

Party Political Ideology and Compliance with EU Gender Equality Policies:

The Case of Bulgaria and Hungary – Post-EU Accession

Master Thesis

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Abstract

The purpose of this study is to clarify how party political ideology influences policy implementation and compliance with EU gender equality policies in Bulgaria and Hungary after EU accession.

Following the theoretical framework, it is expected that the presence of right-wing political parties in the national government will increase the likeliness of non-compliance with EU directives related to gender equality. This was especially expected with regard to political parties following traditional values and belonging to the Traditional/Authoritarian/Nationalistic (TAN) group. In order to analyse this expectation, a qualitative content analysis of secondary data is conducted, using several sources, including gender equality and anti-discrimination reports as well as the Gender Equality Index. The empirical analysis suggested that indeed political parties following a traditional ideology negatively impact the implementation process as well as compliance with the EU gender equality policies.

Especially practical compliance suffered from this. Moreover, in Hungary, there was a general unwillingness of the government to achieve meaningful implementation. Comparing the two countries shows that in both Hungary and Bulgaria, a traditional national discourse was visible which also affected the compliance with EU gender equality policies.

Keywords: Gender Equality, Policy Implementation, Compliance, EU Accession, Party Political

Ideology

1. Introduction

1.1 Topic Introduction and Research Problem

The enlargement of the European Union brought numerous economic, political and social changes to Eastern European countries (Avdeyeva, 2015). When applying for EU membership, countries always need to conform to several EU conditions. These EU criteria are mainly written down in the *acquis*, which also includes the objective of achieving gender equality. The EU *acquis* includes all international obligations with regard to gender equality as those stated in the United Nations (UN) Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the European Convention on Human Rights (ECHR) (Chiva, 2009, p. 199). National governments of candidate states need to incorporate this into national law to make sure that there are institutions available in the country which can enforce these laws. When becoming a member of the EU, the country should have an incentive to actually implement these laws. The incentive of conditional membership is not always enough; it is visible that there is a significant difference between member-state countries with regard to implementing and enforcing gender equality directives. For example, in the period of EU accession, Lithuania and Slovenia were performing very well with regard to compliance with EU gender equality policies, while Latvia was lagging behind to a large extent (Avdeyeva, 2015, pp. 3-4). Thus, the effectiveness of conditionality as an incentive differs per country and other factors may also influence compliance.

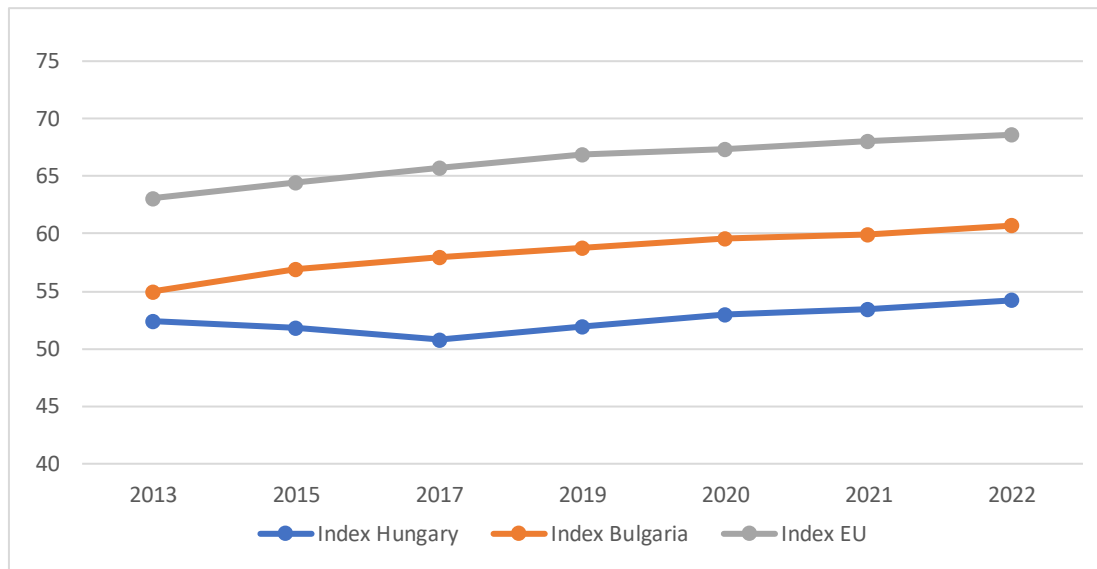
Currently, we still see a lot of problems in countries like Hungary or Poland where women are discriminated against and are underrepresented in higher positions. For example, in Hungary, there is an extremely low representation of female political leaders which can be linked to the stereotyping of women as mainly the role of wife and mother (OHCHR, 2016). Moreover, the rise of right-wing populism has also had some implications on gender equality, especially in some Central Eastern European countries where populist radical right parties have a lot of power. For example, in 2020, Poland's Constitutional Tribunal, which is controlled by the radical right-wing party Law and Justice (PiS), ruled that all abortions were illegal with the only exceptions being cases of rape or incest, or if a woman's life is in danger (Kość, 2020). This was a huge setback for women's rights in Poland. Hungary

is also an example of such a country; here the radical-right party Fidesz is in power since 2010. The electoral victory of Fidesz has brought more and more damage to gender equality in recent years which is visible in Orbán's narrative of supporting traditional gender roles (Greilinger, 2022). Another post-communist country, Bulgaria, has also had some important political developments; the populist political party GERB was almost non-stop in power from 2009 until 2021, but the country is now experiencing a huge political crisis where there are many difficulties with forming a government (Euronews, 2023). Gender equality in Bulgaria is also not optimal, for example, in 2018 Bulgaria refused to vote for the Istanbul Convention which would prevent and protect women against domestic violence (BIRN, 2018).

Both Hungary and Bulgaria are Eastern European countries and share more or less the same historical background as former communist countries, however, they are different when it comes to gender equality. When looking at the Gender Equality Index, an index created by the European Institute for Gender Equality, it is also visible that both Bulgaria and Hungary do not score very high with regard to gender equality in their country in 2022, which can be seen in Figure 1. When looking at the trend between 2013 and 2022, an overall increase of 5.5 is found within the EU. Here, the EU average rose from a score of 63.1 in 2013 to 68.6 in 2022. What is interesting to note is that Bulgaria's increase is higher than the EU average with a score of 5.7. Hungary is far less successful; only an increase of 1.8 is noted here. Moreover, while Bulgaria only made progress over the years, Hungary's score for the index also even decreased a little (European Institute for Gender Equality, 2022; European Institute for Gender Equality, 2022a). Also, the percentage of women's participation in the work field in Bulgaria is one of the highest in the European Union (Feenstra, 2021, p. 181). Another difference between the countries is that, despite the similar communist background, Bulgaria and Hungary have very different political contexts. Bulgaria has a parliamentary democracy and has seen many changes in the past years with regard to the national government (Britannica, n.d.). Hungary, on the other hand, has been ruled consistently since 2010 by Fidesz and has shifted more and more from a democracy towards an electoral autocracy (Scoggins, 2020, p. 6).

Figure 1

Gender Equality Index 2013-2022



Note. From Gender Equality Index, by European Institute for Gender Equality, 2022, <https://eige.europa.eu/gender-equality-index/2022>¹

1.2 Research Question

Due to the similar historical background and the current political and social differences it would be interesting to compare Hungary with Bulgaria in order to see to what extent they implemented EU policies related to gender equality, how it was encouraged by the EU and how the political parties of their national governments played a role in this matter. Consequently, the following research question with corresponding sub-questions has been set up:

How have the different party political ideologies of national governments impacted compliance with EU policies related to gender equality in Bulgaria and Hungary after EU accession?

- 1. What are the gender equality policies and mechanisms imposed by the EU for member states?*
- 2. Which political parties were in power in the period after EU accession in Bulgaria and Hungary and what were their ideologies?*

¹ The data for 2013 Index is mostly from 2010. The data for 2015 Index is mostly from 2012. The data for 2017 Index is mostly from 2015. The data for 2019 Index is mostly from 2017. The data for 2020 Index is mostly from 2018. The data for 2021 Index is mostly from 2019. The data for 2022 Index is mostly from 2020.

3. *How has the situation with regard to gender equality and compliance with EU gender equality policies in Bulgaria and Hungary developed in the period after EU accession and to what extent did the party political ideologies of national governments shape compliance?*

1.3 Scientific and Societal Relevance

Many studies already looked at the impact of EU accession on gender equality in Eastern European countries (e.g. Avdeyeva, 2015; Avdeyeva, 2009; Krizsán & Zentai, 2006; Velluti, 2014; Koldinskà, 2007; Chiva, 2009; Falkner et al., 2008). Nevertheless, the majority of the research focused on the relationship between EU enlargement and gender equality in Eastern European countries originates from the years before 2015 and can thus sometimes be a bit outdated considering the developments of the past years. For example, the COVID-19 crisis had a lot of impact on countries. During this crisis, gender inequality was also visible through the underrepresentation of women in scientific advisory committees in the EU or other decision focussed positions (European Institute for Gender Equality, 2022).

Furthermore, in some scientific articles, conclusions about certain trends or developments were hard to make due to, at the time of writing, the short period of EU membership. For example, Krizsán & Zentai, (2006, pp. 137-138) found a development in Hungary of using a more policy-oriented approach with regard to implementing gender equality policies, however, they noted that it was too early to make any implications about this shift. Therefore, it is emphasized that more research is needed to actually see the direct results of EU accession with regard to gender equality (Krizsán & Zentai, 2006, p. 138). Additionally, this research does not look at the way EU accession impacted gender equality, but how political parties influenced compliance with EU criteria, post-EU accession. This is a phenomenon that is also insufficiently researched. Furthermore, while a lot of research has been dedicated to the Eastern-European countries Hungary and Poland, which makes sense due to the many political developments, little to no research has focused on Bulgaria. Therefore it is interesting to analyse the developments related to gender equality in Bulgaria and compare them with Hungary.

When talking about gender equality in this research, this mostly will refer to gender equality with regard to employment and income (e.g, gender wage gap) since this is a very relevant part of gender

equality and is visible in day-to-day life. Moreover, the available information from reports and such is mostly focussed on this area since it is a major aspect of EU gender equality policies. Several gender equality goals of the EU are related to employment and income, for example, the promotion of equal economic independence for women and men as well as closing the gender pay gap (European Commission, n.d.). In addition to this specific area of gender equality, this research will also look at gender equality in the countries more in general, for example, whether a gender equality body is created or an anti-discrimination law is implemented. Moreover, this research will focus on the years after EU accession thus for Bulgaria this means the years from 2007 to 2021 and for Hungary 2004 to 2021.

Researching gender equality and the way political parties influence this is very relevant, especially in the current environment of democratic backsliding and Conservative Christianity in some countries (Enyedi, 2020). Inclusion of all people regardless of their age, ethnicity, sexual orientation, gender or religious beliefs is one of the cornerstones of a well-functioning democracy (Institute for Democracy and Electoral Assistance, n.d.). By striving for gender equality, countries can prevent damage to their democratic rule of law. Not without reason, gender equality and non-discrimination are one of the fundamental values upon which the EU is built (European Equality Law Network, n.d.). Therefore, it is important to follow these developments in the EU to make sure women are treated equally and have the same opportunities as men to also maintain a well-functioning democracy.

This research will start with a theoretical section where the existing literature on this topic will be discussed as well as the main concepts. Then it will proceed with a methodology section which will describe the research method used for the analysis. The next section consists of the empirical analysis where the sub-questions will be answered in order to answer the main research question. It will end with a discussion and conclusion.

