

The internalization of EU gender norms: formal compliance and informal practice in Poland

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Abbreviations

CEECs	Central and Eastern European Countries
DG	Directorate-General
EP	European Parliament
EU	European Union
GM	Gender mainstreaming
TFEU	Treaty on the Functioning of the European Union
WWII	Second World War

Abstract

The aim of this thesis is to examine the extent to which EU accession has had an influence on formal and informal gender equality in Poland. I thus set out to answer the following research question:

What is the influence of EU accession on formal and informal gender equality in Poland?

In answering this question, the external incentives model and the social learning model have been bridged in an alternative theoretical model in order to give account of formal and informal gender compliance in Poland by using the logic of the two-level game. Poland's compliance with EU gender norms has been observed using an interrupted time series, encompassing the years 1995-2011. As such data is gather both pre and post EU accession negotiations, in order to find out whether EU accession has influenced gender equality in Poland. Formal gender equality was measured by observing adoption of EU gender directives. Indicators on equal economic independence, equal pay for equal work and work for equal value, equality in decision-making and dignity, integrity, end to gender based violence were used to measure informal gender equality.

Findings show that during accession negotiations, gender equality in Poland was limited to formal equality, through the adoption of laws but lacking societal practice. After accession, it can be observed that informal equality remains limited to economic elements such as equal pay and employment, and is absent in moral questions such as abortion law. As such this thesis concludes that the EU has been limited in its ability to socialize gender norms in Poland, leading to a lack of informal gender equality until the present day.

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1.0 Introduction

What is the influence of European Union (EU) accession on gender equality within candidate and EU member states? How can we explain a country's disposition towards compliance to EU norms on gender equality? And lastly, does membership of the EU lead to a socialization of norms in accession countries? It is these issues that this thesis aims to answer.

Within the EU, gender equality is pursued through the policy of gender mainstreaming (GM). This policy dictates that gender equality is to be pursued in all fields of governance. In other words, gender equality is the goal, and GM is the policy to achieve this. The policy is concisely represented by article 8 of the Treaty on the Functioning of the European Union (TFEU): "In all its activities, the Union shall aim to eliminate inequalities, and to promote equality, between men and women" (European Union, 2009, p.53). In stressing equality in all its activities, the EU extends the scope of gender equality beyond employment, and into issues of education, health care and other social policy fields.

In this pursuit, the EU has developed a range of legally binding directives that are to be implemented by each individual member state. These directives form a part of the 'acquis communautaire', the entire body of EU legislation that is in effect throughout the Union. For candidate states, the adoption of the acquis into national legislation is a non-negotiable requirement for EU membership, meaning that they must also adopt all directives on gender equality (European Commission, n.d.). A growing body of literature has developed with the aim of understanding why candidate states choose to comply with the demands of the EU, and in doing so take up a position of inferiority in which they cannot negotiate terms, merely accept them (see for instance: Börzel & Buzogány, 2010; Grabbe, 2001; Hughes et al., 2004; Schimmelfennig & Sedelmeier, 2004 or Schimmelfennig et al., 2003).

In this thesis, I analyze the case of Poland whose performance in the accession process is fascinating. It has been very successful in terms of economic and political reform, and is currently one of the fastest growing economies in the EU (World Bank, 2013). Yet at the same time, its performance in normative fields such as gender equality has been criticized.

Given that Poland has successfully implemented all gender directives by closing all acquis directives, one wonders how there can be any critique when it formally conforms to EU demands. However, Gerber tellingly titles her article on Polish compliance as ‘The letter versus the spirit’ (Gerber, 2010). In the article she argues that Poland has formally created legislation but does not practice gender equality in its society. On the basis of the supposed inconsistency in ensuring gender equality, I set out to examine Polish performance on gender equality using the criteria established by the European Commission. I will thus not only look at formal gender equality enshrined in adopted directives, but go beyond this to look at informal gender equality in Polish society on dimensions of practice such as employment, income equality, access to education and access to political office.

1.1 Research question

Building on the two-level game by Putnam (1988) this study recognizes the importance of public opinions, traditions, norms and values on gender equality, and the extent to which these can be changed by EU requirements. The research question is based on claims of several researchers of state compliance that the dominant belief system can lead to ineffective policy reforms (Gaciarz, 2011; Gerber, 2010). A country’s belief system is embedded in its historical circumstances and is reinforced through the elite’s ideology and (in) formal institutions. An example of a formal institution would be religion, which emphasizes traditional family and societal patterns and roles for the genders (Razavi & Jenichen, 2010, p.836). Informal institutions are societal norms and patterns that operate below the surface. It is thus that public acceptance of alternative norms is hard to achieve in a top-down fashion as has thus far been opted for by the EU. Therefore, it is unlikely that a country whose elite is opposed to gender equality will seek to implement GM policies effectively (Pollack & Hafner- Burton, 2000, p.435).

As such, the independent variable is EU accession, by which is meant the period of time in which the EU exercises influence over Poland during accession negotiations and afterwards as a member state. The dependent variable is formal and informal gender equality, the former being legal and institutional in nature, and the latter being more focused on practice such as education, employment, income equality and access to political office. The research question is therefore:

What is the effect of EU accession on formal and informal gender equality in Poland?

1.2 What my question will add to existing literature

Seventeen years after the Beijing Conference, research on implementation of GM and the analysis of its determinants still lacks empirical and theoretical evidence (Sainsbury & Bergqvist, 2009, p. 218). The overall research question of this paper ‘*What is the effect of EU accession on formal and informal gender equality in Poland?*’ will therefore contribute to this debate and go beyond the observation of solely formal requirements to compliance with GM policies. More specifically, this research question aims to discover how norms and values underlying a society influence the day-to-day practice of EU law in a member state.

As the EU continues to employ GM as a tool for its end goal of gender equality it is of importance that the EU differentiates between implementation *de jure* and *de facto*. And this is putting the finger on the sore spot; the EU is likely to be incapable of enforcing *de facto* implementation in a top-down manner. Societal norms do not easily change in such a manner, especially if such norms are considered external and potentially societally disturbing. However, only substantive implementation of GM policies across member states will contribute to the improvement of women’s conditions. The dissertation aims to provide a model for explaining the degree of success of GM policies, and offer insights as to whether change in EU approach is warranted.

1.3 Conceptualization

As can be deduced from the research question, the independent variable is EU accession, and the dependent variable is formal and informal gender equality in Poland. This section sets out to establish what is meant with these concepts for the purpose of this study.

1.3.1 Gender mainstreaming and EU accession

In order to arrive at a common definition of gender mainstreaming, an overview of its development will be given. Further, official definitions will be elaborated upon. The first approach to tackle gender inequality was incorporated in the Amsterdam Treaty of 1996 in Article 119 (Rees, 2005, p.554). Article 119 obliged member states to ensure equal treatment of women and men in pay and employment.

Based upon this manifested provision in the Treaty of Rome, several directives followed on part-time and fixed-term employment conditions or parental leave. As identified by Rees (2005, pp.557-558) this EU approach of equal treatment can be called *tinkering* because this legislative approach always used men as a starting point, taking their experiences in order to make suitable legislation for women.

During the 1980s the European Commission recognized the need to be more actively engaged in order to facilitate a more women friendly environment. The Commission launched projects to assist women in private education, training and business etc. (Rees, 2005, p. 558). This approach of positive action measures has been identified by Rees (2005) as a way of *tailoring* projects to women's needs. Even though the development shows that the EU was engaging more actively with women's issues by considering their specific needs these projects still lacked the overall implementation in all fields of life. The inability to integrate women's issues into the mainstream is argued to be overcome by the introduction of GM as a tool to address gender inequalities systematically. The Fourth World Conference on Women in Beijing in 1995 has launched the concept of GM as a systematic tool to achieve gender equality in **all** spheres of public and private life. This is what distinguishes gender mainstreaming from other measures to achieve gender equality, in its scope beyond the workplace and direct discrimination.

So how does gender mainstreaming policies and the goal of gender equality relate to the EU accession process and how might it influence those countries aiming to join the Union? Any country wishing to accede needs to fulfill two requirements: the Copenhagen criteria and the *acquis communautaire*. The Copenhagen criteria specify standards on democracy, the rule of law, human rights and free market economics (European Commission, n.d.). The *acquis* is composed of the existing body of treaties and legislation of the EU up till the moment of accession, making sure new members do not slow down the legislative process of the Union as a whole and integrate smoothly (European Commission, n.d.). This means that candidates also have to adopt EU laws of gender equality before entry of the Union.

1.3.2 Formal and informal gender equality

The ultimate goal of gender mainstreaming policies is gender equality, the dependent variable of this study. However, as gender equality varies from country to country, it pays to examine just what shapes societal stance towards gender equality and how these stances might change. In this section I shall argue that gender equality must be distinguished between ‘formal gender equality’, which is understood as de jure gender equality through adoption of EU directives, and ‘informal gender equality’, which regards de facto equality as observed through day-to-day practice of society. It follows that formal gender equality is easier to adapt, one can change laws and create institutions, but informal gender equality requires a change of thinking, a shift in societally held normative views on the matter.

Formal gender equality

‘EU gender equality directives’ constitute eight directives. These directives were a part of the body of EU legislation at the time of Polish accession negotiations, which means they formed a part of the *acquis communautaire* and thus had to be implemented. All of these directives were implemented by Poland, which shows that in terms of formal gender equality, Poland passes the test.

- Directive on equal pay for men and women (75/117)
- Directive on equal treatment of men and women in employment (76/207) as amended by Directive 2002/73)
- Directive on equal treatment of men and women in statutory schemes of social security (79/7)
- Directive on equal treatment of men and women in occupational social security schemes (86/378, as amended by Directive 96/97)
- Directive on equal treatment of men and women engaged in an activity, including agriculture, in a self-employed capacity (86/613)
- Pregnant Workers’ Directive (92/85)
- Parental Leave Directive (96/34)
- Directive on equal treatment of men and women in the access to and the supply of goods and services (2004/113)

Informal gender equality

When considering gender equality one might take economic, legal, political or cultural approaches. Economically speaking, gender equality can be examined for example by studying the gender pay gap, employment rate gap or enrollment rates in education. Gender equality is a political battleground as well; progressive political parties will be more inclined to favor gender equality policies than their conservative counterparts (Sedelmeier, 2009, p.6). On closer inspection, all above-mentioned approaches are still fundamentally determined by cultural influences. Indeed, informal gender equality is shaped by gender culture, which represents a continuum along the extremes of egalitarian and patriarchal cultures. When gender culture is said to be egalitarian, it is argued to provide “a climate where de jure legal rights are more likely to be translated into de facto rights in practice” (Teigen & Wängnerud, 2009, p.23). In other words, egalitarian societies are those in which gender roles are not distinctive based on cultural foundations (Brighouse & Wight, 2008, p.363). The opposite societal model is one of patriarchy, defined by Walby as a “system of social structures and practices in which men dominate, oppress and exploit women” (as cited in Pfau-Effinger, 2004, p.380). It portrays society as being composed of a public and private sphere, the private being the household, and the public being society itself. In patriarchal society, women are locked in the private sphere, taking care of the household, raising children and preserving the stability of the family (Pfau-Effinger, 2004, p.380). This prevents them from performing remunerated employment, making them vulnerable and dependent on the male ‘breadwinner’ who operates in the public sphere.

