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Mountain or Molehill ?:
A Critical Appraisal of the Commission White Paper on Governance

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Mountain or Molehill?
A critical appraisal of the Commission White Paper on Governance

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EUROPEAN UNION GOVERNANCE AND THE QUESTION OF GENDER: A CRITICAL COMMENT

Jo Shaw[1]

1. Introduction

Millns and Whitty (1999: 1) suggest that:

> *'Feminism is characterised by a focus on gender as a central organising principle of social life; an emphasis on the concept of power and the ways that it affects social relations; and an unwavering commitment to progressive social change.'*

Furthermore, according to Lacey (1998: 186), feminist approaches to law reject:

> *'the idea of law as an autonomous structure generating claims to truth which are insulated from political critique. Feminism ... will always be concerned to undermine, to expose as false, law's pretended autonomy, objectivity and neutrality.'*

It may, therefore, seem like a familiar and perhaps even overdone feminist complaint to say that the White Paper on Governance, like so many policy or legal reform initiatives at every level of government before it, has failed to take into account the 'gender dimension' of policy-making. The best that can be said is that 'gender' is implicitly included in an agenda of greater inclusiveness in policy-making, and of bringing policy-making closer to the citizen. However, in view of the explicit agenda of gender mainstreaming, currently taking root in EU public policy-making, an agenda which – what is more – is constitutionally anchored in Article 3(2) of the EC Treaty, it is one complaint about sins of omission in the White Paper (however crowded its agenda) which sticks better than most.

So, it is a matter of some regret that the proposition that policy-making operates in a gendered environment and with effects which are not wholly gender-neutral receives no attention whatsoever in the key documents framing the White Paper. In this can be included the final July 2001 version of the White Paper itself,[2] the October 2000 'Work Programme' and Commission staff working document entitled *Enhancing democracy in the European Union*,[3] and the Draft Memorandum to the Commission on *Approaches to European Governance: For Democratic European Governance* of March 2001 which bridges between these two documents.[4] Only rather brief attention is paid even in

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[2] COM(2001) 428 of July 25 2001,

[3] SEC(2000) 1547/7 of October 11 2000.

[4] Although not made publicly available on the Governance website, this document was released in French, German and English to at least some members of the academic community via the Jean Monnet Professors' Group on the White Paper, and was commented upon directly in materials made available on the website at http://europa.eu.int/comm/governance/index_en.htm

the Working Group Reports which were fed into the processing of drawing up the White Paper. It should be noted that, for these purposes, we are not treating gender and sex as synonymous; instead, gender is both process and structure, and it concerns the reflexive interaction between our bodies and the cultural context in which we live. It is not a fixed category, but contingent and dynamic, evolving by reference to the overlapping frames of identity within which we live our lives. Gender is not the question of 'women's policy'; instead, raising the issue of gender goes beyond the dichotomous construction of masculinity and femininity within society to address also the ways in which institutions of governance embody issues of gender difference and indeed other forms of difference, such as race or ethnic background.

What place might gender mainstreaming have in the White Paper? According to the Commission, gender mainstreaming is:[5]

> *'the systematic integration of the respective situations, priorities and needs of women in all policies and with a view to promoting equality between women and men and mobilising all general policies and measures specifically for the purpose of achieving equality by actively and openly taking into account, at the planning stage, their effects on the respective situation of women and men in implementation, monitoring and evaluation.'*

Moreover, mainstreaming:

> *'does not mean simply making Community programmes or resources more accessible to women, but rather the simultaneous mobilisation of legal instruments, financial resources and the Community's analytical and organisational capacities in order to introduce in all areas the desire to build balanced relationships between women and men.'*

The principle and practices of gender mainstreaming thus have an embedded assumption of the differential contexts and effects of policy-making. Mainstreaming is more than a simple functional programme of policy review, but instead 'concerns the whole of society', since 'it can encourage progress and be a token of democracy and pluralism'.

