policy-making is the division of competencies. In the EU it is surprising that some of the actors from different institutions do not contact each other, even though they are all responsible for this policy area. Although they often hold the same opinion about political goals, they do not make an effort to connect; they instead stick to institutional rules and routines, such as the sequencing of participation in the adoption process of (non-)legislative proposals.

While they reproduce structure, actors are not free from constraints. This is due to rules and resources, as well as timing, such as the fact that only certain choices are available at a certain point in time. At the same time the decisions influence further developments and subsequent choices. Single agents cannot control the choices that are available. They have to decide between those that are available in the context of broad institutions (Tucker 1998).

Time and Space

While rules and resources are independent of time, space and subject, they still must be mobilised in action and function as memory traces. They are thereby simultaneously indivisible in time and space (Ortmann 2008: 36). Policy processes follow their own (bureaucratic) logic and timeline; they can be caused by simultaneous events, such as legislative acts, changes in the presidency and the Commission. At certain points in time various policy processes intersect and sometimes influence the acceleration or slowing down of a specific policy area.

The communication of meaning, the exercise of power and the evaluative judgment of conduct structure social practices and relations over space and time. Aspects of meaning, power and judgment of conduct are of great importance within this study, considering the content of gender equality policy (meaning), actors' relations (power) and process-related information (conduct).

The Roadmap process included a timeline for its development and implementation, which was interwoven with the specific way actors and structure related to each other in gender equality policy. Woodward confirmed that, prior to the Roadmap, a velvet triangle which consisted of civil servants, parliamentarians and academics created their own rules and networks to advance gender equality policy (Woodward 2004). Jacquot verified that this specific mode of policy-making no longer exists and that today's actors act along the general EU system rules and routines (Jacquot 2015).

Routines and planning vary between DGs, most of which have their own institutional time frames, rather than a pre-set Commission-wide one. Consequently, policy processes are simultaneous and unconnected, while routines and planning differ depending on the policy area. There are some overarching processes in the EU, such as Council meetings, changes of the Commission and EP elections, which generally structure policy processes in the EU. Time frames in the civil service of the Commission, EP, Council and other EU institutions are not interrupted by these overarching processes and continue while the overarching processes take place. This means that the formulation of policy documents, policy programmes and legislative processes are relatively independent of those overarching processes.

Content
The content of gender equality policy is an expression of different ideas and cultures. Ideas, norms and cultures become visible, as they are put into a written form that cannot be changed after publication. The content of a policy consists of the topics that political actors are working on. Policies are defined by the scope and topics which are discussed. This also means that the content varies across time and space. Content is not designed from scratch; it rather rests on former policies and topics, on new actors who provide new topics, sometimes bending, stretching or shrinking the former content (Lombardo et al. 2009).

To put it simply, content is the outcome or the result of the interplay between actors and structure, the result of policy-making which is defined

as *'an ongoing process of planning, executing and evaluating interventions by states at different levels of government, including the establishment of institutions, to define the rules steering society'* (Lombardo et al. 2013: 679). When analysing the content it is possible to trace normative influences and ideas in the policy area. How the content is produced can only be investigated by analysing the participating actors and their connections, as well as processes that lead to the final content of gender equality within the context of the EU system.

Actors and structure produce policy content in a certain way. The specific combination of actors and their (in)formal relationships and institutionalised policy processes determine the content. The process is highly influenced by ideas about gender equality policy and cultural constraints within different national contexts, as well as institutionalised processes on a transnational level.

Consequently, policy content needs to be identified and connected with the terms 'actors' and 'structure' in order to capture the whole EU gender equality policy. Structuration theory does not provide the answers for how to apply structuration theory to empirical research in a policy area. In fact, the missing answer is caused by the very nature of structuration theory as a social theory, which aims to explain societal systems on a meta-theoretical level and not within societal sub-fields, such as policy-making. Structuration theory explains relations at an abstract level and its application in 'reality' and what it means in detail are explained in other works.[20]

The content of a policy is not fixed; it can be changed, decided through discussions and it is not something that appears out of nowhere. In case of the EU it is necessary to ask how primary and secondary EU legislation defines gender equality policy. This includes the question why some topics are excluded, suppressed or not addressed—despite the legal possibility. It also needs to be investigated how legislative definitions evolve and develop.

Structuration theory emphasises that agents who constitute and develop structure are also simultaneously constrained by this structure. The interplay can be seen as a dynamic, ongoing process of affirming, changing and reconstituting structure (Ortmann 2008). This process is not unidirectional; it is an interwoven relationship, a reciprocal causation of agency and structure. This reciprocity implies a dynamic process linking structure and agency. In terms of EU policy-making this means that institutions and actors are changing each other gradually in an iterative process.

According to Giddens: *'Interaction is constituted by and in the conduct of subjects; structuration, as the reproduction of practices, refers abstractly to the dynamic process whereby structures come into being. By the <u>duality of structure</u> I mean that social structures are both constituted <u>by</u> human agency, and yet at the same time are the very <u>medium</u> of this constitution'* (Giddens 1976: 121, emphasis in the original). Structuration theory aims to explain how *'structures are constituted through action, and reciprocally how action is constituted structurally'* (Giddens 1976: 161). Hence the term structuration contains a double meaning, structuring and structure; process and result, so to speak (Ortmann 2008: 33).

The most important aspect is to track changes on the level of actors and structure in order to understand the role of rules and resources, as well as the possible scope of knowledgeability and capability. Given that the Roadmap can be taken as the fixed outcome at a certain point in time, it consequently becomes the reference point for the analysis of the duality of structure. We will have to understand the Roadmap in its historical context of EU gender equality policy. By examining the historical background we find contradictions between announced goals and their translation into policies and detect indications of speeding up and slowing down processes.

Comparing the different narratives of how actors draft, negotiate and decide the content of gender equality policy programmes helps us to understand how they reconstruct certain institutional rules and routines and how they rationalise their actions. Looking at the policy process also helps us to discover differences in actors' knowledgeability; e.g. what they know about the actions and routines of other actors and how they interpret them.

1.1.3   *Methods and Methodology*[21]

One of the premises of this study's sociological approach is that there is not a single, ideal process, whereby actors reconstruct policy processes by developing their own narratives. Narratives are necessary requisites for actors to locate events on a timeline. This entails their perceptions of how the policy area is structured in terms of ideas, norms and power and how it is located in the overall EU context. Actors make sense of the content of gender equality policy according to their own views of the policy area by describing and interpreting events across time and space.

This study combines semi-structured expert interviews, documentary analysis and tools of qualitative network analysis. The overall approach is best described as qualitative, inductive and theory-generating within the

broader context of grounded theory (Glaser and Strauss 1967). The empirical research is based on the everyday work of the interviewees and their social interactions. This approach provides a 'thick description' and analyses a single case by studying policy processes from a feminist, interpretivist perspective (Vromen 2010: 249).

From March to July 2008 thirty-three expert interviews were conducted in the European Commission, the European Parliament, the European Council, the European Economic and Social Committee with members of different NGOs, Commission expert groups, Social Partners and interinstitutional groups. In addition, the empirical analysis rests upon the analysis of a large quantity of primary sources[22] of EU institutions, such as the Commission, the Council, the Parliament, as well as other actors in the policy process.

The descriptions and interpretations of these actors contain the reasons for the way the policy programme and its content were adopted. They can be interpreted as an expression of Merton's Thomas theorem, the self-fulfilling prophecy: *'If men define situations as real, they are real in their consequences. Men respond not only to the objective features of the situation, but also, and at times primarily, to the meaning this situation has for them'* (Merton 1957: 475).

When analysing the policy process of the Roadmap a micro-sociological approach was best suited to reveal the actors' choices: Why did they use strategic framing or abolish more conflictual steps that would question the existing rules and routines? Rules and resources cannot be detected by asking directly, as routines are embedded in practical consciousness. It is therefore necessary to reconstruct the policy process from the narratives and analyse the questions: Which rules and resources played a significant role? When, why and how were rules and resources acknowledged? Which of the rules played a role? This case study provides a historical perspective on the Roadmap and shows the path the policy programmes followed.

1.2   THE HISTORY OF EU GENDER EQUALITY POLICY ACTORS

Gender equality policy[23] is nothing new at the supranational level of the European Union; quite the opposite. EU gender equality developed *'in a piecemeal, somewhat organic fashion, reflecting broader concerns about the commitment of the EU to social policy more generally, the turn in EU politics towards a concept of citizenship (…)'* (Beveridge and Velluti 2008: 2).

Gender equality policy began as a question about women's rights and 'deficient women' who need special protection and support, as defined in article 119.[24] It took a long time to reach the scope of gender equality policy in the EU as it is today.

The change in the policy area over time depends on which actors and institutions are relevant, it depends on the balance of power, the formal and informal rules they must follow and the tools at their disposal. As a supranational arena of policy-making the EU offers several possible access points for stakeholders who aim to express their interests in EU institutions. The way in which different actors organise their interests and how EU institutions respond to them reveal the complexity of negotiations within an increasingly complicated system.

The activities of different institutions have been analysed from an actor's perspective (Braithwaite 2001; Hantrais 2003; Schmidt 2005). Relationships between the EP and the Commission or the Social Partners and transnational policy networks have also attracted interest from women's organisations (Lang 2009). So has the overall logic of the policy area (Woodward 2012). Others studied the perspective of the institutions and how the EU accelerated the set-up of networks (Montoya 2008, 2009). Some actors are policy entrepreneurs in various constellations, such as policy networks (Falkner 2000; Knoke 1990; Marsh 1998), advocacy coalitions (Sabatier 1998) or interest groups (Greenwood 2007). Actors can also wear multiple hats, including their personal motivation and the institution which they represent (Lang 2009). Research on women's policy networks has focused on participation possibilities (Bretherton and Sperling 1996), network ties of women's movements and their representation on the web (Lang 2009; Prudovska and Ferree 2004), as well as the establishment and creation of new policy networks in different policy areas (Montoya 2008, 2009; Zippel 2004).

Over time the EU developed three different, yet overlapping tools to steer supranational and member states' performance: legislation, policy programmes and gender mainstreaming. The history of gender equality policy in the EU shows that the actors, structure and content of a policy were not fixed for each tool. Each of the three aspects changed and, more importantly, can be changed. The following sections illuminate these changes over time. In terms of actors we will better understand who started gender equality policy at which time and how the interactions worked between the various actors. I will examine who has a long history in gender equality policy and who joined more recently. This factor is important, given that experience in gender equality policy also affects actors' knowledgeability

and understanding of which routines and rules play a role. While actors linked to employment policy have the longest tradition in EU gender equality policy, the majority of political actors joined within the last decade; not because they voluntarily understood that gender equality is a question of relevance, but because gender mainstreaming obliged actors to deal with various gender inequalities. With the Treaty of Amsterdam more policy areas became affected regardless of their own logic and structures.

In this respect the fixation of gender mainstreaming in the treaties made an increasing number of actors relate to gender equality even though their own history rarely included it. The actors' lack of consciousness about gendered inequalities was reflected in gender equality research. Only for the last three decades has gender studies become a growing research area where issues are now studied that were previously taken as gender neutral. The trickle-down effect of research results to policy makers took (and takes) time. Apart from that, policy areas in the European Union vary significantly in their openness towards gender mainstreaming, based on their internal routines and history (Pollack and Hafner-Burton 2000).

In terms of structure the rules of the game for gender equality policy changed with the introduction of gender mainstreaming, as the treaties must now be interpreted with an understanding that all policy areas of the EU ought to promote gender equality. While research has recognised the scope, we will learn from this study that policy makers lag behind in their understanding of gender mainstreaming and gender aspects in their policy area. For example, the civil servants in the Commission have sometimes worked in their policy area since before the introduction of the treaty article on gender mainstreaming. This is particularly true for higher level managers who are predominantly men and who often 'made their way' through the institution. Consequently, powerful actors have a narration of their policy area which is different from the narration of those who have come across gender studies or who have worked with current research findings.

1.2.1   *Introducing Equal Pay and the Founding of the European Communities*

The first period of gender equality policy started with the foundation of the European Communities by Belgium, France, Germany, Italy, Luxembourg and the Netherlands in 1957. It lasted until the first economic crisis in Western Europe in the 1970s. Back then gender equality policy was merely declamatory (Lemke 2004). There was no political action nor political will at a supranational level (Klein 2006), although the

Treaty of Rome (1957) contained Article 119 on equal pay for women and men: *'Each Member State shall in the course of the first stage ensure and subsequently maintain the application of the principle of equal remuneration for equal work as between men and women workers.'*

The treaty provision on equal pay was advocated by France and inspired by the Convention Number 100 of the International Labour Organisation (ILO) from 1951. France feared economic disadvantages because it was the only country with provisions for equal pay for women and men at the time (Ellina 2003; Hantrais 2000). Article 119 specified the meaning of equal remuneration and—because it was included in the customs union section of the treaties—included the deadline of 31st December 1961 (Van der Vleuten 2007: 52f). However, the implementation of Article 119 failed, even though the Commission—as the 'watchdog' of the treaties—had the competency to take action and was also consulted by the European Parliament and the European Economic and Social Committee (Van der Vleuten 2007). The Commission, in collaboration with member states and stakeholders, eventually agreed to postpone implementation duties until the end of 1964—another deadline that was never kept (Galligan and Clavero 2012; Klein 2006).

The most important structural constraint during this period was the obligatory unanimity[25] vote in the Council for any kind of legislative acts. The pressure for implementation from the Commission towards member states and employers faded away with the so-called 'empty chair crisis' and social unrest in 1968 (Van der Vleuten 2007: 66f). Growing unemployment and social unrest helped to accelerate progress in social policy by the 'Paris mandate' (1972) which initiated the first social action programme. The Commission used the broad frame to prompt significant legislative improvements regarding gender equality policy (Van der Vleuten 2007).

At best, the three main institutions could be characterised as promoting (a very limited understanding of) gender equality policy (cf. Fig. 1.1).

1.2.2 Directives for Working Women and the Rise of Social Europe

The second period from the mid-1970s until the early 1980s included the accession of Denmark, Ireland, the United Kingdom in 1973 and Greece in 1981. It brought in four countries whose economic situation was—with the exception of the UK—less favourable than in the EU founding member states. In 1975 the EU set up the European Regional and Development Fund (ERDF) as a measure to combat the economic differences and as a

MEMBER STATES		EUROPEAN COMMISSION
EUROPEAN COUNCIL		

EUROPEAN PARLIAMENT

Fig. 1.1 Actors in EU gender equality policy during the first period. Compilation by author

pay-back negotiated by the UK for not profiting from the Common Agricultural Policy (CAP) (Tsoukalis 1997).

During this period Article 119 provided the reference point for the first EU directives on equal pay for work of equal value[26] in 1975, equal treatment in the workplace[27] in 1976, and equal treatment in social security[28] in 1979. The social security directive was supplemented by the occupational social security directive[29] (adopted in 1986), which was delayed due to severe resistance from employer's organisations (Ahrens 2002). The Commission proposed a total of five directives in this period; a number that was never again achieved in gender equality policy in such a short time. Three of the directives were quickly adopted by the Council and had to be transposed and implemented by the member states (Epiney and Abt 2003), while one was delayed. The fifth was a directive on parental leave, proposed by the Commission in 1983, before subsequently being postponed, renegotiated and only adopted in 1996. Despite the delays and the postponed parental leave directive, Ostner (1995: 176) rightfully coined this time span as *'the golden age'* of the EU women's policy due to the high number of directives which were proposed and adopted.

Legislation back then was the matter of the Commission (proposing) and the member states in the European Council (adopting), while the EP was excluded. Nonetheless, the directives led to a legislative framework that often exceeded the member states' status quo and thereby shaped national debates on gender equality. They led to considerable changes in the national legislation, even though implementation significantly varied between the member states (Berghahn and Wersig 2005; Hoskyns 1996; Ostner and Lewis 1998).

Along with the Commission and the Council, the European Court of Justice began to play a prominent role in gender equality policy, as many lawsuits regarding equal pay and women's rights were submitted to the

ECJ.[30] In 1975 the Belgian lawyer Eliane Vogel-Polsky brought the first successful lawsuit to the ECJ, Defrenne vs Sabena.[31] The decision led to a direct application of Article 119 since 1962 (Van der Vleuten 2007:118). In the preliminary rulings the ECJ subsequently decided that Article 119 was directly applicable. It immediately supplemented or even replaced national law in the case of inferior legislation (Cichowski 2001; Ellis 1998; Fredman 1992; Rossilli 1997). Over time the European Court of Justice developed a concept of direct and indirect discrimination,[32] which eventually led to the revision of Article 119 to 'equal pay for work of equal value' (as opposed to equal pay for equal work) (Schunter-Kleemann 1994). This EU-induced change of national institutions in the area of social policy was exceptional. Hix even considered gender equality policy as the only policy domain where the EU had reached higher standards than the least common denominator (Hix 2005).

The second period was characterised by the establishment of three important actors that still participated in gender equality policy when the Roadmap was adopted almost 30 years later. Inside the Commission the DG Employment set up an 'Equal Opportunities Unit' in 1976 with the task of guiding and monitoring the implementation of the directives (Ahrens 2002; Jacquot 2015). In the European Parliament female MEPs managed to set up an 'Ad hoc Committee on Women's Rights' after the first direct elections in 1979—one of the only ad hoc committees in the EP that turned into a permanent committee (Corbett et al. 2011). Only two years later in 1981 the Advisory Committee on Equal Opportunities for Women and Men[33] was established as an interinstitutional body which consisted of Commission officials and representatives of the member states, Social Partners and women's organisations (the latter as observers). At the member states' level the 'Second-Wave Women's Movement[34]' pressed for equal opportunities and organised their own autonomous political spheres as counter-publics to the patriarchal state (Klein 2006).

The overall constellation of actors in the second period is illustrated in Fig. 1.2.

While the second phase started with legislation, the policy programmes and soft law measures for gender equality policy started to grow bit by bit. The ESF regulation from 1977 included measures for the support of women's employment (Galligan and Clavero 2012), even though the focus was narrowed down to employed women and did not take unpaid work into account. It revealed a clear gender bias regarding respective measures for men and women (Ahrens 2002).
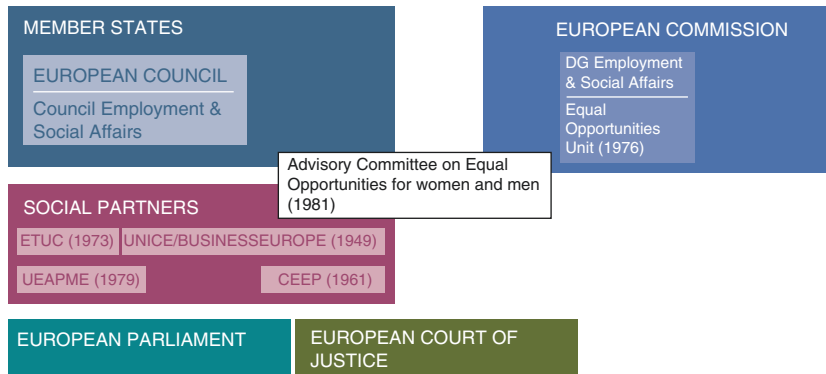
Fig. 1.2 Actors in EU gender equality policy during the second period. Compilation by author. The bracketed years indicate the year of establishment

At the end of this period the first 'Community action programme on the promotion of equal opportunities for women (1982–85)'[35] was proposed and adopted with the main aim of monitoring the implementation of the guidelines in the member states, as well as developing new legislative proposals regarding gender equality. The results will be discussed further below.

In summary, the second period comprised a focus on legislation and—together with the ESF, the EFRE and the first action programme—paved the way for the rise of social Europe. The development came to a halt during the third phase when member states were unwilling to commit to new and often costly legislation (Ahrens and Van der Vleuten 2017). The involvement of the ECJ and the formation of new actors that essentially steered EU gender equality policy from then on revealed the interplay of actors and structure at an early stage.

1.2.3   Turning to Equal Opportunities Policy Programmes and the Common Market

The third period covers the mid-1980s to the mid-1990s and began with the member states' agreement on the Single European Act (SEA) in 1985. The SEA introduced qualified majority voting as a decision-making procedure in policy areas which were related to the completion of the internal market, preferably by eliminating taxes and tolls among member states. At

the same time Spain and Portugal entered the EU in 1986, adding two more economically weak states to the group (Galligan and Clavero 2012). Finally, the fall of the Berlin Wall in 1989, the collapse of socialist or communist regimes in Central and Eastern Europe and German unification changed the overall context of the European Union. This led to substantial changes to the original treaties by the Maastricht Treaty in 1992.

During the third period gender equality policy developed in an entirely different way to the previous periods. Substantial legislative proposals were weakened, postponed or turned into ineffective soft law, recommendations and resolutions. Only the self-employment directive[36] was reluctantly adopted (Van der Vleuten 2007:137), based on Article 119. The directive was developed in the context of the first action programme (1982–1985) (Ahrens 2002). In 1992 a directive on pregnant workers and women who have recently given birth or are breastfeeding[37] was eventually adopted, following years of struggles between the Council and the Commission. Interestingly, the struggle was resolved by defining pregnancy as sickness and adopting the directive in the area of health and safety at work (which fell under majority voting in the Council), rather than in the area of employment (which had unanimity voting back then) (Ostner and Lewis 1998: 202). This was the first directive in gender equality policy that was adopted with limited (in this case, unsuccessful) participation of the EP via the so-called cooperation procedure[38] (Van der Vleuten 2007: 156f).

Other Commission proposals for directives were often turned into much less potent recommendations and resolutions, because the member states did not find common ground or were ideologically opposed (Ahrens 2002). Topics included equal participation in decision-making processes, positive actions, vocational training for women and childcare facilities. However, some researchers suggest that the European equal treatment legislation has still been one of the best-developed parts of European social integration (Rust 2005), even though it took a back seat to economic integration (Liebert 2003). The Maastricht Treaty finally introduced the so-called 'Social Dialogue' as a new legislative procedure by providing the Social Partners (trade unions and employer's organisations) with the right to agree on directives, which could then be adopted by the Council under certain circumstances.

The 1989 ECJ 'Achterberg decision'[39] (welcomed by many member states) caused a narrow focus of Article 119 to women in the labour market and weakened political chances to further exploit the legislative possibilities.

Meanwhile the ECJ confirmed the direct applicability of Article 119 and its definition of direct and indirect discrimination, which led to almost 50 cases between 1971 and 1996 (Klein 2006: 74) and the ECJ becoming one of the most important gender equality actors.[40] The Commission more or less stopped proposing directives and eventually relied on running policy programmes as the central policy-making measure in EU gender equality policy.

The 'Equal opportunities for women. Medium-term Community programme 1986–90'[41] centred on developing compensatory policies through positive action. This meant that policies often did not aim to prevent inequality in the labour market, but simply tried to attenuate disadvantages for a limited group, like women who already participated in the labour market. In terms of innovative outcomes the action programme supported the qualification of women in information and communication technologies (ICT) in order to reduce horizontal segregation, as well as projects to facilitate the reconciliation of work and private life (Ahrens 2002). Last but not least, the action programme gave birth to the largest umbrella organisation of national women's organisations in Europe, the European Women's Lobby (EWL).

In the 'Third medium-term Community action programme on equal opportunities for women and men (1991–95)',[42] the Commission extended the previous scope to topics, such as women in decision-making, the equal participation of women in economic and social life, and lifelong learning as proposed in the SEA and later in the Maastricht social protocol (Rees 1998). In addition, the Commission set up the trans-national programme 'New Opportunities for Women' (NOW) within the ESF. It made gender equality policy more visible, although its narrow focus on women returning to the labour market attracted criticism (Schunter-Kleemann 1999).

Action programmes were used to push forward gender equality issues during times when the Council[43] lacked the political will to do so (Hoskyns 1996; Mazey 1998). The action programmes included topics related (but not limited to) the labour market, thereby functioning as a tool to broaden the scope of the gender equality policy area in terms of legislation and content. The Commission often collaborated with the Women's Rights Committee[44] in the European Parliament, whereby both aimed to get the most out of the narrow legal possibilities by introducing innovative measures and legislative proposals with each new action programme (Hoskyns 2000).
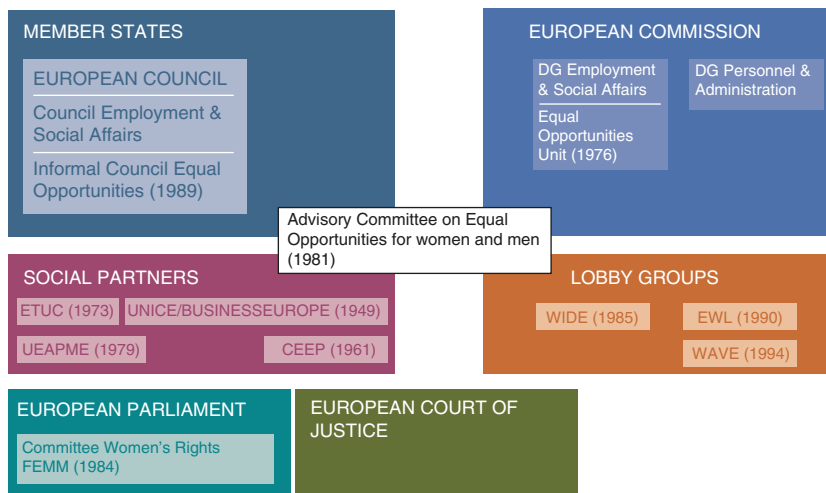
Fig. 1.3 Actors in EU gender equality policy during the third period. Compilation by author. The bracketed years indicate the year of establishment

During this period the member states proved to be a constant obstacle in the Council by refusing the Commission proposals in the area of gender equality. At the same time the equal opportunities Unit of DG Employment, the FEMM committee and the EWL emerged as an actor's network that closely collaborated on a supranational level and demonstrated effectiveness in developing new and innovative paths for gender equality policy via action programmes (cf. Fig. 1.3).

The Commission started using social movements to legitimise its work and gather information about specific issues (Mazey and Richardson 2006). This process coincided with the Commission's creation of a specific self-selection process for national women's movements by inviting conventional lobbying and neglecting other forms of social movement action, such as contentious and disruptive actions (Marks and McAdam 1999). Nevertheless, the way in which civil society collaborated with the Commission and managed to deepen EU integration in this policy area was unique (Greenwood 2007). It even led to new legislation involving innovative policy issues over quite a long time. According to Mazey (2012) the collaboration between the Commission

and women's movements has been efficient in widening the policy area, even though the success depended more on the implementation of hard rather than soft law.

Less efficient was the spread of resources in favour of gender equality and development of gender expertise within other Commission DGs. Staudt and Jacquette (1988) examined policy programmes and concluded that, apart from legal obligations, laws and policies at all levels and the redistribution of resources and values failed. One of the main reasons was the bureaucratic resistance to redistributive and conflictual issues: *'Apparent victories are often caught up in a bureaucratic mire of inaction, avoidance and distortion … programs to enhance women's economic integration and redistribute opportunities and resources by gender pose a special threat to male bureaucratic decision makers, a threat which they can easily identify and stymie in myriad ways'* (Staudt and Jacquette 1988: 263–264).

Not only did the actors and activities change during this time; the content changed as well. While the second period concentrated on women as a deficient group of workers who needed to adjust to a male norm, the third period focused on disadvantaged women who needed different support than men (Ahrens 2002). The scope of the action programmes also changed in a similar way. While the first action programme was entitled 'promotion of equal opportunities <u>for women</u>' (author's emphasis) and focused almost exclusively on legislative compliance, the two action programmes of the third period changed the title to 'equal opportunities <u>for women and men</u>' (author's emphasis) which particularly embraced positive action measures and addressed the influence of reproductive responsibilities of women. The third action programme discussed equal opportunity policy as a crucial element of economic and structural policies (Hoskyns 2000; Rees 1998).

The implementation of the SEA eventually led to the Treaty of Maastricht in 1992, which is most commonly known as the treaty for setting up the European Union.[45] The Treaty of Maastricht regulated the institutional structures and competencies regarding responsibilities of the three main EU institutions (Commission, Council, EP) in a new way. It created a specific kind of EU polity.[46] Women's movements and gender experts had to translate their goals and approaches into the 'rational' language of the state as a precondition for enforcing gender mainstreaming (Woodward 1999).

1.2.4   *Adopting Gender Mainstreaming and the Return to Social Policies*

The fourth period covered the mid-1990s to approximately 2004 and brought several fundamental changes to the EU, particularly for actors and structure. In terms of actors, the beginning was marked by the enlargement to the North,[47] while the end was marked by the enlargement to Central and Eastern Europe.[48] In terms of structural changes, the beginning was marked by the Treaty of Amsterdam and the end by the debate on the 'Draft Treaty establishing a Constitution for Europe' and the introduction of the Euro. These fundamental changes also had a severe impact on EU gender equality policy, bringing remarkable progress in many regards. The actors' collaboration from the previous period intensified during this time and many new actors were established by 2004.

The possibilities for the Commission to extend the scope of gender equality policy has changed considerably since the mid-1990s due to two developments. First, the enlargement to the North and the prior period made clear that Sweden and Finland as new member states strongly favoured a well-developed gender equality policy and were also willing to negotiate it as an important element of the accession agenda (Galligan and Clavero 2012). Second, on a global scale the Fourth UN International Conference on Women[49] in Beijing in 1995 and its predecessors supported introducing step-by-step gender mainstreaming as a new political strategy. As one of the forerunners and supporters the EU adopted a description of gender mainstreaming in Article 3(2) of the Treaty of Amsterdam (1997).[50] The adoption of the two articles was not least the result of coordinated lobbying by the European Women's Lobby and the FEMM committee (Helfferich and Kolb 2001).

The Treaty of Amsterdam was broadly perceived as a milestone for gender equality policy (Fuhrmann 2005; Walby 2005; Wobbe and Biermann 2009), because it introduced new articles or changed existing ones. It thereby opened up new possibilities for political action by the European Commission. Equality between men and women was added to Article 2[51] of the treaty and became an official policy area equal to other tasks, such as a high level of employment, a high degree of competitiveness or economic and social cohesion and solidarity among member states.

The EU also stipulated that impacts on gender equality must be taken into account in every policy area according to article 3(2) (EC). This was largely interpreted as the legal basis for the gender mainstreaming
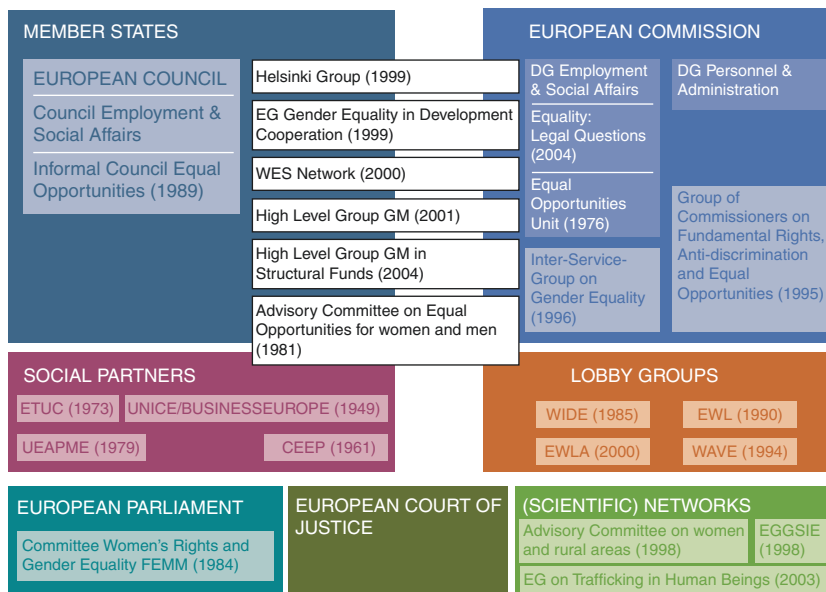
strategy.[52] Gender mainstreaming relies on certain premises that brought important changes to gender equality policy and its relationship to politics in general.[53] Gender mainstreaming can contribute to changing the perspective from women as deficient and requiring an adjustment to a white, heterosexual male norm towards transforming societal structures that reproduce gender inequalities. This transformative approach—by focusing on the structural reasons for gendered inequalities and aiming to change exactly these structures—is an approach which enables actors to recognise gendered inequalities in real life and change the structural basics in order to promote and eventually reach gender equality[54] (Rees 1998; Woodward 2001).

Even though gender mainstreaming focuses on structural changes, this approach does not exclude positive actions as tools for accelerating changes. The actors' involvement in supporting gender expertise is crucial, as is the involvement of actors who are normally involved in policy-making. Since gender mainstreaming aims to change structures, the commitment of actors at all governance levels is predicted as essential, although actors have to perform different roles depending on their responsibilities (Ahrens and Geppert 2005; Ahrens and Lewalter 2005). The basic idea of gender mainstreaming was best summarised in the definition of the Group of Specialists on mainstreaming in their final report to the Council of Europe in 1999[55]:

> *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 the actors normally involved in policy-making.*

In reality, however, gender mainstreaming has so far very rarely been the transformative force as it was once designed. Integrationist, co-optative or toolkit approaches have become the rule rather than the exception (Lombardo et al. 2013; Stratigaki 2004, 2005; Walby 2005). As Fiona Beveridge (2007: 195) critically noted:

> *Gender mainstreaming essentially posits that gender should be taken into account by policy-makers at all stages of the political and policy-making process; however, it is capable of many different interpretations and expectations across a broad spectrum—it can be viewed as anything from a technical pool for policy-makers devoid of substantive/normative content to an instrument of governance or democratisation.*

MEMBER STATES		EUROPEAN COMMISSION	
EUROPEAN COUNCIL	Helsinki Group (1999)	DG Employment & Social Affairs	DG Personnel & Administration
Council Employment & Social Affairs	EG Gender Equality in Development Cooperation (1999)	Equality: Legal Questions (2004)	
Informal Council Equal Opportunities (1989)	WES Network (2000)	Equal Opportunities Unit (1976)	Group of Commissioners on Fundamental Rights, Anti-discrimination and Equal Opportunities (1995)
	High Level Group GM (2001)		
	High Level Group GM in Structural Funds (2004)	Inter-Service-Group on Gender Equality (1996)	
	Advisory Committee on Equal Opportunities for women and men (1981)		

SOCIAL PARTNERS		LOBBY GROUPS	
ETUC (1973)	UNICE/BUSINESSEUROPE (1949)	WIDE (1985)	EWL (1990)
UEAPME (1979)	CEEP (1961)	EWLA (2000)	WAVE (1994)

EUROPEAN PARLIAMENT	EUROPEAN COURT OF JUSTICE	(SCIENTIFIC) NETWORKS	
Committee Women's Rights and Gender Equality FEMM (1984)		Advisory Committee on women and rural areas (1998)	EGGSIE (1998)
		EG on Trafficking in Human Beings (2003)	

Fig. 1.4 Actors in EU gender equality policy during the fourth period. Compilation by author. The bracketed years indicate the year of establishment

In terms of the gender mainstreaming article, the Treaty of Amsterdam required to improve equality between women and men in any appropriate policy area. The article caused an immense expansion of the legal scope and led to various internal and external activities by all EU institutions (Fuhrmann 2005; Schmidt 2001). In particular, the Commission created special bodies which were responsible for gender equality, many of them worked in collaboration with member states (cf. Fig. 1.4). Inside the Commission the Group of Commissioners on Equal Opportunities[56] indicated a high level commitment to gender equality, while the newly established interservice group on gender equality (then chaired by the Unit G1 'Equality between Women and Men'[57]) represented the working level by bringing together Commission officials in charge of gender equality in the DGs.

All major EU institutions subsequently adopted resolutions on the implementation of gender mainstreaming. These 'codes of conduct'

introduced new topics to gender equality policy, such as promoting gender equality in external relations and gender and public health. Gender mainstreaming was coined as the 'dual approach' and was understood to pursue the implementation of the gender mainstreaming strategy while still supporting positive actions for women. According to Jacquot (2010: 127) *'the softness of gender mainstreaming has facilitated a process of diversification'*.

Further changes in primary law included two crucial changes to Article 119 (from then on 141): first, extending equal pay to work of equal value; and second, explicitly allowing positive action measures in favour of the underrepresented sex (Paragraph 4).[58] The parliamentary FEMM Committee with the EWL once again proved successful in lobbying for stronger treaty articles (Klein 2006; Van der Vleuten 2007). Article 13[59] on combating discrimination was also added, placing gender next to other grounds of discrimination and extending the promotion of equality to areas other than employment. Subsequently, the lobbying activities of a broad range of NGOs met fruitful ground on the supranational level.[60] Anti-discrimination directives were adopted in 'world record' time, despite the fundamentally different policies in the member states (Geddes and Guiraudon 2004).

This period of gender equality policy was generally characterised by a revival of legislation in hard and soft law. Contrary to the previous periods, legislation did not necessarily rely on a unanimous vote in the Council. The parental leave directive[61] (1996) and the part-time directive[62] (1997) were agreed in the social dialogue and fell under qualified majority voting in the Council. The directive on the burden of proof[63] was adopted by qualified majority voting in 1997. The EP's limited influence (via the so-called cooperation procedure) was too powerless to enforce its amendments, which would have considerably widened the scope (Wobbe and Biermann 2009).

After the introduction of the Treaty of Amsterdam the Equal Treatment Directive from 1976 was considerably revised in 2002 as the so-called 'Gender Equality Directive'.[64] It was also the first directive in gender equality policy that fell under the co-decision procedure, thereby putting the Council and the EP almost at the same legislative level. Article 13[65] (combating discrimination) was subject to unanimous voting in the Council and placed the EP in an advisory position. In the consultation process the Directive on Equal Treatment in the Access and Supply of Goods and Services[66] (2004) was adopted. The EP and NGOs lobbied for

an inclusion of media, advertising and taxation in the directive, but could not force the majority of reluctant member states (in particular the UK and Germany) to agree on a broader scope in the rule of unanimous voting (Van der Vleuten 2007: 163f).

The legal obligation of gender mainstreaming signified the latest period of EU gender equality policy legislation to date. In 2002 the 'European Convent' (established by the 'Laeken Declaration' in 2001) started working on a 'Draft Treaty establishing a Constitution for Europe'. Right from the beginning the low representation of women in the Convent generated critical voices and the first draft resulted in severe protests and the mobilisation of women and women's movements in all member states, as it fell back behind the existing gender equality legislation. The male-dominated Convent 'forgot' about women's rights (Klein 2006; Lombardo 2005; Shaw 2005).

The policy programmes on gender equality continued and gender equality, in particular the obligation for gender mainstreaming, was firmly embedded in many other programmes, such as the regulations for the ESF and the ERDF, DAPHNE and soft law measures, such as the Open Method of Coordination (OMC).

With the European Employment Strategy (EES) the EU introduced the so-called Open Method of Coordination (OMC[67]). It eventually became one of the most common soft law decision-making procedures for EU labour market policies and subsequently for many other policy areas.[68] In the EES gender equality was connected with efficiency concerns and subjugated to the overall goals of the employment policy process (Beveridge 2007; Fredman 2006; Rubery 2002). Despite its shortcomings the EES also favoured a dual breadwinner model[69] and added new aspects to the political debate on gender equality in many countries. The subjugation of gender aspects to economic policies (rather than their transformation) affirmed the impression that the EU once again turned to an economic model that solely favoured the individualisation of economic and social rights, regardless of sex and the specific living conditions. The gender dimension of the EES deteriorated over time after it had once been one of four pillars and before it was reduced to one element in the Preamble and only constituted a part of one Guideline (out of 18) by 2005 (O'Connor 2008; Wöhl 2008; Smith and Villa 2010).

Gender mainstreaming became the leading theme in the fourth gender equality policy programme, the 'Fourth medium-term Community action programme on equal opportunities for men and women (1996–2000)'.[70]

The goal of the action programme was to support supranational measures in regard to the reconciliation of work, family and private life, women in decision-making, implementing gender mainstreaming in the EU structural funds and monitoring implementation in the member states (van Doorne-Huiskes 1997). In addition, best practice exchange was emphasised, particularly regarding member state research. Through this action programme the member states were first obliged to report to the Commission about progress; reports that were subsequently compiled as the annual 'Report on Equality between Women and Men'[71] (Ahrens 2002).

Even before gender mainstreaming became well-known in these policy programmes, 'equal opportunities for women and men' by means of mainstreaming gender were included as a target in the structural funds regulation of 1993. Thus gender mainstreaming has been firmly established in the structural funds regulations for a long time.[72]

The last action programme of this period, the 'Programme relating to the Community framework strategy on gender equality (2001–2005)'[73] brought a comprehensive renewal. The policy programme comprised an integrated approach and consisted of the usual (operative) action programme (cf. above) and the 'Community framework strategy on gender equality'.[74] It provided the broader framework and statement for all EU's gender equality policy. The extension demonstrated a fundamental change and improvement compared to the previous programmes. The goal that resorted to gender mainstreaming was to transform structures and promote gender equality effectively inside and outside the Commission.

The areas of intervention of both policy programmes went far beyond employment policies and the strategy explicitly stressed the aim of combatting gender inequalities beyond the labour market. The strategy also strongly framed gender equality as a question of democracy for the first time; a question *'of all citizens women and men alike to participate and be represented equally in the economy, in decision-making, and in social, cultural and civil life'*.[75] The Commission first used the strategy to develop indicators, benchmarks and to monitor mechanisms and policy networks.

During this period various new interinstitutional[76] networks and expert groups were established at a supranational level, as illustrated in detail in Fig. 1.4. Most of the supranational networks comprised representatives from national administrations, e.g. the 'European Network to Promote

Women's Entrepreneurship (WES)', the 'Group of Experts on Gender Equality in development cooperation' and the 'Helsinki Group'. Others were explicitly established as scientific expert groups, such as the 'Advisory Committee on women and rural areas' and the 'Expert Group on Gender and Social Inclusion (EGGSIE)'. The overview reveals that the policy areas went far beyond employment policies, thereby implementing the goals of the strategy and the connected action programme. At the same time supranational lobby groups, such as 'Women in Development Europe (WIDE)' or 'Women Against Violence Europe (WAVE)', firmly placed themselves in the policy area of gender equality.

During this period the Council established no new formations that formally listed gender equality in their title. Gender equality policy was still subsumed under the Council on Employment and Social Affairs and meetings of the ministers responsible for gender equality took place informally.[77] As one of the most important gender equality actors of the previous periods, the ECJ was put in the background (Jacquot 2010).

In summary, the EU's gender equality policy was extended in a manner previously unheard of, particularly in respect of the number of actors (Ahrens 2008). The broadening of the scope can be traced back to the formal adoption of the gender mainstreaming strategy at a supranational level. Gender mainstreaming was introduced by an effective lobbying policy network, a policy network that Alison Woodward (2004) coined as the *'velvet triangle'*. Women's movements and femocrats became the main agents of change who pushed for women's rights. They were relatively successful in placing multifaceted questions of equality on the agenda of international regimes (Rai 2003).

Subsequently, gender equality was no longer limited to employment policies, but rather included issues, such as combating violence against women, overcoming gender stereotypes in media and education, the equal representation and participation of women in economic, social, scientific and political life and promoting gender equality in external relations. By the end of this period the number of actors who were in charge of gender equality policy and participated in this policy area had almost doubled in less than a decade. The content of the policy area was broadened by gender mainstreaming and the introduction of anti-discrimination legislation. The extension particularly shaped the current period of EU gender equality policy and led to the criticism that 'equality' mainstreaming would subsequently replace gender mainstreaming, thereby rendering gender equality policy hollow (Woodward 2012).

1.2.5   Retaining the Dual Approach in Times of Crisis

Since 2005 gender equality policy has changed due to the first and subsequent enlargements[78] to Central and Eastern Europe, the crucial treaty revisions of Lisbon and the deep economic and political crisis in the EU since 2008. The EU itself has no longer been a tool for exerting pressure upon its member states; it has rather become a state-like actor that needs to be influenced. Whereas the impacts of the latest changes on gender equality policy are not predictable, ambiguous developments can be detected. For example, the concept of intersectionality has generally been seen as a necessary widening of the sometimes limited understanding of 'gender' (Lombardo and Verloo 2009; Rolandsen Agustín 2013; Walby 2009). At the same time the 'silent' fellow called 'equality mainstreaming' caused an equivalent rejection due to its threat to the special status of gender equality (Mazey 2001; Squires 2005; Woodward 2008).

During this period the understanding of gender equality was concurring or diametrically opposed in terms of inclusion vs. sameness, difference vs. reversal, displacement vs. transformation (Fraser and Honneth 2005; Squires 1999; Walby 2005). Jane Jenson (2008) pointed to the problematic tendency of 'writing women out, folding gender in'. This shifts the focus from existing gender inequalities to a supply-side understanding of social policy, a trajectory labelled by Jenson (2008) as 'LEGO policy paradigm'.

With the enlargement to Eastern and Central Europe in 2004 the EU faced two changes regarding gender equality policy. First, the former communist and socialist states had to adopt the 'acquis communautaire' prior to accession, thereby facing prescriptions regarding gender equality policy. The edited volume by Roth (2008) showed that the EU failed miserably in rigorously implementing gender equality legislation, as many member states considerably lacked basic provisions in this policy area. Second, with the enlargement in 2004, states that had just undergone a major transition entered the EU with their very own history of gender regime (Bretherton 2001; Watson 2000). The states in transition back then supported and developed a successful gender regime for decades that favoured equal rights from above. However, the gender-specific division of work remained uncontested, leaving reproductive and unpaid work to women (Kolinsky and Nickel 2003). Despite gender equality policy not having played a large role in the accession period itself, there have been more similarities than differences between the 'old' and 'new' member states regarding

gender equality policy. Challenges to women's policy agencies and a weak implementation of legislation and gender mainstreaming seemed to be the rule and not the exception.

The Treaty of Amsterdam obliged the entire Commission and all of its DGs and services to implement gender mainstreaming. After almost ten years the level of activities still differed significantly between DGs and gender mainstreaming even weakened the original institutional structure (Jacquot 2015). In 2006 only a few DGs had more than one person responsible for gender mainstreaming. DG Employment and DG Research were the only departments with full units which were responsible for gender equality, while some DGs had assigned the task to the portfolio of one civil servant only. The majority of DGs did not display the responsibility for gender equality within their organisational chart as a task for one (or more) of their civil servants, despite the fact that all DGs officially participated in the Commission interservice group on gender equality. The picture has not changed. A range of scholars have attested that the EU lacked any clear and coherent vision of what gender equality might look like. Gender mainstreaming became an empty signifier (Beveridge and Velluti 2008; Lombardo and Meier 2008; Verloo 2005). Gender equality was framed differently in the EU member states and at the supranational level itself (Verloo 2007). How gender equality policy evolved depended significantly on the (national) context and the ideas transported by actors (Kantola 2006).

The legislative scope of gender equality remained stable and the struggles of the constitutional debate calmed down when the draft constitution was refashioned as the Treaty of Lisbon in 2007. However, the text of the articles remained the same (despite being renumbered). In 2006 four older directives[79] were merged into the so-called recast directive, while the parental leave directive was revised in 2010. In late 2012 Commissioner Viviane Reding revived gender equality legislation with a proposal for a directive on gender quotas in boards[80]—a big bang that caused uproar in the Council. Many member states threatened their immediate refusal.

After years of struggle the Council and the EP agreed to establish a European Institute for Gender Equality (EIGE) in Vilnius, Lithuania in 2006. It started working in 2010 (Ahrens and Lewalter 2006). In the same year the new Commission allowed the responsibilities for coordinating gender equality policy to be moved from DG Employment to DG Justice on the political and administrative level. This major change resulted in a loss of expertise and broken network ties, in particular for civil society

and the FEMM Committee, as well as in a change of the policy from anti-discrimination to employment (Van der Vleuten 2012).

Changes to actor constellations and their role for EU integration occurred on a broader level. In 2010 the Lisbon Strategy was updated as the Europe 2020 Strategy with the central aim of promoting a 'smart, sustainable and inclusive economy'. Europe 2020 is coordinated in the same manner as the OMC and monitors—without any possibility for sanctions—the economic and social reforms of member states. Jacquot argued gender equality has disappeared almost entirely from Europe 2020. Objectives and even employment indicators do not include any reference to gender, but only to neutral adult workers (2015: 154). As a result the Commission has lost the opportunity to include gender (in)equalities in its evaluation of national policies and recommendations for member states (Klatzer and Schlager 2014) and the EP and the ECJ are excluded from the process (Jacquot 2015).

Gender equality did, however, enter policy areas like research (Cavaghan 2012), development and external relations (Van der Vleuten et al. 2014), as well as human rights policy, fighting human trafficking and combating violence (Rolandsen Agustín 2013). This also led to new networks which were once more instigated by the European Commission. Through the policy programme DAPHNE the EU enabled and supported the creation of policy networks (Montoya 2008, 2009).

Two distinct gender equality policy programmes have been adopted since 2005, the 'Roadmap for equality between women and men 2006–2010'[81] and the 'Strategy for equality between women and men 2010–2015'.[82] The latest 'Strategic engagement for gender equality 2016–2019' in the form of a Commission staff working document does not qualify as EU soft law any more. The adoption of the 2010–2015 strategy was accompanied by the publication of the 'Women's charter', the first official document in gender equality policy published by the Commission since the adoption of gender mainstreaming that did not even mention the term gender mainstreaming.

The Roadmap already signalled a severe deterioration compared to the previous gender equality policy programmes. Contrary to the usual composition of EU documents, the Roadmap's introduction made no reference to legal obligations to promote gender equality; indeed, neither the Treaty of Amsterdam nor the Beijing Platform for Action[83] was stated as the legal framework. The missing legal references triggered the impression that promoting gender equality was voluntary as opposed to a treaty obligation.