It is a countries’ gender culture that determines whether or not a gap exists in remuneration or employment, it also determines party politics and their stance to gender specifically, and it can similarly be argued to be the source of legislation in this field. Indeed, gender roles, the position and responsibilities of men and women in private and public life and the social evaluation of these roles and actions can be attributed to a countries’ culture (Campa et al., 2011, p.156; Teigen & Wängnerud, 2009, p.23). According to Zachorowska-Mazurkiewicz (2007), societal norms regarding gender equality shape the day-to-day behavior, it forms a person’s outlook of the world, guides his / her actions and establishes what is appropriate conduct and what not.

It may determine whether an employer hires a woman or not, the remuneration she will receive, the types of jobs she is expected to take up and which not, the accumulation of all these day-to-day decisions shape informal gender equality, yet are not directly impacted by legislation.

Strongly related to the distinction between patriarchal and egalitarian cultures is the prevalence of religion in society. Generally speaking, it is assumed that religion offers guidance to public and family life, providing structure to behavior, norms and values. In Western Europe, societies have largely become secularized by removing religious influences from political processes, but in other parts of the world, including several Eastern European states, religious influences are still significant. In Poland, the Catholic Church is consulted on family policies. Due to the internalized societal norm of Catholicism in Polish society, government legitimacy depends on the extent to which they follow this consultation (Heinen & Wator, 2006, pp.204-205). Although providing a framework of social morality and stability, religion also has strong predisposition to matters regarding the private sphere, such as gender roles, family structure, marriage, abortion, sexuality and contraception (Razavi & Jenichen, 2010, p.836). Catholicism thus favors patriarchal models of social structure and gender roles, for the woman is argued to be a centerpiece in maintaining family structure and stability, raising children and maintaining the household, thereby also transmitting gender norms to children which form the next generation.

However, gender culture is flexible in the long-term, and can be altered when society is confronted with radical changes in political / economic conditions. For example, before the fall of the Iron Curtain in 1989, female employment rates in Poland were high, unemployment rates low and wages more equal compared to the Poland after 1989 (Zachorowska-Mazurkiewicz, 2007, p.456). The reason for this radical change was the political and economic revolution that Poland underwent in transitioning from a command economy of mass employment and communist gender equality, to a market economy of inequalities. As formulated in the research question, this thesis examines whether EU accession, another monumental change for Poland, carried a similar change in terms of Poland's approach to gender equality, although recognizing that the former was imposed in a rigid authoritarian manner and the latter through offering benefits and soft power persuasion.

In short, this thesis argues that societies are categorized along the patriarchy-egalitarian continuum of gender culture. The position of the society on this scale has implications for the manner in which socially held norms and values are shaped in relation to gender equality. It is further argued that strong religious influence can shape a society to be more patriarchal in nature. Lastly, although these gender culture models are not fixed in the long term, and can be changed through intense political / economic changes, merely changing a law does not suffice in altering norms and values that dictate the daily evaluation of gender roles and appropriate conduct, what I label as informal gender equality.

In order to outline how formal and informal gender equality might be achieved in the context of EU accession negotiations, I shall now turn to the theoretical framework.

2.0 Theoretical framework

This section provides an overview of the theoretical framework applied throughout the paper.

2.1 Explaining compliance to EU demands: social learning or external incentives?

Thus far it has been established what gender mainstreaming entails and how it was formulated at EU level and advocated by its institutions. It is more interesting however to analyze when, how and why this top-down formulation of gender mainstreaming is successfully adopted by its member states. Furthermore, it has to be established that compliance with EU legislation is one thing, but effective implementation is quite another. It is frequently observed that despite formal compliance, informal gender equality is not achieved due to informal institutions and societal practice. This is related to the top-down approach taken by the EU, which is said to lack resonance at the national or local levels, especially in newer member states (Metcalf & Afanassieva, 2005).

For the 2004 candidate states of Eastern Europe, adopting gender mainstreaming legislation was seen as merely an issue of ‘compliance’, not ‘commitment’, a hurdle that had to be overcome in order to receive the reward of membership, leading them to do the minimum possible (Metcalf & Afanassieva, 2005). However, proper implementation and actual practice of equality in all aspects of life is exactly what gender mainstreaming policies pursue.

Adopting gender legislation on equal pay, but not creating the circumstances for women to work does nothing to improve the situation of women in society.

In their much cited and used work, Schimmelfennig & Sedelmeier (2004) develop three distinct models of EU external governance; the social learning model, external incentives model and the lesson-drawing model. In their view, the external incentives model is most often the appropriate model when explaining state compliance behavior to EU demands. It bases its assumptions on rationalism, explaining state compliance through cost-benefit calculation, material incentives and coercion. All states have the same objective of wealth maximization. In other words, they will only adopt an EU policy if this provides them with a higher benefit than cost. For example, they show that the authoritarian regime in Slovakia resisted EU democratic reforms for the high cost it would have on regime stability (Schimmelfennig & Sedelmeier, 2004, p.670). Using this model therefore, it is to be expected that Poland will seek to improve gender equality simply in the pursuit of the benefit of EU membership. However, as already discussed in the conceptualization, this stance of the candidate states towards EU requirements as being a noisome hurdle to be overcome leads us to predict that gender equality in Poland will be restricted to formal improvements in legislative and institutional terms, rather than practice. Indeed, as we have established thus far however, the rational top-down approach does not favor comprehensive GM implementation. Rather, it requires a change in societally held norms and institutions; a shift in the way of thinking that dominates the day-to-day affairs of people. If we are to see changes in informal gender equality it requires social learning, and this is the second model of Schimmelfennig & Sedelmeier that will be employed by this thesis.

The social learning model argues that states comply with EU demands not because of a rational cost-benefit analysis, but through persuasion and internalization. When EU norms are internalized, that is, considered legitimate and valid, they can be accepted by this society (Schimmelfennig & Sedelmeier, 2004). Internalization is important, for states are argued to have different values, which shape a state's action. These different values and norms are embedded in a country's unique historical happenstance. Leaning on the constructivist theory, the social-learning model claims that compliance will be achieved through social protest / mobilization and social learning.

Social protest / mobilization means that pressure on states is exercised when domestic actors such as trade unions and NGO's with cooperation with transnational interest groups lobby for a specific outcome. The countries' elite is persuaded at a later stage through changes in behavior and strategies. Thus, the social learning model suggests that over time, countries and people can internalize and accept new norms through social learning, meaning that gender norms resonate in Polish minds and become the new normal. We might thus expect that in the years following Polish membership, socialization will increasingly resonate with the Polish population and start to influence informal gender equality practice that might have been unaffected at first due to cultural resistance.

Given the assumption that norms on gender equality are flexible over the long term and can be altered through social learning, it might be suggested that migratory labor from Poland to western European countries will have an influence on gender equality in Poland. These labor migrants might become socialized in their countries of employment and transfer these norms back to Poland upon their return. However, Polish workers have only had freedom of movement for workers in some Schengen countries since 2004 and even later in others, such as Germany where it has only become permitted since 2011. It is thus too early to draw academically sound conclusions, as these individuals will not have had the opportunity to change societal norms within this timeframe. However, it is an interesting and promising field for further research.

Schimmelfennig & Sedelmeier (2004) have conceptualized these theoretical models as being mutually exclusive interpretations of compliance. However, in this thesis I offer a synthesis of these two perspectives, offering a theoretical model of compliance that combines external incentives and social learning using the logic of the two-level game established by Putnam (1988). The underpinnings of this model will be explained below.

2.2 The two-level game: bridging external incentives and social learning

The two-level game by Putnam (1988) describes the interplay between national governments and how they respond to international requirements. This framework describes the need for national governments to weigh domestic and international demands and make policy accordingly (Putnam, 1988).

Their space of behavior is constrained by the domestic forces, which limits the range of possible options for making international agreements. Great attention has to be paid to national interests. National interest can represent public opinions, parliamentary opposition, and civil society. All of these actors are able to influence national decision-makers, albeit differing in the extent to which they do so.

The external incentives model assumes that states will only comply if benefits of doing so outweigh the domestic costs. In the two-level game, this cost of compliance can be argued to be composed of the political cost, for instance losing the next elections. Societal elites typically follow the interests / norms of the dominant domestic civil society actor as this is crucial in maintaining support of the largest constituency (Herman, 1990, p.6). If the elite is forced to go against these norms, in our case by following EU demands instead, they risk electoral defeat. During EU negotiations, these costs are offset by the prospective benefit of EU membership. If the dominant civil society actor shares the same norms as the EU, compliance is even easier, given that the state faces only benefits; its domestic constituency is satisfied and the EU as well. This shows the apparent interconnectedness between the external incentives and social learning model. Domestic costs of compliance are related to the norms held by societal actors, and these norms can be changed through socialization, thereby changing the cost/benefit calculation of national government. This model can thus be summarized in the model outlined in figure 1 below.