2. Theoretical Framework

There are already quite some studies which looked at EU enlargement and gender equality in Eastern European countries. For example, Chiva (2009) looked at the influence of EU accession on gender equality policies in Romania and Bulgaria. The study found that the conditions connected to EU membership were not always the explanation for the policy choices made with regard to gender equality; both Romania and Bulgaria had individual paths on the road towards gender equality (Chiva, 2009). Another study from Velluti (2014), specifically focused on Hungary, found that the accession of Hungary to the EU had no significant gender impact on family policies. Causes for this ineffectiveness could be the lack of consistency and coordination processes on the EU's part (Velluti, 2014). Causse (2008) also looked at the implementation of EU directives in Hungary and found that this was not always sufficient. Issues were related to gender discrimination, weak feminist movements and a low level of political participation among women (Causse, 2008). Another study about the influence of EU accession by Hašková & Křížková (2008), found that in the case of the Czech Republic, the process of accession was the most important tool that supported the promotion of gender equality. Moreover, the gender equality attitudes of the EU and governmental officials and politicians were one of the deciding factors for the promotion of women and gender equality (Hašková & Křížková, 2008). While Hašková & Křížková (2008) found that EU membership was an important factor for gender equality, Krizsán & Zentai (2006) state that the EU did not always have the desired impact on gender equality developments. For example, the policy plans made with the help of the EU were not always able to address gender equality as a whole and national policy input was very much needed in order to succeed (Krizsán & Zentai, 2006).

The above literature shows that while the EU does have some influence on the gender equality situation and policy implementation, and has definitely helped with the first steps, its power is limited when it comes to actual sustainable change and several other factors should need to be taken into account. This research will look specifically at the way political parties influence compliance and implementation of EU gender equality policies. In order to analyse this, first the dependent variables

will be discussed, policy implementation and compliance, and after that the dependent variable, which is the party political ideology.

2.1 Dependent variables

Policy implementation

Evaluating policy implementation is crucial in order to hold policy-makers and implementers accountable for their actions and improve the effectiveness and quality of certain policies. It is an important step since turning policy into action is not always a flawless process; policies can be wrongly implemented or not achieve the results which were expected. In addition, policies are not always implemented according to the intentions of the policymaker (Mthethwa, 2012, pp. 37-38,). Practical implementation phases are often long-lasting and very dynamic which makes it hard to conclude what went wrong. Thus, when analysing gender equality, it is important to not only look at the performance of a country but to actually find out why certain countries are more successful in promoting gender equality than other countries (Engeli & Mazur, 2018, p. 113). This means that when assessing compliance it is crucial to look at the path towards compliance, in which several implementation phases are included. The implementation phase is crucial in order to assess policy success and the transformation of gender inequalities (Engeli & Mazur, 2018). Through analysing policy implementation, it is possible to create a more clear image of why compliance did or did not occur in a specific country, which is why this research looks at compliance from an implementation perspective.

When speaking of policy implementation this research specifically means the implementation of EU directives. Bondarouk & Mastebroek (2018) define policy implementation as the phase between the transposition of EU directives and the execution of these directives (p. 16). This consists of two substages, final policy formation and policy delivery. Final policy formation can be understood as the way national governments and other actors operationalize policies. When this is completed, policy delivery would be the next step; this is the practical side of implementation. In this stage, policy instruments are enforced in order to implement the policies (Bondarouk & Mastebroek, 2018, pp. 16-17).

Zhelyazkova & Thomann (2021) differentiate between three different processes of policy implementation; outputs, outcomes and impacts. During the outputs process, actors involved in implementation need to put into practice the identified tasks by producing administrative products (outputs); this includes setting up transposition procedures, implementing structures and allocating resources to inspectors. If everything goes well this will lead to behavioural changes (outcomes) among actors who are accountable for the policy problem. Consequently, this will influence the policy problem and will ideally lead to the solution of the policy problem (impacts). There are also several stages within policy implementation. First of all, member states need to include the directives imposed by the EU into their national law, this is called transposition, which also can be characterised by the process of formal outputs. So the policy output is only on paper and yet not executed in practice (Zhelyazkova & Thormann, 2021, p. 222). This can also be understood as the final policy transformation as described by Bondarouk & Mastebroek (2018). After the transposition phase, the national government of the specific member state need to actually apply the measures written down, which is the administrative implementation phase. Now we move from formal output towards practical output by enforcing the policy instruments needed for the implementation (policy delivery). The final step is for the civil society actors; they need to make behavioural changes in order to finish the implementation. The Commission also has a role in this process which is described in Article 17(1) TEU. The Commission can keep an eye on the implementation process by evaluating the compliance of the country as well as taking action in case of infringements (Zhelyazkova & Thormann, 2021, p. 222). Nevertheless, the Commission has limited resources to actually monitor violations (Treib & Falkner, 2008 p. 181).

Policy implementation itself is a complex process and several factors can influence whether the implementation is successful or not. Kotnik et al. (2020) found that especially a clear strategy and well-defined long-term goals are very decisive for the success of implementation. If this is not sufficient even the amount of resources available would not save the implementation process. Moreover, feedback and evaluation are also crucial factors since these belong to the key stage of the public policy-making cycle. The research also found that EU influence on national policy-making can make a large impact on the success of implementation. Nevertheless, national interests still should be in line with the EU's interests in order to actually make this impact (Kotnik et al., 2020, p. 133).

When researching the lack of compliance in a certain country is it important to distinguish between implementation and meaningful implementation. For example, Gerber (2009) found that in Poland, after EU accession, most gender equality-related directives have been transposed and implemented. However, the gender equality programs and policies were not implemented in a meaningful way which eventually did not change the gender equality situation. According to Gerber (2009), the reason for this failed implementation is the national discourse in Poland in which the public and authorities do not want any interference from the outside, especially when this conflicts with their own views of women's roles (p. 31). Thus, the country conditions are also crucial for successful implementation; if a country tends to have different views on a topic, implementation with regard to policies about this topic will be very difficult. The intended effect of the transposition of EU law into national law is that the institutions in the country also change the norms and values which in turn impact the social discourse. For this to happen, it is necessary to transform the domestic understandings and provide the public with new knowledge, for example, a new understanding of the role of women in society (Gerber, 2009, p. 32).

Compliance

Through a successful implementation process, it is more likely that member states will comply with the imposed EU policies. It is also important that in case of conditionality, countries still comply with EU criteria, even after accession (Sedelmeier, 2012).

Government compliance is the adaptation of the policies imposed by the EU as well as institutional reform that follows from the adaptation (Avdeyeva, 2010, p. 203). Compliance includes transposition as well as practical compliance. While EU member states often do meet the transposition requirements, there are often difficulties related to the practical side of compliance. Actors involved in the policy process can experience quite some obstacles when putting a policy into practice (Zhelyazkova & Thormann, 2021, p. 232). Reasons for this can be the lack of capacity and financial resources of governments (Engeli & Mazur, 2018)

Falkner & Treib (2008) developed a typology of compliance by using several worlds of compliance with each of them having a different implementation style. These are the world of law

observance, the world of domestic politics and the world of transposition neglect. For Central and Eastern-European member states they came up with a new world of compliance, the world of dead letters. They found that these countries had specific characteristics like a weak civil society or a lack of adaptation to certain circumstances which made it difficult to place them in the first three worlds of compliance. In the world of dead letters, countries first attempt to achieve compliance with EU directives during the transposition phase depending on the political arrangement of local actors, however, later in the process, during the applications and enforcement phase, this still results in non-compliance. Reasons for this matter are related to flaws in the court systems, labour inspections and civil society. In general, these countries do not possess the proper institutions and processes that can complete the implementation process by converting policies into action (Falkner & Treib, 2008, pp. 308-309).

According to Treib & Falkner (2008), for candidate states, the relatively good score of the transposition phase during implementation can be attributable to conditionality. The negative consequences of not complying with the *acquis* (e.g. difficulties during accession) can be a strong incentive for these countries in order to transpose the directives (Treib & Falkner, 2008, p. 164).

Moreover, Sedelmeier (2012) found that government orientation and veto players play a big role in the sustainability of the impact of implemented policies. Certain actors like governmental officials or policymakers need to agree with policy changes in order to actually change the status quo (Sedelmeier, 2012). Thus, it also depends on what kind of government is currently in power, for example, conservative or progressive, right-wing or left-wing et cetera.

2.2 Independent variables

Party Political Ideology

Treib (2003) found that local party politics are very important with regard to the national transposition of certain EU directives. What kind of parties exist within a national government seems to be very decisive for the implementation of EU policies (Treib, 2003). According to Tsebelis (2000), every political party in a government can be considered a veto player. This means that one should not only look at the political ideology of the main party of the government but actually look at the whole

composition of the different parties in the coalition since every political party in the government can exert influence on the process of decision-making and policy-making.

When a directive does not comply with the political goals of the political parties in the government it will be more likely that the government reacts with resistance. As a consequence, transposition can be executed insufficiently with many delays in the process. On the contrary, when the party's political preferences are similar to the directive it is more likely that the measures are supported. (Treib, 2003).

Thus, the ideology of the political parties can influence the implementation process to a great extent. In addition, it was also found that centre-right governments were more likely to oppose EU directives than centre-left governments while active support was more associated with left-wing governments. For party political differences to play a role it did not matter how many requirements a directive included but rather what the requirements entailed (Treib, 2003). It also differs per policy area what the significance of partisan politics is on implementation; Treib (2003) found that for social and labour market policies it is quite significant.

Avdeyeva (2010) also found that the ideology of the political parties in national parliaments influences compliance. Nevertheless, for policy adaptation, she found that the ideology of parties in government does not play a big part; national governments implement policies according to EU requirements regardless of their main ideology. On the other hand, for institutional reform, it does actually matter. Governments where left parties are in power are in general more supportive of gender equality policies and are more willing to change their institutions in order to improve gender equality (Avdeyeva, 2010). However, according to Mazur & Engeli (2020), a left-wing government is not necessarily an assurance of gender equality policy success; a lot of other factors influence gender equality as well (p. 15). Still, left-wing parties do seem to be more open to gender equality ideas, for example, these parties are also more likely to be influenced by women's movements since they often support access to political participation for social actors. Right-wing parties are often less in favour of gender equality policies which makes institutional reform harder. In addition, conservative movements in a country also make compliance less likely (Avdeyeva, 2010).

Taking into account the abovementioned studies, it is thus expected that right-wing governments will comply less with EU gender equality policies than left-wing governments. Moreover, the expectation is that this effect will be more visible with regard to practical compliance.

GAL/TAN

Beloshitzkaya (2021) found that political parties supporting gender equality can change the narrative of the government to support gender equality as well. Parties that campaigned for gender equality measures continued this promotion when elected. Thus, the national government and whether it stands for promoting gender equality very much influences its willingness to comply with EU policies regarding gender equality.

It happens that in the last couple of years, some Eastern-European countries have shown signs of democratic backsliding due to authoritarian governments (Enyedi, 2020, p. 363). Enyedi (2020) researched what characterizes such a shift. Especially populist radical right discourses were visible in these countries. Conservative Christianity plays a big role in the shift towards authoritarianism in Eastern-European countries. This is visible in issues about abortion, gay rights, immigration and gender relations. Conservatives are in favour of a traditional household in which women are the caregivers while men go to work. Political parties also try to implement policies which maintain such a society (Enyedi, 2020).

What should be noted, is that Conservative Christianity is not always exclusively right-wing related. There are also examples in which left-wing parties support conservative policies like the Social Democrats and the Liberals in Romania supporting the constitutional ban on same-sex marriage. Additionally, populism can also be harmful to the implementation of gender equality policies; especially paternalist populism. This type of populism spread the belief that the ideal image of society exists out of heterosexual cisgender individuals who are married and have a family; they are framed as the most important citizens and policies need to be beneficial for this group. Influence in the country's public affairs is also dependent on one's behaviour; it needs to be in accordance with the social norms imposed (Enyedi, 2020, p. 374). Thus, a national government adhering to traditional values can be very influential in which policies are implemented and in the case of EU accession it can also affect compliance with

EU policies. Especially for gender equality, traditional values can be harmful due to the specific ideas of the role of women in society.