These types of statements from the Commission cannot help but resonate with some of the grand objectives of the White Paper and the White Paper Work Programme to 'open up policy-making', to 'connect the EU more closely to its citizens and lead to more effective policies' (p.8); above all, it aims to harness the five principles of good governance, namely, openness, participation, accountability, effectiveness and coherence (p.10) in order to overcome the perceived legitimacy gap infecting the EU and its institutions. Although work on 'public spheres' has begun to establish the gendered nature of such legitimacy gaps (Liebert 1999, 2001), no reference to gender is forthcoming in the White Paper despite its concerns (sometimes more hidden than apparent) for the legitimacy question. Furthermore, the White Paper's focus on 'better regulation through a greater diversity of policy tools and their combined use' (p.30), although fleshed out in places with references to the open method of co-ordination, the role of the social partners and techniques of 'co-regulation', does not extend to identifying the possible contribution to 'better regulation' made by gender mainstreaming.

This brief comment outlines the agenda of mainstreaming gender in EU public policy, highlighting its gradual emergence as the paradigm frame of gender policy since the mid-1990s,

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[5] European Commission, *Incorporating Equal Opportunities for Women and Men into All Community Policies and Activities*, COM(96) 67.

identifying the main features of 'mainstreaming' both as principle and as strategy, and questioning how far gender mainstreaming has, in fact, progressed up to now within EU public policy. Although not a panacea for all ills, the proposition is defended that a gender mainstreaming perspective represents a valuable – if, as yet, rather imprecise – frame for reconsidering policies with a view to contesting the effects of gender inequalities in contemporary societies, and thus for engaging with one of the enduring goals of both feminist politics and feminist legal reform. The question is then posed as to how and why the gender question represents a crucial missing dimension for the White Paper process thus far, and particular attention is paid in this context to the question of power. Some thoughts and suggestions are put forward as to how the gender gap could be closed in relation to the White Paper. Some ideas can already be found where gender issues do make an appearance in the reports of the Working Groups which were intended to feed inputs and ideas into the process of drawing up the White Paper. Furthermore, a gendered perspective upon each of the five principles of good governance could usefully be developed. It is submitted, in conclusion, that the first task is that of mainstreaming gender within the text and underlying frame of reference of the White Paper itself. This would have the useful effect of bringing gender equality issues into the public sphere and making them the subject of immediate and extensive public debate.

2. Mainstreaming Gender in EU public policy

The Treaty of Amsterdam marked the beginning of a new stage in the development of gender equality policy in the EU. Before Amsterdam, what was often termed the 'women's policy' was extrapolated from a relatively 'thin' constitutional reference point on equal pay for men and women in Article 119 EC. The institutional roles of the Court of Justice, the Commission, the European Parliament (especially its Women's Rights Committee) and the Council in promoting a policy of 'equal opportunities' for women and men through legislation, soft law measures and case law are well documented in legal and political science literatures (*e.g.,* Mazey 1995; Hoskyns 1996; Hervey and O'Keeffe 1996). A crucial variable determining the effectiveness of much policy-making has been the diverse national constitutional, institutional and legal terrains into which EU measures are nested once adopted, and this variable remains fundamental even after the shift to a mainstreaming paradigm. However, it is to the incapacity of the liberal norm of 'equality' to deliver substantial socio-economic change in contemporary (social) market societies that the closest attention has been paid in critiques of sex equality law at both national and EU levels (*e.g.,* More 1996; Fredman 1997; Hervey and Shaw 1998; Shaw 2000). The inadequacies of the 'bare' equal treatment approach have long been recognised in the public discourse of the European Union institutions. Indeed, the Court of Justice was reminding its interlocutors of precisely this point when it declared in *Marschall* (a positive action case) that:

> *'... even where male and female candidates are equally qualified, male candidates tend to be promoted in preference to female candidates particularly because of prejudices and stereotypes concerning the role and capacities of women in working life, and the fear, for example, that women will interrupt their careers more frequently, that, owing to household and family duties, they will be less flexible in their working hours, or that they will be absent from work more frequently because of pregnancy, childbirth and breastfeeding.*

> *For these reasons, the mere fact that a male candidate and a female candidate are equally qualified does not mean that they have the same chance.'[6]*

