



## **Gender and Childcare: Creating a space for 'womenandchildren' in Irish policy-making.**

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Author(s)	Carney, Gemma M.
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Creating a space for ‘womenandchildren’<sup>1</sup> in Irish policy-making**

Gemma M. Carney  
Department of Political Science,  
University of Dublin  
Trinity College

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<sup>1</sup> The term ‘womenandchildren’ is used by feminist scholars of International Relations to denote the paternalistic attitude of mainstream theorists and practitioners of international politics to those living and working beyond masculine norms and gender identities. See Marchand, M. and Runyan, A. (2000) *Gender and Global Restructuring* NY: Routledge and Tickner, A. J. (2001) *Gendering World Politics* NY: Columbia.

Gender and Childcare:  
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This paper grows from doctoral research on gender mainstreaming in the Republic of Ireland.<sup>3</sup> Interviews with equality policy-makers revealed that initial investment in childcare, (£1m in 1993), was used by policy-makers to establish gender equality as a legitimate aspect of the Irish policy-making system. This paper asks to what extent does childcare policy interact with gender policy to create effective institutional space for women and children? Policy-makers incremental approach to policy-making meant that the identification of childcare as an economic issue gave those interested in gender equality policy an opportunity to gain funding, establish links with NGOs and international organisations, and begin to build a coherent policy base for gender equality. Significantly, innovative policy-makers at the Department of Justice Equality and Law Reform identified the potential of childcare to become a mainstream concern, and built a reputation as pragmatic egalitarians within the policy-making community. This paper investigates the extent to which childcare policy can create bureaucratic space for gender issues. More pertinently, what is the potential of current strategies to produce integrated family and gender policy in the Republic of Ireland?

### Introduction

This paper presents some of the findings of PhD research questioning the introduction and implementation of gender mainstreaming in the Republic of Ireland. Political and institutional support for gender mainstreaming is unprecedented for any equality policy. The Platform for Action, commonly identified as the international agreement launching gender mainstreaming, was produced at the Fourth World Conference on Women, in Beijing, in 1995. It has since been adopted by the European Commission, and by all member states of the European Union (Verloo, 2001; 5). The paper begins with a brief introduction to gender mainstreaming as an international policy initiative, which currently dominates the gender equality agenda in the Republic of Ireland. Some detail on Irish political culture and the evolution of the gender equality agenda to the present day is then provided. These discussions provide a backdrop against which the main contentions of the paper are framed. The paper concludes that childcare is one policy issue that has become a concern of mainstream policy-makers. However, the positioning of childcare as a central policy concern is a result of economic factors rather than gender mainstreaming efforts. The paper therefore highlights that feminist or single issues will only become mainstream policy issues if they compliment existing government priorities. It concludes that identifying how childcare helped establish the equality agenda suggests that linking feminist goals to other policy initiatives could be an effective means of creating a space for 'womenandchildren' in Irish policy-making.

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<sup>2</sup> The term 'womenandchildren' is used by feminist scholars of International Relations to denote the paternalistic attitude of mainstream theorists and practitioners of international politics to those living and working beyond masculine norms and gender identities. See Marchand, M. and Runyan, A. (2000) *Gender and Global Restructuring* NY: Routledge and Tickner, A. J. (2001) *Gendering World Politics* NY: Columbia.

<sup>3</sup> Carney, G. (forthcoming) "Intellectual and Real World Feminism": mainstreaming international norms in the Republic of Ireland" *thesis submitted for the degree of Doctor of Philosophy, August 2004*. The first half of this paper borrows extensively from the thesis.

## **A Brief Introduction to Gender Mainstreaming**

Gender mainstreaming is identified as a policy initiative arising from the World Conferences on Women beginning in Mexico City in 1975 and culminating in the Fourth World Conference in Beijing, 1995. The *Platform for Action* agreed at Beijing, to which the Irish government is one of 189 signatories (Platform for Action, 1996, p. 1), articulates gender mainstreaming in the following terms:

‘governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes so that, before decisions are taken, an analysis is made of the effects on women and men, respectively’ (United Nations, 1996; 11).

In terms of implementation, gender mainstreaming involves the re-organisation of policy processes as it moves gender equality concerns into everyday policies and into the activities of the actors ordinarily involved in policy-making.<sup>4</sup> Gender mainstreaming bureaucracies, established in over one hundred countries, now represent a significant challenge to traditional policy-making worldwide (True and Mintrom, 2001; 27).<sup>5</sup> Gender mainstreaming is an international policy that originated and was developed within the international women’s movement, mainly through feminists working in the area of women in development.<sup>6</sup> The international women's movement arose as part of the 'women's agenda' of the United Nations (Ward, 1999; 216). Gender mainstreaming is a culmination of this process in policy-making terms. It was through its beginnings in development projects that the policy became clearly results focused and specifically designed to redress the inequalities that result from the social construction of gender (Jahan, 1995; 19). An investigation into the theoretical and conceptual origins of the mainstreaming process, undertaken in the thesis proper, reveals it as a clearly feminist agenda. This is evident in that mainstreaming seeks not just to emancipate women, but rather to change the existing social structure, which is gendered, to one which does not disadvantage anyone, male or female (True, 2001; 1). The success of gender mainstreaming in achieving gender equality is largely dependent on its ability to influence domestic level policy-making. As such, the policy environment into which gender mainstreaming must integrate is an important consideration. The status of women and gender equality policy in relation to Irish political

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<sup>4</sup> (at <http://www.irlgov.ie/justice/Equality/Gender/NDP/Gender1.htm>).

<sup>5</sup> The extent of the proliferation of 'gender mainstreaming' is documented in True, J. and Mintrom, M. (2001) 'Transnational Networks and Policy Diffusion: the Case of Gender Mainstreaming' *International Studies Quarterly* (2001) 45, 27-57.