The Roadmap was the first ever gender equality policy programme without its own action programme and—even more importantly—without a clearly defined budget. Different Community programmes, such as PROGRESS or DAPHNE or the structural funds, were to provide necessary resources. In 2008 the specific gender branch in PROGRESS only amounted to nine per cent while the original budget intended for gender equality was twelve per cent. The missing three percentage points were spent on the other policy areas and this loss was irreversible, as the 2012 analysis of the PROGRESS implementation revealed. Even though the planned share of commitments for gender equality had been raised above 13 percent since 2011, the actual expenditure was alarmingly low. The gap between plans and actual expenditure almost only occurred for gender equality (European Commission 2013: 66).

The Roadmap was also the first gender equality policy programme that did not provide for any new legislative proposals and—more importantly—any actions with direct involvement of member states or Social Partners. The title of the Roadmap switched from 'gender equality' (in the framework strategy) to 'equality between women and men'.

While some of the action areas of the framework strategy and the Roadmap looked similar, it is crucial to note that the Roadmap reduced the broader social justice claims to equal economic independence. The Roadmap's priority areas of action covered Commission activities only. A core element of previous programmes—the collaboration with member states, women's organisations and/or trade unions in trans-national projects—was abandoned. A new section in the Roadmap on promoting gender equality in external and development policies revealed the shift in focus on exporting the EU gender regime instead of tackling remaining gender gaps in the EU more efficiently (Ahrens 2008).

The last policy programme, the 'Strategy for equality between women and men 2010–2015',[84] continued the retrenchment: the policy issues stagnated and described the situation of women and men without even mentioning the different impact of the financial and economic crisis on women's and men's economic and employment situation (Karamessini and Rubery 2013). The move from DG Employment to DG Justice in 2010 was certainly one of the factors that contributed to the deterioration of the policy.

In summary, EU gender equality policy consists of three different, yet overlapping elements: legislation, policy programmes and gender mainstreaming. They developed over time in the order listed. The three labels are also distinctive and characteristic for different time periods, as specified in

detail above. The rather astonishing insight from reviewing historical paths was that—apart from all the changes—there was also enormous stability.

1.2.6   Organisation of the Book

During the last decades the EU made an important step by changing the dominant unanimity, harmonisation and regulation to a decision-making procedure that is more oriented towards mutual recognition, deregulation and qualified majority voting (Schmitter 1996). This turn has prompted changes in the way of policy-making. 'Another way of putting it is that the EC/EU may have no strategic design, but will emerge in an improvised fashion from tactical responses to much more concrete and immediate problems' (Schmitter 1996: 2). The improvised fashion of EU policy-making requires studying case studies to contextualise the policy area logic within the broader logic of EU integration. By employing a sociological approach the study shares the idea of European sociology that 'studies should concentrate primarily on actors' attitudes rather than on institutional structures' (Saurugger 2014: 163).

One notable aspect when talking about gender equality policy is that the divisions have always been along ideological and normative grounds and less in relation to the national interests of member states. This means that gender equality was (and remains) a policy area where the basic conditions differ considerably from most other EU policy areas. The latest retrenchment of gender equality policy programmes finds its reflection in the policy-making processes leading to the Roadmap. This book highlights the difficulties of the changes and the unintended consequences in the Roadmap process. The book also helps to understand the possible consequences of the new 'strategy' by illuminating how major changes to the content of gender equality policy and its actors emerged.

The in-depth, actor-centred sociological case study of the internal policy-making processes that produce EU gender equality policy answers three different, yet connected questions in the empirical chapters:

- Who participates in soft law gender equality policy-making over the course of time?
- What role does the development of policy areas play in how actors interpret and reconstruct the policy process?
- How did different actors link the policy implications of the policy programme Roadmap to the policy-making process?

By answering these core questions through the analysis of the 'Roadmap for Equality between Women and Men 2006–2010' the study illuminates in detail the gender equality policy-making process vertically (inside institutions) and horizontally (among institutions) regarding actors, rules, routines and policy implications.

The book comprises an introductory chapter, four empirical chapters and a conclusion. This chapter introduced a critical reading of structuration theory and its application to EU gender equality policy as its theoretical framework; it provided a historical account of EU gender equality policy milestones regarding actors, (legislative) scope and content.

Chapter 2 dives into the details of gender equality policy-making by analysing the formal and informal drafting and adoption process of the Roadmap. How did actors develop the Roadmap as a gender equality policy programme over the course of time? How are three distinct, yet overlapping processes—the internal Commission process, the process external to the Commission and the process between the internal and the external process—organised and how does the interplay between actors, rules and routines evolve over time?

Chapter 3 examines how actors interpreted and (re)constructed the Roadmap policy process and which specific features played a role in the initial period, during the drafting process and after the Roadmap's adoption. Why do different actors interpret the same policy process differently? The chapter clarifies the collaboration among actors and the power relations within the policy process.

The fourth chapter discusses four overarching factors for explaining how actors interpreted the policy-making process and how these relate to the broader structural context of EU gender equality policy-making. Prioritising standard EU policy-making rules in favour of previous informal collaborations changed the way in which actors collaborate in the EU's gender equality policy. Crucial changes in the constellation of previous actors and in the EU structure caused a halt in the deepening and widening of EU gender equality policy through policy programmes.

The policy implications of the Roadmap and their consequences for the succeeding policy-making is the main focus in the fifth and final chapter. The unintended consequences of the Roadmap process reveal short-term implications, such as a lack of accountability and obligation and the questionable relevance of the Roadmap in the everyday work of civil servants. It also had long-term implications, like a vanishing budget and a reduction in the commitment to collaboration.

Notes

1. Hereafter Roadmap. Cf. Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions: A Roadmap for equality between women and men 2006–2010. COM (2006) 92 final.
2. The term 'gender equality policy' will be used throughout the book, even though historically speaking it would be more appropriate to differentiate between women's policy and equal opportunities policy. The author is aware that many researchers have characterised most periods as women's policy, and rightly so; however, the term gender equality policy will be used for the sake of simplification. Gender equality policy is defined as comprising all policies that aim to eradicate inequalities, discrimination and disadvantages based on sex by promoting equality in terms of its structural, symbolic and subjective dimension. In the context of gender equality, the term gender must be understood as gender + equality policies aiming to grasp questions of intersectionality and multiple discrimination, as suggested by the research network QUING, www.quing.eu.
3. In 1993, the Treaty on European Union established the European Union. I will use the term European Union and/or EU throughout the chapters, even though the historical name was the European Economic Community (EEC).
4. In this study, policy programmes are defined as a line of argument rationalising a plan of action and/or procedure adopted and pursued by an individual, institution or social group.
5. Hard law comprises directives, regulations and decisions, for instance.
6. Over time, there have been a growing number of soft law tools, such as green or white books, the Open Method of Coordination (OMC) or benchmarks. Communications are also a specific kind of soft law and therefore differ from hard law to a great extent.
7. Hereafter Commission.
8. Hereafter Council.
9. Hereafter EP.
10. Hereafter NGOs. In this study, I employ the term NGO as an overarching description of diverse lobby groups, women's movements or social movements; the conceptual distinction is beyond the scope and aim of this study. For a more detailed account of, for instance, the "NGOization of feminism", please refer to Sabine Lang (1997).
11. The main idea of the stages heuristic is a policy cycle defined and described by distinctive functional and temporal policy process stages according to the order in which they occur (e.g. problem identification /programming /implementation /evaluation). For details, please refer to e.g. Lerner and Lasswell (1951), Jones (1984) or Anderson (2010).

12. For a critical evaluation of applying the ACF to the EU please refer to Patrycja Rozbicka (2013).

13. Other scholars such as Talcott Parsons, Jürgen Habermas and Pierre Bourdieu share this aim, as do research strands such as relational sociology or to some extent social network analysis. However, none of them explicitly addressed this question and put it at the centre of the research approach.

14. By contrast, institutional analysis focuses on institutions as the starting point of analysis: 'Social analysis which places in suspension the skills and awareness of actors, treating institutions as chronically reproduced rules and resources' (Giddens 1984: 375).

15. Whether the EU reproduced the androcentric character of nation states' policy-making (Schunter-Kleemann 1992; Berghahn 1998) or actually forms its own supranational gender regime has been, and remains, disputed (Kreisky et al. 2001; Abels 2011).

16. Against the background of feminist research, Giddens discusses changing gender relations and their 'democratization' in his later work 'The Transformation of Intimacy', published in 1993 (Evans 2003). References to gender issues are also made in some of his work on Europe (Giddens 2007; Giddens et al. 2006) and his textbook 'Sociology' (1997, 2001, 2006, 2009). Giddens' broadened his understanding of politics to include new political actors such as the women's movement and their specific political forms (Kahlert 2005).

17. Such a perspective is contrary to Foucault's structuralism and recognises the dialectic of control when '(...) the less powerful manage resources in such ways as to exert some control over the more powerful in established relationships' (Giddens 1984: 374).

18. John B. Thompson criticised Giddens for this definition of rules, because it neglects the fact that not all rules are of the same importance and fails to mention which rules are relevant for which social structure (Thompson 1990).

19. Although Giddens refers to Garfinkel, he fails to integrate the findings concerning the genderedness of social life into structuration theory. However, gender roles and their translation in everyday life is a particularly stable frame consisting of rules steering people's behaviour. These rules vary over time and space; for instance, what is an acceptable job or dress for women or what roles mothers and fathers play in a child's development.

20. Giddens explicates the duality of structure in his later works on intimacy and relationships, families, justice and the future of modern societies (cf. Giddens 1990, 1991, 1992, 1994, 1995).

21. A detailed account of methods and methodology can be found in the annex.

22. Primary sources are defined as original documents produced by any kind of political actor, as well as archival material, such as meeting notes, press releases or speeches (McCulloch 2004).

23. Throughout the book, the term gender equality policy will be used even though, historically speaking, it would be more appropriate to differentiate between women's policy and equal opportunities policy. The author is aware that many researchers have characterised most periods as women's policy, and rightly so. For the sake of simplicity, the term gender equality policy will be used.

24. At present, Article 157 TFEU, Title X, Social Policy. The original Article 119 was renumbered as Article 141 by the Treaty of Maastricht, with its revision extending it to equal pay for work of equal value (as opposed to equal pay for equal work).

25. Unanimity was the dominant decision-making procedure until the ratification of the Single European Act in 1987.

26. Council Directive of 10th February 1975 on the approximation of laws of the Member States relating to the application of the principle of equal pay for men and women. Remarkably, Article 1 of the directive rephrased the text of Article 119 'equal pay for equal work' into 'equal pay for work of equal value', thereby substantially widening the scope of the directive (Schunter-Kleemann 1994). In addition, the equal pay directive was the first ever directive in EU social policy (Van der Vleuten 2007: 79f).

27. Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions.

28. Council Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security.

29. Council Directive 86/378/EEC of 24 July 1986 on the implementation of the principle of equal treatment for men and women in occupational social security schemes.

30. Between 1971 and 1996, the ECJ received 90 cases connected to women's rights, more the half of which directly referred to Article 119 (Klein 2006: 74).

31. This lawsuit was called Defrenne II because the Belgian court only took the case to the ECJ after five years. In the meantime another court case, Defrenne vs. the Belgian State (Defrenne I), was immediately taken to the ECJ; Defrenne lost.

32. For details on distinguishing between direct and indirect discrimination please refer to Weiss (1998) or Epiney and Abt (2003).

33. 82/43/EEC: Commission Decision of 9th December 1981 relating to the setting up of an Advisory Committee on Equal Opportunities for Women and Men. According to Annex II of the Roadmap, the Advisory Committee on Equal Opportunities for Women and Men shall assist the Commission in formulating and implementing the Community's activities aimed at pro-

moting equal opportunities for women and men and foster ongoing exchanges of relevant experience, policies and practices between the member states and the various parties involved. It usually meets twice a year.

34. For a critical review of the term and its appropriateness please refer to Christina Ewig and Myra Marx Ferree (2013).

35. A new Community action programme on the promotion of equal opportunities for women 1982–85. Commission Communication to the Council. COM (81) 758 final, 9 December 1981. Bulletin of the European Communities, Supplement 1/82.

36. Council Directive 86/613/EEC of 11th December 1986 on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture, in a self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood.

37. Council Directive 92/85/EEC of 19th October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breast-feeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC).

38. Under the cooperation procedure, the EP issues an opinion and subsequently the Council adopts a 'Common Position' that can be amended or rejected by the EP. In the next step, the Council can either adopt the amended proposal with a qualified majority or overrule it by unanimity. With the treaty of Lisbon (2009), the cooperation procedure was limited to some parts of economic and monetary policy.

39. The ECJ decided that *'Community competences consisted in '[realising] equal treatment between men and women, not in a general fashion, but only as workers', thereby conceiving a very restrictive definition of the legitimate frontiers of Community action'* (Jacquot 2010: 128).

40. For a detailed discussion of the impact of the ECJ rulings and the most famous cases please refer to Hoskyns (1996), Epiney and Abt (2003) or Klein (2006).

41. Equal opportunities for women. Medium-term Community programme 1986–90. Commission Communication to the Council. COM (85) 801 final and final/2, 19th December 1985. Bulletin of the European Communities, Supplement 3/86. Second Council Resolution of 24th July 1986 on the promotion of equal opportunities for women, OJ C 203, 12/08/1986.

42. Council resolution of 21th May 1991 on the third medium-term Community action programme on equal opportunities for women and men (1991–1995) (91/C 142/01).

43. The United Kingdom in particular blocked Commission proposals in social policy; not only regarding gender equality policy.

44. Hereafter FEMM committee, based on its French acronym for 'femmes'. The name of the committee has changed over time and is nowadays the 'Committee on Women's Rights and Gender Equality'.

45. As opposed to European Communities.

46. The ratification was rather contested and finally incited member states to strengthen social policies as a means to ensure public support for European integration. The ratification process of this treaty was also of great interest from a gender perspective, because the majority of Danish women rejected the treaty in the Danish referendum (Liebert 1999). This was the first time that a treaty had been rejected and one of the reasons for it—Danish women fearing lower standards regarding gender equality laws—catapulted gender equality policy back into the focus of European integration.

47. Austria, Sweden, Finland.

48. Czech Republic, Cyprus, Estonia, Hungary, Lithuania, Latvia, Malta, Poland, Slovakia, Slovenia.

49. The previous world conferences on women took place in Mexico City (1975), Copenhagen (1980) and Nairobi (1985).

50. Article 3(2), Treaty of Amsterdam: 'In all the activities referred to in this Article, the Community shall aim to eliminate inequalities, and to promote equality, between men and women.'

51. Article 2, Treaty of Amsterdam: 'The Community shall have as its task, by establishing a common market and an economic and monetary union and by implementing common policies or activities referred to in Articles 3 and 3a, to promote throughout the Community a harmonious, balanced and sustainable development of economic activities, a high level of employment and of social protection, *equality between men and women*, sustainable and non-inflationary growth, a high degree of competitiveness and convergence of economic performance, a high level of protection and improvement of the quality of the environment, the raising of the standard of living and quality of life, and economic and social cohesion and solidarity among Member States.' (Emphasis by author)

52. Already in 1996, the Commission adopted a 'Communication from the Commission 'Incorporating Equal Opportunities for Women and Men into all Community Policies and Activities', COM(96) 67 final' signposting the idea of gender mainstreaming as the appropriate strategy for all policy fields.

53. Discussing details of the strategy gender mainstreaming and ideas about implementation would go beyond this study. For detailed accounts of the historical roots, presumptions and implementation strategies, please refer to Frey (2003), Rees (1998), Stiegler (2000).

54. Feminist traditions developed different visions of gender equality, each of which was connected to specific ideas about measures necessary. They can

broadly be divided into inclusion (achieving sameness by adjusting to male norm), reversal (positive actions to affirm difference), and displacement (transformation of established norms) (Walby 2005; Squires 1999, 2005).

55. Cf. Council of Europe/Group of Specialists on Mainstreaming (1999), Gender Mainstreaming. Conceptual framework, methodology and presentation of good practice. Final report of Activities of the Group of Specialists on Mainstreaming (EG-S-MS). Summary. EC (99) 3. Strasbourg.

56. According to Annex II of the Roadmap, the President of the Commission chairs the group, the members comprise the Commissioners for Justice, Freedom and Security; for Institutional Relations and Communication Strategy; for Administration, Audit and Anti-fraud; for Information Society and Media; for Education, Training, Culture and Multilingualism; for Enlargement; for Development and Humanitarian Aid; for External Relations and European Neighbourhood Policy; for Employment, Social Affairs and Equal Opportunities. Meetings should take place three to four times per year, including a meeting with representatives of the EP, the EESC, the CoR, the presidency of the EU and women's organisations on the 8th March, International Women's Day. In 2005, the name changed to the "Group of Commissioners on Fundamental Rights, Non-Discrimination and Equal Opportunities", thereby indicating a recent turn to anti-discrimination policies (Ahrens 2008; Verloo 2007). It is also important to note that the most powerful DGs—Economic and Monetary Affairs, Enterprise and Industry, Competition, Agriculture, Budget, Internal Market, Trade—did not participate.

57. Hereafter Gender Equality Unit. The 'Equal Opportunities Unit' was divided into two different Units after the enlargement to Central and Eastern Europe in 2004: 'Equality between Women and Men' and 'Equality: Legal Questions'. The former was the Unit in charge of EU gender equality policy, while the latter was in charge of monitoring implementation and enforcement of the directives and the acquis communautaire in the member states.

58. The change can be seen as a direct response to the ECJ cases 'Kalanke' (1995) ruled that positive action measures were incompatible with EU law when they automatically and unconditionally prioritise women, and 'Marschall' (1997) ruled that positive action measures are allowed providing they do not automatically prioritise women (Epiney and Abt 2003).

59. Article 13(1), Treaty of Amsterdam: "Without prejudice to the other provisions of this Treaty and within the limits of the powers conferred by it upon the Community, the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation."

60. Important factors were the rise of the radical right in large member states and finally the participation of the extreme right-wing Austrian Freedom Party (FPÖ) in the 2000 Austrian government (Givens and Evans Case 2014; Amiraux and Guiraudon 2010).

61. Council Directive 96/34/EC of 3th June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC.

62. Council Directive 97/81/EC of 15th December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC—Annex: Framework agreement on part-time work.

63. Council Directive 97/80/EC of 15th December 1997 on the burden of proof in cases of discrimination based on sex.

64. Directive 2002/73/EC of the European Parliament and of the Council of 23th September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions.

65. Based on Article 13, two more directives were adopted: the 'Race directive' (Council Directive 2000/43/EC of 29th June 2000, implementing the principle of equal treatment between persons irrespective of racial or ethnic origin), and the 'Employment Equality Framework Directive' (Council Directive 2000/78/EC of 27th November 2000, establishing a general framework for equal treatment in employment and occupation). Despite not specifically addressing gender equality, they are also of great importance to it (Van der Vleuten 2007).

66. Council Directive 2004/113/EC of 13th December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and service.

67. The OMC relies on 'naming and shaming' and mechanisms such as guidelines, indicators, benchmarking and best practice. In the beginning, the EES addressed gender equality as one of the four pillars 'strengthening equal opportunities', and later introduced gender mainstreaming as a horizontal objective. For a detailed account of the relationship between gender equality policy and the OMC, please refer to the edited book by Fiona Beveridge and Samantha Velluti (2008).

68. The OMC was subsequently extended to pensions, social inclusion, health and long-term care.

69. Nonetheless, the EES did not encourage fostering a dual caring model at the same time (Mósesdóttir 2003).

70. 95/593/EC: Council Decision of 22th December 1995 on a medium-term Community action programme on equal opportunities for men and women (1996–2000)

71. From 2010 on published as 'Report on Progress on Equality between Women and Men'.

72. For a critical review please refer to Rönnblom (2005).
73. Council Decision 2001/51/EC of 20 December 2000 establishing a Programme relating to the Community framework strategy on gender equality (2001–2005).
74. Hereafter framework strategy. Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee, the Committee of the Regions. Towards a Community Framework Strategy on Gender Equality (2001–2005), 2000/0143 (CNS).
75. Cf. Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions—Towards a community framework strategy on gender equality (2001–2005), COM/2000/0335 final, p. 2.
76. Interinstitutional means that representatives from member state administration and from the Commission participate.
77. Informal meetings were convened irregularly since 1989. The opening of the 'European Year of Equal Opportunities for All 2007' during the German presidency earmarked the first ever official Equal Opportunities Summit in the EU.
78. Bulgaria and Romania 2007, Croatia 2013.
79. The four directives were the Equal Pay Directive, the Equal Treatment Directive, the Occupational Social Security Directive and the Burden of Proof Directive. For a critical review, please refer to Annick Masselot (2007).
80. Proposal for a Directive of the European Parliament and of the Council on improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures, 2012/0299 (COD).
81. Hereafter Roadmap. Cf. Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions: A Roadmap for equality between women and men 2006–2010. COM (2006) 92 final.
82. Cf. Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions. Strategy for equality between women and men 2010–2015, COM (2010) 491 final.
83. The BPfA is mentioned later in the chapter on external relations as if it would be only relevant outside the EU.
84. Cf. Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions. Strategy for equality between women and men 2010–2015, COM (2010) 491 final.

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Opening the Black Box: The Adoption of the Roadmap over Time

Everyone was interested in developing a successful Roadmap
(Interview with MEP)

How are political actors mobilised? How do they arrive at decisions? And where are the decision-making powers located? EU multi-level policy-making is often seen as an arena with divided competencies, diffusing the power of member states by interconnected levels of authority and heterogeneous decision-making patterns (Abels 2016: 101f).

If we want to understand decision-making processes in network subsystems we need to expand our focus beyond *input* and *output* legitimacy to *throughput legitimacy* which is 'judged in terms of the efficacy, accountability and transparency of the EU's governance processes along with their inclusiveness and openness to consultation with the people' (Schmidt 2013: 2).

This chapter examines the elements in the formal and informal policy-making processes of negotiating soft law. It unpacks these processes on the supranational level and looks at four different actor constellations: (1) the internal working procedures of the Commission; (2) its outreach to other supranational institutions; (3) interinstitutional groups of representatives of the Commission and member states and (4) civil society in a broad sense.[1]

The European Commission as the 'heart of the Union' (Nugent 2000) holds the right to initiate supranational policies. It is often presented as a collective actor with the ability to direct the access of others (Ellinas and Suleiman 2012; Richardson 2005; Spence and Edwards 2006). The internal negotiation processes of the Commission have, however, attracted less attention when it comes to throughput legitimacy. We know much about formal rules and the final outcome of policies, but the following questions need more attention: How do the internal Commission struggles among Directorate Generals (DGs) shape policies? How are they steered internally?

Hartlapp et al. (2014) investigated the proposal stage of hard law (e.g. directives and regulations) and how the different DGs position themselves towards them. They show that compromise does not exist and that three typical positions are used in the Commission's policy-making process: technocratic, competence and policy-seeking patterns (Hartlapp et al. 2014). Most of social policy and the set-up of equality directives between 2000 and 2010 about gender equality are part of the policy-seeking type. It sees the Commission's negotiations as highly politicised and dependent on political convictions and normative policy goals (Hartlapp et al. 2014).

While Hartlapp et al. have illuminated the detailed processes of setting up hard law, the formal and informal processes around soft law still remain obscure. Compared to hard law (i.e. directives and regulations) the adoption of soft law suffers from a lack of transparency. We know little about the internal policy processes within and across institutions, nor about the flexible use of formal and informal rules. Thus, soft law procedures, such as the important European Commission communications, remain a black box in EU integration literature, even though they have become an increasingly potent policy strategy, particularly in gender equality policy (Jacquot 2015).

This chapter will explain formal and informal processes of adopting Commission communications with a focus on the 'Roadmap for equality between women and men 2006–2010'. I will argue that three parallel policy processes led to the Roadmap: the internal Commission process, the interinstitutional process between the Commission and member states and the process outside of the Commission in the European Parliament and civil society. Analysing the different patterns in the formation of positions will help us understand the generation of soft law as a vertical (within institutions) and horizontal (between institutions) polity process.

The specific internal process of the European Commission for adopting communications is a fully formalised process that hardly ever gets attention from EU researchers. Although the Commission publishes its working procedures and rules on how it adopts communications (Commission decision C(2000) 3614), more detailed information which explains the timing and exchange among Commission officials is lacking or remains superficial. We also do not know when or to what degree other EU institutions, such as the Council of the European Union, the Committee of the Regions, the European Economic and Social Committee and the European Parliament, react to Commission communications. It is, for instance, unclear when they decide to state an opinion. Even though the formal Commission policy process is quite formalised, actors do have some leeway for informal manoeuvres that shape the process. Tactics in this grey zone often go unnoticed because documentation is lacking; they are, however, central to policy adoption.

This chapter addresses details of the formal and informal processes within and across institutions. I will start this investigation from the actors' perspective and then proceed with institutional and personal interactions when drafting the Commission's communications. Relying on documentary research and the narratives of all interviewees, this chapter provides a comprehensive picture of the actors' involvement.

DG Employment had the main responsibility for initiating the policy process. However, they addressed adoption from the limited perspective of their home institution, having very little knowledge about procedural details of other institutions involved. Indeed, every actor only had a limited understanding of the policy process due to their background knowledge and practical experience.

In terms of rules, I will elaborate on the closely interwoven formal and informal procedures. This will include reference to all the unavoidable and necessary formal obligations in order to publish a Commission communication and a portrayal of all informal aspects that influenced the preparation of the Roadmap without necessarily being obligatory.

The chapter begins with an explanation of the formal obligations to publish a Commission communication, followed by a detailed illustration of the actors who participated at what time in the adoption process of the Roadmap. The following section takes a closer look at the formal and informal rules and routines that shaped the adoption process.

This close-up reveals that gender equality actors strictly followed standard EU policy-making rules and combined them with rules derived from

the strategy of gender mainstreaming. Both formal and informal procedures were often dependent on strategic decisions based on personal discussions. I will demonstrate how choosing to publish the Roadmap as a Commission communication has consequently limited the number of institutional actors involved in negotiating supranational EU gender equality policy programmes.

2.1   Alienating Gender Equality Programmes

Who were the actors involved in the internal, external or interinstitutional processes? In the internal process the distinct groups of actors were Commission officials: the EP (European Parliament), the Committee of Regions, the EESC (European Economic and Social Committee). In the external process the actors were NGOs, Social Partners and in the interinstitutional process they were the Council, the Advisory Committee on Equal Opportunities, as well as the High Level Group on Gender Mainstreaming. The adoption of the Roadmap by the Commission was a turning point and resulted in shifting responsibilities by switching the formal and informal roles of the actors involved. Therefore, the Commission, the Parliamentary Committee on Women's Rights and Gender Equality, the European Women's Lobby, the European Trade Union Corporation and the Advisory Committee were the main actors in the adoption process.

2.1.1   Commission Communications—The Formal Process

The Roadmap was a communication of the Commission and therefore we can assume that it was set up in the same way as any other Commission communication. A Commission communication is so-called soft law[2] and not binding for member states. The Commission uses its communications for different purposes, e.g. sharing its opinions with member states, as well as committing itself to taking further actions in the corresponding policy area. In general, communications convey the political goals and future policy plans of the Commission to other actors. They are the ways of declaring Commission positions and are often used when there are no supranational competencies in a policy area or when there is no opportunity to agree upon hard law, (i.e. directives, regulations or decisions). Contrary to hard law, it is not necessary for any other institution to agree upon a communication, as long it does not involve their activities. This means that when the planned activities only concern the Commission,

other institutions, such as the Council or the European Parliament, cannot change the communication text. This is in contrast to adopting a directive or regulation, for instance.

For analytical reasons this aspect of the policy-making process deliberately puts the Commission at the centre of 'the' internal process and I artificially split the process into three, even though they are in reality intertwined. I call the process within Commission divisions internal, while the process where the Commission negotiates with representatives of member states is called interinstitutional. Finally, I call the process with all other actors who are not directly involved in negotiating communications external.

Communications are adopted in the Commissioners' College,[3] in either an oral (during the meeting) or written procedure (before the meeting).[4] Written procedure is allowed if the DGs directly involved with the communication agree with the proposal and the Legal Service endorse it. Like any other soft law, communications are not published in the Official Journal of the European Communities.

Other European institutions, such as the European Parliament or the Council, receive Commission communications via a standardised formal procedure, following their adoption by the Commissioners' College. Subsequently, the other institutions initiate their own formal procedure of adopting a common opinion or resolution[5] on the Commission's communication. Each institution has a specific procedure on how to handle Commission communications, including the announcement of a member or group who is responsible for reporting on the communication from the perspective of his or her home institution. The process is relatively similar in the European Parliament, the Committee of the Regions and the European Economic and Social Committee. By contrast, the Council has its own rules, usually deciding whether to put a communication as an A or B item in council meetings.[6] This classification influences how much room for debate there is on a given communication. The process in these European institutions is accompanied by the attendance of a Commission member, usually someone from the unit who is responsible for the communication at stake.

At present we know surprisingly little about the specific steps in the Commission's internal process when adopting communications, as this institutional process is rarely researched. Although the Commission itself publishes its working procedures and rules on how Commission communications are adopted (Commission decision C(2000) 3614), their

accounts of the timing and exchange between internal and external actors are quite general.

The interservice consultation is one of the notable internal procedures that recently gained attention with regard to decision-making procedures in the Commission (Hartlapp et al. 2013). The interservice consultation can best be understood as an institutionalised intranet-based discussion platform for commenting, amending or even rejecting proposals by one (or more) DG. All DGs have to give their opinion on a proposal within ten to fifteen days. If there are no reservations the procedure moves on to the next stage: to the Head of Cabinets who prepares the meetings of the Commissioners' College.

Apart from the formal process among the EU institutions we know that there are various interest groups in each policy area that try to influence the content of Commission proposals through informal processes before they are adopted (Coen and Richardson 2009). They do so by lobbying, such as sending policy papers to EU institutions, publishing statements and press releases, participating in hearings or conferences and through networking.

Tracing the adoption of the Roadmap back to the policy-making process is important, as decisions by different actors are based on their available choices and can cause unintended consequences. This analysis investigates questions like: Which structural aspects were constraining and which were enabling? When were actors able or unable to influence others? Where did they miss opportunities? Or according to Giddens: Where did actors reproduce the 'factivity' of the institutional order?

2.1.2   Setting Up the Roadmap Communication in the Commission

The process of setting up the Roadmap started in early 2005, more than a year before its adoption. An early sign of a new policy programme was a reference in the newly adopted social agenda of the Commission: *'as the current framework strategy 2000–2005 comes to an end, the Commission will draw up a communication on future policy developments proposing action in order to tackle these weaknesses[7]'*. Around this time, José Manuel Barroso, the President of the Commission, also decided upon the future name of 'Roadmap' rather than 'framework', as a Commission official reported:

He [José Manuel Barroso] was the one who decided, I mean, the name 'Roadmap' came from him. But the decision to have a document was already there. There was a commitment by the Commission in the social agenda. (Commission official 6:49)

With the appointment of the new Commission, Barroso was under strong pressure to deliver legislation on equal treatment after the so-called Buttiglione scandal. The nominated Italian Commissioner openly showed his homophobic convictions and after being turned down, the EP pressured Barroso to prove his commitment to equal treatment (Hartlapp et al. 2014: 77). As a result, Barroso pushed DG Employment to revising gender equality directives. The attentive EP probably also incited further activities, at least in some form of window dressing, as the analysis highlights below.

In early March 2005, the Gender Equality Unit of DG Employment initiated a first meeting of the Commission's internal interservice group on gender equality with the aim of agreeing on the basic structure of the new policy programme and inviting contributions from all Commission DGs. Formal meetings of the interservice group usually took place around three to four times a year. The first meeting for the Roadmap was different from the usual ones, as DG Employment invited the top level (directors and heads of units) and not, as usual, members at the lower level of the group. The central idea was to gain commitment from the top:

(…) instead of calling a meeting with the officials in charge of gender equality we alerted the DGs at the Director General level in advance,[advising them] that we were preparing this Roadmap and that they should really be involved and that their contributions would be required. (…) the first meeting we had in the interservice group was either with the Heads or Directors of the units. So it was a very important meeting because we really had the first structure in mind, which is basically what is now the Roadmap. (Commission official 6:22)

This means that the outline of the Roadmap[8] was already the final version as described in Chap. 1, including six chapters with priority areas of action, annexes on (I) progress indicators, (II) gender equality governance structure inside the Commission, and (III) equal opportunities between men and women in the Commission working staff (European Commission 2006).

In the summer of 2005 the whole process proceeded with different DGs delivering their part of the Roadmap, while the Gender Equality Unit in DG Employment was responsible for drafting the Roadmap's outline, as well as coordinating the process and contributions. The usual formal meetings of the interservice group on gender equality took place throughout this process. In addition, the Gender Equality Unit of DG Employment exchanged a vast number of emails with individual DGs which contributed to the Roadmap.

> *(…) The communication itself was prepared by DG Employment; of course they discussed it within this interservice group and we were there.* (Commission official 1:65)

> *And then it was written up. It was in 2006, and I was working on it for six months … And then we started to work, really by email, on the text proposed by [name], and then amended by us after discussions with [name].* (Commission official 17:106)

> *A: For us, it was the dialogue with DG Employment. Among us and then the dialogue with DG Employment.*
> *Q: And that's all inside the interservice group then?*
> *A: Interservice group and between the contacts, we continued the discussions and we were sending document by email and making comments, so it was not just the meetings of the interservice group.*
> *Q: But an ongoing process on an everyday basis?*
> *A: Yes.* (Commission official 19:114–118)

While the different DGs prepared their contributions to the Roadmap, the Gender Equality Unit in DG Employment collected documents from external actors and examined the political positions of the parliamentary Committee on Women's Rights and Gender Equality, the Social Partners and the European Women's Lobby in order to calibrate them with the draft Roadmap:

> *The other thing that we really looked at was all the reports by parliament on gender equality and the various subjects, like reconciliation or other things. (…) we had a specific provision in the Roadmap on gender budgeting, and of course one of the issues was that parliament was pushing a lot for that. (…) We also had a representative of social partners because I forgot to say that in 2005 the social partners had an action plan on gender equality. (…) So another*

contribution that we used to see what was the priorities for social partners and how to really link them to what we were doing. (…). (Commission official 6:22, 36)

In terms of the overall process the increased digitalisation of the working life had a strong impact. When drafting the Roadmap most of the exchanges consisted of web-based research by the actors who were external to the Commission, such as NGOs. Even inside the Commission most of the exchanges were via email and not face-to-face. This change in communication reveals an important factor in comparison to the times of the 'velvet triangle' when most of the communication relied on personal exchanges of a closed community (Jacquot 2015). As we will see in the next chapter, the de-personalised drafting process resulted in a less emotional anchoring of the Roadmap than was the case in previous policy programmes.

In November 2005 the first draft was finalised and the internal and formal adoption process of the Commission started. One Commission official noted that those in charge would actually risk the success of their proposal if they started the formal procedure without taking into account the positions of other DGs involved:

A: (…) if you go through the interservice consultation then it's very difficult to solve problems, if you have big problems.
Q: So you have to solve them in advance.
A: Because what happens in the interservice consultation is, they block your document if they are not happy. And then you have to go into negotiations … because it's a formal negotiation. (Commission official 6:111)

While the various DGs contributed to their part of the Roadmap, the Gender Equality Unit fulfilled the formal obligation of conducting an impact assessment and created a working group which consisted of selected civil servants responsible for gender equality. The internal impact assessment[9] was annexed and published on the same day as the Roadmap:

For instance, for the Roadmap we needed to have the impact assessment and for the impact assessment, of course, we had to create a working group which had both people internal to DG [Employment] but also people from the outside; not

all of the DGs, but some of the most—let's say—relevant DGs. (Commission official 6:120)

According to another Commission official, an additional impact assessment was carried out by a private consultancy before entering the formal interservice consultation:

DG Employment appointed a private consultancy to make the first assessment of the Roadmap. (Commission official 17:86)

On the other hand, the formal procedure involved the communication being sent through the different hierarchical levels in the so-called 'interservice consultation' and to the so-called 'supervision DGs'. For example, the Legal Service checked whether the communication was consistent with the treaties. Finally, the communication was adopted by the Commissioners' College. The final internal adoption by the Commission occurred without any further discussion. It was adopted almost without being noticed and the document was not in 'oral procedure', according to a cabinet member who attended the meeting (Interview 4). During my interview the cabinet member checked when exactly and by what procedure the Roadmap was adopted because s/he did not remember the Roadmap being an element of the Commission's gender equality policy. This means that the Roadmap communication was not tabled or discussed and was not a critical item on the agenda of the Commissioners' College. This demonstrates that the Gender Equality Unit of DG Employment was very effective in making use of the internal Commission's interservice consultation and the informal exchange beforehand in order to organise broad support for the Roadmap. Only items that cause controversy are discussed in the Commissioners' College (Hartlapp et al. 2014). The Roadmap was not controversial. It was accepted by all DGs before arriving at the Commissioners' College.

The Roadmap was adopted on 1st March 2006 and presented to the public on 8th March 2006, International Women's Day. Subsequently, the formal process continued outside the Commission in the European Parliament, the European Council, the Committee of the Regions and the European Economic and Social Committee. Various interviewees emphasised that only DG Employment members represented the Commission in official meetings with the other European institutions. For instance, it was only DG Employment who replied[10] to the European Parliament resolution

in 2007. Commission officials from other DGs did not participate in the formal process of the other EU institutions, despite the fact that the Roadmap is not solely a communication of DG Employment. This aspect is explained in more detail in Chap. 3 as a sign of 'wrong ownership'. Nonetheless, Commission officials commonly knew about the next procedural steps:

> *There was policy work to be done, because when the communication went through, for example, then you had to go to the Council and Parliament to discuss and get a resolution.* (Commission official 7:34)

Even before completing the adoption process in the other EU institutions, as detailed below, the Commission organised a conference with a variety of actors on 4th–5th May 2006 in order to present the Roadmap to a larger public.[11] Representatives of the Commission, the EP, member states, trade unions, multinational enterprises and (trans)national NGOs commented on the Roadmap and exchanged their views on the different parts. The report of the conference, written by the Commission, creates the impression that everyone welcomed and appreciated the Roadmap without any criticism.

2.1.3   Commission Outreach: Informal and Formal Procedures

Alongside the formal procedure leading to the adoption of the Roadmap inside the Commission, there was an additional process on the outside: an informal process involving EU institutions, such as the European Parliament and the Council, as well as non-governmental actors, including trade unions and women's organisations.[12] The external process did not end with the adoption of the Roadmap by the Commission; rather, the adoption worked more like a turning point between two different, yet interconnected, external processes. Until the adoption by the Commission, activities on the outside were informal. After the adoption, the process automatically became formal for other European institutions and Social Partners and non-governmental actors occasionally participated in this formal process. The following section will discuss the entire process, spanning the informal and formal parts of the adoption process, external to the Commission.

Just like the internal Commission process, the external process started more than one year in advance. According to the Commission, members

of the Committee on Women's Rights and Gender Equality (FEMM) held an informal meeting with Commission President Barroso and Commissioner Špidla in March 2005, where they stressed their concern that gender equality policy would lose impetus.

(…) the idea of having a Roadmap was put forward by Barroso in the meeting we had with some representatives of the women's rights committee of parliament. Because they were concerned about the fact that gender equality was lacking this ability and was losing momentum and so on and so forth. So the promise of the president was to come up with a Roadmap on gender equality, and then, that this Roadmap would cover all the policies. (Commission official 6:44)

The European Trade Union Confederation (ETUC) took advantage of its own structure of women's committees to establish frequent informal exchanges with Commission officials during the drafting of the Roadmap:

We invited representatives from the Commissioner's office and from DG Employment to our women's committee meetings at all the different stages when the Roadmap was in its infancy. So the whole kind of pre-stage is: all the drafts and then the final outcome. And then in-between we had informal meetings with our different contacts and tried to influence along the way informally and then formally through consultation, and as I said, through meetings with our women's committee on the content. But I mean … there are also personal contacts that play quite a strong role at the Brussels level. And I mean we have very good relations with the person, one of the people in the Commissioner's office in charge of this. (Trade Union official 31:106)

The important role of personal contacts in EU gender equality policy was highlighted by Woodward (2004) and Jacquot (2015) who both stressed the positive aspects of committed people who work together for the same cause. They also pointed out the downside, the 'ghettoisation' (Woodward 2001) of gender equality and the lack of exchanges with other actors. Surprisingly, Commission officials never mentioned such an informal exchange and only mentioned the analysis of the documents by external actors:

There are also the social partners, but (…) what we did was to take what they had. You know, it's the same for the European Parliament. It's not like we had an exchange with them, but we had an analysis of all the most important documents and that was it. (Commission official 6:177)

Nonetheless, the European trade union was the only external actor that affirmed frequent informal exchanges with the Commission by using its own procedures. NGOs and member state representatives predominantly approached the Commission or one of its DGs selectively, while the other EU institutions (EP, Council, EESC, CoR) waited with their opinions until they had received the final version of the Roadmap. Both approaches are routine procedures for the respective actors.

The European Women's Lobby (EWL) organised its activities according to its internal procedures and network contacts, while frequent informal exchanges with the Commission, as reported by the trade union, were not mentioned. The network contacts of the EWL included other non-governmental actors, MEPs and even individual representatives of member states. According to the EWL, they already started their lobbying activities in October 2004, based upon a decision of their General Assembly[13] to propose a 'shadow Roadmap' by consulting their member organisations on the content (including a feedback loop) from March to June 2005. They adopted their shadow Roadmap in the General Assembly and presented the final version at the end of October 2005 (Civil Society Contact Group 2006: 17). Not surprisingly, the EWL's shadow Roadmap went far beyond the final Commission document and suggested many specific points for various parts of the Roadmap (Ahrens 2007). Also, the EWL recommended additional hard law in the form of directives, for example, affordable childcare and gender equality in education curricula. Furthermore, it included more innovative suggestions, such as institutionalising a reporting instrument on gender-specific analysis of finance and trade policies for the annual spring Council, transferring the Open Method of Coordination to childcare policies or developing rules for gender equality in WTO policies (European Women's Lobby 2005). Why did none of these suggestions make it into the final Commission communication? The reasons will be discussed in the following chapters.

Among the NGOs, the EWL made particular use of the so-called 'Gender Lunch', an informal, yet firmly institutionalised meeting of NGOs and other actors interested in supporting EU gender equality policy. The Gender Lunch can be described as the civil society counterpart of institutionalised EU groups, such as the FEMM (Women's Rights and Gender Equality Committee) and the Commission interservice group on gender equality. The EWL also implicitly implemented gender mainstreaming rules by involving the actors usually involved in policy-making.

The Gender Lunch was organised in an informal way and, contrary to the FEMM committee or the Commission's interservice group, the participating organisations worked on an equal footing and alternated in organising meetings. According to my interviewees, the responsibilities for organising changed depending on the topic and the presenters. The Gender Lunch was an initiative of civil society organisations and also aimed to develop or maintain contacts with Commission DGs and other EU institutions.

In this context the European Women's Lobby worked as an information hub, a platform to distribute and exchange information and to mobilise other actors to get involved in influencing the Commission. Other NGOs, like the European Youth Forum, were contacted to exchange content-related views:

At that point there was some cooperation going on between the European Women's Lobby and the European Youth Forum on young woman basically, so gender equality and young people. (NGO representative 16:62)

But what happened was that the European Women's Lobby had their own initiative and their own analysis of the Roadmap and they decided to share it with other people. (NGO representative 18:22)

(…) they [European Women's Lobby] came with information we did not have, and we came with our information. It was a question of exchanging information and pushing some points on the agenda that could be very good; and we could help them with some things too. (Member state representative 28:148)

The European Women's Lobby used this information exchange and networking to collect input for their policy paper 'Gender Equality Road Map for the European Community 2006–2010', the so-called 'shadow Roadmap' published in November 2005.[14] The policy paper was not only distributed widely among the network members, it was also sent to those responsible for the Roadmap inside DG Employment. As discussed in Chap. 3 in relation to the 'closed door', the EWL saw no other possibility to influence DGs other than DG Employment through other channels.

During the whole drafting process of the Roadmap the EWL stated that they used different times and spaces for putting pressure on the Commission regarding the new policy programme:

> *A: We were asking them all the time, in every speech, in every meeting: Where are you with the new strategy? etc.*
> *Q: And who was the contact then, who did you contact?*
> *A: Everybody. Well, at different levels, writing to the Commissioners, or when we met with the Gender Equality Unit, or in the Advisory Committee, or …*
> (NGO representative 29:108–110)

The EWL shadow Roadmap is the only policy paper by a non-governmental actor that was published and distributed before the Roadmap was adopted. The shadow Roadmap was widely acknowledged and recalled by a variety of actors I interviewed:

> *(…) we also worked with the European Lobby of Women and I would suggest you go to them because they prepared a sort of shadow paper.* (MEP 10:30)

> *(…) it was spontaneous, (…) this is the largest platform for women's organisations, so they had a contribution that they gave to us, it's not that we asked them for a contribution…* (Commission official 33:36)

The term 'spontaneous', used by the Commission official, revealed that the Commission was not aware that the EWL had already decided in 2004 on lobbying activities regarding the Roadmap. Moreover, the Commission official only had limited knowledge about the EWL workings, as did the EWL about the Commission routines.

While MEPs from the Women's Rights and Gender Equality Committee (FEMM), the European Trade Union Confederation (ETUC) and the European Women's Lobby (EWL) became active in order to influence the drafting of the Roadmap inside the Commission, the other EU institutions (Council of the European Union, Committee of the Regions, European Economic and Social Committee), the European Parliament and other actors from civil society were not involved in the informal process:

> *Q: They [the Commission] did not contact the social committee of Coreper in advance?*
> *A: No, they did not.*

Q: So, they handed in the final draft, or the adopted one, or…?
A: They already came with the adopted version by the College of Commissioners. By the time they came to us it was in fact at a very late stage. (Council representative 5:53–56)

Q: What I would be interested in is: how did you participate in the development of the Roadmap?
A: In the development:—zero. (EP official 23:146)

But none of them [other NGOs apart from the EWL] were involved in the Roadmap. For example, we are members of the European platform of social NGOs, we are members of the European Civil Society contact group, and then we have bilateral contacts with members of others, but they were not involved in the Roadmap. What we did was to provide them with information about what was going on. And that's what they do for example when the gender equality working group of the AGE Platform has a meeting. I am sometimes invited to speak about whatever happens. But they were not involved in the Roadmap process. (NGO representative 29:172)

2.1.4   *Considering Member States Interests*

There is a third process connected with drafting the Roadmap, one that is neither clearly internal nor external to the Commission. This third process includes so-called interinstitutional groups, such as the Advisory Committee on Equal Opportunities for Women and Men and the High Level Group on Gender Mainstreaming. The former consists of representatives of member states and representatives of the European Women's Lobby and Social Partners. Meanwhile, the High Level Groups only comprise representatives of member states, sometimes the same ones as in the Advisory Committee, sometimes different ones. This often depends on the size of the member state and the availability of their civil servants, or on the responsibilities for different tasks in member states. For instance, in Germany the civil servant who participates in the Advisory Committee is responsible for EU policies and gender aspects, while the civil servant from the High Level Group comes from a different ministry and is responsible for German gender equality policy. In contrast, the Belgian representatives for both groups work for the same institution.

Just like the other two processes, the interinstitutional process also started one year before. Member state representatives and Commission

officials reported that the Gender Equality Unit of DG Employment tabled the idea of the next policy programme, asking for the views of the committee's members.

> *The first thing we did was to ask the Committee, the Advisory Committee to have an opinion on the future gender equality strategy. (…) It was almost one year before.* (Commission official 6:16)

> *I know that there was advice from different bodies, of course the European Women's Lobby, the groups that I have mentioned earlier were also advising the Commission, the High Level Group, the Advisory Committee.* (Commission official 33:58)

> *What I can tell you is that the two groups which have taken part are the High Level Group and Advisory Committee.* (Member state representative 28:56)

According to an Advisory Committee representative, the Commission sent a draft before the regular meeting. This was discussed in the meeting before the Commission revised its draft. A new draft was then sent prior to the next meeting (Interview 8, member state representative). In November 2005, the Advisory Committee provided its own opinion,[15] addressing all parts of the Roadmap from the perspective of the member states. This was taken into account for the Commission's internal impact assessment.

The High Level Group on Gender Mainstreaming was not involved, their members only reported that they had been informed about the drafting process without being involved as a forum (Interviews 6 & 28, member state representatives). However, Commission officials mentioned a clear connection between the Roadmap and the 'European Pact for Gender Equality' that was adopted at the Spring European Council on March 23rd/24th 2006[16]:

> *We are following up the commitment of the member states. (…) when the Commission had proposed the Roadmap, this was followed up by the European Pact for gender equality. And the European Pact for gender equality I think started by recognising the role of the Roadmap and so on, so there was a form of interaction in-between, I mean the broad objective (…) DG Employment is (…) organising the work of the High Level Group for gender equality, with*

representatives of member states and of course there they are discussing those issues that I've just mentioned (…). (Commission official 33:28)

Therefore the interinstitutional process followed the typical routines set up for the two groups and was used to reconcile Commission positions with member state positions. The quotes also reveal that the tasks of the two groups did indeed line up with their formal purpose: the Advisory Committee was asked to provide feedback to the Commission proposal (the Roadmap communication), while the High Level Group was used as a platform to discuss member state activities.