Due to the focus on conservative values, right-wing populism can be perceived as a gendered movement which supports masculinist identity politics. Right-wing populists fear the “feminisation of European culture” and are trying to prevent that from happening. This movement often frames the EU as an elite group imposing gender mainstreaming from Brussels into national governments, which creates obstacles to the policy implementation process (Sauer, 2020, p. 24).

Hooghe et al. (2002) developed a typology in order to differentiate between different parties and their ideology. This typology exists out of two groups; the Green/alternative/libertarian group (GAL) and the traditional/authoritarian/nationalism group (TAN). GAL is related to ecology, alternative politics and libertarianism while TAN can be defined by traditional values, anti-immigration and nationalism which is similar to the ideas of Conservative Christianity and masculinist identity politics. Parties in the TAN group often oppose ideas like abortion rights, divorce and same-sex marriage (Jolly et al., 2022, p. 23). Moreover, Hooghe et al. (2002) argue that parties in the TAN group in general are against European integration since it will diminish the authority of national governments. This research will also use this typology in order to distinguish the multiple Bulgarian and Hungarian political parties.

Taking into account the abovementioned research it is thus expected that national governments following a TAN ideology will comply less with EU gender equality policies than governments following a GAL ideology.

2.3 Concluding Remarks

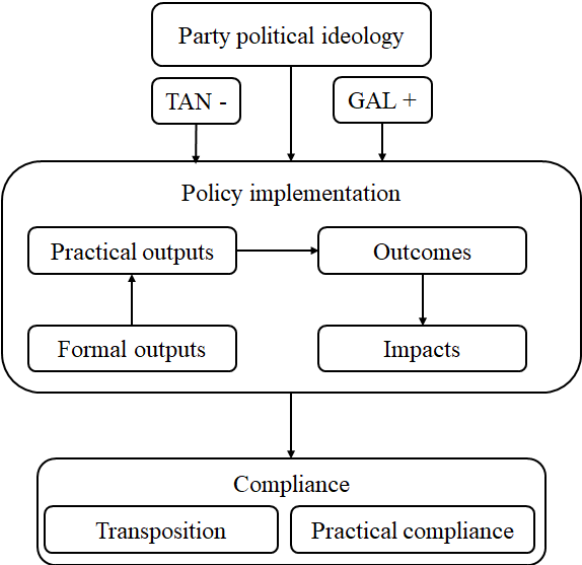
The first part of this theoretical section found that while the EU and the process of EU accession definitely impacted the gender equality policy implementation, its power was still limited and many other factors were also important. In order to understand the factors influencing policy implementation and eventually compliance it is also important to look at the concepts more closely. As discussed, policy implementation has several phases with every phase having different results. It is important to not only look at policy implementation as a whole but actually divide it into these stages to find what factors influence implementation and what leads to unsuccessful implementation. In this way, the reasons for

compliance or non-compliance also become more clear. Using the typology of Falkner & Treib (2008), it can be concluded that Bulgaria and Hungary belong to the World of Dead Letters, thus, it is already expected that there will be issues related to compliance in these countries.

With regard to the party political ideology, the literature suggests that right-wing conservative parties can be harmful to the implementation of gender equality policies which creates issues for compliance with EU policies. It is thus expected that the presence of parties that follow a conservative ideology and classify as TAN will increase the likeliness of non-compliance with EU directives related to gender equality. Figure 2 shows this relationship in the form of a flowchart. Thus, conservative governments are less likely to comply with EU policies related to gender equality. This can be very decisive for whether the progress made regarding gender equality after EU accession is still sustainable and whether national governments keep complying with EU criteria.

Figure 2

Flowchart of Dependent and Independent Variables



3. Methodology

3.1 Research Design

This research aims to analyse the way party political ideologies influence policy implementation and compliance with EU policies related to gender equality. This is accomplished by performing a content analysis using secondary data. More precisely, a re-analysis of secondary data will be used; this aims at verifying the findings of previous work (Heaton, 2008, p. 510). The literature review showed that many studies used a content analysis in order to research this subject, which verifies that it is a suitable approach. Moreover, in general, qualitative content analysis is a common systemic method to analyse the contents of textual data. This analysis is characterized by the inductive approach in which first of all categories are derived from the secondary data and after that applied (Forman & Damschroder, 2008). In this research, the independent variable is the party political ideology of both Hungary and Bulgaria. The dependent variables are policy implementation and compliance with regard to gender equality. The research looks at the period after EU accession, this means that the time frame for Hungary will be 2004-2021 and for Bulgaria 2007-2021. 2021 is chosen as the end year due to the limited data available from 2022.

3.2 Variables

Gender equality in this research is conceptualised following the domains of the European Institute for Gender Equality; work and money. Work is related to the extent to which both genders can gain from equal access to employment and good working conditions (European Institute for Gender Equality, n.d.). Money looks at the access to financial resources and the economic situation of both women and men (European Institute for Gender Equality, n.d.-a). Thus, when analysing the sources, gender equality needed to refer to the above domains. In addition, more general policies of gender equality were also included (e.g. anti-discrimination law) since this also influences the domains of work and money.

Party political ideology is measured by using the GAL/TAN variable and the economic ideology variable of the Chapel Hill Expert Survey. The GAL/TAN variable was defined as “the position of the party in terms of their views on social and cultural values” (Jolly et al., 2022, p. 23). The variable is

divided into three categories; 0 = Libertarian/Postmaterialist, 5 = Centre, 10 = Traditional/Authoritarian (Jolly et al., 2022, p. 23). The economic ideology variable was defined as “the position of the party in terms of its ideological stance on economic issues “ (Jolly et al., 2022, p. 22). Parties following an economically left ideology support the notion of the government playing an active role in the economy while parties on the economic right want a minimal role for the government. This variable was also divided into three categories: 0 = extreme left, 5 = Centre, 10 = extreme right (Jolly et al., 2022, p. 22). In order to label the political parties in this research the categories of both the GAL/TAN variable and the economic ideology variable were recoded in 0-4 = GAL/left, 4-6 = Centre, 6-10 = TAN/right (see Appendix A).

Compliance and policy implementation were measured by extracting information from the existing reports, websites and literature used in the content analysis and taking over the conclusions and remarks written down in these sources.

3.3 Method

Sub-question 1

The first sub-question is answered by looking at several EU documents, EU websites and academic literature to find relevant information with regard to the methods and policies of the EU related to gender equality. The website of the European Equality Law Network was the dominant source of the analysis since it included information about several EU directives related to equality and anti-discrimination. Additionally, the research by Avdeyeva (2015) was used to clarify the mechanisms used by the EU as well as some websites of the European Union/Commission, namely the document of the social acquis and the Employment Equality Directive. The research by Prpic & Shreeves (2019) is also used to explain the historical background of gender equality in the EU.

Sub-question 2

The second sub-question is answered through a content analysis of websites and academic articles which were related to the political situation through the years in Bulgaria and Hungary. These websites or articles needed to include information about the political parties in the Bulgarian or

Hungarian government. Only the parties that were part of the coalition were included in the research and they needed to be in power in 2007-2021, for Bulgaria, or 2004-2021, for Hungary. After the information about the political parties was completed, each government of each period was given a score on the GAL/TAN scale by Hooghe et al. (2002) as well as the ideological stance on economic issues. The choice was made to also include economic ideology due to the fact the literature in the theoretical section, next to conservative values, also suggested that left or right-wing would influence policy implementation and compliance. However, the literature did not make a division with regard to socio-cultural ideology or economic ideology; GAL/TAN can be regarded as socio-cultural ideology so it makes sense to include economic ideology to create a full image of the ideology of the political parties.

In order to give each government a score, the data from the Chapel Hill Expert Survey is used, specifically the Trend File 1999-2019. Each political party had a score on the GAL/TAN variable as well as the economic ideology variable in the years 2002, 2006, 2010, 2014 and 2019. For each period in which a certain government was in power, the scores of each political party in the coalition in the concerning year(s) were added together to create an average for both the GAL/TAN factor and the economic ideology factor. Each political party of the coalition had the same weight, this decision can be supported by the argument of Tsebelis, (2000) in which every political party is considered a veto player; so they all can exert influence on decision-making. What should be noted is that in the case of Hungary, the party KDNP only had data available from 2010 and a combined score with Fidesz in 2019 (2014 was missing). In order to still create a score for KDNP both the score from 2010 and the combined score of 2019 were used to create the average. See Appendix A for the exact scores of each political party.

Sub-question 3 and Main Research Question

To answer the third sub-question and with that, the main research question a qualitative content analysis of secondary data was conducted. Several documents were collected in order to analyse the status of gender equality and compliance with EU directives in Bulgaria and Hungary through the years. The documents needed to comply with three criteria to be included in the research; 1. The information needs to be related to income/employment gender equality, 2. The information needs to be related to

policy implantation and/or EU compliance, 3. The documents should be about the years mentioned in the research. What should be noted is that when documents were written by national governments, they were critically evaluated before being used due to possible bias. This did not mean that they were excluded but just that the bias was taken into account when analysing. Moreover, the documents were also assessed with regard to the reliability; a document seemed reliable when coming from a reliable source, for example, the EU or the UN. Academic articles and books were also regarded as reliable sources. The search engines Google, Google Scholar and Scopus were used to find the sources with the help of search terms like gender equality, gender equality report, gender equality strategy, gender equality body, discrimination et cetera. A coding scheme was set up in order to rearrange the data into meaningful categories. This makes the research more reliable since consistent coding is used (Stemler, 2001, p. 3) Both deductive and inductive codes were used (Forman & Damschroder, 2008, p. 49). The deductive codes were derived from the theoretical section. The following codes were used; gender equality, policy implementation, formal outputs, practical outputs, outcomes, impacts, compliance, transposition and practical compliance (see Table 1). These codes were used for all sources.

The main source for the analysis was the website of the European Equality Law Network (EELN) where reports could be found from both Hungary and Bulgaria from 2013 to 2022. These reports were prepared for the European Commission and written by the European network of legal experts in gender equality and non-discrimination. This network provides a regular overview of the state of affairs with regard to the transposition of EU equality and non-discrimination law in each country (European Equality Law Network, n.d.-a). There were two kinds of reports relevant to the research; a non-discrimination report and a gender equality report. The non-discrimination report looks at the transposition and implementation at the national level of Council Directives 2000/43 and 2000/78. The gender equality report looks at how EU rules related to gender equality are transposed into national law. Some of them were country reports while others looked at all EU countries.

The second important source was the website of the European Institute for Gender Equality (EIGE) which uses the Gender Equality Index. This is a tool to measure the progress of gender equality in the EU and it supports policymakers to develop more effective gender equality measures (European Institute for Gender Equality, n.d.b). The website contained the country profiles with regard to gender

equality which was divided into six domains; work, money, knowledge, time, power and health. For this research only work and money were used. The country profiles existed out of the Gender Equality Index and the trends in the period of 2013-2022. With the information on the country profiles of Bulgaria and Hungary, it was possible to see the progress through the years in clear numbers.

Since the analysis mostly used these two sources, specific codes were inductively derived for the concept of gender equality from the reports as well as the EIGE website. The codes for the reports were equal pay, equal treatment, pregnancy, maternity/adoption/parental/paternity leave, social security schemes, self-employment, direct discrimination, indirect discrimination and equality body. The codes for the EIGE website were work, participation, segregation, quality of work, money, financial resources and economic situation (see Table 1). For the gender equality and anti-discrimination reports, the general codes and EELN codes were combined, the same counts for the Gender Equality Index data in which the EIGE codes were also combined with the general codes.