<sup>6</sup> An excellent account of the development of the concepts behind the mainstreaming agenda by those working on 'Women in Development' is offered by Jahan, Roanaq (1995) *The Elusive Agenda: mainstreaming women in development* New York: Zed.

culture is discussed in the following section of the paper. This discussion builds the framework for the paper, which later identifies future possibilities regarding the development of an integrated gender and family policy platform.

## **THE GENDER EQUALITY AGENDA IN THE REPUBLIC OF IRELAND**

Ireland is an especially informative case for the analysis of the adoption and implementation of gender mainstreaming given its conservative political culture, tempered by more recent liberal internationalism and a liberal feminist background.

‘Feminists writing on the status of women in the Irish state have variously described it as Catholic, a police state and a ‘lagger’ in terms of equality in comparison with its European partners (Randall and Smyth, 1987; 200; Smyth, 1992a; Gardiner, 1997; 9).<sup>7</sup>

Even in the dry terms of bureaucratic practice, the implementation of a strategic and broadly feminist policy like gender mainstreaming is at odds with a policy-making system traditionally structured around departmental fragmentation and a process of incremental policy-making. ‘We don’t communicate and coordinate well in the civil service’ (Author Interview, R11, July 2002; 1 & 4,). Gender mainstreaming represents the first time the feminist agenda has attempted to influence the mainstream from the inside out.

Irish equality policy has tended to be based on legislation (Author Interview, R 23, December 2002; 3). Never before has there been any coordination of departments to deal with the fact that gender inequality permeates every aspect of Irish life. The traditional approach to gender equality problems has been to ‘add women and stir’<sup>8</sup> to the extent where ‘women and’ becomes part of the vocabulary of those working in equality and within the mainstream policy process. Everything from ‘women and the environment’ to ‘women and politics’ is listed as a sideline for those interested in mainstream policy areas.

‘This ad hoc approach ensures that the issue of women’s equality is starved of reflective thinking and careful planning’ (Second Commission on the Status of Women, 1993; 9).

Women’s domestic obligations, particularly caring for offspring, are so deeply ingrained in the political culture that equality of opportunity is rendered impotent in a climate where abortion is illegal, state childcare is an oddity, and culturally mothers are still expected to be primary care-givers in the domestic sphere. Such obstacles were identified in a government study into gendered career progressions in the Irish civil service:

‘While not necessarily endorsing the view, discussants referred to the societal belief that it is a married woman’s role to be the primary homemaker and carer. This ideology prevailed not only in

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<sup>7</sup> In particular, Irish policy regarding abortion rights have led to being branded a ‘police state’. Smyth, A. (1992a) ‘The Politics of Abortion in a Police State’ (ed.) (1992) *The Abortion Papers, Ireland*. Dublin: Attic Press.

<sup>8</sup> This phrase is commonly attributed to Dale Spender (quoted in Irons, 1993, at <http://www.murdoch.edu.au/elaw/issues/v1n1/iorns113.html>).

Ireland but also in many EU countries, right up to the 1970s and 1980s, and is still held strongly by many men and women. Added to the lack of childcare facilities and an unsympathetic work environment, such thinking forces some women to adjust their career aspirations downwards' (Humphreys, Drew and Murphy, 1999; 163-164).

These findings are corroborated anecdotally by a senior policy-maker who has managed to combine career and family life over a 30 year period:

'I remember when I became pregnant with my first child people said "how could you leave your child?" They thought I was a cruel woman to leave my child' (Author Interview, R24, September 2002).

The evolution of Irish political culture since the foundation of the state in 1922, is integral to understanding current dilemmas in gender policy. The values of nationalist leaders became the bedrock of Irish society and politics, and resulted in the establishment of 'Irish Holy Catholic Nationalism' (White, 2003; 3). These principles were later solidified by DeValera in his 1937 Constitution which

'conceptualised the ideal Irish society to be rural, athletic, agrarian, ascetic, religious, family centred if not communal and many would argue sexist' (White, 2003; 5).

The political culture was cemented in Irish society via education, economic protectionism and conservative social policies. These values remained the staples of Irish political culture until a process of internationalisation opened, first, the Irish economy, and later Irish society and political culture to late 20<sup>th</sup> century liberalism, a transition recognised as typical in many post-colonial states. The post-colonial heritage described by Kiberd (in Murray, 1997) has resulted in a number of cross-cutting histories and political perspectives influencing the current official gender agenda in the Republic of Ireland. The values of republicanism, liberalism, freedom and democracy have constantly battled with a conservative political culture, habitually subordinate to the canons of the Catholic Church and traditionally suspicious of change given 800 years of British occupation (Coakley in Coakley and Gallagher, 1999; 52). Marooned in a polity with a constitution based on traditional social structures, up until the 1970s Irish women looked set to endure a narrow experience of life within the traditional roles of wife and mother. The pervasive influence of the Roman Catholic Church on Irish society and politics is evidenced in the 1937 Constitution (Gallagher, 1999; 77).

'For almost thirty years after the constitution was adopted, laws based on the premise that women's rights were inferior to those of men survived in and indeed even appeared on the statute books' (Scannell quoted in Galligan, 1998; 30).

The evolution of Irish political culture from the values of conservatism and tradition to a more secular position, is reflected in legislation regarding marriage and reproduction, since the Republic joined the European Economic Community (EEC) (now the European Union (EU)) in 1973. Most of these improvements have stemmed from supra-national rather than national policy-making sources. A brief

review reveals that contraception was not legalised until the 1970s (Galligan, 1998; 142). In the 1980s abortion entered public debate at the behest of the far-right who wished to copper-fasten its prohibition in the Constitution (Coakley, 1999; 24). In 1992, following a case where a 14 year old rape victim was prohibited from travelling to the United Kingdom for an abortion, the Supreme Court ruled that abortion should be permitted only if the pregnancy threatened the life of the mother (Gallagher, 1999; 86). The constitutional ban on divorce was finally lifted in 1995 (Gallagher, 1999; 93). Birth rates have declined and female labour force participation rates have increased since the rise of second-wave feminism in the 1970s (Galligan, 1998; 27). However, the average female industrial worker earns only 73% of male wages (at [www.ndpgenderequality.ie](http://www.ndpgenderequality.ie) ). Moreover, while the last two Irish Presidents have been female, there has never been a female Taoiseach.<sup>9</sup> Also, women represent only 13% of members of parliament (TDs) and represent only 10% of senior civil servants ([www.qub.ac.uk/cawp/](http://www.qub.ac.uk/cawp/)). Conservatism prevails amongst Irish leaders:

‘There is immense conservatism institutionally in Ireland – and leaders are more conservative than even they realise. That’s why I believe equality is not a priority until external forces push it and they will struggle against it until they have to do something legally’ (Author Interview, July 2002, R9; 4).

