
ARTICLE

The Trouble with Gender: Media Policy and Gender Mainstreaming in the European Union

KATHARINE SARIKAKIS* & ELIANE THAO NGUYEN**

**Institute of Communications Studies, University of Leeds, Leeds, UK*

***Office of Francophone Affairs, Ontario government, Ontario, Canada*

ABSTRACT This article explores the ways in which gender mainstreaming (GM) approaches have failed to become integrated in the EU media policy framework and seeks to analyse the reasons why. It argues that the degree of implementation of GM in the media policy area depends on the dynamics of structural power determinants, in particular the structure of opportunities of the DG in charge of the policy area and the institutional structures in general, as well as the influence of particular interests upon the policy process. The article focuses on two of the areas identified by the UN Platform for Action in 1995 supported by the EU: misrepresentation of women in the media and women's participation in the decision-making process.

KEY WORDS: European Union, gender mainstreaming, media policy, institutional structures, structures of opportunity, power

Introduction

The 1995 UN Platform for Action identified the stereotyped portrayal of women in the media and women's limited access to the creation of media products and decision making in media and culture industries as the two core areas where action on behalf of the state and the industry was called for.¹ The EU endorsed the Platform for Action at the European Council summit in Madrid in December 1995 (Pavan Wolfe 2005). This article focuses on the structure of opportunities that underlies the politics of gender mainstreaming (GM) policy in the EU in these areas. We investigate GM practices in the field

Correspondence Address: Katharine Sarikakis, Institute of Communications Studies, Houldsworth Building, University of Leeds, Leeds LS2 9JT, UK. E-mail: k.sarikakis@leeds.ac.uk

of media policy through its historical development, and we identify those policy milestones of the institutionalization of GM and its overspill into policy initiatives for the media. We begin with a theoretical consideration of the structure of opportunities for intervention with the aim of social change and consider the institutional arrangement of the EU. After a discussion of the dilemmas associated with GM policy, we explore in some detail the ways in which policy documents and actors have attempted to integrate GM in media policy in the EU. We analyse the policy initiatives but also the position and power of policy actors and stakeholders in the process and discuss the conditions that led to failure.

Points of Entry to Policy Making in the EU

Staudt (1998) argued that women's success at influencing policies depends on the kind of institutions and bureaucracies with which they interact: the history and legacy of an institution can be an opportunity or an obstacle to women's voices. Institutions are characterized by power struggles among competing parts over budgetary resources, authority over programmes and control over agenda-setting and framing of policy issues. Moreover, executive authority disperses as it goes downward through the hierarchy (Downs [1966] 1994). Therefore the 'make-up' of an institution determines the level of influence that gender advocacy can have over policy. The liberal state and international organizations offer limited support for the politics of gender justice, as they are organized largely around masculine normative standards (MacKinnon 1989; Lotherington 1991).² Institutions have their own distinctive cultures defined by norms, rituals and values about appropriate behaviour and language and, as such, tend to reproduce themselves by allowing certain types of bureaucracy while disallowing others. Therefore, gender justice advocates must acquire the skills and language deemed acceptable by these institutions. Schalkwyck and Woroniuk (1997) emphasized external environment and pressures, while Levy (1996) argued that a 'web of institutionalisation' influences advocacy's influence, based on thirteen interdependent elements crucial for gender institutionalization.³ Woodward (2003) filtered these factors down to commitment to a gender mission, level of sophistication in terms of gender issues, environmental context of resistance to gender initiatives and role of gender experts.

Hafner Burton and Pollack (2000, 2002) linked the implementation of GM to the structure of opportunities of the organizations in which they are implemented. They identified three factors decisive in the variation of implementation of GM: political opportunities, mobilizing structures and framing processes. Political opportunities refer to the structure of political opportunities and constraints that movements face when engaging in collective action. For example, a social movement is more likely to have its concerns taken into account if they have access to the decision makers; the political alignments within the institution are shifting; the elites are divided on the issue; and they have influential allies who can support their cause and negotiate on their behalf (Tarrow 1998). Mobilizing structures are the forms

of organization, formal and informal, that social movements can take when engaging in collective action (McAdam, McCarthy, and Zald 1996). This dimension takes into account the role of social networks and institutions in stimulating movements' participation. In order to mobilize and influence the decision-making process, these organizations need resources such as people, money, knowledge, skills and technical tools. Moreover, movements engage in an active process of framing and constructing meanings in the hope that their interpretation of the world will be adopted and thus increase their impact: to be effective, the frames must fit with the pre-existing cultural discourse of the larger societal context. Hafner Burton and Pollack (2002, 287) argued that states and organizations have different policy frames that can be placed along a continuum going from neo-liberal (emphasis on efficiency and market mechanisms) to interventionist (intervention of state in the market place): the more interventionist the organization's dominant frame, the more likely the acceptance of social goals and the pursuit of gender equality.

The particular multi-level institutional structure of the European Union has great consequences on the structure of opportunities offered to gender advocates. The EU offers multiple access points to influence decision making. Nevertheless, the principle of subsidiarity gives member states authority over wide policy areas and most of the implementation power (Liebfried and Pierson 1995, 7). Nation-state sovereignty is also maintained through unanimity rules at the Council level for many policy issues. The consequence of this is that policies can be blocked by even one member,⁴ leading to a form of integration based on the 'lowest common denominator' and driven by 'packaged policies'.⁵ This is especially the case for social policy, into which gender justice policies fall, where the unanimous consent of member states is required.⁶ Furthermore, EU policy is made in the context of the extensive and diverse pre-existing frameworks of the member states' social policies, thus the EU initiatives often occupy the edges of social policies' national cores (education, health, pension schemes) and unoccupied policy domains (Liebfried and Pierson 1995, 33). Because of these difficulties, social integration goals have shifted from harmonization to convergence: instead of relying on binding instruments — such as the council's directives — the EU actively coordinates policies by setting targets and issuing recommendations to member states (Liebert 2002; Stratigaki 2005).