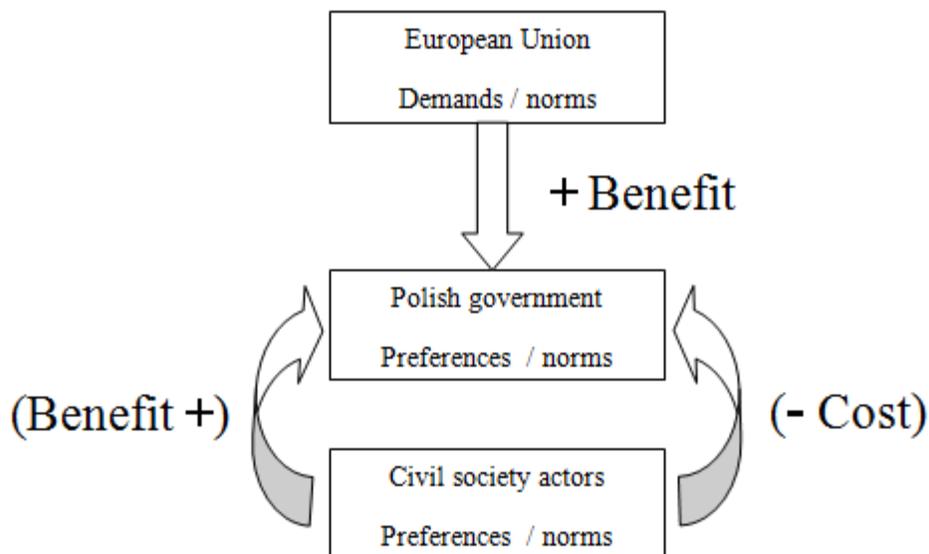


Figure 1: Graphical representation of the theoretical model during EU accession negotiations

Given that EU norms are argued to be alien to new accession countries, one can predict compliance during the accession period to conform with formal requirements rather than changing day-to-day practice in the country. On the basis of this theoretical model, I formulate the first two hypotheses as follows:

H1: Formal gender equality will be higher during the EU accession negotiations than before

H2: Informal gender equality will remain low before and during the EU accession negotiations

However, after accession, the benefit of EU membership disappears from the equation. This means that henceforth, compliance to any EU demand will be dependent on the disposition of the dominant civil society actors to this demand given that EU benefits can no longer offset the costs incurred by domestic political cost of compliance. This leads to the model outlined in figure 2 below.

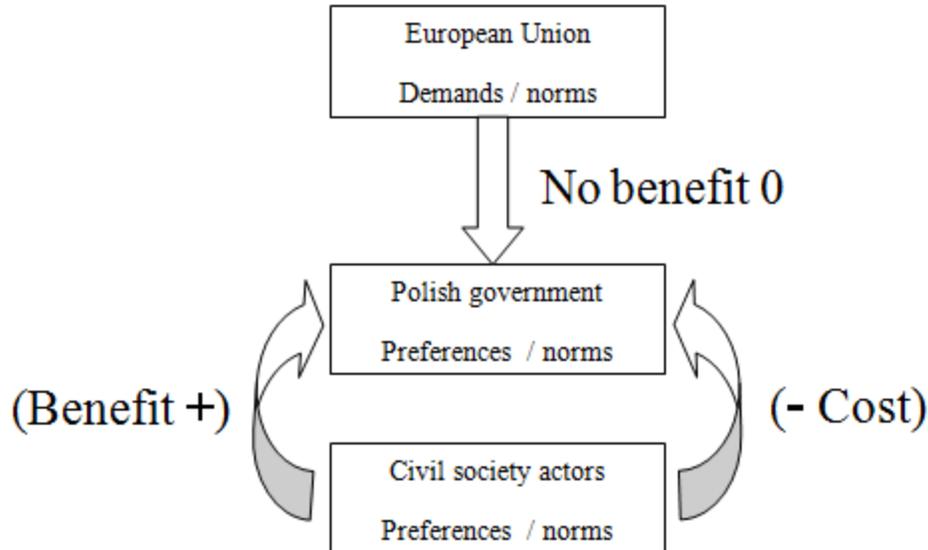


Figure 2: Graphical representation of the theoretical model after EU accession

As such therefore, this is where the social learning model becomes crucial in determining compliance to EU demands on gender equality.

As described by Herman (1990), changes in foreign policy are possible either if the dominant civil society actor changes their norms / interest, or when the dominant civil society actor is replaced by another which advocates different norms / interests (Herman, 1990, p.7). If socialization of Polish society is successful therefore, we might perceive a change in dominant civil society groups and observe compliance even after the benefit is removed, based on the fact that the domestic constituency demands compliance by their government. As such, the longer Poland remains in the EU, the more socialized it is likely to become. This shapes the third and last hypothesis:

H3: Informal gender equality will be higher the longer Poland remains in the EU

3.0 Methodology

This section of the paper serves to illustrate how the thesis will go about testing the hypotheses. In order to obtain concrete results on the conceptualized variables, they have to be operationalized, that is, how they will be measured. Careful attention is also given to the research design, case selection, sampling method and data analysis methods. Throughout the section, the threats to validity that result from the methodological choices of the thesis will be assessed.

3.1 Research Design

In order to measure whether EU accession had an influence on formal and informal gender equality in Poland, an interrupted time series with two nonequivalent no-treatment control groups will be employed, measuring formal and informal gender equality in the experimental group (Poland) and the control group (Ireland and Italy) over the years 1995 – 2011, enabling us to determine trends in formal and informal gender equality both before and after EU accession negotiations and membership. In short, we can visualize this research design as follows, where O is observation and X is intervention (EU accession).

OOOO X OOOO
OOOO OOOO
OOOO OOOO

3.2 Data collection methods

Data on the independent variable, EU accession, will be gathered using qualitative data, such as journal articles, government reports and EU reports.

The dependent variable of gender equality is distinguished in formal and informal gender equality. Formal gender equality, is measured using data on the adoption of EU gender directives outline in section 1.3.2.

Informal gender equality will be measured along the dimensions established by the EU as discussed in section 1.2: equal economic independence; equal pay for equal work and work of equal value; equality in decision-making; dignity, integrity and an end to gender-based violence (European Commission, 2011). These indicators are used because they are official indicators established by the Commission and because these indicators measure day-to-day practice of gender equality experiences in a country. So for instance, equality in decision-making or equal economic independence has a direct everyday impact on women. Gender equality outside the Union is excluded from analysis for it serves no end in this thesis, which focuses on EU compliance.

3.2.1 *Equal economic independence*

As established by the European Commission, this dimension of gender mainstreaming is to be measured by the gap in employment rates, gap in unemployment rates and rate of part-time work (European Commission, 2011). Data for this dimension can be gathered from OECD reports, Commission reports and publications by national statistics bureaus.

3.2.2 *Equal pay for equal work and work of equal value*

This dimension will be measured by the average payment gap and enrollment rates into secondary education, for access to education is a crucial element in securing well-paid jobs (European Commission, 2011). Data for this indicator is collected similarly to the indicator above.

3.2.3 Equality in decision-making

Besides income and independence, there is also a need for equal representation in political decision making, to prevent that society is shaped along the interest of a dominant subgroup of the population. I measure this indicator by the comparative share of men and women in national parliament (European Commission, 2011). Data can be gathered from public sources on the proportion of female parliamentarians overtime, as well as journal articles.

3.2.4 Dignity, integrity and end to gender-based violence

This is measured by comparing gender representation in tertiary education and the presence of laws preventing or allowing abortions (European Commission, 2011). National legislation will need to be consulted to establish this variable, as well as national statistics bureaus and OECD / EU reports. On their own, this quantitative data only describes the performance Poland in GM policies, but it does not explain how this performance, or lack thereof, came about. In order to place the quantitative data of compliance into context, qualitative data from journal articles and reports shall be used to embed this data in its social context. By shaping the context of this data, light can be shed on why Poland did or did not comply with GM policies.

3.3 Case selection and sampling

The case selected for this study is Poland. This has been done by a purposive sampling technique, which means that Poland has not been selected randomly but has been selected intentionally. Due to the fact that in this study a selection could only be made from a small N (27 member states), it is wise not to randomize your selection (Seawright & Gerring, 2008, p.295). Although purposive sample technique cannot overcome the problem of low generalizability, it can help to choose the appropriate case.

The case of Poland can be labeled as a ‘deviant case’, which according to Seawright & Gerring (2008) means that a case demonstrates a deviant or surprising value in within an existing theory. As indicated, Poland has performed very well on most indicators of EU accession compliance and is one of the fastest growing economies of the EU (World Bank, 2013).

However, its performance on gender equality compliance clearly deviates and has minimal in performance (Gerber, 2010, p.35). A deviant case study aims to provide new or changed theoretical models in understanding a certain phenomenon (Seawright & Gerring, 2008, p. 302). This contrasts it from the typical case study that aims to confirm existing theories. As such, this thesis has opted not to test the existing theories of Schimmelfennig & Sedelmeier (2004), but to provide a synthesis of these models and integrate it within a two-level game model in an attempt to explain the deviant performance of Poland.

As indicated by Shadish, Cook & Campbell (2002), the control group should be selected on the basis that it should not have been influenced by the treatment (2004 EU accession process) received by the treatment group (Poland – candidate state). For the purpose of this thesis, the control group has been selected from older EU member states (Italy and Ireland), for they are not receiving the treatment (2004 EU accession). Both countries are old members of the EU with Italy being a founding state and Ireland joining in 1973. Italy and Ireland are Catholic countries such as Poland, using these countries in my control group would control for a very influential factor affecting gender equality, namely religion and in this case particularly Catholicism (see section 1.3.2). Through this control variable I raise the probability that changes in Polish performance on formal and informal gender equality can be attributed to EU accession and not to a change in the countries' belief system, for instance through modernization of the Catholic Church.

3.4 Threats to research design

3.4.1 Internal validity

Since it is impossible to apply a randomized experiment (see case selection), the interrupted time series design is identified as being a particularly strong quasi-experimental alternative (Shadish, Cook, & Campbell, 2002). An advantage of this research design is that many threats to internal validity such as attrition, maturation, testing, instrumentation and morality (Romero, 2008) are implausible. This means that there is a strong likelihood that this thesis indeed measures the established cause-effect relationship (EU accession –formal and informal gender equality). The only plausible threat to internal validity is history.

The researcher cannot be certain whether another event occurring at the same time as the independent variable (EU accession) has changed the outcome (gender equality). In this context, it could be that there was a more regional or global pattern towards or away from gender equality that might have occurred at the same time as EU accession in 2004, which would have also have an impact on the slope of the control group. By using two countries that were not involved with the EU accession process at the time, I exclude the possibility that the effect might not be caused by the EU process. The threat to internal validity, history, is thus countered by the addition of a nonequivalent no-treatment control group (Shadish, Cook, & Campbell, 2002, p.182).

3.4.2 External validity

External validity is concerned with the generalizability of the study's findings across variations in settings, units and observations and treatments (Romero, 2008). External validity is high when your case has been selected randomly and you chose from a big sample size. Due to the fact that this was implausible to apply in this study, one must anticipate that the findings of this study cannot be easily generalized to other countries.

4.0 Case study Poland: Gender equality and its historical legacy

To best understand gender equality policies in Poland it is important to give a short overview of Poland's past and the role of women during the era of partition (1795-1918), the Communist state (1945-1989), transition state (1989- 1997), EU accession negotiations (1997 - 2004) and EU membership (2005 – 2011).