There is little doubt from the Irish case that a liberal democratic system, utilizing equal opportunity policies, fails to compensate for obstructions derived from identities ascribed cultural status outside the conception of citizens as individuals equal under the law.<sup>10</sup>

### **Equality Legislation**

The introduction of recent pieces of equality legislation – the Employment Equality Act, 1998 and the Equal Status Act, 2000 – has significantly changed the framework for equality in the Republic of Ireland (Donnelly, Mulally and Smith in Beveridge, Nott and Stephen, 2000; 34). Not least because these acts are informed by a differentiated notion of equality, especially the Equal Status Act, which extends the remit for equality beyond labour market concerns for the first time. Perhaps the most significant change has been the move from a narrow, woman’s rights agenda, to a broader more inclusive definition of equality on many levels, of which gender is but one. Moreover, the definition of gender equality *per se* has been expanded to encompass a diversity of women. The Equal Status Bill sought to prohibit discrimination on the grounds of gender, marital status, sexual orientation, religion, age, disability, race and membership of the travelling community. The United Nations Committee on the Elimination of Discrimination against Women

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<sup>9</sup> The Taoiseach is the most powerful political office in the State given that the Republic is a parliamentary democracy.

<sup>10</sup> For Irish women, the freedom following liberalisation in the 1970s was conditional on maintaining patriarchal precepts regarding the sexual division of labour. Patriarchy sat all too comfortably with the ‘free’ market whose success, though never acknowledged, was dependent on the contribution of unpaid female labour in the domestic sphere. Women’s inability to escape their culturally ascribed role as unpaid mother/carer made it difficult for them to access opportunities in the public sphere.

(CEDAW) also requires that periodic reports cover several categories of women: women with disabilities, traveller women, refugee women and married women (Donnelly, 1999; 114).

The Anti-Discrimination (Pay) Act 1975 was designed to meet EU standards for equal pay. The Employment Equality Act 1977 provided legal redress for discrimination in relation to employment, promotion, and training opportunities on the grounds of gender or marital status (Galligan and Carney, 2001; 8). This legislation had the administrative support of the Employment Equality Agency, which was established to ensure that the 1977 Act was fully enforced (Galligan and Carney, 2001; 8). The ethos behind these legislative changes was a liberal conception of equality as a right of opportunity rather than outcome. This ensured that Irish women, while protected from legislation under law were never relieved of the burden of 'female' responsibilities in the home (Author Interview, R16, August 2002).<sup>11</sup>

'Contested areas became the nature of motherhood, the right to control fertility, sexual oppression, and women's role in the family versus their potential public roles' (Connolly in Galligan, Ward and Wilford, 1999; 85).

The legislative framework provided freedom for women to be 'equal' to men. However, the norms and gender identities on which Irish political culture were founded were never questioned. The established liberal institutional framework for equality, established in the closing decades of the 20<sup>th</sup> century, conceived of equality for free-thinking individuals, rational agents unimpeded by emotional ties and cultural expectations.

'Disembodied, asexual and gender-free rational agents have long been viewed with suspicion by feminist critics, 'the "individual" turns out again and again to be a male household head, the "citizen" a man of arms, the "worker" an assembly line slave. Each gender-neutral abstraction ends up as suspiciously male' (Phillips in Barrett and Phillips, 1992; 11).

In the Irish case, this conception of 'equality' did not, in terms of outcome, provide even the equal status for which second-wave feminists had fought. However, the European Union has provided a number of opportunities for Irish women to access equality.

### **The Role of the European Union**

Ireland's decision to join the EEC coincided with many changes in the position of Irish women (Galligan, 1998). Until Ireland joined the EEC in 1973, the Irish Constitution's provision of 'separate spheres' for male and female activity dominated policy-making and legislation. EEC Directives established Irish gender equality policy within the labour market (Donnelly, 1999; 29). This is illustrated in Table 1 below.

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<sup>11</sup> The result is that childcare is still a major issue for trade unions in the Republic (Author Interview, R16, August, 2002).

**Table 1: European Community Directives for Gender Equality**

Year	Directive	National Legislation
1974	75/117/EEC	The Anti-Discrimination (Pay) Act, 1974
1977	76/207/EEC	The Employment Equality Act, 1977
1985	79/7/EEC	Social Welfare (no. 2) Act, 1985
1990	86/378/EEC	Pensions Act, 1990, Part VII
1998	96/34/EEC	Parental Leave Act, 1998