2.1.5   *The Post-Adoption Policy Process*

After the adoption of the Roadmap in the Commission the number and composition of the actors who were involved in the Roadmap policy process changed. The Council, the Committee of the Regions, the European Economic and Social Committee and the European Parliament began to fulfil their formal obligations. When the Commission publishes a communication, all the other EU institutions react by giving an opinion. The Committee of the Regions, the European Economic and Social Committee and the European Parliament appoint rapporteurs from the responsible organisational sections and require the adoption of a joint opinion by the whole institution. Giving an opinion does not mean any changes to the Commission's version of the Roadmap would or could be adopted, as the format as a Commission communication meant that the Roadmap was not subject to negotiation (except within the Commission DGs). Therefore, giving an opinion involves the other actors expressing whether their standpoint is similar or different compared to the Commission's document. Moreover, they can also express expectations regarding implementation, missing elements (e.g. topics, legislative acts) or aspects they would like excluded. The adopted opinion normally does not completely contradict the Commission's communication, which is understandable when considering the policy process that leads to the adoption of the Roadmap. Accordingly, almost every actor was, to some extent, taken into account during the drafting process of the Roadmap.

The European Economic and Social Committee published its opinion on 13th September 2006.[17] The gender study group of the Section for Employment, Social Affairs and Citizenship which was responsible for preparing the opinion within the EESC found a consensus between the three

groups (employers, trade unions, civil society). This was followed by unanimous vote. The whole process was accompanied by a Commission official:

> *We wanted to make sure, as we usually do within this ESC committee, that we have a consensus from the different groups of society. Besides, even at the very beginning when we had our first meeting, we had the representatives of the Commission who specifically worked on gender equality, who were with us during the discussion of the Commission document, elaborating and explaining what actually is meant and they helped us with reaching a conclusion.* (EESC representative 27:7)

Similarly, the Committee of the Regions (CoR) published the opinion[18] by its Commission for Economic and Social Policy on December 6, 2006. It was passed unanimously following the usual process. Obviously the 'assistance' of the Commission to other EU institutions helped to reach a consensus, an aspect of great importance in EU policies.

At Council level the Roadmap was already scheduled for the Council meeting of 'Employment, Social Policy, Health and Consumer Affairs' on March 10, 2006. The Roadmap was scheduled as a 'B item' in the meeting and, according to a Council representative, there was a minor debate:

> *The Roadmap was one point, and the different ministers of equal opportunities could come in and tell the Commission that they were very happy with this new proposal. Or they said, yes, it's very good, but unfortunately this or another point is missing.* (Council representative 5:24)

Similar to the CoR and the EESC process, a representative from the Commission attended the Council meeting in order to directly react to comments. Interestingly, the Roadmap was not the only item on gender equality policy, as the 'European Pact for Gender Equality[19]' was also tabled.

In the European Parliament the Committee on Women's Rights and Gender Equality (FEMM) was responsible for giving an opinion on the Roadmap and setting up a resolution as an own-initiative report. On 8th March 2006, directly after the Commission adopted the Roadmap, the FEMM committee had a so-called 'exchange of views with VIPs' with thirteen different Commissioners and the Commission President.[20] The

list of attending Commissioners is puzzling: while some were expected due to their well-known commitment to the subject, such as Margot Wallström and Neelie Kroes, or because of the tradition of gender equality policy in their policy areas, like Vladimir Špidla (Employment), Danuta Hübner (Regional Policy), Janez Potočnik (Science & Research) other core policy areas, like Enterprise & Industry, Internal Market, Trade, Health and Development were not represented.

According to an EP official, Commissioner Špidla also met informally with individual MEPs of the FEMM committee in preparation of the Commission's Roadmap adoption. The purpose was gaining support for different parts of the Roadmap:

> *The Commissioner saw them in one week (…) one hour each. So what he would do is present the Roadmap: 'Yes, these are my priorities. I would like to have your support in this and that' and then go to another until he'd have a certain number. He was clever in asking the support based on the personal interests of each member. It's normal, it's political practice. It's nothing special. It always looks ugly when we start to explain it. Then you say: 'It's politics'. And it's easy. But that was his strategy to gather support.* (EP official 23:192–194)

This move was a way of de-politicising the Roadmap adoption, a strategic decision that demonstrated the Commission's understanding about formal and informal rules in the European Parliament.[21] Aiming for consensus dominates the formal and informal working practices in the EP. The Commissioner implicitly mobilised this by asking the support for different parts of the Roadmap, a move that signalled consensus as a goal. Not discussing political goals regarding gender equality de-politicises policy processes, because those involved stop questioning defined goals or reviewing the overall package. By splitting the support requirement into smaller pieces, political confrontation was avoided. The de-politicising move will be discussed in further detail when examining the interpretation of the policy process.

As usual, one rapportrice—Amalia Sartori, EPP and a shadow rapportrice, Pia Elda Locatelli, SPE—was assigned to the own-initiative report on the Roadmap. In addition six other committees[22] were appointed to provide opinions and amendments. Amalia Sartori started a series of informal meetings with different actors, including the European Women's Lobby:

> *We had a meeting with the rapporteur. She was drafting [the EP resolution] … But that was afterwards [after the Commission's adoption]. And that was also*

*informal, we were not consulted in a formal way. And she was actually consult-
ing with a number of different organisations.* (NGO representative 29:159)

Other MEPs stressed the necessity of frequently meeting informally
with other actors when preparing own-initiative reports (Interview 3:104).
An EP official explained that informal meetings also serve the purpose of
organising the formal procedures within the EP:

> *When I am assigned a report or an opinion, first of all it's about establishing a
> schedule and in that respect I already come in contact with some interlocutors.
> I cannot draw up schedule on my own. I need to see if some other committees
> provide opinions, I need to see if the schedule can be fitted into the schedules of
> the translation unit. We have to respect the time frame. I need to see if the sched-
> ule fits into the plenary agenda and of course I need to see if the members agree.
> Because the members can also decide not to be there on that date, so… the first
> step is fixing the schedule and this already implies some negotiation.* (EP
> official 23:32)

On 4th October 2006 the FEMM committee used an EP standard
procedure to organise a mini-hearing during its regular meeting on the
Roadmap. They invited representatives from DG Employment and DG
Justice, the rapporteur of the EESC and a member state representative to
present their views.

The EP resolution[23] on the Roadmap was adopted with one dissenting
vote out of 28 in the committee on 24th January 2007 and in the EP ple-
nary on 13th March 2007—more than one year after the Commission
adopted the Roadmap communication. This means that the EP resolution
was the last formal opinion provided by EU institutions, a long time after
all other EU institutions had published their opinion. Those who prepared
the final voting changed the usual procedure for the Roadmap resolution:

> *The process of the Roadmap was the best exercise because we had 150 amendments
> in total, something like that. And we decided to completely reshuffle the resolution
> by topics and under each theme [there was] a compromise or a leading amend-
> ment. (…) So the work was to re-focus the thing and the trick was that in the
> voting list—something that we never do and never did afterwards is to include
> the topic—between the amendments we put: 'Ok, violence against women. This is
> the compromise, while this text section will be deleted.' They could see the original
> words and the comments. When you see a voting list for a complete text, you are
> sometimes indecisive because you don't see the topic, so by doing that, by keeping
> the original and the comments, we made it acceptable.* (EP official 23:208)

The necessity to 're-focus' and put the topics between the amendments is understandable when considering that six other committees were asked for opinions. Four of them provided a total of 74[24] amendments, requesting the FEMM committee to include them in the final resolution, while the FEMM was also preparing 38 amendments (often with several sub-items). Those in charge of presenting the resolution ready for a vote chose to combine the amendments and present the integrated version with sub-headings in order to simplify reaching committee positions. This is an unusual procedure for the EP. The process of drafting and adopting the Roadmap ended with the final resolution of the EP and the Commission's response.

2.2   RULES, ROUTINES AND ACTOR CONSTELLATIONS OVER TIME

How did the formal and informal process, formal obligations, strategic decisions and the various institutions interconnect in the case of the Roadmap? In order to provide a clear picture I will approach the description of the policy process by focusing on each step of the Roadmap's drafting process. Activities of DG Employment, more specifically Unit G1 'Equality between Women and Men', the Gender Equality Unit, were central. According to my interviewees DG Employment was the so-called leading Directorate General and its Gender Equality unit had the task of coordinating the drafting of the Roadmap.

Even though gender mainstreaming was often presented as a transformative strategy, it was this strategy in particular that contributed most to defuse conflict in the European Commission by allowing topics to become uncontroversial. Showing how the Gender Equality Unit played with formal and informal rules and employed external pressure when necessary will highlight how this defusing was implemented.

Who and what determines the final outcome of soft law? The timing of events in the policy process, the stream of interventions by different actors and the way actors use rules and resources in their interaction. In this respect, the actors who actively participated in policy-making and those who participated in the background are of particular interest.

In summary, the analysis of the policy process timeline leads to a distinction between the following aspects:

Rules

1. By choosing a non-legislative Commission communication as the legal form of the Roadmap all further steps guided the participation of internal and external actors.
2. The Commission rules of procedure and the obligation to gender mainstreaming collide in terms of actors' participation.
3. Actors external to the Commission developed their own distinct rules of procedure with regard to Commission communications.

Actor constellation

1. The Gender Equality Unit of DG Employment was the only Commission actor contacted by institutions and organisations, other than the Commission.
2. Inside the Commission the interservice group on gender equality formed a well-functioning network, despite the varied involvement of DGs.
3. During the drafting and adoption process there was no overarching policy network where EU gender equality policy actors from different institutions collaborated.
4. Actors external to the Commission started to publicise content-related subjects after the Roadmap draft was almost finalised inside the Commission.

2.2.1   Rules and Routines over Time

As described in the previous section, the Commission rules prescribe how the procedures among different DGs are set up by the so-called lead Directorate General. DG Employment was the lead DG for the Roadmap due to the history of gender equality policy (cf. Chap. 1). Until the Treaty of Amsterdam the policy area of employment and social affairs was the only part of the 'acquis communautaire' where the European Union had competencies for promoting gender equality. Thus the responsibility and central function of DG Employment was not unusual *per se*. However, in contrast to previous gender equality policy programmes, DG Employment tried to involve all other DGs in the drafting process without having any rights or powers to rule over them. All DGs are formally equal and this means that

civil servants of one DG cannot determine or control the work of their colleagues, even if these colleagues contribute to their document. The DG's 'collaboration' attempt was the opposite of what lead DGs usually do when they are responsible for a Commission proposal: they normally aim to avoid too much interference from other DGs (Hartlapp et al. 2013).

Furthermore, defining the Roadmap as a Commission communication and not a legislative act led to the application of internal Commission rules only. With this decision the roles of the actors were clearly divided from the start. The Commission, i.e. the Gender Equality Unit of DG Employment, was the only institution responsible for coordinating, drafting and adopting the Roadmap. Thereby the other EU institutions and non-governmental actors were automatically excluded from drafting the Roadmap. Instead they were limited to their role as commentators or lobby groups following the adoption by the Commission.

Inside the Commission the crucial formal procedure was the interservice consultation and its respective rules. Passing all stages of this procedure is a prerequisite for adoption. However, the policy process prior to the formal interservice consultation is not formalised in the same way in terms of who must be involved and how. The Commission rules of procedure can be seen as formalised guidelines that structure the drafting of Commission communications (or any other Commission document). Regarding timing and cooperation the rules of procedure[25] prescribe that *'from an early stage in the policy-making process interservice cooperation is the bedrock of the Commission's work. Interservice groups should assist the policy-making process, including all initiatives in the work programme with the formal stage of interservice consultation acting as a final round to involve all relevant services.'*

Therefore, the internal Commission policy process that leads to the Roadmap serves as a salient example for gender equality. It is of great interest that the codes of conduct and official obligations were relatively vague, although a formalised process existed and Commission civil servants were aware of the routine. Apart from the fact that the guidelines are not binding and rather describe expectations for the working routines, the term 'early stage' is particularly vague and gives room for strategic manoeuvres. Not only was the time span vague, but also the guidelines concerning which actors have to be included in the interservice consultation and who has to be involved for a certain draft. Depending on how conflict-laden a draft is, lead DGs often only involve other DGs immediately before the

formal interservice consultation in order to strengthen their political position and avoid further discussions (Hartlapp et al. 2013).

Surprisingly, the Gender Equality Unit of DG Employment took a different route and applied the Commission's rules of procedure when coordinating and drafting the Roadmap. Instead of selecting some DGs from the whole portfolio, all DGs were invited to the initial meeting. Furthermore, it is important to note that the Gender Equality Unit of DG Employment followed the rules, although in a different way than the usual procedure in the Commission. At the same time the Gender Equality Unit followed the informal rules of the implementation of gender mainstreaming by aiming to involve all DGs. Why the Gender Equality Unit strategically chose to involve all DGs and which problems persisted will be discussed in detail in consecutive chapters.

While DG Employment actively contacted the other DGs and interinstitutional groups to collect input for the Roadmap draft, most of the other external actors had to contact DG Employment to become involved and to exert pressure at an early stage. Regardless of whether an NGO, the European Parliament or Social Partners were involved in the process, they all had to develop their own ways of influencing the Commission. There was no attempt to influence the drafting of the Roadmap via channels other than DG Employment, for instance by shaping the policy content via the responsibility of other DGs. We can assume that policy improvements could have been achieved by influencing other DGs and/or involving other actors in the policy process. Such an argument was also put forward by the civil servants of the Gender Equality Unit in DG Employment who stated that they would have lacked the expertise to define and formulate gender equality policy goals in other policy areas, such as research, external relations or transport.

The European Parliament's strategy was first, to exert pressure on the Commissioners' level and second, to wait until they had received the final communication after the Commission's adoption. Commission officials emphasised that they were aware of the expectations of the FEMM committee members as expressed in the top level meeting: to have a smooth transition to a policy programme comparable to the previous one in terms of framework strategy and its action programme. Interestingly, no interviewees from the European Parliament mentioned that the Roadmap was announced in the social agenda—an information gap which is discussed in consecutive chapters. On the other hand, the Commission representatives were aware of the obligation as described in the social agenda. Here we

already can see the different narratives and different information in relation to the same process. It was the MEPs who pushed the Commission to develop and publish a new policy programme. As we will see in the next section this conviction is not only held by the MEPs, but also by the European Women's Lobby, the Social Partners and the interinstitutional groups who are all convinced that they contributed to the Roadmap's existence.

2.2.2 *Actors over the Course of Time*

Figure 2.1 clearly shows that the overall composition of actors in the policy process did not fundamentally change, although the balance between actors who were formally and informally involved in drafting and adopting the Roadmap changed considerably over the course of time. The actors who dominated the policy process changed with the adoption of the Roadmap by the Commissioners' College. Prior to that time the Commission had held the most powerful position, controlling the whole drafting process and deciding who else could participate, to which extent and at which point in time.

At the beginning a large number of Commission actors—various DGs and their subgroups—participated and drafted the body of the text. The Gender Equality Unit of DG Employment played the major part in coordinating and organising the whole process. Commission services, such as the Legal Service (SJ) or units responsible for impact assessments[26] or evaluation,[27] were only involved in technical areas, like checking the Roadmap communication's consistency with the treaties or transferring the activities in the Roadmap into an activity-based management. In this sense the Legal Service and the evaluation and impact assessment units were non-participating actors. They fulfilled a central role in the adoption process, despite not actively participating in the formulation of gender equality policy.

Subsequently, the Commission (represented by the Gender Equality Unit of DG Employment) participated in the procedures of the other EU institutions and had to follow the rules of these actors, such as the EP or the Council, including the way in which they scheduled Roadmap-related events. With the Commission's adoption of the Roadmap the emphasis of actors who were coordinating and controlling the processes shifted from the Commission to a shared responsibility of the former external actors. The parliamentary FEMM committee and the European
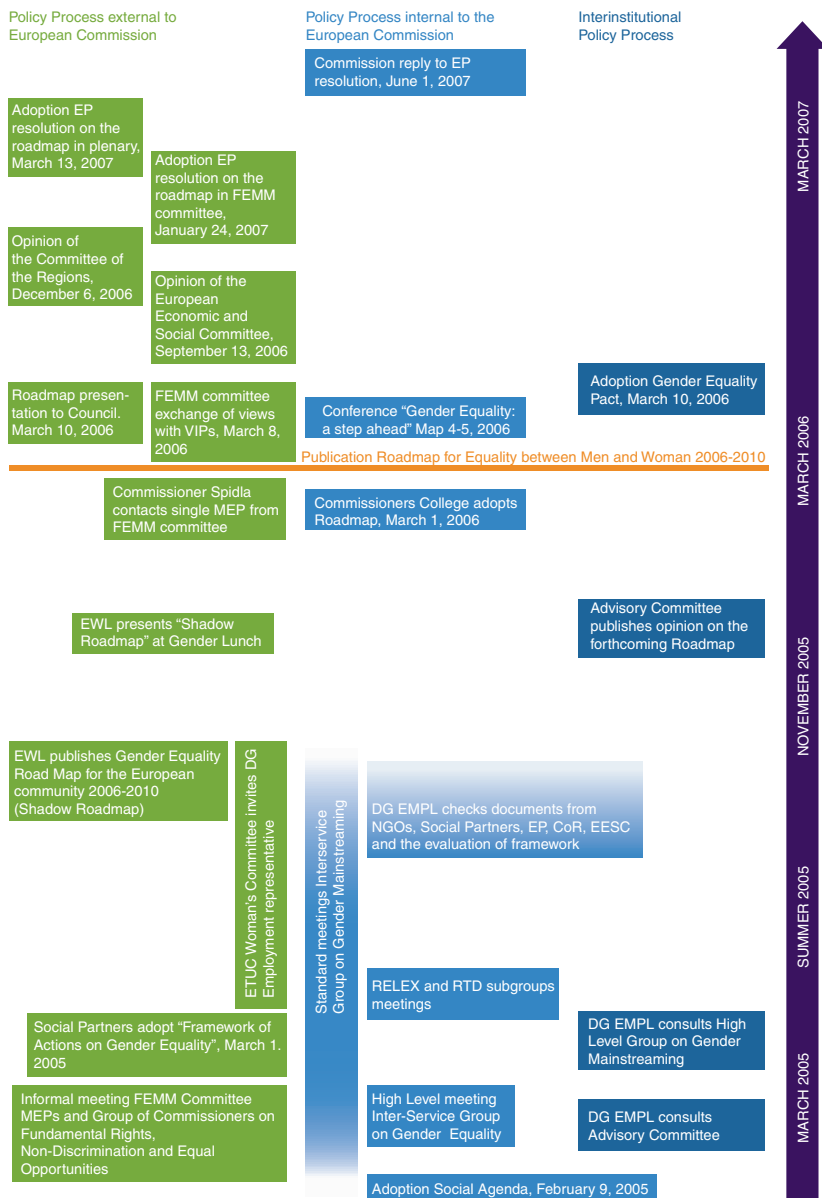
Fig. 2.1   Roadmap policy process timeline.
Compilation by author

Women's Lobby then dominated this process. Nonetheless, DG Employment always functioned as a hinge in drafting and distributing the communication, regardless of time and space. Within the Commission the Gender Equality Unit coordinated the various DGs, as well as the external attempts to influence the drafting, e.g. the Social Partners or women's organisations. The changing balance of actors over the course of time is explained by the rules and routines, as described above.

The working routine inside the Commission involved all participating DGs in a communication in the process of drafting, whereby one lead DG finalised the document before entering the final stage of the interservice consultation. In terms of the Roadmap and gender equality policy one occasion differed from every other communication. As the official political EU strategy in gender equality policy, gender mainstreaming required the involvement of every single DG and consequently all thematic DGs[28] of the Commission. From the description of the policy process we can see that the Gender Equality Unit of DG Employment, as well as some other Commission civil servants officially responsible for gender equality, took the treaty obligation seriously and wanted to involve literally all DGs when drafting the Roadmap:

> *Because the decision we took with the Roadmap was to cover all the areas where the Commission works, because we have the treaty that says we have to have gender equality in all our policies, so it was decided that we should cover all of them.* (Commission official 6:16)

Obviously not all DGs participated, at least not to the same extent:

> *Q: You said more than twenty DGs, does that mean literally all DGs are included in the Roadmap?*
> *A: Nearly all, some less, … nearly all the policy DGs were involved in the implementation of the Roadmap.*
> *Q: But on different levels or on the same level?*
> *A: No, of course it was on different levels, some are more central for the delivery of output of the Roadmap, like, OK … DG Employment is the most involved but you have also DG Education and Culture, you have DG RTD for research, you have also some DG like Justice… OK, there are some with more weight in the implementation of the actions than others.* (Commission official 33:17–20)

The documents connected to the Roadmap revealed that content related contributions to the Roadmap varied in terms of the degree of involvement from single DGs. They did not deviate from what Hafner-Burton and Pollack (2009: 115) found: '(…) rather than the consistent spread of a gender perspective to all issue-areas and all DGs we find a highly variable and voluntary adoption of gender-sensitive policy-making, with intense focus on gender in some areas and little or no apparent activity in others.'

In total around one third of DGs covered almost all of the priority areas, while one third were responsible for smaller aspects and the remaining third did not actively participate. The way in which DGs approached their way of contributing varied in particular policy areas and can be clustered in three groups:

1. DGs organising a sub-working group that covered connected policy areas; e.g. Employment collaborated with Structural Policies and External Relations worked together with Enlargement. The sub-working groups organised the contribution of their respective policy areas differently (see below), although sub-working groups often covered one complete priority area of action or even a complete chapter[29] of the Roadmap. The sub-working groups also drafted their part of the Roadmap.

2. DGs contributing to smaller content-related aspects and actions of the Roadmap without connecting with other DGs and with a contribution to one small point. The contribution was subsequently sent to the Gender Equality Unit in DG Employment without further editing or influencing the position in the final text.

3. DGs without any content-related contribution and only involved in human resource management related to gender equality coordinated by DG Administration.[30] Goals within this area were presented in the Roadmap as annex III 'Equal Opportunities policy between men and women at the European Commission'; a Roadmap part that covers all Commission DGs per definition. Commission officials of DGs belonging to this group were often unaware that the Roadmap even existed and therefore probably rarely or never participated in the meetings of the interservice group on gender equality. Also, the group covers some of the most powerful and male-dominated DGs such as DG Trade and DG Enterprise & Industry without any commitment to gender equality in their policies.

In the first group we find the four policy areas of employment, regional policy, research and external relations. Within these policy areas DGs were located that took a basic premise of gender mainstreaming seriously, with each actor being responsible for promoting gender equality in his or her policy area.[31] The four policy areas had similarities and differences in the way in which they organised their contribution.

DG Employment had set up its own internal working group on gender mainstreaming, by which time each unit delegated one responsible person in their specific area of employment and social affairs policies. The Gender Equality Unit of DG Employment explained this decision with reference to assuring ownership of the Roadmap:

> *Within the DG Employment we also had an internal working group; which means that we had meetings with the colleagues in charge of the evaluation, of employment policies, social inclusion, and so on and so forth. So we really had…*
> *Q: …an internal process.*
> *A: Yes. Specific of DG Employment. Because parts of the things that we have are not really in the hands of our unit, that is the unit for gender equality, but in the hands of other units. So it was really a lot of work and there was a lot of information going on. But I think it was very interesting. And what we wanted to achieve with this was that each of the units here in the DG Employment, but also each of the DGs would feel responsible and would feel that they were the masters of parts of the Roadmap.* (Commission official 6:24–26)

DG Research and Innovation replicated the working group approach of DG Employment with an internal working group on gender aspects, although the Commission official was unsure how the group participated in developing the Roadmap because s/he was working on a different subject at that time:

> *We manage the gender watch system, which is another interservice group, but internal to DG Research only. And we try to monitor gender related issues in other DGs in research of course, and not other staff management. (…) we try to monitor the presence of gender issues in research fields: in nanotech, in biotech, etc.* (Commission official 17:12)

According to another Commission official DG Research also consulted experts from the 'Helsinki Group on Women and Science[32]' to discuss possible contributions to the Roadmap before sending drafts to DG Employment (Interview 12).

For the structural funds[33] the DGs concerned (DG Employment, DG Regional Policy, DG Fisheries, and DG Agriculture) had a group for the part of the Roadmap that was related to the funds.[34] This group discussed the contribution and content in relation to structural funds:

Those dealing with the funds sort of formed a group and tried to make common proposals. (Commission official 11:116)

When investigating the DGs responsible for the different external relations we can see a similar approach to the structural funds. The so-called RELEX family[35] which consisted of DG Development, DG Enlargement, DG External Relations, DG Trade, EuropAid[36] and ECHO[37] set up a working group in order to agree upon a common approach and contribution:

For instance, for all the sections of external relations, right, there is now a sort of interservice … all the different sorts of DGs, AIDCO, the one dealing with aid, the one dealing with development and cooperation, the one dealing with enlargement, the one dealing with external relations and the one dealing with trade, yeah, these DGs and the officers in charge of gender equality got together and formed a group. (Commission official 11:116)

However, the sub-working group of the RELEX family faced a similar pattern as the Commission interservice group on gender equality. According to one Commission official the activities were unevenly distributed with at least one DG abstaining from the working process.

Trade is a tricky issue. Because they should be involved, but for them gender is not really a priority. Imagine that we have this gender subgroup of the DG Employment's big gender group, I mean this RELEX, and it was the first meeting when Trade appeared, it was only last week, although this year we've already had three meetings. (…) It's basically the leaders who do not want to send someone, because they say it's not important. (Commission official 1:69)

The second group of DGs comprises those who contributed to smaller content related aspects of the Roadmap and exchanged their contributions with DG Employment via email or personally. They did not have any particular institutional unit or group for gender equality within their Directorate General. The smaller content related contributions of the DGs were all verified by documentary research and confirmed that keywords such as 'gender' and/or 'equal' were mentioned in the legislative documents

connected to the prospective activities. The DGs include, for example, DG Education and Culture, DG Health and Consumer Protection, DG Information Society and Media, DG Enterprise and DG Communication. The person who participated in drafting the Roadmap was often the only one responsible for gender equality in their home Directorate General.

DGs who belong to the third group shared three (sometimes overlapping) aspects: (1) The DG did not appear in the Roadmap with any activity, nor their legislative documents contained keywords such as 'gender" and/or "equal'; (2) Civil servants of the DG were never mentioned by any other interviewee; or (3) The Commission official evidently did not know that the Roadmap existed. The following DGs belong to this group: DG Internal Market, DG Competition, DG Taxation and Customs Union, DG Trade, DG Environment, DG Energy and Transport, DG Budget and DG Economic and Financial Affairs.

Some of the differences in the degree to which actors participated in the Roadmap can be explained by the split of competencies between the supranational and national level, as defined in the EU treaties. For example, education and culture or public health are predominantly a member state competency, whereas EU competencies are very limited.

After the main activities within the Commission, the Gender Equality Unit from DG Employment involved external actors on an informal level. While negotiating inside the Commission external contacts were previously limited to exchanges with interinstitutional groups, such as the Advisory Committee and the High Level Group on gender mainstreaming. The contacts with these two groups were more of an informative nature and secured the plans of DG Employment, rather than collecting input to the Roadmap communication. The Commission made a clear division between their formal obligations and informal necessities in the way they approached the different actors. For instance, the Commission spoke about the Advisory Committee and the High Level Group as member states' representatives, almost ignoring that the Social Partners and the EWL also participated, at least in the Advisory Committee.

In conclusion, we can see that the whole internal Commission processes worked smoothly according to the Commission actors, in particular regarding the discussions among DGs about the content. Furthermore, the policy process was effective in producing the Roadmap in a short time. However, this smooth internal process went against the explicit aims of Commissioner Margot Wallström who sought to actively involve stakeholders. Quite the contrary took place in gender equality policy processes:

the external policy-making processes required ongoing activity by non-Commission actors to deliver their interests, even though they were not included in the agenda-setting process. Nonetheless, they were involved through publishing their own documents, which were subsequently taken into account as background information by DG Employment. Whereas the way in which the Gender Equality Unit of DG Employment handled outside actors might be usual, the codes of conduct[38] of the Commission in terms of consulting stakeholders and civil society participation would have suggested approaching external actors differently by, for instance, an internet-based consultation process.[39] However, in the impact assessment the Commission claimed that they included relevant stakeholders and that *'[t]hus the Commission has complied with the minimum standards for the consultation of interested parties*[40]*'*. Referring to the minimum standards is indeed the best description in this regard because Commission actors obviously did just what was absolutely necessary while preferring their own smooth, undisturbed process.

2.2.3   FEMM—Taking over from the European Commission

Surprisingly, the process inside the European Parliament featured a similar pattern as the one in the Commission. Committees are usually not eager to involve other committees in giving an opinion and providing amendments. As one FEMM member noted in respect to gendered power relations, amendments from the FEMM committee are often not integrated into the opinions of other committees and are rarely accepted by the lead committee (Interview 2). Asking a high number of other committees for an opinion is as unusual as inviting all DGs to participate in drafting. With this in mind it is interesting that a similar pattern occurred when two committees, Foreign Affairs (AFET) and Environment and Public Health (ENVI), decided not to give an opinion at all. The two committees can be classified as non-participating actors, given that they did not participate in drafting, despite being part of the formal process. The four other committees provided an opinion, albeit a rather short one, with the exception of the Employment Committee (EMPL). It must be noted that those responsible in Parliament and the Council did not try to lobby the Commission; they simply waited for the Roadmap to arrive.

The European Women's Lobby activated their network via the Gender Lunches in order to mobilise civil society for future discussions of the Roadmap. It is pivotal to note that the EWL has a very good network and

actively sought to involve as many actors as possible from outside to lobby the Commission. They got in touch with many NGOs, different MEPs and Social Partners in specific policy areas. NGOs and especially the European Women's Lobby published policy papers and suggested that the Commission should involve them in the internal Commission drafting process.

The European Trade Union Confederation (ETUC) invited Commission representatives and participated in the Advisory Committee. Notably, the trade union official made a reference to a formal consultation process, even though Commission officials stated that there was no formal consultation process with external actors. The different interpretations as *formal* or *informal* might be explained by the participation of the trade union in the Advisory Committee on Equal Opportunities for Women and Men, as well as the way in which the committee was once constituted in the policy process. The members are formally invited by DG Employment. Therefore, the committee constitutes a formal status for their policy-making from the members' perspective. At the same time the Advisory Committee is informal from the perspective of the Roadmap policy-making process internal to the Commission. Despite being a member of the Advisory committee, the employers' organisations were completely inactive, with the exception of the European Centre of Enterprises with Public Participation and of Enterprises of General Economic Interest (CEEP) who published an opinion[41] on the Roadmap after its publication.

As the lead Directorate General DG Employment distinguished between internal and external inputs, where the former consisted of the Commission interservice group on gender equality, while the latter comprised the Advisory Committee, the High Level Group on Gender Mainstreaming, the European Women's Lobby, the parliamentary Women's Rights and Gender Equality Committee and Social Partners, all of whom were involved via different channels. For instance, the Advisory Committee and High Level Group were directly involved in meetings, whereas the others were indirectly involved by explicitly checking documents. For the external process it is essential to bear in mind the specific role of the Advisory Committee as an interinstitutional group because the committee membership functioned as a catalyst for activities of the European Trade Union, the European Women's Lobby and for member states.[42]

Even though the Social Partners and the EWL attended the Advisory Committee, they were not acknowledged by either DG Employment or the member state representatives as active and relevant contributors to this

group. The Commission officials even spoke about the Advisory Committee as a body representing the member states, whereas the EWL and the Social Partners were not recognised as part of that group in the same way. Instead, topics covered by the EWL and Social Partners were predominantly derived from documents of the two: the 'Gender Equality Road Map for the European Community 2006–2010', published by the EWL, and the 'Framework of Actions on Gender Equality', signed by the Social Partners.[43] The same applied to the European Parliament: documents of the parliamentary Women's Rights and Gender Equality Committee were taken into account, although no personal or informal meetings on the working level were convened. The Commission used different ways of involvement of different actors in the preparation process.

2.3   CONCLUSION

Analysing the policy process over time highlights how the actors involved in EU gender equality policy each followed their specific institutional rules and routines while lacking knowledge about each other's routines. By shedding light on the different steps of the policy process, this chapter illuminated which actors contested gender equality policy at what stage of the process and how actors in charge of the policy area (re)acted strategically to the anticipated formal and informal elements of the policy process. Thus, the adoption process must be understood within the context of time and space in relation to rules and resources. This means that the policy process followed a specific kind of timeline, depending on rules and routines that shaped different points in time. Rules and (inter)action, however, do not exist independently of the actors; quite the opposite, *'(…) people follow rules patterned in social structure; collective knowledge of social rules is the condition of social interaction'* (Tucker 1998: 81). Despite their collaboration these actors' bureaucratic processes were not aligned.

This chapter also introduced the EU instrument of soft law by Commission communications, one of which is the 'Roadmap for equality between women and men 2006–2010'. The adoption process of the Roadmap was explored over the course of time, answering the question of who participated when and how in the Roadmap policy process, thereby shedding light on the 'official narrative', as well as three distinct, yet overlapping processes: the internal Commission process, the process between the internal and external actors and the process external to the Commission.

The differentiation was not merely functional; rather, it originated from the narratives of interviewees, thereby showing why the process was unusual for setting up Commission communications and also unusual for setting up gender equality programmes. Additional actors, such as NGOs and interest groups that tried to participate in the policy process and aimed to make their voices heard, received special attention.

Institutional rules are connected in the policy process by certain milestones, such as the publication of the Roadmap on 8th March 2006. Still, the actors practised 'silo politics' with each other, only grasping a certain scope of the whole policy process, defined by the formal and informal procedures in which the actors were involved. The FEMM committee, the EWL, the trade union and member state representatives knew that the Commission would adopt the Roadmap communication at some point in time and that the responsibility would subsequently shift to the EP, the Council, the Committee of the Regions and the EESC. The exact date, however, was not known in advance. Moreover, actors from one institution (e.g. the FEMM committee) were unaware of when and how other actors (e.g. the EWL) were involved in the drafting process of a third actor (e.g. the Commission). This limited information applied to all actors and provides evidence that actors were only aware of their own direct environment. It showed the importance of an understanding of the spatial breath of knowledge and how actors are restricted within their structure.

We learned how civil servants from the Gender Equality Unit in DG Employment transformed the standard Commission rules by extending them with gender mainstreaming. However, by sticking to the standard rules as a dominant form of interaction the Gender Equality Unit simultaneously (re)produced the Commission's policy-making procedures. In effect they added the 'factivity' of the institutional order in day-to-day life by resorting to their practical consciousness (Giddens 1984: 331).

Furthermore, the interaction that took place must also be understood as an expression of the power of the Gender Equality Unit, because they had *'the capability to secure outcomes where the realisation of these outcomes depends upon the agency of <u>others</u>'* (Giddens 1976: 111, emphasis in the original). The whole internal process of involving other DGs illustrates this specific capability. By shifting the drafting to the interservice group on gender equality conflicts were avoided; a tactic often used in the making of hard law as well (Hartlapp et al. 2014). Likewise, avoiding conflicts (as a form of compromise) with external actors was assured by keeping external actors away from internal discussions. They were only given the floor

after the adoption or in top-level meetings; their main documents were referenced only in the impact assessment. In fact, the Gender Equality Unit circumvented resistance from other DGs or top-level management by the very process that assured compromise and acceptance at the cost of lowering the policy implications.

With regard to the external process the Gender Equality Unit limited the involvement of NGOs, for instance, by claiming to apply Commission rules. Compared to drafting previous policy programmes the Gender Equality Unit transformed the rules that guided the previous institution-transcending network, coined as the 'velvet triangle' (Woodward 2004) into the primacy of the rules of their institution. Through this shift in collaboration routines no institution transcending policy network existed for drafting the Roadmap.

Choosing to publish the Roadmap as a Commission communication consequently limited the number of institutional actors involved in negotiating supranational EU gender equality policy programmes. Furthermore, by closely investigating the rules and routines that played a role in the adoption process gender equality actors strictly followed standard EU policy-making rules, combining them with rules derived from the gender mainstreaming strategy. In effect, the number of actors relevant to drafting the Roadmap was smaller than expected. In light of the implementation of gender mainstreaming and all the policy topics listed in the 'Roadmap', a higher number of actors involved was anticipated including actors, such as those mentioned in Annex II on a specific institutional structure for gender equality policies at EU level (Communication COM(2006) 92 final). In summary, there were literally no contacts between the internal and the external processes of policy formulation, even though external actors maintained contact with each other to some extent over the course of time.

The unintended consequences of the choices made by actors resulted in silencing potential conflicts between internal and external actors. The result, as we will see in the following chapter, was advancing content, based on a strategy of the 'smallest common denominator'.

Notes

1. Feminist institutionalism with its focus on how institutions are gendered and which role power relations play follow a comparable idea of analysing throughput legitimacy and its 'rules of the game' that constrain and enable

political actors (Chappell 2006; Chappell and Waylen 2013; Kenny 2007; MacKay et al. 2010).

2. Hard law comprises directives, regulations and decisions, for instance.

3. All EU Commissioners together with the Commission President are called the 'Commissioners' College'. The group holds weekly confidential, not public meetings and, if necessary, additional ones on urgent matters or before important Council meetings. For further details, please refer to the Commission rules of procedure, as described in the Commission decision C(2000) 3614.

4. For technical, administrative and managerial tasks, additional decision procedures exist: the empowerment and the delegation procedure, although both are unimportant for political proposals. For further details, please refer to the Commission rules of procedure as described in the Commission decision C(2000) 3614.

5. Depending on the institution, the response to the Commission communication is either called an opinion or resolution.

6. The Council agenda is divided into so-called A and B items. A items can be approved without further discussion, because the Coreper already agreed upon the item, whereas B items are scheduled for debate. For further details, please consult http://europa.eu/legislation_summaries/institutional_affairs/institutions_bodies_and_agencies/l14576_en.htm (accessed 4th August 2013).

7. European Commission, 2005, Communication from the Commission on the Social Agenda, Brussels, 9th February 2005, COM(2005) 33 final, p. 10.

8. Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions: A Roadmap for equality between women and men 2006–2010. COM(2006) 92 final.

9. Commission staff working document—Annex to the Communication from the Commission to the Council, the European Parliament, the European Economic and Social committee and the Committee of the Regions—A Roadmap for equality between women and men 2006–2010—Impact assessment {COM(2006) 92 final} /SEC/2006/0275/.

10. Cf. Commission response to text adopted in plenary, SP(2007)2139/3, 1st June 2007.

11. Cf. European Commission, Gender Equality: a step ahead. A Roadmap for the future. Luxembourg: Office for Official Publications of the European Communities, 2007.

12. The distinction between formal and informal is rather fluid. The term 'formal' applies to obligatory, institutionalised procedures that are conditional for adopting a communication for instance, The term 'informal' applies to

procedures that accompany such a formal process and are often equally institutionalised although not formal. Some processes and procedures are in between formal and informal and are thus quasi-formal or semi-formal.

13. Helfferich and Kolb (2001) provided a detailed description of the transnational interest formation inside the European Women's Lobby.

14. Cf. Gender Equality Road Map for the European Community 2006–2010. Presented by the European Women's Lobby, November 2005.

15. Advisory Committee on Equal Opportunities for Women and Men, "Opinion of the Advisory Committee on the forthcoming Commission Communication on future developments for equality between women and men (Roadmap)", November 2005.

16. Cf. Annex II, Brussels European Council 23rd/24th March 2006—Presidency Conclusions. Published May 5, 2006, 7775/1/06 REV1.

17. Cf. Opinion of the European Economic and Social Committee on the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions A Roadmap for equality between women and men 2006–2010 COM(2006) 92 final OJ C 318, 23rd December 2006, p. 173–179.

18. Cf. Opinion of the Committee of the Regions of 6 December 2006 on the Communication from the Commission to the Council, The European Parliament, the European Economic and Social Committee and the Committee of the Regions: A Roadmap for equality between women and men 2006–2010, COM(2006) 92 final. Official Journal C 057, 10th March 2007, p. 0029–0033.

19. Cf. Annex II, Brussels European Council 23rd/24th March 2006—Presidency Conclusions. Published May 5, 2006, 7775/1/06 REV1.

20. Cf. Committee on Women's Rights and Gender Equality. Statistics on main activities during the sixth legislative period (2004–2009), version 17th October 2007.

21. The author is indebted to Sabine Lang for reminding me of the de-politicising effect.

22. Foreign Affairs (AFET), Development (DEVE), Employment and Social Affairs (EMPL), Environment, Public Health and Food Safety (ENVI), Industry, Research and Energy (ITRE), Civil Liberties, Justice and Home Affairs (LIBE).

23. Cf. European Parliament resolution of 13th March 2007 on a Roadmap for equality between women and men (2006–2010) (2006/2132(INI)), OJ C 301E, 13th December 2007, p. 56–63.

24. The 74 amendments are divided as follows: 24 from the Committee on Development (DEVE), 28 from the Committee on Employment and Social Affairs (EMPL), and 11 each from The Committee on Industry,

Research and Energy (ITRE) and the Committee on Civil Liberties, Justice and Home Affairs.

25. Cf. Rules of Procedure of the Commission (C(2000) 3614). Official Journal L 308, 8th December 2000, p. 26–34.

26. For details on the impact assessment obligations, please refer to Communication from the Commission on impact assessment, COM/2002/0276 final, 6th June 2002.

27. For details on the evaluation guidelines, please refer to European Commission, Evaluating EU Activities. A Practical Guide for the Commission Services. Luxembourg: Office for Official Publications of the European Communities, 2004.

28. The Commission is divided into departments (DGs) and services dealing with more general administrative issues or a specific mandate.

29. Admittedly, DG Administration would also count among this group, because they discussed the annual gender equality plans regarding human resources management with every DG (Interview 13). However, as explained in the methods section (cf. annex), DG Administration was excluded from the final analysis.

30. DG Administration is in charge of monitoring and negotiating the human resources development of all DGs.

31. Cf. Council of Europe/Group of Specialists on Mainstreaming (1999), Gender Mainstreaming. Conceptual framework, methodology and presentation of good practice. Final report of Activities of the Group of Specialists on Mainstreaming (EG-S-MS). Summary. EC (99) 3. Strasbourg.

32. The Helsinki Group on Women and Science was launched in 1999, consisting of national civil servants of all 27 member states, as well as Iceland, Israel, Norway, Switzerland and Turkey. The group's task is to promote participation and equal opportunities for women in science.

33. The EU structural funds comprise the European Social Fund (ESF), the European Regional and Development Fund (ERDF), and the Cohesion Fund.

34. No interviewee mentioned the High Level Group on Gender Mainstreaming in the Structural Funds playing a role in drafting the Roadmap.

35. With the Treaty of Lisbon, the composition of the RELEX family changed and the European External Action Service (EEAS) was created.

36. EuropAid is an EU agency that managed and implemented most of the budget for the official development assistance of the EU.

37. ECHO is the abbreviation for European Commission Humanitarian Aid.

38. Cf. "Towards a reinforced culture of consultation and dialogue—general principles and minimum standards for consultation of interested parties by the Commission", COM(2002) 704.

39. Back then, internet-based consultations were already usual. Klein (2006) illustrated how and with what result DG Employment launched an open consultation addressed to member states, stakeholders, NGOs and individual citizens on the so-called "recast-Directive".
40. Commission staff working document—Annex to the Communication from the Commission to the Council, the European Parliament, the European Economic and Social committee and the Committee of the Regions—A Roadmap for equality between women and men 2006–2010—Impact assessment {COM(2006) 92 final} /SEC/2006/0275/, page 4.
41. CEEP Opinion on Roadmap for Equality between Men and Women. CEEP.2006/Avis.24, September 2006.
42. Without claiming causality, the "European Pact for Gender Equality" (adopted 23rd/24th March 2006 at the Spring Council) was one of the results of the member state activities.
43. Cf. ETUC, UNICE/UEAPME, CEEP, Framework of Actions on Gender Equality, Brussels, 1st March 2005.

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(Re)constructing Policy-Making Processes: The Actors' Perspective

You don't do Europe on your own, you need alliances.
(Interview with Member State Representative)

Why do actors collaborate or compete in a policy area? What are the reasons for change in the actors' relationships? Policy processes seem to follow certain formal and informal rules that result in a decision. However, actors do not participate on equal grounds. They access the policy process at different times and with diverse structural backgrounds. They are also equipped with different powers to shape processes—in Giddens words: their specific knowledgeability and boundedness.

Concepts like 'epistemic communities' (Haas 1992) or 'velvet triangles' (Woodward 2004) explain policy-making by knowledge-driven networks. The concept of epistemic communities is based on the idea that networks of professionals with recognised expertise and competence are connected by a set of shared beliefs and influence policy fields through a diffusion of knowledge-based ideas on different governance levels. Epistemic communities do not last forever. The extent to which actors cooperate depends on continuous power to influence governing actors. In EU gender equality policy, Woodward's (2004) notion of 'velvet triangles' consists of civil servants, parliamentarians and academics who create their own rules and networks to advance gender equality policy. This explained how collaboration

worked in a specific time span. Hubert and Stratigaki (2016) illustrated how gender equality networks produced a common understanding of what gender equality means and collaborated to push gender mainstreaming forward. Against this background, this chapter addresses the factors that altered the Roadmap policy process from the actors' perspective.

Haas (1992: 3) characterised epistemic communities as 'a common policy enterprise—that is a set of common practices associated with a set of problems to which their professional competence is directed, presumably out of the conviction that human welfare will be enhanced as a consequence'. This notion also applies to gender equality policy-making where the velvet triangle followed 'a set of common practices' to 'enhance human welfare', in this case gender equality.

What happens if actors' expectations about common practices drift apart and become contradictory? How does this affect policy-making itself? The following sections explore how actors continue to interpret policy content and processes. I will examine the meaning actors draw from their personal understanding of the policy process and the actions between each other. The way actors reconstruct and interpret policy processes and—more importantly—why they do so in a particular way, impacts policy development and policy outcomes.

From a feminist institutionalist perspective we know that actors and their practices are constrained by structures and that these constraints limit certain choices and actions (Chappell and Waylen 2013; MacKay et al. 2010). Historical institutionalists, for instance, use the concept of path-dependency, the argument that 'past events influence future events' (Mahoney 2000: 510). This helps to explain institutional power relations—how they usually stabilise institutions and the way they often only allow incremental change (Kenny 2007). We want to take this argument further and ask: What happens if actors rely on path-dependency, but the powerful actors change the path, i.e. the rules of the game? By taking the actors' perspective and understanding how they interpret processes, we reveal details of incremental institutional changes that have significant unintended consequences.

I follow Thelens' (1999; 2003) suggestion of examining institutional stability and change as a dynamic and historical process. I will demonstrate how actors are predominantly aware of their own working environment and rarely of the other spheres of EU horizontal and vertical policy-making. My interviews show that actors who were involved in EU governance usually had a basic knowledge about the Commission's internal

workings. However, they lacked knowledge about the specific constraints (of the individual and institution) and the reasons for the individual's choice of action. The same applied to the reverse: very few Commission officials were able to fully comprehend how and why actors who were external to the Commission acted in a specific way. This mutual lack of knowledge about rules, resources and routines is relevant as policy issues are full of meaning. The interviews reveal—and this is the main discovery of this chapter—that network actors attribute meaning to policy processes by claiming that actors interact according to common expectations or against them. The meaning attributed to policy developments continue to feed back into the on-going process and interpretation of the policy content. This is one of the reasons why sociological approaches to the EU have returned to an actor-centred research programme. In Niilo Kauppis (2011: 150–151) words:

> *The EU does not do anything by itself; it is people as everyday political agents who make the EU happen. To understand the EU as a distinctive form of social organization and power structure, its influence and the effects of its politics, one has get inside the politics to know who the individuals and groups making up the EU are, where they come from, what kinds of resources and networks they have access to, how they perceive their roles, the institutions in which they work and, more broadly, the social world around them.*

Based on this premise this chapter reveals that actors often expected different interactions in the policy process leading to the Roadmap. They often described the rather unexciting steps of the policy process in conflicting terms. It also demonstrates how and why actors generated an individual interpretation of the policy process, what role they played in relation to other actors, and what narratives they constructed. These actor-centred interpretations are related to the broader context of EU gender equality policy-making. The analysis follows the timeline of the Roadmap policy process in three consecutive periods: the initial period, the drafting process and the period after its adoption. Following the timeline allows us to observe the shifting power among actors in their attempts to influence the policy process. During the initial period the ground was prepared for diverging interpretations. Here political leaders played the main role in steering the policy process. During the drafting period the role of the Gender Equality Unit and the European Women's Lobby (EWL) set the scene for different interpretations. It shows how the policy network started

to deteriorate. The last period comprises the time after the adoption of the Roadmap. It highlights the result of the different interpretations which culminated in depoliticising the process and in ambivalent developments in the EP and among member states' representatives.

Each time span reveals different actor interpretations within the larger institutional and structural context of EU gender equality policy-making. This contextualisation helps to explain why choosing to publish the Roadmap as a Commission communication resulted in limiting the number of institutional actors which were involved in negotiating supranational EU gender equality policy. While actors had certain choices the tendency to prioritise standard EU policy-making rules over previous informal collaborations changed the routines in which actors collaborated in EU gender equality policy—to the disadvantage of the policy itself.

3.1   Fertilising the Soil—Confidence Versus Uncertainty During the Initial Period

The initial period of the Roadmap process only started while the previous framework strategy was unexpectedly extended for one more year till 2006. The extended framework strategy, together with the unknown status of the Roadmap, created expectations about the future gender equality policy and the actions of the Commission necessary. Not surprisingly, the expectations and hopes of different actors varied in view of the included policy areas and the planned actions. However, unexpectedly two completely different interpretations—confidence and uncertainty—were prevalent among a small number of actors before the drafting process started in 2005. These different interpretations can be explained by the actors' knowledgeability—the knowledge that is bounded to their specific institutional setting.