Some of the Commission's Directorates-General (DG) have proved to be allies for diffuse interests groups,⁷ in particular for women's groups. The Commission has shown commitment to the advancement of gender equality with the DG Employment, Social Affairs and Equal Opportunities, and its hosted Gender Equality Unit. Since the 1990s, it has established a network of gender advocates and experts across the various DGs. A high level group of commission officers was also appointed in 1995 by President Santer to improve the synergy amongst national policies on gender equality by providing an important informal forum for exchange of information on best practices. Below this group, an Inter-service Group on Gender Equality was created in 1996 to develop GM activities, coordinate and monitor the

implementation of activities in the annual work programmes on gender equality. At a lower level, groups of ‘gender mainstreaming officials’ were appointed within each DG to represent a gender perspective in their DGs. A network of experts on gender, social inclusion and employment also undertakes research on gender issues and annually reports to the Gender Equality Unit. Since 1990, the Commission has also encouraged the growth of the European Women’s Lobby (EWL). The EWL is a coalition of 48 national and European non-governmental organizations (NGOs) whose aim is to promote women’s interests at the level of the EU. Its function is not only to lobby but to exchange information and develop transnational campaigns (Hoskyns 1991) and is regularly consulted by the Commission on EU legislative proposals concerning gender issues.

The European Parliament (EP) has acted as a ‘competence maximizer’ in representing diffuse interests (Pollack 1997) and, especially, in media policy (Sarikakis 2004, 2005). Although the EP’s amendments to legislation are not always adopted, the committees provide an important access point for women’s groups. Its Standing Committee for Women’s Rights, established in 1984, has been an active actor in placing gender equality issues onto the EU policy agenda (Mazey 1995).

The European Court of Justice (ECJ) kick-started gender equality policies by ruling that Article 119 of the Treaty of Rome had a direct effect in member states.⁸ In organizations such as the EU, administrative bodies — instead of political parties or government — drive policy. They rely on transnational expertise, which is legitimized more easily to influence the policy agenda. Activists succeed in influencing policy making by contributing to agenda-setting but also by formulating policy. The EWL managed to place gender equality on the Treaty of Amsterdam’s agenda because it was able to articulate its demands early in the drafting of the Treaty. The contested Lisbon Treaty (2007) would potentially allow a greater array of access points to the EP: the institution’s legislative powers would be strengthened through the extension of the co-decision procedure from 33 to 73 articles and areas of responsibility. Also social policy would be central under EU jurisdiction by giving the Chart of Fundamental rights a legal quality.

Despite these points of entry for advocacy, the EU is not the ideal institutional structure for protecting diffuse interests because it provides business interests with numerous *veto* points (Streeck 1995). When it comes to influencing the EU, diffuse interest groups compete with industrial concentrated interests. The EU as a whole is characterized by a neo-liberal frame that prioritizes individualism and free markets. Throughout the polity’s history, gender issues have been subordinated to economic priorities: equal pay directives originally aimed at avoiding social dumping; interest in differences in social security systems resulted from their potential break on freedom of movement (Duncan 1996, 407); and the rhetoric of gender equality shifts with economic priorities (Stratigaki 2004).⁹ Gender issues are undermined because their translation into policies must fit into the EU’s economic agenda. Yet, as Rossilli (1997) suggested, there is a conflict between the need to create rules for employers and industries so as to favour competition

and avoid social dumping, and the promotion of gender equality. The EWL points out that the EU's macro-level economic agenda is at odds with its efforts to promote gender equality; there is a need for coherence 'between macro-economic and gender mainstreaming policies' (EWL 2004).

The Dilemmas of Gender Mainstreaming

Gender mainstreaming is the principle, according to which the gendered nature of public policy is recognized and rectified by incorporating the dimension of gender in policy provision (Woodward 2003). The potential of GM lies in the fact that it allows social issues to escape from marginal policy ghettos and puts women at centre stage (Jahan 1995). Rees (1998) distinguished three broad approaches to gender equality: equal treatment (tinkering), positive action (tailoring) and mainstreaming (transforming). Equal treatment ensures formally that men and women have the same access and the same opportunities, but does not address the gendered cultures of organizations. Through positive action, inequalities can be redressed proactively by creating the conditions for women's access to positions. Often this is thought to mean that women's 'difference' is simply adapted to fit in a men's environment. GM is hoped to correct inequality without denying difference by integrating a gender dimension into organizations. Rees considered GM as a long-term strategy that needs to build on the two other strategies. In a similar vein, Woodward (2003) and Booth and Bennett (2002) pointed to the need to view GM strategies as complementary to equal opportunities and women-centred approaches. Continuous evaluation is key to GM, which is based largely on 'soft analytical and educational tools, rather than "hard" prescriptive regulation' (Mazey 2002), such as guidelines, informal codes of practice, targets, exchange of good practice between member states. Its process-orientated character focuses on knowledge and awareness-raising strategies amongst decision makers and implementation actors.