Table 1
Coding Scheme

Theoretical concepts	General codes	EELN codes	EIGE codes
Gender equality	Gender equality, gender mainstreaming	Equal pay, equal treatment, pregnancy, maternity/adoption/parental/paternity leave, social security schemes, self-employment, direct discrimination, indirect discrimination, equality body	Work, participation, segregation, quality of work, money, financial resources, economic situation
Policy implementation	Policy implementation, final policy formation, policy delivery, formal outputs, practical outputs, outcomes, impacts		
Compliance	Compliance, transposition, practical compliance		

For the country analysis of Bulgaria, other important sources were the National Strategy for Promotion of Gender Equality 2009-2015 written by the government of Bulgaria and a report about the

Millennium Development Goals – 2008 written by experts in Bulgaria in collaboration with the UN. Additionally, the research of Chiva (2009) is included, this was also used in the theoretical section. For the analysis of Hungary, The Evaluation of The Implementation of the UN World Congress on Women (Beijing, 1995) Platform for Action in Hungary written by the UN has been used as a source. The research from Kriszan & Zentai (2006) and Causse (2008), both mentioned in the theoretical section, is also used. For these additional sources, the general codes were used which were retrieved from the theoretical framework as well as the EELN codes and the EIGE codes. Through using multiple sources of data (reports, websites, literature and survey data) the validity of the research is ensured. This is also called triangulation, which adds credibility to the analysis (Stemler, 2001, p. 5). All sources can be found in Appendix B.

3.4 Concluding Remarks

In sum, to answer the first sub-question a short content analysis was conducted of secondary data existing out of EU documents, EU websites and academic literature. Then, the second sub-question was answered by creating GAL/TAN and economic ideology scores by using the Chapel Hill Expert Survey data. Finally, the third sub-question was answered by conducting a content analysis of secondary data, mostly existing out of expert reports and EU websites. The results of these analyses were compared and interpreted in order to answer the main research question. Through the coding scheme and the use of triangulation, the validity and reliability of the research are maintained.

4. Empirical Analysis

4.1 EU Mechanisms and Policies

In order to answer the first sub-question, the following section will discuss the role of the EU with regard to gender equality.

The EU has been involved in promoting gender equality for quite some time. Already in 1957, the EU was focusing on equal pay for women and men, which was included in Article 119 of the Treaty of Rome. Not only employment was a focus point, but also economic and social policies related to gender equality became more and more important. Gender mainstreaming became also an important strategy of the EU to make sure that all new EU policies were contributing to gender equality (Prpic & Shreeves, 2019). Thus, the EU has an important job in promoting equality between women and men in all EU member states. Therefore, the goal of gender equality is included in the Treaties of the European Union, the Charter of Fundamental Rights of the European Union and secondary legislation (European Equality Law Network, n.d.). The social acquis also entails a part dedicated to equal treatment in the workplace in which is explained that the EU directives require member states to set up National Equality Bodies. It also describes the soft law of the EU, which is policy coordination, EU funding and recommendations (European Commission, 2016).

In general, the EU uses four kinds of mechanisms to ensure that member states comply with EU criteria: conditionality, normative pressures, social pressures and legal compliance (Avdeyeva, 2015; European Equality Law Network, n.d.-b). Conditionality is the way a country is motivated to implement certain policies imposed by the EU in order to preserve its EU membership. The European Commission reviewed the candidate countries during their accession period with regard to the degree of state compliance with EU requirements. This of course has a lot of influence on national governments since they incorporated several laws and institutions which would otherwise not have been adopted. When a country officially becomes a member state, the EU's power is far more limited. For most policy areas the EU needs to depend on the voluntary observance of EU directives by the member states. Normative pressures are EU strategies based on persuasion and can entail recommendations for government policy, policy advice or policy teaching. Social pressure is the peer pressure to be in accordance with practices

and behaviours shared by other group members (Avdeyeva, 2015, pp. 4-5). Finally, legal compliance refers to the power of the Commission to initiate infringement proceedings against member states in case of failure of transposition of EU directives or when implementation has been executed incorrectly or insufficiently. The Commission can start this infringement proceeding through a complaint as well as on its own initiative. In case of infringement, the Court of Justice of the European Union will hand out financial penalties on the member states in question (European Equality Law Network, n.d.-b)

There are several key EU directives that are focused on gender equality and non-discrimination. The Gender Recast Directive (2006/54/EC) on equal opportunities and equal treatment of women and men in employment and occupation calls for the implementation of the prohibition of direct and indirect sex discrimination, harassment and sexual harassment in pay, employment and in occupational social security schemes (European Equality Law Network, n.d.-c). The directives related to gender equality within labour and income are Directive 79/7/EEC, which prohibits direct and indirect sex discrimination with regard to statutory social security schemes, Directive 2010/41/EU does the same for self-employment, Directive 92/85/EEC prohibits pregnancy-related discrimination and the Work-life Balance Directive (2019/1158/EU) protects the rights for parents and carers with regard to leave and flexible working arrangements. Another directive that fits in this row is the Part-time Work Directive (97/81/EC) since a great number of the overall amount of part-time workers in the EU is female (European Equality Law Network, n.d.-c). The Employment Equality Directive (2000/78/EC) is also a key directive in gender equality and is set up for “establishing a general framework for equal treatment in employment and occupation” (Directive 2000/78/EC).

4.2 Party Political Ideology

The following two sections aim to try to answer the second sub-question by giving an overview of the political parties in power and their political ideology in Bulgaria and Hungary.

Bulgaria

Bulgaria is a parliamentary republic which means that the prime minister is elected by the parties in the government. So Bulgaria has a coalition government with multiple parties involved (Britannica,

n.d.). During the process of EU accession, the coalition of the National Movement for Simeon II (NDSV) and Movements for Rights and Freedom (MRF), led by the Bulgarian Socialist Party (BSP) was in power from 2005 to 2009, together they formed a social-liberal coalition (Todorov, 2011).

In 2009, so after EU accession, the populist centre-right party, Citizens for the Development of Bulgaria (GERB) came into power led by Boyko Borisov (Britannica, n.d.). GERB defined itself as more or less an anti-elitist and anti-corruption party. Borisov's leadership was a very new phenomenon in Bulgaria; he was a man of the people which made him very popular. Not surprisingly, he was elected as prime minister of Bulgaria. GERB formed a minority government on its own. Borisov received a lot of support from the nationalist right-wing parties the Blue Coalition, Order, Legality and Justice (RZS) and Ataka. This support was crucial due to GERB being in the minority in parliament (Karasimeonov, 2019).

Due to increasing unrest in the country Borisov and his cabinet resigned on February 19, 2013. Nevertheless, during the May 2013 elections, GERB again won the majority of the vote and became for the second time the dominant party in the centre-right bloc. While GERB won the vote, its allies like UDF and DSB did receive very few votes so it seemed that the traditional right-wing parties were not popular anymore. However, Ataka still gained some votes which meant that the nationalist representation in parliament was still visible. Despite being the largest party, GERB could not form a government due to the lack of allies with enough seats (Karasimeonov, 2019).

The second largest party during the May elections, BSP together with its coalition, Coalition for Bulgaria, was able to form a government together with MRF with at head Plamen Oresharski. This government was opposed by GERB. In the period after the formation of the Oresharski government, it experienced a lot of protest from the public which led to early elections in October 2014 where GERB again received the largest number of votes. The party formed a government together with the Reformist Bloc (which also included DSB, UDF and DBG, which is the Bulgaria for Citizens Movement) and the Alternative for Bulgarian Revival (ABV) which is a centre-left party led by former president Georgi Parvanov. This formation was followed by a lot of difficulties like splits in the Reformist Bloc and ABV even decided to oppose Borisov's government. Due to bad results during the presidential elections in 2016 for GERB, Borisov decided to resign and propose new parliamentary elections for the 44th National

Assembly. During these elections in March 2017, GERB became, again, the largest party (Karasimeonov, 2019).

In the years after this, GERB showed nationalist and populist traits and has even formed coalitions with extreme-right parties. The third government of GERB, 2017-2021, included the far-right nationalist Patriotic Front Coalition which existed out of the Bulgarian National Movement (VMRO), the National Front for the Salvation of Bulgaria (NFSB) and Ataka. In 2017, Borisov was also re-elected as prime minister. The parties which formed the coalition together with GERB all made several statements praising Viktor Orbán for protecting Christian values and marriage (Rone, 2023). This shows that a large part of the government existed out of conservative parties with traditional views on family and marriage. With regard to the gender views of GERB itself, the party showed in 2018 that women's rights were not something they prioritized. GERB rejected a treaty, the Istanbul Convention, that would protect women against violence after much resistance from other parties in government and religious groups. Before this, prime minister Borisov tried to frame Bulgaria as a progressive country, nevertheless, due to this action many women's rights groups criticized Bulgaria for the disregard of women's rights. In addition, the government was also accused of suppressing media freedom and spreading propaganda (Krasimirov, 2018). The UN Committee on the Elimination of Discrimination Against Women also criticized the government for "misogynistic" statements in the media by politicians and by prime minister Boyko Borisov himself. Moreover, the Committee expressed their concerns about the promotion of traditional family values in the country (Vassileva, 2021). See Table 2 for an overview of all political parties in power in Bulgaria.

Table 2*Political Parties in Power in Bulgaria, Post-EU Accession*

Period	Main party	Coalition parties	Political ideology
2005-2009	BSP/Coalition for Bulgaria	MRF, NDSV	Centre, centre
2009-2013	GERB	-	Right, TAN
2013-2014	BSP/Coalition for Bulgaria	MRF	Left, TAN
2014-2016	GERB	Reformist Bloc (i.a. DSB, UDF, DBG), ABV	Right, centre
2017-2021	GERB	Patriotic Front Coalition (Ataka, NFSB, VMRO)	Centre, TAN

Note. Political ideology exists out of the economic ideology and the GAL/TAN dimension.

Hungary

Just like Bulgaria, Hungary is a parliamentary republic with at the head of government a prime minister and at the head of state a president. The country joined the European Union in May 2004 (European Union, n.d.). From 2002 to 2010, the biggest party in Hungary was the left-wing Hungarian Socialist Party (MSZP) led by prime minister Ferenc Gyurcsány from 2004 to 2009. They formed a coalition together with its ally, the Alliance of Free Democrats (SZDSZ, liberal centrist party). Gordon Bajnai took over from Gyurcsány in 2009 until the parliamentary elections in 2010 as a result of

economic problems (Britannica, n.d.-a). From 2002 to 2008 the government existed out of the two coalition partners, MSZP and SZDSZ, from 2008 SZDSZ was only a support party and not part of the coalition (Ilonszki, 2019). In 2010, Viktor Orbán came into power when his right-wing populist party, Fidesz, won the constitutional majority during the parliamentary elections. Orbán became the new prime minister of Hungary. Before this, Hungary was ruled by a socialist government that faced a lot of criticism due to the financial difficulties in the country. Fidesz framed itself as an anti-elitist party, first the “socialist elite” and later on during the 2014 elections the “elite in Brussels” (Feledy, 2017).

Since the party’s victory in 2010, Fidesz has changed the political conditions in Hungary towards a more illiberal country. This is possible due to its two-thirds constitutional majority in parliament, forming a coalition together with the Christian Democratic People’s Party (KDNP). Over the years, Fidesz implemented many changes in for example the legal system that would give the party more power and harm the democratic standards in the country. It is even often suggested nowadays that Hungary cannot be framed as a democracy anymore since an electoral autocracy would be a more fitting term (Scoggins, 2022, p. 6). In the elections of 2014, 2018 and 2022 Fidesz still remained the largest party (Scoggins, 2022). The election system is very much in Fidesz’s favour since opposition parties hardly stand a chance when there is so much division. The elections system is therefore very beneficial for the ruling party (Scheppele, 2022).

Since Fidesz came into power they actively proclaimed a traditional narrative in which women were mainly care providers and men needed to work. This contradicts the feminist movement and the general goal of gender equality. Orbán supports the idea that motherhood should be the most important thing for a woman. Moreover, he also wants to show that Hungary does not need immigrants in order to fill up jobs in the country. What needs to be done is to stop the birth-rate decline and encourage women to have children. Therefore, the government implemented some family policies which should take care of this. Furthermore, Orbán also speaks of the “dangers” of more female graduates; according to him, this would lead to fewer married women with children and could even result in negative effects on the economy (Greilinger, 2022). See Table 3 for an overview of all political parties in power.