Interestingly, in this case the Court chose to refer to changes to be instituted by the Treaty of Amsterdam (at that time agreed and signed, but not yet ratified or in force), which had been introduced specifically to address unhappiness about the way in which the liberal equality norm was impinging upon national and regional positive action programmes as a result of the Court's own earlier judgment in the *Kalanke* case.[7] The Treaty of Amsterdam introduced changes to what is now Article 141 EC (ex Article 119) to create a greater space for the adoption of positive action measures at national or regional level without contravening the equality principle, and also instituted a new 'mainstreaming' principle in Article 3(2) EC, according to which, 'in all the activities referred to [in the list of Community activities in the previous paragraph], the Community shall aim to eliminate inequalities, and to promote equality, between men and women'. This can be said to 'constitutionalize' the guarantee of proactive policy-making to eliminate inequality, a markedly different guarantee to that of bare equal treatment or non-discrimination. The Treaty of Amsterdam has also led to the widening of the purview of equality policy, as a result of the introduction of the Article 13 legal basis for anti-discrimination measures, subsequently applied in two directives on race discrimination and non-discrimination more generally. These provisions in combination also carry the focus of anti-discrimination policy away from the workplace (and training) and away from the entitlements of the individual legal 'victim' of discrimination alone towards other fields of Community competence, such as labour market policy or development policy. The shift in focus also raises the possibility of wider societal responsibility for inequality and a concomitant duty on policy-makers to reconsider their practices.

To this end, it is crucial to note that, although the Commission's most recent 'Framework Strategy' on gender policy for 2001-2006[8] continues to invoke the *leitmotiv* of equality before the law, its main approach is to combine the *adjustment* of policies or gender mainstreaming with the implementation of *specific 'positive' actions* to improve the position of women in society. In its Strategy document, the Commission noted that:

> *'This situation [of persistent inequality] can be tackled efficiently by integrating the gender equality objective into the policies that have a direct or indirect impact on the lives of women and men. Women's concerns, needs and aspirations should be taken into account and assume the same importance as men's concerns in the design and implementation of policies. **This is the gender mainstreaming approach, adopted in 1996 by the Commission which the Commission intends to operationalise and consolidate through this proposal.***
>
> *In parallel to gender mainstreaming, persistent inequalities continue to require the implementation of specific actions in favour of women. The proposed framework strategy is based on this dual-track approach.' (emphasis in the original)*

In keeping with the 'beyond the workplace' approach which stems from the Treaty of Amsterdam, the Commission identifies five areas of intervention to all policies which must, in some way, be related:

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[6] Case C-409/95 Marschall v. Land Nordrhein-Westfalen [1997] ECR I-6363 at paras. 29-30.

[7] Case C-450/93 Kalanke v. Land Bremen [1995] ECR I-3051.

[8] Commission Communication, Towards a Community Framework Strategy on Gender Equality (2001–05), (COM(2000) 335 of 7 June 2000). Clearly evident in the Fourth Equal Opportunities Action Programme of 1996-2000, it is said that gender mainstreaming can be traced right back to the Third Action Programme of 1991-1995: Beveridge et al, 2000b.

namely, economic life, equal participation and representation, social rights, civil life and gender roles and stereotypes. The Commission's Strategy is backed up by financial means provided for in a Council Decision establishing a funding programme,[9] and other measures such as a Decision on gender balance in Committees.[10] Gender equality policy is now the subject of an annual 'work programme'[11] as well as an annual report.[12]