The effectiveness of GM is contested. The term's complexity and flexibility causes confusion so that its potential for transformation can be neutralized when translated and implemented in different organizations and member states (Booth and Bennett 2002; Woodward 2003), a phenomenon called the second needle's eye¹⁰ by Ostner and Lewis (1995). Organizations adapt definitions of GM that comply with their institutional cultures, making change highly dependable on the ways in which mainstreaming is introduced, the perceptions of GM advocates who introduced it, the historical context and the presence of opposition (Woodward 2003, 67). Specific knowledge about gender segregation processes at all levels is essential in order to formulate gender-friendly policies, yet not all policy sectors can claim such knowledge, experts or political commitment (Liebert 2002). In the case of the EU, there is a misconception that GM simply means equal opportunities (EO): many projects labelled mainstreaming are, in fact, EO projects (Woodward 2003). The EP (1997b) criticized the Commission's definition of mainstreaming as vague and confusing. The communication 'Incorporating equal opportunities for women and men into all community policies and activities', which is

considered to be a landmark document in the EU GM strategy, failed to link GM to women's participation in decision making, to contextualize GM within gender analysis and to use gender impact assessment. The strategy became an abstract principle interchangeable with EO. Hafner Burton and Pollack (2000) argued that the EU has sought to integrate women and gender issues into specific policies without challenging the status quo. Yet, the transformative nature of GM requires an agenda-setting approach, which involves fundamental re-thinking from a gender perspective (Jahan 1995, 13).

Institutionalizing Gender Mainstreaming in the EU

The 1986 Single European Act and the 1989 Community Charter of the Fundamental Social Rights of Workers listed equality between sexes as a fundamental social right and called for a stronger EC social policy. The Commission became more ambitious in the drafting of its Third Action programme (1991–1995) which adopted a new approach to women's equality with three objectives: implement the existing equality legislation, promote the full integration of women in the labour market and improve the status of women in society. Although it was dominated by positive action measures, the programme was the first attempt at GM in the EC and included some examples of GM projects within EMPLOYMENT-NOW.¹¹ For instance, the participation of women in the labour market was monitored in all co-financed structural funds projects. However, GM was seen as secondary compared to DG V's main objective of mainstreaming employment in community policies. As a result, the EO Unit's Communication — which argued for the integration of GM in Community policies and programmes and, in particular, employment policies — was not adopted.

The EU's recognition of GM as a strategy only really started with the European Commission's (1995a) Fourth Medium Term Action Programme for Equal Opportunities for Women and Men. Following the 1995 UN Fourth World Women's Conference in Beijing, where the UN adopted GM as a strategic objective, the Commission adopted a formal commitment to GM. The Council of Europe also established a group of specialists on mainstreaming, whose findings helped inform the EC's conception of GM.¹² Most importantly, with the Treaty of Amsterdam,¹³ the GM strategy was ratified formally and gender equality legislation moved beyond equal treatment in the workplace and became a central objective of the Union. The Commission took on the development of a set of institutions and procedures aimed at mainstreaming gender issues across EU policies. Within the Commission, lower level coordinating groups were also created to supplement the work of the pre-existing Equality Group of commissioners.¹⁴ GM was even more obviously the central feature of the Fifth Community Framework Strategy on Gender Equality (2001–2005) aiming to develop a horizontal mainstreaming strategy and coordinate mainstreaming initiatives and equality programmes. It aimed at mainstreaming gender equality in policy areas and DGs that had never focused on gender before. The main objectives of the programme were to promote values and practices underlying gender equality, improve the

understanding of issues relating to gender discrimination and develop the capacity of players to promote gender equality effectively. To achieve these aims, the Commission proposed to evaluate the effectiveness of policies (European Commission 2000a). Finally, the Roadmap for Equality between Women and Men (2006–2010) builds on the Fifth Community Framework on Gender Equality, using GM strategy and tools to tackle gender inequality in six priority areas, some of which, such as the eradication of gender-based violence or the promotion of gender equality in external and development policies, were not given prominence before. The Roadmap also uses GM tools to guide and assess policies, such as raising awareness to eliminate gender stereotypes, developing better statistics to assess gender equality and developing guidelines to reach gender equality targets. A European Institute for Gender Equality, with €50 million funding, was also created to fund and monitor these initiatives.

The Question of Gender in EU Media Policies

Media Content and Gender Representation

Proposals at a supranational level to promote gender justice in the media started with the Council of Europe recommendations on equality for men and women (Council of Europe 1984b) and on guidelines for television advertising (Council of Europe 1984a). The next initiative came ten years later, with the UN Fourth World Conference on Women (FWCW) Platform for Action in 1995 and the Council's resolution on women and men portrayed in advertising and the media (Council 1995). It was followed by EP's (1997a) resolution on discrimination against women in advertising and the Commission's report on research in the EU concerning images of women in the media (EC 1997), leading up to the Community framework strategy on gender equality (2002–2005) (EC 2000b). With this framework, tackling gender roles and media stereotypes became one of the five pillars of the programme.¹⁵