Source: Donnelly, 1999; 28

The origins of European equality policy lie in Article 119 of the Treaty of Rome, 1957, which states that member states must ensure “equal pay for equal work” (Hoskyns in Elman, 1996; 15).<sup>12</sup> The three directives passed in the 1970s followed from the EEC’s renewed commitment to equality at that time.<sup>13</sup> The Equal Pay Directive (75/117) of 1975, the Equal Treatment Directive (76/207) and the Social Security Directive (78/7) were all to have repercussions beyond their original remit of employment (Mazey, 1988; 69). For instance, the directive on working conditions gave prominence to the issue of childcare, and the social security directive highlighted the status of “dependent” which so often defined women in the member state’s welfare systems (Hoskyns in Elman, 1996; 18). EU directives led to the introduction of equality legislation and the establishment of equality policy as a legitimate governmental aim. Moreover, they clearly established the EU as an international jurisdiction for gender equality, capable of providing a legislative framework for gender equality that was far more radical than could be achieved within the constitutional confines at national level. The impact of the EEC on gender equality in Ireland ultimately leaked out beyond labour market issues, which had formed the basis for equality. Constitutional amendments required for membership ensured that any State measures needed to implement Community directives would be exempt from constitutional inquiry. In effect, Community law now supercedes national legislation (Donnelly, 1999; 12). Significantly, this has made it a focus of activity for Irish feminists, given the patriarchal basis of Irish constitutional law.<sup>14</sup> The importance of this amendment in progressing the equality agenda is illustrated by the delay (and final succession) of the 1997 Equal Status Bill and the

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<sup>12</sup> The substance of this article was put to the test in the now famous case of a Belgian air stewardess who resisted compulsory retirement. In the case of *Defrenne vs. The Belgian State* the European Court of Justice over-ruled the Belgian state court proclaiming that Community law “may be relied on before the national courts” (in Mazey, 1988; 68; Hoskyns, 1996; Lovenduski, 1986). The Community, through the European court, had taken its first stance against a member state in the name of equality. This established the EU as a separate policy jurisdiction for gender equality policy.

<sup>13</sup> 1974 saw the launch of a social action programme by the community. For the first time an EEC resolution recognised the social and political meaning of equality between the sexes, and acknowledged the relationship between paid labour and family responsibilities (Reinalda in Gardiner, 1997; 213).

<sup>14</sup> See Connelly, A. (ed.), *Gender and the Law in Ireland*. Dublin: Oak Tree Press.

Employment Equality Act, 1998 on the basis that they were deemed to be unconstitutional (Donnelly, 1999; 29). There is no doubt that the events of the past 40 years have established the European Union as a supra-national policy jurisdiction for gender equality. Social partnership has been credited with a key role in Ireland's recent economic success. It has also influenced the gender equality agenda.

### **The Role of Social Partnership**

While policies in the Republic of Ireland initially tended to focus on 'women's issues' such as reproductive health, childcare or employment equality (Galligan, et.al., 2000), by the mid 1990s, gender mainstreaming became a priority across all policy areas from health and education to marine and natural resources. The move towards a social partnership mode of policy-making in the Republic of Ireland from the mid 1980s onwards was partly responsible for the changed status of equality in Irish policy-making (Murphy in Coakley and Gallagher, 1999; 279). Government engagement with social and economic interests, including in recent years the 'Community and Voluntary Sector' has provided legitimate means of communication between government and feminist and women's representative organisations such as the National Women's Council of Ireland (NWC) (Donnelly, Mulally and Smith in Beveridge, Nott and Stephen, 2000; 23).<sup>15</sup> The current partnership agreement 'Programme for Prosperity and Fairness' gave rise to the National Development Plan 2000-2006 which calls for a more integrated, strategic approach to policy-making. The process of reform through negotiated policy-making has created some space on the policy-making agenda for gender mainstreaming. Social partnership has also been identified as a key contributor to Ireland's recent economic boom, and has expanded to include more groups and more voices with the establishment of the National Economic and Social Forum, a Community and Voluntary Pillar in 1993 (Donnelly, Mulally and Smith in Beveridge, Nott and Stephen, 2000; 29).

'With the implementation of Partnership 2000, with its unique social pillar, the number of interest groups associating with government has grown quite substantially' (Murphy in Coakley, and Gallagher, 1999; 291).

The established National Economic Social Council, comprised of traditional social partners, however is seen to have more direct influence, especially as the National Economic and Social Forum's role is limited to monitoring and consultative capacity. This hierarchy has seen the partnership process come under some pressure as exclusion of the Community and Voluntary sector from NESC decisions beyond an 'invitation to comment,' has resulted in gendered decision-making as women are

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<sup>15</sup> See Murphy, G. (1999) 'The Role of Interest Groups in the Policy-making Process' in Coakley, J. and Gallagher, M. (eds.) *Politics in the Republic of Ireland* London: Routledge (PSAI). pp. 276. for a detailed account of social partnership agreements since the 1980s.

'under-represented in the traditional social partners. Failing to include the Community and Voluntary sector reinforces the marginalisation of women within the policy process' (Donnelly, Mulally and Smith in Beveridge, Nott and Stephen, 2000; 31).

This situation came to a head in March 2003 when the National Women's Council of Ireland felt obliged to withdraw from negotiations for the next partnership agreement on the basis that the Council 'was now being excluded from a number of different areas,' including the monitoring committee of the National Development Plan, the programme through which gender mainstreaming is being implemented (Holland, K., *Irish Times*, Monday, June 23, 2003). Nevertheless, the process of social partnership has played a key role in legitimating the voice of previously excluded feminist organisations now represented by the National Women's Council of Ireland, which has played an important role in national agreements since 1996, when it assisted the Irish government in preparing for Beijing (Ward, 1999; 229).

### **Resources and Investment in Gender Equality**

The changing status of gender and women in the Republic of Ireland is also reflected in the level of direct investment in gender equality, which in terms of both time and budgetary concerns has significantly increased since 1993. It is difficult to quantify exactly the increase in direct and indirect investment in gender equality as it is rarely recognised as a distinct policy concern in its own right. Therefore, while investment in housing, childcare or legislative reform may have a more immediate impact on one gender, it is not always possible to pinpoint exactly whether the impetus for this impact originated from the women's lobby, international pressure or domestic government. I have chosen to report investment in equality where possible between 1993 and 2003, as the Department of Justice, Equality and Law Reform, from which most of the initiative regarding gender policy has emanated, was established in 1993. This was the Republic's first department directly concerned with equality apart from the Ministry for Women's Affairs established in the Department of an Taoiseach in 1982 and disbanded in 1987 (Author Interview, R2, June 2002; 1). Mahon and Morgan (in Galligan, Ward and Wilford, 1999) recognise the limited potential of the Ministry for Women's Affairs 1982-1987 given its marginalised position within the bureaucracy and diminutive budget (Mahon and Morgan in Galligan, Ward and Wilford, 1999; 62-3). A similar problem was identified for the Department of Equality and Law Reform established under Mervyn Taylor, TD in 1993.