4.1 National movement and myth creation

During the era of partition Poland did not exist as a state and its territory was divided between Russia, Germany and the Austrian empire. Poland would gain sovereignty in 1918. Until then Polish people tried to create a national identity from which they were to be distinguished from others. This national identity was important because of the oppression and stateless situation they faced at that time. The creation of mythology is a common tool of nation building (Hutchinson, 2004, p. 110). Nation building in Poland revolved around the myth of *Matka Polka* (Polish Mother and Patriot) (Fidelis, 2010, p.25).

Matka Polka is the role model of any Polish woman, which lives and teaches Polish identity, religion, language and traditions to the next generations, while the men are dying on the battlefields. She ought to live to the standards of Catholic morality; faithfulness, no aspiration of an own career and being the caretaker at home. This image was widely supported by the Catholic Church (Gerber, pp.491-492; Gerber, 2010, p.33, Zachorowska-Mazurkiewicz, 2009). Matka Polka was soon associated with Polish national liberation ideology. Gradually Polish nationalists promoted the ideology of Matka Polka into all classes of Polish society. Soon, the Catholic Church became associated with the Polish national movement (Fidelis, 2010) and evolved into a powerful actor as the maintainer of 'Polishness'. It is important to note that Polish identity was not created around civic nationalism but Polish Catholicism, in which Matka Polka is associated with Polishness and Poland's very survival as people and as a country (Gerber, 2011, p.491).

4.2 Communism

WWII marked a shift in the perception of working women in Poland. Poland suffered tremendous human loss during WWII of which the predominant proportion was male. Women found themselves in a situation where they were the sole breadwinner and had to work for the survival of their families (Fidelis, 2010, p.22). The aftermath of WWII (1944-1955) therefore encouraged the socialist state to support working women in order to rebuild the material damages and to foster the ideas of the socialist state.

Like any other CEECs, Poland proclaimed equality between the sexes in all layers of society (Heinen & Wator, 2006, p. 192). Not only were slogans of equality represented in the rhetorical discourse of Communism; soon the legal system would embrace equality of the genders as well (Fuchs, 2013, p.25). Women were generously supported in their role as working-mothers by ensuring a reconciliation of work and family life through paid maternity leave, entitlement to annual paid leave to care for sick children and heavily subsidized kindergarten provision (Bretherton, 2001, p. 63). However, Communist regimes understood gender equality as assigning women to specific economic needs (Metcalf & Afanassieva, 2005, p.398; Heinen & Wator, 2006, p. 192).

Nevertheless, the high supply of production work, which would support the material reconstruction of Poland and relatively low wages, which lead to the necessity of both men and female having to work, resulted in female employment as the highest in the world (Metcalf & Afanassieva, 2005, p. 399; Gromek-Broc, 2006; Zachorowska-Mazurkiewicz, 2007).

Despite Communists assumptions of superiority on gender related issues, one must stay conscious to the ideology of gender equality under Communist rule for several reasons. Firstly, one doubts the correctness of data gathered by a Communist regime, since statistical evidence is largely incorrect or completely lacking (Gromek-Broc, 2006, p. 420). On the one hand female employment rates were better than in Western Europe, on the other hand access to decision-making was largely denied to women when not openly but rather subtle by actively promoting a male-dominated picture in the highest management functions and in the political scene (Gromek-Broc, pp.420-421; Gerber, 2010, p.33). Velluti (2005) argues that gender equality has not been fully embedded in society due to the fact that the above-mentioned legal and societal barriers made it impossible for women to participate in the decision-making process (pp.216-217). Furthermore, Communist rule demanded women to work and to be the sole caretaker of their children, elderly and the household. This demand certainly imposes a big burden on women (Pascall & Kwak, 2005). To accommodate for this, the ideal of the working mother was promoted by generous parental leave and childcare facilities across CEECs. So, to speak of equality of the gender would be an exaggeration because the employment of women was supported more so out of economic necessity than out of a sense of moral obligation to ensure gender equality.

This shows that women suffered from prejudice and societal barriers. As Titkow (1993) observes: “Women do not make a career, even in the most feminized sectors of the labour market” (p.253). The repression of Communism alienated Poles and it was thus that they held on to traditions such as Matka Polka and the Catholic Church, which was to become the most powerful civil society actor in post-Communist Poland (Fidelis, 2010).

4.3 Post-Communism: re-traditionalization

The fall of the Iron Curtain in 1989 led to a transition of the Polish economy to a free market and the development of liberal democratic institutions. More so, this transitional time to overcome the aftermaths of Communist rules also means a transition of Poland's gender relations. After the collapse of Communism in 1989, the Solidarity government wanted to detach itself completely from Communistic ideas. Finally, Polish people did not live under oppression and besides Polish political and economic transition, a transition of gender norms occurred as well (Gerber, 2011, p.492). This results in resistance towards Communist full employment ideas, which in the eyes of many Poles undermined the position of the woman as the caretaker of the household (Gerber, 2011, p.491). The openly pro-Catholic Solidarity government introduced policies which aimed to reinforce the role of the men as the sole breadwinner and limit women's roles to the as wives and mothers (Glass & Fodor, 2007 p.328).

The Catholic Church has been linked to Polish identity more than ever, which led the government to sign the Concordat with the Holy See, granting the Church power over societal issues such as sexual education in schools, reproductive rights, religious education, religious activities through youth camp (Heinen & Portet, 2010, p.1009-1010). Specifically, this transition of gender norms is widely understood as a *re-traditionalization* or *re-masculinization* of the gender regime. Reason for that lies in the revival of the image represented by Matka Polka (Pascall & Kwak, 2005, p.11; Gerber, 2011, p.492). Matka Polka, the ideal woman who sacrifices herself for her fatherland and her family and the idealization of the men as the sole breadwinner would inspire Poland to pursue traditional policy initiatives until the present day and gradually earning a reputation of being most traditional of all CEECs (Titkow, 1993, p.253). The enormous influence the Catholic Church has on society and policy making becomes obvious when considering Polish's everlasting fight for recognition and identity creation under the partition era, the enormous loss of population during WWII and the oppression under Communism (Gerber, 2010, p. 33). One can imagine that The Third Republic of Poland in 1989 refused anything known under Communist rule and appoint itself to the nationalistic ideas of the 18th century under partition (Gerber, 2010, p.33). The post-1989 period is one in which it was redefined what it meant to be Polish, a struggle that would empower some and marginalize others (Gerber, 2010, p.33).

As such, Adamchik & Bedi (2003) conducted a valuable study on socioeconomic changes in the labor market during this period. They find that between 1993 until 1997 Poland has re-introduced occupational segregation in the labor market, making it impossible for women to access certain lines of work (Adamchik & Bedi, 2003, p.720). Already in primary and secondary education, several fields of study have been barred using gender quotas (Adamchik & Bedi, 2003, p.721). Using statistical analysis, they conclude that the gender wage gap has remained stable, and that it can largely be attributed to occupational segregation. Interestingly however, they find that between 40-50% of the wage gap cannot be explained by segregation or skills. Instead they find that this unexplained portion can be attributed to marital status. Throughout the years studied, men received an increase in pay if married, while women were affected negatively. It appears that employers discriminate between genders on the expectation that productivity of women will be lower during pregnancy, while men are supposedly enticed to work hard to support the family (Adamchik & Bedi, 2003, p.722). In other words, the sole breadwinner model is apparent in this study.

In Poland, the feminist movement has been very slow to develop a strong collective voice for the case of gender equality. The Communist era has been influential in shaping the role and place of feminism and gender equality in Polish society. The imposition of the communist ideology on Poland created the need to protect traditional societal and family values, including traditional gender roles (Bystydzienski, 2001, p.502). After communism was defeated therefore, any grassroots feminist groups that emerged during the post-communist period would face opposition from Polish society, a society that had come to associate gender equality with communism instead of traditional Polish culture. For example, abortion had become legal under communist rule, and after the end of communist occupation the Catholic Church moved to influence policy makers to remove this piece of legislation, a move that was countered by feminist groups on grounds of gender equality (Bystydzienski, 2001, p.506). In contrast, the Catholic Church came to be associated with traditional Polish culture in the communist period, and a beacon for passive resistance against foreign domination.

The period covered by the abovementioned study ends in 1997, and this is the year where a new period of my study begins, in which we shall move from transitional Poland to Poland in the accession process following their candidacy status in 1997.

4.4 EU candidacy: external incentives and compliance?

Knowing the impact history has had on Polish consciousness and identity creation and the importance of Polish traditions, it does not come to surprise that Polish and European policy makers have clashed on the ideas of gender equality when Poland prepared for EU accession in 1993. Shortly before EU accession, Poland implemented several re-traditionalization policies concerning gender norms such as the illegality of abortions (Gerber, 2011, pp.492-493). As a response to the EU's own ideas of gender equality, which they ought to push through in Poland, Polish policy makers responded with a re-traditionalization of gender related issues in Poland (Gerber, 2010, p.495). It feels intruded by the foreign EU demands regarding gender issues because the CEECs countries have not being able to give their own input in the creation of the directives. This is also being directly expressed, as the Polish representative said 'The woman-mother for whom pregnancy is a blessing must be an idol' (as cited in Bretherton, 1999, p.137).

In 1997 Poland gained official candidacy status and immediately proposed an ambitious legislation in an attempt to comply with EU gender equality directives. The ruling left-wing coalition proposed the establishment of a national Ombudsperson for Equal Treatment, a Parliamentary Commission on Equal Treatment, and a national office of Equal Treatment, and a women quota of 40 % on all public appointments (Gerber, 2010, p.34-35). However, the ambitious plan failed when in the intermediate time a new right-wing government was elected into office the same year. Any further attempt to reintroduce the legislation has failed under the rule of the Solidarity Electoral Action (Akcja Wyborcza Solidarnosci). In 1997 the Poles adopted a new constitution and many wondered whether more attention is paid to gender issues with context to the accession. However it only contained a general clause ensuring equality between men and women with regard to education, employment, social security, public office, the right to equal pay for work equal value without any specific laws to guarantee the effectiveness of these provisions (Anderson, 2006, p.111). In fact until 2001, no attempt of harmonizing EU law on gender equality into Polish national law has been successful (Gerber, 2010, p. 35). This can be explained by the fact that the conservative party was in rule until 2001 (Anderson, 2006, p.113). In a Commission report of 2003, Poland has been identified as 'lagging behind' with the fulfillment of EU gender equality directives (Anderson: European union gender regulations in the east', 2006 cited: Commission report).