The beguiling simplicity of this dual track strategy is belied by the continued under-specification and under-theorisation of the mainstreaming concept and of the strategies necessary to implement it (Scottish Office 1998; Verloo 2001). Gender mainstreaming as a policy tool originates in programmes of international governance, especially in the area of development aid such as those of the UN Development Programme and the World Bank. It was endorsed in the Declaration resulting from the UN's Fourth World Women's Conference in Beijing in 1995 (Hafner-Burton and Pollack, 2002). It has also been the subject of attention at international level in Europe, within the Council of Europe and the OSCE, and it has been applied in varying degrees at national and regional levels of government in most of the Member States of the EU; as we have seen it represents a pillar of the EU's own gender policy. Even so, mainstreaming retains an uncertain relationship with other legal and constitutional principles, such as non-discrimination and equality. How does gender mainstreaming map onto established debates about the relationship between formal and substantive equality (if at all)? If the legal frameworks of gender mainstreaming are, on average, 'softer' and more generalist, what does this mean? Will it imply, in the long term, a watering down of already relatively weak equality concepts enshrined in the existing equality directives? Or might it imply a strengthening of these concepts, at least in terms of substantive meaning, but a consequential weakening of enforcement and structures of enforceability? Its institutional implications both within the EU itself and for the Member States (nationally and regionally) have yet to be fully explored. The conditions necessary for effective law- and policy-making, and thus for *implementing* mainstreaming, are not clearly specified or understood (Beveridge *et al* 2000a and 2000b). The extent of policy learning and policy transfer from other fields where similar policy instruments are used (*e.g.*, environmental policy) or other policy making arenas where a mainstreaming agenda is being used (*e.g.,* global governance and development agencies or well-established national practices such as the Dutch Emancipation Impact Assessment (EER[13]) instrument (Verloo 2000)) can be made more explicit. The role of social actors and feminist lobby groups in the push towards equal opportunities policies is a well-established phenomenon, and the question arises as to whether the development of the mainstreaming approach opens new opportunities for social actor intervention, or changes the balance of social forces (Pollack and Hafner-Burton 2000a and 2000b; Hafner-Burton and Pollack 2001).

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[9] Council Decision (EC) No 51/2001 of 20 December 2000 establishing a programme relating to the Community framework strategy on gender equality (2001–05), OJ 2001 L17/22.
[10] Commission Decision 2000/407/EC of 19 June 2000 to improve gender balance in committees and expert groups (OJ 2000 L154/34) accompanied by a Commission Communication (OJ 2000 C203/4).
[11] European Commission, Framework Strategy on Gender Equality: Work Programme for 2001, COM(2001) 119.
[12] European Commission, Equal Opportunities for Women and Men in the European Union. Annual Report 1999, COM(2000) 123; European Commission, Equal Opportunities for Women and Men in the European Union. Annual Report 2000, COM(2001) 179.
[13] Emancipatie Effect Rapportage.

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Alternatively, should the institutional adoption of an agenda of mainstreaming be seen as the 'framing out' of the disruptive and radical aspects of feminism (Runyan 1999)? Has mainstreaming ever really left behind the neo-liberal context in which it originates in organizations such as the World Bank, where it can easily be constructed as an economic imperative, promoting strong economies, competitiveness and growth, and acting as an aid to social cohesion? One of the dangers with mainstreaming may be that with such apparent inclusiveness in policy-making, radical challenges to the status quo could, in reality, lose their capacity to disrupt received ideas about power and policy. It may involve as much 'framing out' of interests as 'framing in'. It may involve the co-option of feminist ideals into a soft-focus, family-friendly world in which choice and freedom are merely rhetorical devices, rather than real lived experience. Does mainstreaming in truth provide any better way of getting to the heart of a policy problem, simply because of its claim to inclusiveness? It may detract, in fact, from a better understanding of the policy problem because it suggests, wrongly, that the gender issues which are raised are relatively tractable rather than intractable. As the 'what's the problem' approach to policy analysis advocated by Bacchi does, in fact, highlight, disputes over policy initiatives not only distinguish between those in favour of and those against a particular problem, but also help in 'constituting the shape of the issues to be considered' (Bacchi, 1999). For example, issues about gender and development should not be assumed to be straightforwardly resolved because the boxes on the checklist of mainstreaming have all been ticked off. On the contrary, policy-makers should always question what representations have been assumed in the presentation of a policy issue and what alternatives there might be to the taken-for-granted solutions.