'The problem was that ten years ago when the department was set up we had no money. We had a very small staff and resources when we were the department of Equality and Law Reform and couldn't really do much more than tidy the pieces of legislation that were immediately relevant' (Author Interview, R3, July 2002; 2).

The Department has undergone a number of significant developments since its establishment, a merger with the Department of Justice in 1997 produced the new Department of Justice, Equality and Law Reform – an increase in status and profile that is significant when it comes to negotiating with other departments:

‘We have money and resources now because we are part of a big department like Justice and that makes us one of the main players. There is no comparison between the budget of Equality and Law Reform now with the budget of Equality and Law Reform when it was independent. Now we are one of the main players’ (Author Interview, R3, July 2002; 5).

This is especially the case when one considers that in Irish policy-making departmental status is attributed to an ability to gain resources, so the establishment of even *ad hoc* investments such as the Second Commission on the Status of Women, eventually led to long term funding of the National Women’s Council of Ireland which represents a permanent (if external) presence for gender issues in the policy-making landscape, a significant development given the growth of social partnership as a policy-making method in the Republic. Indeed, quite a sophisticated equality infrastructure has developed since 1993. The establishment of supporting bodies like the Employment Equality Agency, itself expanded beyond employment to form the Equality Authority in 2000, and the Office of the Director of Equality Investigations is vital under a prohibitive legislative agenda.

‘In an ideal world gender mainstreaming would be the right way to go about it. It would be great if you were starting from scratch, then you could do it. But we have a legal base that is prohibitive, we legislate against rather than for things’ (Author Interview, R9, July 2002; 3).

Table 2 (in appendix) provides a snapshot of investment in equality infrastructure between 1993 and 2003. Investment in an equality infrastructure is significant as it establishes an institutional presence for equality policy, and a community of policy-makers concerned with promoting their particular area. As such, it represents a capital investment on which future smaller investments can be made to develop the equality sector. The gradual increase in the budget of the Equality department over the past ten years bears testament to the value of establishing a permanent position of marginal areas in mainstream policy institutions,

‘...money from the justice side went to prisons, probation service and the Guards, and we got funding for childcare and something that (named policy-maker) dreamed up called the Equality For Women Measure<sup>16</sup>...So really everything had to be created from scratch, it’s a bit like being an entrepreneur’ (Author Interview, R2; 8).

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<sup>16</sup> ‘The Equality for Women Measure supports work that is specifically focused on improving opportunities for women in Ireland. The Measure is funded by the Irish Government and part-financed by the European Union, under the

Table 3 (in appendix) outlines a breakdown of spending on gender equality. It is apparent from Table 3 that childcare is the single biggest area of spending in relation to gender equality by the Department of Justice, Equality and Law Reform. Spending in relation to childcare has been increasing exponentially over the past ten years. This is most probably due to a combination of factors: increasing employment levels creating a labour supply shortage, the efforts of those innovative policy-makers at the Department of Justice, Equality and Law Reform who used the system to capitalise on the current economic climate, by securing more and more funding for childcare.

General increases in budget allocations for the Department of Justice, Equality and Law Reform over the past 10 years are outlined in Figure B (in appendix). While increased funding is vital, policy-makers in the Department of Justice, Equality and Law Reform, recognise the implication of inclusion of its strategies in a co-ordinated plan like the NDP.

‘The big difference was that this time the funding was part of a strategic plan. Money with a plan is much better than just getting money’ (Author Interview, R2, June 2002; 4).

Funding for equality is listed as part of the Employment and Human Resources Development Operational Programme.

**Table 4. Expenditure: Selected Equality Measures under the National Development Plan**

Measure	(€million)
Vocational Training and Pathways to Employment for People with Disabilities	222.2
Equal Opportunities. Access to education and training programmes	27.3
Refugee Language Support Unit	4.5
Equality for Women Measure	29.5
Childcare (regional programmes)	317.4
Community Development and Family Support Measure	321

Source: National Development Plan, 2000, pp. 192-3.

This table also reflects the primacy of childcare as an issue of some concern to the National development Plan. It is interesting to note that childcare is seen as an equality issue separate from ‘equality for women’ and ‘community development and family support.’ This separation is significant as it indicates that childcare is seen not purely a woman’s issue or a social inclusion issue, but rather as a general ‘equality’ issue in that its provision ensures access to paid employment.

One important observation from table 4 is that gender issues are not always recognised as such in mainstream policy. For instance, childcare is recognised as general equality but not as a gender issue in this table taken from the NDP. In terms of implementation, gender is implemented as part of a broader ‘social inclusion’ commitment within the NDP, and also as one of the horizontal issues. No explicit funding is recognised for horizontal issues in the NDP. The lack of direct funding allocation provides a serious legitimacy issue for the horizontal issues, as provision of resources signifies the relative status of a policy within the bureaucracy (Eisenstein, 1996; 172). Nevertheless the provision of strategic investment in gender equality cannot be under-estimated in terms of what it signifies about the changing status of gender as a policy priority.

Likewise, the Regional Operational Programmes do not consider gender other than

‘to promote equality and facilitate greater participation of women in the workplace and business via the social inclusion/childcare Priority’ (FitzGerald, 2003: 221).

On closer examination then, it would appear that provision of regulated childcare represents the extent of governmental investment and commitment to gender equality within the NDP. Gender equality measures and programmes beyond childcare, those less clearly linked to the broad economic objectives of the NDP, have lower status and predictably disappointing results. It is not surprising, therefore, that policy-makers involved in gender impact assessment would assume that gender is irrelevant to their work given that gender equality is not an explicit aim of the National Development Plan, as outlined by the Minister for Finance:

‘The vision of the National Development Plan is to ensure that Ireland will remain competitive in the global international marketplace and that the fruits of our economic success will be shared more equally at regional level and throughout society’ (McCreevy, Foreward, NDP 2000-2006).