In 2001 Poland passed the Labor Code Amendment, which brought Poland closer to EU equal opportunity demands, hence the chapter on Social Policy and Employment was closed (Anderson, 2006, p.112).

Polish policy making is highly influenced by the Church's dogma, which is supported by the political elite. As Heinen & Portet (2010) argue, the political elite in Poland is unwilling to challenge the Church's dogma either because of their own conservatism or out of fear to challenge a dominant actor in Polish society and its possible voter losses (p.1017). To illustrate this, surveys show that religiosity is much stronger in Poland than elsewhere in Europe. As 90% of Poles define themselves as Catholic and over half of them attend mass on a weekly basis, politicians cannot afford to openly counter the Catholic dogma (Heinen & Portet, 2009, p.12). This is a clear example of the two-level game logic underpinning compliance; in case of domestic opposition the cost of compliance goes up, thus reducing incentives to do so.

Formal compliance with EU directives

As already mentioned in section 1.3.2 all directives imposed by the EU on gender equality have been adopted by Poland and thus the *acquis* chapters have been closed. However, formal equality through legislation is easier achieved than changing practice, what has been termed informal gender equality in this thesis. As such I now turn to observe equality practice in Poland on the indicators established by the European Commission.

Informal compliance with EU directives

4.4.1 Equal economic independence

As established by the European Commission, this dimension of gender mainstreaming is to be measured by the gap in employment rates, gap in unemployment rates and rate of part-time work (European Commission, 2011).

Figure 3 below shows us the unemployment gap; the gap between female and male unemployment rate, with positive rates meaning a higher female unemployment rate. We can see that although Poland performs slightly worse than the EU15, it does outperform Italy significantly.

The high unemployment gap for women especially during the 90s is explained in the literature as a consequence of Poland's transition time causing vast unemployment, especially harming women as they are more vulnerable on the job market than men (Adamchik & Bedi, 2003, p.703). Adding to this precarious situation, the Solidarity government has primarily aimed to secure employment of male workers (Glass & Fjodor, 2004). Moreover, the overall trend is downwards, suggesting that Poland is steadily increasing its performance, including a significant drop in 2000-2003 to outperform even the EU15, suggesting the external incentives model of cost-benefits is at work in the final years leading up to accession.

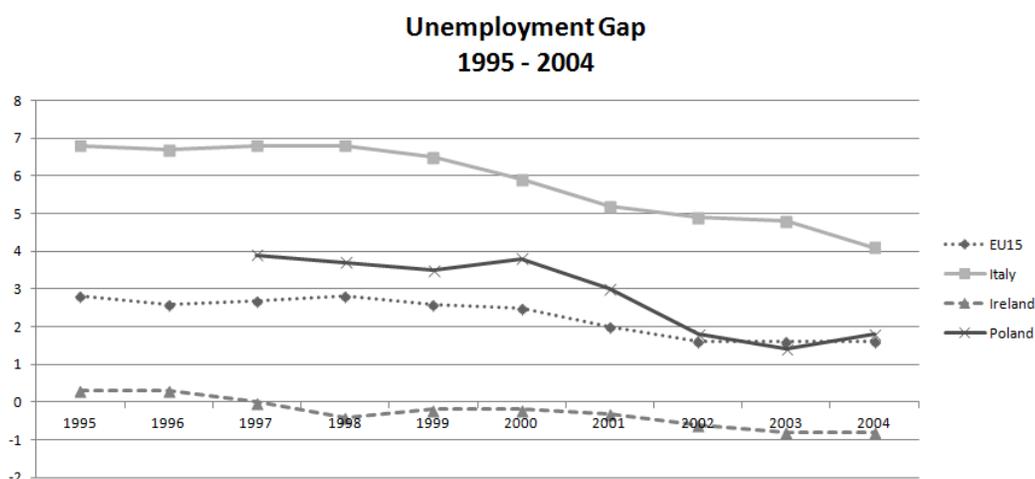


Figure 3: Unemployment Gap in percentage (1995-2011). Source: Eurostat (2013a)

However, economists would argue that looking at the unemployment gap alone is dangerous because of its definition; it only includes those that are *actively* looking for work between the ages of 15-65, meaning that there is a chance of ‘hidden unemployment’ of those not looking for work. A better indicator is therefore the employment gap (Figure 4); the gap between men and women that are employed as a percentage of the labor population (all population between 15-65). Here, Poland outperforms the EU average significantly and has a downward trend approaching EU accession. It drastically outperforms the existing member states Ireland and Italy.

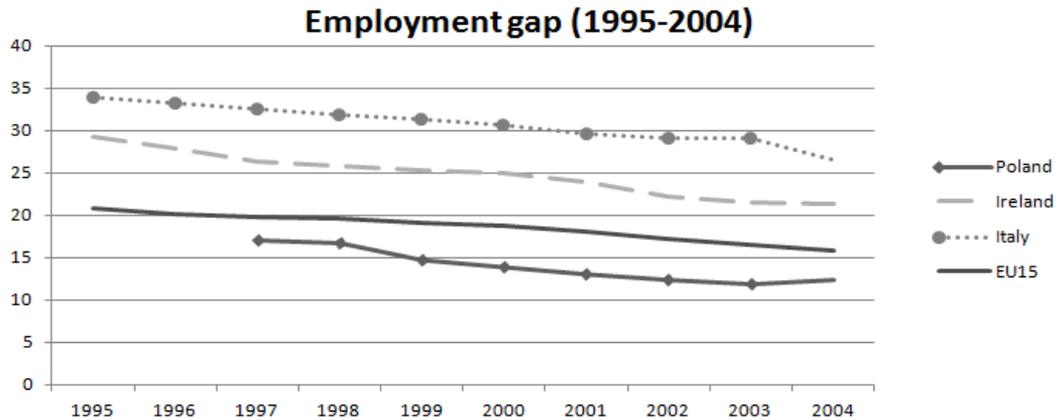


Figure 4: Employment gap in percentage (1995-2004). Source: Eurostat (2013b)

To ensure that the employment rate of women does not mask excessive part-time employment, figure 5 below shows the percentage of women as the total of part-time workers. As figure 5 shows, Poland's share of female part time workers remains considerably under EU average.

This means that the share of part time workers is in Poland more equally distributed between men and female than in the rest of Europe. Performing better than EU average does not guarantee a good status on the share of female part time workers because the EU average is with 80% not favorable to women's condition. Approaching EU accession, the share of female part time workers increases slightly. Both Italy and Ireland are very close to EU average.

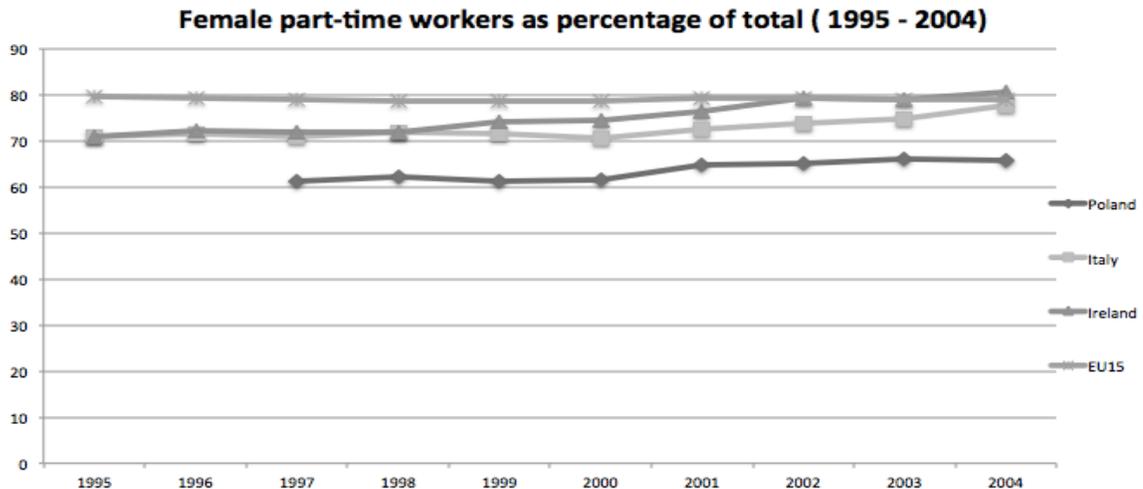


Figure 5: Share of female part time workers as percentage of total (1995-2004). Source: Eurostat (2013c)

This indicator is included because part time workers are especially vulnerable on the job market, as they are usually the first to be hired and the first to be fired. As figure 5 shows, Poland's share of female part time workers remains considerably under EU average.

This means that the share of part time workers is in Poland more equally distributed between men and female than in the rest of Europe. Approaching EU accession, the share of female part time workers increases slightly. Both Italy and Ireland are very close to EU average.

It is also important to look at the levels of education girls and women obtain as one can imagine that having lower levels of education also lead to greater economic vulnerability in later life. Education is central to finding quality employment and a solid income. As figure 6 indicates, females are slightly more often enrolled in tertiary education, which theoretically enable them to have greater access to high skill jobs and better wages.

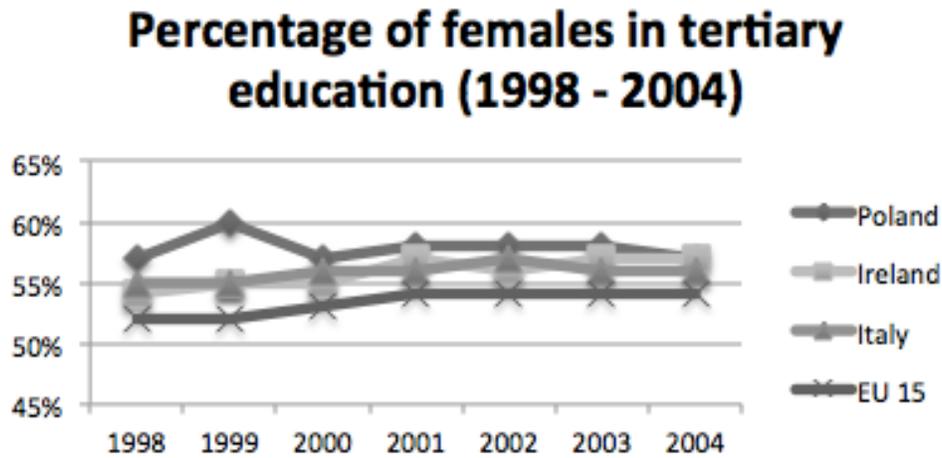


Figure 6: Percentage of females in tertiary education in Poland, Ireland, Italy and EU15 (1998-2004). Source: Eurostat (2013e).