Throughout the history of the EU's media policy, there have been numerous attempts to regulate the media and they all have been met with strong resistance from the private sector and parts of the Commission favouring a *laissez-faire* approach, questions of public interest being subsumed by the economic priorities of the media industry (Sarikakis 2004). The Commission's provision for gender equality in media content would be of a 'soft' nature, referring to the media's 'contribution' to non-sexist portrayal and not to their obligation. The paradoxical approach of self-regulation for the very organizations that historically have failed to address gender stereotyping in their products caused the EP's criticism of the Commission for not encouraging member states, instead of media organizations, to draw codes of conduct on gender equality for the media, but the amendment was rejected (EP 2000b).¹⁶ The directive on equal treatment between women and men in access to and supply of goods and services (Council 2004) does not apply to media content or advertising, although the initial Commission draft proposal included provisions against discrimination and incitement to hatred on

grounds of sex in the media, and for the respect of human dignity in advertising. The EP's report (2004) drafted by the women's rights and equal opportunities committee on the consequences of the sex industry in the EU raised issues related to prostitution and human trafficking, media content and, in particular, trafficking in pornography. Parliament urged the Commission to review current legislation and put forward a new directive on the media. It also urged member states to adopt codes of conduct for the sale and marketing of goods on the internet. However, the EP proposals were supported neither by the industry nor the member states, and so were withdrawn. As 2007 was proposed as the year of non-discrimination and gender equality, the EP, supporting the Commission's proposal, adopted a resolution drafted by its Civil Liberties committee that pointed to the question of multiple discrimination and the need for educational campaigns. The EP objected to financing actions in cooperation with the media, businesses and enterprises and argued for amending the Commission's proposal with a gender mainstreaming article, 'so that the European year shall take into account the different ways in which women and men experience discrimination on the grounds of racial or ethnic origin, religion or belief, disability, age and sexual orientation'. Finally Parliament called the member states to designate national bodies in charge of defining a national strategy in line with the EU documents and implementing these actions (EP and Council 2006). The declaration of the European Year included a paragraph regarding the different ways in which women and men experience discrimination on the grounds of racial or ethnic origin, religion or belief, disability, age or sexual orientation.

In the most significant legal instrument for the European audiovisual (AV) sector, the Television without Frontiers directive (TVWF), there was a timid reference that advertisements may not infringe human dignity or contain discrimination on grounds of sex. The impact of this directive provision remains limited: its vague wording allows the industry to ignore it, while the directive has never been used in court in any instance of discriminatory advertising (see also EP 1997a). Moreover, the concept of 'incitement to hatred on grounds of sex and protection of human dignity' exists in European law but is implemented rarely (EWL 2004). The recent revision of the TVWF Directive into the Audiovisual Media Services (AVMS) Directive (EP and Council 2007) repeats basic declarations regarding the protection of minors, the prohibition of child pornography and discrimination or incitement to hatred on the grounds of sex, race, religion, nationality and sexual orientation. These provisions are synchronized with the more recent attempt of the EU to address multiple discrimination, as seen in the (now-failed) proposed Constitution. Nevertheless, it is doubtful whether any concrete action testing and challenging European broadcasters and media service providers will be taken. Other legislation still lacks concrete measures to tackle the demeaning portrayal of women in the media¹⁷ despite the Commission's own admission that 'the portrayal of the sexes in the media and in advertising raises questions about the protection of dignity of men and women' (EC 2004). Again, the policy of 'light touch' in the form of recommendation when it comes to powerful conglomerates was the preferred

course of action. It is unlikely that a Council resolution will address the issue in a more direct manner, especially within the context of European enlargement, whereby globally observed national trends demonstrate a backlash as far as women's rights are concerned (see Marinescu 2008).

In general, the question of human dignity in the media is approached by the EU as a matter of the protection of minors. The Commission's focus has been placed on media education, with the aim to enable responsible decision making by minors, educators and parents (EC and Council 2004b). Media literacy as a policy proposal appears at a time when media corporations are demanding less state intervention and more stable regulatory frameworks. Responsibility is shifted from the media to the individual consumer. The media industry's responsibility towards women is placed in the industry's goodwill as it is 'encouraged' to 'avoid' discrimination and asked to develop effective measures to 'promote a diversified and realistic picture of the skills and potential of women and men in society'.

Despite the considerable amount of debate regarding the spread and production of pornography as a matter of human dignity and security, the main legal provisions concern child pornography, but fail to make the link to adult pornography, global sex trafficking, prostitution that affects children (half of which are young girls) and women's later trajectory in the industry. The most challenging document drafted by the EP was abandoned as it became trapped between dilemmas of freedom of expression and human safety, the debate around pornography and the sex industry being framed as one of *censorship*. Attempts to address the overall culture of sexism in media content and representation have been met with extreme hostility by powerful lobbies of the media industry, given the multi-billion dollar revenue pornography generates and the over-sexualized cultures of advertising (Sarikakis and Shaukat 2008). Leaked information about the *plans* for a directive that would address sex discrimination on television and advertising was treated as a 'scandal' in the media in June 2003: Social Affairs' Commissioner Diamantopoulou's draft directive on gender issues outside the workplace dealt with questions of gender discrimination in the media and in insurance schemes. Although information about this draft was imprecise,¹⁸ heavy lobbying by insurance and media companies succeeded in putting a stop to it (*Guardian* 2003).

Women's Status in the Media Industry

In 1995, the Commission recommended that member states consider the question of a balanced representation of women and men in decision making in all sectors (European Commission 1995b). The EP pointed out the need for a critical mass of women in production and decision (EP 1996). In order to implement this strategy, the Council proposed GM tools, such as the publication of statistics illustrating women's representation in economic, social and cultural life; studies on the legal, social or cultural obstacles to decision making for women and on the advantages to democracy of a balanced participation of women and men; the dissemination of good

practice by member states in the various areas of decision making (Council 1996). However, although legislation on gender balance in decision-making is prolific, references to the media are limited as data in the sector are scarce. There is no reference to gender balance in the media in the Commission's follow-up document (EC 2000a).