Table 3*Political Parties in Power in Hungary, Post-EU Accession*

Period	Main party	Coalition parties	Political ideology
2002-2008	MSZP	SZDSZ	Right, GAL
2008-2010	MSZP	-	Centre, GAL
2010-present	Fidesz	KDNP	Left, TAN

Note. Political ideology exists out of the economic ideology and the GAL/TAN dimension.

4.3 Policy Implementation and Compliance in Bulgaria

The following section will give an overview of the compliance with regard to EU gender equality policies in Bulgaria in order to answer the third sub-question as well as the main research question.

2005-2009: BSP, MRF and NDSV

Bulgaria was almost entirely complying with the EU acquis by September 2006, one year before its official accession (Chiva, 2009, p. 202). In 2009, Bulgaria developed the National Strategy for Promotion of Gender Equality 2009-2015 to make sure it complied with the EU requirements for improving gender equality. The report of this national strategy explains that Bulgaria started in 2005 with annual planning of measures that should improve gender equality. The problems that were discussed in the report were related to gender stereotypes and the gender pay gap. In order to tackle these issues, Bulgaria set out several goals which should be achieved by 2015; for example, closing the pay gap and increasing the representation of women in governance. Furthermore, the national strategy is implemented through action plans which give more clarity regarding the actors involved and the expected results. The ministries involved (leading ministry: Ministry of Labour and Social Policy) are

responsible for the application of the strategy as well as the distribution of the tasks. The implementation of the strategy will be monitored and evaluated by the National Council on Equality between Women and Men (NCEWM) and the Council of Ministers (CM) in the form of annual reports (Government of Bulgaria, 2009). According to Kotnik et al. (2020), it is more likely that policy implementation is successful when long-term goals are well-defined, the strategy is a good example of such a long-term goal.

In 2007, a new Labour Code was implemented which regulated parental leave; it extended the length of the leave and made sure that parents still receive 90% of the salary. Moreover, a new national program was created to support women to join the labour market so that they easily can return to work. Nevertheless, in 2007 Bulgaria still had no equal opportunities act which is crucial in order to achieve gender equality (Marinova, 2008).

During this time, the government of BSP was in power which was more or less centre orientated. There are no noteworthy developments in this period with regard to gender equality, other than the whole process of becoming a member state. This period was mostly dominated by the Bulgarian government trying to comply with the EC acquis and to implement all the gender equality measures.

2009-2013: GERB

In 2010, Bulgaria scored lower compared to the average in the EU with regard to gender equality in general, nevertheless, for work-related gender equality, it scored 67.9 out of 100 which was very close to the average of the European countries, 69.7. For things like the wage gap and the economic situation of women, Bulgaria scored quite low in comparison with the EU average (European Institute for Gender Equality, 2013). In 2012, there was no significant change other than gender equality in the work domain improving by 0.8 percentage points while in the money domain, it was slightly decreased by 0.3 percentage points, which is visible in Figure 3 (European Institute for Gender Equality, 2015). So there were not really results visible with regard to the new national gender equality strategy and the Labour Code. In general, the measures implemented did not achieve the desired “impacts” yet. What should be noted is that at the time the new measures were implemented BSP was in power, while the results stem

from the period GERB came into power. Due to the lack of gender equality numbers from the period before 2010, one cannot conclude whether GERB has had some influence on the practical compliance.

The Report on Measures to Combat Discrimination Directives 2000/43/EC and 2000/78/EC by the European Network of Legal Experts in the Non-discrimination Field shows Bulgaria's process over the years through the eyes of the experts in the country. The first report stems from 2013 and discusses the state of affairs up to the first of January 2013. The Protection Against Discrimination Act (PADA) 2004 is the main anti-discrimination legislation which is based on amongst other things the gender equality directives. However, there are some contradictions and inconsistencies between other laws and this anti-discrimination act which makes it more complicated for courts to act upon breaches. The report also emphasizes that there is not enough effort made to make sure that the legislation is harmonized in order to erase these conflicts in law. Moreover, indirect discrimination is not clearly defined and conceptualized in the act which can create confusion for the court and equality bodies. In general, equality body members and judges almost never show an understanding of this concept (Ilieva, 2013).

When looking at the equality body in Bulgaria, a weak aspect according to the report is that its binding instructions are rarely executed by the respondents and the body cannot respond to that other than impose further fines. The national gender equality policy is appointed to the Ministry of Labour and Social Policy. This ministry also has a special commission for gender equality; the Consultative Commission on Equal Opportunities for Men and Women. This commission exists out of several representatives varying from authorities to NGOs (Ilieva, 2013).

The European Network of Legal Experts in the Field of Gender Equality also publishes a gender equality report every year to map how EU rules are transposed into national law in European countries. The report of 2013 looks at the state of affairs until 3 June 2013 in 33 European countries. In Bulgaria, most of the central concepts are sufficiently implemented. The report argues that for equal pay the transposition of EU standards is adequate, however, in practice, the implementation is not working. There were no specific measures taken in order to address the gender pay gap (Tisheva, 2013). Going back to the policy implementation phases of Zhelyazkova & Thomann (2021), this means that something went wrong between the transposition phase and the administrative implementation phase. So there are no practical outputs yet with regard to the gender pay gap. During the majority of this period, again

GERB was in power (BSP came into power in May 2013), which was part of an economically right-wing government belonging to the TAN group. According to the literature, both the right-wing orientation and traditional values should negatively influence compliance. While in this case, it does not harm the transposition *per se*, it is however visible that the practical compliance is lacking.

With regard to work access, the Bulgarian legislation almost entirely complies with the EU equal treatment directives. The only difference is that there are too many exceptions for allowing different treatments (Tisheva, 2013, p. 53). This poses a risk for compliance regarding the legitimacy and proportionality requirements. Pregnancy and maternity protection are also mostly implemented according to EU requirements. Only the period of maternity leave is disputable since it might be too long due to the possible negative effects on gender equality in general, specifically for the number of working women. Furthermore, within social security men and women are also not entirely equal; the majority of non-remunerated jobs are done by women which excludes them from acquiring any benefits (Tisheva, 2013).

In general, while formally many aspects of gender equality are in compliance with EU standards the actual enforcement mechanisms are still not effective enough. For instance, when a woman goes to court due to being a victim of discrimination she needs to prove herself that there have indeed been acts of discrimination (burden of proof); this can be very problematic for the protection of women's rights. Additionally, the compensation for persons who experienced discrimination is not sufficient and the enforcement of sanctions is also not effective. Moreover, there are also issues with the Bulgarian social security system since discrimination is detected in one of the pillars. The commission in charge of the enforcement, the Commission for Protection from Discrimination (created in 2005), is not performing sufficiently since it does not promote, monitor or analyse equal treatment (Tisheva, 2013). Nevertheless, the report still concludes that it is already a positive development that such a body is created:

“The implementation of gender equality standards in Bulgaria is satisfactory and this is mainly due to the adoption of a comprehensive anti-discrimination law and to the establishment of the Commission for Protection from Discrimination (KZD).”

(Tisheva, 2013, p. 57)

2013-2014: BSP and MRF

According to the discrimination report of 2014, not enough effort has been done to solve the problems that are described in the 2013 report. There is still inconsistency between the discrimination act and other laws and indirect discrimination is still not clearly defined (Ilieva, 2014). With regard to the gender equality report, nothing changed in 2014 and Bulgaria transposed the majority of the EU standards in Bulgarian legislation (Tisheva, 2014). In the 2015 report, these issues still aren't solved. In 2014 some changes were made by the Supreme Administrative Court (SAC); the court made new restrictive requirements for PADA enforcement. These new requirements are not in line with EU law and are also contradicting the PADA. The SAC stated that one cannot speak of discrimination in mixed motives cases where discrimination is only one of the reasons for different treatment. Again, this requirement is exercised inconsistently. Moreover, in 2014 there were also more disputes over jurisdiction between civil and administrative courts. This was about lawsuits against public bodies under PADA, it was not clear whether civil or administrative courts would have jurisdiction over such cases. This resulted in delays and inefficiencies (Ilieva, 2015). Thus the policy delivery was not optimal. In 2014, the economically left-wing party BSP was still in power until GERB took over in October. Nevertheless, most of the changes were implemented under the TAN government of BSP.

2014-2016: GERB and Reformist Bloc

In the period ranging from 1 January 2014 to 1 July 2015, the overall assessment of the gender equality standards and how they were formally implemented was again satisfactory. However, according to Tisheva (2015), there has been no important case law of the Equality body related to EU standards which shows that there is still a lack of experts on gender issues in Bulgaria. Furthermore, there are still issues with the equal pay principle. Already for a few years, equal pay according to EU criteria is fully transposed in Bulgarian legislation, nevertheless, its practical implementation through specific policy measures is not visible. The European Commission even made a recommendation (so normative pressure was used) to strengthen the principle of equal pay but nothing has yet been done with the recommendation other than discussing it in public debates. The issues mentioned in the last report are also still present (Tisheva, 2015).

In March 2015, Parliament adopted a bill to amend amongst other things Article 9 of the PADA which is about the burden of proof. It is now changed in such a way that national law is now in stricter compliance with the EU directives (Ilieva, 2016). This means that the provision on the burden of proof complies with EU standards (Tisheva, 2017). The issues with regard to indirect discrimination remained, as well as the unclarity with mixed motives cases (Ilieva, 2016; Ilieva, 2017). Moreover, it seems that there is a general problem in Bulgaria with gender stereotypes and the objectification of women (Tisheva, 2017). The Gender Equality Index shows that in 2015 the money domain of gender equality increased a little bit, from 60.5 in 2013 to 61.9 in 2015, which is visible in Figure 3. This might show that some of the new measures have worked. However, this progress was not visible in the work domain; it was decreased by 0.1 percentage point (European Institute for Gender Equality, 2017). In April 2016, Bulgaria adopted the Equality Between Women and Men Act (EWMA). In the same year the National Strategy for Promotion of Equality of Women and Men 2016-2020 was adopted (European Institute for Gender Equality, n.d.-c). It seems that this period in general was defined by quite some positive developments. These changes were made under the right-wing government of GERB, this government scored centre on the GAL/TAN scale and was even leaning towards GAL.

2017-2021: GERB and Patriotic Front Coalition

In the gender equality report looking at the period 1 January 2018 – 31 December 2018, it is concluded that Bulgaria has a good and reliable legal basis for implementing more measures in order to achieve gender equality. However, these measures do still need to be developed since the current state of affairs is still weak. Moreover, a development in 2018 in Bulgaria will probably have negative effects on gender equality. This regards judgement No. 13 of the Constitutional Court in which definitions were given to “sex”, “gender” and “transgender”; the court does specifically differentiate between the terms gender and sex and limits the rights of transgender people. These definitions do not comply with EU law and go against the principle of gender equality (Tisheva, 2019). According to Tisheva (2019), it will definitely influence the development of legislation and policy with regard to gender equality since it is not in compliance with the Gender Equality Law (Tisheva, 2019). The following citation describes

this negative development, in this citation, VAW means violence against women and GBV means gender-based violence.

“The judgment No. 13 from 2018 of the Constitutional Court had, and probably will have, very negative results and impact on the development of the legislation and policy, not only in relation to VAW and GBV, but also on all issues of gender equality in Bulgaria. If not further analysed and reviewed as soon as possible, this decision going against EU standards and all universal standards, will maintain and reproduce gender stereotyping which is damaging for any gender equality in Bulgaria.”