We can suggest that there a minimum of six key elements to a successful gender mainstreaming strategy as an element of public policy. The first point is to recognise the contested nature of the 'gender problematic', namely, the fact that there are no simple solutions to allocative efficiency or fairness issues raised by the historical legacy of women's subordination or the persistent gendered division of labour in the family and household as well as in the employment sphere. No simple tick box answers will ever suffice. Hence, gender mainstreaming can, at most, be a strategy *towards* equality, justice and fairness, and not an end goal in itself. Closely related, the second point focuses on the diverse 'gender regimes' applicable at national level which challenge the relevance of supranational policy-making in a field such as gender policy. Third (and fourth), there are two aspects of the 'politics of presence' (Phillips 1998). On the one hand, there is the inclusion and participation of women in decision-making structures, *e.g.,* in political and legal institutions including executives, legislatures and judiciaries, as well as women's involvement in other public bodies or committees, in NGOs and in private bodies; closely related are other 'participation' issues such as the general question of consultation, access to information and the availability of appropriate institutions and policy machinery for the instrumentalisation of equality policies. The fifth element concerns the need for disaggregated and gender-sensitive statistics and data about women generally (including qualitative data about the experience of women of household work, the family/work divide or 'gendered' violence such as rape). Finally (sixth), there is 'gender mainstreaming' in its narrow sense of gender impact assessment. What are the necessary practical instruments for effective implementation of mainstreaming? What expertise is required and available? Can there be effective participation of those affected by policies? What systems of accountability and monitoring of decision-makers (experts and officials) exist? Can target setting, benchmarking, and other mechanisms for policy evaluation at every stage from agenda-setting to policy implementation be used? What are the systems for policy-learning and policy-transfer which can be applied?

A number of possible theoretical frames for articulating how the gender mainstreaming approach works suggest themselves. One possibility is the feminist debate about 'reason'. According to Minow (1991: 365), what matters in any given institutional setting is less composition than 'reason'. Her concern is 'points of view' and the relationships between power, privilege and seeing the other side. She suggests that 'the more powerful we are, the less able we are to see how our own perspective and the current structure of our world coincide.' The challenge, therefore, is the construction of legal disputes and the recognition of points of view. For 'otherwise, outsiders who become insiders simply define new groups as "other"'. Instead, she argues for highlighting the point of view of people labelled as "different" and 'generating vivid details about points of view excluded from or marginalized by particular institutions.' She concludes:

> *'Seeking out and promoting participation by voices typically unheard are also crucial if equality jurisprudence is to mean more than enshrining the point of view of those sitting on the bench. The concerted and persistent search for excluded points of view and the acceptance of their challenges are equally critical to feminist theory and practice. Otherwise, feminists will join the ranks of reformers who have failed to do more than impose their own point of view.'*

This suggests the value of the search for ways of framing into such disputes about law and policy, as they crystalise before bureaucracies and courts, factors and elements which comprise more than just the legal reconstruction of those categories which the law's own system of definition deems to be relevant. Arguably, the approach of gender mainstreaming with its 'systematic integration of the respective situations, priorities and needs of women in all policies' and its attempt to achieve equality 'by actively and openly taking into account, at the planning stage, [the] effects [of policies] on the respective situation of women and men in implementation, monitoring and evaluation' may be an avenue along which radical policy reform may proceed in the future. To put it another way,

> *'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 actors normally involved in policy-making'.[14]*

This process cannot, of course, be guaranteed to deliver 'gender equality', even if the reasonable disagreement of social actors about the meaning of 'equality' could itself be resolved. What it provides, however, is an empowering frame of reference – a resonance point, to use the language of social constructivism in international relations theory (Schwellnus 2001) – for those who seek to take gender equality into the public sphere, as a matter of public debate.