At the national level, labour market shortages have undoubtedly contributed to current concerns regarding childcare, flexible working arrangements and balancing work and family life.<sup>17</sup> These issues have also become the concern of government and employer’s organisations.<sup>18</sup> A number of pieces of legislation designed specifically to keep women in the labour force have been passed - the Maternity Protection Act,

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<sup>17</sup> Economic imperatives have provided an impetus for changing gender roles in the past. Primary school teachers were exempted from the marriage bar in 1958 because of a shortage of teachers at the time (Connolly in Galligan, Ward and Wilford, 1999; 80).

<sup>18</sup> A number of Task Forces and Working Groups have been established to deal with equality issues relevant to economic prerogatives. These include the Expert Working Group on Childcare, which led to the National Childcare Strategy and the Commission on the Family (Donnelly, Mulally and Smith in Beveridge, Nott and Stephen, 2000; 31).

1994, the Adoptive Leave Act, 1995 and the Parental Leave Act, 1998. In short, gender policy has always been subject to more dominant mainstream policy concerns, particularly employment, labour market supply and demand and general economic growth. For this reason, prominent feminist scholars in the Republic of Ireland have long argued that political priorities will not alter until women are equally represented at decision-making level.

‘A serious commitment by political leaders to progress is required in order that the voice and needs of one half of the population are adequately catered for in the Irish political system’ (Galligan in Coakley and Gallagher, 1999; 317).

While this argument undoubtedly still stands, this paper investigates the potential of using current government concerns to augment and expand gender equality policy. This reasoning comes from findings of the doctoral research into gender mainstreaming which revealed childcare, an issue that was previously identified as a woman’s issue, becoming a concern of mainstream policy-makers. This change in status was achieved without the aid of gender impact assessment or other tools of gender mainstreaming. These findings are elaborated in the following section.

### **Childcare: a mainstream policy?**

One of the most interesting and unexpected findings of the doctoral research into gender mainstreaming<sup>19</sup> was the revelation that childcare has emerged as a policy issue well on the way to becoming mainstream. Interviews, policy documents and budgetary provisions suggest that Irish policy-makers, governments and social partners have become increasingly concerned with childcare, not just as an equality issue, seeking to free Irish women from the burdens of unpaid labour, but rather as an important economic issue. Essentially, demand for affordable childcare has emerged as a side effect of economic growth, prosperity and rising employment levels over the past 10 years.

‘In terms of labour market supply childcare is a really important issue. We have very low unemployment now and that makes supply even more important. We have a skills gap that we are trying to fill’ (Author Interview, R7, July 2002; 1).

Significantly, innovative policy-makers at the Department of Justice Equality and Law Reform identified the potential of childcare to become a mainstream concern, and built a reputation as pragmatic egalitarians within the policy-making community.

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<sup>19</sup> The primary scholarly and technical contribution of the doctoral project was to develop an interpretative framework for the policy, given the practice-orientation of previous research into the policy. This paper arises as a result of using a process of ‘analytic induction’ (Silverman, 1997) used to analyse interview data gathered from the Irish case, where deviant cases revealed that childcare was an area of policy that had been unofficially ‘mainstreamed.’

‘Departments put in proposals at budget time for projects, and we would have put in a suggestion for childcare funding. Mervyn Taylor liked the idea and so we could get going with it... The thing with childcare is that people had started to notice it as a problem’ (Author Interview, R3, July 2002, p. 2).

The Department built its reputation on establishing childcare as an issue that provides equality of access to labour market opportunities, but also as an issue with clear implications for economic policy. As such, childcare is an excellent example of the primacy of economic imperatives, but also how economic and equity objectives, can be consolidated and capitalised on by powerful institutions such as the European Union.

‘No doubt the EU is the most powerful actor. Basically because there was money around, (senior equality policy-maker) addressed every forum she could to get funding. In the last round of funding there was an under spend somewhere. There was money available for childcare, this was pushed by the EU Commission because gender equality was a key objective in the Structural Funds documents (Author Interview; R7, August, 2002, p. 3).

In the Republic of Ireland, childcare was identified as a pretext by which gender mainstreaming could be justifiably incorporated into the National Development Plan. Policy-makers incremental approach to policy-making meant that the identification of childcare as an economic issue, gave those interested in gender equality policy an opportunity to gain funding, establish links with NGOs and International Organisations, and begin to build a coherent policy base for gender equality. Moreover, the issue of childcare, with its clear and easily justifiable economic orientation could be used as an example of how some gender issues can become a universal societal concern. Throughout the National Development Plan childcare emerges as a gender issue that has gone mainstream. This is reflected in the Plan’s explicit statement:

‘the substantial provisions for childcare under the Regional OP’s will facilitate people with family responsibilities to avail of employment and training opportunities’ (NDP, 2000, p. 23).

The importance of childcare as a current government initiative is also identified by a number of policy-makers:

‘The main things at the moment are racism and bisexual rights and of course childcare’ (Author Interview, R16, August 2004; 1).

This could be due to the fact that childcare provision and employment initiatives are mutually reinforcing goals. Provision of childcare frees parents, especially mothers, to participate in the labour market and maintaining high levels of employment is one of the primary objectives of the National Development Plan.

‘The central challenge which is addressed in this National Development Plan is the implementation of public policies which will increase the capacity of Ireland’s economy to maintain strong and sustainable output and employment growth’ (NDP, 2000; 8).