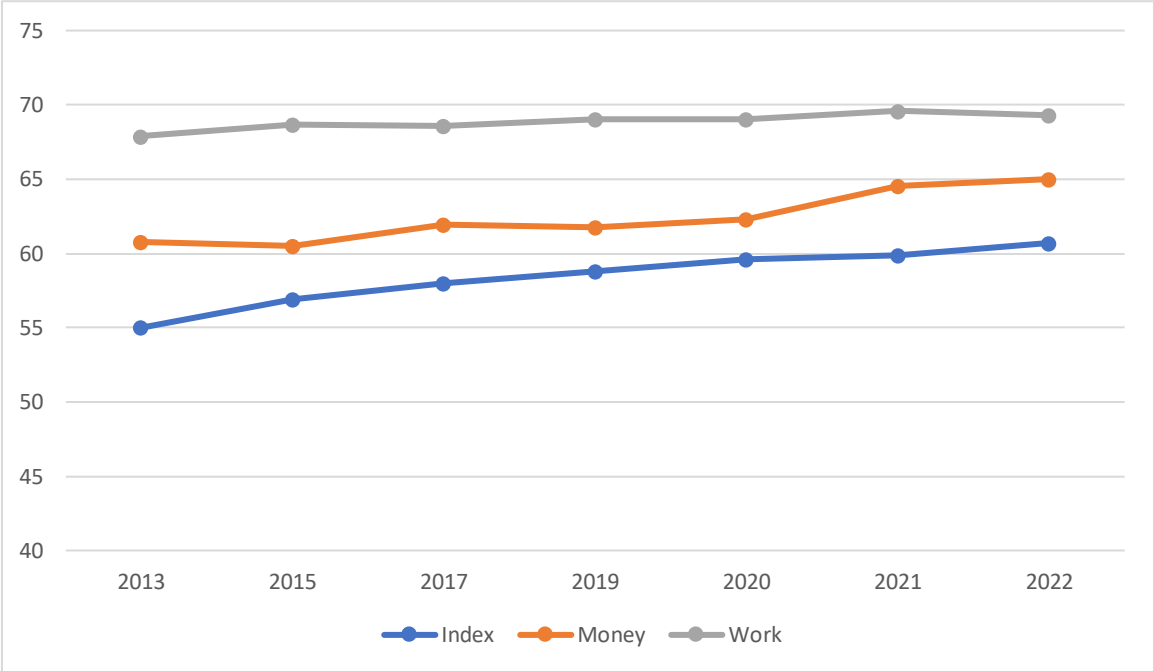
(Tisheva, 2019, p. 79)

In 2019 there were still several transposition problems. The Advisory Council on Gender Equality in Bulgaria does not have enough capability to comply with the norms of the EU. The Commission for Protection from Discrimination also has too little knowledge of gender discrimination issues and there was also limited practice with actual cases (Tisheva, 2020). It seems that in the past couple of years, more issues regarding compliance with EU criteria arose in Bulgaria while in the first years of being an official EU member state, Bulgaria was doing quite well. This was in the period where next to GERB also far-right parties, the Patriotic Front Coalition, were part of the coalition in the Bulgarian parliament. Moreover, the government scored TAN on the GAL/TAN scale and this was also quite high on the scale (see Appendix A). The parties in the Patriotic Front Coalition also expressed multiple times their traditional views on families and women (Rone, 2023).

In 2018, Bulgaria ranked 19th in the EU on the gender equality index, this score was 59.6. Since 2010 Bulgaria has dropped two places and its score in total has only increased a little bit. The European Institute for Gender Equality concludes that there is only been minor progress in the domains of work and money. The gender gap in employment has also only become larger in Bulgaria, especially for couples with children and women in the age category of 25-49 (European Institute for Gender Equality, 2020). One year later, there is some improvement with regard to the domain money which has improved by 2.2 percentage points (European Institute for Gender Equality, 2021). In 2020, Bulgaria scored a score of 60.7 out of 100 points for gender equality in general and was ranked 18th in the EU. The EIGE

criticizes Bulgaria mostly with regard to the domain of money, the economic situation and financial resources, in all domains Bulgaria ranks last. Moreover, Bulgaria’s score has decreased in the domain of work and in 2021 the majority of the household work was done by women (68 %) (European Institute for Gender Equality, 2022). It was concluded in the EIGE report that while Bulgaria improved its general gender equality score, it was significantly at a slower pace than other EU countries (Barbieri et al., 2022). The practical compliance and overall impact on society are thus missing, which is still under the conservative GERB and the Patriotic Front Coalition government.

Figure 3
Gender Equality Index, Trends in Bulgaria



Note. From *Gender Equality Index – Bulgaria*, European Institute for Gender Equality, 2022, <https://eige.europa.eu/gender-equality-index/2022/BG>. See footnote 1.

4.4 Policy Implementation and Compliance in Hungary

The following section will give an overview of the compliance with regard to EU gender equality policies in Hungary in order to answer the third sub-question as well as the main research question.

2002-2008: MSZP and SZDSZ

During the process of gaining membership status from the EU, Hungary has progressed a lot in terms of gender equality. In 2003, Hungary included gender mainstreaming in its framework for implementing program regulations to comply with the EU criteria, this was incorporated into the National Development Plan (NDP). In this plan, Hungary also mentioned equal opportunity problems related to the Roma, women and persons with a disability. Gender equality was mostly linked to labour and employment and family policies as well as more general goals such as sustainable development and equal opportunities. The implementation plans written down in the NDP stated that experts of gender equality bodies will be part of so-called monitoring committees, however, no evaluation or coordination whatsoever was executed during the invitation process of the representatives. Thus, while on paper it looked very promising, it had some flaws during the execution (Krizsán & Zentai, 2006, p. 144).

The Act on Equal Treatment and Promotion of Equal Opportunities was also adopted in 2003 which gives more protection to those suffering from discrimination (United Nations, 2005). After accession, the National Action Plan for Social Inclusion (2004-2006) was set up to increase equal opportunity and social inclusion as well as the National Employment Action Plan of 2004 which included also a section about gender equality in the labour market (Krizsán & Zentai, 2006, p. 145). According to Krizsán & Zentai (2006), in this period Hungary had an indifferent attitude towards gender equality policies; there was no refusal but the political will was limited.

When Hungary accessed the EU, the most important policy implementation for equality and anti-discrimination was the adoption of Act CXXV on Equal Treatment and the Promotion of Equal Opportunities 2003 and Article 70/A of the Hungarian Constitution. Moreover, with regard to gender equality, Hungary also added Article 66 (1) to its legislation which is about the equality of men and women in all rights (Causse, 2008). In order to comply with the EU standards for gender equality, Hungary set up an equality body in 2005, namely the Equal Treatment Authority (ETA). This is an administrative body controlled by the government to act against any discriminatory act (Kádár, 2013). ETA can introduce, in case of violations, sanctions in the form of fines. However, it can not impose other sanctions like forcing to hire someone again when (wrongly) fired (Nacsá, 2013). Nevertheless, Causse (2008) states that the ETA was given a more effective role than the equality bodies in other EU

countries. Additionally, the equality body also gives more possibilities for victims to protect their rights by giving them the opportunity of starting a procedure parallel to a lawsuit (Causse, 2008).

Another important body with regard to gender equality is the Commissioner for Fundamental Rights; it is tasked to investigate cases of discrimination. In 2006, significant progress has made due to a change in the equality body ETA. Nevertheless, in the years after, the Hungarian legislative framework is still not complying with the EU directives and has many coherency and inconsistency problems (Kádár, 2013). According to Causse (2008), Hungary has not made enough efforts in the form of policies and awareness campaigns. There should be more training related to this theme for several professions (e.g. judges) as well as informing employees and employers of their rights. The ETA also needs to be more advertised and the public should be more informed of the existence of this body. The reintegration of women into the labour market was also not sufficient yet; more facilities should be available to enable this (Causse, 2008). Causse (2008) states that Hungary successfully transposed the policies while at the same time, the country experienced a lot of shortcomings with regard to the enforcement and application of the laws.

A transposition problem in Hungary was the exception scope of Article 7 (2); this makes it possible that certain cases of discrimination are not acknowledged as actual discrimination. Moreover, the shift of the burden of proof is also an issue where the victim needs to prove that they suffered from discrimination (Causse, 2008). Other than the relatively minor transposition problems, Hungary had some problematic factors in the application and enforcement of the equality and anti-discrimination legislation. For example, in the work field, women were often very much discriminated against since they were considered less skilled and employers also feared pregnancies and children would make women less dedicated to their careers. In addition, while there are legal possibilities, discrimination cases rarely are discussed in the Hungarian courts or even discussed publicly. The legal possibilities for taking discrimination cases into court are also not something that employees are aware of since there was little to no information available. There is also a general lack of knowledge of what discrimination actually entails (Causse, 2008).

This period is characterised by quite some flaws in the gender equality legislation, nevertheless, some progress had been made as well in the form of the enforcement of the NDP and the ETA. The

government was in the hands of the MSZP and the SZDSZ which together classified as a GAL group with a right-wing economic ideology. No clear conclusions can be dedicated to this period due to the many different developments, both positive and negative.

2008-2010: MSZP

In 2010, Hungary scored lower than the EU average and the Bulgarian score on work-related gender equality, namely a 66.0 score out of a possible 100. For income-related gender equality, Hungary scored 70.8 which was far lower than the EU average, nevertheless, it was significantly higher than the score of Bulgaria (European Institute for Gender Equality, 2013b). The government was again led by MSZP, this time without SZDSZ; the government was classified as GAL but this time with a more centre economic ideology. However, again no clear conclusions can be made, also due to the very short period of time.

2010-2022: Fidesz and KDNP

In 2011, a new Fundamental Law was implemented in Hungary for equal rights between men and women. Together with the Equality Act, this is the main legislation in Hungary promoting gender equality. In the period before June 2013, the equality report by the European Network of Legal Experts in the Field of Gender Equality concludes that Hungary in general has sufficiently transposed the EU acquis, nevertheless, there has been some significant deterioration with regard to the Hungarian gender equality law. The main flaw in the legislation is that the Equality Act provides extensive exemptions which work very beneficial for the accused since they can easily clear themselves. Moreover, in Hungary, there is still a societal norm that men should work and women need to take the caregiver role (e.g. take care of the children). This is also stimulated by generous parental leaves (Nacsa, 2013). The government in power, Fidesz and KDNP, is classified as heavily TAN which also supports this traditional societal norm. In 2012, the score for gender equality in the money domain dropped to 69.8 while the employment score increased with 0.4 percentage points which can be seen in Figure 4, still both performing under the EU average (European Institute for Gender Equality, 2015b).

The gender pay gap was by 2013 a big problem in Hungary; there were even cases where women earned 100% less than their male colleagues. This was justified by differences in service time and the freedom of contract of the employer. However, these reasons were not accepted by the ETA. In addition, the Equality Act does not provide sufficient protection to employed women since employers can justify their reasons to differentiate easier than is regulated in the EU directive. What can be perceived as a positive factor is the social security system in Hungary, which is described in the citation below:

“Hungarian law goes further than EU law as it also applies gender equality to survivor’s pensions (for surviving spouses, orphans or parents), and family allowances, in which regard neither the entitlement nor the amount depends on the sex of the claimant.”

(Nacsa, 2013, p. 114)

Later in 2013, an act was introduced that improved the compensation for victims of discrimination; moral compensation was now possible. So some progress was made compared to the years before. Nevertheless, issues remain with regard to the ETA; the requirements of equal treatment only apply to a certain group of private actors and the ETA sometimes allows objective justification. In addition, the ETA states that there is indeed discrimination only in a few cases while the number of complaints is much higher. This can be explained by the lack of knowledge among Hungarian citizens with regard to non-discrimination and the ETA and its role. The complaints also come from groups that do not always have the ability and resources to know their rights (Kádár, 2015). In general, the ETA does not meet the criteria of the EU due to ineffective sanctions and remedies.