Gender advocates have lobbied the Commission to include media industries as an area of concern in decision making. The objective of 'parity democracy' — full equality for men and women in decision making of the state — has been endowed by the EU since the 1990s.¹⁹ The term seems to have been used for the first time during the course of a seminar organized by the Council of Europe in 1989. In 2000, the Commission adopted a decision relating to gender balance within its own committees and experts groups. The issue was also on the agenda of the Conference of Ministers in charge of gender equality in Paris in 2000. Finally, it was the object of a 2000 EP resolution on women in decision making. Therefore, this issue was a suitable candidate for the GM strategy, all the more as the DG Employment and Social affairs offers a favourable structure of opportunities to gender advocates.

In 2003, a series of inter-institutional debates over equal opportunities produced a non-legislative document, which specifically reviewed the progress made in the accession countries, under the leadership of the DG for Employment, Social Affairs and Equal opportunities. The EP's Committee on Employment and Social Affairs sought to emphasise the equal basis and status of both sexes in employment as well as women's access to education and the improvement of their status. The same year, the Council of the European Union (2003) set out guidelines for the implementation of employment policies in each member state. The Commission follow-up (EC 2005) showed the importance given to gender issues in national policies. It reviewed the progress of employment rates, and identified childcare as the strongest policy priority. However, the gender pay gap remained unanswered.

A legislative document to simplify, modernize and improve EU legislation in the field of equal treatment for men and women in employment was drafted in order to accelerate the implementation of equal treatment (EC and Council 2004a). The EP's amendments concerned parental leave; the definition of 'professional promotion' that can be abused to avoid equal opportunities requirements; the treatment of pregnant women and women on maternity leave; the work/family balance; awareness campaigns; affordable childcare; a higher level of protection (access to employment, promotion at work, working conditions); sex discrimination and sexual harassment; and a change in sex-based actuarial factors in occupational systems of social security. In 2005, a set of employment policy guidelines for the period 2005–2008 was set out (Council 2005), recognizing member states' poor performance. Later that year the Council of the European Union added recommendations on macro- and micro-level economics focused on technical rather than social questions. The EP pointed out this discrepancy and stressed the need for a social dimension by recognizing women's precarious position in the labour market. The Council ignored the EP's arguments.

The Structure of Opportunities: the Media Industry Lobby Dominance

The question of stereotyped images of women in the media should have been taken up by the DG Education and Culture, in charge of AV policy until 2004. Instead, it was dealt with by the DG Employment and Social Affairs. The Commission's report on images of women in the media, and the 'secret' draft report on banning gender stereotypes in the media were produced by the DG Social Affairs. More importantly the nominal 1996 recommendation on a balanced participation of women in the decision-making process was initiated by the DG Employment and Social Affairs (Council of the European Union 1996).

Parliament, besides its own initiative report on discrimination against women in advertising, pushed the issue of gender stereotypes in the media on the agenda through reports: for instance, in the follow up to the Beijing Action Platform (EP 2000a), the EP identified the media as one of the 'neglected critical areas of concern'. The European Economic and Social Committee (EESC 2000) pointed out the male-dominated culture of the press and its negative images against women. The EWL (2000, 2004) highlighted the question of women in the media through reports on Beijing+5 and Beijing+10. However, the media industry's strong lobbying resisted legislation on the grounds of free speech. The EU structure favours the representation of concentrated interests (such as the media industry) over diffuse interests (such as women's networks), which makes the media industry successful in making its opinions heard. More crucially, the dominant frame concerning AV policy — although under the jurisdiction of the DG Education and Culture — has been hostile to gender issues. A strong theme of European community media law has always been the economic objective of liberalization (Goldberg, Prosser, and Verhulst 1998). An overview of the EU's AV policy shows the predominance of market-orientated policies: the landmark piece of audiovisual legislation, the TVWF/AVMS directive, is concerned mainly with liberalizing the media market and favouring media self-regulation: content should be regulated only where there is a market failure. The idea of self-regulation of the media industry, which resonates with the neo-liberal frame of this DG, is thus predominant²⁰ and drastically limits the possibilities to tackle the social and cultural problem of the production and distribution of degrading images in the media. In effect, self-regulation in the media industry is inefficient, all the more so as safeguards — ombudspersons or media watch authorities — lack the authority to ensure that the existing codes of conduct are respected (EWL 2004). The industry claims that self-regulation is sufficient: the European Advertising Standards Alliance (EASA), the voice of self-regulatory bodies and advertising representatives, reacted strongly to Diamantopoulou's draft in 2003. In an issue briefing on gender stereotyping and the portrayal of women and men,²¹ it praised self-regulation, asserting that the purpose of advertising is to promote goods and services, not change society. It claimed that self-regulation is particularly well suited to handle subjective issues, such as the portrayal of women, because self-regulatory bodies can react promptly and considerably to changing public attitudes. The EASA points to the ICC

(1997) international code of advertising practice, claiming it already deals with gender inequality. In fact, there is a sole and vague mention of sex discrimination in the code: ‘Advertisements should not condone any form of discrimination, including that based upon race, national origin, religion, sex or age, nor should they in any way undermine human dignity’ (article 4).

