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The development of gender equality policies in new member states was highly influenced by the EU accession. As some gender equality issues were directly incorporated into accession conditionality, the pressure on the adoption of basic standards was significant. According to Sedelmeier (2006) the impact of Europeanization on new member countries has been the most explicit and comprehensive because the Europeanization of candidate countries was based on conditionality of accession. As he pointed out, the status of candidate countries had implications on instruments used by EU in the adjustment process and states "did not participate in making of rules". The last statement is especially valid for the area of gender equality that might lead to clashes with national systems and challenge existing gender norms. It has been argued that the adoption of EU gender equality policies is hampered by domestic level "needle's eye" - the welfare regime of each member state and the gender order underlying it. "Member states... are likely to resist new policies that challenge existing national patterns" (Ostner & Lewis, 1995). The national "needle's eye" is even more challenging in case of new member states as they are expected to implement policies in which creation they did not participate. Therefore, the effect of Europeanization process and the sustainability of changes generated during the pre-accession process can be assessed only in the post-accession period when an external incentive structure has changed to internal ones. This paper will focus on sustainability and development of gender equality policies in two country cases – Slovakia and the Czech Republic.

There is an agreement that EU gender equality policies were formally transformed to national level in post-socialist new member states (i.e. Sloat, 2004, Krizsan and Zentai, 2006, Bretherton, 2006). At the same time, it is confirmed that the implementation of policies and their enforcement lack behind and most of new member states belong to the "world of dead letters" (Falkner and Treib, 2008). Both, Slovakia and the Czech Republic are usually associated with this group. However, the compliance of these two national policies with EU gender equality policies has varied across pre-accession, accession and post-accession period as well as in country by country. These changes can be attributed to a modification of incentive structures only to a certain level. Also other factors, such as understanding of concept of (gender) equality on national level, active/passive approach from responsible actors, attitudes towards EU, involvement of other social actors (in the countries' context women's organizations) or a role of traditional gender roles' division. Dynamics of

influence of all of these factors has varied over time and has caused oscillation of quality of gender equality policies.

This paper will focus on development of gender equality policies and usage of Europeanization mechanisms in their adoption. According to Schimmelfennig and Sedelmeier (2005), adoption of EU norms represents itself at three levels – formal, behavioural and discursive. As the formal level of adoption was already accomplished in the pre-accession process and other studies have focused on behavioural level of implementation into practice (i.e. Sloat, 2004, Pavlik et al., 2008, Butorova and Filadelfiova, 2006), attention will be paid mostly to a discursive level in pre-accession and post-accession stage. Although the main focus of the paper will be put on post-accession stage, for understanding of discursive level an overview of pre-accession period is necessary as gender equality policies were formulated in this period. Firstly, I will briefly summarize and compare development of gender equality policies in the pre-accession period focusing on framing of policies and institutional mechanisms rather than mere transposition of EU directives. Secondly, frame analysis carried out within the scope of QUING project will be presented for issue of general gender equality, non-employment and family policies. Finally, the opposition to gender equality concept arriving from clashes with national regimes will be analyzed. As Liebert (2003) has developed Ostner and Lewis' concept (1995), gender equality may be hampered either by deeply rooted inegalitarian beliefs or prevailing ignorance of persisting gender inequalities. Both of these factors can be visible in case of Slovakia and the Czech Republic and as such they contribute to fragility of national gender equality policies mainly in post-accession stage when several significant changes have happened in both countries signifying shifts in conceptualization of gender equality policies.

1) Pre-accession period

Development of gender equality policies in both countries began in late nineties and was stimulated by Beijing Declaration and Platform for Action. Simultaneously, the accession negotiation started and gender equality was part of conditionality criteria. In Slovakia, in 1996 first institutional mechanism for gender equality was established in the form of advisory governmental committee presenting a platform of wide-spectrum actors from state to civic society representatives. Nevertheless, the coordinative body for the Committee on executive level was created only in 1999 as a department at the Ministry of Labour, Social Affairs and Family. First gender equality policy document - the National Action Plan for Women was adopted by the government in 1997. As it is obvious from the title – gender equality in that period was understood as

women's issue. The Action plan was repeatedly criticized for the lack of understanding of the issues it dealt with and an insufficient elaboration of principles and measures (Debreceňová and Očenásova, 2005). Even a naïve and selective approach could have been found in the document connecting childcare solely to the issue of low representation of women in decision-making positions. Due to the criticism and enhanced chance of EU accession, another policy document - The Concept of Equal Opportunities for Men and Women was adopted in 2001.

In the Czech Republic both, first institutional mechanism and gender equality policy document appeared in 1998. The institutional mechanism was positioned at the Ministry of Labour and Social Affairs and was titled Department for Equal Opportunities for Men and Women. Similarly, the first policy document was named Priorities and Procedures of the Government in Implementing the Equality for Men and Women. This document is valid up to now and is annually evaluated and updated. As it is visible, the formation of gender equality policies in the Czech Republic was closer to the EU discourse on the issue. Although a task to develop the policy was formulated as finding solutions to "issues related to position of women in society" (Priorities, 1998), the document has set as a goal equality of men and women. This goal is reflected in its measures that target both, women and men.