While not everything is arranged according to EU criteria, the majority of Hungarian law has been sufficiently transposed by 2015. In 2014 and 2015 a few improvements happened by changing some details of the laws. However, the Equality Act is still not adequate because of the wide scope for exemptions and weak protection. On top of that, the Hungarian government does not show any willingness to improve women’s participation overall and sticks to the narrative of women being the caretakers (Nacsa, 2015). In 2015, Hungary scored a little bit higher for both the work and money domain of gender equality so it might be that the improvements in 2014 and 2015 had some effects (see Figure 4). Nevertheless, the scores were still under the average of the EU. In comparison with Bulgaria,

Hungary does have a noticeably higher average on income-related gender equality with a difference of almost 10 points (European Institute for Gender Equality, 2017b). This perhaps can be explained by the economic ideology of the Hungarian ideology since Fidesz and KDNP are economically left and thus are striving for a better financial situation for citizens with the help of the government.

By 2018, there are still many problems; the wage gap in Hungary is even one of the largest in Europe and specifically the difference between well-educated women and men is quite large (Nacsa, 2018). Moreover, under Article 72 legal representation in general has become mandatory except for labour lawsuits. This may pose challenges for people who want to start a lawsuit regarding non-discrimination since while state-funded legal aid is available, it has a very low threshold for eligibility (Kadar, 2019). In the gender equality report of 2019, it is again concluded that the ETA does not entirely comply with EU norms due to some vague or wrong definitions and some concepts are not defined at all. Other issues are related to too many exemptions, problems with the burden of proof and insufficient compensation. The report emphasizes that the government does not show any willingness to improve gender equality through actually analysing and evaluating the gender equality laws (Balogh, 2019). The citation below substantiates this:

“The major structural shortcoming of the Hungarian legislation (dating back to the original adoption of the Equal Treatment Act) is that in many regards the transposition is only formal, and the law has never been scrutinised or modified in order to support the substantive and genuine equality of women (for example, in the case of self-employed women and spouses of the self-employed).”
(Balogh, 2019, p. 87)

In other words, the actual enforcement of legislation, thus the practical implementation, related to gender equality is insufficient in Hungary. A study by the European Parliament’s Policy Department for Citizens’ Rights and Constitutional Affairs states that since 2011 Hungary is not working on gender mainstreaming at all and is instead focused on family mainstreaming which has many disadvantages for women. Due to this different focus, labour legislation is discriminating based on sex and family status and violates therefore the EU directive. Hungary even was against the adoption of Directive 2019/1158 which includes more rights to parents and caregivers; the government stated that this would too much

interfere with a family's life (Balogh, 2020). The spread of family values is thus a priority since 2011, which can be linked to Fidesz leading the government since 2010. Fidesz's conservative ideology is really visible in the policies the Hungarian government implements.

One positive change is that in 2017 the wording of an article of the Equal Treatment Act was changed in such a way that it was the similar wording used as in the EU directive; this improved the transposition of the EU acquis (Balogh, 2020). According to the Gender Equality Index of 2020 (uses data from 2018), Hungary ranks 27th in the EU which is the lowest place. This low ranking can be partly explained by the gender gap in employment as well as the gender pay gap; women earn 16% less than men per month (European Institute for Gender Equality, 2020b). In 2019, the money-related domain of gender equality has slightly improved; from 72.0 in 2018 to 73.3 in 2019, see Figure 4 (European Institute for Gender Equality, 2021b).

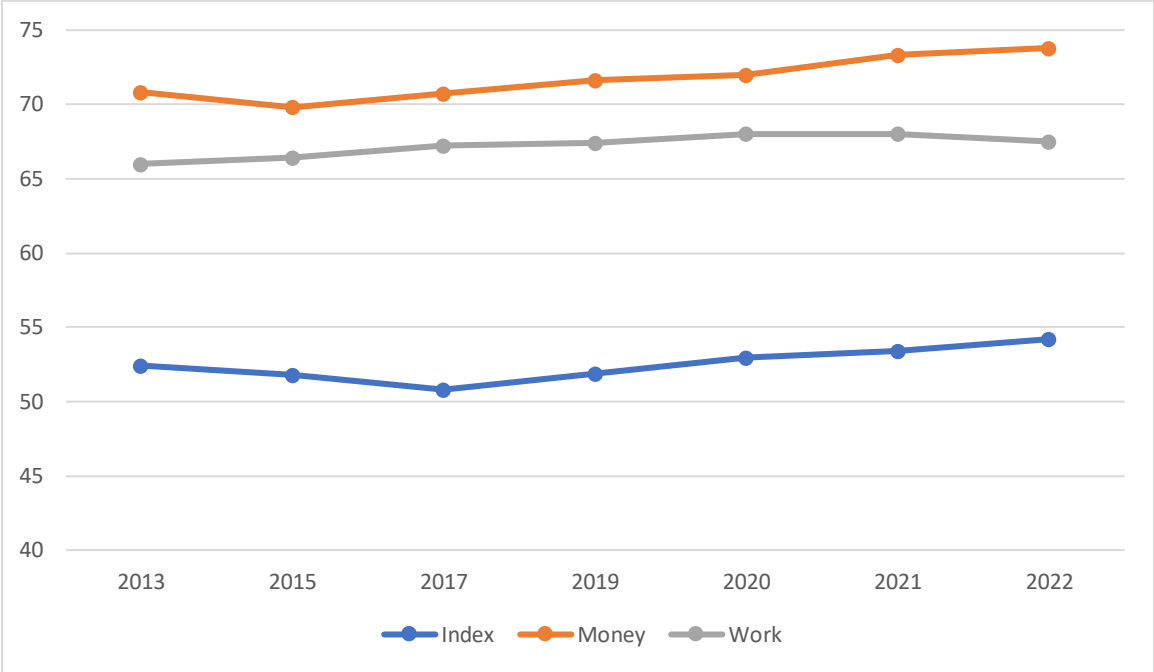
During the COVID-19 pandemic, gender-based discrimination became more visible in Hungary, especially in the job market. Additionally, many gender equality cases were delayed or interrupted due to the pandemic. In November 2020, the Parliamentary Committee of Justice Affairs proposed that the ETA, which is Hungary's only equality body, should be removed. This proposal was set up without any discussion with other stakeholders or even the general public and was criticized by many. Nevertheless, the Hungarian government still passed the law one month later. It was not replaced by another body but the former tasks of ETA were moved to the Commissioner for Fundamental Rights. This is a very negative development since the Commissioner for Fundamental Rights is not focused specifically on gender equality which would most likely decrease the quality and attention paid to gender equality-related policies (Kádár, 2021; Balogh, 2021). This does heavily influence policy implementation of gender equality policies in all stages; transposition as well as the practical implementation.

In the Gender Equality Index from 2022, Hungary ranks 25th in the EU, so it does not have the lowest score anymore. According to the European Institute for Gender Equality (2022c), its biggest improvement is in the domain of money with a total score of 73.8. This is mostly caused by improvements with regard to financial resources for women. Nevertheless, for the work domain, Hungary's score has decreased, which might be related to the fact that women were more in charge of taking care of children and household work during the pandemic (European Institute for Gender

Equality, 2022c). Compared to all member states, Hungary is one of the countries that is the most struggling to improve gender equality (European Institute for Gender Equality, 2022d).

Figure 4

Gender Equality Index, Trends in Hungary



Note. From *Gender Equality Index – Hungary*, European Institute for Gender Equality, 2022, <https://eige.europa.eu/gender-equality-index/2022/HU>. See footnote 1.

4.5 Concluding Remarks

What we can conclude from the case of Bulgaria is that on the one hand, Bulgaria successfully transposed EU policies related to gender equality but on the other hand is missing practical compliance in the form of enforcement of policies. Moreover, it is visible that when a TAN government was in power, the policy implementation and general compliance with gender equality policies were not optimal in Bulgaria. This was especially visible during the GERB government together with the Patriotic Front Coalition in 2017-2021. During the period of the Patriotic Front Coalition, many negative developments with regard to compliance were occurring. This can suggest that conservative values indeed hinder policy compliance with gender equality criteria. Between 2013 and 2014 it was visible that the TAN factor weighed heavier than the economic ideology; an economically left-wing government was in power but the implementation of gender equality policies was not very successful,

most likely due to its traditional views. Under GERB, the results differ a lot; sometimes effective changes were implemented while on other occasions not.

In the case of Hungary, it is visible that there is a general narrative of the government since 2011, one year after Fidesz came into power, of prioritizing families above gender equality. It shows how one party can completely change the direction of a government. Moreover, Hungary is a perfect example of how Conservative Christianity as well as masculinist identity politics negatively influence compliance with gender equality-related EU directives. However, compared to Bulgaria with regard to the Gender Equality Index scores, the “impacts”, Hungary does not score significantly lower. Their scores are quite similar. Nevertheless, the progress over the years does differ, Bulgaria made more progress than Hungary. The biggest difference lies in the administrative implementation phase since Bulgaria did comply with that for the most part while Hungary showed some decline. There are also some problems with the practical implementation in Hungary; especially the ETA was performing inadequately and was eventually even suspended. The biggest problem is the general unwillingness of the government to really create sustainable changes with regard to gender equality. This also differs a lot from Bulgaria, where the government does to some extent show some readiness. Finally, with regard to the EU mechanisms, the EU uses both conditionality mechanisms as well as normative pressures in order to achieve compliance in Bulgaria and Hungary.

5. Discussion

The empirical analysis provided valuable understanding of how party political ideology in Bulgaria and Hungary influenced policy implementation and compliance with EU policies related to gender equality. Several insights can be gained from the analysis which will be discussed below.

5.1 TAN Ideology and Economic Ideology

The empirical analysis suggests that indeed traditional/conservative ideology of the political parties in government negatively influences the policy implementation and EU compliance related to gender equality. Especially in Hungary, it is visible that Fidesz exerts a lot of influence on the practical implementation of gender equality policies. Moreover, through the years Fidesz was in power, the dominant narrative of the Hungarian government is that of the traditional family. It is even mentioned in one of the reports that instead of implementing gender mainstreaming the government is actively supporting family mainstreaming instead. This narrative can be very harmful to gender equality since it also influences the rights of women, for example, abortion rights. Women are put in a specific gender role in which they should be responsible for the caretaking of children and household tasks. Men on the other hand are perceived as a masculine authority in families (Josephon & Burack, 1998, p. 223). Moreover, family mainstreaming is also actually used as a tool to promote traditional values and with that, it is replacing the attention on women's rights (Peto & Grzebalska, 2016). It seems that the policy goals of the Hungarian government do not comply with the EU policies.

The same patterns are also visible from 2017 to 2021 in which GERB ruled together with the Patriotic Front Coalition, which existed out of far-right nationalist parties. In this period, multiple problems occurred, for example, judgement No. 13 of the Constitutional Court was regarded as very harmful to gender equality. Moreover, there were several problems with the transposition and practical compliance like the limited capability of the Advisory Council on Gender Equality. The parties in the Patriotic Front Coalition also often expressed their traditional views about family and marriage.

Furthermore, the influence of economic left- or right-wing ideology on compliance with EU gender equality policies was not really evident; it seemed that the GAL/TAN factor was dominant. For

example, in Bulgaria, the BSP, which is in general perceived as a left-wing party, was in power in 2013-2014 but no significant progress has been made during that period; the policy delivery was not optimal. This most likely can be allocated to their TAN score. When looking the other way around, thus belonging to the GAL group while having right-wing economic stances, also no clear results can be found. The government of MSZP together with SZDSZ in Hungary (right-wing, GAL) performed adequately with both some minor positive and negative developments.

5.2 National Discourse

What also can be concluded from the empirical analysis is that there seems to be a national discourse in both Hungary and Bulgaria which hinders the practical compliance with gender equality policies. For example, in Bulgaria, a great issue that is mentioned in the equality report of 2017 is the general use of gender stereotypes and the objectification of women. Moreover, the equality report of Hungary in 2013 referred to a societal norm in which women take the role of caregivers. The societal norm in these countries is based on conservative views and is also spread by some of the political parties. The national discourse also affects the understanding of the citizens which can have negative effects on the outcomes of gender equality policies. This complies with the study of Gerber (2009) which found that national discourse can harm the implementation process of gender equality programs and policies. Especially, when this discourse is significantly different from the imposed policies. Therefore, it is important to provide the public with new knowledge in order to change the domestic narrative (Gerber, 2009).