Conclusion

Gender advocates had to appeal to other DGs, more sympathetic to gender issues, as the DGs in charge of media policy *constrained* women groups’ opportunities to influence policy in these areas. On the contrary, DGs on Education and Culture and Employment and Social Affairs have provided gender advocates with access points. This demonstrates that the GM strategy is struggling to escape its policy ‘ghettos’, in particular because it necessitates a strong network of allies and a high degree of awareness to gender issues. However, although ‘women and the media’ issues managed to enter gender-friendly DGs’ agendas, they were not mainstreamed. To be mainstreamed, a policy must rely on research and comparable data (EWL 2004), use instruments and impact assessments and require high commitment at all levels. This is not the case for any of the issues studied here.

What next? AV policy and Information Communication Technologies (ICTs) have been consolidated and are now under the responsibility of one single DG, the DG Audiovisual policy, Information society and Media economy. This new condition might theoretically ease gender advocates’ access. Secondly, the Commissioner in charge of Media and Information society, Vivian Reding, the former commissioner for Education and Culture, has been involved in GM (Reding 2004). However, besides Reding, the DG does not offer gender advocates adequate allies and access points and the structural framework of media policy processes is too dependent on personalities, voluntary willingness of the media industry and governments to provide any reliable pathway for the implementation of GM and therefore promote change. Even if the Lisbon Treaty is ratified, social policy remains the prerogative of member states. The EWL points out that member states do not consistently show commitment to gender equality, which suggests that the enforcement of the principle of subsidiarity might not benefit GM. A review of the National Reform Programmes²² adopted by member states shows that the policies to support female employment and to realize gender equality are underdeveloped in most countries. Not only are there few commitments to closing employment gender gaps, but, when there is commitment, as with the gender pay gap, only a few countries propose concrete actions (EWL 2006).

Although there is a general tendency of the EU to implement GM policies, the media sector is powerfully resistant. The role of the media as opinion-formers gives them a particular standing as policy stakeholders and their hostility to interventionist policies has proven a strong obstacle in taking any meaningful step towards gender justice. The media industry lobby consists of alliances among not only conventionally considered mass media (broadcasters, the press) but also internet providers, electronics

companies, marketing and advertising sectors, software providers. These alliances constitute the political expression of major economic interests with global, not just national or European, power. Given the lack of any provisions to deal with a range of emerging and older problems,²³ GM would have meant an overhaul of national and European legislation to such a degree that we could probably be talking about a *revolution*. The lack of GM policies maintains the status quo. Therefore, not only do we observe a cultural dominance of sexism as far as the media are concerned, but also we see the proof that the EU's economic remit is detrimental to cultural progressiveness and social change.

Acknowledgement

The opinions expressed in this work are those of the authors.

Notes

1. Strategic Objective J1: Increase the participation and access of women to expression and decision-making in and through the media and new technologies of communication. Strategic Objective J2: Promote a balanced and non-stereotyped portrayal of women in the media.
2. For example, Lotherington (1991), in Women In Development (WID) policy, identifies four types of bureaucratic agents: the innovators, supporters of WID policy, who are mainly women situated at middle and lower management levels and who are active in putting WID issues on the agenda; the loyal bureaucrats, who execute their work professionally and are efficient in implementing WID policies according to the policy line although they have no particular enthusiasm for the cause itself; the hesitators, mostly men, who consider WID proper but difficult to implement and, therefore, support gender approaches only rhetorically; and, finally, the hard liners, who are silent resisters to WID policy and feel threatened by these new ideas.
3. The thirteen original elements of the web of institutionalisation are: pressure of political constituencies, representative political structures, women's and men's experience and interpretation of their reality, political commitment, policy and planning, dominant cultural frame, procedures, staff development, methodology for training, delivery of programmes and projects, research, theory building, and resources.
4. During the 1980s, many gender policy initiatives were blocked within the Council because of the UK veto.
5. The 'lowest common denominator' (or 'minimum harmonization') reflects the views of the least ambitious participants, leaving more advanced member states to adopt higher standards within their own borders (Liebfried and Pierson 1995; Pollack 1997), while 'packaged policies' is a strategy whereby an issue is coupled with other unrelated issues used as bargaining chips to buy off the opposition.
6. Although the 1986 Single European Act authorized qualified majority voting and streamlined decision making on issues concerning the single market, most social policy issues still require unanimity.
7. Pollack (1997) defined *diffuse interest groups* as those who support collective interests held by a large number of individuals, such as environment, equal opportunities between men and women or consumer protection.
8. Article 119 provides: 'Each Member State shall ... maintain the application of the principle that men and women shall receive equal pay for equal work'.
9. Stratigaki (2004, 2005) argued that gender equality objectives become part of the main political agendas only after their meaning has been transformed to fit the EU's economic priorities. Her work shows how the feminist concept of 'reconciliation of working and family life' gradually shifted from 'sharing responsibilities between women and men' to a more market-orientated objective: that of encouraging flexible forms of employment.