On the one hand, Commission officials who were managing the Roadmap process stated that something like a policy programme had already been announced in the adopted social agenda. Therefore, the drafting process was described as a logical necessity:

> *In the Commission we knew that we had to do another document after the framework strategy because this was decided and clearly put in the social agenda that was previous to the [Roadmap], I think it was adopted in 2005. So there was already a commitment by the Commission.* (Commission official 6:56)

From the point of view of the content and the basis where we came from, we previously had a strategy on gender equality, so this was really the basis. (Commission official 11:16)

I think in 2004 we probably started our consultation, some kind of informal chats. And in 2005 at our women's committee meetings we had representatives. (…)The earlier you're involved in lobbying and in consultation the better. (Social Partner representative 31:110)

Commission civil servants who were involved in the core circle of the interservice group on gender mainstreaming and members of the interinstitutional groups were confident about the next policy programme. Their confidence was built on their knowledge '*about the conditions of reproduction of the society [the organisation] of which he or she is a member*' (Giddens 1979: 5). Their confidence in setting up a new strategy was unquestioned.

The second interpretation clearly opposed the first one as it presented the initial period as a time of uncertainty about gender equality policy in general and a new policy programme in particular. This interpretation was provided by members of the FEMM committee and NGO representatives. They were afraid that the Commission would not come up with a new gender equality policy programme. They were convinced that there was an urgent requirement to lobby for a new programme:

A: We did our own strategy paper, and then we sent it around and we did a lot of lobbying before because we feared that there wouldn't be anything, so that was the first step—to lobby. Because there was a long period of—I don't know—I think one year, where we weren't sure whether there would be a new one.
Q: After the framework.
A: Yes. So really a lot of lobbying so that there would be something. And this is also why we chose to do the shadow Roadmap because we weren't sure, and we thought that if we do this that would be more of a push for them to do something. But then, once they were negotiating, we were not involved. (NGO representative 29: 90)

Because … the idea of having a Roadmap was put forward by Barroso in the meeting we had with some representatives of the women's rights committee of the Parliament. Because they were concerned about the fact that gender equality was lacking this ability was losing momentum and so on and so forth. So the promise of the President was to come up with a Roadmap on gender equality and that this Roadmap would cover all the policies. (Commission official 6: 44)

The quotation from the NGO representative shows how upset and uncertain NGO representatives were about the future of gender equality policy. They doubted the responsibility of the Commission as an essential political actor. The statement also shows that NGO representatives were convinced that their lobbying activities were vital for starting the drafting process. The second quotation shows that the Commission's political top level, as well as the administrative level in the Commission, knew about the anxieties and the responsibility others assigned to the Commission for gender equality policy. However, the phrase 'and so on and so forth' sounded irritated or annoyed when describing the concerns of MEPs.

Back then the context for gender equality policy-making had changed considerably in the European Parliament. This was mainly due to the enlargement to Central and Eastern Europe which resulted in a more conservative composition of the EP. In this respect it is necessary to understand the uncertainty of the NGO representative and FEMM members about the future of gender equality policy in view of the history of gender equality policy and their previous involvement. An NGO representative who followed the development of gender equality policy for a long time compared the Roadmap process with its predecessor, the framework strategy, and concluded that the process had changed:

> Well, I don't know, I think the previous one [the framework], it was quite automatic that they were preparing a new one. But here the signs were not very clear.
> (NGO representative 29: 98)

In the representative's experience preparing gender equality policy programmes was a routine activity in the EU. Actors who were usually involved in this policy area were informed and, more significantly, they were informed about steps taken by the Commission. Therefore, the NGO representative expected to be informed in time about the drafting of the Roadmap (or indeed regarding any other gender equality policy programme). The NGO representative believed that the drafting process would be similar to the previous framework strategy. However, it deviated from the expected routines. The deviation from former routines caused uncertainty on the part of the NGO representative who had the impression that they had to become extraordinarily active and lobby for another policy programme. The statement shows that the NGO representative had a certain understanding of gender equality policy routines from previous engagements. S/he had a practical consciousness about

the routine of setting up gender equality policy programmes and s/he was ready to reproduce a certain institutional routine. S/he implicitly referred to the routine and formulated irritation that it was abandoned in the ongoing policy process. When the expectation about the routine of setting up gender equality policy programmes was not fulfilled, s/he also changed their routine. As s/he had no knowledge about how and why the Commission and the Gender Equality Unit as their main contact point changed their routine, the NGO representative saw the initial period as a time of uncertainty.

The contradictory interpretations must be understood as expressions of actors' bounded knowledgeability. Knowledgeability has a spatial breadth. Commission officials were aware of their environment regarding Commission activities and had a basic knowledge about other institutions, e.g. MEPs were concerned about the future gender equality policies. The same applied to the FEMM members and NGO representatives. They knew who in the Commission had the power to back up the next gender equality policy programme. However, they were unable to evaluate the exact workings of the Commission and its specific constraints for the individual and the institution.

Consequently, the Commission officials were only aware of their own working environment and thereby constructed their specific interpretation by taking the social agenda as the earliest evidence of the future Roadmap. The Commission official mentioned that this early sign played a role in the informal meeting of FEMM members and the Commission president Barroso in March 2005. The social agenda had actually been adopted on 9th February 2005, about one month before the meeting took place. The FEMM members could have known about the Roadmap prior to the meeting, as the Commission civil servants knew the content of the social agenda at that point. Nonetheless, the reference to the social agenda that the Commission officials perceived as a clear signal may have appeared as rather vague to non-Commission actors. While a policy or action programme was not directly mentioned in the social agenda, the text included the phrase: *'as the current framework strategy 2000–2005 comes to an end, the Commission will draw up a communication on future policy developments proposing action in order to tackle these weaknesses'* (European Commission 2005: 10).

Apart from the fairly vague wording, the timing and parliamentary procedures can explain why FEMM members were concerned as to whether or not there would be a new policy programme. At the time of

the meeting with the Commission president Barroso they were probably not even aware of the content of the social agenda due to the formal procedures and divided responsibilities in the European Parliament. The social agenda did not fall under the responsibility of the FEMM committee; instead, the parliamentary Committee on Employment and Social Affairs (EMPL) was appointed as the responsible committee for employment and social affairs. The FEMM committee was only appointed to give an opinion on 23rd November 2005, almost nine months after the meeting with the Commission president. This means that prior to the meeting with the Commission president the FEMM committee had only limited possibilities to know anything about the new gender equality policy programme.

In comparison to the FEMM committee the chances of the European Women's Lobby of finding the reference to a new gender equality policy programme in the social agenda were probably even lower. The Commission publishes around 2000–3000 legislative documents annually. The number of soft law publications, like the social agenda or the Roadmap, is much higher and—even for insiders—not easy to keep up with. As a rule, the EWL followed the activities and publications of the Gender Equality Unit in DG Employment. A different unit within DG Employment, which was not their contact point, published the social agenda. To monitor all publications from all DG Employment Units probably appeared impossible due to the resources available to the EWL (Greenwood 2007; Lang 2009). Therefore, the reference in the social agenda on the future of EU gender equality policy programmes became invisible for NGOs.

Apart from the two opposing interpretations, the majority of those who participated later on in the general (internal, external or interinstitutional) drafting process did not have any interpretation about the initial period. They expressed no surprise or expectation or had forgotten about it and simply acknowledged that the Roadmap was finally prepared and published:

> *Where did the Roadmap originate? I don't know really, I can't answer this question.* (Expert Group representative 9:72)

> *A: I don't remember the process… but we usually … had the interservice group before, so the interservice group itself was the basis for preparing the Roadmap.*
> *Q: But do you remember when you started discussing it?*
> *A: No not really.* (Commission official 19:58–60)

Q: Do you know where the idea of the Roadmap was developed first?
A: No, I don't know. (MEP 3:95–96)

[Pause] I am trying to remember how we set up the Roadmap [Pause]. (Member state representative 28:56)

During the initial period the most crucial element appeared to be the role of the political leaders; an aspect that is further examined in the next section in order to understand its overall relevance.

3.1.1   *The Role of the Political Leaders*

The Commission president played a major role in the initial period by providing the name of the Roadmap; a fact that was mentioned by a FEMM member. The meeting of FEMM members with Commission president Barroso and Commissioner Špidla was also seen as a major contributing factor towards assuring support for the Roadmap. Some attributed the existence of the Roadmap to recurring requests by the FEMM committee:

> *I think it started, as I described [earlier] how some issues can start with some members, it grows and perhaps you start with a question to the Council or the Commission. It could be good if we had a document like a Roadmap, you start talking about it. I think it started like that and the Commission thought: 'Ok, it could be a very good example'.* (MEP 3:98)

Further above aquote (cf. 3.1) describes why the Commission changed the name from 'framework strategy' to Roadmap and demonstrates the fact that it happened in a meeting with members of the FEMM committee. The way in which the Commission official described the occasion and the terms was significant because individual names were not often used during the interviews. Most of the interviewees refer to 'the Commission' instead of a specific DG, 'Parliament' rather than the FEMM committee or individual MEPs and 'DG Employment' instead of the unit responsible for gender equality policy. Therefore, we can assume that when individuals are named they have special significance for interviewees.

In the context of EU integration, the statement can be interpreted as an aim to heighten the overall importance of the Roadmap. It is necessary

to bear in mind that the Roadmap is 'only' a Commission communication, e.g. it is soft law without any direct application for the national legislation of member states. Commission president Barroso and Commissioner Špidla were powerful and prestigious (male) political leaders, whose involvement can be interpreted as a notion of 'symbolic power' (Bourdieu 1984) and an expression of 'hegemonic masculinity' (Connell 1995). For Commission officials the engagement of Commission president Barroso and his decision on the name for the policy programme signified the importance of the Roadmap, as this top-level support was needed to pull together the top-level attendance of general directors or unit heads in the initial meeting of the internal Roadmap drafting process.

However, the reason why Barroso participated in the initial period is not necessarily due to his personal interest. Instead, another occasion at the same time had the unintended consequence of pressuring the top-level meeting with FEMM members:

> *Ricardo Buttiglione was up for position of Commissioner, from Italy and the Berlusconi Group of course. (…) Ricardo Buttiglione went on saying 'women should be kept to the kitchen and homosexuals should be parked and chemically castrated'. I mean the uproar was crazy. And Berlusconi said to Schulz: '… I mean the role would be perfect for playing concentration camp guard'. I mean the PR disaster was of a magnitude unheard of. I mean they looked and sounded like Mussolini and hillbillies and the backlash is still felt now. Barroso is a very adroit politician, … he knows what he's doing. And he's trying to make the thing work which is very good. And one … of the actions that were actually generated by this uproar was enhancing a Roadmap, … with more stamina, more vibrance.* (Commission official 25:107)

The uproar caused by Buttiglione's sexist and homophobic comments was seen as a driver for the participation of the Commission's top-level and their overall commitment to EU gender equality policy. Typically, this aspect was emphasised with a view to the powerful role of the EP and of the FEMM committee in approving or rejecting the Commission. Parallel events in the broader context of EU integration, the powerful role of (male) political leaders and the way they fed into the gender equality policy-making routines demonstrates the opening up of new possibilities.

In summary, in the initial period of setting up the Commission Roadmap communications only a small number of actors were engaged in policy-making. Opposite perspectives of this period affected the following periods and led to even more contrasting interpretations, as the next section shows.

3.2   Drafting the Roadmap: A Usual, Modified or Deviant Process?

While the initial period was characterised by the role of political leaders and opposite interpretations about the likelihood of a new strategy, the following drafting process focused on the crucial role of the Gender Equality Unit and the EWL. While the role of the Gender Equality Unit was one of 'wrong ownership', the EWL's role was characterised by facing 'closed doors'. The Gender Equality Unit was simply not in the position to force other DGs to fulfil their treaty obligation; it rather used a formal Commission tool to share responsibility and remind reluctant DGs of their gender mainstreaming duty. However, the over-all ownership remained with the Gender Equality Unit and was not shared. The EWL had a good network and actively sought to involve as many actors as possible from outside the Commission to lobby the Commission. However, they failed to lobby every single Commission DG involved in the drafting of the Roadmap and access via DG Employment was denied.

The usual policy-making process between these two core actors deteriorated. How the actors' network related to the disconnection is illustrated by three overlapping actors' descriptions of a standard process: the suitable standard process, the modified standard process and the irritating deviant process.

3.2.1   The Suitable Standard Process

The first interpretation includes positions of mainly Commission officials who compare the Roadmap communication with their experience of other Commission communications. Although the process of the Roadmap was typical for Commission procedures, one important difference remained: the vast majority of communications concerned one or a few DGs, whereas the Roadmap communication involved all DGs. Commission officials referred to gender mainstreaming or to gender equality as a transversal policy field when they stressed the singularity of the Roadmap process. Civil servants from DG Employment also explained that, to some extent, the Roadmap differed from everyday routines, even though they followed typical administrative routines. They explained the reasons why they intended to include all DGs as a tool to develop a sort of corporate responsibility for the Roadmap:

And what we wanted to achieve with this was that each of the units here in the DG Employment, but also each of the DGs would feel responsible and would feel that they were the masters of parts of the Roadmap. And that's why we decided to work really for specific objectives in the Roadmap, that would be clear and where each DG could identify itself. So this was one of the things we really wanted to have. And I think it was very important that they were involved since the beginning in this process and that they could participate in an active way. (Commission official 6:26)

The quote illustrates that the Gender Equality Unit of DG Employment interpreted the process as something innovative, yet firmly rooted in the formal rules of the Commission. They were truly relieved that their application of gender mainstreaming rules was successful and were satisfied when they achieved their aim to involve other units from DG Employment, as well as other DGs. Although they were aware of their central role the Gender Equality Unit saw that other actors needed to identify with the Roadmap. One technique they explicitly interpreted as a successful element of the policy process was the initial top-level meeting:

I think … the fact of having this [the first meeting]… at the Directorate General level was very good because then you are pushed to produce something and to come up with ideas and activities, so I think it was a good process. (Commission official 6:76)

From the statements of different Commission officials we can conclude that they particularly considered the involvement of the Commission president Barroso and the initial top-level meeting as a guarantee for the success of the internal adoption process. Those who organised the top-level meeting were quite aware of the different setting—that they could only discuss the general outline and parts of the Roadmap, rather than details about policy area contributions.

So … the structure of the draft communication was really short to see if there was an agreement and the division that we decided … suited everyone, so it was a very good meeting. But I think it was very important that the level was higher than just officials—head of units and sometimes directors—because there was a strong commitment. (Commission official 6:22)

The emphasis that the proposed structure 'suited everyone' shows that the Gender Equality Unit wanted to meet everyone's expectations and avoid conflicts by presenting an acceptable compromise to the other DGs.

In the follow-up all Commission officials agreed that the Roadmap was a document which was jointly produced inside the interservice group and between the coordinating Gender Equality Unit of DG Employment and other DGs (Interviews 33 and 17). The Council and member state representatives, as well as the majority of Commission officials, were satisfied with the standard process. They interpreted it as normal and expected. When asked about stakeholder consultation or participation, Commission officials were surprised or signalled incomprehension. They emphasised the character of a Commission communication which takes publications of other stakeholders into account.

Although drafting the Roadmap looked like a very formal process, Commission officials also stressed the importance of switching between formal and informal negotiations:

> *In this context I would say that at the beginning you need to be a little bit formal, in the sense of … trying to have a Director General (…) to ask things and to formalise a little bit, but then to do a lot informally. (…) So I would say that it's very difficult to give advice but the combination of formal and informal contacts is very important and to have a lot of contacts with people. Even if you receive (…) the contribution, you always need to go back and see if you have really understood what they want and to discuss it with them. And there is a lot of work. And we did it in this case with the interservice group multilaterally, then a lot of work bilaterally, especially with some DGs, so I would say that there were informal contacts that were really important.* (Commission official 6:273)

The civil servants from DG Employment were aware of working routines and policies within other DGs and included this in their approach to drafting. However, the quote also discloses the spatial breadth of actors' knowledgeability. Civil servants from DG Employment had a basic knowledge about other DGs, but sometimes they did not understand what another DG actually meant with their proposal for the Roadmap.

Commission officials interpreted the process as a standard internal procedure. They were all satisfied and expected nothing else from themselves or DG Employment. There was not even a slight variation in their interpretation. The fact that drafting the communication was limited to the interservice group was not articulated. Therefore, we can conclude that the Commission officials never expected the drafting process to go beyond the Commission.

> *What can be different is which kind of document you are negotiating because we were negotiating a communication and other things to negotiate for legislation. That for sure is different.* (Commission official 6:344)

Likewise, the intention of DG Employment to involve all other DGs was never questioned or discussed. It seemed to be accepted as the standard process, even though it was unusual compared to other Commission communications (Interviews 1, 6, 11, and 25).

On certain occasions Commission officials expressed dissatisfaction with the process and the resulting policy content; however, this never led to a questioning of the overall process:

> *The Roadmap was generally drafted without consulting us. (…) The document was indeed discussed in this group, the one I already talked about, and we made comments. But it's not that everything was taken account of. But I was not very satisfied about how Employment took account of it because the categories simply did not fit us. (…) It could be that we didn't react decisively or well enough. And it is also not in our interest to mess up proposals of Employment because generally speaking they are quite helpful to us. So we had to compromise in some way.* (Commission official 12: 46, 56, 64)

While the work of the interservice group was viewed positively—despite being complex—the formal interservice consultation was seen as a possibly problematic. The Commission procedure reduced the negotiation power and presented a challenge to previous authoritative resources.

> *It [the interservice consultation] is kind of tougher because people are less willing to find compromises in a way. Yes, they want to find compromises because you need to do the document, but your negotiating power is much lower.* (Commission official 6:277)

Apart from rules and routines in terms of timing and cooperation, some formal rules were perceived as restrictive, e.g. the length of the communication or budget allocation:

> *A: A communication means that we have very restrictive rules in the Commission with wordings, where we cannot really exceed …*
> *Q: Oh really, so what are the rules for such a communication? What is allowed?*
> *A: 22,500 characters. That is very little. And it's very complex to cover all the areas and still make sense on what you say and to have all the commitments, the activities, to be detailed and measurable. …*
> *Q: And also all the remarks, which document belongs to this and that …*
> *A: Yes. So everything is very restricted, and of course you cannot include very small activities.* (Commission official 6:82–86)

I mean they [the procedures] have become much heavier since the '99 Santer Commission fall. So everything to do with spending money in the Commission has become almost impossible (…) It's become really, really sort of demanding in terms of procedures and all that, so people are extremely careful (…). (Commission official 11:140)

The demands were never questioned and confirmed the interpretation as a suitable and standard process. The Commission officials were aware of them as part of their everyday routine, they were part of their discursive and practical consciousness.

Apart from the routines about timing and cooperation, the so-called activity-based management meant more pressure on the Roadmap and the gender mainstreaming approach. This rule stipulated what kind of activities and proposals can be included in a Commission communication and the annual Commission working plan. The previous emphasis on gender mainstreaming as an overarching rule for the Roadmap drafting process within the Commission had some unintended, negative consequences in this period. The consequences of gender mainstreaming combined with the standard process were interpreted as causing a barrier in the formal interservice consultation. Commission officials stated that the supervising services, the non-participating actors, neither understood the logic of gender mainstreaming nor the resulting difficulties in defining a quantifiable goal. The activity-based management approach required quantifiable targets, clear deadlines and monitoring mechanisms for each activity in a Commission communication. Many of the Roadmap activities defined more qualitative targets, e.g. 'to encourage gender budgeting at local, regional and national level' or 'to encourage and support the work of Social Partners on gender equality'. Rather than questioning the standard Commission process, the Commission officials who were responsible for the Roadmap adjusted their proposal to the rules of the activity-based management. The Gender Equality Unit apparently convinced the service to accept some exceptions to the rules:

But it was not so easy to let this pass, once the document was already prepared because … when you go to all the other DGs—I'm not talking about the thematic DGs but DGs that have the supervision, the control—it's very difficult to make them understand about this gender mainstreaming and why you cannot set a date, because it's not possible. But for the rest, I mean whenever it was possible, it was really decided to set a date, a deadline. (Interview 6:88)

A Commission official illustrated the struggle between the activity-based management approach and qualitative gender mainstreaming with the help of the metaphor of evaluating apple pies. The activity-based management wants to define the number of apple pies; it does not ask whether the apple pies are tasty or healthy. The qualitative approach, however, involves the definition of broad, long-term goals, like 'statements (…) to save the planet'.

> *This work, of course, has to follow the procedures, which is activity-based management (…) You don't simply make statements that you're going to save the planet and then go to a kind of peer review with other DGs. You actually make commitments which are actually quantified (…) I mean, if you are a cook, you would say you were going to make 10 apple pies per month and then there's a possibility to say: 'Hey, he's made twelve, that's good—Hey, he made eight, what happened?' You have an explanation for that. So it's a process where the room for manoeuvre is rather small.* (Commission official 25:15)

By definition, gender mainstreaming measures did not necessarily mean specific actions for female/male target groups. The actions were often dedicated to other topics and gender equality was pursued together with other goals. However, the mixture of different goals was not acceptable for the monitoring requirements of the activity-based management approach. Also, the way these central services approached the topic reveal how labels like 'male' and 'female' are still attributed in the interaction between gender equality actors and 'mainstream' actors. The supervision units see gender equality as irrational, because it does not follow the economic logic of quantifiable goals.

> *Usually we don't have a project called 'Fighting gender-based stereotypes—€150.000' …and then you say oh, yeah, right. Because we have a lot of cross-cutting projects which could be interpreted as possibly promoting gender equality and then you have to see what's happening …. that's a problem with monitoring the results.* (Commission official 25:83)

Not surprisingly the entire internal Commission drafting process was heavy and complicated. Despite the interpretation as a suitable standard process, the drafting of the Roadmap became difficult and time consuming, something that was not disclosed by Commission officials, yet was noticed by external actors:

I know who was responsible in the Commission to coordinate, to write and afterwards people said, it was extremely exhausting, it was dreadful work. (…) But how this process took place, I don't know. (Expert Group representative 9:72)

A: (…) I think it was difficult with the internal negotiations.
Q: Inside the Commission? Not with the member states?
A: No, no, member states were not involved. Because it was each DG that made a proposal, that had to be accepted by each Commissioner, I guess. And that, I heard, was pretty difficult. (NGO representative 29:86–88)

Commission officials saw the involvement of stakeholders as a suitable standard process and made a clear distinction between the internal and external process. They never questioned the legitimacy to limit the process to the Commission. Consequently, they interpreted the consideration of stakeholders' documents as a sign of involving them sufficiently in the drafting process. They did not interpret the consultation as a way of meeting with stakeholders, but as a technical step of comparing their own drafts with the positions of others:

So for us, when we saw this shadow Roadmap, in a way we had the vision of the civil society in this organisation on gender equality, so we had some ideas of what they wanted. Of course, I mean, we are the Commission, they are civil society, member states are member states, but it's very important to have this feedback and to see that there are common views and things to be shared. (…) The other thing that we really looked at was also all the reports of Parliament on gender equality and the various subjects, like reconciliation or other things. (…) So this is, let's say, the external. (Commission official 6:22)

The argument that reading political positions reflects a way of consultation and involvement of other actors seems to be a common understanding among representatives of the major EU institutions, not only among Commission officials:

I do think just on the Roadmap, it's an example but it's probably not the … strongest example of negotiations because it's not … it's still something that's the Commission's baby as it were. (Social Partner representative 31:188)

When we have initiative report, we have a lot of recommendations inside a resolution. And I am sure that the Roadmap is a response to all these, all these requests addressed to the Commission. (MEP 14:67)

The last quote shows how the MEP was busy with the EP process and did not really think about how and why the Commission picked up suggestions. S/he thought that the FEMM resolutions and initiative reports put so much pressure on the Commission that anything coming from the Commission was a response to the activities in the EP.

3.2.2   *The Modified Standard Process*

A broad range of actors from different institutional backgrounds developed a second interpretation: a modified standard process on the basis of their experience in gender equality policy-making. They compared the Roadmap process with their experience with gender equality policy-making back then. Interpretations about the standard process differed in terms of collaboration and consultation with external actors. Regardless of whether they were from the Commission or not, many interviewees not only expected such a consultation, they were indeed entirely convinced that the Gender Equality Unit of DG Employment met with representatives of stakeholders, particularly with the Social Partners and the European Women's Lobby:

> *Yeah, they [European Women's Lobby] would have played a very strong role in the Roadmap. But probably other NGOs via the social platform (…). And then you would have the national women's council organisation from the member states. The Advisory Committee and an equal opportunities office would have been involved (…). And then probably national member states' organisations, equality bodies and the like would probably also have had an input. Possibly the employers' organisations would have been involved and then maybe other organisations, like older workers or whatever would be aware of gender equality…(…) But the [European Women's] Lobby would have been a strong player in this.* (Social Partner representative 31:122)

> *The Roadmap? Oh, there is an official sort of [consultation procedure] (…) it was very close to the [European Women's] Lobby at the time, but I mean it is the responsibility of DG Employment basically.* (Commission official 11:102)

> *I think that the Commission had a lot of consultations and negotiations, before the final version. (…) And who it's consulting, it's all the time, you know, NGOs, European Women's Lobby certainly, and then the Advisory Committee.* (Council representative 5:52–56)

The statements were made by interviewees who had been involved in gender equality policy for a long time. Their comments are related to their

experience and the time they spent in this policy area. In their comments they implicitly replicated expectations from their previous experience, as a discursive expression of their practical consciousness. They expected that previous process routines would be reproduced.

The following quotes illustrate that narratives from inside the Commission about the external process displayed an equal lack of knowledge of what was happening with collaboration. Even Commission officials were convinced that a high number of external actors actively participated in the drafting of the Roadmap:

> *I know that there was advice from different bodies, of course the European Women's Lobby, (…) the High Level Group, the Advisory Committee. I know also that we have received opinion from the Social Economic Committee and the Committee of the Regions. So the main bodies outside the Commission have also participated.*
>
> *Q: But before it was adopted or during the preparation process?*
>
> *A: It was mainly during the preparation process. I'm not sure about all, maybe some have been received just after it was adopted, but I think it was… from what was reported to me, it was something like really… a type of moment … I mean all those opinions and so on were brought together.* (Commission official 33:58–60)

> *There was a public consultation on that and so the Advisory Committee provided an opinion … you see the interaction, you cannot say, ok the idea of developing that and that is coming from that explicit party, there is a lot of discussion, interaction, dialogue also with civil society, because the civil society is participating in the Advisory Committee through the European Women's Lobby.* (Commission official 32:28)

The quotes are from Commission civil servants with a long experience in EU gender equality policy who changed their jobs during the Roadmap drafting process. We can learn from the statements how the retrospective perspective culminated in a narrative that contradicted the actual formal process. The Committee of the Regions, for instance, provided its opinion after the adoption of the Roadmap, as stipulated in the formal process. There was no public consultation and the opinion of the Advisory Committee arrived at a stage when the internal Commission drafting process was almost finished. Crucial factors for understanding these statements are time and space. In terms of time both Commission civil servants were experienced in gender equality policy and constructed their narrative based on their previous experiences of setting up gender equality policy.

In terms of space both Commission civil servants changed their location during the drafting process—one left before consultations took place, the other arrived when the drafting process was almost over. The fluctuation of personnel played a crucial role for the interpretation of the policy process.

It is remarkable that representatives of the Advisory Committee did not present a consistent narrative about their role. One member state representative struggled to answer the question about his/her involvement:

> *I'm supposed to know… I was there, I can't tell you that I wasn't. It's incredible, but I don't remember, because it's true that… I guess that we had input to make in the Advisory Committee, but… I don't really remember.* (Member state representative 26:67)

Who was consulted and when also played a major role in the third interpretation of the drafting process: the irritating deviant process.

3.2.3   The Irritating Deviant Process

Several actors were irritated that the process developed in a different way than they had expected from their experience of setting up previous EU gender equality policy programmes. They were quite ambivalent and disillusioned about the Commission procedure, even though they sometimes did not have any specific knowledge about the procedures. A civil servant from the European Parliament was dissatisfied with being excluded from the drafting process. S/he assumed that only one civil servant in the Gender Equality Unit drafted the communication and that the Commission interservice group on gender equality was not consulted either:

> *Well, in my view, a highly qualified person, absolutely, a great worker, completely isolated in his/her work. This was the work of a' library rat'. S/he thought that s/he didn't even need to meet anyone because everything was in different documents and it was an emerging question. So the nature of the Roadmap didn't call for a lot of exchange because there is in fact a consultation before the Roadmap? No.* (EP official 23:152)

Like many others this interviewee only had a limited understanding of internal Commission procedures. S/he developed an interpretation that also helped to explain the unsatisfactory content of the Roadmap from the EP official's perspective.

An expert group representative stated that they had suggested that DG Employment should organise a meeting of the expert group with other DGs to discuss possible contributions. Although the suggestion was quite enthusiastically welcomed, it was not realised. The last sentence expresses an ambivalent interpretation, almost a resignation about the outcome—that despite the enthusiasm nothing happened.

> *We discussed during that year with [name], this Roadmap, whether it would not be necessary to get together with other DGs and see in terms of gender mainstreaming what they need to do for the policy areas they are responsible for. And [name] said: Yes, that would be indeed a great idea! And that's it. Nothing happened.* (Expert Group representative 9: 135)

The EWL in particular suggested some specific content and often interpreted their suggestions as ultimate. They came to nothing despite their attempts to consult:

> *At that time t the first draft was circulating [in the Advisory Committee], quite a lot of our points were in there, but when it came to the real proposal, the Commission just removed many of those points. And then it [the communication] was easier [for them] because it was not binding.* (NGO representative 29: 116)

The quote helps to understand the final content of the Roadmap. In its shadow Roadmap the EWL (similar to the member state representatives) suggested several ambitious activities and several legislative proposals for different policy areas, such as pensions, private and professional life balance, violence against women, women and education, gender equality and the media (European Women's Lobby 2005). None of these was included. In the beginning of the drafting process the Commission civil servants included these ambitious suggestions and the EWL was satisfied for the time being. The more binding elements were only subsequently removed in the 'real proposal', at a point in time when it became too late for stakeholders, such as the EWL, to lobby effectively for their inclusion.

A trade union representative who interpreted the process as irritating was not entirely surprised by the removal of ambitious content. S/he explained the changed process with a reference to the internal Commission power relations:

Q: When you say there's pressure from the Commission, does it mean that DG Employment is under pressure from other DGs?
A: Not to come up with very strong demands.
Q: Not to set out very strong demands because … they have other priorities and they have more power?
A: Exactly.
Q: And who would you say has the power to decide which …?
A: It depends. Some of the DGs are quite strong in the content and in the instruments and the subjects they're tackling. But it also … there's an element within the Commission, certain Commissioners are very strong and very force-ful. Some other Commissioners have a lot of national pressure or support to drive things forward. (Social Partner representative 31:57–62)

In many interviews DG Employment was perceived as a less powerful directorate and the Commissioner as comparatively weak. This was implic-itly (and almost never explicitly) used as an explanation for the Roadmap's policy implications:

The Commissioner himself is a very kind man, very clever and all that (…). He hasn't got a lot of authority. (Commission official 11:38)

For this Commissioner … [gender equality] is not his number one priority. (Social Partner representative 31:64)

Well, Špidla was pushing, the Commissioner was pushing sometimes. But he was not extremely powerful within the Commission. (NGO representative 29:240)

We could have expected that the interinstitutional groups were satis-fied, as both sides—the representatives from the Commission and the interinstitutional groups—confirmed that they were consulted. However, consultation in this context seemed to have been limited to lobbying the Gender Equality Unit without having the power to decide what was taken into account and what was not:

They [the interinstitutional groups] were made of very competent people, very active people, but in the end it was the Commission itself which was to decide the agenda. And even if we could try to influence, discuss, make proposals, it hap-pened much more in informal instances, but in the meeting it didn't happen. The Commission writes the agenda, and there is no room to add other topics. (Member state representative 28:56)

The majority of Commission officials (with the exception of the Gender Equality Unit) very rarely described their expectations about external contributions. They did not mention any external processes or actors that tried to influence them.

Two explanations help to understand the reasons for the different interpretations. The narratives highlight how the Gender Equality Unit of DG Employment was not only the connection between the internal and external drafting process the Unit, but also played a crucial role in the way other actors interpreted the drafting process. The European Women's Lobby also functioned as a hub for the external process during the drafting process. From the perspective of all other actors it played a crucial role in the external process. The two crucial roles will be examined in detail below.

3.2.4   The Crucial Role of the Gender Equality Unit and 'Wrong Ownership'

The decision to set up the Roadmap as a Commission communication and not to connect it to an action programme (as in previous years) was a strategic decision by the Gender Equality Unit. It allowed further actors to participate and also offered the chance to limit otherwise obligatory negotiations with the European Parliament, the Council and the Social Partners; an obligation that existed for parts of the previous action programmes.

> *This Roadmap was based on the previous framework strategy and of course it does improve some aspects regarding the previous strategy. I think that one of the main improvements that could be mentioned is the fact that it's the commitment of the Commission and it's not mixing commitments from other bodies like social partners or member states.* (Commission official 33:40)

Based on Bourdieu's ideas Mérand (2011: 183) noted that such strategic decisions are driven by *'getting a feel for the game, knowing the right people, seizing contingent opportunities as they arise'* and *'instinctively know[ing] what is feasible and what is not (…).'* The Gender Equality Unit was well aware that choosing the format of a Commission communication without an action programme would dispense lengthy consultation procedures with the EP and the Council. Several interviewees mentioned the strong time pressure for setting up a policy programme directly after the end of the previous framework strategy. The Gender Equality Unit

was probably aware that a policy programme that would have required agreement from the EP and the Council would not have been feasible within the allocated time. The Council interviewee noted that the EP and Council were getting used to the so-called community method (previously known as 'co-decision procedure' and since the Treaty of Lisbon in 2009 so-called 'ordinary legislative procedure'). They only needed an average of one and a half years to agree on Commission proposals (Golub 2008; König 2008).

The actions of the Gender Equality Unit also resonate with Putnam's (1988) notion of two-level games, even though the playing field is not between a domestic and supranational level, but between the Commission's actors and the external, civil society organisations, the EP and the Council. Inside the Commission they used the attention from outside to push through a certain format for the Roadmap. At the same time they played 'tied hands' to the outside and insisted on closed procedures of the Commission.

The decision for a Commission communication was partly driven by general changes on EU level (e.g. enlargement) and internal changes of DG Employment (pulling together different programmes into PROGRESS). These affected the power of the Gender Equality Unit in terms of maintaining control of a specific gender equality policy action programme and the subsequent budget where they lost their allocated resources.

A member state representative who was familiar with the internal routines and rules of the Commission expressed his/her regret that the drafting and adoption process of the Roadmap did not result in a more consistent policy approach. In his/her view the Commission civil servants could have acted otherwise by developing a better, more ambitious policy programme.

> *I think … they could have had a more coherent policy towards the whole European Union … with the same treaty, even with the same actors… For me it's really a pity and a shame that they could not do better.* (Member state representative 28:244)

This comment is even more significant against the background of the process in the interinstitutional groups: the Advisory Committee and High Level Group on Gender Mainstreaming. These two groups were the only actively involved external actors in drafting the Roadmap. They were able to estimate whether a particular aspect was acceptable to member

states, such as the proposed legislation on gender mainstreaming. When the member states had to be accepted as the most important veto players (next to the Commission and the EP) for proposed legislation (Tsebelis 2002; Hix 2006), it comes as a surprise that the Commission decided to forego legislative proposals from the member states. This would have certainly been supported by the EP.

Others saw the responsibility with the Commissioner and stated that Commission officials were quite aware that gender equality policy stakeholders were not satisfied:

> *He [the Commissioner] knows that there is some hostility to this lack of pro-activeness of the Commission.* (EP official 23:168)

The awareness about stakeholders' expectations was also reflected in the Roadmap impact assessment.[1] The impact of the explored policy options (see below) take account of possible reactions from stakeholders (e.g. European Parliament, Social Partners and civil society). Satisfying stakeholders was an explicit goal for the EU Commission in the Roadmap impact assessment.

So why did the Commission and especially the Gender Equality Unit come up with their particular Roadmap proposal? They could have acted otherwise, yet they chose not to. The reasons can be found in the working routines of the Commission and in the consequences for the Gender Equality Unit: its 'wrong ownership'.

The Gender Equality Unit's decision to set up the Roadmap as a communication was highly strategic. It represented a way of getting the Roadmap adopted without resistance from inside or outside the Commission. The Gender Equality Unit prevented resistance from inside the Commission by emphasising gender mainstreaming; it prevented external resistance by emphasising procedures which were relevant for Commission communications. As a result, the Gender Equality Unit was quite capable of protecting the scope of gender equality and keeping the status quo. A different kind of legislative act might have triggered more conflict and rebellion inside and outside the Commission. However, the self-limitation had the unintended consequence of weakening gender equality policy, as it weakened the general policy network and the collaboration between the previous velvet triangle (Woodward 2004).

The Gender Equality Unit decided to divide participation in the drafting process into two different paths: one communicated with internal

(other DGs) and interinstitutional actors (Advisory Committee, High Level Group on Gender Mainstreaming); the other consulted external actors about their political positions and expectations. There was no precise rule about the consultation and involvement of so-called stakeholders. Commission actors could have acted otherwise—they could have invited external actors to discuss drafts. Why other DGs decided not to involve external stakeholders (with the exception of DG Research) can partly be explained by the internal routines and rules that guide drafting Commission communications. DG Employment was the lead DG and coordinated the contributions of other DGs. However, this strengthened the conviction among the other DGs that DG Employment was solely responsible for the Roadmap and for EU gender equality policy. DG Employment was also expected to participate in the external procedures in the follow-up of the Roadmap's adoption in the Commission.

The non-participating actors from the Commission were also crucial for the Roadmap's adoption: without every DG's signature the Roadmap would have been impossible. Therefore, it is crucial to understand how the Gender Equality Unit of DG Employment gained support from these actors. The policy programme was supported by the Commission president as the patron (who provided the name) and by the announcement in the social agenda about the Commission's obligation to publish something. Subsequently, DG Employment invited the institutional DG leaders not only to inform, but also to commit to securing the support and further cooperation of civil servants who functioned as gender focal points. Finally, DG Employment avoided to interfere with other DG's business and left other DGs to decide the extent to which they wanted to participate. As DG Employment was less powerful than DG Trade or DG Competition for example, they refrained from pressuring other DGs for more action. The top-level support (Barroso, initial high-level meeting) and integration into general policies (decision by DGs on what to provide) looked like from a guide on gender mainstreaming (Council of Europe/Group of Specialists on Mainstreaming 1999).

Interestingly, the Roadmap was mentioned in the social agenda, it was a document of DG Employment and not included in a general document of the Secretariat General, the presidents' institution. Documentary research also revealed that there was no reference to the Roadmap in any other DGs' documents at that time. If the Roadmap—as the official EU policy programme for gender equality—had been of interest to all DGs, further DGs should have referenced it in their documents. DG Employment

was the only DG to mention a future gender equality policy programme. Although DG Employment, especially its Gender Equality Unit, aimed to implement gender mainstreaming (GM), they were unsuccessful because they were the only ones who felt responsible.

The Commission impact assessment for the Roadmap presented three policy options, the first two of which were rejected at an early stage:

1. *No more action at the supranational EU level*: actions would solely rely upon member states, Social Partners and civil society.
2. *Sectoral approach*: each Commission DG would be responsible for promoting gender equality.
3. *Roadmap*: an overarching approach, similar to previous policy programmes.

Although the impact assessment implied a different perspective, the Gender Equality Unit was simply not in the position to force other DGs to fulfil their treaty obligation. This depended on the institutional logic of the Commission. As every DG has a political and administrative leadership and there is no official hierarchy between the different organisational branches, the term 'top-level' is misleading. There is no such thing as a chancellery that has the power to force the other 'ministries'. The situation is further complicated by the fact that DGs are led by different nationals who compete with each other depending on their political affiliation—like the government in their home country and their existing national traditions with regard to the policy area (Kauppi 2011). We know that there is some kind of international socialisation, although it is not strong enough to blank out national ties (Hooghe 2005).

While DG Employment wanted gender mainstreaming to involve all other DGs and to take the positions of external actors into account, almost all other DGs failed to approach the Roadmap and gender equality in the same way. Despite feeling responsible for their part, they still saw DG Employment as the one responsible for the Roadmap. Thus they missed the opportunity to set up their own consultation process with external stakeholders. Various DGs ran expert groups in their policy area comparable to the Advisory Committee or the High Level Group on Gender Mainstreaming; groups that could at least have provided the opportunity to discuss policy issues or goals with member state representatives. DGs could have discussed their ideas with groups which were not specifically set up for gender equality, but with the 'normal stakeholders'. They could

have implemented the axiomatic principle of gender mainstreaming to move *'the attention of gender equality policies to everyday policies and to the activities of the actors ordinarily involved in the policy processes at stake.'* (Council of Europe/Group of Specialists 1999: 12).

This kind of habit reveals 'wrong ownership' because the Roadmap should have been the product of the whole Commission with the ownership of all DGs. However, the ownership stayed with DG Employment and was not shared equally with the other participating DGs. As noted earlier, the reason can be traced back to the history of gender equality policy with employment policies as the starting point and the kind of path-dependency from the historical location.

The problem of wrong ownership and the responsibility of DG Employment represents a challenge to the gender equality policy network and to the implementation of gender mainstreaming (Schmidt 2005; Jacquot 2010). Some interviewees affirmed that implementing gender mainstreaming would have required the responsibility for gender equality policy to move from a DG that is only responsible for one policy area to the Secretariat General[2] for instance, where more overarching leadership would be possible.

> *I don't know, for me the gender, the Gender Equality unit should not be in DG Employment. I mean … the Roadmap is for women across all the Commission's policies. To have it in DG Employment is really a reduction. And it doesn't provide this issue with proper tam-tam and the full picture because it produces only issues of employment. (…) And I think that they are overwhelmed with work. It should be in the Secretary General because it's a cross-cutting issue if it was to be taken seriously by all the boys in the Commission.* (Commission official 32:35–37)

The quote discloses gendered power relations that influenced the scope and impact of gender equality. Why did the coordination of the overall EU gender equality policy remain the duty of a Unit in DG Employment and why was it never supervised and organised at an overarching level of the Secretariat General? Because of 'all the boys in the Commission'. They were held accountable for not taking gender equality policy seriously. They were perceived as having had the (symbolic) power (Bourdieu 2005) and the allocative and authoritative resources (Giddens 1984) to decide on the scope and impact of the Roadmap and on EU gender equality policy in general.

During the drafting process actors had to decide when to talk, with whom to interact and what to wait for—the puzzle of setting up the Roadmap. However, these decisions came with structural constraints and a logical sequence. The steering of the Gender Equality Unit faced different choices at certain points in the process. There were unintended consequences and no possibility to go back to change a decision. For example, the initiative for the whole process had to be started by the Gender Equality Unit of DG Employment. They were the lead DG for gender equality policy in the Commission and therefore had the power to decide who participates, when and how—a fact that was acknowledged by several interviewees from other DGs and actors:

> *Well, surely DG Employment was in the driving seat.* (Commission official 7:136)

> *Let's say that we started from a privileged position because we had all structures in place (…) And there was a lot of work. And we did it in this case with the interservice group multilaterally, then a lot of work bilaterally, especially with some DGs, so I would say that there were informal contacts that were really important.* (Commission official 6:273)

The Gender Equality Unit of DG Employment was able to decide how to organise the policy process and it was their decision to start with a top-level meeting of officials from the DGs. The Unit responsible acted strategically by turning the rules of procedure into an opportunity to involve all DGs. While DGs usually tend to limit the influence of competing DGs (Hartlapp et al. 2013), DG Employment used the rules as a tool to share responsibility and remind reluctant DGs of their gender mainstreaming duty. They could have started differently, e.g. by presenting drafts or talking to those who regularly participated in the interservice group on gender equality. However, those responsible were aware that the gender equality policy programme would generate a strong commitment if the top-level supported it and felt responsible. Those coordinating the drafting of the Roadmap were extraordinarily aware of this fact, even stressing that they knew that they had no power to impose anything to the other DGs:

> *Q: … It was left to every Directorate General what measures they want to take.*
> *A: Of course. Because this is the point. That you cannot really impose things to be done. (…) I think, also the fact of having this done at the Directorate General level was very good, because then you are pushed to produce something*

and to come up with ideas and activities, so I think it was a good process.
(Commission official 6:75–76)

At the same time, the Gender Equality Unit took into account that the strategy gender mainstreaming suggested that it is absolutely necessary to gain support from the top level and that gender equality policy is therefore reliant on a top-down process (Stiegler 2000; Ahrens 2005). Such top-down support was obviously the exception and not the norm in the EU Commission, because *'no one had the authority to compel Commissioners to take gender issues seriously, if they were not so inclined'* (Hoskyns 2008: 114).

The Gender Equality Unit was also aware that they could have taken a different approach in the involvement of external actors. They were aware that they needed the support of the interinstitutional groups and the European Parliament to get a positive feedback on the Roadmap. Civil society had to see that their views were taken into account, although they did not need an active role (even though they had one in the Advisory Committee on Equal Opportunities for Women and Men).

The wrong ownership might have provoked the interpretation of the Roadmap drafting process as a modified standard process, whereby the interviewees stated their expectations of the Gender Equality Unit without checking whether stakeholders were actually involved. They believed that the Gender Equality Unit would naturally involve stakeholders in the drafting process, as was usually the case. The wrong ownership can be explained by a combination of three distinct, yet overlapping factors: bounded knowledgeability, trust and 'othering'.

Some interviewees did not possess detailed information about how the Gender Equality Unit set up the drafting process in the Roadmap case. They just transferred their knowledge from previous experiences in an example of bounded knowledgeability. This boundedness can also be seen as a sign of trust; trust that the Gender Equality Unit would involve stakeholders anyway. By signalling that only the Gender Equality Unit was responsible for involving stakeholders, interviewees also avoided feeling responsible themselves—a behaviour that can best be described as 'othering'.

3.2.5   *The Role of the European Women's Lobby and the 'Closed Door'*

The key element of the EWL was its excellent network and active involvement of as many actors as possible from outside the Commission to lobby

the Commission—through the 'gender lunches' for example. They got in touch with many NGOs which were working in this specific policy area with different MEPs and Social Partners. The only crucial point they missed was to lobby every single Commission DG involved in the drafting of the Roadmap.

The EWL failed to contact other DGs because they had only limited knowledge of the working procedures in the Commission. From their lobbying experience they knew their position vis-à-vis the Commission. They were aware of the necessity to lobby early in the policy process in order to influence Commission proposals because access would be more constrained at a later stage. However, they did not realise that the Roadmap was not only drafted by DG Employment. Why the EWL did not choose to 'act otherwise' is due to their practical consciousness which guided them in the policy process. They followed the institutional order without questioning and stuck to the usual actions. We can understand the EWL's actions and compliance with the institutional order when we consider their everyday interactions with Commission officials:

1. The EWL deemed it sufficient to lobby DG Employment because they were the lead DG for gender equality during that period and responsible for the policy area. While DG Employment decided to invite the other DGs to draft their parts, the EWL would have lacked the power to force them to accept drafts from DG Employment anyway.
2. The Advisory Committee on Equal Opportunities for Women and Men was the only space where the EWL met the Commission officials on a formal basis. Here DG Employment was the sole DG to participate and the EWL may have had the impression that DG Employment was the only DG responsible for drafting.

The fact that the co-ordination of the consultation with civil society—the authoritative resources to command actors (Giddens 1984)—was in the hands of DG Employment was another factor in the limited scope of the EWL. DG Employment 'closed the door' to the internal process and thereby limited access for NGOs. Limiting consultation with civil society did not occur by accident; it was a decision by the Gender Equality Unit. The decision can only be understood against the background of the whole drafting process. They wanted an internal document, a working programme and not a focused exchange or negotiations with gender equality specialists.

The European Women's Lobby had the idea of using the Gender Equality Unit as an entry point to the internal process, but they faced the authoritative resources of the Gender Equality Unit and did not succeed:

> *We have also been asking [the Gender Equality Unit] whether we could come and just present ourselves. And it's not a question of spying or looking at what people do, it's also meeting the people who work on different areas so that we can, if necessary, support them. But it wasn't possible.* (NGO representative 29:44)

As this access strategy failed the EWL aimed to influence 'everybody':

> *A: We were asking them all the time, in every speech, in every meeting: Where are you with the new strategy?*
> *Q: And who did you contact?*
> *A: Everybody. Well, at different levels, writing to the Commissioners, or when we met someone of the Gender Equality Unit or in the Advisory Committee or so.* (NGO representative 29:108–110)

In the end, the EWL's decision to contact commissioners did not prove to be helpful, as there was a clear division between the political and working level of the DGs and because lobbying activities towards commissioners could not simply trickle down to the civil servants who drafted the Roadmap in the various DGs:

> *You know … the difference between the ministry … or in our case the DG and the cabinet. The cabinet belongs to the political leader [the commissioner]. (…) Because unfortunately the two [DG and cabinet] are not always in perfect harmony. And here it's worse in the sense that even geographically the cabinet is not in this building, they are in Berlaymont. We hardly see those people. I don't know the faces, I know the names. We have very strict rules, you cannot call them; they sometimes call you, but we don't like it and then we complain that you should go through the normal hierarchy. Because of course bosses don't like it if a cabinet member calls me because she or he needs something urgently on gender and she knows that she doesn't have time to go through everyone.* (Commission official 1:142)

The fact that the cabinet of a DG is solely political provided a challenge to the working routines of the Commission. Cabinet members come and go with the Commissioner; they are rarely connected to the working level, the civil servants. The cabinets are often led by people who do not know who is working in the DGs as civil servants. The director

generals lead the DGs and they are not necessarily members of a cabinet. The divisions are even spatial: all cabinets are in the Berlaymont building, while the civil servants of DGs are in other buildings. There are also strict rules for both sides in relation to who is allowed to contact whom, e.g. the cabinet is not allowed to contact the working level and vice versa. Imagine someone working in the office of a national minister not being allowed to contact a civil servant in the same ministry. Even if people at the top were lobbied successfully by the EWL, they do not necessarily get through to those who are working on the subject. They might be stopped halfway because someone in the middle does not share the opinion that something should be done. This might also be the reason why there were such few contacts between the EP and the Commission and why the EP was 'not allowed' to talk directly to the working level. MEPs talk to the Commissioner and their cabinet and those are seldom well-connected to the working level.