5.3 The World of Dead Letters

The case of Bulgaria is a good example of the world of dead letters, one of the compliance worlds created by Falkner & Treib (2008); while Bulgaria did a good job in transposing the EU policies it had many difficulties with the practical compliance. This can also be linked to the specific country conditions like economic uncertainty and the lack of proper institutions to actually enforce gender equality policies. Hungary is a more questionable case since the policy implementation also had some flaws in the beginning phases and not only during the practical implementation. In Hungary, the EC

acquis was successfully transposed so at the beginning of its EU membership it showed some promising improvements. However, in general, the reports over the years agree that the conservative government does not show any willingness to actually improve gender equality in the country, which is also different from Bulgaria. This resulted in some bad scores on the Gender Equality Index. While compared to Bulgaria these scores were not very different from each other, Bulgaria made more progress over the years than Hungary. However, with regard to the money domain, Hungary did quite well compared to Bulgaria. An alternative explanation for this could be again the country conditions of Bulgaria, which in general has a very poor economic situation (Feenstra, 2021, p. 182). This could influence gender equality with regard to the financial resources and economic situation of women as well.

In Hungary the COVID-19 effects were also very visible; gender-based discrimination became more evident in the job market and women were more occupied with the care of children and household work. The most noticeable deterioration in Hungary was the abolishment of the Equality Treatment Authority in 2020, with no replacement whatsoever. This influences both the administrative implementation as well as the practical compliance. So there are some differences with regard to the implementation situation in Hungary compared to Bulgaria.

6. Conclusion

This research aimed to clarify the way party political ideologies influence policy implementation and compliance with EU criteria related to gender equality. The results indicate that as expected the GAL/TAN score of each party does influence the policy implementation and EU compliance with regard to gender equality. The empirical analysis suggests that Fidesz and KDNP hinder the compliance process with gender equality policies of the EU. The same can be seen in Bulgaria in the period when the far-right Patriotic Front Coalition was part of the coalition.

6.1 Research Question and Sub-Questions

When looking at the first sub-question of this study, “What are the gender equality policies and mechanisms imposed by the EU for member states?”, the EU has a very important role in promoting and monitoring gender equality in all member states. Several directives are focused on improving gender equality in all areas of life; employment, family life, decision making et cetera. These directives are often based on UN conventions, agendas and the Sustainable Development Goals. The Beijing Declaration and Platform for Action also forms an important resource for the empowerment of women. For member states of the EU, the EC acquis is the main document in order to achieve successful policy implementation and compliance. With regard to gender equality, this acquis includes all international obligations that need to be implemented in the EU countries. The EU uses this as a condition to gain EU membership. Other than conditionality, the EU also has other mechanisms to encourage the implementation of gender equality policies like normative pressures and social pressures. In addition, the Commission can also initiate infringement proceedings against member states. In general, the EU has many tools to maintain a gender equality standard in the member states, nevertheless, at the same time its power is quite limited. After accession, the Commission can evaluate the compliance of the member states but it has limited resources to fully monitor it. A big part of the responsibility also lies with the countries themselves. In the analysis of the influence of party political ideology on compliance, especially normative pressures as well as conditionality were visible.

Proceeding with the second sub-question, “Which political parties were in power in the period after EU accession in Bulgaria and Hungary and what were their ideologies?”. Bulgaria is quite a complex case with regard to its political situation. In the last couple of years, many protests and turmoil led to constant re-elections. Nevertheless, one leading thread through the whole history of political parties in power since accession is the centre-right party GERB. GERB was in power for the majority of the period after EU accession. However, it mostly depended on the other parties in the coalition which colour and ideology the government pursued. GERB ruled together with several parties, including the Patriotic Front Coalition in 2017 which existed out of far-right and nationalist parties. This also created a far-right conservative (TAN) government. The case of Hungary is very straightforward; Fidesz was the main party for the major part of the period after EU accession. Together with the conservative party KDNP, Fidesz is in power already since 2010 and has never resigned or been impeached in the meantime. Fidesz and KDNP pursue a conservative and populist ideology in which family values are crucial. Fidesz is also known for its conservative statements and anti-EU comments.

The final sub-question, “How has the situation with regard to gender equality and compliance with EU gender equality policies in Bulgaria and Hungary developed in the period after EU accession and to what extent did the party political ideologies of national governments shape compliance?”, is answered by performing a qualitative content analysis of secondary data. Several sources with regard to compliance with EU criteria related to anti-discrimination and gender equality were analysed as well as the website of the European Institute of Gender Equality which was focused on gender equality performance. In Bulgaria it was visible that after 2007 there were quite some improvements with regard to gender equality; several laws were implemented to achieve compliance. For example, the Protection Against Discrimination Act (2004) and the Equality Between Women and Men Act (2016). In general, the reports conclude that the transposition of gender-equality policies is adequate, nevertheless, this is not visible in the results/practical outputs and the policy delivery also has some flaws. There was some progress in the employment and money area however Bulgaria still lagged behind compared to the EU average. Hungary had both flaws in the transposition phase as well as the practical compliance. In general, the government does not show a willingness to actually change the gender equality situation and is more occupied with promoting traditional family values than gender equality. Moreover, the

results of the Gender Equality Index show that compared to the EU average, Hungary is not making progress fast enough.

Through these sub-questions, the main research question can be answered: “How have the different party political ideologies of national governments impacted compliance with EU policies related to gender equality in Bulgaria and Hungary after EU accession?”. It was expected that especially TAN parties would have a negative influence on the policy implementation and compliance with EU criteria related to gender equality. The study indeed suggests that traditional values play a big role in the implementation phase. This is especially visible in the case of Hungary where the conservative party Fidesz does not prioritize gender equality; this can also be traced back to the implemented policies and also the decision to abolish the ETA. The same is also visible in Bulgaria during the cabinet of GERB together with the Patriotic Front Coalition; this was a conservative and nationalist government. During the same time, there were multiple problems with the transposition and practical compliance. When looking at the difference between economically right-wing and left-wing governments no consistent result can be found. For example, in the case of Hungary, there is not really a significant difference between the time the centre-left MSZP was in power and when Fidesz was in power. However, Fidesz is already longer in power after EU accession than MSZP so it is also difficult to compare the two-time frames since in general more influence can be exerted in a longer period compared to a shorter period. In Bulgaria, during the period 2013-2014 the left-wing party, BSP, was the main party in parliament, however, during this period the implementation of gender equality was very flawed. For example, new requirements were included in the Protection Against Discrimination Act 2004 that were not following the EU criteria and only created delays and inefficiencies. This might suggest that economically left-wing parties in power do not have a necessarily positive effect on the implementation of gender equality policies and compliance with EU criteria. However, this also can be allocated to the TAN characteristic of BSP which might be the dominant factor.

6.2 Implications and Recommendations

Future research can look more into the difference between the economic and socio-cultural right and left to see what the effects are on compliance. Moreover, other countries and political parties could

also be included. For example, it is interesting to see what effect party political ideology has in non-Eastern-European countries that belong to the world of law observance. Moreover, Treib (2003) found that for social and labour market policies, political parties can be very influential with regard to compliance. Future research might study other areas of compliance instead of gender equality or these social and labour market policies to see how strong the effect of political parties is.

A limitation of this research is that since a content analysis is executed, the researcher chooses its own sources so the phenomenon of self-selection bias might occur. Moreover, the study is very reliant on available sources since it only uses sources that are open to the public. This resulted in some gaps in the research because not all years since EU accession could be analysed thoroughly. It would improve the validity and reliability if some expert interviews or focus groups were also included. In addition, another limitation is that due to the use of secondary sources, the research depended on the expertise and conclusions of the authors of these sources.

The findings of this study were able to contribute to the existing research about the influence of party political ideology on policy implementation and compliance. Moreover, the focus on EU gender equality policies is a valuable addition to the existing literature on this topic since little to no studies have researched this specific relationship. Both the Hungarian and Bulgarian governments still have much to improve with regard to gender equality. Especially in Hungary, it seems that as long as Fidesz is still in power, actual sustainable change with regard to gender equality is not very likely. In Bulgaria, the political instability in combination with the TAN parties also creates obstacles to the implementation of EU gender equality policies.

More studies should be dedicated to the subject of party political ideology and compliance with EU policies since political parties play a very big role in the whole implementation process. It seems that TAN political parties prioritize other policy goals than compliance with EU gender equality policies. The GAL/TAN division is especially relevant for social and cultural policies since these are most influenced by party political ideology. For economic policies, this seems less important since TAN parties are not linked to a specific economic ideology and they can also be in favour of left-wing economic policies.

Gender equality is very important, as it is one of the Sustainable Development Goals (United Nations, n.d.), so finding what kind of factors influence gender equality is crucial in order to achieve this goal. This can provide valuable insights for policymakers and other relevant actors. Moreover, Eastern European countries often have a conservative and traditional discourse which can harm gender equality through for example gender stereotypes. This study shows that it is still a big issue and needs to be kept in mind when looking at compliance and policy implementation in such countries. EU actors and policymakers in general should consider the possible resistance from TAN parties and try to adjust the policy design in order to cope with this.

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Appendix A

Table A1

Combined Scores Chapel Hill Expert Survey

Country	Year	Economic ideology	GAL/TAN
Bulgaria	2005-2009	4,58, centre	5,64, centre
	2009-2013	6,27, right	6,91, TAN
	2013-2014	3,91, left	6,27, TAN
	2014-2016	6,52, right	4,34, centre
	2017-2021	4,98, centre	8,46, TAN
Hungary	2002-2008	6,88, right	2,75, GAL
	2008-2010	4,18, centre	3,88, GAL
	2010-2022	3,51, left	8,56, TAN

Note. 0-4=left/GAL, 4-6=centre, 6-10=right/TAN. From *Chapel Hill Expert Survey trend file, 1999–2019*, Jolly et al., 2022, <https://doi.org/10.1016/j.electstud.2021.102420>.

Appendix B

Table B1

Data Collection

Country	Type of source	Author	Title	Year(s)	Amount	
Bulgaria	Report	Barbieri, D. et al.	Gender Equality Index 2022: The COVID-19 pandemic and care	2022	1	
		Government of Bulgaria	National Strategy for Promotion of Gender Equality for the Period 2009-2015	2009	1	
		Ilieva, M.S.	Country report non-discrimination	2013, 2014, 2015, 2016, 2017	5	
		Marinova, Z.	Millennium Development Goals	2008	1	
	Index	Tisheva, G.	Country report gender equality	2013, 2014, 2015, 2017, 2019, 2020	6	
		European Institute for Gender Equality	Gender Equality Index Bulgaria	2013, 2015, 2017, 2020, 2021, 2022	6	
	Academic source	Chiva, C.	The Limits of Europeanisation: EU Accession and Gender Equality in Bulgaria and Romania	2009	1	
	Website	European Institute for Gender Equality	Gender Equality in Academia and Research, Bulgaria	N.d.	1	
	Hungary	Report	Balogh, L.H.	Country report gender equality	2019, 2020, 2021	3

	Kádár, A.	Country report non-discrimination	2013, 2015, 2019, 2021	4
	Nacsa, B.	Country report gender equality	2013, 2015, 2018	3
	United Nations	Beijing +10 Evaluation of the implementation of the UN World Congress on Women (Beijing, 1995) Platform for Action in Hungary	2005	1
Index	European Institute for Gender Equality	Gender Equality Index Hungary	2013, 2015, 2017, 2020, 2021, 2022	6
Academic source	Causse, E.	Compliance in the Enlarged European Union: Living Rights or Dead Letters? – Hungary	2008	1
	Krizsán, A. & Zentai, V.	Gender Equality Policy or Gender Mainstreaming? The case of Hungary on the road to an enlarged Europe	2006	1