4.4.2 Equal pay for equal work and work of equal value

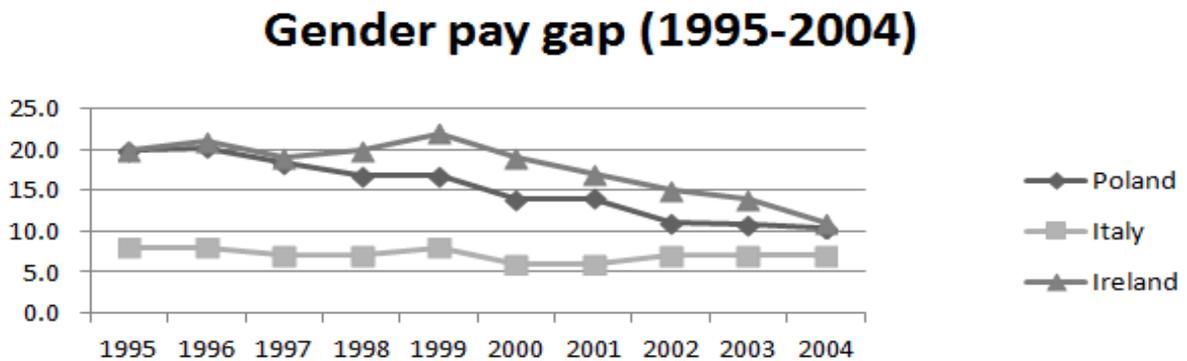


Figure 7: Gender pay gap in percentage (1995-2004). Source: OECD (2010).

As we can see in figure 7 the gender pay gap was quite high in Poland during the mid-90s, as high as 20 %. The gap was halved by 2004 with a gender pay gap of 10%. This means that approaching EU accession, wages for women were closer to male income rates than before. For the first time Italy does better than Ireland and Poland with a pay gap fluctuating around 8 %. A high gender pay gap may be reflective of the divergence in skillsets between males and females and thus links with access to education. It also provides a measure for differences in occupations and female access to higher management, a small wage gap suggests that similar roles are performed by males and females.

4.4.3 Equality in decision making

As is rightly noted by Avdeyeva (2009), gender relations in Poland have been characterized by a high degree of inclusion in the labor market and economics, but not in political life (Avdeyeva, 2009). In other words, women may participate but are not allowed to lead. This social orientation is reflective of hierarchies within the Catholic faith, which prescribes that women profess to the Catholic faith, but cannot fulfill leading positions such as pope, bishop, cardinal or even priest. As such, we find that during the re-traditionalization period the proportion of female parliamentarians in 1991 was only 9,5%, compared to 23% in 1980 during the Communist era (Sloat, 2004, p.48).

	1980	1990	Change (1980-90)	Most recent election (date)	Change (1990-now)
Bulgaria	21.7 (1981)	8.5	-13.2	26.7 (06/2001)	+18.2
Czech Rep.	29.0 (1981)	11.0	-18	17.0 (06/2002)	+6.0
Estonia	20.7 (1985)	5.7	-15	18.8 (03/2003)	+13.1
Hungary	30.1	7.3	-22.8	9.8 (04/2002)	+2.5
Latvia	34.8	5.5	-29.3	21.0 (10/2002)	+15.5
Lithuania	36.0	8.1	-27.9	10.6 (10/2000)	+2.5
Poland	23.0	9.5 (1991)	-13.5	20.2 (09/2001)	+10.7
Romania	33.1	3.6	-29.5	10.7 (11/2000)	+7.1
Slovakia	29.0 (1981)	8.7	-20.3	19.3 (09/2002)	+10.6
Slovenia	26.0 (1982)	11.2	-14.8	13.3 (10/2000)	+2.1
Average	26.9	7.7	-19.2	16.7	+9.0

Table 1: Female participation in parliament in CEEC's (1980 – 2003). Source: (Sloat, 2004, p.48)

The percentage of ministers in Polish government experienced a similar drop in the 1990s, dropping from an already low 3,1% in 1985 to 0% in 1990. It is therefore all the more interesting to note that by 2002, the percentage of female ministers was 20%, still by no means egalitarian but a significant increase nonetheless (Sloat, 2004, p.50). This shows the influence of the EU accession process; whereas the participation had been 0% in 1990, before candidacy status, it had become 20% during the heat of the accession process in 2002. Whether women in political positions can change status quo with regard to gender issues remains doubtful as many women in CEECs are not sensitive enough of gender related issues or others simply don't want to be associated with such issues fearing low vote turn-outs (Choluj & Neusuess, 2004, p.5). Moreover, the abolishment of quotas and Poland's retraditionalization made the access to decision-making less accessible for women (Bretherton, 2001, p.65).

4.4.4. Dignity, integrity and end to gender-based violence

The right of decision-making over one owns body is a right, which constitutes "a central element for women's autonomy, relating as well to civic, political and social rights" (Heinen & Porter, 2010, p. 1012). However, the issue around abortion is in Poland an extremely controversial one. As already outlined in section 4.3 the Post-Communist era can be described as an era where deep Catholic beliefs around morality and gender issues have been reinforced. In a study conducted in 2000, 64.4% of Poles indicated that it was deemed appropriate for the church to influence family matters, which thus includes gender roles as well (Titarenko, 2001, p.606). However, the church has a very patriarchal view on family and gender matters, providing a big obstacle to gender equality processes (Bystydzienski, 2001, p.502).

This obstacle can be mirrored in the 'anti- abortion act' adopted in 1993 (Heinen & Portet, 2010, p. 1008) under initiation of the Catholic Church, even though abortion was perfectly legal during Communist time. Surely, the ban on abortion has decreased women's health conditions because doctors refuse to do an abortion even when the pregnancy poses risks to the woman (Heinen & Portet, 2010, p. 1013). Those having the available financial means are forced to do illegal abortions, where doctors perform the procedure without proper medical procedure, e.g many women are not given anesthesia prior to the operation (p.1013).

These abortions are traumatic and damage a woman's health and lead to abortion tourism, which delays the time of abortions (p.1018). Heinen & Portet (2010) claim that this action limits women's rights in society (p.1008). Another concerning trend in re-traditionalized Poland is the restricted access to contraception. Even though perfectly legal in Poland, its use is controversial due to social pressure (Heinen & Portet, 2010, p.1015). Especially in small towns many doctors refuse to prescribe the pill particularly to unmarried women. This negative development is in line with Heinen & Portet's argument that the EU is rather powerless to socialize Poland according to its values, as they 'lack any concrete instruments (like sanctions) to enforce its views' (Heinen & Portet, 2010, p.1018). Therefore, despite relative good performance in several of the indicators, women still face harsh treatment, especially in the fields of sexual freedom, abortion right, income equality and access to political power.

I conclude from the data that the control variable of Catholicism cannot account for the change in performance in Poland. The control countries show different trends than Poland on all indicators, and as such I reject the possibility that a wider trend of reform in Catholicism can account for the changes. I conclude therefore that the external incentives model can be argued to explain patterns of Polish compliance in the period 1995-2004. The benefits of compliance were clear and consistent throughout the period, and sufficiently high to ensure compliance in fields such as employment and access to education. However, when looking below the surface it shows that the cost full domestic compliance was still too high to change practice; a change of gender norms is required to change practice on issues such as contraception and abortion. On this note, I shall now turn to the last period of analysis (2005 – 2011) to see whether we can observe a socializing effect.

4.5 EU accession: socialization of gender norms?

An alternative theoretical model to that of external incentives is the social learning model. To shortly repeat its assumptions: it argues that states will adopt EU norms overtime when these have come to hold legitimacy in the eyes of the state / society or when no domestic norms on the issue exist. Conversely, if EU norms conflict with existing domestic norms that hold high legitimacy, socialization of norms is less likely to occur (O'dwyer & Schwartz, 2010, p.223).

Referring to the discussion on gender norms in the previous subchapters therefore, one might expect Poland to show conflict when it comes to accepting EU gender norms. A distinct characterization of the CEECs member states is that they had no input in the making of any EU laws and thus the requirement to implement all of the *acquis communautaire* chapters poses a top-down approach on states. It is more than rational to doubt whether the adopted chapters hold even after the accession (Sedelmeier, 2011, p.6). In order to test this model therefore, and to disconnect it from potential interference from rational cost-benefit analyses under the external incentives model, one must observe compliance to norms *after* accession when the benefit of EU membership has already been secured. For Poland, this period will be measured between 2005-2011.

Mainstreaming gender equality, in order to be successful, needs an institutionalization of its principles and practices. An institutionalization of norms and rules is observable when they “constrain behavior in all aspects, and at all levels, ofpolicy processes” (Bretherton, 2001, p.61). Institutionalization is further described as a consequence of an exchange between ideas and interaction. In the article of Avdeyeva (2010, p.214) it is argued that in general EU accession countries transpose EU gender equality laws into domestic legislation but fail to implement them punctually. Further it is argued that not EU pressure is responsible for the effective implementation but rather support for gender equality policies at the domestic level. Whether or not socialization of EU norms has been successful in Poland can only be established on the basis of data.

4.5.1 Equal economic independence

In terms of the unemployment and employment gaps, figures 8 and 9 below show us that Poland has remained constant in performance after accession and has converged with the control countries and EU15 levels. On this indicator, Poland has not worsened in performance simply due to the absence of the benefit of membership which indicates the presence of social learning.