The difference in discursive framing of gender equality issue between the Czech Republic and Slovakia can be explained by different situation of the two countries regarding EU accession. In Slovakia, UN rhetoric was preferred as Slovakia was eliminated from the first round of accession due to political situation in the country. Despite the differences in framing, attitudes of governments towards gender equality were similar – equality of women and men was fully guaranteed (reference to Constitution) and implemented in practice. This approach was demonstrated in "Position Document of the Czech Republic to chapter 13: Social Policy and Employment" elaborated by the government in years 1997 – 1999 (Krizkova, 2007) or in the Initial Report of the Slovak Republic on CEDAW. Establishment of institutional mechanisms and gender equality policy documents were thus only formal, externally motivated steps.

Further development of gender equality policies happened in both countries in 2001 when they transposed gender equality directives into their Labour Codes. As a result, for the first time antidiscriminatory provisions were applied outside of the Constitutions. At that period, Slovakia has already restarted pre-accession negotiations that began in 2000 and this fact has significantly impacted discourse

and formulation of gender equality policies. As abovementioned, in the same year a new policy document the Concept of Equal Opportunities for men and women was adopted that incorporated equality rhetoric of EU that was also explicitly referred to. Although the policy itself did not have gender mainstreaming character, it identified major areas of gender inequality and proposed more realistic measures for improvement of the situation. In addition, in 2001 a so-called MATRA project financed by Dutch pre-accession financial mechanism started that carried out complex assessment and consultation process resulting in proposition of institutional model for gender equality in Slovakia (Butorova et al, 2003). The model was presented shortly after the election when a new minister of Labour, Social Affairs and Family was appointed having different priority, i.e. pension system reform so the model was never implemented into practice.

In the Czech Republic, additional measure was added to the Priorities and Procedures of the Government in Implementing Equality for Men and Women that requires individual ministries to draw up their own priorities and procedures to ensure equality in their own departments. This measure has definitely gender mainstreaming character. In 2002, focal points (employee devoting half of working time) specialized on gender equality was introduced on every ministry. Moreover, a national programme for increasing the administrative capacity for the implementation of the *acquis*, also dealing with Labour and Social affairs and with economic and social cooperation, has begun in 2002 as well as a national programme dealing with “Equal Opportunities” (Röder, 2009). On the institutional level, the situation in the Czech Republic has improved as a new consultation governmental body – Governmental Council for Equal Opportunities for Women and Men was established and thus a space for dialogue between policy makers, gender experts and civic society was created. At the same time, the Council opened a window of opportunity to influence policy making by women’s organizations (Forest, 2006a). Nevertheless, the body had not been granted any decision-making or legislation initiative power.

Contrary to the Czech Republic, national machinery in Slovakia experienced its first downgrade. The Coordination Committee for Women’s Issues was transformed from a governmental advisory body into the expert advisory body at the Ministry of Labour, Social Affairs and Family. The status of expert advisory bodies at the ministerial level has been fragile; the dismissal of the bodies depended solely on the decision of a minister. New minister in 2002 did not renew the functioning of the body. As a result, one department at the Ministry of Labour, Social Affairs and Family remained the only institutional mechanisms for gender equality on executive level. The downgrade of the institutional mechanism was a first sign of gradual disappearance of gender

equality from policy and politics agenda in Slovakia. This invisibility was caused by several factors. Firstly, a fast track of Slovak EU accession required transposing immense amount of EU legislation into its legal system in a shortened time. Secondly, the European Commission enabled accession countries to 'consolidate' EU antidiscrimination policies by regrouping several strands into a single act. Due to the frequent criticism of Slovakia for its policy towards minorities (mainly Roma), the country was openly encouraged by the European Commission since 2002 to adopt single antidiscrimination act (Forest, 2006b). The abovementioned led to the situation when gender equality was merged into general antidiscrimination policy and due to the fact that some other groups were perceived as more controversial (ethnicity, sexual orientation), the discussion focused on them. In addition, the positioning of the institutional mechanism within the ministry focusing on different priority tasks – pension and social system reform – did not have adequate support from its superiors for further development of gender equality policies. Moreover, within the trend to group together different socially disadvantaged categories, in 2003 the department was renamed to the Department for Equality and Antidiscrimination. Finally, the Act on Equal Treatment in Some Fields and on Protection against Discrimination (Antidiscrimination Act) was adopted in May 2004 and respectively new multiple-strand machinery – the National Centre for Human Rights was established.

The abovementioned development had an impact on strategies that women's organizations as a main voice promoting gender equality in Slovakia have adopted. Due to controversies and intense debates accompanying the adoption of general antidiscrimination law (the act was adopted on the third attempt) and no adequate social dialogue space for civic society, women's organizations were forced to follow existing discourse and create alliances with groups defending rights of other strands in support of Antidiscrimination Act as the only option for introduction of gender equality measures. In addition to antidiscrimination coalitions, women's organizations chose to focus on issues related with gender equality under competencies of ministries other than the Ministry of Labour, Social Affairs and Family, i.e. violence against women in which they managed to advocate for significant legislative changes.