Despite the rather optimistic note struck by this conclusion to the analysis, it would be wrong to exaggerate how far the mainstreaming agenda has already been taken in within EU public policy-making. The (limited) success stories have been rather well documented (Rees 1998; Pollack and Hafner-Burton 2000a and 2000b), *e.g.*, in relation to labour market policy, policy on research and 'women and science', development aid policy, and education and training policy. In the Framework Strategy, the Commission recognises the need for strategic action outside the 'normal' cases of mainstreaming. A Commission Staff working paper of March 2001, published on the DG EMPL website, sets out a work programme for 2001 for each Commission service for the implementation of

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[14] Council of Europe (1998), Gender Mainstreaming: Conceptual Framework, Methodology and Presentation of Good Practices, Final Report of the Activities of the Group of Specialists on Mainstreaming (EG-S-MS (98) 2), Strasbourg: Council of Europe, at p15.

the Framework Strategy on Gender Equality, and is intended to muster support and effective action right across the Commission's bureaucracy. Furthermore, the Commission's ongoing activities have been subject to criticism for perceived inadequacies, for example, on the part of the European Parliament, which wishes to see further action on proposals such as the draft directive on equal treatment of the sexes in sectors other than employment and the assessment of policies such as those on childcare and the reconciliation of family life and employment.[15] There are swathes of EU institutional activity, moreover, into which mainstreaming has yet to enter. The Court of Justice, for example, has not been touched by the mainstreaming agenda (Shaw 2001).

3. The White Paper and gender: the missing dimension?

It is in the light of the strengths and weaknesses identified in the previous section that we can now return to the question of whether gender is a crucial missing dimension in the White Paper. Let us remind ourselves that, according to the Commission,

> *'"Governance" means rules, processes and behaviour that affect the way in which powers are exercised at European level, particularly as regards openness, participation, accountability, effectiveness and coherence.'* (p.8, n.1)

One criticism that can be levelled at the White Paper is that it is ready enough to deal with 'powers', but less ready to grapple head on with 'power' and suggest, through an effective political analysis, how the issue of power is shaping any reform debates, including those addressing governance as well as 2004, Nice and beyond (cf., Ludlow 2001). Gender is, as contended earlier, primordially a power question. To follow the gender mainstreaming project to its logical conclusion (and thus to escape the neo-liberal frame), it can be contended, is to raise some fundamental questions about who decides who gets what, where and how. Gender mainstreaming can be an empowerment project in much the same way that the reconsideration of 'governance' could potentially be empowering, provided that the paradigm of 'good governance' as a strategy for allegedly improving the impact of the EU on citizens' lives can itself be evaded (Cram 2001). Cram (2001) suggests that national contingencies, including resistance to reform, will play a huge role in determining the meaning and impact of any possible governance reforms at domestic level. In much the same way, Beveridge *et al* (2000c) chart a huge diversity of national conditions affecting gender mainstreaming and gender equality regimes. Issues of 'fit' can dominate in both cases. Moreover, both are clearly political not technocratic projects, and a panoply of legal instruments will also be necessary for engaging with strategies of reform. It is regrettable that the insights of one innovative governance project in relation to gender mainstreaming have not been brought to bear in the formulation of a new and broader project of reform.

In addition, the missing gender dimension raises two crucial substantive questions which the White Paper does not seem equal to the task of engaging with directly, namely, the role of 'fairness' and 'equality' as the substantive values to which policy-making should aspire. On the contrary, the focus of the White Paper is perhaps unsurprisingly much more on process values than upon substantive aspirations for the qualities of the policy outcomes. In sum, the key point of the criticism about the missing dimension of gender concerns the failure to latch onto some positive synergies

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[15] Report on the Commission Communication 'Framework Strategy on Gender Equality – Work programme for 2001', Committee on Women's Rights and Equal Opportunities, A5-224/2001, Rapporteur: Figueiredo.

between the reform programme lying at the heart of the White Paper and the critical questions for governance already raised for the EU in the context of gender equality policies and strategies.

Instead of engaging directly with substantive values, the White Paper approaches the question through an attempt to disaggregate the key elements of 'good governance' according to the Commission's 'five principles' (openness, participation, accountability, effectiveness and coherence), combined with the principles of proportionality and subsidiarity. This process of disaggregation is a positive feature of the White Paper, one which lends its analysis considerable force – even if that force is not always sustained effectively throughout the text of July 2001. A point of departure for mainstreaming gender itself into the White Paper could be that of interrogating each of these assumed principles in the light of the challenges of gender equality (cf., the disaggregated gendered analysis of key elements of constitutionalism and constitutional principle suggested in Shaw 2000: 419-421, focusing successively on sovereignty and authority, citizenship and membership, representation and democracy, political economy, and civil society).