10. Ostner and Lewis (1995) argued that gender policies at the EU level must pass through two needles' eyes to be implemented: the first one at the level of the Union because of its narrow conception of gender equality policies and the difficulty to get a consensus in the council; and the second one in the variable implementation of the policies at the level of the member state.
11. NOW (New Opportunities for Women) is a European Structural Funds (ESF) instrument for gender equality: this community initiative allocates funds for women's vocational training in order to facilitate their integration into the labour market.
12. See also Lombardo (2005) for a discussion on the role of the Council of Europe in GM.
13. Articles 2 and 3(2) of the Treaty of Amsterdam refer to gender equality.
14. The group of commissioners on Equality between Women and Men and Women's rights was set up in 1995 by President Santer under pressure from certain MEPs who questioned Commissioner Flynn's ability to deal with gender equality issues. The group has four permanent members but are open to the other commissioners and, once a year, to the presidents of the EWL, Women's rights committee and advisory committee on equality.
15. Together with economic life, equal participation and representation, social rights and civil society.
16. Amendment 41: 'the member states are recommended to draw up a code of conduct on gender equality for the mass media' (A5-0294/2000).
17. It is beyond the scope of this paper to provide evidence based on research as to discrimination against women in media content. An overwhelming history of feminist scholarship provides rich support for this claim. Today gender misrepresentation in the media is an established research field.
18. In June 2003, the *Financial Times* published a secret twenty-six-page draft directive being prepared by the European Commission's Social Affairs commissioner Anna Diamantopoulou. Article 4 of the draft proposed to ban all sexual stereotypes of men and women in the media and advertisements.
19. The promotion of gender equality in decision making was one of the six-priority objectives of the Fourth Action Programme for Equal Opportunities for Women and Men (European Commission 1995a). In 1996, the Council adopted a recommendation on the balanced participation of women and men in the decision-making process (Council of the European Union 1996) leading to a Commission report on the implementation of this recommendation.
20. The New Regulatory Framework for broadcasting and telecommunications services (NRF), which has been created to deal with the convergence of media technologies, refuses to deal with programme content. EU legislation concerns only regulation of technical aspects.
21. EASA issue briefing on 'gender stereotyping and the portrayal of women and men'.
22. In 2005, following the relaunch of the Lisbon Process, the EU member states drew up their national reform programmes (NRPs) to stimulate growth and employment and presented them to the European Commission. Each country has to present a report to the commission annually until 2008.
23. Labour conditions and unionization, especially in the most unstable sex industry; representation in films, advertisements, labour roles and representation in news and newsrooms to name a few.

References

- Booth, C., and C. Bennett. 2002. Gender mainstreaming in the European Union; towards a new conception and practice of equal opportunities?. *European Journal of Women's Studies* 9, no. 4: 430–46.
- Council of Europe. 1984a. Recommendation No. R (84) 3 on principles on television advertising.
- Council of Europe. 1984b. Recommendation No. R (84)17 on equality between women and men in the media.
- Council of the European Union and representatives of the Governments of the Member States. 1995. Resolution on the image of women and men portrayed in advertising and the media (95/C 296/06).
- Council of the European Union. 1996. Council recommendation on the balanced participation of women and men in the decision making process. 1996/694/EC.
- Council of the European Union. 2003. Recommendation of 22 July 2003 on the implementation of member states' employment policies. 2003/579/EC.
- Council of the European Union. 2004. Directive on equal treatment between women and men in the access to and supply of goods and services. 2004/113/EC.
- Council of the European Union. 2005. Guidelines for the employment policies of the member states (2005/600/EC).
- Downs, A. [1966] 1994. *Inside bureaucracy*. Prospect Heights, IL: Waveland Press, Inc.

- Duncan, S. 1996. Obstacles to a successful equal opportunities policy in the European Union. *European Journal of Women's Studies* 3, no. 4: 399–422.
- European Commission. 1995a. Equal opportunities for women and men: the fourth medium term community action programme 1996–2000. COM (1995)602.
- European Commission. 1995b. Commission/council initial legislative document on balanced participation of women and men in decision making process. COM(1995)0593.
- European Commission. 1997. *Images of women in the media, report on existing research in the European Union*. Brussels: Directorate-General for Employment, Industrial Relations and Social Affairs.
- European Commission. 2000a. Follow up document to the council's recommendation on balanced participation of women and men in decision making process.
- European Commission. 2000b. Towards a community framework strategy on gender equality (2001–2005).
- European Commission. 2004. Proposal for a recommendation of the EP and the council on protection of minors and human dignity and the right of reply in relation to the competitiveness of the European audiovisual and information services industry. COM (2004) 341.
- European Commission. 2005. Commission follow-up document on employment: guidelines for member states' policies, review. CNS/2003/0068.
- European Commission and Council of the European Union. 2004a. Initial legislative document on equal opportunities and treatment of men and women: employment and occupation. COD/2004/0084.
- European Commission and Council of the European Union. 2004b. Audiovisual and information industries, competitiveness: protection of minors and human dignity and right of reply. COD/2004/0117.
- European Economic and Social Committee. 2000. Opinion of the EESC on the follow up to the fourth world conference on women. REX/033/2000.
- European Parliament. 1996. Rapport sur la proposition du conseil concernant la participation équilibrée des femmes et des hommes dans la prise de décision. Commission des droits de la femme. A4-0149/96.
- European Parliament. 1997a. Report on discrimination against women in advertising. Women's Rights Committee. A4-258/1997.
- European Parliament. 1997b. Report on the communication from the commission — incorporating equal opportunities for women and men into all community policies and activities: 'mainstreaming'. A4-0251/1997.
- European Parliament. 2000a. Rapport sur le suivi du programme d'action de Pékin. Commission des droits de la femme et de l'égalité des chances. A5-0125/2000.
- European Parliament. 2000b. Report on the proposal for the council decision on the programme relating to the community framework strategy on gender equality (2001-2005); A5-0294/2000.
- European Parliament. 2004. Report on the consequences on the sex industry in the European Union. A-0274/2004.
- European Parliament and Council of the European Union. 2006. Legislative act on non discrimination and gender equality: European year of equal opportunities for all 2007. 771/2006/EC.
- European Parliament and Council of the European Union. 2007. Directive 2007/65/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in member states concerning the pursuit of television broadcasting activities. *Official Journal of the European Union* L332/27.
- European Women's Lobby. 2000. Women and the media, Beijing+5. EWL position paper, 18/05/2000.
- European Women's Lobby. 2004. Beijing+10, 1995–2005: Review of the implementation of the Beijing platform for action by the European Union. Report by the EWL.
- European Women's Lobby. 2006. EWL calls for renewed commitment to achieving gender equality in the Lisbon strategy. EWL contribution to the European spring council. Position paper released 15 March 2006.
- Goldberg, D., T. Prosser, and S. Verhulst. 1998. *EC media law and policy*. London: Longman.
- Guardian*. 2003. Brussels considers ban on TV raunchy images. June 25.
- Hafner Burton, E., and M. Pollack. 2000. Mainstreaming gender in the European Union. *Journal of European Public Policy* 7, no. 3: 432–56.
- Hafner Burton, E., and M. Pollack. 2002. Gender mainstreaming and global governance. *Feminist Legal Studies* 10, no. 3: 285–98.
- Hoskyns, C. 1991. The European Women's Lobby. *Feminist Review* 38: 67–70.