Mechanisms of Europeanization and national actors in pre-accession period

With regard to mechanisms of Europeanization identified by Schimmelfennig and Sedelmeier (2005), obviously, external incentive model is clearly visible in

both countries. Although the pre-accession period was dominated by external incentives in the form of conditionality criteria, certain social learning Europeanization mechanisms were available to candidate countries in the form of various programmes related with gender equality (twinning projects within Open Method of Coordination and PHARE programmes), that candidate country might have chosen to participate in and that could have facilitated changes in national gender equality policies. Two selected countries may serve as a good example of usage of these programmes as Czech Republic took part in several of them while Slovakia did not participate almost at all.

As it was demonstrated above, the process of Europeanization of gender equality policies in pre-accession period had significantly varied in Slovakia and the Czech Republic. EU accession period definitely presented an opportunity structure (Borzel and Risse, 2003) for gender equality and a positive development was mapped in both countries, however, the usage of Europeanization both by policy makers and civic society was different. While Czech Republic has adopted pro-gender mainstreaming approach that included consultation process with civic society (despite the fact of being criticized as formal), in Slovakia gender equality issues have merged to more general antidiscrimination approach. This difference can be explained by different socio-economic and political situation in the two countries, as Slovakia was among the second round accession countries with significantly less vital economy so the governments in pre-accession period (1998-2002 and 2002-2006) focused more on revitalization of national economy including radical reforms of social benefit and pension system rather than gender equality that was an area marked by lower external pressure from the side of the European Commission and historically perceived as a “nothing to solve” issue. In addition, an option to group several groups discriminated against into one law approved by the European Commission has led to disappearance of gender equality from political agenda. As a response, women’s organization decided after several unsuccessful attempts to sustain gender equality agenda to refocus their forces towards related issues such as violence against women.

Per contra, women’s organizations in the Czech Republic were partially involved into gender equality policies development through a consultative mechanism on governmental level. Nevertheless, their possibility of influence was limited – counting with only five representatives out of 23 in the body, who were mostly used as gender experts (Forest, 2006a). Despite the fact that the “opportunity structure” for gender equality in relation to Europeanization seemed to be broader than in Slovakia – formal gender mainstreaming approach, better use of

soft law mechanisms, the impact on behavioural and discursive level remained low. Krizkova (2007) carried out a research on attitudes of politicians and administration staff towards gender equality in the pre-accession period, of which it can be inferred that the agenda was perceived mainly as a technical task required by the EU without greater knowledge and interest in the issue.

The resistance of both countries towards gender equality can be explained by several factors. Firstly, past experience with egalitarian socialist society that enforced formal gender equality formed antipathy towards top-down equality approach. Although it brought some positive developments mainly in the area of women's employment and child care structure, it was not perceived as a gain by women as inequalities at workplace and in family were preserved and the system caused double burden for them (Jancar, 1978; Scott, 1974; Meyer and Wolchik, 1985, Corrin, 1999; Funk and Mueller, 1993). Secondly, the neo-liberal focus of both countries (in the Czech Republic since 1992, Slovakia starting later, from 1998) favoured individualistic approach with low state influence in the area of labour market or social system. As Liebert (2003) pointed out, the adoption of EU gender equality is significantly influenced by national regimes especially if it clashes with traditional gender power system or with gender-neutral concepts, as it was the case of Czech Republic and Slovakia.

Despite the above-mentioned objections, process of Europeanization has significantly influenced formulation of gender equality policies. On a formal level it led to legislative changes that provide necessary framework for development of gender equality and to establishment of certain, though basic structures. On a discursive level, Europeanization opened discussion on gender equality, introduced theoretical concepts and opened window of opportunity for their promotion. At the same time, accession conditionality provided civic society, namely women's organizations, with external support to their advocacy efforts and allowed for strategic usage (Jacquot and Woll, 2003) of Europeanization although the manoeuvre space was limited. The fact, that Europeanization of gender equality policies has affected also discursive level is manifested in frame analysis of gender equality and related areas presented below.

2) Frame analysis of gender equality issues in the EU, the Czech Republic and Slovakia

Following part is based on results of QUING project¹ that analyzed framing of gender equality issues in EU and member states. For the purpose of this article, results for the EU, the Czech Republic and Slovakia are used and out of all QUNG issues general gender equality, non-employment (tax and benefit, care work, reconciliation, equal pay and equal treatment) and family policies (marriage, divorce and separation) were selected as the areas falling into EU competences and as such showing the influence of Europeanization on discursive level the best. In addition, family policies were added as framing of family issues closely relate with non-employment issues.

The policy frame is defined as an “organizing principle that transforms fragmentary or incidental information into a structured and meaningful problem, in which a solution is implicitly or explicitly included” (Verloo, 2005). Translated into the QUING methodology, “a policy frame is a specific configuration of positions on an issue on the dimensions: diagnosis and prognosis of the policy problem, roles attributed in diagnosis and prognosis, and voices referred to create authority and relevance in connection to the problem” (Krizsan and Popa, 2008). In QUING, three levels of frames were created – issue frames, document frames and meta-frames. Issue frames are synthetic constructs generated and synthesized from multiple texts. Each frame consists of markers such as actors, target groups, norms, location, problem statement and dimensions from mechanism/causality (Krizsan and Popa, 2008). On the basis of corresponding markers, frames were identified in the documents selected for the analysis.