The discussion cannot end without some reference to the brief commentaries upon gender issues which can be found in some of the Working Group reports which fed into the process of drawing up the White Paper. These are important building blocks which can be taken further in the process of consultation which is following the presentation of the July 2001 White Paper text. In the Report of Group 1b on *Democratising Expertise and Establishing Scientific Reference Systems,* the gender issue arises in the context of the 'broadening', even the 'democratisation', of the knowledge that is used for policy-making. Thus, the Working Group report comments that 'gender impact assessments' have indicated that 'gender blind' assessments may fail to identify that certain relevant aspects are neglected or poorly addressed in research proposals or in expert advice provided for policy-making. To this end the Report advocates a widening of expertise, which it terms 'extended peer review', to engage also with practical and other forms of knowledge about the issue under review.[16]

Group 4b on *Networks* makes the point rather sweepingly and without further amplification by reference to specific examples inside or outside the EU that – in contradistinction to hierarchical organisations –

> *'Networks tend to be gender neutral as more of the nodes, be it a person or an organisation can propose their norms, values and cultural characteristics. It also appears that women rise easier to executive posts when managing networks (where trust building and team animation are required) than in pyramids, where power relationships dominate.'*

The most integrated discussion of issues of women and gender is to be found in the report of Group 5 on *Global Governance*, covering the topic of *An EU Contribution to Better Governance beyond our Borders*. This fact resonates in a number of different ways with a discussion of governance in the EU context. On the one hand, of course, much of the gender mainstreaming debate and discourse has flowed into the EU from the direction of 'global governance' (Hafner-Burton and Pollack 2002), although, in some ways, it could be argued that this same global governance debate is very much a top-down enterprise of 'good governance' as something done to a range of objects, rather than as a bottom-up instrumentalisation of subjectivity or reflexive self-steering on the part of a society or group (Cram 2001).

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[16] Report of the Working Group, Democratising Expertise and Establishing Scientific Reference Systems, Group 1b.

These references indicate that here at least are the beginnings of a discussion of the gender question which could, itself, have been 'mainstreamed' into the White Paper text. These are piecemeal references, however, and they do not begin to address the rather more fundamental questions about power and values which could potentially add an important new dimension to the entire governance reform project.

4. Conclusion

The presentation of the July 2001 text of White Paper marks a stage in an ongoing process, rather than an end or, indeed, a beginning. There is still scope for intervention and influence within this process by social actors arguing that the 'high politics' of a governance reform process need a gender perspective just as much as the 'low politics' of everyday decision-making and policy-making within the EU institutions. The impulse to write this brief critical comment resulted from the complete absence of reference to 'gender', 'women' or 'sex' in the White Paper text of July 2001 and its directly antecedent documents. Even a token reference to the gendered nature of the policy environments and contexts under discussion when institutions and governance are placed at issue might have had the effect of diverting through the 'politics of presence' at least some of the criticisms made in this paper. Some – even minimal – discussion would have at least provided some anchors for critique and constructive engagement. The fact that even the limited reference points provided in the Working Group reports found no resonance in the final text is something to be regretted. It certainly should not pass without comment in a symposium on the White Paper on Governance.

Clearly, as this paper has acknowledged, gender mainstreaming is certainly not unproblematic either as a principle or a strategy for developing gender equality. It has a chequered history in neo-liberal international governance. It is under-theorised and under-specified and leads to mixed results where attempts are made to transfer policy experience from one domain to another. Above all, though, it could only lead to real changes in gendered power relations within society under conditions where positive discourse enabled a form of 'norm resonance' (Wiener and Wobbe 2001). What it does offer, though as a minimum, is an empowering frame of reference for those who seek to bring gender equality into the public sphere for debate. In this sense, it offers a 'resonance point' (Schwellnus 2001) with which social actors can and, indeed, should intervene in the debate about a just and fair society and about open and accountable power relations.