The EWL's only chance to exert a direct influence would have been to contact other civil servants who were responsible for gender equality in the Commission. However, the EWL failed to contact the civil servants on the same level as the Gender Equality Unit of DG Employment. Admittedly, this was probably not an easy task as those responsible, especially the Gender Equality Unit, refused access to the central interservice group on gender equality. However, some Commission officials expressed their displeasure of not being lobbied:

> A: This is very important because this is political activism, which I do not see much of. Because in my work I have not yet been paid a visit by the European Women's Lobby … would you believe that?
> Q: They haven't …?
> A: No, they didn't try to see me at all … ever. In my 4–5 years on the job.
> Q: So, you've been here for 4 or 5 years now and they never …?
> A: And it's not my job to say: 'Hey, don't you have anything to say?' Toc, toc, toc. Whereas I have been lobbied by the [topic] people … even though I don't have much more to say than what I said to them, you know, last year. But … they invite me to conferences, you know, and try to put something together. (Commission official 25:88)

We must put this quote in the right context. The interviewee explained that s/he can only enforce gender equality projects if s/he can provide prima facie evidence to his/her boss that there is pressure from stakeholders and the requirement to react to lobby groups.

We can compare the quotation above with the one by the EWL, as they talked about exactly the same DG.[3]

> *I mean DG [name], they are not very open. Really … it's also a question of competence, because when it comes to [policy area] what would need to be done would be to look at the material and there is no European competence, it's true. But also not much awareness in some cases.* (NGO representative 29:64)

Although the EWL faced a 'closed door' in the Commission, the question remained as to why other NGOs did not try to lobby DGs in their policy area. The answer lies in the role that other NGOs attributed to the EWL as the main and most important stakeholder. The activities of the European Women's Lobby were highly valued and appreciated by other NGOs:

> *I do remember that the European Women's Lobby put in place a very strong and detailed response regarding the Roadmap. And what should be included and what should be highlighted, etc. This is going back a bit. And then when they launched the Roadmap, they did invite [NGO name] to speak about the [topic] bit and so a member of our gender working group did speak … but again, it brought across the message that we deal with human rights … our message is always the same.* (NGO representative 18:50)

This quotation suggests that other NGOs developed their own channels of interaction with DGs other than DG Employment over time. Surprisingly, they did not use them for the Roadmap. They instead counted on the EWL to carry out the necessary lobbying activities. The activities of the EWL even functioned as a justification to explain why other NGOs were not lobbying:

> *At that point there was some cooperation going on between the European Women's Lobby and [NGO name] on [topic], basically. So there were already some discussions. But [NGO name] … there was a position from our side (…) There wasn't any further action than this. We were represented for sure. (…) we participated with our positions, but we did not do some lobbying ourselves for the Roadmap.* (NGO representative 16:62)

NGOs thought it was sufficient to insert their ideas into the shadow Roadmap and to have the lobbying process organised by the EWL. As they did not participate in lobbying activities themselves, they probably never realised that the EWL faced difficulties in accessing DGs which some other NGOs were already in touch with.

In summary, the drafting process was the most important period and the role of the Gender Equality Unit and the EWL were crucial. The next section explains how the FEMM committee drove the EP process, while the member states struggled to position themselves within the adopted communication.

3.3   The EP and Member States React to the Adopted Roadmap

Due to the formal split of responsibilities between the Commission, the EP and the Council, the question of who is considered in charge of EU gender equality policy implicitly steered the actors' interpretations. It may not come as a surprise that here the interpretations are split more along institutional lines. While the Commission wanted to make clear that—even though the Roadmap was their 'baby'—it should only be one part of the gender equality policy picture. Their interpretation was 'we have done our job, we are through, now it's the turn of the others'. When looking at the crucial role of the Gender Equality Unit, this attitude becomes obvious in their routines. Although the other two main EU institutions—the Council and EP—acknowledged the Commission's emphasis on shared competencies, they missed the opportunity to further discuss the Roadmap's implications for their institutions. A critical assessment of the power of the EP and the member states in EU gender equality policy-making revealed insecurities with how to handle the changed legal format of the Roadmap as a policy programme.

In the EP, the Committee on Women's Rights and Gender Equality struggled to reach a compromise in its resolution on the Roadmap. Commissioner Špidla played a de-politicising role in this. The Advisory Committee on Equal Opportunities was crucial in reconciling the Commission's position with those of member states. However, the problem was that when the EU did not assign a specific budget via an action programme for gender equality, the civil servants in the member states had nothing left to implement in their countries. Gender equality depended on the arbitrary existence of people who were gender conscious in the correct position in their national ministry.

3.3.1   Struggling with Compromise in the EP

NGO representatives judged the EP resolution's impact on the Roadmap critically. The resolution did not influence the Roadmap because the EP

could not change the Commission communication. NGO representatives especially regretted the limited impact:

> *Parliament was not involved before. They were involved afterwards. Which is fine, but it's not extremely useful. And we had a meeting with the rapporteur, so we participated in the Parliament's report on the Roadmap. But that [the resolution] does not have an impact.* (NGO representative 29:94)

Due to this factual limitation the process was seen as surprisingly important by Commission officials, where specific details of the process were subject to discussion:

> *Let's say that the dialogue with the Parliament has in a way stressed some of the concerns that people had. And so it reinforced even more our commitment and the willingness to do better in a way. So I think it was a very complementary process.* (Commission official 6:56)

First, the Commission official interpreted the process as a dialogue, even though there was only a mini-hearing and meeting of Commissioner Špidla with FEMM members. Second, it was not the whole Parliament, but the FEMM committee which was in charge of the Commission communication; a fact that is often hidden in the narratives of interviewees (cf. quote above from NGO representative). However, the way in which the EP and the FEMM committee emphasised the importance of the Roadmap by adopting a resolution and involving committees added symbolic power to how gender equality policy actors inside the Commission approached the implementation. The importance that an EP official placed on the EP resolution can also be seen in the following quote:

> *For the Roadmap, for example, we had the Committee of the Regions, the Social and Economic Committee, we had invited ETUC, Business Europe … I mean all were invited … all were invited (…).* (EP official 23:56)

The mini-hearing in the EP was described as if the FEMM committee had invited all gender equality policy stakeholders. In fact, only a few experts had been invited. According to the official record only civil servants from the Commission, the EESC and one member state representative attended the hearing.[4] It is true that the FEMM invited all the actors mentioned above to various hearings in the committee on a regular basis, however, they were not invited to the hearing on the Roadmap. Therefore,

the way in which the EP official listed the institutions shows how much was expected from the Roadmap and how important it was to the FEMM committee overall. If the Roadmap had not been important, s/he would have barely remembered the meeting. Listing all the institutions also meant framing the Roadmap as an important item and expressing the high expectations which were connected to the Roadmap.

What is even more striking is that the Social Partners (ETUC, BusinessEurope) were mentioned, while the European Women's Lobby was not. From the other descriptions, we know that the EWL was involved in the EP process (although not in the mini-hearing), yet there were no accounts of any contacts between MEPs and the Social Partners. Neither the MEPs nor the representatives of the trade union or employer's organisations mentioned any contact, whereas both contacted the EWL.

Surprisingly, no interviewee mentioned the other high-level meeting that took place parallel to the Roadmap's publication; the 'exchange of views with VIPs' with thirteen different Commissioners and the Commission president on 8th March 2006.

Narratives from parliamentary participants revealed that the EP process was not free from tensions, neither regarding the relationship with the Commission nor concerning the relationship inside the Women's Rights and Gender Equality Committee. A kind of silent agreement existed between the actors who participated in the policy process not to put too much conflict into the process by avoiding interference with the internal processes of other institutions. An EP civil servant explained the acceptance of conflicts inside the FEMM committee and a higher workload by the significance that FEMM members assigned to gender equality policy[5]:

> *This is hard to say. In the sense … I know the answer, but I don't know how to put it. It's very difficult, since the FEMM is a Committee that is an extra Committee to get people involved in the work. Of course the only reason why Mrs. [Name] would be a coordinator and bother with all these extra meetings and all this fight among new members would be to take at least a couple of important dossiers throughout the legislative term.* (EP official 23:182)

The decision to invite several other committees to give an opinion was a strategic decision. The FEMM members and the rapporteur used the same approach as the civil servants from the Commission. They wanted to implement gender mainstreaming and open up the standard parliamentary procedure by ensuring that large numbers of other committees were appointed.

In regard to the relationship with the Commission the Roadmap process was somewhat atypical of normal procedures between the Commissioner and the EP. Shortly before the committee voting on the Roadmap, the Commissioner held bilateral meetings of one hour with representatives of the political parties to gain support. While the Commissioner normally has multilateral meetings with representatives of the FEMM committee (usually the chair and vice-chairs), the Roadmap voting was preceded by unusual bilateral meetings. An EP official interpreted the bilateral meetings as a strategic move of the Commissioner:

> *The Commissioner … saw them in one week. (…) One hour each. So, what he would do is … present the Roadmap: 'Yes, these are my priorities. I would like to have your support in this and that and then another one would have number x'. The support was cleverly asking for the support based on the personal interest of each member. It's normal, it's political practice. It's nothing special. It always looks ugly when we start to explain it. Then you say: 'It's politics'. And it's easy. But that's how he did the strategy, also to gather support.* (EP official 23:194)

The justification provided by the EP official—'it's politics'—was mirrored to some extent in the interpretations of Commission officials who spoke about the bilateral meetings although they didn't see them as a deviation from routines:

> *It's not like that we had an exchange with them [the FEMM], but we had an analysis of all the most important documents, (…) and the Commissioner had himself a lot of bilateral [meetings] with the members of the Women's Committee of the Parliament.* (Commission official 6:180)

The Commissioner knew a great deal about the internal workings of the EP. He put a large emphasis on reaching consensus, trade-offs and negotiating different positions. When he gained support from every single MEP for one selected part of the Roadmap, no political group would reject another part of the Roadmap, as long as it was accepted by the other groups; otherwise the political group would have faced other conflicts from the Roadmap parts that they supported.

Therefore, the entire process was highly de-politicised. The FEMM committee was defeated. By asking each representative to support the specific part of the Roadmap which was selected for her/him, the MEPs decided to support their political preferences. Supporting selective parts prevented an open discussion about the Roadmap as a gender equality

policy programme in general and averted a publicly visible controversy about its changed character. Without this strategic move the Roadmap might have faced a similar destiny as the discussions about the European Institute on Gender Equality that released rebellion and conflict, not only in the EP (Ahrens and Lewalter 2006). Talking to MEPs individually confirmed the idea that the Commission took their political preferences and views into account. In summary, the Commissioner managed to assure support from the whole Committee:

> *We have a very cautious Commissioner. Very cautious in his way of working. And in the definition of Roadmap … nothing. They can always say in the Commission that they have taken into account the priorities set by the Committee in the past years and the request and they followed the advice.* (EP official 23:152)

Although Commission officials never consulted FEMM members, this informal procedure used to claim that the concerns of the FEMM Committee were taken seriously. The strategy was successful, yet resulted also in disappointment, as the following quotes show:

> *So what is left to DG Employment except a Roadmap that does not harm anyone. I am sorry to destroy your optimism.* (EP official 23:98)

> *Unfortunately it happened that this Roadmap was … in the equal opportunity commission [the FEMM committee], we wanted to improve this Roadmap, because it was not bad, but it was pretty vague and particularly with the issues regarding women.* (MEP 10:2)

European institutions, such as the Committee of the Regions and the European Social and Economic Committee, were acknowledged as formal participants in the policy process who had to be invited to hearings, etc. The FEMM committee had not considered them as relevant partners in the discussions of the Roadmap. The same applies to the member states and NGOs (with the exception of the EWL). They were never mentioned as a contact by the MEPs for the time prior to the adoption, although MEPs were aware of different national views, e.g. on parental leave for fathers (Interviews 2 and 3). The picture slightly changed for the period after adoption, when some MEPs mentioned exchange with national institutions, political parties or women's movements in terms of the Roadmap's content (Interviews 10 and 24).

Surprisingly, the FEMM committee did not try to contact DGs other than DG Employment on particular topics. With gender mainstreaming in mind, other DGs involved in the Roadmap, such as DG Development or DG Research, could have also been targeted to lobby for specific provisions in the policy area. Therefore, it is pivotal to observe that every single actor outside the Commission failed to properly establish gender mainstreaming in their work. Otherwise it is impossible to understand why everything concentrated on DG Employment.

The FEMM clearly accepted the exceptionally dominant role of the Commission for the Roadmap and no MEP questioned the Roadmap as the Commission's 'baby'.

3.3.2   The Bounded Member States

For Commission officials the Advisory Committee fulfilled a specific role, although it was perceived as an informal one:

> *Because you see, in the Commission, when you say formal, this is something that in a way you are forced to do. In this respect also the Advisory Committee … we asked them to have an opinion, but we're not forced to [do that].* (Commission official 6:167)

The Advisory Committee was the hub to reconcile the Commission's position with member states and with aligning activities. It functioned as a safeguard for the Commission's presentation in the Council, so that no one would be surprised when they pointed to the member states as 'really responsible' for implementing the Roadmap. Nevertheless, the civil servants in the member states were not ready to implement anything in their countries as there was no supranational budget available via an action programme for gender equality. This was due to the fact that—just as at the Commission level—PROGRESS was not dealt with by those in charge of gender equality, but rather by those who were responsible for such social action programmes. Therefore, whether or not gender equality played a role in PROGRESS depended on the national collaboration in ministries—whether 'gender equality people' could push 'mainstream people' to implement gender mainstreaming. While this is a speculative interpretation, it can be backed up with another example from a member state representative. S/he described how s/he sneaked into meetings of colleagues on employment policy—despite the limited seats—in order to

secure gender mainstreaming and lobbying for gender equality (Interview 26). Without such accidental existence of gender aware civil servants at certain positions in national ministries, supranational gender equality policy often did not make it to the national agenda.

As an unintended consequence of the Roadmap's changed character, member states' representatives from the Advisory Committee and the High Level Group on Gender Mainstreaming lost some of their control over EU gender equality by losing the previous action programme and its budget. From then on they had to accept a long administrative path for financing transnational gender equality projects in the member states. This was a detour from the Gender Equality Unit to the DG Employment Unit responsible for PROGRESS to the national (employment) unit responsible for PROGRESS and finally back to the national Gender Equality Unit.

One explanation for the developments and changes is that all individual actors were always bounded in their own institutions and judged other actors according to their own standards. For example, the Council representative assumed that the Commission followed a certain procedure, which was correct and similar to the one expected because the procedure for their own institution was correct.

3.4   Conclusion

Policy processes do not simply follow formal or informal rules and routines and a given path. Their operations are shaped by the interpretations of actors. In this chapter we examined various periods of the Roadmap policy process and assessed the different interpretations and the way actors assigned meaning. Actors may well form networks, epistemic communities or velvet triangles, yet whether they collaborate or compete is not only driven by different policy goals, but also by their different knowledgeability and their expectation from other actors.

During the initial set up of the Commission communication on the Roadmap the majority of those who participated later in the overall drafting process did not engage much in policy-making. A small circle of Commission civil servants and members of interinstitutional groups developed opposite interpretations to the engaged actors from NGOs and the FEMM committee. While those from inside the Commission were confident that a new gender equality strategy was never in question, the other side was obviously uncertain.

These opposing perspectives affected the following policy-making periods. The initial divide continued and resulted in the dissolution of long-term policy network ties that changed the previous rules and routines of collaborative gender equality policy-making. The political leaders played an important role during the initial period, but they lost influence during the remaining policy process.

Actors' interpretations of the drafting phase of the Roadmap are instructive with regard to the making of EU gender equality policy-making and the actor's constellations. During the drafting period actors decided which content to include and how to assign responsibility for advancing the Roadmap. They developed strategies to make soft law accountable despite its 'softness'. The drafting process also brought to light the rules and routines that actors expected, which in turn provided the background for their own activities and expectations.

Not surprisingly, the drafting process was mostly interpreted as either an uneventful routine or as fundamentally divisive. The respective interpretations were rooted in the actors' experiences of policy-making and their expectations about formal and informal paths. During this period the role of the Gender Equality Unit and the EWL were crucial. The Gender Equality Unit shouldered the responsibility of delivering the Roadmap on time. This put it in the position of 'wrong ownership'. It was perceived as solely responsible for the Roadmap, even though their aim was to share this responsibility within the Commission. The process which was led by DG Employment remained almost uncontested. Disagreements on specific procedural and content-related decisions were suppressed for the sake of finalising the Roadmap communication. The EWL had to carry the burden as a major hub for non-Commission activities and also shouldered the responsibility of lobbying the Commission in the name of civil society. The EWL was stopped halfway by lacking opportunities to lobby DGs other than DG Employment. Despite its excellent networks civil society missed the opportunity to press more efficiently for a different Roadmap and to establish new channels of influence other than DG Employment.

The FEMM committee and the member states replaced the Gender Equality Unit and the EWL as the most important actors during the third period, in the aftermath of the adoption. The FEMM committee faced difficulties in finding a compromise for a common position that would not cause publicly visible conflicts. This also led to the FEMM committee sticking to the formal procedures and thus contributing to de-politicising

the Roadmap. The member states found themselves caught between an EU policy programme that had no direct impact on their national level and a national level that was not prepared to deliver the same policy programme as during the framework strategy period.

Different structural constraints influenced the actors' interpretations and reconstructions of the gender equality policy-making process and sometimes revealed even opposite interpretations and narratives. Actors were predominantly aware of their own working environment, but lacked an understanding of the other spheres of EU policy-making. The Gender Equality Unit decided to put the Roadmap as a communication under strict Commission rules. This move was highly strategic and reflected a way of getting the Roadmap adopted without resistance from inside or outside the Commission. The decision to set up the Roadmap as a Commission communication reduced the potential for activities, e.g. actions that had to be negotiated with member states, Social Partners or other stakeholders. Superordinate formal and informal EU policy-making rules in combination with gender mainstreaming changed the form in which actors collaborated in EU gender equality policy. To this end, the Roadmap process led to institutional conversion (Thelen 2004) by allowing the Gender Equality Unit to change crucial elements of the previous institutional framework of policy programmes.

NOTES

1. Cf. Commission staff working document—Annex to the Communication from the Commission to the Council, the European Parliament, the European Economic and Social committee and the Committee of the Regions—A Roadmap for equality between women and men 2006–2010— Impact assessment {COM(2006) 92 final} /SEC/2006/0275/.
2. The Secretariat General is the President's department, at the service of the President, the College and the Commission departments; a central service of the European Commission. One of the main tasks is managing the decision-making process in the Commissioners' College.
3. For privacy reasons the name of the DG is not revealed here.
4. Cf. Committee on Women's Rights and Gender Equality. Statistics on main activities during the sixth legislative period (2004–2009) version October 17, 2007.
5. For more details on the FEMM committee and power play in the EP please cf. Ahrens (2016).

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KEY DOCUMENTS DOCUMENTARY RESEARCH

European Women's Lobby: Gender Equality Road Map for the European Community 2006–2010. Brüssel 2005.

Deconstructing Network Voices and Governance Characteristics

> *It often comes down to the people working there and what they feel is*
> *important.*
> *The whole decision-making structure is a complex thing.*
> *(Interview with NGO representative)*

Which institutional processes influence the actors' chances in shaping poli-
cies in the complex EU policy-making system? In this chapter I will extract
from the interviews four standard EU policy-making features at a meso-
level that explain why interpretations vary so widely: (1) formal and infor-
mal actor networks; (2) routine job rotation; (3) internal division of
labour; (4) timing and sequencing issues. Formal and informal actor net-
works change their composition depending on the policy instrument.
Differences occur between the actors' usual roles in gender equality policy
and their roles in the Roadmap process. The job rotation system in the
European Commission and other institutions causes personnel fluctuation
and impacts on how actors judge the Roadmap. The division of labour,
the location of actors and their working space—whether it is internal or
external to the Commission—play a part in this process. Timing and
sequencing arise as a problem of synchronising ongoing policy processes.
These are issues that challenge standard gender equality policy processes.

This chapter will show which of these features were contested and which remained uncontested.

What are the interconnections of the four features and the everyday workings of EU governance? The EU can be considered as network governance[1] which consists of collaborating and competing public and private actors (cf. Abels 2016; Saurugger 2014). In terms of network governance, we can analyse how actors arrive at policy decisions in a complex setting and who has the power to decide what (cf. Hooghe and Marks 2001; Piattoni 2010; Stephenson 2013). One core idea of network governance and policy networks is that political actors consider problem solving as the essence of politics. The setting of policy-making is defined by the existence of highly organised sub-systems which consist of non-governmental and social actors (Eising and Kohler-Koch 1999: 5). Gender equality policy certainly counts as a highly organised sub-system with a broad range of governmental and non-governmental actors (Hoskyns 1996; Locher 2007). Woodward (2004) even discovered a supranational gender equality policy network that she called 'velvet triangle'. This evokes associations with early research in network governance on 'iron triangles'.

The inclusion and exclusion of actors in the political mobilisation on gender equality colludes with path-dependent routines of policy-making in EU network governance. Abels (2016: 104ff) has also highlighted that network-focused approaches in multi-level governance (MLG) were successfully used for the gendered analysis of EU policies, while Heinelt and Knodt (2011, 392) even consider gender equality policy a 'classical' type of EU MLG.

The network governance perspective suggests that all policy programmes underlie the same logic. However, whether this specific soft law is also set up by the very same actors who are usually involved in policy-making remains an open question. Do the same actors participate in this policy area across time and among institutions? Are NGOs involved in the design of policies, as they are often 'better informed on specific (and often very technical) policy issues and policy proposals' (Mazey and Richardson 2006: 252)?

In all three approaches—MLG, network governance, policy networks—a crucial characteristic of EU policy-making is the multiplicity of voices which aim to be heard. Whose voices are heard, by whom and whose voices count? What kinds of power games are played? Policy networks in the EU developed in different ways and the European Commission is well known for designing and promoting policy networks

in almost all policy areas. Knowledge about networks is therefore crucial for a better understanding of the overall policy-making process. It helps to explain how policies emerge, how they are framed and processed, why they have certain characteristics and how they contribute to the course of integration.

In this chapter the notion of network governance and policy networks will be substantiated by the variety of institutional processes. These processes influence the choices which are available to the participating actors throughout time, space and institutions. They also impact on the readiness for having their voices heard. The applied Qualitative Network Analysis (QNA) shows where and which networks exist in everyday working situations, whether they are stable and why, what kind of meaning they are given by those who are involved in EU gender equality policy-making. QNA is founded on the same basic assumptions as Social Network Analysis. It provides a fresh approach to gathering information about qualitative aspects of policy networks which are not available through Social Network Analysis (Hollstein and Straus 2006).

MLG is intrinsically connected with historical institutionalisms account of path-dependency. Both processes go together: the features are characteristic of multi-level governance, as they are also the result of path-dependency. The crucial question is how the two are mutually constitutive and change the political game for future policy-making. The fluctuation of personnel alone, for instance, could not explain why the Roadmap developed the way it did. However, together with changes to policy networks and the logic of divided competencies, the fluctuation resulted in crucial uncertainties in the Roadmap process.

The chapter proceeds as follows: First, I ask if there were differences between actors' usual roles in gender equality policy and their role in the Roadmap process. This includes examining the Roadmap role using the visualised formal and informal network maps derived from the interviews and assessing if they reveal junctures between formal and informal roles in the policy process. Second, I claim that varying policy process interpretations can be further explained by investigating actors along the time span they worked in gender equality policy and—in particular—how long they participated in the Roadmap process. Third, variations in the acceptance of divided competencies between the actors played a role for different interpretations. Finally, the interpretation as a standard drafting process for a Commission communication hid challenges due to asynchronous timing.

4.1   Deviating In/formal Policy Networks: Standard Gender Equality Policy Actors Compared to Roadmap Actors

A crucial characteristic of network governance in general and the EU in particular is the co-existence and interdependence of formal and informal networks. There is extensive literature on formal and informal[2] EU policy networks (Klüver 2014; Mahoney 2007, 2008; Beyers et al. 2008). Most of the research hypotheses centre on transformation (i.e. their contribution to societal change, organisational deepening, creation of knowledge, network society) or problem solving (i.e. delivery of new and better problem solving and co-ordination) (Straßheim 2011). In addition, scholars use Social Network Analysis (SNA) as a key technique to investigate quantitatively complex networks among various actors, be they individuals, small groups or even international organisations (cf. e.g. Carrington et al. 2005; Christiansen and Piattoni 2004; Jansen 2006; Scott and Carrington 2011; Wassermann and Faust 1994).

Although considerable research has been devoted to the analysis of the emergence, establishment, aim and influence of EU policy networks, we do not know much about how civil servants perceive their ties in their everyday working life. What is often missing in SNA is a possibility to investigate content, meaning and reasons for interaction in policy networks (Crossley 2010). Consequently, understanding the relationship between agency and structure—in the EU context: the process of policy-making through networks—requires the inclusion of the social world, meaning and individuals in the research process (Crossley 2010; Fuhse and Mützel 2011). Policy networks are also social networks and thereby an interactive 'social world' which encompasses shared meaning, knowledge, norms, identities, etc, as well as the distribution of resources (Hall 1987; Strauss 1973).

Research on social movements, policy networks and advocacy coalitions have proven pivotal in understanding how interest representation has worked in the EU. It particularly highlighted the role that civil society played in the formulation of EU gender equality policy at a supranational and national level. Network analysis on gender equality policy has often taken the form of qualitative analysis on the involvement of transnational social movements or interest groups in policy-making (Lang 2009; Prudovska and Ferree 2004; Ruzza 2004; Woodward 2004), on the emergence of networks initiated by the European Commission (Bretherton

and Sperling 1996; Mazey 1995; Montoya 2008, 2009) or how networks cooperate on different policy issues (Locher 2007; Zippel 2004).

Using process tracing, Keck and Sikkink (1998) have described in detail the emergence and establishment of Transnational Advocacy Networks (TAN) around policies of 'Combating Violence against Women' and human trafficking. They have described how they work, how and why they emerge and when they are successful. The analysis of these TAN helps us to understand the role of principled ideas, windows of opportunities and international ties between civil society, states and international organisations. Keck and Sikkink's influential methodological contribution is the 'boomerang pattern' and its importance in how movements can influence domestic policy debates. They have shown that TAN pick their strategies according to the political opportunity structure and—if domestic channels are blocked—collaborate with international organisations to set up global norms which are transferable to national levels. While this pattern of change is verified for the topic of 'Combating Violence against Women', there is similar evidence of national policy changes through networking of transnational movements with international organisations for gender mainstreaming and human rights questions in general (True and Mintrom 2001). Nevertheless, the concept of TAN by definition excludes the direct and transcending collaboration of individuals from inside the domestic political system as individual actors within a TAN. This distinction has proven useful for studying nation states, but applying it to the EU is challenged by the sheer complexity of EU politics within the EU system of multi-level governance. The ever changing nature of the EU produces important challenges to the concept, as well as to the actors themselves. While the EU functioned for a long time as an ally for TAN, like other international organisations, the EU itself became an arena of lobbying with every treaty revision which added new competencies to the EU level. Hence, the changing nature and scope of EU policies influence the channels of collaboration which are available between TAN and EU institutions (Tarrow 2005).

Therefore, it becomes equally important to distinguish policy networks on other grounds, such as their formal and informal ties. This is necessary in order to estimate possible ways of influencing EU gender equality policy. Montoya (2008, 2009) has reported in detail how policy networks evolved in a certain policy domain (violence against women) which was supported by the EU policy programme DAPHNE. Although Montoya used network analysis to measure how ties among network members developed, how they were established and multiplied over time, the formal and

informal cooperation within the network or influences on the EU policy process was omitted. From Lang's (2009) network analysis of transnational women's movements we learn a lot about links between different national women's movements and essential details about the central role of the European Women's Lobby.

SNA and other EU policy network research tend to use a macro perspective which focuses on organisations as actors. I am, however, convinced that the individuals' perspective on their kind of relationships includes explanations for the way they act. It makes a difference if you perceive someone as belonging to a formal policy network, a social movement or an advocacy coalition. It makes an even bigger difference where you situate yourself in this regard and it also influences the overall policy process.

I argue that taking a micro perspective on policy actors provides information and implicit explanations about the way the policy process develops and also the way policy goals are defined. If individuals of gender equality policy, for example, perceive their policy area as opposed to other policy areas (like trade, external relations, etc) and everyone in gender equality is seen as a possible ally, people act differently compared to a situation where they are in competition with others within their policy area. The question is: what dominates the everyday work of individuals as policy actors? One interpretation of the situation does not necessarily exclude the other and there might be other aspects as well, but these two interpretations are important.

This leads to the question of how actors see their ties within policymaking. Do they only include institutional actors or do they also include non-governmental, international organisations, individual experts, etc? Who do they contact, how often and what does this tell us about policy-making? Answering these questions automatically leads to methodological approaches specifically designed to investigate networks from a qualitative perspective.

In order to understand the interpretations of the policy process it was helpful to investigate the roles that actors usually play in gender equality policy and the roles they played in the Roadmap drafting because these roles were different. When roles were perceived as unusual we can interpret this as a deviation from routines. However, the roles described in this part were more like a revelation of how actors situated themselves in terms of the Roadmap and EU gender equality policy in general.

The role that different actors played in EU gender equality policy can be derived from the way in which each actor perceived him/herself and others in their quotations.

4.1.1   EU Gender Equality Policy Actors

Overall, gender equality policy-making included significantly more actors than those in the process of the Roadmap. The general narratives about actors' roles provided a pool of actors who were relevant for the interviewees in the policy-making process. Nonetheless, such narratives often did not include any kind of evaluation in terms of who played a major role in everyday routines. Interviewees commented on their contacts regarding closeness/distance and who was seen as most/least important in the policy process.

Another noticeable feature was the labelling of actors as an institutional entity. Interviewees often spoke of 'the Commission' (instead of the Gender Equality Unit or a specific DG), 'the Parliament' (instead of the Women's Rights and Gender Equality Committee or any other committee), 'NGOs' (instead of the European Women's Lobby or another organisation) and 'the Council' (instead of a specific Council formation or Coreper). Individuals were rarely mentioned; indeed, all descriptions of processes were peculiarly impersonal when they concerned an actor outside of the home institution.

Overall, the four main actors who had been crucial for the Roadmap policy process were often mentioned as the main actors of gender equality policy. Therefore, changes to their role, in comparison to gender equality policy and the Roadmap process, will be examined in further detail. Other actors who never participated in the Roadmap policy process were also seen as important for EU gender equality policy in general. In addition, connections to women's organisations and the national level played a more significant role in EU gender equality policy (compared to the Roadmap process).

The Commission
While the majority of interviewees clearly attributed a central role of EU gender equality policy to the Commission, the judgment was rather split whether the form of Commission engagement was advantageous or not. Overall, the Commission was seen as a proactive institution. Most of the time it was considered excellent in finding innovative alternatives when a usual path was blocked.

> *My perception is that the Commission is coming out with its wonderful ideas, not only on gender, on whatever, because we sometimes have good ideas. You have cheap airlines, you have roaming and these all originated from the Commission (…). So the Commission is coming out with some fantastic ideas which shows*

some strength from our part, because with this power of initiative in many cases it is the Commission which determines what we are discussing, what we are talking about. (Commission official 1:216–218)

The Commission's role as a broker which is capable of negotiating compromises was particularly emphasised. At the same time, some portrayed the Commission as a closed group where external influences would not help and where gender equality policy was still 'ghettoised', even though those responsible were effective and tried to pull gender equality out of the 'women's policy ghetto' (Woodward 2003).

How then can you influence the EU? I would say: try the Women's Lobby, not directly the Commission, that's useless somehow (…). I mean, do you get any serious replies? Except pre-prepared emails? Or everything disappears. I don't have any good experiences. (Expert group representative 9:86–88)

The Parliament
A broad variety of roles were attributed to the European Parliament. They were perceived as an ally vis-a-vis the Commission or Council, as policy area experts and as a strong pressure actor with the power to force the Commission to become active.

Well, the European Parliament is extremely pushy. It is not always followed. Every time they recommend improvements for women in [topic], and not only women of course … (Commission official 17:136)

Well, the Parliament is always quite attentive in its control function regarding equal opportunities for women. And that can quickly become a political issue. (…) The Parliament [is the most important actor], definitely. Not the Council. We, the Commission, closely follow the Parliament. (Commission official 4: 89–91)

At the same time, many MEPs perceived conflictual lines between political groups inside the FEMM committee that hampered the exertion of full pressure, particularly because the rest of the Parliament was perceived as not committed.

I first expected it could be a smooth issue, because it seemed to me that the proposal and information coming from the Commission … was based on some, in my opinion, reasonable compromises. But the Socialist Party didn't accept this compromise, nor did my political party. My political group was split on this issue. (MEP 14:24)

*I'll say only one thing: If I really want to engage in gender equality policy
and want to be efficient, then I must choose the appropriate political party or
group. And I'm convinced that everything more leftist, this means, the
Greens, the Social Democrats, the Left, works more efficiently and better, it's
of bigger concern for them than for the Christian Democrats or the Liberals.*
(MEP 2:66)

NGOs

The NGOs were presented as a crucial partner for content-related
exchange; as a contact where proposals and ideas could be tested and a
pool which could provide gender expertise. NGOs were perceived as lob-
bying all main institutions and as strong interest groups, even though
some interviewees were ambiguous about the overall number of stake-
holders who were interested in gender equality policy:

*In this committee [FEMM committee] the stakeholders are quite limited, in the
sense that broad women's interests are covered by umbrella associations,
European Women's Lobby and New Women for Europe. The Women's Lobby
was the most active because it is also financed and has a bigger structure
throughout Europe. If you get to employment you have the ETUC, confedera-
tion of trade unions, and BusinessEurope for employers. So, you have four main
stakeholders.* (EP official 23:32)

In addition, Commission officials in particular described NGOs as well-
organised via the institutional gender lunches.

The Council

The Council was perceived as the most powerful actor and, at the same
time, as the largest barrier for gender equality policy proposals. This was
due to the limited gender expertise among member state representatives,
as well as the Commission's kind of 'anticipatory obedience' to avoid criti-
cal proposals:

*What happens in the Council is that they have their standard staff, these are the
diplomats who are based here in Brussels. They are not gender experts.*
(Commission official 1:148)

*I mean on other issues like the Open Method of Coordination (…) there is … a
sort of (…) delicacy (…) with the member states because the Commission
doesn't want to get the member states sort of angry by this or that. Right? It's a
very difficult issue to push.* (Commission official 6:34)

The interesting fact is that Commission officials always described a split between the member state gender experts (see below) with whom they got along and the non-gender experts in the Council who tended to block proposals even if the member state gender experts were the ones who had originally submitted a proposal.

Other Actors
Apart from the four actors, the remaining actors who were perceived as important included expert groups, women's movements and the EU presidency. Astonishingly, the Social Partners were not part of the picture. Expert groups were seen as a scientific resource and a link to a better understanding of national situations.

The women's movement was described as a pressure interest group that might make a difference for activities on a supranational level.

> *I have seen it—it has been successful. I think it is one way of working, you must have the pressure from women's organisations. If one or two or twenty members in a national Parliament or in this Parliament say something, you can't do anything. But if you can show it's a big interest from … thousands and thousands of women in these organisations, you can have pressure on the Commission, the Council and other political groups.* (MEP 3:34)

> *You know, I am sure that without women realising their problem and … not accepting the injustice … it's of vital importance. You can hear what you want but when there is no pressure on the national and local level you cannot achieve big successes.* (MEP 14:79)

The EU presidency, which was not mentioned a single time for the Roadmap policy process, was perceived by many actors (particularly NGOs) as the most important link between the supranational and national level. The presidency could provide a 'window of opportunity' (Kingdon 1984) when a topic or directive was tabled by selecting individual topics for the presidency.

In summary, when asked about gender equality policy, interviewees referred to a broad range of actors who were involved in policy-making and allocated distinct roles to them. When comparing this set-up to the Roadmap process in the following section, a qualitative network analysis reveals important differences.

4.1.2   Visualised Actor Constellations of the Roadmap Process

How do you capture which networks exist in everyday working situations and where? Why are the networks stable? What kind of meaning do the people who are involved in EU policy-making attribute to them? These are core questions for network analyses—either quantitative or qualitative. The Qualitative Network Analysis (QNA) offered a unique opportunity to combine three aspects—micro-perspective, qualitative approach and insider perspective—in an innovative way in this research.

The general premise of QNA is that networks do not exist independently from individuals, but that individuals are essential to any aspect of networks. At the same time networks may enable and constrain individuals in their actions. Social network analysis tends to forget that—although it is possible to describe and visualise networks between institutions, organisations, etc—there are still individuals in all of these institutions who influence the network and anything associated with it. This is exactly where QNA starts and where one can tease out the subjective interpretation of networks.[3] It helps the analysis of everyday communication and actions, their formal and informal content and the role time constraints may play.

Important tools in qualitative network analysis are network maps with the primary function of generating narratives on personal systems of relevance and meaning (Hollstein and Pfeffer 2010). For this research I used the well-known tool of QNA, the 'hierarchical mapping technique' by Kahn and Antonucci (1980), also called the 'method of concentric circles'. During interviews QNA was used as a medium of communication and, at the same time, for the result of the interview (Hollstein and Pfeffer 2010). Interviewees received a paper with a limited number of concentric circles where they placed labels with different actors they mentioned during the interview.[4] The maps offered the chance to gather illustrations of differences between formal and informal actors' relationships and discuss them in the context of EU gender equality policy-making in general.

The formal and informal network maps provided a better understanding of how interviewees ranked their contacts regarding closeness/distance and who was seen as most important or necessary in the policy process. Surprisingly, the network maps often supplied a different picture of relevance than the narratives. Overall, the actors' understanding of who is considered in charge of EU gender equality policy programmes steered their engagement in the policy process.

Network maps were analysed in two respects: (1) which actors played a major role across all formal and informal network maps; (2) how actors related to each other in the informal and formal network maps which were designed by individual interviewees.

Actors Across Formal and Informal Network Maps

Overall, the network maps included significantly more actors than were mentioned in the general narrative. The notable exception was the Council representative who only provided a formal network map that included the Gender Equality Unit of DG Employment and the FEMM committee (even though there was no formal necessity to contact the FEMM committee) (cf. Fig. 4.1). The Council representative subsequently denied an informal network map, arguing that s/he had no informal contacts with regard to the Roadmap.
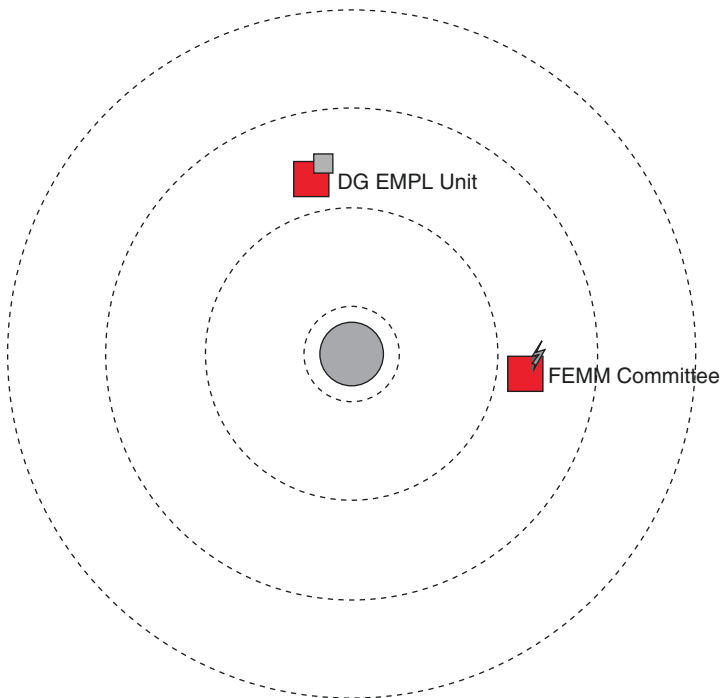
Fig. 4.1   Formal network map council

Formal and informal maps showed clear differences. On the formal network maps the three main EU institutions—Commission, Council and Parliament—outnumbered any other actor. On the informal network maps, however, NGOs and national institutions dominated and the importance of the Council and the European Parliament was diminished. Only the Commission was still seen as important (Ahrens 2011).

A comparison of the network maps with the description of the Roadmap process over the course of time revealed that interviewees connected the formal and informal maps to either the internal or external process. In general, the informal maps displayed more interinstitutional groups, more (scientific) expert groups and more links to national actors. While individuals, such as Commissioners on formal maps, were only mentioned by the European Women's Lobby, they appeared more often in informal maps of NGOs, some DGs and the European Parliament (Ahrens 2011).

Relational Placement of Actors on Formal and Informal Network Maps
An analysis of the Roadmap drafting and adoption process showed the great importance of rules for actors. The formal and informal network maps confirmed that only interviewees from the three major institutions (Commission, Council and EP) produced a strict distinction between formal and informal ties, similar to their narrative in their networks' maps. Non-governmental actors did not appear on their formal network maps. The comparison of the included actors exactly mirrored the formal rules and procedures according to the treaties and organisational rules. This means that Commission officials only mentioned internal decision-making processes and actors connected to them, such as the interservice consultation and the Commissioners' College.

The formal network map of one DG demonstrated the internal formal process of the Roadmap communication in detailed steps (cf. Fig. 4.2). The placement of the different steps disclosed the Commission official's perception of her/his distance from the final decision. In the formal network map of another DG (cf. Fig. 4.3) a Commission official who was more involved in all steps of the adoption process listed similar actors, although they were ordered in different spaces; e.g. the cabinet was located very close to the interviewee, while other units of the same DG were more distant. Therefore, depending on their different involvement in the policy process, the two Commission officials translated the formal policy process in two different pictures which help us understand their different involvement in the Roadmap policy process.
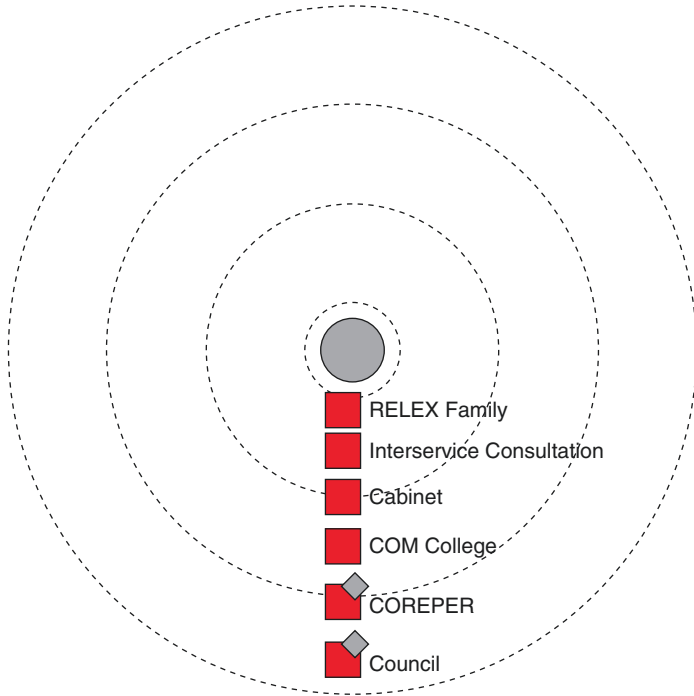
Fig. 4.2 Formal network map DG I

The network maps highlighted the fact that the interviewees tended to narrate a simplified version of their everyday routines regarding the formal policy process. While the focus in the narratives was clearly on the major players and the formal steps, the network maps equated the formal steps with power relations in a spatial relationship.

Network maps often included other spaces where actors discussed the Roadmap, which were not previously mentioned in their narrative. The formal contacts of political parties in the EP, for example, included a variety of contacts that were connected to the group (party members, working group), as well as meetings with other rapporteurs (cf. Fig. 4.4).

The MEP described their formal contacts in the same way as the Commission, including actors of their own institution and the Commission. An occasional exception was the inclusion of NGOs in an outer circle.
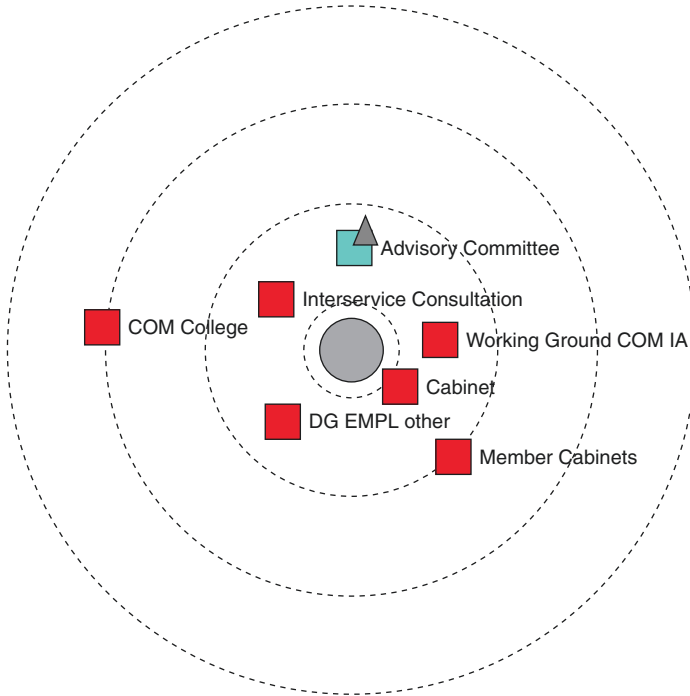
Fig. 4.3 Formal network map DG II

Contacting them seemed to be perceived as a formal obligation and was mirrored in the interviews when they described the set-up of the EP resolution through the organisation of the mini-hearing.

The description of formal networks by the Social Partners was very similar and mentioned established channels of communication with the Commission, Council and Parliament (cf. Fig. 4.5). The network maps created by NGOs and national women's agencies did not make such a clear distinction between the actors they mentioned for the formal and informal maps; both predominantly mentioned EU institutions and national member organisations as their formal ties (cf. Fig. 4.6).

While the EU institutions were mentioned in the narratives when, for example, the EWL described the involvement of their national members in the general assembly, the interviewee did not mention any formal rule which obliged them to contact the EU institutions. This became
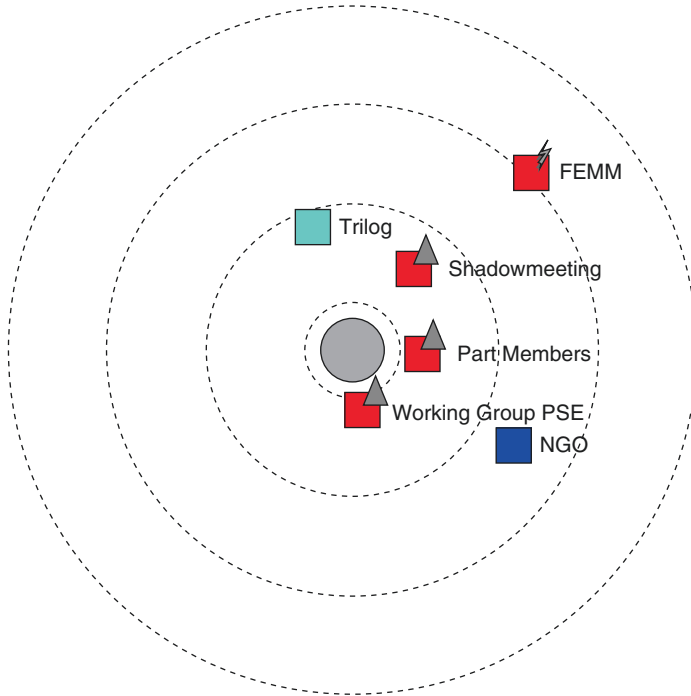
Fig. 4.4   Formal network map MEP

further evident when comparing their network map with that from the EU institutions where the EWL was not included in the formal maps of the Commission. The formal maps of both the Commission and EWL were an expression of the formal rules for Commission communications and how they were translated into everyday routines. All Commission officials knew that NGOs were not included in the formal drafting process of the Roadmap. Likewise, the EWL established its own formal routine of contacting the Commission when the new proposal was at hand.