In case of Slovakia and the Czech Republic, documents selected for analysis in QUING cover both, pre-accession and post-accession stages (up to 2007). The documents were selected by respective country researchers (Ingrid Röder for the Czech Republic and Stanislava Repar for Slovakia). Although the selected documents attempt to cover the issues in their complexity, namely in case of parliamentary debates and civic society texts, the number of analyzed documents is limited due to the vast number of issues. In addition, in case of Slovakia the basic policy plan on gender equality was not included into the selection by the researcher. As gender equality policy plan shows how gender equality was discursively framed in pre-accession period therefore it will be shortly analyzed.

¹ Quality in Gender+ Equality Policies, FP6 Integrated Project - 2006-2011, Institute for Human Sciences

Afterwards, country frames will be presented and compared with EU frames identified within the QUING project².

In Slovakia, the Concept for Equal Opportunities between Women and Men is introduced by an analysis of the background resulting in its adoption as well as it defines the international and European context of gender equality thus the effect of Europeanization is clearly visible. The main areas of gender equality agenda are equality in employment and family and participation of women on public and political life. Despite the fact that definition of gender equality presented in the Concept stipulates that it concerns both genders, the main target group in focus remains women and men are implicitly understood as a norm group (especially in the area of employment and public and political life). Main norms underlying framing of gender equality policies are human rights and democracy; nevertheless economic development argument in terms of full use of population's potential is present as well. In terms of QUING analysis the dominant frame for the document would be *Discrimination of women* as it identifies women as main target group and aims to eliminate disadvantages they face (Carbin and Harjunen, 2008).

The Czech policy plan – the Priorities and Procedures of the Government in Implementing the Equality for Men and Women especially after its amendment in 2001 requiring ministries to develop and implement their individual gender equality plans has more gender mainstreaming character. With regard to target group, women and men are represented more equally, though women predominates. Some markers of *Structural gender inequality* frame such as inclusion of men into target groups, strengthening of men's role in family care or identification of gender stereotypes as main cause of inequality are present. By comparing Czech and Slovak policy plan, gender equality is mostly framed as *Discrimination of women* in Slovakia while some tendencies towards more structural understanding are visible in case of the Czech Republic. The impact of Europeanization on a discursive level can be tracked in both documents as they explicitly refer to EU policies and EU gender equality concepts are used.

² In QUING frame analysis, several frames were identified in relation with various issues. Only dominant frames identified within the EU or countries' context will be presented here as they mark major framing of issues in countries and EU. Minor frames are included only in significant cases, e.g. parliamentary debates or civic society texts, as they may show different framing and illustrates different level of discursive adoption by various voices.

General gender equality frames

In general gender equality, main frames identified in EU context were *Efficiency-governance* (frame concerning lack of legislative or institutional mechanisms or lack of resources and a need to adopt them) and three gendered frames – *Structural gender equality*, *Discrimination of women* and *(Un)equal representation of women* (de Vega et al, 2008). While discrimination and (un)equal representation are frames in which women were identified as a main target group facing disadvantages, *Structural gender equality* frame “sees gender inequality as a more structural problem or even a part of a gender power system” (Carbin and Harjunen, 2008).

Out of these EU dominant frames only some of them were identified in the Czech Republic and Slovakia. Obviously, *Efficiency-governance* as a general frame was present in all of three cases, mainly in relation to machinery and in two cases (EU and Slovakia) also connected with legislation. Among gendered frames identified for the EU, only *Discrimination of women* (both countries) and *(Un)equal representation* (Czech Republic) were present. *Structural understanding of gender equality* was mapped only as a minor frame and mainly in civic society texts. This might point to the fact that gender inequality is not yet perceived as a structural problem (Roeder, 2009) that is corresponding with framing of gender equality in pre-accession period. According to texts cited in Fernandez de Vega et al (2008) affiliated to *Structural gender inequality* frame, majority of them were produced after the accession period that indicates EU shift towards structural understanding of gender equality in recent years (Dedic and Ocnasova, 2009). Apparently, this trend has not been adopted in Slovakia and the Czech Republic yet.