Not only is childcare a significant area of investment under the NDP (see table 4), the issue was subject to a government established ‘Expert Working Group on Childcare’ which reported in 1999. The issue of childcare is easily linked to employment. Ruane and Sutherland (1999) in their report on Women in the Labour Force, commissioned by the Employment Equality Agency<sup>20</sup> recognize provision of adequate childcare as one of the key means of ‘preventing or reducing skills shortages in particular areas of the Irish workforce’ thereby reducing ‘the extent to which investments made in female education and training are lost to the economy’ (Ruane and Sutherland, 1999; 82). Ruane and Sutherland (1999; 82) also identify that childcare, where it is provided, must be affordable. Childcare was always presented as an economic necessity and as such, unlike other policy areas, it was easier to justify investment, as childcare provision is clearly compatible with the main priorities of the National Development Plan.

Significantly, childcare is identified as a gender issue by policy-makers. Specifically, childcare became an issue for policy-makers arising out of changes in the work practices of Irish women. In concrete terms the demand for childcare has arisen from increased female labour force participation rates.

‘Look at childcare for instance...To some extent policies have their time. It’s hard to argue that childcare isn’t a real need. From the 1980s and 1990s it became apparent that working mothers were having difficulties’ (Author Interview, R3, July 2002; 5).

While childcare is identified as a social inclusion issue in the NDP, experienced policy-makers suggest that it is an issue for middle class workers:

‘For instance childcare is not a social inclusion issue, so some people say it should be part of social welfare. I see it as a universal issue for everyone’ (Author Interview, R2, June 2002; 5).

Both policy-makers and academics clearly identify the importance of proposing economic arguments for the provision of childcare.

‘Evidence of labour shortages and wage inflation may be the most potent economic argument in support of government intervention to reduce childcare costs and, in turn, encourage both skilled and unskilled females to participate in the Irish labour market’ (Ruane and Sutherland, 1999; 83).

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<sup>20</sup> The EEA became the Equality Authority in 2000.

One experienced policy-maker remarks that she is disappointed with the progression of the childcare agenda given its status as an economic issue for the middle classes:

‘You have to see it as a continuum. There were big developments in the 1970s but very little in the 1980s maybe because of economic circumstances. I would have expected childcare to follow through. Why was there no follow through on that? Why wasn’t it a proper issue even in the last election campaign? I thought this issue was cracked. We used to get calls from men when I was at the EEA saying that childcare was costing more than the mortgage. If that isn’t driving childcare, what will? We now have research showing the need for childcare, but it wasn’t an issue on the doorsteps in this election and I can’t explain why’ (Author Interview, R10, July 2002; 3).

In fact, a single issue must pass through a number of steps before it can become a concern of mainstream government. Firstly, it must be identified as integral to main government priorities. Research into the issue is then conducted, perhaps substantial financial investment is made in the issue and, most importantly, if it becomes a concern of voters, it will have reached centre stage as a government priority. It is arguable that despite the above policy-maker’s sentiments, childcare has reached that stage.

‘The government have put aside €560m to fund regulated childcare. We are interested in the idea of social capital and there are fewer and fewer voluntary childcare providers. When the childcare programme was getting up and running there were lots of voluntary providers but now they are disappearing under regulation. This is raising the unavoidable question for the government that they may have to consider statutory provision of childcare’ (Author Interview, R22, September 2002; 8).

However, the interesting point to note, is that gender mainstreaming did not achieve this mainstream status for childcare, rather economic imperatives and clever use of resources and opportunities by mainstream policy-makers developed the issue as significant for employment priorities. Moreover, childcare is not identified as a gender issue, needing monitoring mechanisms to identify the effectiveness of the policy. Rather, investment is made on the more solid policy-making grounds that childcare is an obvious requirement in the same way as public health and a transport infrastructure are needed to make economic progress.

‘FAS has now delivered a childcare budget for trainees – that’s really big progress. Can you attribute that to gender mainstreaming or to labour market supply issues?’ (Author Interview, R10, July, 2002; 8).

In the Irish economic system, paid work within the formal economy is valued while unpaid work (performed within the informal sector) are not accounted for in national accounts. Current governmental

concern with childcare, is related to the economic cost of childcare within the formal sector. Feminists would argue that until childcare was performed within the formal labour market it was not identified as relevant to national economic growth. Rather, the provision of free childcare by married women, mothers and grandmothers within the private sphere was viewed as a private matter rather than a concern for economic or employment policy.

‘The main thing about childcare is the cost of it. We did a survey on childcare in order to establish how much people were actually paying for it. The government only count the formal sector, but in fact, we found that most of our members were using the informal sector. Even still it costs a lot. Its difficult to say exactly how much people are paying during the week but taking all the different possible hours and numbers of children into account you are probably looking at about €150 per week...Its very significant because when you look at the equal pay legislation and we were always concentrating on equal pay, you see that in fact maybe women had not sought promotion or had dropped back their hours because of childcare problems’ (Author Interview, R16, August 2002; 2).

This respondent has identified how equality issues can rarely be legislated for in a straightforward manner, as many inequalities are manifest indirectly. On the issue of equal pay, a number of factors conspire to keep women in the lower echelons of the labour market, most of which are related to time use and family work. To achieve economic parity between women and men it is first necessary to provide a level playing field in terms of cultural and social expectations regarding paid and unpaid work. While policy-makers are only beginning to establish links between different issues, and to identify childcare, the gender pay gap and sexual harassment as examples of larger structural obstructions to equality such as the sexual division of labour, the equation of femininity with sexual and reproductive roles to the predominance of a neo-liberal ideology which values economic growth above social equality.

‘Values such as individualism, materialism, intolerance to dissent, lack of concern for the environment and a failure to value caring are identified as characterising life beyond the Celtic Tiger’ (Kirby, 2002; 13).