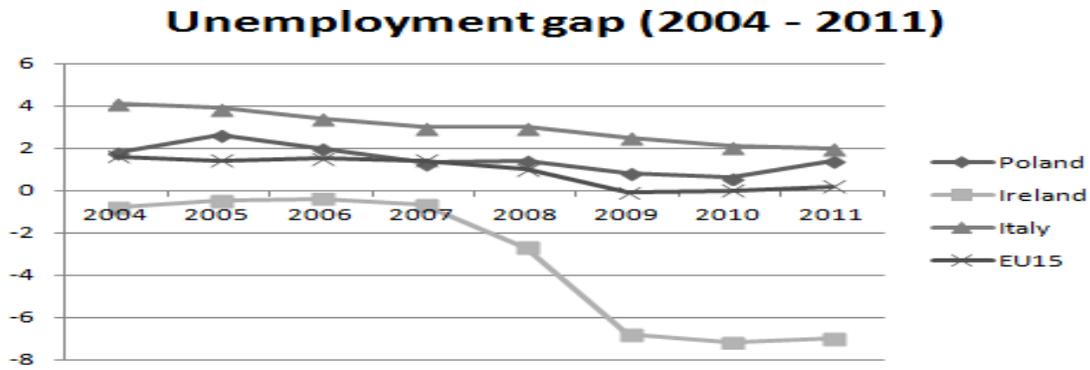


Figure 8: Unemployment gap in percentage (2004-2011). Source: Eurostat (2013a)

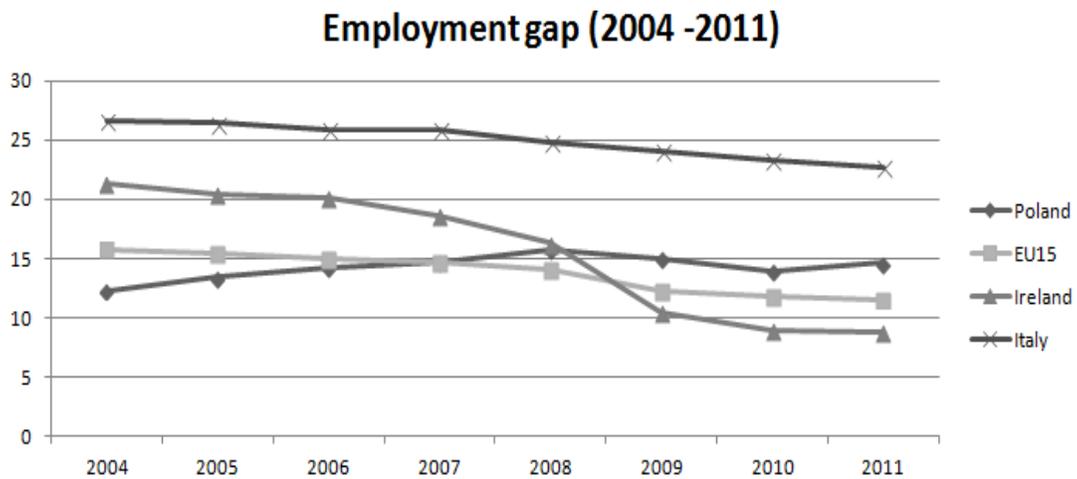


Figure 9: Employment gap in percentage (2004-2011). Source: Eurostat (2013b)

Figure 10 shows that the share of female part-time workers has also remained stable over this time period, and Poland continues to outperform the control cases and EU average.

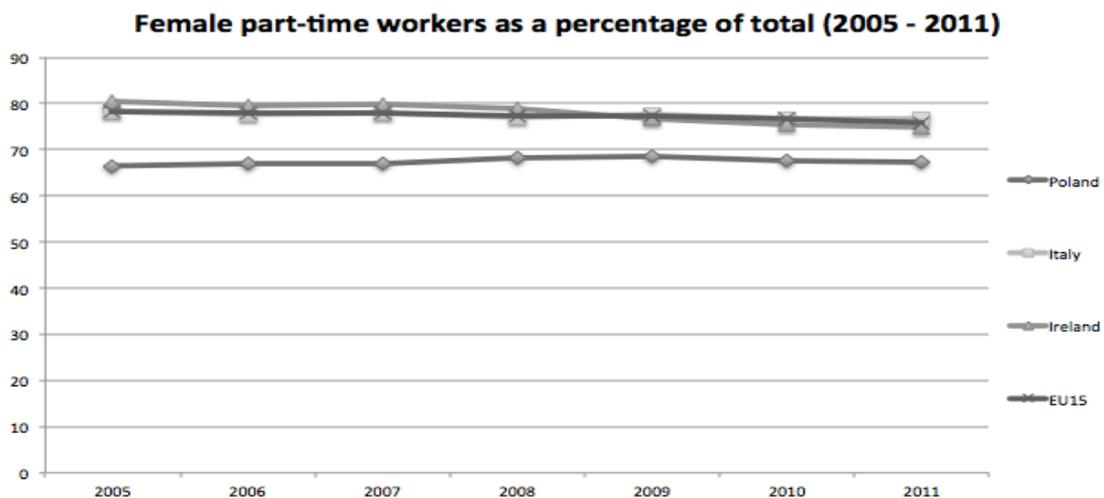


Figure 10: Female share of part-time workers as a percentage of total (2005 – 2011). Source: Eurostat (2013c).

After EU accession, Poland and the control countries stay above EU average. For Ireland the percentage of women enrolled in higher education drops in 2010 to the of the EU average of 55%. For Poland a positive trend can be observed with enrollment percentage increasing from 57% to 59%.

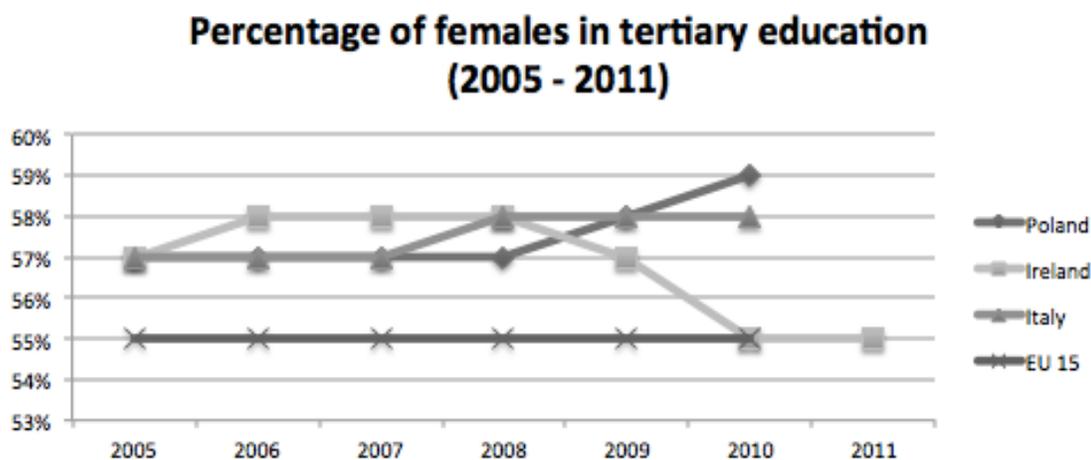


Figure 11: Percentage of females in tertiary education in Poland, Ireland, Italy and EU15 (2005 - 2011). Source: Eurostat (2013e)

4.5.2 *Equal pay for equal work and work of equal value*

Similarly to the previous indicators, Poland also shows consistent performance on the gender pay gap indicator as shown by figure 12 below. Although a small increase in the pay gap is observable in 2007, the overall trend is stable and in 2010 and 2011 the gap was lower than in 2004-2005. Despite the financial crisis and the absence of benefits, Poland has maintained stable performance which is an indicator that EU gender norms have taken hold in this field.

Gender pay gap (2005-2011)

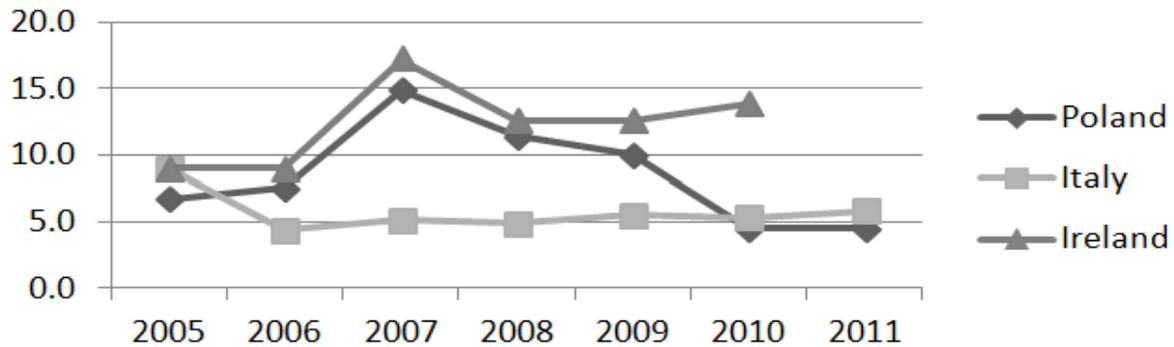


Figure 12: Gender pay gap (2004-2011). Sources: Eurostat (2013d); OECD (2010)

4.5.3 Equality in decision-making

In terms of female participation in political decision making, we can observe that Poland has converged with the control countries, Ireland and Italy. Furthermore, it has displayed stable performance between 2005-2010 in convergence with the control countries. Poland does not come close to the levels of female participation observed in the European Parliament (EP), but neither do the control countries. This might be argued to show that EU gender norms have their limits on all member states, not just the newer ones, an issue that shall be discussed in more depth in later sections.

Percentage of women in parliament (1980 - 2010)

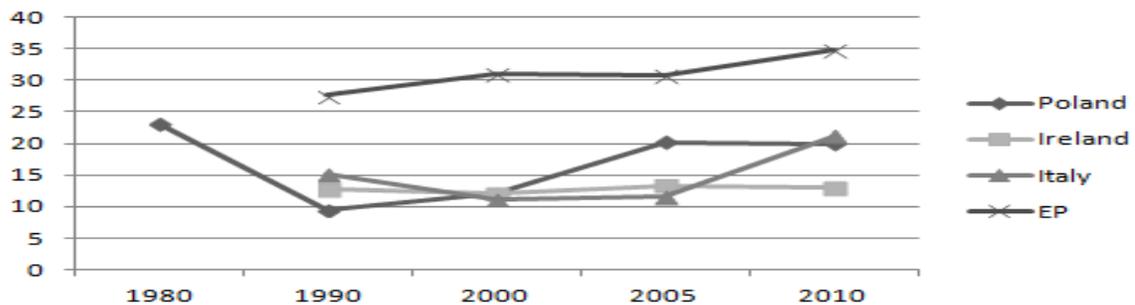


Figure 13: Female participation in parliament in % (1980-2010). Sources: European Parliament (2011), IPU (1995), Sloan (1994), United Nations (1999; 2004; 2009)

4.5.4 Dignity, integrity and end to gender-based violence

Despite good performance in equality in the fields of economic activities and political decision making, can we really speak of a change in norms in Polish society? In other words, has informal compliance followed formal compliance in the post-accession period? With regard to abortion, figure 14 below shows us that with the collapse of the Soviet Union roughly about 65% of the population was in favor of abortion (with or without restriction). However, throughout the years the support for abortion decreases. As expected, the re-traditionalization phase of the 1990s show that the number of supporters has decreased to 50%. In 2006 the graph displaying support for abortion rights drops slightly below the 40% mark, subsequently the portion opposing abortion increases to 55%, the highest percentage reached since 1991. Generally, the trend of the population opposing abortion is positive throughout the years 1991 until 2010.