In countries' context, a new frame was significantly present – *General antidiscrimination*. In Slovakia, this frame occurs due to Antidiscrimination Act dealing with all strands in one law (Dedic and Ocnasova, 2009). In the Czech Republic, the frame appeared in relation to a discussion on adoption of the Antidiscrimination Act and to the European Year of Equal Opportunities (Röder, 2009). In both cases, gender equality has merged into general antidiscrimination discourse. Despite more structural framing of gender equality in the Czech Republic comparing to Slovakia, in recent years a reverse trend of diminishing importance of gender equality in the Czech Republic is visible. As the case of the European Year of Equal Opportunities demonstrates the disappearance of gender equality into general antidiscrimination in the Czech Republic, it will be briefly described. The Year of Equal Opportunities was prepared in the Czech Republic almost ignoring gender equality. Firstly, the chapter on gender equality

was only additionally added to the National strategy after resolution from the parliamentary Commission for Equal Opportunities. Secondly, no projects focusing primarily on gender equality were supported within the scope of the Year that was explained by the Minister for Human Rights and Ethnic Minorities responsible for realization of projects related to the Year that gender issues pervaded all the projects. However, this assumption was not confirmed in practice (Pavlik et al, 2008). Thirdly, the opening of the year caused controversies due to a speech by the Prime Minister that presented complete ignorance of equality matters. The speech provoked protest by women's organizations and wider alliances. Generally, Topolánek's speech can be illustrative of the state of gender sensitivity level shared more or less by the Government representatives (Kralikova, 2008). Similarly to Slovakia, merge of gender equality into general antidiscrimination has led to undermining of existent development in gender equality policies.

Non-employment

In non-employment issues a wider variety of frames were identified in all three cases. However, only some of them are similar for all three cases - *Social justice* related to underlying norms of social solidarity, justice and human rights, *Care crisis* referring to a lack of care facilities and carers and *Transformed division of labour* focusing on equal division of unpaid work between women and men (Verloo and Sauer 2008). In EU case gendered frames such as *Full employment for women*, *Transformed division of labour* and *Workers and mothers* appear in all sub-issues. In Slovakia, non-employment texts – and particularly the diagnostic parts - demonstrate a predominance of degendered frames, such as *Family and justice*, *Workers' protection* or *Social justice*. Nevertheless, gender equality frames are also present – particularly in prognostic parts – most notably *Workers and mothers*. Other gendered frames such as *Full employment for women* and *Transformed division of labour* are less dominant (Dedic and Ocnasova, 2009). In the Czech republic, almost the only gendered frame is *Transformed division of labour*; other gendered frame *Improve work-life balance for women* was identified only in civic society text (Röder, 2009). Interestingly, one of the most dominant frames in the EU *Full employment for women* (Fernandez de Vega et al, 2008) is significantly less present among Slovak frames and completely missing in the case of the Czech Republic. The dominance of the frame *Transformed division of labour* in the Czech Republic shows that the problem is seen as gendered and that a transformation is necessary (Röder, 2009). Thus the focus on gender equality seems to be the strongest in the Czech Republic. Although gendered frames, namely *Full*

employment for women, are strongly dominant in EU, the accent is put on women rather than on gender. In Slovakia, the frame *Transformed division of labour* occurred only once and in a civic society text.

Family policies

Family policies is the less gendered issue among all presented in all three cases. At the same time, overlap between the EU and countries' frames is the lowest that can be explained by limited competencies of the EU in these matters. In the EU, family policies are framed by following frames *Follow social reality* meaning that social reality of intimate relations has changed substantially (Dombos et al, 2008), *Protect equality and freedom* claiming that certain social groups hinder the realization of freedom and equality (Dombos et al, 2008), *Quality of legislation* and *Gender and power in relationships* (de Vega et al, 2008). Among these, only *Quality of legislation* was mapped in Czech frames (Röder, 2009) and in case of Slovakia *Follow social reality* and *Gender and power in relationships* and *Quality of legislation* occur. In addition, both frames that can be seen as progressive (*Follow social reality* and *Gender and power in relationships*) were identified in parliamentary speech and in civic society text. Policies, plans and legislation, were marked by a general frame *Quality of legislation* and a conservative frame *Classical marriage* (Dedic and Ocnasova, 2009). In Czech Republic, major frames were *Wellbeing of children* and *Discrimination of fathers* (Röder, 2009). The latest corresponds with the frequency of *Transformed division of labour* in non-employment issues and an attention paid to father's roles in the Czech Republic.

Table of frames in EU, Czech Republic and Slovakia

	EU	Czech Republic	Slovakia
General gender equality			
Legislation	<p>Efficiency-governance</p> <p>Structural gender equality</p> <p>Discrimination of women</p> <p>(Un)equal representation</p>	<p>Discrimination of women</p> <p>General antidiscrimination</p> <p>(Un)equal representation</p> <p>Libertarian anti-equality</p>	<p>General antidiscrimination</p> <p>Efficiency-governance</p> <p>International obligations</p>
Machinery	<p>Efficiency-governance</p> <p>Structural gender equality</p> <p>General antidiscrimination</p>	<p>Efficiency-governance</p> <p>(Un)equal representation</p> <p>(Lack of) knowledge</p>	<p>Efficiency-governance</p> <p>Discrimination of women</p> <p>General antidiscrimination</p> <p>International obligations</p>
Non-employment			
Tax - Benefit	<p>Social justice</p> <p>Full employment for women</p> <p>Social justice for women</p>	<p>Smooth governance</p> <p>Structural inequality</p> <p>Transformed division of labour</p> <p>Social justice</p> <p>Efficiency-governance</p>	<p>Family and justice</p> <p>Social justice</p> <p>Demographic balance</p> <p>Discrimination of women</p>
Care work	<p>Fragile capitalism</p> <p>Care crisis</p> <p>Full employment for women</p> <p>Workers and mothers</p>	<p>Worker's protection</p> <p>Care crisis</p> <p>Improve work care balance for women</p>	<p>Social justice</p> <p>Care crisis</p> <p>Family and justice</p> <p>Workers and mothers</p>