In terms of the informal network the Commission and Parliament included a wide range of actors; however, the contacts they mentioned were hardly mirrored in the network maps of those actors. In general, NGOs tended to include fewer actors than on a formal level.
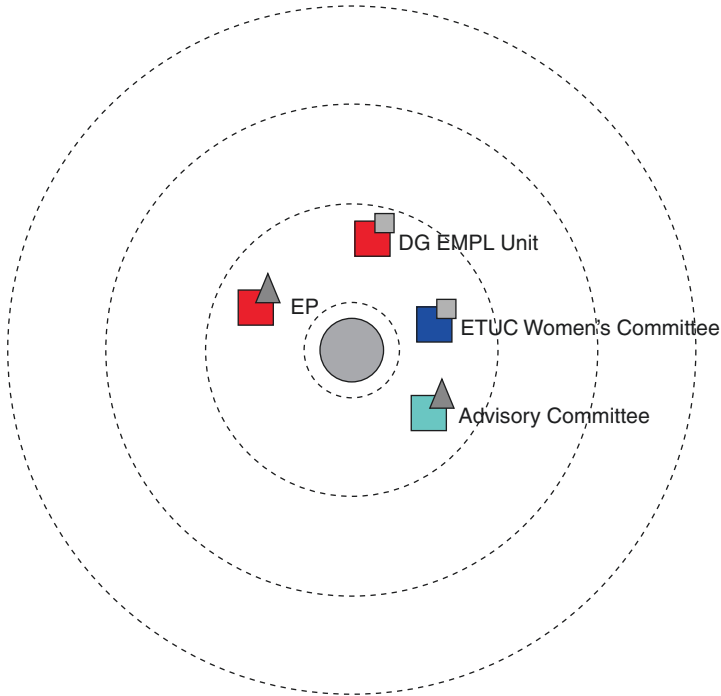
Fig. 4.5   Formal network map Social Partner

4.2   RESHUFFLING THE POLICY GAME—ROTATING ACTORS IN GENDER EQUALITY

While the fluctuation of personnel is a common routine in EU administration,[5] the consequences are rarely analysed. Fluctuation occurs at different levels at different times, e.g. in the European Parliament MEPs change with either EU or national elections. The Commissioners have a pre-defined five-year term and the Commission personnel comprises perma-nent and non-permanent civil servants; so-called ex-pats. Fluctuation influenced gender equality policy-making, the Roadmap policy process and the way in which interviewees interpreted the drafting and adoption process of the Roadmap. The Commission played a key role, as it is by definition constantly subject to fluctuation. From the interviews it became evident that fluctuation was a typical feature in the Commission, while
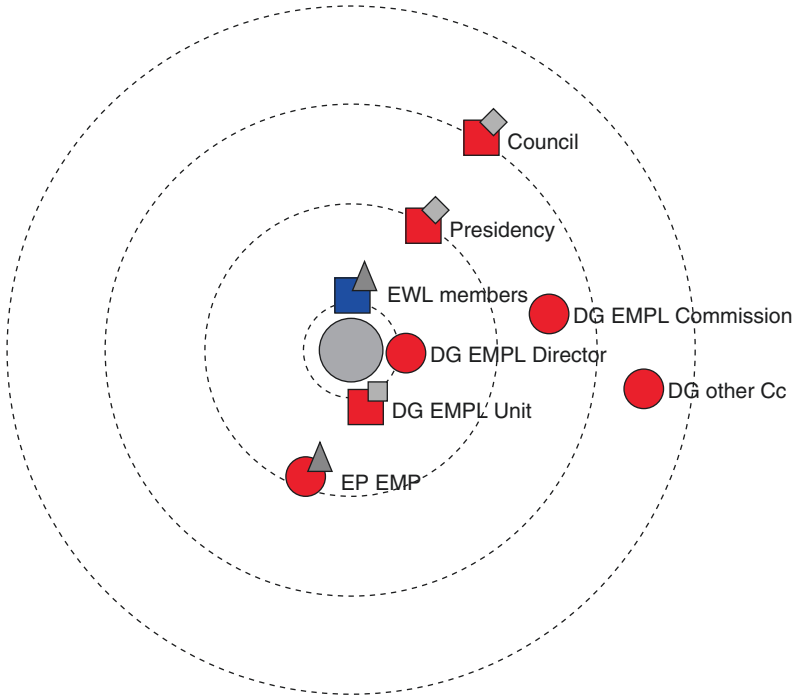
Fig. 4.6   Formal network map NGO

interviewees from all other institutions and organisations seldom reported fluctuation within their organisation. They only reported fluctuation for political leaders or Commission staff.

Fluctuation also means that civil servants could not decide their duties by themselves. The responsibility for a task might be shifted to another civil servant, while the previous one would be given a new task or transferred to a new position. Such changes were difficult to predict over a longer period of time and they made it difficult to trace responsibility and ownership. Fluctuations disrupted and interrupted the smooth running of processes; e.g. those responsible in DG Research had not been in charge of gender equality prior to 2006 and took over the subject from a colleague who left. One policy advisor who took over responsibilities for the Roadmap immediately after its adoption in late 2006 was not involved in

its design, nevertheless s/he was responsible for implementing it. Those who left were no longer directly responsible for gender equality in their new job.

The permanent fluctuation was annoying to those who were frequently in contact with Commission officials, like this member of an expert group:

> *A: There is this crazy change of personnel. There is no stability of personnel, also with the persons you are working with: it is gigantic! The ones who attend the meetings change continuously. And there are almost never the same ones. That is, in my opinion, quite bizarre.*
> *Q: This means, in your meetings almost always other people attended?*
> *A: Well, [name] always attends. Yet, who is responsible for our group changes almost from one meeting to the next. I don't know whether that is a career opportunity or handicap to have worked there, but obviously they guide through young civil servants on a massive scale, they stay there for two, three years, a maximum of five, and then they leave to wherever.* (Expert group representative 9:46–48)

Other interviewees perceived job change as an opportunity to disseminate gender expertise or develop connections that transcend different levels of governance:

> *Every time one of our colleagues leaves his/her unit and goes into another DG, we know we will have an agent there. That is essential. A gender-aware colleague in DG Transport …, in DG Employment we have many, but there they have gender awareness. But we had colleagues who went to other DGs where there is no gender interest, because they sometimes don't really see the gender-related issues and that happens quite often, unfortunately. So we are really happy sometimes, because we lose a colleague, but we gain a '007 agent' somewhere else, who is able to put the right word in the right ear and maybe make something happen.* (Commission official 17:20)

For this Commission official the already established connections with their colleagues guaranteed support in promoting gender equality. They implemented gender mainstreaming in Commission units that were usually not concerned with the topic or even reluctant to cooperate. So the previous colleague helped to disseminate gender expertise.

While some people functioned as disseminators many others were subject to mobility rules and 'lost expertise', as they left the policy area

and no longer participated in EU gender equality policy. Politicians, commissioners and cabinet members, typical 'gender heroes' (Woodward 2003) were often included in this group.[6] It is significant that interviewees only mentioned females. Hoskyns (2008) already pointed out that in the Santer Commission (1995–1999) only the five female Commissioners initiated projects on gender mainstreaming in their DGs. Not only was gender expertise lost but, more crucially, powerful people disappeared and the working level lost support from the top level.

When such lost expertise occurred at the working level, it always meant a loss of process knowledge and information about the history of developments or the importance of certain policies:

> *Here, this is a note from my colleague who left saying 'you may need to include something on the Roadmap in the speech'. So, this is the kind of input you have.* (Commission official 17:107)

The dissemination network points to a broadening of gender equality expertise and the lost expertise to a narrowing. Both can be used to qualify the influence of employees' fluctuation on the substance or accountability of gender equality policy.

In terms of the Roadmap one can make a similar distinction between 'newbies' and 'oldies'. These played a major role in the interpretation of the policy process. 'Newbies' are defined as persons who had not participated in gender equality policy before the Roadmap was drafted or joined the process during or after its adoption. By contrast, 'oldies' are people who were involved in EU gender equality policy at least one year before the Roadmap drafting started. However, the term 'newbie' did not necessarily mean limited gender expertise; indeed, the opposite can be true. Likewise, 'oldie' did not necessarily specify well-developed gender expertise. Despite being classified as an 'oldie', s/he might also be part of the dissemination process. They could be switching from one position to another while still responsible for gender equality policy; they could be working on a different level of hierarchy, in a merging/splitting unit or a different policy area.[7]

These two aspects affected the process of policy-making. If people stayed, they were 'in the process', whereas if they left and someone new came in, the process was interrupted.

4.2.1   *The 'Satisfied Newbies' and 'Irritated Oldies'*

The different interpretations of the drafting process as 'standard procedure' or 'deviation' can be explained by the different working experiences of interviewees, e.g. by the time they spent in gender equality policy. Those who participated for a long time (with the exception of the Gender Equality Unit) were also those who expected negotiations with stakeholders, because it had always been like that. The 'oldies' expected the gender mainstreaming logic and the tradition from previous programmes. By contrast, the 'newbies had not participated for a long time and approached the topic through new EU policies which were affected by gender mainstreaming. They applied their institutional logic and only expected the Commission rules.

The Gender Equality Unit used both: the Commission routines and gender mainstreaming logic to justify the drafting process. Inside the Commission they emphasised gender mainstreaming implementation guidelines, whereas to external stakeholders they emphasised Commission rules for setting up a communication.

The 'Newbies'

'Newbies' rarely expected consultations with external stakeholders. They only talked about the internal Commission process, as described in the previous chapters. They were satisfied with the policy process because they did not know any different. This particularly applies to the Commission and new MEPs, as well as some NGOs who were new to the area.

The closer Commission officials were connected to the Gender Equality Unit of DG Employment, the more they knew about the Roadmap. If they did not significantly contribute to one of the planned actions, they often did not even know about the Roadmap's existence. These non-participating actors even mistook the internal human resources management of DG Administration for the Roadmap and only talked about quotas for women (Annex III 'Equal Opportunities policy between men and women at the European Commission').[8] It was revealing that DGs which were only involved in the internal gender equality policies without any content-related contribution to the Roadmap, also rejected any content-related connection to gender equality policy in their policy area. For them it was solely the responsibility of DG Employment (Interview 13). During an interview with a Commission official we both realised that s/he did not know about the Roadmap after we had already talked about EU gender equality policy for more than twenty-five minutes:

Q: I don't know how well you know the Roadmap…
A: Which Roadmap?
Q: The Roadmap for gender equality. When you think about it, how would you assess the Roadmap in regard to the priority areas?
A: Well, I don't remember details, but I had the impression that it was quite comprehensive. There were concrete goals, quite practical measures, leaving room for the directorates general for manoeuvre how to approach this task, an exchange of best practice and I think the networks of female managers have been of great importance.
Q: Hmm, well I meant the Roadmap that addressed a variety of policy areas, such as employment, education, research, political representation …
A: Excuse me, are we actually talking about the same Roadmap? The internal Commission …
Q: … no, exactly…
A: … so, what kind of Roadmap was that?
Q: The Roadmap for equality. That's it [shows document]. And the action plan, addressing the internal one you spoke of was in this part the annex.
A: Honestly … I don't know this Roadmap. (Commission official 4:42–51)

The 'Oldies'
Only stakeholders who had participated in EU gender equality policy for years and had a long-time routine in gender equality policy were critical of the Roadmap policy process or—in the case of the Council and the EP—expected that the Commission consulted stakeholders, such as the EWL and Social Partners. The 'oldies' from the EP were predominantly long-term committee members, particularly those who wrote the resolution. Regardless of whether they were from the EWL, the member states or the EP, the 'oldies' expected something different within the range of possibilities.

At the same time, we can see how those long-term gender equality policy actors linked the past and future in an attempt to explain the shifts from the framework strategy to the Roadmap. They knew that there had been changes inside the Commission, to which Commission officials had to adjust.

Those from the Commission were aware that the Roadmap was not sufficient to implement gender equality policy in the member states, as they constantly stressed that the Roadmap would not work without the member states. They were implicitly aware that it represented a deterioration of the framework strategy, even though they defended the Roadmap. If they had considered the Roadmap as sufficient, they would not have

urged the member states to take action themselves.[9] 'Commission oldies' knew from their experience that the Roadmap would have less impact in comparison to the previous period and that they could not do anything within the constraints of the Commission routines. The unintended consequence of this self-limitation was a limited impact of EU gender equality policy in the member states.

It is important to note that those who always participated in gender equality policy have really incorporated gender mainstreaming as a strategy, even though they simply did not get through to others who were not involved on an everyday basis. Not only did they understand gender mainstreaming, they even gave it absolute priority. There was no urge and no comparable standard EP procedure for the FEMM committee to involve such a large number of committees. The same applies to the Commission and to some extent to the non-governmental organisations that were organised via the gender lunches. They covered a broad range of policy issues and organisations which came from a wide variety of sources.

4.3   ACCEPTING DIVIDED COMPETENCIES

The interpretations of the standard process implicitly point to another important aspect of EU integration, i.e. the internal division of labour or—who has the competency for what? This includes subsidiarity[10] and the way in which competencies are split among EU institutions. Both, subsidiarity and competency split, affected the way the process was interpreted, particularly in terms of the Roadmap's legislative scope. The two systems are closely interwoven and caused unintended consequences for gender equality policy.

4.3.1   The Competencies and Subsidiarity

The Commission has the power to initiate and propose legislation, as well as the power to control and monitor the implementation of laws, particularly the treaties, and to set the European agenda (Klüver 2012). The so-called right to initiative, the right to propose new supranational legislation, lay only with the Commission[11] at the time of the Roadmap. Consequently, there was no chance for any new hard law, such as a directive, without a Commission proposal. Neither the parliament nor the member states had the power to propose new legislation,[12] even though the FEMM committee and the Advisory Committee favoured legislation on gender budgeting

or gender mainstreaming. Furthermore, the Commission cannot dictate how member states transpose a directive; it can only monitor whether transposition happened and to what extent.[13] The system of policy-making is characterised by negotiations and consent, and all institutions are careful to ensure a stable equilibrium. Back then, the process of policy-making inside the Commission was already so long and complicated that problematic agendas were often kept outside (Hix 2006).

Subsidiarity as a Relief

The interviews gave the impression that civil servants limited delicate actions, which were proposed in relation to the Roadmap, to avoid conflicts with member states. If they had aimed to challenge member states on specific gender equality issues, they would have had to convince the majority of twenty-seven member states of a supranational regulation that would harmonise existing national regulation. Since member states have in the last decade generally tended to insist on subsidiarity, the Commission was aware that member states were quite reluctant to adopt new legislation. Therefore, adopting a benign Roadmap agenda by foregoing legislative proposals disburdened the drafting and adoption process from the consultation with the EP or the Council. The Roadmap was prepared under constant time pressure and any legislative proposal might have caused a delay of the already heavy-going process. This was not acceptable in view of the pressure from stakeholders to publish a new gender equality policy programme.

However, abandoning legislation or actions in member states had the unintended consequence that specific transnational gender equality policy became invisible. The Roadmap impact assessment stated explicitly that *'[t]he main challenge of this option [the Roadmap], however, is that the required political commitment by Member States may not always be present.'*[14] By emphasising that gender equality policy cannot be effectively implemented without the actions of member states, the Commission's civil servants showed that they were extremely aware of the risk when excluding actions that had existed in the previous framework strategy. Indeed, this emphasis was noticed by the Council:

> *This Roadmap is quite different from the one before. The Commission underlined that it can't work on its own. It needs the work of the Council, the ministers and the national countries to go on with some points and it made it fairly clear … , it was asking for commitment from the different member states, and that was quite different from before, and I think that the member states did understand that the Commission can't do it on its own.* (Council representative 5:24)

However, the Council and the member states stuck to their institutional roles and routines. They adopted the gender equality pact, but they did not set up national actions themselves. The Commission probably had different expectations regarding the gender equality pact. They thought that if they could bring the member states to agree upon a programme which replaced the former action programme this would mean implementing the Roadmap. However, the member states did not organise themselves. They rather stressed that they were not responsible; therefore the Commission would have been crucial in order to set up a common gender equality policy programme with impact in member states.

> *The commitment of the Council and the European Parliament is not so intense, there is not really an implication of the Council. We always said, oh yes Commission, it's very good and we will help you, but there is no immediate responsibility for the Council.* (Council representative 5:18)

It seemed that in times of the constitutional crisis,[15] any attempt to harmonise further gender equality as an element of Social Europe was doomed to fail. No surprise: these policies would have cost the member states money, as they would have had to change their social spending (van der Vleuten 2007).

The decision to adopt the Roadmap as a communication without an action programme (that would have required agreement from the EP and the Council) changed the way in which the Council acted and how it perceived its responsibility for gender equality policy:

> *That [communication] is a big difference to a directive. It's [the Commission] putting it [the directive] on the table. But afterwards it will be the responsibility of the Council. It's a directive adopted by the Council. The Roadmap is not adopted by the Council. You see, that is a big difference. It has a big influence on how we were looking at this document. We're just looking at this document as some kind of information that is given to us.* (Council representative 5:96)

The Council representative explained that the Roadmap sparked no commitment on the part of the Council, even though the Commission tried to secure the national application by supporting and drafting the 'European Pact for Gender Equality' in the High Level Group on Gender Mainstreaming. Only legislative proposals with implementation duties cause attention in the Council.

Missing Legislative Proposals

As the Commission is the only EU actor that can propose legislation, complaints about the missing legislation help to identify the actors' boundedness and their structural constraints. A large number of stakeholders forcefully complained about the Roadmap's lack of legislative proposals. At the same time, Commission officials never mentioned the missing legislation. On the contrary, the Commission's response to the EP resolution claimed that legislation would be forthcoming. The Commission stated that '*[t]he Roadmap proposes various legislative measures. Firstly, the Commission will continue to monitor the application of legislation on gender equality in the member states (…). In its concern to improve legislation, the Commission also proposes to conduct an analysis of equality legislation*[16] *(…).'*

Astonishingly, the Commission responded to the accusation that legislative proposals were missing by equating legislative proposals with monitoring the implementation of directives. They euphemised their activities in a similar way on the missing consultation with stakeholders. Unsurprisingly, this annoyed their counterparts:

> *You always have to look at all the European instruments together. (…) And so you have to look at legislation, funds, process of convergence, social dialogue—all these things together make gender equality policy. When you had the previous programmes,—although it was not very ambitious, not very new—at the same time you had very important improvements of the European legislation. But now, that's not the case anymore. So one could have hoped that the Roadmap would have been really ambitious, but it wasn't.* (Member state representative 28:54)

Member state representatives from the interinstitutional groups (Advisory Committee, High Level Group on Gender Mainstreaming) were not only aware of the consequences of excluding legislative proposals in the Roadmap, they even suggested a law on gender mainstreaming when they informally met in advance to negotiate strategic moves:

> *When the meeting started at 10, we met at 9.30 to get together with the ones necessary to push a topic. (…) This was the case with the law on gender mainstreaming: it became interesting to Sweden and the Netherlands, they talked to the Commission as well and then it appeared on the agenda. We failed, but it was still discussed.* (Member state representative 8:47)

Such action was described by Keck and Sikkink (1998) as a 'boomerang'. The member state representatives wanted to extend the content of gender

equality policy by using the EU level to develop tools that improve national policies. Interestingly, in the case of the European Union it was not women's organisations that became active, but rather representatives from national ministries. They were aware that gender mainstreaming legislation could be best enforced by a supranational demand from the EU, which defines the acquis communautaire regarding gender mainstreaming in the member states. Member states' representatives had an informal rule about advance meetings and preparing positions while the Commission officials were not around. The quote suggests that chats among member state representatives were rare and that they needed to make time before supranational meetings took place. Further descriptions of the interviewee explained that it was common to contact the Commission from time to time and that some member states did so, although contacts among member states were not usual.

The quote suggests that the lobby activity was successful at an early stage and that member state representatives managed to put the gender mainstreaming legislation on the agenda via the Advisory Committee. In their commonly adopted opinion[17] the committee members also suggested specific legislation on gender mainstreaming for the EU, as well as for the member state level. However, they failed in the end. The Roadmap timeline highlighted that the meetings with the Advisory Committee took place while the Commission drafted the proposal internally. This means that the Commission, or more specifically DG Employment, must have taken it off because they were the only ones who had contact with the Advisory Committee. It is not possible to ascertain why DG Employment decided to dismiss the proposal. They never mentioned a proposal for gender mainstreaming legislation, even though the interview included a direct question about additional Roadmap content that was excluded or included.

It is speculative why the Commission decided not to propose legislation, although the member states pushed for a law on gender mainstreaming via the Advisory Committee. Ultimately, the proposed legislation was probably only supported by the so-called gender equality forerunners—e.g. Sweden, Netherlands, Finland and Belgium. When the Commission representatives talked bilaterally to other member state representatives, they might have had to acknowledge that there was no chance of adopting gender mainstreaming legislation in the Council.

Explanations for missing legislation and some other kinds of actions were implicitly provided by a Commission interviewee who stated that

there were problems with the administrative DGs (Interview 17). They were calling for measureable, quantifiable working steps in the Roadmap, while the Gender Equality Unit in DG Employment fought to retain the qualitative aspects rather than keeping quantifiable goals only. Another interviewee from the EP illustrated the general challenge of gender equality legislation by comparing the discussions about gender pay gap with a discussion about the death penalty:

> *A: One … of the explanations that you have is this paradox, having such a strong statement in the Treaty makes it very difficult to go for a compromise in implementation.*
> *Q: Because it's so strong that you can't … well, it's very clear … it's just …*
> *A: It [the gender pay gap] cannot exist. I mean it's like the death penalty. The death penalty is not acceptable. Ok, by 2015 we will reduce it 30% … No, it does not exist. It's the same concept. From a legal point of view, it's not sustainable to admit that this [the legislation on the gender pay gap] has existed for 33 years and we have done nothing.* (EP official 23:138–140)

The EP official explained that negotiations about legislation became difficult when the treaties and the proposed constitution included gender equality or at least equal opportunities between women and men as a norm. Eradicating inequalities would become a question of immediate implementation. When legislation forbids unequal pay, discussions about reducing the pay gap automatically contradict the law. With this in mind, discussions about further gender equality legislation would always be postponed, as member states usually feared the costs of such laws (Van der Vleuten 2007).

Overall, it was not only the member state representatives who were unsatisfied with the missing legislation. Almost all other stakeholders (MEPs, NGOs, Social Partners) also criticised the lack of proposals. A trade union interviewee expressed the same embarrassment as the EP official about the missing legislation in the Roadmap:

> *Really, there's nothing. So, I mean that's something that we're picking up and we said it and we say it and we say it and we say it. (…) You know, on childcare, for example, there were targets in Barcelona to have childcare for kids 0-3 and 3-6. There's been no follow-up, nothing. They exist, but because they're not integrated into anything, they're out there. And if you remember them: fine, if you don't: it doesn't really matter. (…) In a lot of other areas nothing exists, that needs to change, you need to put instruments into place. You need to give instruments, some kind of tool, some kind of meat behind them, some kind of*

power, so they can actually force change because leaving things in a wishy-washy language would be fine if you lived in an ideal world where everything worked but … we don't. So you need to have something which obliges forces, where you have a name and shame, where you do something to try and get something to happen and if you don't do that, it's just going to slide and become less important and everything becomes merged and you end up with nothing, with no progress. And that's not something that we want. I don't think it's something that the Commission, certainly not the people working in the area, want, but it's a very, very big struggle. (Social partner representative 31:94)

This quotation shows that the trade unions were not satisfied with the content and set-up of the Roadmap. They expected restrictive goals and new instruments in gender equality policy. The interviewee clearly expressed his/her disappointment with EU gender equality policy and the overall process of the Roadmap, as well as the fact that s/he approached the Commission to lobby for more legislation. The interviewee linked the question of legislation with the question of accountability and pointed to the constraints people faced in the Commission.

A similar concern about the missing link between content and implementation was expressed by a NGO representative:

The problem is how the Commission then decided to tackle this [the content and goals]. Because in many instances it's using existing programmes or existing funding, there is no specific funding provided for it. And then there is the use of programmes that exist already, so that it is difficult to see how that coordination will be made, especially if it is an existing programme and especially if it is managed at the national level. So there are very big objectives and a good analysis, but the means to really do something are sometimes really modest in relation to what seems to be the intention. And also the other problem is that there is very little binding legislation, and also this role on gender mainstreaming that would be necessary is not visible in the Commission itself. (NGO representative 29:40)

Almost all external actors were baffled with the way in which the Roadmap and its content was set up. Where does their dissatisfaction come from? It is only understandable when you look back in time and look at the rules. The former framework strategy included actions which were directed to member states and trade unions and—within all its limits—this was something that trade unions, NGOs and member states, etc were used to. This reflected the routine procedure for gender equality policy programmes in the European Union.

The Commission changed the rules of the game for the Roadmap. Some interviewees provided explanations:

> *The problem that you … can have concrete actions only if you have the power to do so … and the member states have the power.* (Commission official 33:37)

> *We cannot put in the Roadmap a wish list of what we would like the member states to do. And actually negotiation is something that the Commission does all the time with the member states at a level where it's at … which is not mine.* (Commission official 25:107)

For those responsible, it was a logical consequence and a relief to change the format and scope of the policy programme. Because it was so logical and routine they saw no obligation to communicate these changes. They were completely satisfied with the Roadmap and convinced that it was much better than before. The competing structures of the Commission and the external actors are revealed: the Commission understands it as the best way of sharing responsibilities and duties, a logical split of areas of influence; whereas the other actors perceive it as a retreat of the Commission's duties, an escape from former paths.

As a consequence, two competing narratives were constructed. The narrative for the Commission read: 'no legislation required and no one in favour of it'; while the narrative for the NGOs, EP, Social Partners and member states read: 'missed opportunity for tougher legislation'. It is important to note that the external actors sometimes mentioned their awareness of the Commission's limitations and the pressure to put aside legislation:

> *It's just like if the Commission understands that the acquis communautaire would say what it did in 2000, let's say, and won't evolve for years and years. So they had to change their strategy, so the Roadmap is probably the result of this awareness of the difficulty to have a common position on this legislation.* (Member state representative 28:164)

These actors expressed their understanding of certain constraints, even though the Commission officials rarely stated explicitly that opportunities for new legislation were constrained.

It makes a difference where you are institutionally socialised—and all interviewees stuck to their institutional routines. The EP, Council and Social Partners waited for the Commission to make use of its right to initi-

ate new legislation and did not understand that the Commission saw no reason to propose any. On the contrary, they did not perceive an opportunity to get a new piece of legislation adopted, because there were no more subjects covered by the treaties. It is certainly not useful now to discuss which kind of directives could have been passed. However, foregoing legislative proposals contradict the general approach of the Commission as the 'agenda-setter'. The Commission had always aimed to cover new policy issues and drag them to the supranational level (Hix 2006).

The narrative of the Commission officials is rather contested. It is astonishing that it is so dominant and unquestioned, it does not even give the impression that legislation was ever discussed as an option. This homogenous narrative functions as a self-justification vis-a-vis other actors. However, the response to the EP resolution affirms a diverging understanding of what can be called legislation. It is interesting to note how the Commission redefined the call for legislation.

The Relationship Between Process and Content
For the interpretation of the policy process it was crucial to look at the content of the Roadmap, because the way the Roadmap was interpreted determined the final content. An interviewee complained about issues s/he tried to put on the agenda, particularly legislative acts, before they were excluded later on. This tells us something about how the process was used to shape the content of the Roadmap in a particular way. By limiting the Roadmap to a Commission communication without further negotiations with other actors, the Commission had the power to exclude specific proposals, even if they were put forward by all external actors.

All claims about legislation and the complaints about process are deeply connected. If the Commission had chosen to include member states and trade unions in the implementation, as in the previous policy programmes, they would have needed additional time for negotiations and consultations. This might have overloaded the already complicated process in the Commission.

4.4   Asynchronous Timing Impeding Consistency

The publication date of the Roadmap and its time span went almost unnoticed and was seldom mentioned as an important point during the interviews. However, the question of timing implicitly played a role in the narratives; e.g. the Roadmap covered the time from 2006 to 2010, yet

it was published at the beginning of March 2006. This meant that two months had already passed before there could be any official action with reference to the Roadmap. Programmes were usually adopted before they started, not afterwards, as was the case with the Roadmap. The previous Community action programme, which was tied to the framework strategy, was extended in September 2005 until 31st December 2006 and one of the reasons stated was that PROGRESS would not begin before 2007.[18]

The previous framework strategy was published in June 2000, almost half a year before it started. The annotated Fifth Community Action Programme on Equal Opportunities (2001–2005) was adopted by the Council and the EP in December 2000. Surprisingly, not a single interviewee found the starting date of the Roadmap problematic. It seemed as if the Roadmap 'had' been published as close as possible to 8th March, International Women's Day. While the reasons for this remain theoretical, we can extract from some interviews that International Women's Day was a good publication date for the FEMM committee. The MEPs saw it as a factor for attracting public attention for the EP resolution, therefore it played a role in organising the institutional processes. In particular, interviewees from the EP pointed to the necessity of media attention, which could be more easily achieved around international days, dedicated to a topic.

> *When I am assigned a report or an opinion, it's first of all to establish a calendar and in that perspective, I get in contact with some interlocutors, I cannot draw up a calendar at my pleasure. (…). So, you negotiate already because (…) for example, if you know that around March you can adopt it, you would like to adopt it as closely as possible to the International Women's Day to give it more visibility.* (EP official 23:32)

> *But particularly in regard to gender equality policy (…) you need to support or find a spectacular case. Only that would help to make it a topic, to get media attention, to prepare in a way that everyone becomes sensitive to it (…).* (MEP 2:32)

The question of timing was also closely connected to the consequences of the budget and content of the Roadmap.

The Gender Equality Unit of DG Employment asked the other DGs to contribute to the Roadmap's priority action areas. The DGs contributed the following (non-exclusive) list of programmes. The list and time spans explained that the Roadmap's time span 2006–2010 simply did not fit with any of the planned programmes, as illustrated in Table 4.1.

Table 4.1 Policy programmes related to the Roadmap content

Programme name	Adoption	Period	Policy field	Budget in €
PROGRESS	24 October 2006	2007–2013	Employment	657,590,000[a]
ESF	5 July 2006	2007–2013	Employment	Approx. 75 billion
EFRE	5 July 2006	2007–2013	Regional Policy	Approx. 308,041 billion
FP 7	18 September 2006	2007–2013	Research	50,521 million
DAPHNE II	21 April 2004	2004–2008	Justice	50 million
DAPHNE III	25 September 2007	2007–2013	Justice	11,685 million
Lifelong Learning Programme[b] "Investing in People"	15 November 2006	2007–2013	Education	Approx. 7 billion
Europe for Citizens Programme	12 December 2006	2007–2013	Education	215 million
Plan-D for Democracy, Dialogue and Debate	13 October 2005	n.a.	Communication	–
Programme of Community action in the field of public health I	23 September 2002	2003–2008	Health	312 million
Programme of Community action in the field of public health II	23 October 2007	2008–2013	Health	321 million
INTI-Programme	n.d.	2003–2008	Education/ Employment	18 million (2003–2006)

Compilation by author

[a]12% dedicated to the gender equality strand

[b]Sub-programmes Comenius, Erasmus, Leonardo da Vinci and Grundtvig

The overview reveals that the times varied greatly and that none of the programmes equalled the time span of the Roadmap; some started earlier and finished during the Roadmap, others started during the Roadmap time span. When policy programmes are adopted by the Council and EP their goals, budget for specific actions and the call for proposals are fixed. It is impossible to change the text, goals or budget afterwards. From evaluation studies of the European Social Fund we know that those responsible for

the implementation are reluctant to accept additional requirements if they are not written down in the formal decision. Many programmes included in the table above did not mention gender equality as one of their goals (Ahrens 2007). However, there was no explanation in the Roadmap on how the Commission would ensure that the programmes that had already started earlier would take the goals of the Roadmap into account. This was a fact that was mentioned by an EP official and a NGO representative:

> *You cannot say a Roadmap for equality 2006 and 2010 when you have already, for example, (…) the Gender Institute which was way before the Roadmap as a proposal. So you are integrating in the Roadmap things that have been decided previously, just to show that you are doing something.* (EP official 23:78)

> *But, for example, I don't know, this network on women in decision-making is specifically funded. But the big problem is all those programmes, because if they are already there, how can they change them and monitor them? They say the 'Citizens for Europe' programme will contribute to this and that. But do the people who manage these programmes even know about this?* (NGO representative 29:52)

As a consequence of the above programmes the Roadmap process was not used to set up a distinctive gender equality policy, since the Roadmap compiled existing activities. This was a challenge that diminished the policy implications of the Roadmap and was often criticised by a variety of actors. Overall, the different timings of policy programmes that should have contributed to the Roadmap produced accountability problems.

4.5   CONCLUSION

In a political system where network governance and policy-making through networks have become main features, we need to understand how the rules and routines of various actors conflict with each other and lead to choices that in turn produce unintended and detrimental consequences for EU gender equality policy-making. In the aftermath of the adopted Roadmap the responsible actors, the EP and the member states have found it difficult to handle the changes that the Roadmap has caused as a soft law. While preceding policy programmes required the adoption by the Council and the EP, gender equality policy-making has been quietly altered by the Commission. Both the EP and member states have struggled with new routines in reaction to the Roadmap.

The visualisation of how actors perceived the drafting process of the Roadmap helped to discover these differences in narratives and policy tools. The network maps also showed who was perceived as powerful and who played a major role for the individual interviewees in their routine processing of the Roadmap communication.

The actors' interpretations of the Roadmap policy-making were shaped by the bounded knowledgeability and the person's location in time and space. The need to redefine one's individual and institutional role in policy-making on a meso-level influenced the final outcome of Commission's communications.

The specific function of the Roadmap as the overarching policy document for EU gender equality policy conflicted with other routines of network governance. For instance, actors had to adapt to differences between their usual roles in gender equality policy and their role in the Roadmap process. This in turn influenced whether they perceived the policy process positively or negatively. Moreover, the division of competencies often left actors dissatisfied. They expected that their proposals would be included, but faced the fact that the Commission side-lined them.

The range of programmes that had already started before the adoption of the Roadmap revealed that its time span did not fit in with any of the programmes. Moreover, these programmes rarely took gender equality into account, let alone the goals of the Roadmap. Instead, the time spans varied greatly and there was no explanation in the Roadmap in terms of how the Commission would ensure reaching the goal of promoting gender equality through on-going or not yet started programmes.

Overall, four factors influenced policy-making: (1) the differences in the actors' collaboration on the Roadmap from the usual collaborations, particularly regarding policy programmes; (2) the time and location of actors during the drafting process influenced their interpretation of the importance of the Roadmap; (3) the actors' reaction to rules and routines determined the acceptance of divided competencies; (4) the asynchronous timing challenged the publishing and content of the Roadmap.

In the previous framework strategy and connected action programme one of the goals was collaboration with other external stakeholders to the Commission. However, the decision to set up the Roadmap as a Commission communication reduced the potential for action. In combination with the Commission rules and routines the set-up as a Commission communication limited the possibilities to involve external stakeholders in drafting the Roadmap text. Commission officials had little insight into

if and how civil society was organised. They only expected input from the European Women's Lobby. In the Commission, only the Gender Equality Unit of DG Employment knew the extent to which external actors were involved in drafting and adopting the Roadmap. Moreover, the Commission used the rules as a justification to exclude other actors, such as the member states and Social Partners. Choosing this particular drafting process precluded the inclusion of actions that had to be negotiated with member states, Social Partners. or other stakeholders.

NOTES

1. Network governance is closely related to the concept of multi-level governance (MLG).
2. Informal policy networks are not necessarily hidden, yet rules for processes, membership and responsibilities are often not clearly defined. Informal policy networks include, for example, specific working groups or experts who discuss future legislation, policy programmes or comparable elements at the formal level. They often also include the participation of non-governmental actors, like interest or civil society organisations, Social Partners. or companies.
3. For more elaborated discussions of QNA please check Hollstein (2011), Crossley (2010), Fuhse and Mützel (2011).
4. The network maps displayed are all exact reproductions of the paper network maps from the interviews. They were designed with the program EgoNet.QF.
5. The formal rules on mobility, the so-called rotation principle, stipulate an obligation for the top management level (director general and above) to change to a new post after five years. Cf. Guidelines on Mobility, Communication to the Commission SEC (2002) 146 of 12th February 2002.
6. Interviewees often mentioned the previous Commissioners of DG Employment, Anna Diamantopoulou, and of DG Communication, Margot Wallström.
7. To illustrate possible fluctuations: one civil servant changed his/her hierarchical level, yet was aware of the whole policy-making in gender equality policy for quite some time. Another member state representative who worked inside the Commission before the Roadmap was drafted, then moved to a new position at member state level with national responsibility for gender equality policy and was subsequently involved in the drafting of the Roadmap through interinstitutional groups. A third person was responsible for gender equality before the Roadmap was drafted, before switching to a different, yet closely related policy area and was therefore still connected with the topic, although not originally responsible for gender equality policy.
8. At least this shows that equal opportunity policies (defined as non-discrimination and positive action) are firmly rooted in the Commission. Results still have to come, but a programme exists and even at the higher management levels they knew about it and felt committed.

9. Without claiming causality, the 'European Pact for Gender Equality' (adopted at the Spring Council on 23rd/24th March 2006) included the planned member state activities.

10. Subsidiarity has been one of the guiding principles of the EU since the Maastricht Treaty (1992). Accordingly, the EU may only act where action of individual countries would be insufficient.

11. Exemptions were the Social Partners who were allowed to set up agreements via the social dialogue that can be adopted as EU directives in the follow-up.

12. The European Parliament and the Council can suggest to the Commission to propose new legislation.

13. For detailed descriptions of the policy-making process refer to Jørgensen et al. (2006), Richardson (2005, 2012), and Wallace et al. (2005).

14. Cf. Commission staff working document—Annex to the Communication from the Commission to the Council, the European Parliament, the European Economic and Social committee and the Committee of the Regions—A Roadmap for equality between women and men 2006–2010—Impact assessment {COM (2006) 92 final} /SEC/2006/0275/, p. 16.

15. Shortly after the largest enlargement in the history of the EU in 2004, the EU faced a severe crisis in 2005 when the draft constitution in France and the Netherlands was rejected and the summit in Brussels 'collapsed' over the next budget.

16. Cf. Commission response to text adopted in plenary, SP(2007)2139/3, 1st June 2007, p. 1.

17. Advisory Committee on Equal Opportunities for Women and Men, 'Opinion of the Advisory Committee on the forthcoming Commission Communication on future developments for equality between women and men (Roadmap)', November 2005, page 3, 16.

18. Cf. Decision of the European Parliament and of the Council amending Council Decision 2001/51/EC establishing a Programme relating to the Community framework strategy on gender equality and Decision No 848/2004/EC of the European Parliament and of the Council establishing a Community action programme to promote organisations active at European level in the field of equality between men and women. 2004/0194 (COD), Strasbourg, 7th September 2005.

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Roadmap to Nowhere: Institutional Erosion and a Collapsing Network

> *Whenever we talk about gender equality, they want to talk about achievements, they don't want to talk about what more needs to be done.*
> *(Interview with Commission Official)*

How do adopted policies impact on the future of the policy area? What are the issues that are discussed? Will equality policies lead to greater gender equality? One way to answer these questions is by deciphering the different perspectives and assessments of actors. Most of the research in equality policies stops with the adoption process, even though it is equally important to assess what the policies' real effects are (Mazur 2017). The above quotation illustrates a common problem in policy-making: while some actors are satisfied with policies, others criticise the outcome. How do actors judge gender equality? Does it depend on their position inside a specific institution? Does it make a difference if they perceive themselves as feminists or as civil servants with a particular portfolio? The Commission official who is quoted above illustrated their own position as torn between the internal logic of a policy area—by emphasising the achievements—and the external actors who are pressuring for more far-reaching policies. The Commission official understands both positions but is limited in their possibility to satisfy both expectations.

One challenge in policy-making research is the identification of the implications and unintended consequences of certain policy decisions; decisions that in the long run can result in a spill-over, as stipulated by classic neo-functionalist theory. MacRae (2010) argued that especially supranational gender equality policy has been used by the European Commission to justify its activities. How credible is this self-portrayal when the policy implications are negative and when there is a spill-back (Schmitter 1970) instead of intensified integration? When do policies spill over? When do they become deadlocked? This chapter addresses these questions by highlighting the unintended consequences of the Roadmap adoption. How did they come about and what does it mean for the whole policy field? The implications cannot be found on the policy content level only, but also in regard to other aspects, such as policy networks, resources, importance of policies in general and accountability.

If we want to improve policy-making we need to illuminate its inherent contradictions, the varied perspectives of its actors and its implications for the policies after adoption. This chapter analyses the short-term and long-term implications of the Roadmap as a soft law instrument. Policy instruments as tools of (supranational) governance have been researched for some time (Hood 1986; Hood and Margetts 2007; Peters et al. 1998; Salamon 2002). However, the focus was often limited to functional questions (Kassim and Le Galès 2010; Lascoumes and Le Galès 2007). A recent sociological strand of instrument research suggests broadening and deepening the scope of enquiry by conceptualising instruments as institutions and carefully examining the intended and unintended consequences of choosing a certain instrument, since '(e)very instrument constitutes a condensed form of knowledge about social control and ways of exercising it' (Kassim and Le Galès 2010: 6). What were the consequences of adopting EU gender equality programmes through a Commission communication? How did the form affect every day working life, policy networks and the possible scope of future policies?

Overall, the actors' constellations and gender equality policy-making routines evolved over time and led to short-term and long-term consequences for gender equality policy-making on a supranational level. The decision to draft the Roadmap as a Commission communication reduced the potential for promoting a range of other activities. It denied the

opportunity to include actions that had to be negotiated with member states, Social Partners or other stakeholders.

The impact of policy programmes largely depends on the factual role that the programme plays for actors in the given policy area, as well as its scope and content. The quality of the Roadmap as a typical soft law tool deteriorated; so did the significance that actors attributed to the Roadmap. In the eyes of the actors the significance of the Roadmap was closely connected with its role in the overall EU gender equality policy. In the long term the overall assessment of the Roadmap led to a split between actors and an erosion of the network—regardless of whether actors were satisfied with the drafting and adoption process or not.

Other studies have shown the effectiveness of soft law, as long as the mechanisms for implementation are working well and as long as there is accountability. Accountability, compulsory adoption and actor buy-in are important indicators for how firmly gender equality will be established. What seems like acceptable accountability for most of the Commission's civil servants turned out to be the beginning of the end of gender equality networks. It also led to institutional erosion.

This chapter examines how actors talked about the Roadmap and their interactions with other actors in the priority action areas.

5.1   Short-Term Policy Implications of the Policy Process

The policy process of the Roadmap had a direct effect on gender equality policy-making. The policy implication of the Roadmap was low, particularly in comparison with the previous policy programmes and other connected programmes, such as the Seventh Framework Programme (FP7) in EU research policy. The Roadmap had limited accountability, it was not binding and the budget was unclear. The drafting process of the Roadmap moved it into the background for the people who were predominantly responsible for its implementation.

The budget was not only unknown, even the fact that there was no official budget was forgotten. Allocated resources provide actors with power and represent an important basis for producing social practices, so the policy implications of an unknown budget are immense.

5.1.1   *Accountability and Compulsory Character*

In terms of accountability and enforcement many external actors were dissatisfied with their exclusion from the drafting process which led to general criticism of EU gender equality policy. The Roadmap was not automatically included in the actors' narratives when they talked about gender equality policy. Whether the Roadmap was in the foreground or background of everyday work varied significantly among actors.

By using Commission communications as a legal instrument for gender equality policy programmes, the European Commission intended to exclude actions that involved member states, Social Partners and other stakeholders. This was consistent with the inherent logic of Commission communications, since they only concern actions of the Commission. In this occasion, however, the decision reversed the previous history of these policy programmes—member states organisations, Social Partners and women's organisations were already used to supranational projects and had to adjust to the new set-up. The adjustment was not necessary in terms of the general content—all actors supported the six priority areas of action of the Roadmap:

> *But on an overall level, the priority fields chosen are very relevant. And if I would be asked to choose six priorities, it would be those.* (NGO representative 16:54)

> *The six areas identified in the Roadmap are often the subject of our reports, so there is wide support for these as the main areas in which gender equality can be advanced.* (EP official 22:3)

> *It is good to have a Roadmap. You can tell, this is the situation and the Roadmap says what we will give priority on this and this and this. In that way it's good. I think we have chosen the best issues to start with. I have no different opinion.* (MEP 3:88)

While the content was unquestioned, a variety of actors extensively criticised the way the programme was implemented. The European Women's Lobby, for example, struggled to gain access to the Interservice Group on Gender Mainstreaming and claimed that the policy process, together with the final Roadmap content, caused lower accountability than any previous policy programme.

When the Roadmap was adopted the different actors within the Commission DGs were aware of their commitments. They expected the Gender Equality Unit to lead the implementation and, if necessary, remind everyone about their duties. These included which Commission actors had which obligations and, more precisely, what commitments were defined in the content of the Roadmap. At the same time, member states, Social Partners and NGOs were still searching for their new roles. These were, however, never assigned nor negotiated in the policy process. Excluded by the legal instrument and left with a supervisory role, the NGOs, trade unions and FEMM Committee mistrusted the accountability of the Roadmap.

The lack of accountability and non-compulsory character of the Roadmap was of concern to all gender equality actors. However, there was no unity. The question of whether it was good or bad that the Roadmap compiled existing policies rather than signposting new goals was contested. There was a clear split between Commission officials on the one hand and from NGO representatives and the EP's left political spectrum on the other. The remaining actors, such as member states and expert group representatives, were more widely distributed and less determined in their judgment.

In the interviews three different criteria emerged for measuring the accountability and compulsory character of the Roadmap. The criteria were implicitly agreed but judged differently: (1) The necessity of legislative proposals and how they were forecast; (2) how the policy areas were compiled; (3) the hierarchical power of the Roadmap over the policy programmes for the promotion of gender equality.

In terms of these three criteria the actors judged the Roadmap's compulsory character as: (1) a good compilation with suitable accountability; (2) an acceptable compilation with fine accountability; or (3) a dissatisfactory compilation, lacking accountability. The judgments were not simple statements; they had an impact on how the actors positioned themselves in relation to others, they steered the follow-up behaviour. The contrasting perception of these crucial aspects had the unintended consequence of destroying the ties between Commission actors on the one hand and the FEMM Committee and the EWL on the other hand.

Good Compilation and Suitable Accountability
EU policies are by definition directed to its member states. Consequently all policy actions of the Roadmap should ultimately have an effect in the

member states. Surprisingly, the Roadmap had the adverse effect: member state representatives simply blocked out activities which were included in the Roadmap when they were not directly mentioned. The decision to limit the responsible actors for the Roadmap to Commission DGs and to compile existing programmes was considered appropriate by the majority of Commission officials and member state representatives. A Commission official explained the compilation with a reference to the treaties and what they allowed the Commission to do vis-à-vis the member states:

> *[The Roadmap] is very much a community competence and we are in the realm of shared competences in social affairs. And we've always got to make sure that all member states are going to agree.* (Commission official 11:157)

The interviewees referred to divided competencies and subsidiarity as a reason for the selection of the content. Some member states saw the design of the Roadmap as a matter of making gender equality more accessible and visible to the rest of the world.

> *I think it is interesting that it is a good cosmetic aspect, but it's important for the visibility. The fact that it is now called Roadmap for the future and it is in one document is a better way to sell gender equality policies and it is easier to refer to it than when it was in gender equality programmes. It's much more simplified, rational, the fact that indicators are clearer … it looks as if it would be a global strategy even though it is not yet a global strategy, because there are a lot of missing fields, but it looks more like that.* (Member state representative 28:50)

The member state representative directly compared the Roadmap with the previous policy programme, which consisted of an action programme and the framework strategy. The main point for the member state representative is the visibility of the Roadmap; the accountability is assigned to simplicity, rationality and clear indicators.

Commission officials also presented the compilation of existing activities as a way of simplifying gender equality policy; it was a concession that there would be no additional commitments to fulfil:

> *The Roadmap is more a reflection of what we do and what we intend to do. It was not the Roadmap that told us what we are going to do in the future, you know, it's more, we have a series of commitments, we have a series of activities, so we put that in the Roadmap. So it was quite easy. It's not that the Roadmap*

asks us to do something different, something more than what was planned. It … gives coherence, sets priorities but it doesn't introduce new elements. (Commission official 19:74)

The support for compiling existing policies explains why asynchronous timing occurred and why no new elements were set up. The Gender Equality Unit of DG Employment hereby assured broad support for the Roadmap. This way conflicts that might have become virulent were avoided. Commission officials from other DGs acknowledged this strategic move:

My impression is that it's not something that came out of the head of the people drafting the Roadmap and they imposed it on other DGs, but of course they built on already existing structures. (Commission official 1:182)

Surprisingly, the view that assuring support reflected the most important step for accountability was not only provided by Commission officials; indeed, an MEP also talked about a similar aspect:

Of course, I can have my own proposals, but I think this [the Roadmap] is the best way because if you want to succeed you must have a lot of members to support it, and because of that I think this is the best way. I haven't had any other proposal because I realised that for the next ten years perhaps we can have another issue, but now it's the best, for the time it's the best. (MEP 3:90)

How 'easy' it was to implement the Roadmap in the Commission was already indicated by the fact that the final draft did not even make it to the top of the College of Commissioners' agenda. The College of Commissioners adopted the Roadmap communication without any further discussion. The document was not in 'oral procedure', so it was not tabled or discussed. It was not an important item on the schedule of the Commissioners' College because all critical points were erased in advance.

One cabinet member admitted that the *chef de cabinet* did not read every Commission proposal, only their own important ones—and those that could cause problems and conflicts between their DG and competing departments. A similar approach for legislative proposals has been noted by Hartlapp et al. (2013). The cabinet member also explained that the Roadmap was probably not noticed by her/him, because his/her assistant saw no problem. S/he followed an informal rule of agreeing to the proposal when no problems were expected.