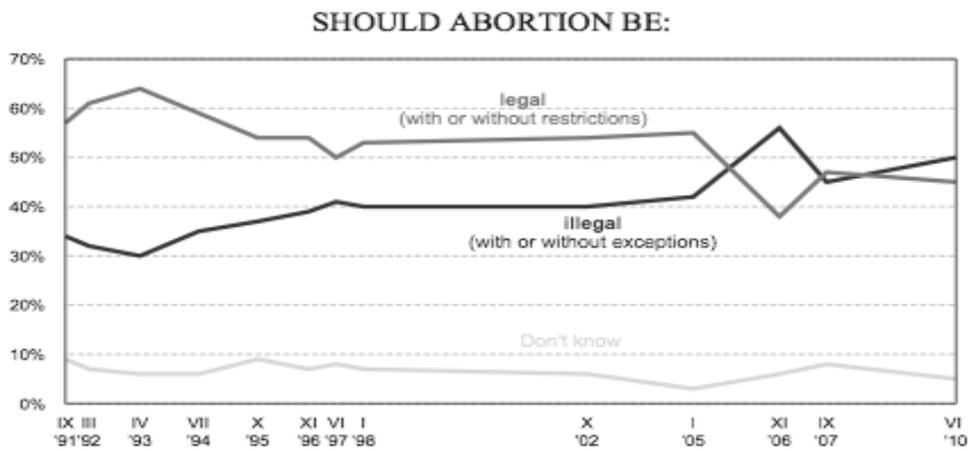


Figure 14: Polish poll on the legality of abortion in Polish society. Source: CBOS (Public Opinion Research Center)

Generally speaking, the Polish population is skeptical of EU interference where it comes to gender equality. Only 57% of Poles believe that gender policies should be conducted jointly within the EU. This is compared to 64% and 66% in Italy and Ireland, the control cases (Eurobarometer, 2009). Furthermore, 53% of the Polish population thinks that enough effort is being made in the EU to combat gender inequality, 46% of the Italian population think so and 48% of the population in Ireland. The EU27 average lies at 42%. In contrast, only 20% of the population in Sweden thinks that enough is being done at to combat gender inequality (Eurobarometer, 2009). In 2007 the ultra-conservative parties sought to push a complete ban on abortion.

A total ban on abortion as propagated by the conservatives means that an abortion is not allowed to be performed in case of rape or when the pregnancy would cause serious health problems for the child and the woman. This initiative has not been successful, however, Poland remained to draw attention on its critical abortion policies. In 2007 the European Court of Human Rights has ‘condemned Poland for the inhuman and degrading treatment of a 14-year-old rape victim whom the authorities tried to stop having an abortion’ (RTE News, 2012).

As indicated earlier in this dissertation, the Catholic Church dominates civil society in Poland and feminist interest groups are still unorganized, underfunded and lack societal influence (Bystydzienski, 2001, p.502). The Communist legacy has undermined feminist groups and strengthened the role of the Church in family and social matters. Based on my adaptation of the external incentives and social learning model therefore, one should not expect compliance.

The benefit of EU membership has disappeared from the equation, which means that compliance is dependent solely on domestic cost / benefit calculations. As long as the dominant civil society actor is the Church, compliance will not occur. Only a change in norms through EU socialization can empower other civil society actors and in time produce full compliance in informal gender equality.

5.0 Conclusions

The aim of this thesis has been to examine the extent to which EU accession has had an influence on formal and informal gender equality in Poland. I thus set out to answer the following research question:

What is the influence of EU accession on formal and informal gender equality in Poland?

In order to answer this question, I have bridged the external incentives model and the social learning model in order to explain formal and informal gender compliance in Poland by using the logic of the two-level game. Poland’s compliance with EU gender norms has been observed prior and post EU accession in order to find out whether EU accession has influenced compliance. Formal gender equality was measured by observing adoption of EU gender directives.

Indicators on equal economic independence, equal pay for equal work and work for equal value, equality in decision-making and dignity, integrity, end to gender based violence were used to measure informal gender equality.

H1: Formal gender equality will be higher during the EU accession negotiations than before

The first hypothesis can be approved; Poland managed to comply with all EU gender directives that were required for accession, and thus complies with the formal demands of gender equality. Still, it took Poland longer than the other CEECs to adopt the gender directives, which is an indication of problems when it comes to informal gender equality.

H2: Informal gender equality will remain low before and during the EU accession negotiations

The second hypothesis is partially fulfilled. The data on informal gender equality show a mixed picture; indicators on economic independence, equal pay and political decision making show Poland making progress, but social indicators show that societal norms were lacking during accession negotiations. Examples include the persistent image of ‘Matka Polka’ and the illegality of abortion, even in cases of rape. This leads to dangerous practices of illegal abortions, which threaten the lives of many women.

H3: informal gender equality will improve the longer Poland remains in the EU

This hypothesis is partially fulfilled. Indicators such as unemployment gap, employment gap and gender wage gap have clearly improved after EU accession and have remained stable. This shows that despite the absence of external incentives, performance remained stable, which indicates that socialization in these fields has taken hold. However, the indicator on dignity, integrity and end to gender-based violence has not improved after accession. In fact the government sought to restrict abortion laws even further. The situation of women has not improved with regard to self-determination and dignity. In fact, most improvement has been made on economic indicators.

These findings provide an interesting insight into the role played by the EU in the accession process and the consequences this has for compliance in the field of informal gender equality. The scope of this thesis has not been able to address this perspective, but here I shall outline a framework for follow-up research.

5.1 Framework for follow-up research

It is widely claimed that for the EU it is of utmost importance that candidate countries improve their economic situation above improving minority rights or gender inequality (see for instance: Bretherton, 2001; Choluj & Neusuess, 2004; Daly, 2005 or Hafner-Burton & Pollack, 2009). The EU underlies the neo-liberal ideology in which a liberalization of the economy and economization of society is sought as an ideal (Choluj & Neusuess, 2004, p.9). This development is argued to hazard especially women, as social rights decrease and social provisions are privatized. Bretherton (2001) argues gender issues have not been priority on the EU-CEEC relations during negotiations and that gender issues should not obstruct the benefit drawn from political and economic integration (p.76). This means that in the EU accession process, gender equality is to be found lower on the agenda than market liberalization requirements (Choluj & Neusuess, 2004, p.5). The fact that Poland has improved on economic indicators such as unemployment gap, employment gap and gender wage gap mirrors the focus of the EU during negotiation process. As a result of the EU focus on market liberalization, it sufficed for Poland to comply with the formal EU directives; the EU did not push Poland on informal equality practices. For instance, Heinen & Portet (2010) show that the EU accepted Poland's policies and attitudes especially on reproductive rights, as 'cultural exception' (p.1013). In this sense therefore, the EU has not behaved as a norm entrepreneur and this could explain the lack of socialization of gender norms in accession countries.

As the European Commission plays a central role in the accession process and the development of legislation on gender equality issues, it is worth examining the nature and role of this institution. It is argued that the promotion of gender equality issues within EU institutions is more difficult than promoting principles such as 'competitiveness', 'mutual recognition' and 'subsidiarity' which were promoted by powerful interest coalitions and have thus become the mainstream of EU policy processes (Bretherton, 2001, p.72).

Despite the commitment of the EU to promote gender equality, the Commission acknowledges a ‘lack of high-level support’ in the Directorates-General (DGs). The EU policy of ‘gender mainstreaming’ aims to ‘institutionalize equality by embedding gender-sensitive practices and norms in the structures, processes, and environment of public policy’ (Daly, 2005, p.435). However, Hafner-Burton & Pollack (2009) show that DG officials are not coherently socialized with gender norms and values. This is due to the lack of ‘hard incentives’ by the Commission to either reward or punish their staff for successful or unsuccessful consideration of gender equality in all policy fields. Rather, the Commission employs ‘soft-incentives’ such as trainings to promote sensitive officials with regard to gender issues (Hafner-Burton & Pollack, 2009, p.130).

Further research is definitely needed to uncover the relationship of civil society actors at EU level and the stance of the EU in the accession process. It might be found that similar to national governments, the EU is playing a two-level game of its own. It is influenced by civil society actors similar to national governments, meaning that its policies too, are influenced by the dominant lobby groups. A follow-up study could confirm that for informal gender equality to be successful through socialization, the EU must first itself change the priorities of its institutions.

This suggested framework for further research is outlined in a graphical representation below. The model shows that the logic of the two-level game applies to both the EU and national governments and that the interaction between these two actors at international level is influenced by civil society actors.

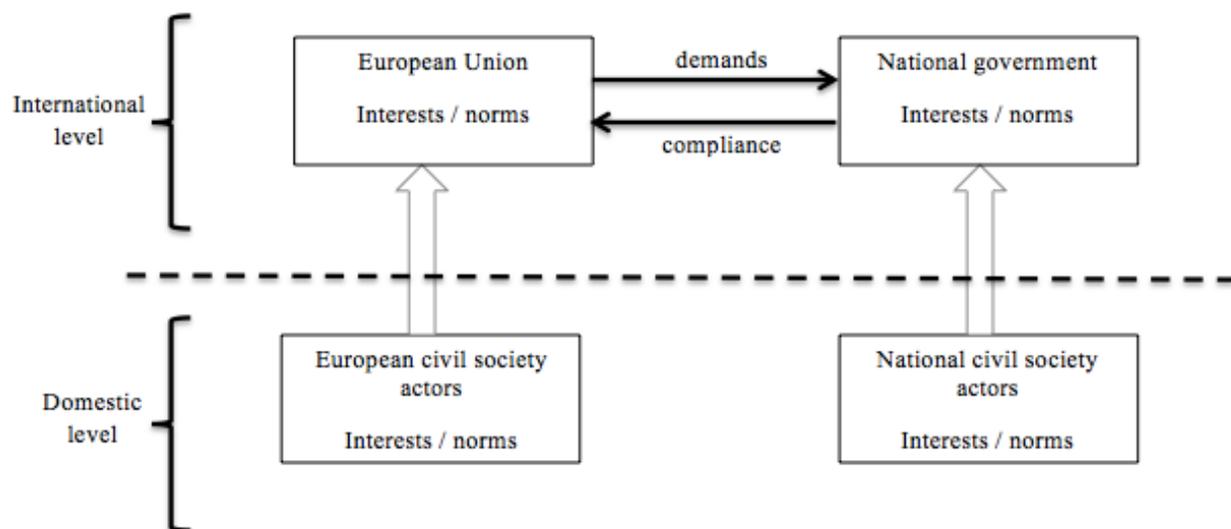


Figure 15: Suggested framework for further research.

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