	Transformed division of labour		Keep women at home Transformed division of labour
Reconciliation	Full employment for women Workers and mothers Transformed division of labour	Smooth governance Demographic balance Transformed division of labour	Workers and mothers Full employment for women Smooth governance
Equal pay, equal treatment	Full employment for women	Transformed division of labour	General antidiscrimination Structural gender equality Full employment for women Discrimination of women
Family policies			
	Follow social reality Protect equality and freedom Gender and power in relationship	Wellbeing of children Discrimination of fathers Quality of legislation	Classic marriage Quality of legislation Gender and power in relationship Follow social reality

Sources: Röder, 2009, Dedic and Ocenasova, 2009, de Vega et al, 2008

Structural understanding of general gender equality is present only in the EU case and in countries' cases it is so far missing. Nevertheless, the Czech Republic seems to incorporate it better into non-employment issues even in comparison with the EU. This may show that gender equality in the Czech Republic is mainly connected with equality in employment and family. The least structural approach occurred in Slovakia but Slovak frames overlap more with EU ones mainly in non-employment issues than in the Czech Republic. The higher effect of Europeanization on discursive level in Slovakia can be also visible from appearance of frame *International obligation* mainly in general gender equality and frequency of references to EU documents in non-employment. Contrary, in

the Czech Republic *International obligation* frame is missing despite of the fact that core areas of EU influence were looked at. This can be explained by importance paid to national policies and actions in an EU-sceptic country like the Czech Republic (Röder, 2009). *Per contra*, in Slovakia a greater congruence with EU frames was identified that points out to greater influence of Europeanization of gender equality policies. At the same time, it was shown that national influence can lead to more progressive framing than EU policies.

Despite the abovementioned elements, frame analysis proved that on national level, certain resistance towards gender equality exists. While in the Czech Republic the main anti-gender equality frame was identified as *Libertarian anti-equality* that copies conclusions from pre-accession part, in Slovakia different type of clash appeared connected with traditional patriarchal division of labour. Frames like *Classical marriage* or *Keep women at home* as well as framing of some of non-employment issues, namely tax-benefit and care work, by *family and justice* frame clearly show significant influence of conservative forces on Slovak policies and politics (Dedic and Ocenasova, 2009).

3) Needle's eyes

Liebert (2003) has argued that adoption of EU gender equality policies can be hampered by two types of national attitudes towards it –traditional beliefs about the inevitably inegalitarian nature of women's and men's roles in the division of societal labor or gender-neutral gender regimes. The first one obviously clashes with equal opportunity and equal treatment concept. In case of the second one, both are based on egalitarian norms, however, gender-neutral conceptions ignore embedded gender-biased institutional context that reproduces inequalities between women and men (Liebert, 2003). As presented, gender-neutral egalitarian concepts have been highly present in Slovakia and the Czech Republic and can be best illustrated on difficulties accompanying the adoption of the Antidiscrimination Act in both countries. In addition, as it is clearly visible from the frame analysis in Slovakia, promotion of gender equality is further hindered by traditional patriarchal belief system. Although this pattern is significantly less visible in Czech framing, it can be tracked in recent years when gender equality policies are merging with family policies (Kralikova, 2008).

Gender-neutral egalitarian concept

Formal egalitarian understanding of equality issues could have been visible not only at the period of introduction of gender equality policies as mentioned above but also during the adoption of the antidiscrimination law that lasted several

years in Slovakia and in the Czech Republic the law has not been adopted up to now despite several legislative attempts. In Slovakia, The Act on Equal Treatment in Some Fields and on Protection against Discrimination (the Antidiscrimination Act) was adopted on 20 May 2004, early after the EU accession. The Act was finally adopted after three years long discussions on a necessity to adopt the act of this kind. Two former attempts to adopt the Act in 2002 and 2003 were not successful. While the first attempt in 2002 was hampered by conservatives opposing to inclusion of a ground of sexual orientation into the Antidiscrimination Act, the second attempt in 2003 was marked by neoliberal egalitarian rhetoric. Opponents to the adoption argued that antidiscrimination measures are sufficiently covered by the Constitution and the Labour Code. Others maintained the position favourable for the adoption of the separate antidiscrimination legislation using the arguments of commitments towards the transposition of the EU legislation. As it is visible, Europeanization discourse on antidiscrimination was confronted with national formal egalitarian approach ignoring that despite the constitutional guaranty some groups face structural disadvantages in society. This approach was even more reinforced in 2004 in relation to introduction of affirmative measures. The Government represented by the Minister of Justice (coming from the Christian Democratic Movement) initiated a court procedure on the Constitutional Court on the consistence of the provision of affirmative action in the Antidiscrimination Act with the Slovak Constitution. In 2005, the Constitutional Court ruled by a close vote that the concerned article is inconsistent with the Slovak Constitution. Moreover, several political leaders (the Christian Democratic Movement and the Democratic Party) at that time openly expressed that the adoption of the Act was a result of the pressure from the side of the European Union without a specific local need to protect citizens against discrimination (Gyuricek, 2004). As it was shown, the adoption of the Act in Slovakia was a clear result of external pressure and incentives by the EU.