Some expressed the view that the Roadmap could very well function as a checklist—a working document where everyone knew what to do and when:

> *I think that is the big advantage of the Roadmap, this time it was quite on the point of education: this is the problem, this is what the Commission can do, it was very good. Immediately, you could work with this document. Before it was more a text, now it was a working document. Immediately you could see what is expected from whom. And this has some advantage.* (Council representative 5:60)

Again, the Roadmap was compared with the previous policy programme, the framework strategy, which was perceived as a political document that set the agenda and goals. The Council representative was able to distinguish what is expected from the Commission and the member states regarding gender equality policy, as s/he was aware of how the competencies in the different policy areas were split. Where the Commission needed the member states' approval, e.g. for the Structural Funds regulations, the member states were mentioned. In reverse, member state representatives might have simply blocked out the other activities because they were not directly mentioned. However, this seems to reflect paradoxical thinking, as—by definition—EU policies are directed to its member states and all policy actions of the Roadmap should ultimately have an effect in the member states.

Acceptable Compilation and Fine Accountability

While the first group never challenged the procedures and the final product of the Roadmap, the second group accepted the process and product more in the context in which it was set up. Consequently, assessments were slightly more critical in terms of its accountability.

> *That is the problem with most of the points which are identified in the Roadmap. Apart from the first one, which is very concrete, even if it is quantitative and does not really make a huge difference in life. There might be some member states which improve, others not. But in general, the points are not something that people would disagree with … we need to achieve this. But in the action strategy it is saying yes, we will promote, promote, promote. And when it comes to actions and the assessment of achievements … on the other side, these are hard to measure and see how they are progressing.* (NGO representative 16:86)

As the actors embraced the clear division of duties, the NGO representative was aware who would be responsible for which part. Contrary to the satisfied Council representative, the NGO representative questioned the accountability and suspected that the supranational effects were unpredictable and would depend on national activities and preferences. The interviewee also concluded that measuring the Roadmap's achievement in terms of the elimination of gender inequalities was an unworkable idea.

The trade union representative was undetermined in his/her judgment of the Roadmap and combined it with an incident from the drafting process:

> *We contributed to it in the consultation and one of the things we would have liked … was a stronger Roadmap with some kind of consequences to it. It didn't happen. That's how the Commission wanted it to be. And so that's there.* (Social partner representative 31:50)

They lobbied for 'consequences', such as quantifiable goals or sanctions for non-implementation that should have resulted from the activities, as stipulated in the Roadmap. S/he made clear that it was the Commission who decided to adopt a Roadmap communication that did not call for any other kind of sanctions for non-implementation. Nonetheless, the social partner representative also noted that adoption does not necessarily result in direct implementation; the adopted text was seen as an opportunity to reach their goals in the drafting process at a later stage:

> *You can try and play a role in influencing the follow-up to say: 'Look, this works really well, but this isn't so good. Your procedures are very complicated, your priorities maybe aren't 100% accurate'. So you try and influence it in the pre-stages and then in the actual run-up and try to work with the people who are actually drafting the projects.* (Social partner representative 31:112)

The trade union representative saw the opportunity to compensate failures in terms of accountability and was confident that the implementation process would leave room for adjustments at a later stage. Nevertheless, such kind of ex-post-adjustment would only be possible for activities where additional actors could be involved. However, all activities with Commission actors remained unaffected.

Dissatisfactory Compilation and Lacking Accountability
Representatives from the member states, NGOs and the FEMM representative emphasised the critical voices about the actual accountability of the Roadmap and the EP resolution which specifically addressed these questions.[1] They expressed dissatisfaction about compiling actions rather than designing something new, about missing sanctions and monitoring mechanisms. They concluded that the Roadmap lacked accountability. In their statements they often said that they particularly missed clearly defined goals, concrete activities which were connected to the goals and tools to assess progress:

> *We need to have a Tableau de Bord or a Roadmap, which lists very carefully all actions to be done, and really to have something that can be evaluated, assessed, monitored. Because otherwise you don't know what to do, you don't know when you have to do it, and you cannot assess the improvement or the obstacles. We need to have something where the actions are really identified and monitored.* (Member state representative 26:39)

> *The problem with the Roadmap is that … it's not concrete. It's a very good map, in the sense of where you are going, but it's a bad map in saying how you should be going there. Where is the road that I have to choose? [It's as] if I am a pilot and I don't know what I have to put on my radar … So in that sense my problem with the Roadmap is that it's a very good list of what are the topics that need to be raised. But it's not ambitious on how we need to tackle this.* (MEP 24:30)

Interviewees expressed their overall agreement, but assessed the Roadmap negatively. They also criticised the missing compulsory character of gender mainstreaming in other soft law processes. They saw the failed connection of the Roadmap with these soft law processes:

> *One thing I really regret very much is the fact that if you look at the European employment strategy, open methods of coordination, and all the fields that are covered by the open methods of coordination, research and development, Bologna process, social protection, and so on, all these processes have a strong gender dimension and I really regret that the Roadmap has not taken this as a basis to implement gender policies in all these. So we have a Roadmap which is less strong than the others and that doesn't get into the others to implement gender policies. That's one thing I really regret. And there are no connections between all these processes.* (Member state representative 28:232)

The member state representative described the power relations between gender equality and other policy areas by referring to the other policy processes and the limited compulsory character of the Roadmap. This pointed to the challenges of the gender mainstreaming implementation—similar to the problem of pilot projects getting from the initial stage with best practice to a lasting standard use (Ahrens and Lewalter 2005).

An MEP interpreted the way in which goals and action plans were expressed in the Roadmap as problematic and a sign for missing accountability and the limited compulsory character:

> *In general the attitude is what you do … recommendations … but you are vague. So it is a way to save your soul, but without having a binding commitment. And this is what I feel about the Roadmap. Of course I am in favour of women's economic independence, of course I am in favour of putting gender issues in the development programme, of course I am in favour of [more women in] decision making, but I mean if you only show good intentions this is not enough.* (MEP 10:4)

The MEP described a form of euphemism or avoidance of binding commitments. The policy areas in the Roadmap were adequate, but the consequences were not. There were recommendations for adequate actions, but no specific, measurable steps to eliminate inequalities. Recommendations give the impression that the problem will be tackled. When there is no obligation it is left open whether the problem will be approached or solved. Therefore, the Commission euphemised the compulsory character of the Roadmap; there were hardly any strict obligations, only 'good intentions'.

An EP official provided a similar, drastic judgment of the Roadmap as a harmless communication. S/he described the Roadmap as a 'reheated soup' without 'added value'.

> *You could say it's a 'reheated soup'. (…) There is no added value in the way it is expressed. We should guarantee the economic independence of women. (…) We should do it [gender equality policy] in Third World countries. Great, I am very happy. Have you a proposal ready on the gender impact assessment on the development programmes? No? So what have you been talking about? (…) We made an exercise with a gender mainstreaming teacher here, taking the annex of the Roadmap to see what was feasible or not. Most of them were not feasible. Not feasible because they don't have the knowledge. And they don't have the resources to pool the knowledge. And they cannot rely on the Gender Institute. (…) So, what is left for DG Employment—except a Roadmap that does not harm anyone?* (EP official 23:74, 96–98)

The EP official explained that the proposed steps in the Roadmap lacked a consistent translation into reliable and feasible implementation. From his/her perspective, many proposals were too broad and ideas and tools for their implementation were not available due to missing resources. Such a gap between the goals, actions, tools and resources and their actual implementation can only be described as window-dressing. The Commission covered a broad range of issues that gave the impression of targeted activities, yet there was hardly any consistency in the implementation.

The criticism of the Roadmap even turned into a general critique of EU gender equality policy. An expert group representative was annoyed that gender equality policy merely consisted of listing endless problems without discussing the existing tools to tackle gender inequalities (Interview 9). S/he particularly criticised the lack of open, conflictual discussions about policy goals and policy priorities among actors and about some standard understanding of gender equality in the EU.

Even though actors supported the overall content, the majority became confused by the way in which the Roadmap was compiled. The confusion was caused by the compilation of activities that already existed or were part of other programmes. Nonetheless, such confusion should not be mistaken as a criticism of the policy issues or the Roadmap's outline.

The way in which activities were compiled led to confusion and criticism from several sides. Even officials from the Commission's Interservice Group on gender equality, who were truly engaged, had problems defining the action priorities (Interview 32). They often had to check the Roadmap document[2] to name the location of their projects (Interview 25) or they stated that their project was included, albeit under a completely wrong heading (Interview 12).

For non-Commission actors, the compilation was also confusing and disappointing; they either did not know which DG contributed to which part or concluded that no new activities were stipulated:

The Roadmap is a symbolic act because the Roadmap in itself is not giving anything new …—I don't know. But it was given to us as new. This database on women in decision-making existed way before 2006 by the way. (EP official 23:126)

The problem is how the Commission then decided to tackle this. Because in many instances it's using existing programmes or existing funding, there is no specific

funding provided for it. And then … using programmes that exist already, so that it is difficult to see how that coordination will be made, especially if it is an existing programme, and especially if it is managed at the national level. So it has very big objectives and a good analysis, but the means to really do something are sometimes really modest in relation to what seems to be the intention. (NGO representative 29:44)

In general, actors were convinced that the pure compilation of existing programmes and activities indicated that the Roadmap was not binding and innovative. This was a novelty for EU gender equality policy programmes, according to a member state representative:

When you had the previous programmes, it was not very ambitious, not very new, but at the same time you had very important improvements towards the European legislation. But now, that's not the case anymore. So one could have hoped that the Roadmap would have been a really ambitious thing, but it wasn't. (Member state representative 28:54)

Regardless of how external actors judged the compulsory character of the Roadmap, the pivotal question was how the Commission officials themselves perceived their obligations in the Roadmap. To some extent, the narratives of the Commission officials confirm the anxieties of the external actors about the Roadmap's lack of accountability:

Q: Maybe I misunderstand, but I thought when you oblige yourself to do that in the Roadmap, how can you get out of that?
A: That is a very good question. Two things: first of all, the Roadmap is a framework, but we actually do our own agenda. This is basically the communication.[3] And the communication fits into the Roadmap, but even if there was no Roadmap, we would have done the communication. Or, I hope so. So, it is a tricky thing, because it looks like we do what we do because there is a Roadmap. But I think that you can turn it around and say that the Roadmap is like that because DG Employment looked at who is doing what and they knew already at that time that we are doing this communication. Does that make sense?
Q: Yes, sure.
A: The second one, probably even more surprising. How is it possible that we have a communication that contains obligations, and then we don't implement them? I mean, the Roadmap itself is also a communication, so legally it's obligatory for the Commission, and then we don't do anything. Well, it happens very often! (Commission official 1:53–55)

Consequently, asynchronous timing inside the Commission between gender equality policy and other policy areas challenged the Roadmap's binding and relevance. The moment the Roadmap communication was adopted and the formal implementation started, external actors to the Commission were rarely able to control and monitor progress in detail. Instead, they had to rely on the annual working programme or the mid-term progress report which was compiled by the Gender Equality Unit of DG Employment.[4] One of the informal routines of the Commission apparently included foregoing obligations, provided that no external actor asked or complained; a habit that was confirmed by the same Commission official:

> *[internal sanction mechanism]. There's a complete lack of accountability. It's strange, but we are working like this. I tell you, because many people know it, I think that the NGO people, they also know this.* (Commission official 1:59)

In the 2007 EP resolution the FEMM Committee criticised the absence of any evaluation of the previous action programmes. This would be required to prove that the Roadmap challenged the correct areas and appropriately tackled the defined problems. Yet, this criticism did not have any impact on the Roadmap any more. In other words, monitoring often happened at a time when it was too late to change the next document. The content of the EP resolution on the Roadmap provided a good example in this respect.

The Roadmap listed gender action plans in the Seventh Framework Programme (FP 7) as the EU tool to promote gender equality in research policy.[5] However, the gender action plans were turned into voluntary elements in FP 7, despite their obligatory character in the Roadmap. A Commission official explained this by stating that FP 7 had a higher hierarchical power than the Roadmap and that the DG decided to abandon them for various reasons (Interview 4). This means that the Gender Equality Unit of DG Employment had no power to enforce the implementation of the Roadmap regarding gender action plans.

5.1.2   The Roadmap as Foreground or Background in Everyday Working Life

Was the Roadmap in the foreground or background of the working life of (supra)national actors? The answer is indicative for the impact of EU soft

law in general. The analysis of whether the Roadmap was important to the interviewees' working lives includes the national and supranational levels. The foreground/background distinction was tied to different (geographical) spaces with opposite perceptions by the supranational level on the one hand and the national level on the other. In other words, while the people on the national level frequently referred to the Roadmap, the interviewees on the supranational level did rarely mention it.

Unexpectedly, almost none of the interviewees on the supranational institutions and organisations mentioned the Roadmap.[6] The Roadmap was not part of the narratives about their daily work, it was in the background. By contrast, almost everyone provided broad descriptions on elements, such as administrative duties, exchange with colleagues, screening and distributing information, lobbying or being lobbied, meetings, presentations, plenary or committee sittings, writing briefings or policy papers; i.e. tasks regarding other policy issues.[7] During the investigation interviewees almost forgot about the Roadmap's existence as part of their everyday work, except when they were working on one of the main topics, when they were in a leading position in the FEMM Committee, when they worked on the topic of the Roadmap for a NGO or one of the Social Partners. The Roadmap was placed in the foreground when interviewees were asked about their institution's participation in the drafting and/or implementation of the Roadmap or in EU gender equality policy in general.

> It's not to say that the Roadmap is not important, because it is important. And it's really a benchmark for us, because we do this reporting every year, and then we can see what we did. But actually we do our external reporting anyway every year. (Commission official 1:182)

Surprisingly, interviewees immediately put the Roadmap in the foreground when they described the policy programme as a tool for implementing EU policies at a national level (Interview 15 and interview 27). The Roadmap was often seen as a simple tool to motivate the member states or to support raising awareness for gender equality policy:

> Actually all these action plans are nothing else than a tool to drag this topic back into consciousness, to enervate the member states in order to get them actually moving and do something. (MEP 2:30)

So basically, whenever we put a policy recommendation or position forward, we also include the gender perspective, to remind people that actually there is gender equality, there is the Roadmap to follow. (NGO representative 16:34)

The Roadmap as a point of reference was acknowledged as a tool for the communication between the Commission, Council and EP. It was also seen as a tool for running top-level discussions and broadcasting gender equality policies in their own institutions:

Mr. Barroso and Mr Špidla and we [the FEMM Committee] always talk about the Roadmap. (…) And we can use the Roadmap when we have discussions in our group, we can refer to the Roadmap. Because as I said before, our group has given priority to women's rights, so we are the members, they realise that we are doing the best we can, so they very often say: 'It's ok, go on'. (MEP 3:65;94)

The notion that the Roadmap was indeed an important point of reference in several member states can be derived from the statements of the Social Partners and MEPs who mentioned the Roadmap as the dominant document.

I think the existing complementary strategy is extremely important, that the two complement each other, on the one hand the practical measures implemented by the social partners, and on the other hand the policies on EU level. (Social partner representative 15:22)

Just to try and make progress in a number of areas, there's an overlap between what's said in the Roadmap—and that's kind of calling on a national level to do stuff—and the social partners that are feeding into that via the framework of actions to try and make progress at company level, at workplace level etc. (Social partner representative 31:20)

… we took the proposal and we had a debate in [city name], coinciding with the annual [party name] meeting (…). And there we had a specific debate on what specific points we considered crucial, and what we needed. (MEP 24:59)

The function of the Roadmap was the dummy for EU gender equality policy. This is confirmed by the analysis of national references to EU gender equality policy which was often combined with the Structural Funds. The Roadmap was cited as '*the*' point of reference, the benchmark for EU

gender equality policy. It was uploaded and promoted on several websites and quoted in central documents of national authorities, e.g. by the National Council of Women of Malta, the project Gender4Growth within the Interregional Cooperation Programme INTERREG IVC, the Agency for Gender Equality within the ESF, Germany, by the Northern Ireland European Social Fund Programme 2007–2013 and by Hungarian governing authorities for the EU programme EQUAL.[8] Such references indicated that the Roadmap was important to the national level and women's or gender equality organisations in the member states, even though the Roadmap was less visible at the supranational level.

The fact that the Roadmap was placed into the background in everyday work sometimes caused a shift to other tools; a shift that did not exist during the previous policy and action programme, the framework strategy.

> *In our work, we know there's a Roadmap, we know what the priorities are in it but we don't work on the Roadmap on a day-to-day basis and we're using our own instruments to try and strengthen gender equality, whereas before we worked very much in line with the framework [strategy].* (Social partner representative 31:76)

This means that the change in the actors who were involved in drafting and implementing the Roadmap had the unintended consequence that the policy programme became less visible in the everyday work of those who were working on EU gender equality policy. The Roadmap slid into the background at the supranational level, while activities at the national level still relied on the Roadmap policy programme, as if it had the same function as the previous framework strategy.

5.2 Long-Term Policy Implications of the Policy Process

The Roadmap fundamentally changed gender equality policy-making and had severe long-term effects for the policy area.

First, the Roadmap is the first ever gender equality policy programme without its own action programme and—even more importantly—a clearly defined budget. Instead, different Community programmes, such as PROGRESS or DAPHNE or the structural funds, were supposed to provide the necessary resources. Such a broad distribution made it almost

impossible to follow up expenditures for any gender equality actor, even for MEPs. Budget issues became further complicated by the fact that the Commission's actor in charge—the Gender Equality Unit of DG Employment—had almost no opportunity to control the correct expenditure of the budget which was assigned to the Roadmap. Second, the overall assessment of the Roadmap led to a split between the actors, regardless of whether they were satisfied with the drafting and adoption policy process or not.

5.2.1   The (Unknown) Budget

Budget concerns are a central feature of politics. The expenditure on different policy areas demonstrates the overall priorities of a political system and its governing actors. The EU budget is particularly complex, as the EU does not have any tax authority itself; it relies on member states' revenues which are calculated via a complicated system.[9] The Commission proposes the annual budget, which is subsequently amended and adopted by the Council and the European Parliament.[10]

The EU budget plan is called the 'multi-annual financial framework'[11] and defines maximum spending for different priorities for a seven-year period. For the time span 2007–2013 the priorities were harnessing European economic growth and sustainable growth, strengthening European citizenship and developing a coherent role for Europe on the global stage.[12]

Policies need resources for implementation; this is a crucial point of which everyone is aware. Therefore, comments on the Roadmap budget fit into the general concerns about budget and resources. Interviewees raised concerns that a limited, reduced or unavailable budget was a sign of opposition and signified a lack of support for gender equality policy.

The rules for financial management, control standards and the accounting system are proposed, negotiated and controlled by DG Budget. The functioning of the Commission budget management was known by the majority of the Commission officials, some of whom linked their comments to the formal rules and their influence on planned expenditure or the role of DG Budget.

Surprisingly, the majority of actors—regardless of the institution—were unable to estimate the budget for the Roadmap. During the interviews this question almost always caused consternation and the answers switched between considering and underplaying the role of the budget:

Q: Do you know anything about the budget of the Roadmap?
A: No, because even in general … I just did not know so much about it. But not that I am aware of anything. I'm not even sure that there is specific gender budgeting inside the Commission. (…) But that would be another gap, if one is to look at it. (…) I did not think of that point. (NGO representative 16:96)

It was astonishing to hear that many actors did not even care how much money was allocated for gender equality in the Roadmap. Such disinterest would be understandable if the interviewee was not responsible for gender equality; however, quite the opposite was true. Most were uninformed about the budget or made false assumptions:

Q: You would say that the specific budget in PROGRESS is comparable to the former action programme.
A: Yes. So basically, we have said the same. I mean, we have not said it in the Roadmap, but it is clear, because there is a programme, there is PROGRESS. And it's clear, that the money that goes to gender equality for this unit and this specific budget, but not for mainstreaming. And I know that there is the kind of very complex structure to measure the implementation of PROGRESS, including mainstreaming activities… Of course, every DG should be able to say how much money … I know for instance if you ask the DG AIDCO or Development, they have a budget on specific projects, because they use the OECD gender macros. (Commission official 6:265)

The RELEX family and DG Research, did not have a problem in naming their expenditure, regardless of whether it concerned specific actions or gender mainstreaming. According to civil servants the RELEX family spent around 8 million Euros per year for specific actions in the 10th European Development Fund. Gender mainstreaming estimated another 10 billion Euros per year. The sum was calculated with the OECD scoreboard with one-third of all financed projects as so-called level 1 and another third of projects as level 2. Level 1 means that gender equality was seen as one objective among a collection of others; Level 2 means that gender equality was seen as a primary objective. More money was spent via the programme 'Investing in People'. DG Research estimated the gender equality budget as roughly 5–6 Million Euros per year for specific actions and more resources via gender mainstreaming activities by other units in social sciences and humanities. However, no estimate was available in 2008. This calculation contradicted the statements of other DGs, where Commission officials insisted that it was not possible to estimate the overall

expenditure. Sophie Jacquot calculated that '[w]hereas in 1990 all the funds devoted to gender equality were channelled to the social domain, 15 years later this share has fallen to less than 50 per cent.' (Jacquot 2010: 127).

Other interviewees explained that budget discussions caused conflicts, sometimes due to the difficulties in estimating the sum when it came to gender mainstreaming, as opposed to specific actions for women or men:

> *You are also interested in resources? Budget? No budget. (…) Yes, but I mean the programmes, you know, when you touch the money … gender concerns—it's more like salt and pepper, it's not what you eat, it's the flavour of what you eat (…) So there's no separate gender budget—it's a hot issue. (…) But they cannot say, ok, on this programme for so many millions of Euros and there are 150.000 Euros which are mine. This is impossible. Mainstreaming is taken into consideration not substituted. So, we actually harvest quite a number of projects which are definitely relevant in terms of fighting illiteracy, women with children, migrants … gender stereotypes.* (Commission official 25:77)

The Commission official explained that the Commission sets up a programme or project which focuses on a particular topic, such as fighting illiteracy or combating human trafficking. Promoting gender equality would be one of the objectives in such a context; the 'salt and pepper' rather than the main objective. The substitution approach was obviously debated, which was 'a hot issue' and caused problems in terms of how much money should be spent on promoting gender equality.

The Commission's corruption scandal in 1999 caused changes to the internal budget procedures. This often resulted in combining programmes that had previously been separate, as in the case of PROGRESS[13] (Interview 11).

It was puzzling to see that the consciousness about the missing allocation disappeared the moment it was decoupled from an action programme. As long as there was an action programme, people were able to ask about the budget. By contrast, without a specific gender equality action programme budget questions were dropped, particularly because programmes were not assigned to the FEMM Committee as a primary responsibility. They rather fell under the responsibility of other committees for corresponding programmes; e.g. PROGRESS was the responsibility of the Employment and Social Affairs Committee. NGO representatives confirmed this effect for EU policy areas in general:

I really can't tell you more on that because it's not an area of our work and, unfortunately, you will find in Brussels that there's so much to follow that you need to stick to the areas that your working group is working on. (NGO representative 18:36)

The consequences of an unknown budget are subtle. If you do not assign an action programme and state that policies will be financed by various budget lines instead, people stop asking about it. A diminished budget can be interpreted as a way of avoiding control or switching the attention to the content. However, what is the content without resources? If you allocate a clear budget, people will ask whether you spent it. If you leave a blank, people will probably notice, yet if you mention various programmes, people will forget about it. Even though the Gender Equality Unit did not do it on purpose, the missing budget ultimately weakened the programme.

Control over the Budget in the Commission
The Gender Equality Unit of DG Employment claimed to have a budget line, although they could not control it immediately, they needed to contact their colleagues.[14] As long as they were responsible for the previous action programme, they entirely controlled the expenditure and allocation. When examining the documents of the PROGRESS programme, the lack of control became evident. The budget for the gender equality policy area was 12% of the overall budget.[15] In 2008, the specific gender branch in PROGRESS only amounted to 9%; the missing three percentage points shifted to the other policy areas. One EP official was convinced that it would be impossible to reach the average earmarked 12% of the budget as there had already been a large gap from the start. In reverse, the other policy areas would have had to shift parts of their budget in the remaining years to close the gap; something that was considered unrealistic (Interview 23). The 2012 analysis of the PROGRESS implementation is revealing. Even though the planned share of commitments for gender equality had been raised above 13% since 2011, the actual expenditure was alarmingly low. The gap between plans and actual expenditure almost only occurred for gender equality.[16] Commission officials were aware about the risk that the PROGRESS budget for gender equality could be shifted to the other four policy areas:

Q: Does it make a difference that you don't have a specific action programme, but it's integrated into other programmes?
A: What do you mean? I don't know in terms of management how the difference is made. I don't think that for the outside or for the action … It is so different. Apart from the fact that in PROGRESS you can always move on from the inside. So, if you don't spend your whole money on gender, which is sort of the budget for gender equality, it will go to the strand for persons with disabilities or to others who've got better proposals. So, it's a question of how proactive the Unit dealing with gender equality is and how they sort of make sure they spend their money. (Commission official 11:49–50)

Interestingly, important gender equality actors, such as the European Women's Lobby and the FEMM Committee, did not know that the PROGRESS budget for gender equality was not exploited at the time of the interviews. The reason for their lack of information is due to their limited knowledge about things that happened under the supervision of actors who were not usually involved in EU gender equality policy. The responsibility for PROGRESS in the EP was located in the Committee on Employment and Social Affairs (EMPL), while the previous action programme on gender equality fell within the responsibility of the FEMM Committee. By moving the budget from the Gender Equality Unit to the control of another in DG Employment and from the FEMM Committee to the EMPL Committee, the time and effort needed in order to access those in charge of PROGRESS increased for all gender equality policy actors. The Gender Equality Unit could not simply contact the FEMM Committee; they had to take the indirect route via their colleagues in charge of PROGRESS, and direct access to an EP committee was limited. On the other hand, the FEMM Committee had to take the indirect route via the EMPL Committee. They did not usually have direct contact with the DG Employment Unit in charge of PROGRESS. Indeed, member state representatives in charge of gender equality faced a similar challenge with PROGRESS, as it was located with their colleagues in a different ministry (e.g. employment instead of women's policy). NGOs, such as the EWL, would have to develop new contacts at the cost of their usual ones. The FEMM Committee was aware that they would lose power and access when the gender equality action programme was merged into PROGRESS. However, they lacked the power to enforce their position inside the EP (Klein 2006: 92f).

Another problem occurred when the programmes and subsequent budget lines of other DGs did not fit the same time span as the Roadmap. Nevertheless, DG Research and the RELEX family stated that they exerted direct control over their budget.

The Gender Equality Unit of DG Employment justified the abolishment of the specific gender equality action programme with greater visibility of all financial instruments:

> *It is very difficult to give an estimate. I don't have the numbers for PROGRESS, because there you can really define what we, as a unit, dedicate to gender equality. But this is a very small part of what is dedicated to gender equality, because to that you should add what is used in the structural funds, in the European Social Fund, what is used in the DG Development, in DG Research, in all DGs. And we are talking about specific measures. If you want to take into account gender mainstreaming, it's really … it's very difficult. (…) But there was a decision not to announce an amount as before.* (Commission official 6:241–245)

The Commission official claimed that the clear budget for the previous framework strategy and its action programme had hidden the contribution of the various DGs, whereas the Roadmap would provide more visibility by listing the policy programmes instead of a specific budget. This reflects a way of delegating responsibilities and showcasing gender mainstreaming implementation. In addition, this explanation was contradicted by a social partner representative who stated that the original idea of the Gender Equality Unit was to keep their own action programme. The management of DG Employment apparently decided to merge the gender equality action programme with others into PROGRESS and the Gender Equality Unit was not powerful enough to enforce their preferences:

> *We have a very good contact with the person, one of the people in the Commissioner's office in charge of this. But to a certain extent her hands were tied, so on budgetary issues she also wanted to have a strong budget. She couldn't. It wasn't her decision but it was … So, there were also people involved in the process who would have liked it to be stronger. But ok, they operate within a regime where they also have constraints.* (Social partner representative 31:106)

The budget narratives show that the Gender Equality Policy Unit in DG Employment lost power. They might have wanted an action programme, but did not have the power to enforce their interests. In their

narratives they described their defeat as a deliberate decision. The necessity of rationalising, merging and streamlining the administration by eliminating specialised programmes or combining them was a recurring narrative of Commission officials.

Another Commission representative developed a similar explanation on why budget estimates were difficult. In their policy area they supported projects and the money was not allocated because of the Roadmap, but because it was logical to include gender aspects. This means that they would be able to announce how much money they invested in gender equality after the policy implementation, although they could not do so in advance. The financial management rules did not allow the allocation of specialised funds in advance if the overall topic of the policy area concerned a different topic:

> Well, if I speak from with the book of law in my hand, all of them [include gender aspects] of course. All of them, why? We are under strict obligation not to help out discriminatory proposals. So if we see something—rugby men against women, faggots and other monsters—this will certainly not work? You see what I mean? That's one thing. The second thing is that the Roadmap is relevant for us only through one or two topics, which are very nebulous … the fight against stereotypes. Usually we don't have a project called 'Fighting Gender Based Stereotypes—150.000 €' … and then you say oh, yeah, right. Because we have a lot of cross-cutting projects which could be interpreted and then you have to see what's happening (…) there's a problem of monitoring the results. It could be interpreted as being relevant for women. (Commission official 25:73)

The Commission official spoke about his/her institution and explained why institutional rules forbid him/her to establish certain projects even though s/he would have wanted to change the routines and rules. The interviewee elaborated more on the challenges of convincing colleagues of the necessity to take a gender perspective into account and to re-adjust projects. S/he was convinced that more should be done in terms of projects and that the processes easily allowed some projects to reproduce gender stereotypes instead of questioning them.

For those not working inside the Commission, the missing action programme was either not acknowledged at all or was not seen as a problem. Others interpreted the uncertain budget as a sign of vague goals, missing priorities and lack of accountability. Without a specified budget, it was

impossible to trace resources and to hold institutions accountable for completion or failure.

5.2.2   *Overall Assessment of the Roadmap*

The diverging roles that actors played for EU gender equality policy, as opposed to EU gender policy programmes, influenced also their commitment and support for gender equality policy in general. For the EWL and the FEMM Committee, in particular, it mattered whether the set-up of the gender equality policy programmes was closely connected to the usual roles they attributed to themselves and each other in gender equality. Because the FEMM Committee and the EWL—who had usually played an essential role for gender equality policy—felt excluded from drafting and negotiating the content, they developed a negative assessment of the Roadmap.

In the overall assessment the actors discussed the Roadmap's subsequent ownership from the perspective of accountability, the missing budget and whether it was placed in the foreground or pushed to the back. Variations of ownership were often connected to previous differentiations between (non-)participating DGs or differences between 'newbies' or 'oldies'. There were five different ownerships: 'the baby', 'the dossier job', 'the unknown world', 'the nice meal' and 'the damaged engine'. These different kinds of ownerships are more like a continuum rather than at the opposite ends.

Additionally, different assessments developed from the differences between the actors who drafted the Roadmap and the usual EU gender equality policy actors. The differences can be characterised as institution-based networks, as opposed to one institution-transcending network. The change in collaboration routines, which was driven by the Commission, had the unintended consequence of limiting the impact of EU gender equality policy programmes. In terms of ownership it means that all stakeholders who did not own the Roadmap did not support the policy programme. They weakened the overall gender equality policy within the overall system of the EU. Historically, the strength of supranational gender equality policy was the collaboration of all actors in relation to an issue, rather than one of the major institutions or organisations acting alone.

'The Baby'

The first kind of ownership can be best described as 'the baby'. Especially Commission officials from policy areas, such as employment, research and external relations, contributed large parts of the Roadmap and demonstrated strong ownership. This kind of ownership more-or-less equals the first group of DGs which were engaged in many content-related areas. The respective Commission officials usually promoted the Roadmap and were convinced that it reflected an ambitious EU gender equality programme:

> *I would say more responsibility, more ownership by the DGs of the different objectives and activities (…) And perhaps another thing is the division in the Roadmap between the first objectives and then the government, so the importance is given to the governance as well, and the relationship with the different stakeholders.* (Commission official 6:321)

> *This Roadmap is very ambitious, although on the paper it looks so prudent.* (Commission official 25:107)

> *It [the Roadmap] is very clear, because it makes the steps for each DG very clear, makes clear what the others do (…). It is extremely important and very good that there is such a frame in which every activity has a place somewhere.* (Commission official 17:60)

> *I think the Roadmap … it's good that it exists in the sense that it provides a framework for action, so it gives coherence, visibility and monitoring. And it's good that it keeps the linkages between the work we do internally and the values and the principle that we try to discuss with our partners externally. So I think it's good for coherence, what we do internally and externally, it's good in terms of having clear commitments and priorities.* (Commission official 19:34)

The quotations show how the Commission officials with this kind of ownership linked different aspects of the Roadmap:

- the responsibilities of various DGs
- the way in which the Roadmap was divided into different parts, content and governance
- the idea that the Roadmap promoted certain values and political goals (gender equality)

The values and political goals distinguished this ownership from all others, with the exception of 'the damaged engine'. Everyone who described the Roadmap as their 'baby' expressed their personal commitment to gender equality as an important goal in itself on other occasions as well.

Describing the Roadmap as a policy programme with clear activities, objectives and responsibilities for different DGs largely depended on the fact that for these Commission officials the Roadmap played a role in their work on a daily basis. For them, the activities and different responsibilities for different DGs were obvious. However, these aspects were not obvious for someone who did not belong to this group, because the Roadmap never mentioned any particular responsibility for any DG or policy unit (Ahrens 2007). On the contrary, the reference in the Roadmap was always 'the Commission'. Interviewees who had a different ownership had no knowledge about the detailed responsibilities. Others, such as the FEMM Committee and the EWL, relied on occasions when the Commissioner reported to the EP:

> *It [the Commission] likes to discuss it and on regular basis the Commission, Špidla, is invited to the European Parliament to come and tell the European Parliament which points of the Roadmap have already been treated.* (Council representative 5:130)

Reporting to the EP can be seen as the typical exchange between two institutions: the Commission and EP. However, what is reported and how is always the choice of the presenter. Rather than reporting individual details, the Commissioner usually presents an overview. There was a clear difference in the spatial breath of knowledgeability between those with 'the baby' ownership and the rest of the actors in terms of responsibilities. Only a very limited number of actors were well-informed about the details of the Roadmap and remembered the annual working plan.

'The Dossier Job'

'The dossier job' ownership also predominantly comprised Commission officials with the responsibility for dealing with one or more elements of the Roadmap. The people with the 'dossier job' also belonged to the second group of DGs from the drafting process. Colleagues often described

their attitude as if they were executing the tasks with the least possible effort or as a way of fulfilling minimum standards:

> *So, what I do is try to prompt my colleagues to come forward frankly, candidly and I guarantee confidentiality. Tell me frankly, 'look, I cannot do this, it's impossible' (…) What I try to do is to say: what can you do, what is your trouble-shooting diagnosis?* (Commission official 25:99)

There was no particular commitment to gender equality policy and the topic was often the last one on the list. However, there was some activity in order to implement commitments:

> *First, I don't know if the [name of activity] was included in the Roadmap because I haven't really read the Roadmap, so I had to be efficient and … practically involved in the set up of the European Year […].* (Commission official 32:29)

The activity[17] that the Commission official mentioned was indeed included in the Roadmap and was implemented. By admitting that s/he was unsure whether the activity was included, it is apparent that some content was compiled, but those who were responsible did not remember. As the activity was on the job dossier it was therefore implemented.

'The Unknown World'

The DGs without any content-related contribution had the ownership of 'the unknown world'. They all had a connection to gender equality within a specific area, predominantly Annex III of the Roadmap, the Commission's human resource management. However, the Roadmap was not something that they considered as part of an overall EU gender equality policy. The 'unknown world' characterised their attitude towards the Roadmap, because they were neither critical nor supportive; they did not know the Roadmap and were surprised that it existed, yet they did not judge it.

> *I don't know the Roadmap at all. At a European Level, I don't know about an action plan, yes, there is one—for the seventh framework, for the two or three first years, but that's all I know … but a Roadmap?* (Expert Group representative 21:137)

The interviewees who belonged to this group perceived European gender equality policy in a very narrow sense, predominantly as quotas for women (in the Commission's human resources or increasing their participation in certain projects) or as a task of DG Employment.

'The Nice Meal'
The label 'the nice meal' applied to interviewees who considered the Roadmap as an acceptable approach of the Commission within their legal scope. The topics were suitable without seriously requiring activities from those who shared this kind of ownership. The Roadmap was something to 'digest', to take into account and not to participate in. In particular, MEPs from the ALDE and the EPP, the Council representatives and employers' organisations are included in this group.

> *In the Council, the Commission gives this information and it likes us to discuss it, to see if they are on the right track. But it's not really the intention to change the Roadmap. Because it's their responsibility and we don't have any responsibility for it. (…) If the presidency [of the EU] is not really asking … we wait until the Commission makes a report. And then we will discuss it.* (Council representative 5:132)

It is quite clear that the Council was looking at the Roadmap as if it belonged to a different actor with no further obligations for member states.

The same view was expressed by ALDE and EPP MEPs and the representative of an employers' organisation. They considered the Roadmap as something that happened elsewhere but not in their own sphere; at best it was complementary to their own goals.

> *Well, I think it was a crucial point that one year ahead of the Roadmap drafting we discussed equal opportunities and it is essential to have this kind of complementary strategy, on the one hand the practical measures of the social partners on national levels and then the policy on the EU level.* (Employers' organisation representative 15:22)

Consequently, the interviewees in this group made a clear division between the national and supranational level and showed no interest in whether or how the Roadmap was actually implemented by the Commission.

'The Damaged Engine'

The final ownership, 'the damaged engine', included actors who were highly critical of the Roadmap and the Commission. They described the Roadmap as an EU policy programme without any power and impact. They realised that the Roadmap would be less ambitious than previous gender equality policy programmes. This group included MEPs from the PES, the Greens and the United Left, all NGO representatives, the trade union representative, member state representatives, one expert group representative and two Commission officials.

> *It [the Roadmap] is not clear enough for citizens, not clear enough on concrete goals, and no innovative topics were included.* (Member state representative 8:5)

> *I could say that it's probably the first time that we have lost a proactive approach in gender … I think it's in 1982, we started the first framework programme. There was another spirit behind it. There was a fighting spirit. It's probably the first time that it's more a conservative—not a political—but a conservative spirit from a political point of view. It's conservative in the sense: Do we really need to invent something else? No, it's ok, we just use the same things and we'll see how it goes. There was less intervention in the Roadmap than there was in the years before.* (EP official 23:158)

For this group the Roadmap became a sign of standstill. They realised that the loss of the Commission as an essential promoter of supranational gender equality initiatives had an impact on member states. As the previous 'engine' of supranational gender equality policy the Commission was critically examined and the results were anything but positive.

In summary, the two contrary ownerships of 'the baby' and 'the damaged engine' weakened the policy implications of the Roadmap. As an unintended consequence the ownerships strengthened the overall commitment to promote gender equality at a supranational level. The final Roadmap document satisfied the Commission officials, particularly the Gender Equality Unit. Commission officials extensively supported the Roadmap. Although the Commission's civil servants, who were responsible for gender equality, were aware of the many critical points, they developed a common narrative of EU gender equality policy: 'sooner or later we will succeed'. This was the self-image of Commission officials; they promoted a vision that in the long run they would succeed and convince the rest of the Commission.

On the other hand, the two other crucial supranational stakeholders, the FEMM Committee and the EWL, were dissatisfied with the final document. These incompatible positions both resulted in a stronger commitment for EU gender equality policy. While the Commission officials were entirely committed to implementing the Roadmap and its goals, the FEMM Committee and the EWL turned their disappointment into increased activities and lobbying. Together, both attempts revitalised the gender equality policy community in running initiatives that no longer relied on the Commission alone.

5.3   Conclusion

The Roadmap reflected the changes in the way actors collaborated and interpreted gender equality policy-making. The policy implications of a programme are crucial, because the content transports meaning about what actors perceive as necessary actions to promote gender equality.

During the Roadmap process the short-term policy implications were virulent. Even though the content was not designed from scratch, but rather based on former policies and topics, the Commission shrank the policy content by compiling existing policies and by linking them to on-going processes in other policy areas without signposting new legislation. The Commission officials interpreted the Roadmap content as progress. According to them gender equality was stretched and integrated into other policies. Therefore, the Roadmap was a contested issue, with a clear split between Commission officials, the Council and the conservative political spectrum on the one hand and representatives from NGOs and the left political spectrum of the EP on the other.

The lack of accountability and missing legal binding of the Roadmap was seen as a shift from innovative, specifically designed actions that aimed to push the boundaries of gender equality policy. The mere compilation of projects that were planned anyway signalled a clear rollback in comparison to previous programmes. From the Commission officials' perspective, the Roadmap's accountability ranked low, compared to other working duties, and implied an almost voluntary character.

The Roadmap also played an important role for the actors' everyday routines. While on the national level actors used the Roadmap as their reference point, on the supranational level those in charge of gender equality moved it to the background. Consequently, the short-term implications of EU gender equality policy programmes were reduced and

stripped off their earlier effectiveness in creating a supranational idea of gender equality.

The long-term implications after the adoption of the Roadmap included the withdrawal of resources from the Gender Equality Unit and the distribution of the budget to several uncoordinated Commission units. The withdrawal of control over the budget, the lack of an overall budget and the tentative allocation of resources reflected a move to disempower the central Commission actor. This lack of power signalled a lack of importance of gender equality. The Gender Equality Unit lost power in terms of running gender equality projects directly and together with member states. Actors seemed to have forgotten about the missing allocation of funds the moment the Roadmap was decoupled from an action programme and they stopped asking about the budget.

The two contrary ownerships of Commission officials ('the baby') and NGOs and the FEMM Committee ('the damaged engine') amazingly raised the engagement in this policy area, even though the effect of the Roadmap itself decreased. With the split ownership of EU gender equality policy the actors' constellations changed to institution-based networks, as opposed to one institution-transcending network. The change in collaboration routines had the unintended consequence of limiting the impact of EU gender equality policy programmes.

Notwithstanding the criticism by representatives of NGOs, member states and the EP, they still relied on the Roadmap as an important symbol for EU gender equality policy. They did not question the choice of policy instrument. Meanwhile, Commission officials moved the Roadmap to the background of their daily routine, as it included projects and actions that dominated their everyday work anyway.

In general, policy programmes with clearly defined political goals and budgets were often overlooked in the European soft law policy instruments. The most well-known and well-researched programmes were the Structural Funds ESF and ERDF or the Framework Programmes (now Horizon 2020). While their time spans varied slightly, they usually covered five to seven years.[18] These policy programmes are so well-institutionalised that their existence is almost never questioned. However, the defined goals, the budget or the policy implications are regularly discussed when a programme comes to an end. Nonetheless, it is important to note that such five to seven year plans were not a usual feature of member states policies; they are rather characteristic of the EU. While such five to seven year plans are surely picked up in the member states and shape the

activities of national administrations, member states' policies are still influenced more by their governments and their terms of office.

Historically speaking, the European policy programmes were established in the mid-1970s with the first Social Action Programme.[19] It was a programme which was strongly supported by the then governments and positively perceived (van der Vleuten 2007). Policy programmes have since then become fashionable in EU policies, a first choice policy instrument. Gender equality policy programmes have been part of this long established system almost from the beginning. They were one of the reasons why gender equality policy actors were unable to imagine shifting to another approach. One reason for the unquestioned expectation that the Roadmap will sooner or later come into being, can be found in the positive impression of previous programmes. Almost all narratives about gender equality policy—regardless of whether they came from MEPs, science or NGOs—present the policy programmes as a success story of gender equality. This proved that the EU has promoted gender equality (Hoskyns 2000; Rees 1998; Woodward 2012). This success story was deeply embedded in the memories of EU gender equality actors. However, none of the interviewees questioned the necessity of a policy programme or discussed alternative policy instruments. Their narratives centered on what could have been done or improved in comparison to previous programmes.

Notes

1. Cf. European Parliament resolution of 13th March 2007 on a Roadmap for equality between women and men (2006–2010) (2006/2132(INI)), OJ C 301E, 13.12.2007, p. 56–63.
2. During the interviews a printed version of the Roadmap was available.
3. The Commission official quoted a communication of their policy area. For the sake of anonymity, the policy area is not mentioned here.
4. Cf., for instance, Commission staff working paper. Roadmap for equality between women and men 2006–2010 Work Programme, Brussels 31st July 2009, SEC(2009) 1113 final; Communication from the Commission to the Council, The European Parliament, the Economic and Social Committee and the Committee of the Regions—Mid-term progress report on the Roadmap for equality between women and men (2006–2010), Brussels, 26th November 2008, COM/2008/0760 final.
5. Rosalind Cavaghan (2012) provided an excellent analysis of gender mainstreaming implementation in DG Research.

6. After the author introduced the interview topic—negotiating the Roadmap as an example of gender equality policy—interviewees were initially asked to describe their everyday work.

7. Only civil servants from the Gender Equality Unit of DG Employment and civil servants from the European Parliament mentioned the Roadmap in their introductory description.

8. This is a non-exhaustive list.

9. Most of the contribution is calculated on the basis of the gross net income of each member state, with the remainder predominantly derived from a proportion of the value added tax (VAT) and import taxes.

10. Since the Lisbon Treaty came into force, the EP has shared power with the Council in adopting the budget. In fact, the adoption and planning of the EU budget is one of the only formal procedures where the EP can now strongly influence Council and Commission decisions, as the EP can threaten to reject the budget.

11. The multi-annual financial framework must be unanimously adopted by the member states in the Council and the EP has to consent.

12. For details on allocation of funds to the priorities, please refer to the website of the European Commission: http://ec.europa.eu/budget/explained/budg_system/fin_fwk0713/fin_fwk0713_en.cfm#content_struct (last access September 30, 2013).

13. PROGRESS merged five programmes: Council Decision 2000/750/EC of 27th November 2000 establishing a Community action programme to combat discrimination (2001–2006), Council Decision 2001/51/EC of 20th December 2000 establishing a programme relating to the Community framework strategy on gender equality (2001–2005), European Parliament and Council Decisions No 50/2002/EC of 7th December 2001 establishing a programme of community action to encourage cooperation between member states to combat social exclusion, No 1145/2002/EC of 10th June 2002 on Community incentive measures in the field of employment and No 848/2004/EC of 29th April 2004 establishing a Community action programme to promote organisations active at European level in the field of equality between men and women.

14. Sophie Jacquot (2009, 2010) already highlighted the lost budgetary autonomy of DG Employment and the gender equality Unit.

15. Cf. Decision No 1672/2006/EC of the European Parliament and of the Council of 24th October 2006 establishing a Community Programme for Employment and Social Solidarity—Progress.

16. Cf. European Commission, Progress annual performance monitoring report 2012—Monitoring of the performance of the European Union programme for employment and social solidarity—Progress (2007–13) (Luxembourg: Publications Office of the European Union, 2013, p. 66).

17. In order to guarantee anonymity, the name of the activity is not revealed.
18. Some examples can be found in the section on asynchronous timing.
19. Council Resolution of 21 January 1974 concerning a social action programme. OJ C 13, 12.2.1974, p. 1–4.

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Conclusion

This is really a normal process.
(Interview with Commission official)

This book has illustrated the retrenchment of EU gender equality policy programmes. This retrenchment came as a surprise. EU gender equality policy programmes were—next to directives and gender mainstreaming—the third tool of the European Commission's promotion of gender equality. From the beginning, EU gender equality policy programmes initiated networking and promoted gender equality on topics that were unusual for most member states at the time. The programmes often set objectives that later provided the basis for legislative proposals. The adoption of the Roadmap signalled a severe deterioration: references to legal obligations to promote gender equality were missing in the introduction and it was the first ever gender equality policy programme without its own action programme and a clearly defined budget. Moreover, it did not provide for any new legislative proposals or actions which required the direct involvement of member states or Social Partners. Some of these deteriorations were pre-programmed before the drafting of the Roadmap started: the European Commission decided to decouple the policy programme from the idea and implication of an action programme with its own budget and outreach beyond the supranational level. The previous budget—allocative

resources in form of an action programme—was moved to PROGRESS. It was taken away from the actors who were responsible for designing gender equality policy. As illustrated in Chap. 5, the Gender Equality Unit justified the unknown budget as a way of implementing gender mainstreaming with the idea of integrating the budget into other policies. However, they lost power over their allocative resources.

In this final chapter I would like to pick up these issues and explain the unexpected rollback of EU gender equality policy programmes. Why did the European Commission, and especially the Gender Equality Unit of DG Employment, disarm this particular soft law tool of EU gender equality policy? How did they do it? And what are we to make of this rollback of EU gender equality policy programmes? What are the losses—and the possible gains—of these changes?

First, the unexpected policy process that led to the Roadmap only appears as an anomaly at first sight. The different chapters of the book reveal that this anomaly is in fact the normalisation of gender equality as a supranational policy field. With the adoption of the Roadmap at the latest, a particular path for gender equality policy moved into a new direction. While equality policy seemed to be 'dependent' on its velvet triangle—its soft law tools and gender mainstreaming—new rules and routines became institutionalised. However, these rules and practices had existed long before; they had not been enforced in the policy area of gender equality until the Roadmap was negotiated. This shift can be best described as a normalisation of the policy area, an adjustment to the usual EU rules and routines. While it might look like an anomaly it is actually an adoption to the routines and practices that prevailed in the other EU policy areas.