Gender mainstreaming has been identified as a policy which is uncomfortably compatible with neo-liberal governmental priorities (Carney, forthcoming; True, 2003). Childcare represents a good example of how issues which are congruent with the dominant political ideology will be more successful than those which actively challenge the established order. In effect, childcare can be identified as an issue that has for all intents and purposes already been mainstreamed. Interestingly, childcare has become a mainstream issue without the need for gender-proofing, mainstreaming tools or gender disaggregated data, mechanisms identified as a requirement of New Public Management rather than equality policy-making (Eisenstein, 1996; 218). While these conclusions may suggest that there is cause for scepticism in relation to increased budgetary investment in family and childcare policy. However, there possibility of using developments already made in relation to childcare to build a web of policies, emanating from labour market concerns

into other, related sectors of economy and society where advances regarding equality can be made. These possibilities are discussed in the final section of the paper.

### **Conclusion: using childcare to build the equality agenda**

This paper has argued that there are two circumstances under which it is possible to make policy change, if the proposed change suits the economic or cultural conditions, and or, if there is effective external political pressure from feminist groups. For instance, childcare has become an important policy issue because current economic circumstances mean that parents are needed in the workplace in order to solve labour supply shortages. Though feminist groups have been calling for state provision of childcare for some years, the case for public investment in childcare has been strengthened by other economic imperatives. In effect, childcare moves from being a political (feminist) to policy-making (equality) issue. It is arguable that childcare is a public service that is needed in response to market failure. The market produces inequalities for those forced to engage in unpaid work. To put it another way, services not provided by the market are provided for free by women. A feminist set of national statistics would quantify and include the value of unpaid work in the home; the number of fathers taking career breaks for caring rather than further education reasons; or the relationship between rising living costs and the replacement of previously 'free' domestic goods and services with private sector provision of childcare, home-cooked meals, laundry services and convenience foods. The production of public accounts which included the invaluable but under-valued contributions of parents, grandparents, carers and other workers in a voluntary capacity would provide a foundation on which future policies could be devised to alleviate current inequalities. For instance, if childcare is recognised as a necessary element of public infrastructure for 'growth and social development,' the case for statutory provision has been made (NDP, 2000). Another possible development is rooted in the fact that childcare is also beginning to be linked to other gender issues. The argument made earlier in relation to the gender pay gap is developed by one respondent, an equality official with a major trade union, who reported that many workers identify the inadequate availability of affordable childcare as a key factor maintaining the gender pay gap.

'As soon as you start talking to women about the gender pay gap, they will start talking about childcare' (Author Interview, R16, August 2002; 1).

While the persistence of both a significant gender pay gap<sup>21</sup> and the lack of affordable childcare suggest that a significant space has yet to be made for 'womenandchildren' in Irish policy-maker, recognition that childcare problems are universal, a public problem and a gender issue is a significant development on previous approaches to Irish policy-making. Moreover, the work of policy-makers within the Department

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<sup>21</sup> For a detailed review and assessment of the impact of equal pay legislation and the gender pay gap see Cassidy, M, Strobl, E. and Thornton, R. (2002) 'Gender Pay Differentials and Equality Legislation in the Republic of Ireland' *Canadian Public Policy* Vol. XXVIII Supplement 1; 2002.

of Justice, Equality and Law Reform in moving from a €1m to €60m budget for childcare in a little over ten years demonstrates how issues can be used to build a broader equality agenda, particularly when tagged to other political priorities of the day. The increasing popularity of flexi-time, term-time working, job sharing and staggered career paths suggests that work-life balance issues are a concern at the level of the individual. The next step is to articulate these issues in terms that appeal to government and policy-makers and allow for differentiated notions of parenthood and work-life where flexibility and the contribution of carers are rewarded rather than penalized.

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## APPENDIX

**Table 2: Selected Investment in Equality Infrastructure by Department of Justice, Equality and Law Reform**

Allocation of Funds for and Law Reform 1993-1996 and as section of J/ELR 1996-2003	1993 £000	1994 £000	1995 £000	1996 £000	1997 £000 J/ELR	1997 £000 (ELR)	1998 £000	1999 £000	2000 £000	2001 €000	2002 €000
Employment Equality Agency (1993-2000)	339	434	474	500	870	298	568	2,210			
Equality Authority (2000 onwards)									2,145	3,987	4,533
Office of Director of Equality Investigations								220	961	1,558	1,622
Equal Opportunities including Childcare						522	2,815				
Gross Total for J/ELR (including other services)	6,045	10,647	12,229	11,768	41,229	39,168	60,242		91,466	167,847	319,135

Source: Department of Finance *Revised Estimates for Public Services* (annual volumes 1994-2004) Dublin: Stationary Office.

Spending regarding childcare is reported on an *ad hoc* basis. See Table 3 for further details.

**Table 3: Investment in Gender by the Department of Justice, Equality and Law Reform 1993 – 2003<sup>22</sup>**

<b>Allocation of Funds for and Law Reform 1993-1996 and as section of J/ELR 1996-2003</b>	<b>1993 £000</b>	<b>1994 £000</b>	<b>1995 £000</b>	<b>1996 £000</b>	<b>1997 £000</b>	<b>1997 £000</b>	<b>1998 £000</b>	<b>1999 £000</b>	<b>2000 £000</b>	<b>2001 €000</b>	<b>2002 €000</b>
					<b>J/EL R</b>	<b>ELR</b>					
Grant for Commission on the Status of Women	63										
Grant in Response of European Conference on Women Elected Representatives		25									
Grant for NWCII	114	161	170	170	85	85	200	295	418	519	587
Childcare		250	800	800	522	300	2,815 <sub>23</sub>	4,986	9,218	30,338	58,417
UN Conference on Women		15	20								
Divorce Referendum			30								
Violence Against Women					101	35		149	232	107	311
Equality Monitoring/Consultative Committee							22				
Gender Mainstreaming and Positive Action for Women									143	2,400	6,533

<sup>22</sup> Source: 'Office of the Minister of Justice, Equality and Law Reform' in Department of Finance, *Revised Estimates for Public Services*, 1993-2004 (annual volumes).

<sup>23</sup> Figure for 1998 represents 'equal opportunities including childcare'

Figure B: Investment in Equality Relative to Other Departments by Year 1993-2003