The adoption of the Antidiscrimination Act was hindered by similar obstacles in the Czech Republic. The discussion that accompanied the non-adoption was similarly divided into two platforms – emphasis put on obligations arising from EU membership and opponents perceiving the Act as an attack on freedom of individuals referring to implementation of the antidiscrimination provisions also in private sphere (Pavlik et al., 2008). While the first adoption attempt in 2005 did not pass the Senate, the second time in 2007 it was vetoed by the President that considered the Act as “useless, counterproductive and of low quality and its consequences are very problematic” (Klaus, 2008, quoted on www.president.cz). Up to now, no other discussion on its adoption took place despite the fact that

antidiscrimination provisions were removed from the Labour Code and were replaced by the reference to the Antidiscrimination Act. As a result, EU equality policies are currently not adopted in the Czech Republic even on a formal level and European Court of Justice has decided in 2008 that Czech Republic did not fulfil its commitments towards the implementation of the *acquis communautaire* and the Act on accession conditionality and the state can face financial fines from the side of European Commission. The main objections towards the Antidiscrimination Act in the Czech Republic followed neoliberal discourse on individual freedom, i.e. equality is already guaranteed by the Constitution or that employment relationships should be governed by an individual contract of two parties and no legislation should interfere with it. Although the objections were raised in relation to general antidiscrimination, they comprise gender equality as well. Similarly to Slovakia, the decision to adopt general antidiscrimination act has led to hindering of promotion of gender equality and resulted in even lower protection against discrimination. In addition, the discourse has influenced also the implementation of existent gender equality policies in the area.

Traditional understanding of gender roles

Since 2007, the area of gender equality in Czech national policymaking has merged into family policies (with exception of education). This fact can be illustrated by the National Reform Programme of the Czech Republic for 2008 – 2010 where gender equality was mentioned only in a chapter on education. Even the reconciliation of work and family life was explicitly dealt with within family policies. Other aspects of gender equality at labour market remained completely omitted. This approach is also reflected in call for proposals in the Operational Program Human Resources and Employment, priority 3.4 Equal Opportunities of Women and Men in the Labor Market and Work-Life Balance. The calls are generally focusing only on the issue of reconciliation and services for families and limit opportunities for projects dealing with gender equality in a more transformative way (Pavlik et al., 2008). Moreover, the call for proposals announced in 2008 for this priority included a notice: *Projects cannot have political character, must not be instrumental to promotion of any political or ideological goals, including ideologies of feminism and masculinism,* that directly undermines the concept of gender equality as such (Kralikova, 2008). The abovementioned clearly shows the process of degendering of gender equality by both, shifting the emphasis on other actors (family) and shifting in goals – reconciliation of work

and family life has as a goal rather more efficient labour market than challenging traditional gender roles (Verloo et al., 2007).

In addition, recent development of family policies in the Czech Republic seems to promote rather traditional family concepts than gender equality. The so-called “pro-family package” introduced by the government in 2007 regulate maternal and parental leave. A three pace parental leave system was introduced. Parents can choose between 2-year-long (i.e. until the child is two years old), 3-year-long and 4-year-long parental leave. The 3-year-long leave is the most supported one when it comes to the total amount of finance received during parental leave (Kralikova, 2008). With regard to maternal leave, the entitlement to receive it was directly connected with the amount of social insurance paid before the leave. Women who did not have income or had lower income before a child was born do not have right for maternal leave. Although the system was presented as offering flexibility in work-family balance and providing free choice to parents, in reality it is questionable. Firstly, the pace must be chosen very early without knowing child’s needs and it is not changeable. Secondly, women who are not entitled to maternal leave must automatically draw the four years’ option of parental leave. According to income statistics from 2006, this was the case of 48% of women (Pavlik et al., 2008). As the system allows unlimited income parallel to parental leave, the Ministry of Labour and Social Affairs has directly advised employed fathers to receive the leave as the probability of real choice between the pace is higher due to higher income while woman stays at home caring for a child. However, this may lead to further financial dependence of women on men (Pavlik et al., 2008) and clearly promotes traditional division of gender roles. Thus a dominant framing of non-employment issues by the frame *Transformed division of labour* identified within the frame analysis seems to be disappearing from Czech policy context. Although gender equality policies in pre-accession stage were promisingly developed in the Czech Republic, the post-accession period proved that their establishment was fragile despite of greater usage Europeanization mechanisms, both external incentives and social learning and none of these mechanisms has led to real internalization of gender equality norms. It can thus be inferred that national “needle’s eye” seems to be too small to be passed.