- International Chamber of Commerce (ICC). 1997. ICC International code of advertising practice. Geneva: ICC.
- Jahan, R. 1995. *The elusive agenda: mainstreaming women in development*. Dhaka: University Press/ London: Zed Books.
- Lévy, C. 1996. *The process of institutionalising gender in policy and planning: the web of institutionalisation*. DPU Working Paper no 74.
- Liebert, U. 2002. Europeanising gender mainstreaming: constraints and opportunities in the multi level euro-polity. *Feminist Legal Studies* 10, no. 3: 241–56.
- Liebfried, S., and P. Pierson, eds. 1995. *European social policy, between fragmentation and integration*. Washington, DC: The Brookings Institution.
- Lombardo, E. 2005. Integrating or setting the agenda? Gender mainstreaming in the European constitution making process. *Social Politics* 4, Fall: 412–32.
- Lotherington, A.T., M. Haug, and A.B. Flemmen. 1991. *Implementation of women-in-development policy*. Oslo: Forut.
- MacKinnon, C. 1989. *Toward a feminist theory of the state*. Cambridge, MA: Harvard Univ. Press.
- Marinescu, V. 2008. Communication and women in Eastern Europe. In *Feminist interventions in international communication*, eds. K. Sarikakis and L. Shade, 276–90. Lanham, MD: Rowman & Littlefield.
- Mazey, S. 1995. The development of EU equality policies: bureaucratic expansion on behalf of women?. *Public Administration* 73: 591–609.
- Mazey, S. 2002. Gender mainstreaming strategies in the EU: delivering on an agenda?. *Feminist Legal Studies* 10, no. 3: 227–40.
- McAdam, D., J. McCarthy, and M. Zald. 1996. *Comparative perspectives on social movements*. Cambridge: Cambridge Univ. Press.
- Ostner, I., and J. Lewis. 1995. Gender and the evaluation of European social policies. In *European social policy: between fragmentation and integration*, eds. S. Liebfried and P. Pierson, 30–56. Washington D.C.: The Brookings Institution.
- Pavan Wolfe, L. 2005. The role of regional and inter-governmental organisations in promoting gender equality. Commission on the Status of Women, 49th session, February 28–March 11, New York.
- Pollack, M.A. 1997. Representing diffuse interests in EC policy-making. *Journal of European Public Policy* 4, no. 4: 572–90.
- Reding, V. 2004. Hearing before the European Parliament, 29 September.
- Rees, T. 1998. *Mainstreaming equality in the European Union*. London: Routledge.
- Rossilli, M. 1997. The European community's policy on the equality of women. *The European Journal of Women's Studies* 4: 63–82.
- Sarikakis, K. 2004. *Powers in media policy: the challenge of the European Parliament*. Oxford: Peter Lang.
- Sarikakis, K. 2005. Defending communicative spaces: the remits and limits of the European Parliament. *International Communication Gazette* 67, no. 2: 155–72.
- Sarikakis, K., and L. Shade, eds. 2008. *Feminist interventions in international communication*. Lanham, MD: Rowman and Littlefield.
- Sarikakis, K., and Z. Shaukat. 2008. The global structures and cultures of pornography: the global brothel. In Sarikakis and Shade 2008, 106–28.
- Schalkwyck, J., and B. Woroniuk. 1997. *DAC source book on concepts and approaches linked to gender equality*. Paris: Organisation for Economic Cooperation and Development, Development Assistance Committee, Expert Group Gender in Development.
- Staudt, K. 1998. *Policy, politics and gender: women gaining ground*. West Hartford: Kumarian Press.
- Stratigaki, M. 2004. The cooptation of gender concepts in EU policies: the case of 'reconciliation of work and family'. *Social Politics* 11, no. 1: 30–56.
- Stratigaki, M. 2005. Gender mainstreaming vs positive action. An on-going conflict in EU gender equality policy. *European Journal of Women's Studies* 12, no. 2: 165–86.
- Streeck, W. 1995. From market-making to state-building? Reflections on the political economy of European social policy. In S. Liebfried and P. Pierson 1995, 389–431.
- Tarrow, S. 1998. *Power in movement: social movements and contentious politics*, 2nd edn. Cambridge: Cambridge Univ. Press.
- Woodward, A. 2003. European gender mainstreaming: promises and pitfalls of transformative policy. *The Review of Policy Research* 20, no. 1: 65–88.