The question is why this normalisation took place. This question is particularly important when we consider that gender equality followed a different path than other policy areas in the EU (Jacquot 2015). It is, for example, the only policy domain where the EU had reached higher standards than settling for the least common denominator (Hix 2005). While path-dependency would make us expect that 'past events influence future events' (Mahoney 2000: 510), the previous gender equality policy-making took an unexpected direction with the Roadmap and the former path was abandoned. Institutionalism might make us expect that actors would recognise the 'wrong' new path. Chapter 3 indicated that some actors clearly expected the usual path, but those who controlled the adoption process in the European Commission did not even recognise that they had left the former path. Only by using an actor-centred sociological approach to EU

gender equality policy-making it was possible to reveal that the assumed anomaly was indeed normalisation. The approach was also necessary to define the core features of the crucial changes to the institutionalised gender equality policy programmes and to show how the EU 'promotes feminist goals, diverts them, and works against them all at once' (Prügl 2006: 444). The in-depth review of the Roadmap process and the scrutiny of the interpretations of EU gender equality policy-making enabled me to recognise the interplay of actors and structure: it led to the normalisation of gender equality as a supranational EU policy area.

How did this normalisation happen and what are its core features? What are the factors that shifted the EU gender equality policy-making process and influenced actions and decisions at certain points in time?

6.1   THE PRIMACY OF HOME INSTITUTION

In view of the usual division of powers among supranational institutions, the primacy of the home institution might not be surprising, but expected. However, in terms of EU gender equality policy-making, two specific aspects are peculiar. First, EU policy is more often driven by member states' national interests and less by the primacy of the home institution. EU policy-making also relies on the notion of 'participatory democracy', particularly in the Commission, which explicitly aims to involve stakeholders and civil society.[1] Therefore, a different picture could have been expected; one where the Commission would have personally consulted a range of stakeholders and not relied only on their papers (see Chap. 3). This is all the more surprising for a second reason. Historically, gender equality policy was characterised by an institution-transcending policy network. Therefore, the primacy of the home institution contradicted the history of EU gender equality policy. The strength of the gender equality policy was rooted in the stable and long-lasting collaboration between individual actors from different institutions (Jacquot 2015; Woodward 2004).

In this regard, it is important to observe how interviewees described each other. Interviewees spoke of 'the Commission', 'the Parliament' the 'Social Partners' and 'the Advisory Committee' as if each of them was a homogenous entity with a common position on gender equality policy. Actors represented their institution; the individual actor and the institution became one and the same. The pressure to adjust to a certain institutional role (Commission officials, MEP, etc.) strongly undermined the use of former personal ties and the relationships which prevailed in the velvet triangle.

The process of disintegrating the previous velvet triangle and returning to the home institution as the guide for one's own actions did not occur suddenly or visibly. The change took place incrementally during the Roadmap's drafting and adoption process. The Commission officials, particularly the Gender Equality Unit, stuck to the standard Commission routines and established a closed internal process. The external actors, such as FEMM committee members or civil society, did not realise the incremental changes in the beginning, due to their limited knowledge about the Commission's working routines. The reason why the Commission actors left their previous path can be explained by the routine rotation principle (see Chap. 4). If the same Commission actors would have occupied the same jobs during the preceding policy programmes, i.e. the framework strategy, they might have acted otherwise. The job rotation inside the Commission disturbed the usual rules of gender equality policy programmes.

Last not least, the process was accelerated by new actors who had not been involved in the policy area previously and had less experience with gender studies and feminism than the old gender equality policy actors' who were still present in the EP and in NGOs. This does not imply that new actors necessarily meant deterioration. However, the lack of accountability and binding of the Roadmap and the primacy of the home institution also applied to many DGs which prioritised the completion of a programme rather than implementing gender equality within it.

This became especially evident when the drafting process was limited to the Commission DGs (see Chap. 2). The actors' collaboration shifted from an institution-transcending collaboration—the velvet triangle (Woodward 2004)—to a multiplicity of spaces. These were shaped by procedural rules and routines with the adoption of a Commission communication. In contrast to the previously collaborative approach the Roadmap process was split into: (a) the internal Commission process where the Roadmap was drafted and adopted, (b) the interinstitutional process as a consultative background and (c) the external process with the gender lunches of the NGOs and the European Parliament. In all of these processes the institution-transcending network was incrementally abandoned by all actors. This reduced the power of all supranational gender equality policy actors.

During the Roadmap process gender equality policy actors became increasingly busy with scrutinising each other. The FEMM Committee and the EWL were particularly critical of the Commission. Gender equality started to resemble any other policy area: a negotiation process among

competing stakeholders. As the analysis of the policy implications demonstrated (see Chap. 5), the primacy of the home institution did not result only in changes to the actors' collaboration, it also had the unintended consequence of diminishing the Roadmap's content as a policy programme and the commitment to it.

The standard procedures and processes of the institutions did not really change, it was rather the way in which gender equality policy actors applied them. Some elements in the standard process and procedures did not change at all and remained stable. In particular, the role of the Gender Equality Unit in the policy process (the 'wrong ownership') and the role of the EWL as the major hub for NGOs lobbying activities remained unchallenged.

The involvement of the usual 'non-participating' actors did not change much either. The most powerful DGs abstained from contributing to the Roadmap content without being sanctioned or openly criticised. Instead, the Commission officials who were actually involved in the Roadmap implementation tried to maintain the image that gender mainstreaming would be implemented in all DGs through participation in the Roadmap. When gender equality did not fit the standard procedure, it was returned to the actors in charge of gender equality policy. It was treated as a problem rather than a structural problem: a problem with those who are unwilling to implement gender mainstreaming. The implementation of gender mainstreaming became a technical challenge. It would need to adjust to the existing procedures and was not considered a tool to question or change the existing procedures. The role of additional actors who were responsible for the budget (by including it in the PROGRESS programme) remained completely vague. They became crucial for gender equality, but it was unclear whether the shift of responsibilities resulted in a real change of duties.

It was astonishing that losing resources (see Chap. 5) was not identified as a problem by the FEMM Committee in its Roadmap resolution. At the time of the interviews, the significant loss of allocative resources was almost entirely forgotten by all interviewees. Actors had already adjusted to the new but normalised routines. In particular, the interviewees from the EP were often astonished about the loss and only vaguely remembered it. This 'lost memory' is particularly surprising in view of the MEPs, as the EP is a powerful EU institution with regard to allocative resources as it has to adopt the budget. Surely, the Council decides the budget, but the Council lacks the authoritative resources to force the EP to agree the EU budget.[2]

6.2   Compromise Culture and Depoliticisation

Even though the change to the primacy of the home institution contained a potential for conflict between the European Commission on the one hand and the EP and NGOs on the other, the Roadmap process never resulted in an open and 'noisy' conflict. Instead we see a compromise culture at work that facilitated the change to the primacy of home institution. It is an important reason for allowing the normalisation process to happen. Negotiating and log-rolling are characteristic features of EU policy-making. Simon Hix characterised the EU as a *'hyper-consensus polity'* (Hix 2006: 145); it is a routine that also played a great role in gender equality policy and had a severe impact on the process and content of the Roadmap (see Chap. 3).

The pressure to find a compromise was evident in every single interview. The majority of interviewees mentioned compromise as a ruling characteristic of EU policy-making and everyone followed this routine without questioning it.[3] A specific expression of compromise was the avoidance of conflict or rejection. The compromise pressure meant that open conflict was avoided, even when the expected conflict might not have developed at all. Avoiding open conflict was the reason compromise produced silence among the members of the velvet triangle during the policy process. As long as the velvet triangle functioned, compromise worked well for gender equality policy programmes. Chapter 5 provided examples of the avoidance of open conflicts at the price of compromise: legislative proposals were excluded and existing activities of the DGs were compiled for the Roadmap key actions, whereas new activities were not released.

The Gender Equality Unit excluded legislative proposals which were put forward in the Advisory Committee and by the EWL, because this would have caused conflicts with the powerful administrative DGs and in the Council. Later on the FEMM Committee did not openly criticise the missing legislative proposals in the EP resolution. They solely pointed to the fact that there was not a single legislative proposal. The reply of the Commission to the EP avoided a direct answer. It simply stated that there were legislative measures, such as monitoring the implementation of directives.

In terms of key actions, the Gender Equality Unit was keen on including all DGs. This ambition had not been fulfilled in previous policy programmes and this is one reason why the Gender Equality Unit accepted the compromise of not asking for new activities. Although this was often

criticised and seen as a sign of the Roadmap lacking accountability and binding, it did not result in open conflict. A good example for accepting compromise pressure was the reaction of a MEP who was deeply disappointed about the EP's resolution. It ignored many amendments regarding the missing accountability which was proposed by the shadow rapportrices, yet s/he suppressed open opposition in order to guarantee an adoptable resolution in the FEMM Committee.

Compromise culture as a routine procedure placed gender equality policy in a powerless place, as it did not have 'currency' compared to other policies. Interviewees who normally did not participate in gender equality policy called it 'orchid politics', a hobby rather than serious political business. For them it was a policy area that relied on committed people and was similar to debates about the death penalty. Therefore, it would not be possible to log-roll or negotiate with others, as they did not take gender equality policy and its actors seriously, they actually devalued it.

Therefore, compromise culture is an obstacle to gender equality policy and provides an excellent example of how gendered power relations are supported by institutional routines. From the description and interpretations of policy-making we can conclude that actors faced problems when insisting on their priorities face-to-face with institutional actors from the same level who were considered more powerful. The DGs who participated only in the part of the human resource management and contributed nothing to the content were male-dominated. They were perceived as most powerful and most distant to gender equality policy-making (see Chap. 2).

Accepting this compromise culture also resulted in the avoidance of open opposition. As the main strategy of all actors was avoiding confrontation, this did not confront the issue of gender equality in general. On the contrary, non-confrontation was bad for progress. Not only did gender equality actors have to follow this compromise culture, all other actors had to subordinate to it. This had the effect that opposition turned into indirect forms (Ahrens 2013). Compromise sidestepped open opposition on two levels: (1) it limited opposition to a dissatisfactory content (for many actors); (2) it limited direct opposition towards gender equality. As a result, the Gender Equality Unit managed to secure the institutional EU gender equality policy programmes.

Overall, the compromise culture had a depoliticising effect. It led to retrenchment and turned the Roadmap into a mere—yet important— symbol for EU gender equality policy. Actors did not deviate from this

routine and the whole process became a technical procedure. Many inter-
viewees were convinced that gender equality policy-making and the
Roadmap would have gained much from a broader discussion (see Chap.
3). It could have been more ambitious, precise and innovative, it could
have contributed to further improvements in gender equality. It confirmed
the impression that this policy area did (and does) not have 'currency' and
was considered 'niche politics' compared to others.

6.3   Consequences of the Normalisation

What are the consequences of the normalisation of gender equality policy?
What did we lose, what did we gain? The findings point to severe conse-
quences. First, the findings suggest that the era of EU gender equality
policy programmes with a direct outreach has come to an end. Policy
programmes, as the second pillar of EU gender policy, lost much of their
original impact and left gender mainstreaming as the last remaining pillar.
The previous distinct path of EU gender equality policy turned into *'a
normal process'* (interview with Commission official) whereas the policy
outcome deteriorated.

From the adoption of the Roadmap, the Commission invented some-
thing entirely new in the EU's gender equality policy and at the EU level
overall: a policy programme without a clear budget and no defined future
plans, an overview of ongoing activities in this policy area. Notwithstanding
the changes, the Roadmap was presented as a continuation of gender equal-
ity policy to date. It was presented to the public as the commonly agreed
EU policy programme which reflected every forthcoming policy-related
action in the defined time span. As demonstrated in the empirical chapters,
this was neither right nor wrong. Gender equality policy programmes fol-
lowed a certain logic of the policy process where the rules, actors and the
overall context of EU policy-making influenced the content.

From piecing together the actors' narratives about the drafting and
adoption of the Roadmap over the course of time, we have learned that
actors are aware of their individual institutional situatedness and, at the
same time, their institutions' placement within the EU system. They are
aware of multiple constraints, but also of the 'windows of opportunity'
(Kingdon 1984). The Gender Equality Unit strictly applied the rules on
Commission communications and simultaneously referred to gender
mainstreaming rules in order to involve as many DGs as possible. Therefore,
actors implicitly—and sometimes even explicitly—knew their options for

actions, particularly in terms of rules and routines. Just as structuration theory stipulates, actors have a choice to act in this or that way; e.g. in the case of the drafting process the Gender Equality Unit had the choice to limit contacts between internal and external actors.

Why actors chose to act in a specific way is related to the way in which they interpreted the policy process from their institutional perspective and within a wider context. Different institutions, such as the Commission, EP and Council, follow their own rules, norms and routines. This affects the different views and expectations of the Roadmap policy-making and the rationalisation of their actions. For the Commission, the Roadmap was a routine publication, a normal policy process, slightly more important than other aspects of everyday work. Whereas almost everyone had a basic knowledge about the work of the Gender Equality Unit, actors from institutions other than the Commission were hardly able to evaluate how the Commission worked internally, what specific constraints the individual and the institution faced and why one individual actors did not choose to act differently. The same applied to the reverse perspective: Commission officials were seldom able to evaluate how and why external actors acted the way they did. In addition, the fluctuation of actors changed the way in which the original Roadmap was interpreted and implemented. Although the institutional role remained the same, the civil servants changed, thereby potentially bringing about political change.

Gender equality policy has become a supranational policy area. The relational system of the actors who are involved in EU gender equality policy is clearly the EU system and not the member states at the national level. All interactions and interpretations are almost exclusively concerned with supranational policy-making. However, the downside of this kind of policy-making is characterised by the absence of an active Council. By limiting the Roadmap policy to Commission activities, the Gender Equality Unit of DG Employment has become the first 'needle's eye' (Ostner and Lewis 1998). Without this particular actor, gender equality policy merely remains at the level of symbolic politics. This aspect has become even more evident with the shift of the responsibility for gender equality from DG Employment to DG Justice in 2010. The findings about gender equality policymaking shortly before the 2010 shift provide the necessary background for understanding the further deterioration of EU gender equality policy in recent years. Connections to civil society were used less and member states were exempted from responsibilities. When in such a situation the main supranational initiator for policies turns inactive or

disempowers its administrative units, other actors face severe problems in keeping the promotion of gender equality going. The Commission and its Gender Equality Unit seemed to have switched from an ally to an 'enemy' from the perspective of NGOs. It became an actor that needs to be lobbied in order to widen and deepen gender equality policy.

Although the Commission officials in charge of gender equality were aware that there were many critical points about the Roadmap, they developed a common narrative of EU gender equality policy, a narrative of a promising and successful policy. The self-image in the Commission officials' narratives presented them as promoting a vision of gender equality that will be successfully implemented in the long run. However, the policy implications of the Roadmap contradicted the picture. As gender equality policy actors started to act according to the general rules of the EU system (as other EU actors do), they started to fail and became less powerful, because gender equality policy is not accepted as an equal policy; it does not have 'currency'.

From the actors' perspectives they did everything to secure a valuable and innovative policy programme that guaranteed stability and allowed progress. However, the opposite happened, as the shift of the drafting process to the internal processes of the Commission resulted in the sacrifice of a strong policy network, the velvet triangle (Woodward 2004). Ambitious and conflictual proposals were subordinated to compromise pressure and became impossible to implement on a supranational level. By compiling existing activities rather than designing new projects and furnishing them with a clear budget, gender equality was integrated or even subordinated to other projects. They became a second-order obligation. By limiting the drafting process to the Commission Interservice Group, rather than building a broad institution-transcending approach, gender equality became 'ghettoised' in each institution.

National women's movements (and/or women's policy agencies) were successful when they pressured for gender equality policy in the EU to get their own member states moving, as long as gender equality actors simultaneously collaborated in the velvet triangle. This kind of cooperation proved successful because the actors played a different and subversive game outside the usual EU policy-making process. As Jacquot (2015) noted: the introduction of gender mainstreaming in the Treaty of Amsterdam produced an isomorphism for gender equality policy actors (in particular the Commission). Subsequently, they have become 'part of the system' and adjusted to the standard rules.

While bearing the deteriorating circumstances in mind there is also a positive reading of the rollbacks. It was surprising to see how individual actors of all major institutions (the Commission, EP, EWL) managed to continue promoting gender equality. How did they succeed in adapting to the overall mainstream arguments without losing the common idea of promoting gender equality? Besides the limitations there was also stability. Why did gender equality policy at an EU level still exist? How did actors manage to maintain the fundamental structures, subjects and instruments when everything else was changing?

Nevertheless, the relationship between EU gender equality policy and gender mainstreaming seems to have become delicate. As gender mainstreaming was presented as the only way forward in gender equality, the challenge is that if it is withdrawn, if it is defined as a problem or if it is presented as a failure, would in the end become a failure of gender equality policy in itself. While gender equality policy is severely challenged and questioned, its money is cut back and programmes are rejected and actors claim to have already integrated gender aspects through gender mainstreaming. There have already been adoptions of the mainstreaming idea for other vulnerable groups, e.g. in terms of family, diversity or equality mainstreaming that diminish the original ideas and reasons for gender mainstreaming (Woodward 2012).

The concept of gender equality policy as the historical forerunner of institution-transcending collaboration and involvement of civil society and academia (Woodward 2004) would bring about a salient case for challenging the myth of participatory democracy. How is this myth implemented in practice? It was illustrated by social movement research (Della Porta and Diani 2006) as a one way street, for example. In the broader research literature the role of civil society in the EU is analysed by Kohler-Koch and Quittkat (2011), Liebert and Trenz (2009), the emerging European public sphere is discussed by Bee and Bozzini (2010), Koopmans and Statham (2010), Statham and Trenz (2013). Yet, it becomes crucial to pay greater attention to reciprocal perceptions between civil society and supranational institutions and their interaction. Against the background of the changes in the actors' collaboration and the following exclusion of NGOs, further information on these specific relationships can certainly shed more light on power relations.

We have seen how women's movements found a way to cope with changing circumstances which are caused by shifting political responsibilities from national to supranational levels. This is of great importance for

policy fields like gender equality. The EU example is especially interesting because institutions like the European Commission emphasise the crucial role of civil society in general and women's movements in particular for defining gender equality policy. Furthermore, the Commission states that it works on establishing continuous channels of collaboration with civil society actors to improve the definition of policy goals. However, the actual role of women's movements in current formal and informal networks of EU gender equality policy remained underexplored.

Overall, the newly established actors' collaboration in EU gender equality policy-making seemed to warrant additional exploration. When the label 'velvet triangle' (Woodward 2004) might no longer be applicable, we have to ask which concepts would be more suitable. Two opposed perspectives seem to be worth considering: (1) the exploration of actors' collaboration as policy networks which are mainly driven by mistrust, power asymmetries, conflicts and competition instead of trust, problem-solving and coordination, as suggested by Holger Straßheim (2011); (2) the exploration of collaboration among gender equality actors as a form of pioneering, supranational cooperation practice by employing standard rules in order to pave the way for a transformed understanding of these rules.

Exploring the role of compromise and cooperation as a dominant routine of EU policy-making can also facilitate the development of a new perspective on actors' collaboration and link to the often-discussed democratic deficit. From an overarching perspective, the Roadmap policy process was an important example of this democratic deficit: *'the problem (…) that major political decisions are made in executive networks relatively detached from democratic control'* (Kauppi 2011: 169). In the case of the Roadmap's policy-making, the major political decisions were taken in the executive network of the Commission Interservice Group on gender equality, which was detached from the democratic control of the European Parliament, the Council of the European Union and civil society organisations.

Even though gender equality policy showed little progress after the advent of the new century, gender equality policy programmes were still institutionalised and seemed to contribute stability as a focal point in the changing EU gender equality landscape. As we know by now, the clear signs of rollback—no budget, no legislation, loss of networks—marked the first moves of dismantling the important soft law tool of policy programmes that ultimately resulted in today's meagre European Commission staff working document: the 'Strategic engagement for gender equality 2016–2019'. Gender equality policy has obviously lost its function as a

means of highlighting the importance of supranational policy-making; the 'foundational myth' (MacRae 2010) is dead.

In political sciences, gender equality policy has often been seen as an ongoing discourse and construction of policy problems and solutions. The way in which feminist ideas were challenged by dominant frameworks derived from other EU policy areas. However, we need to integrate more thoroughly the actual choices and interactions of the actors who are involved in gender equality policy-making through sociological analysis, for example. Furthermore, we need to include a thorough analysis of how the institutional setting constrains and enables actors in making choices; which rules and routines shape how gender equality can be successfully promoted in supranational policies.

Analysing gender equality policy-making from the perspective of its policy programmes provided a fruitful perspective to understand the hidden aspects of EU policy-making at a micro-level, from a vertical perspective (inside institutions) and a horizontal perspective (among institutions). EU gender equality programmes hold great importance for understanding EU policy-making in gender equality, as policy programmes represent one of the three salient elements of this policy area, along with legislation and gender mainstreaming. Policy programmes can be defined as soft law and the gender equality action programmes that have been implemented since the early 1980s were not only written text on paper. They were also backed by money and projects to influence member states with regard to a certain understanding of gender equality. By setting benchmarks, introducing new topics, supporting transnational network building and paving the way for several legislative proposals, gender equality policy programmes were for a long time a successful tool in this policy area, with a strong outreach to member states.

The reconstruction of the policy process from a sociological perspective, based on the narratives of individual actors who were involved in policy-making but came from a variety of institutions, demonstrated who participated in the policy process of adopting the 'Roadmap for equality between men and women 2006–2010' as a gender equality policy programme. The specific interplay of gender equality policy actors and EU routines was influenced by three main factors: shifts, compromise and the primacy of home institution. These factors illustrated the rollback of EU gender equality policy.

The scale of research of EU gender equality policy is extensive and multifaceted, particularly in terms of what we can learn for EU integration in

general. There is a pressing need to take the role of individual actors into account, in order to allow a further assessment of how they exploit the available policy choices.

How this important element of EU gender equality policy is set up was an open question in research—one that became extremely important when the Roadmap fundamentally changed the character of the policy programmes. The investigation of the reasons for this change was the initial starting point of this study.

The actors who were involved in gender equality policy-making had different narratives about the same policy process and the negotiations over time. They also demonstrated a large number of contradictory interpretations. Contrasting different actors' narrations about drafting, negotiating and deciding upon the content of gender equality policy programmes helped to better understand how actors reconstruct certain institutional rules and routines and how they rationalise their actions.

Choosing to publish the Roadmap as a Commission communication without the necessity of a formal adoption by the Council and the EP limited the number of institutional actors who were involved in negotiating the supranational EU gender equality policy. In particular, setting up the Roadmap as a Commission communication guaranteed low resistance and reduced conflicts among relevant actors: resistance from inside the Commission was prevented by emphasising gender mainstreaming, while resistance external to the Commission was prevented by emphasising Commission procedures. Overall, gender equality actors strictly followed standard EU policy-making rules and combined them with rules from the gender mainstreaming strategy. They also prioritised standard EU policy-making rules over previous informal collaborations. This changed the way actors collaborate in EU gender equality policy. Yet, the making of policy programmes appeared in the narrations as an unbroken history. All of this happened silently. From the outside, it looked like an unexciting standard process: 'business as usual'. The policy implications of EU gender equality policy programmes became less clear due to the changing actors' constellations and changing routines. In particular, the decision to set up the Roadmap solely as a Commission communication reduced the potential for activities and denied the opportunity to include actions that had to be negotiated with member states, Social Partners or other stakeholders. Consequently, the crucial change to the nature of the previous actors' constellation and the way of coping with a certain EU structure

caused a pause in the deepening and widening of EU gender equality policy through policy programmes.

Notes

1. For a critical review of the EU consultation procedures towards civil society please refer to the edited volume by Kohler-Koch and Quittkat (2011).
2. This kind of loss of allocative resources did not hold true for other Roadmap priority areas of action: the DGs on external relations and research not only drafted their Roadmap chapters; they also posited the allocative and sometimes even the authoritative resources in their policy area to support gender equality policy.
3. Securing compromise is the characterising policy-making feature of the EP, for instance. For more details please cf. Raiser (2014) and on committee reports and resolutions cf. Marshall (2010).

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Annex: Methods and Methodology

> *Do you have any more questions before we start?*
> *—Start quickly because I really have a very busy day.*
> *(Interview with MEP)*

This annex briefly presents the documentary analysis and the way expert interviews were set up, conducted and analysed. Gender equality policy-making was approached from a micro-sociological perspective. This approach can be best described as qualitative, inductive and theory-generating within the broader context of grounded theory (Glaser and Strauss 1967). The research is grounded in the everyday work of the interviewees. Human social interactions and agency were investigated within the particular group of supranational gender equality actors to make sense of their social world.

Expert interviews were the main empirical tool. The interviews were to analyse how actors reflect policy-making and its inherent logic and to find out which kind of institutionalised setting was reproduced in time and space. Narratives are the means of human sense-making. Therefore, analysing the narratives with a hermeneutic approach in an iterative process improves our understanding of what actors consciously consider relevant and how they reflect on processes.

I. Documentary Research

The analysis of primary sources[1] of EU institutions, such as the Commission, Council, Parliament and other actors in the policy process, is a common methodology in EU studies. Research approaches rely on primary sources in order to analyse different political positions, changes in policy topics and the process of policy-making (Steinmo 2008; Tilly 2006). In general, primary sources are used to *'tell the story'* or *'recreate a historical sequencing of events'* (Vromen 2010: 262) and to follow institutionalised traces (Wolff 2000: 503). In gender equality policy documentary research is a common research method in critical frame analysis where it is often used to analyse policy areas, such as employment policies or women trafficking.

The documentary research served four purposes: (1) the collected documents provided background information on particular dates to provide a comprehensive picture of the development of the policy process until the adoption of the Roadmap; (2) the documentary research informed the presentation of the history of EU gender equality policy; (3) it was necessary to analyse the documents and further connected policy programmes (e.g. DAPHNE, PROGRESS) to understand the context of the Roadmap as a policy programme; (4) the results from the documentary research served as background and context for the preparation of the expert interviews and questionnaire.

Documents
Documents comprised a variety of sources, such as communications, opinions, statements, press releases and websites. The number of collected documents was determined by the publications that were (1) referenced by name or as a political strategy in the Roadmap or (2) referenced the Roadmap or its activities in their texts.

The majority of documents covered the time from 2005 to 2008. Others were published before 2005 and belonged predominantly to those documents which were referenced in the Roadmap. The collection covered a large quantity of documents which were available online and a few documents which were provided by interviewees or other sources, such as library archives. The publication search consisted of:

- the Roadmap itself;
- documents connected to the formal adoption process of the Roadmap;

- policy documents with their official abbreviation[2] in the main text, footnotes or annexes of the Roadmap;
- primary documents of political activities which are named in the text corpus, footnotes or annexes of the Roadmap;
- documents by the following actors that mention the Roadmap as a reference in their text corpus, footnotes or annexes:

  - The DGs of the European Commission, the European Council, the European Parliament, the European Economic and Social Committee, and the Committee of the Regions.
  - Social Partners, non-governmental organisations and companies.

Most EU documents were available via the websites of the Commission, Council, EP and other actors (e.g. Social Partners). The European Commission website offered three search strategies: (1) the Official Journal of the European Communities; (2) various websites of different Directorate General; (3) the Eur-Lex: Access to European Union Law web search. The Official Journal delivers the official citations. The DGs offer additional policy papers which are not published in the Official Journal, but are necessary as a support to understand the policy-making process. The Eur-Lex shows the timeline and documents which were connected to actors and policy programmes. Every EU publication with an official label is available through such websites.

In addition to the web-based research, the EU library in Brussels and the publication offices of EU institutions (e.g. EP, CoR, EESC) provided additional documents that were mentioned in other publications, but were not available online. The search started on the website of the Directorate General Employment, Social Affairs and Equal Opportunities of the European Commission, since it was still in charge of gender equality policies in 2006. It offered the most comprehensive overview of links and documents relating to gender equality policy-making. In addition, all links from DG Employment—e.g. to other Directorates General, other institutions or any other kinds of actors, references to gender equality and links and documents related to the Roadmap—were followed up.

In order to collect all publications connected to the Roadmap, similar searches on the website of the Women's Rights and Gender Equality Committee of the European Parliament, the European Council Section 'Employment and Social Affairs', the Committee of the Regions, the European Economic and Social Committee and the websites of various

NGOs and Social Partners were carried out. They did, however, provide fewer links and documents. In addition, a keyword search on the central terms of the Roadmap (e.g. economic independence, gender based violence, stereotype) on CORDIS (http://cordis.europa.eu) was conducted.

Analytical Steps of Documentary Research
The production of EU documents follows certain rules and the actors who were involved followed certain procedures and processes. The order of documents can be conceptualised as a regulated dialogue (Wolff 2000) between the different institutions and organisations, representing structure. Individuals are aware of certain rules (depending on their knowledgeability and location) inside their institution. Therefore, they can schedule their involvement in the institutional dialogue. The Roadmap, for instance, was published on International Women's Day (March 8), an important date for the policy area and its actors. In this sense connected documents can also be conceptualised as representations of structure and the content, rules and resources which were provided for the policy area at a certain point in time. When analysing an official document it needs to be treated with care, because *'the information that it provides tends to cast the department and its ministers in a favourable way'* (McCulloch 2004: 38). How were the publications ordered over time in regard to the policy process? The answer lies in the idea of historiography as the *'writing of history based on a selective, critical reading of sources that synthesizes particular bits of information into a narrative description or analysis of a subject'* (Thies 2002: 351). Documents also provided the exact publication dates because interviewees seldom stated the exact dates of documents. Sometimes such dates were important to ascertain when actors had access to a specific document during the policy process.

First, I compared the relevant policy issues, legislation, actors, policy goals and accountability by asking:

- what exactly was formulated; e.g. what were the terms and wording used in title and text body, what was the cited legislative context, the types of institutions and organisations which were assigned for specific tasks, what were the set targets or benchmarks, what was the dedicated budget and what were the review tools;
- if the aspect has changed since the previous programme; e.g. in terms of successive activities, new actions or actors;
- if the results pointed to improvement or deterioration.

The results helped to complete the history of gender equality policy and provided the background to the questionnaire and expert interviews.

Publications of specific Roadmap activities from the Commission DGs and by actors other than the Commission were analysed. First, all documents derived from the Commission in relation to the Roadmap were searched for topic-specific keywords, such as gender, women, men, equal and discrimination. In addition, specific terms related to priority action areas of the Roadmap and connected programmes, such as 'Investing in Youth' or 'Plan D', were analysed. The keyword search was an indicator for accountability—whether an activity of the Roadmap was actually implemented or just lip service. The key idea was: if something is mentioned in the Roadmap, we should at least expect to find a smaller reference to gender equality in the subsequent documents of the Roadmap. This means that if there were no links to gender equality (or similar keywords, such as 'equal opportunities') we can expect that nothing will be implemented with regard to gender equality. The results of this analysis provided the background to the development of the questionnaire and expert interviews.

II. Expert Interviews

Expert interviews were useful for understanding the duality of structure: the way in which actors interacted within a certain structure, how they shaped the structure and how they were, at the same time, constrained or enabled by the surrounding structure. The analysis of expert interviews helped to explain and track changes at the level of actors. This included changes to their previous collaboration, their knowledgeability and capability, the level of structure, e.g. the role of rules and resources as aspects of routines. Interviewees constructed narratives of their role in the policy process and the way in which the policy process was structured. Their everyday working life, personal views, origin and gender influenced the retrospective narratives of interviewees. They shared different narratives about EU gender equality policy, e.g. as a story of stability, retrenchment or progress. Comparing narratives was critical, because the stories implied explanations for the success and failure of gender equality policy-making. In addition, the narratives were compared to the context which was extracted by applying the second method: documentary research.

Purpose and Conceptualisation of Expert Interviews

Interviewees produce common narratives or *'standard stories'* (Tilly 2002) which are coherently interwoven with a certain institutional logic and its norms and rules. The narratives about the policy process can be analysed in order to find similarities, differences and narrative patterns.

Expert[3] interviews are common in sociology and political science and can serve different functions. They can help to quickly explore the research subject, they can limit the otherwise high number of interviews by selecting a variety of actors or open up access to the research area and future interviews (Bogner and Menz 2005: 7–9). Political experts in particular are *'gatekeepers to a considerable amount of information (…) not available through official channels'* (Sarikakis 2003: 434).

Expert interviews are a specific connection of a customised method with a specific sample group rather than a specific method. In this context, expert interviews served the purpose of reconstructing a social situation (Gläser and Laudel 2009): the policy process surrounding the Roadmap. Likewise, experts performed a double role as professionals and individuals (Abels and Behrens 2005: 175–176). This means that even though experts act as individuals in interviews, they are not of interest as a private person as such. Selecting the samples is justified because we can, for instance, take for granted that members of the Committee for Women's Rights and Gender Equality (FEMM) in the European Parliament possess the necessary *'social relevance'* (Bogner and Menz 2005: 45f).

In this study expert interviews were conceptualised in view of their theory-generating function as the interview focused on the *'subjective dimension'* of experts concerning their individual reasons for actions and their implicit basis of decision-making (Bogner and Menz 2005: 38). Expert interviews with semi-structured questionnaires are the most appropriate method when the interview includes diverse topics which are shaped by the research question. They are also relevant when details about individual and implicit decisions are only available through the experts (Gläser and Laudel 2009: 111).

The method of using semi-structured, narrative expert interviews relies on the participation of a particular person in a particular context of action who reflects the main criterion of the applicability, as Schütze (1977) pointed out. In this case the specific context is the participation of a person in the policy process in connection with the Roadmap. In particular civil servants are experts, as they acquire *'insider knowledge'* (Merton 1972) or *'spezialisiertes Sonderwissen'* (Meuser and Nagel 2004). In comparison to

the general public experts tend to have more crystallised views on political topics and seldom show attitude softness (Jennings 1992). EU civil servants are used to *'Euro-speak'* (Diez 2001), i.e. speaking in public and defending the politics of their institution. My interviewees were familiar with interviews; they had probably encountered similar questions to those in the questionnaire often before and were prepared to answer inconvenient or open questions.

Sampling

Experts were initially generated by a *'decisional method'* (Mérand 2011), i.e. individual actors were selected by organisational charts, so-called gatekeepers. Afterwards, a snowball system completed the expert search through matching the sample while processing the data collection. No reliable information was available in advance in relation to the number of persons, their location and relevance in the policy process. Therefore, a snowball system provided the best solution to cover the maximum potential research population. This involved previous interviewees who defined other experts within the policy process by labelling him/her as a participant. Therefore, experts and their knowledge were an *'analytical construction'*[4] (Bogner and Menz 2005: 43). Consequently, experts were predominantly defined by their participation in the process of gender equality policy-making and not exclusively by possessing a certain institutional function.

Experts often come from lower and middle hierarchies and seldom from the top level as they perform a certain function and present solutions to problems and the decision-making level (Meuser and Nagel 2005; Abels and Behrens 2005). Career civil servants are central in understanding the overall policy process; they stay, while the political level, e.g. Commissioners and the members of their cabinet change frequently (Hooghe 2005).

Pitfalls of Chosen Expert Definition

People are often biased about male and female power and show a tendency to connect the term 'expert' to higher positions in the hierarchy (Littig 2005). For instance, we know from social movement studies that people tend to overestimate men's roles and underestimate women's roles in the movement (Dörr 2007). On the whole, we need to pay attention to who is considered an expert, and why and who possesses the normative power in gender equality policy.

Some may argue that the analytical construction of experts used in this study may have favoured a narrow, male understanding of 'experts' when linking experts with formal responsibility. To avoid such a bias I decided not to ask the interviewees about further 'experts' in the field. Instead they were asked about *'good persons to talk to in order to get a broad picture'.* This general request opened up the possibility to include those who might be useful for the study, rather than sticking to institutional settings or formal responsibilities.

However, in the final sample the analytical construction of experts certainly risked excluding those who were not recognised or accepted by the dominant actors within the policy area, such as LGBT groups, migrant organisations, etc. They were not excluded on purpose; in fact, they were omitted because interviewees never mentioned them. If they had been mentioned they would have been included. Their aims and activities to influence gender equality policy are unquestioned. However, the other participants in the policy process did not consider them as actors since recognised participation in the policy process was the criterion for being included in the interviews.

Interaction Between Researcher and Interviewee

Interviews are a specifically constructed complex situation of social interaction. They imply a particular management task for the interviewer, because all interview participants are subjects and human beings (Gläser and Laudel 2009). Both participants—researcher and interviewee—implicitly attribute roles, characteristics and competences to each other and the interactions are influenced by interests, trust, power and control (Abels and Behrens 2005: 175). These aspects influence the interview atmosphere and require the researcher to be empathic and understand the roles that participants occupy. The aim is to stage a comfortable, fruitful atmosphere (Hermanns 2000: 364) and to produce an interview where the transcript can function as a monologue (Lamnek 1989). According to Hermanns (2000: 361), researchers face three dilemmas in interviews: (1) the vagueness of the interview set-up versus the need to collect significant material regarding the research question; (2) interest in collecting a great deal of specific and often personal information versus respecting privacy; (3) the researcher's existing knowledge versus curious impartiality as a precondition for an open interview situation.

According to Bogner and Menz, every statement in an interview shapes the interaction between the researcher and interviewee and statements of

interviewees are always statements *'for'* the researcher within a specific situation (Bogner and Menz 2005: 48). In such a specific situation, interviewees constantly reflect upon the interview situation and react to it, consciously or unconsciously, as does the interviewer.

Also researchers cannot avoid socio-structural and situational factors which are verbally and non-verbally reproduced, such as age, gender, professional status or opinions[5] (Abels and Behrens 2005: 177). In fact, gender and age play a particular role in interviews (Behnke and Meuser 1999; Littig 2005). While such influences cannot be avoided, they can nonetheless be anticipated and critically screened during the research process. As a young female scientist, the author occasionally perceived gender-specific attributions that cross-cut the general challenges, e.g. when an older male civil servant elaborated extensively on the basic functioning of the EU system and its possible pitfalls in a paternalistic attitude (Abels and Behrens 2005: 182).

Questionnaire Development and Application

Developing a questionnaire reflects a crucial element of the research process, as it shapes the way in which interviews are conducted, as well as the data that is ultimately obtained. Hopf's (1978: 99–101) consideration provided four central standards which were followed in this study:

- *Scope*: the spectrum of possible answers must be as wide as possible to avoid anticipated answers. Questions should not simply interrogate factors; instead, they should function as narrative-stimulating questions.
- *Specification*: questions should lead to detailed answers from the perspective of the interviewee, as opposed to standardised answers.
- *Depth*: questions should support the interviewee in portraying his or her involvement in the affective, cognitive and value-related importance of the researched process.
- *Personal context*: the personal and social context of the interviewee needs to be known and acknowledged.

In addition, questions needed to be 'open', neutral, clear and simple (Gläser and Laudel 2009: 131–142) in order to produce reliable narratives.

The interview strategy was to provide sufficient space for experts to develop their narratives about the Roadmap and EU gender equality policy. Based on theoretical reflections, a thorough reading of research

literature and discussions with colleagues, a semi-structured questionnaire covered the five broad issue areas (1) interviewee work description, (2) organisation/actor description, (3) Roadmap negotiations, (4), actors constellation, and (5) EU integration process.

The questionnaire included 'stimuli' questions for each issue area, back-up questions depending on the first answer, as well as further potential questions (Corbin and Strauss 2008: 28). It was meant as a guideline for the interview without excluding additional topics or necessarily sticking to the order of questions (Gläser and Laudel 2009). After the interview, every interviewee was asked to sign a consent form about data protection and complete a data questionnaire on socio-structural aspects, such as number of colleagues, hierarchical position, occupation, education, etc.

Practical Interview Process
Interviewees were contacted by personal email, announcing a telephone call during the coming days and requesting further information and a face-to-face interview. The majority of the contacted persons reacted to the email within a short time; many responded even before the announced telephone call, some firmly expressed their interest in the interview, while only a few rejected an interview.

From March to July 2008 thirty-three expert interviews were conducted in the European Commission, the European Parliament, the European Council, the European Economic and Social Committee, with members of different NGOs, Commission expert groups, Social Partners and interinstitutional groups.

The number of 'necessary' interviews was intentionally left open. By contrast, four qualitative goals were used to guarantee content-related representativeness. Interviews should: (1) be distributed over different levels of hierarchy; (2) cover researched policy areas; (3) represent persons from different types of organisations; (4) be conducted until no new actors, persons or institutions were mentioned. Contacts and interview appointments were kept in two different password-protected files to secure anonymity. Audio files were stored via a password-protected online storage and deleted from the tape within two days after recording.

Thirty-two interviews were in-depth interviews which lasted thirty to three hundred minutes, with an average of ninety minutes. The goal was to stimulate memory (Corbin and Strauss 2008) and grasp the interviewees' experience and the meaning they assigned to their everyday work and thoughts about gender equality policy-making. Thirty-one interviews

were taped,[6] simultaneously recorded in writing and entirely transcribed. The author produced an interview protocol which collected underlying data, such as age, country of origin, interview atmosphere and special features like access to the interview and interview interaction (including avoidance of topics).

Final Sample

The interviews started with online directories and a keyword search. The majority of interviewees of the final sample are not visible or searchable via such online directories. Therefore, it would have been impossible to find them without snowball sampling. In conclusion, the majority of actors who were involved in gender equality policy were not visible and easily identifiable from the outside. The distribution of the thirty-three interviews is illustrated in the following table.

Overview Interview Distribution

Actor	Number of interviews	Function or organisation	Number of interviews
European Commission	12	Management level	4
		Policy advisors	8
European Parliament	8	MEP	5
		Civil servant	3
Member states	4	Coreper	1
		Interinstitutional group	3
Other institutions and organisations	9	NGOs	4
		Social Partners	2
		Expert groups	2
		EESC	1

Female interviewees showed no particular pattern: they covered all age groups—more or less equally—and worked at all levels of responsibility. Around one-fifth of the interviewees were male and all of them worked within the EP or the Commission. They covered all age groups, but were slightly underrepresented in the policy core group. All interviewees held a university degree, were white and—as far as it can be derived from the information available—did not have a migration background. Interviewees from NGOs and Social Partners tended to belong to the youngest age groups (below 34 and 35–44), while the representatives of expert groups belonged to the oldest age group (above 55).

Ethical Questions

A cover letter with the invitation included a paragraph assuring that all information would be treated confidentially and would solely be used for scientific analysis and related publications. It also stated that the interviewee and his/her colleagues could not be identified by name; the interview would be anonymous and deleted after the end of the research project. Interviewees who named a potential interviewee where asked for permission to include their name in the cover letter. After every interview an informed consent[7] was signed by the interviewee. During transcription all individual names were deleted or exchanged by acronyms by the author, apart from those concerning a public figure, such as the Commission President or a Commissioner. In order to assure full anonymity, quotations in the empirical chapters were only broadly marked with the organisation and not with single departments, political parties or organisations. Quotations in the empirical chapters only show original statements, while other statements were paraphrased to protect anonymity.

III. Coding and Analysing Expert Interviews

Grounded theory provided the basis for coding data. This method is nowadays also used independent of grounded theory (Gläser and Laudel 2009). Such an approach allows generating a 'thick description', analysing a single case and studying policy processes from a feminist, interpretivist perspective (Vromen 2010: 249). Grounded theory is a micro-sociological approach that enables generating a meta-theoretical explanation which is grounded in data (Creswell 2013), a *'unified theoretical explanation'* (Corbin and Strauss 2008: 107) which is shaped by the views of interviewees. It allows the focus on a dynamic process, an action over time.

Coding interview transcripts involves the application of particular labels to appropriate units of data, whereby codes are the names for concepts at any level of analysis. Coding is a technical task and requires the organisation of data. It is neither analysing nor interpreting, it rather contributes to organising data in a way that it becomes interpretable. This study used atlasTi, a scientific software for textual analysis to code and analyse the text corpus of the interviews.

The process of coding data can be best described as a combination of 'open coding' and 'axial coding' (Strauss and Corbin 1998). The practical process involves reading, coding and conceptualising the material by

constantly comparing and contrasting the coded material. It thereby reduces the raw data and concepts to the overarching categories.

Coding Process and First Analysis

While many research projects employ a deductive top-down approach and define concepts and their dimensions in advance before they subsequently code along the developed concepts, this study combined a top-down and bottom-up approach based on grounded theory. A bottom-up approach means developing concepts and their dimensions inductively while coding. However, it is not possible to analyse data without having ideas about possible explanations. Thus, the starting point for coding in the study relied on aspects from the literature review which were derived from the documentary research and the thematic areas of the questionnaire.

The study commenced with a process characterised as 'open coding' and went through every single interview in turn, coding text segments that either belonged to the aforementioned factors or could be labelled with a name drawn from data, so-called in-vivo-codes (Corbin and Strauss 2008: 65). Even though some of the labels from the deductive codes were stable, the narratives often differed from the expected content and resulted in a redefinition of the code. The same applies to inductive codes.

The coding was initially fractioned and often did not differentiate whether a certain text segment was a code, a dimension belonging to a code or a concept. After a number of interviews, some codes were connected into so-called code families in atlasTi. The review of dimensions, codes, code families and concepts was scheduled periodically in rotation with reading and revising memos.

Along the coding process the author explored the relationship between different concepts which either belonged to structure or content, a process which was termed 'axial coding' by Strauss and Corbin. It led to more abstract concepts, so-called categories (Corbin and Strauss 2008: 195–199). Categories *'represent relevant phenomena and enable the analyst to reduce and combine data'* (Corbin and Strauss 2008: 159). They are the core concepts of the study and supplied the basis for the empirical chapters. Transversal code families on sex, age and institutional affiliation were set up in order to discover possible gendered effects and analyse text segments regarding specific institutional rules and resources.

While atlasTi helps to categorise data along concepts and dimensions, it is less useful when aiming to find specific characteristics. These are often

overseen during coding, because they only occur a few times or as a sub-text of the whole interview. To compensate for the risk of missing specific characteristics the author regularly read all interviews as a complete text, marking specific characteristics. For instance, the aim was to look for *'negative cases'* or contradictions of one interview to all others, in order to allow a fuller exploration of concepts (Corbin and Strauss 2008: 84). This provided the chance to add puzzle pieces to overarching questions and topics which were particularly important to individual interviewees, but also to one or more concepts in general.

From Coding to Analysis and Interpretation

The most important decision during the analysis was to divide codes according to their relevance to actors' actions, aspects of structure and content. This allowed the three times analysis of codes and answers to the three overarching questions. In order to develop and define the codes and establish an understanding of different narratives, the study asked *'who, what, when, where, how and with what consequences'* (Corbin and Strauss 2008), while constantly comparing the results. The study focused on time (sequence, timing, duration) and space (where, open or closed group).

The actors' actions, interactions and perceptions which were described by individuals were analysed before subsequently developing an early model of their perception and reflection of the Roadmap. At the same time another model was developed in relation to the 'core and periphery of gender equality policy actors'. The codes for actors functioned as a collection of sequential events and descriptive statements. The pulling together of the policy process over the course of time relied on descriptive, quasi-factual statements of all interviewees who participated in the Roadmap. The code brought together the information from every single interview and allowed the development of a thick description of the policy process, including contradictory and similar narratives. Accordingly, the descriptive codes helped to carry out a sequential analysis of the policy process.

A second kind of codes and concepts—codes that contained implicit or explicit interpretations and explanations by interviewees—were analysed in a different way. All quotations of one code were compiled and compared in order to find text segments that contained similar explanations or interpretations in answering how actors interpreted and constructed the Roadmap policy process. The codes for structure functioned as a collection

of interpretative and explanatory elements which were implicit in the statements of the interviewees and derived by open coding and axial coding.

In terms of structure, the focus was on formal and informal rules and procedures, because they provided the context for the actors and their routines. During this analysis two different levels of rules and resources occurred that were connected with different spaces for the actors. On the one hand, there were the daily routines within their home institution as part of their working environment. These steered the everyday, routine actions of the actors and all interviewees reflected upon them implicitly or explicitly when describing their work and organisation. The second set of rules was connected to a broader level, e.g. the level of EU integration itself. These rules encompassed enlargements, the discourse on new public management or the power structure between different supranational institutions, such as the Council, Parliament and the Commission.

Against the background of the reconstructed process it was possible to analyse who knew what, at what point in time, and how actors perceived the process in a particular way, how they entered the process and with what knowledge. This was necessary for answering how different actors judged the policy implications of the Roadmap. The policy implication of the Roadmap was a code that neither fell into the category of actor, structure nor content; it reflected how actors in a specific structural setting perceived the same subject in a different way.

Notes

1. Primary sources are defined as original documents which are produced by any kind of political actor, as well as archival material, such as meeting notes, press releases or speeches (McCulloch 2004).
2. All official publications of the European Union are identified by a so-called CELEX number and a unique abbreviation of the document sector (e.g. treaties, secondary legislation, preparatory acts, parliamentary questions), year of publication, consecutive number and sometimes status. The CELEX for the Roadmap is 5 2006 DC 0092. Read: 5=Preparatory acts, 2006=year of publication, DC=other Commission documents, 0092=consecutive number. The 'Roadmap' has also the unique abbreviation COM (2006) 92 final. Read: Published by the Commission, in the year 2006 as number 92, final version.
3. Expert interviews are sometimes also referred to as elite or specialised interviews. For methodological discussions, please refer to Bogner et al. (2005).

4. The term 'expert' is not only an 'analytical construction' it is also a relational conceptualisation (Bogner and Menz 2005). Who is considered an expert must be derived from the theoretical framing of the research and not by choosing 'expert interviews' as a method (Deeke 1995).
5. Sarikakis (2003) provides a very comprehensive account of the cross-cutting effects of gender, age, and ethnicity combined with research on EU politics and elite interviews.
6. One more interview was a recollection of the conversation, because the recording failed, while the remaining one was conducted via email exchange.
7. The informed consent was largely derived from the example provided by Helfferich (2005: 203).

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