In Slovakia, the persistence of traditional division of gender roles was clearly visible from presented frame analysis and conservative norms became even more obvious in relation to reproductive health issues that are constantly at stake in national politics. At the same time, an example of strategic usage of EU structures to influence national level happened in relation to reproductive health.

The issues of reproductive health were highly discussed in Slovakia in 2005 in relation to a proposal of the Treaty between the Slovak Republic and the Holy See on the Right to Exercise the Objections of Conscience that could have significantly limit access to reproductive health services (i.e. contraception, abortion, assisted reproduction). Women's organizations actively participated in the discussion and they manage to use European structure to make the Treaty a subject of discussion also on European level. Independent legal experts of the European Union (*Network of Independent Experts on Fundamental Rights*) issued a legal expert opinion on the issue of the draft treaty stating that the treaty conflicts with other fundamental rights and freedoms. Consequently, the government refused to sign the treaty that has led to government's break-up and preliminary parliamentary elections in 2006. This example shows, that even after EU accession, the Europeanization mechanisms can be used in order to influence national policies.

Post-accession positive development

While in the Czech Republic it seems that quality of gender equality policies have diminished in post accession period, some positive developments have occurred in Slovakia in recent years. New machinery – the Governmental Council for Gender Equality was established comprising of representatives of all ministries, state and public administration and some civic society representatives. In addition, the government has adopted National Gender Equality Strategy and gender impact assessment to all newly presented legislative drafts. A shift on a discursive level occurred as well to a more structural approach. Nevertheless, all these positive steps might be hampered by lack of financial and human resources and lack of knowledge on gender equality. The consultation process with women's organizations that carry the expertise seems to be established on a formal, declaratory level. Thus the quality of gender equality policies remains questionable. This fact can be illustrated by the National Reform Programme for 2008 – 2010 that was prepared simultaneously to the abovementioned changes. Gender equality measures are reduced to issues of reconciliation of work and family life and on the pressure of the European Commission, the gender pay gap appeared. However, proposed measures to tackle it are completely degendered referring to long-life learning and education for unemployed ignoring any gender specific approach.

Despite the abovementioned objections, Slovakia can serve as an example of a country in which gender equality policies are further developed even after the change of incentive model from external to internal one.

Conclusions

The comparison of two new member states – Slovakia and the Czech Republic has shown that Europeanization of gender equality policies happened not only on a formal level as it is generally accepted, but that also some shifts on a discursive level took place. However, these shifts are demonstrated occasionally rather than in a complex way and often they did not manage to be translated into policies outside of general gender equality (Slovakia) or they remain rhetorical formula due to clashes with existent national regime (Czech Republic). The lack of internalization of gender equality norms by national states causes fragility of policy developments in the field that can be reversible as the example of the Czech Republic has shown.

The Europeanization of gender equality policies depends more significantly on national context than on Europeanization mechanisms used. Although the Czech Republic has used social learning mechanisms during the pre-accession stage to a greater extent than Slovakia, their effect remained only short-termed. The sustainability of gender equality policies is influenced by national politics context that is clearly visible in both country cases. In the Czech Republic in the post-accession period, the right-wing oriented government allowed for a higher presence of neoliberal “needle’s eye” to an extent that has threatened even the formal adoption of EU (gender) equality policies. In Slovakia, this tendency has diminished with the change of the government in 2006 from right wing into social democrats. Nevertheless, the other constraint – traditional patriarchal understanding of gender roles has remained and has been leading to limited formulation of gender equality policies. Although the left wing government seems to continue developing gender equality policies further, it does not manifest itself outside of the scope of general gender equality. Furthermore, this effort is hampered by inadequate capacity structure and lack of knowledge on gender equality issues. The capacity structure in both countries is significantly underdeveloped that makes policies formal and limits their implementation. Civic society, namely women’s organizations that possess necessary expertise are highly influenced by financial resources available to them.

Women’s organizations have always been the main voice for promotion of gender equality and present higher understanding on a discursive level that may bring changes also to policy making. Nevertheless, their effect is limited by existing consultation proceedings and institutional set-up that is in both countries perceived as formal and by access to financial resources that got basically limited to European Structural Funds after the EU accession. However, framing of usage of these funds mostly to reconciliation does not allow for a

more transformative approach therefore their success in calls competition is questionable. In addition, advocacy space for civic society narrowed down after the EU accession. In the pre-accession stage they could have used Europeanization for promotion of gender equality that was clearly visible in the Czech Republic. (In Slovakia, merge of gender equality into general antidiscrimination had contra-productive effect.) After the change in incentive structure and disappearance of conditionality pressure, further strategic usage of Europeanization got limited though not impossible as usage of EU structures in case of the Treatment with Holy See in Slovakia has proved.

The last factor that influences the sustainability of gender equality policies is national attitude towards EU. While in a country with EU-sceptic policy makers like the Czech Republic, the effect of Europeanization is clearly narrowed; the chances are higher in a pro-EU country as recent development in Slovakia showed, but it remains questionable whether it can over-pass traditional understanding of gender roles' division. Further development of gender equality policies will thus depend on the dynamics of all of the abovementioned factors as well as the attention paid to gender equality by the EU.

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