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The Impact of EU Accession on Gender Equality in Hungary

Noémi Kakucs, Andrea Pető


In 2005 and 2006, the Hungarian media were satiated with news on a sexual harassment case in which two individuals were involved from the newly founded Government Office for Equal Opportunities. The verdict was passed in April 2006 that stated that the defendant, a high ranking middle aged male civil servant was not guilty of sexual harassment, as the plaintiff, a young female secretary, failed to prove the accusations and the latter was sentenced to pay financial compensation for the moral damage caused. This is not the only case concerning sexual harassment in the country, but this case tells a lot about the paradoxes of how gender equality was institutionalized in Hungary. The irony of the case is that both persons were employed at the Government Office for Equal Opportunities, and that the plaintiff brought the case to the civil court and not to the Equal Treatment Authority (ETA), established purposely for the enforcement of the 2003. CXXV. Act on Equal Treatment and Promotion of Equal Opportunities. However, as critics of the act pointed out, without clear evidence it is almost impossible to prove sexual harassment whatever the location is. Moreover, as the low number of lawsuits, none of which on sexual harassment, before the
Authority show, there is little difference between the sentences passed by the ETA and the civil court (Rádi 2006: 116-118).\textsuperscript{1}

As the small introductory story shows there is a huge discrepancy between \textit{de jure} and \textit{de facto} implementation of gender equality in Hungary. Though it is difficult to assess the impact of the EU on decreasing gender inequalities in the lives of Hungarian women’s, as the equality policies are aimed to produce long term results and their immediate effect is minimal, this chapter examines the influence of the European Union in Hungary before and following the accession in May 2004. First, we provide an overview over various gender equality policies and their effectiveness, in particular gender mainstreaming (Beveridge \textit{et. al.} 2000, Booth and Bennet 2002), then we explain which framework the Hungarian government adopted and highlight the major developments of the Hungarian gender equality machinery. Following, the chapter analyses some of the different elements of strategic implementation of gender equality policy by focusing on changes in the labor market as well as civil society mobilization.

**Achieving Gender Equality -- An overview over Strategies**

The objectives of equal opportunities can be enacted in three ways: by modifying the constitution, through introducing the so-called equal opportunities law, or other laws and provisions (Silius 2000). However, as the cases of many countries show, formal equality before the law does not result in substantive equality between genders. Three approaches to gender equality that emerged during the development of equal opportunity policies in EU can be identified: ‘equal opportunity and treatment’, ‘positive action’ and ‘mainstreaming’ (Bacchi 1997, 2001; Booth and Bennett 2000; Rees 1998; Verloo 2001).

According to Booth and Bennett (2002: 433-5) the success of gender equality policies depends on the integrated application of equal opportunity polices, positive action and gender
mainstreaming. Though present in the European Commission’s understanding of gender
equality, the failure to articulate how the three perspectives complement each other resulted
in misunderstanding and inconsistencies in gender equality policies (Booth and Bennett 2002:435). The balance between the three perspectives is even more important in the newly
enlarged EU context, as in some of the new member states these perspectives might have
developed unevenly or some of them might be totally missing. Only the EU could exert some
pressure on its member countries to equalize the imbalance of the perspectives. However, as
the EU is primarily an economic unity, gender equality has been framed in terms of
employment and social inclusion, and all equality policies, due to liberal ideology, are
translated and reduced mainly into equal opportunities policy. However, as Sylvia Walby
(2004) argued, one should not underestimate the complex ways how the powers of EU extend
beyond the narrow economic scope and, through employment and social welfare regulations,
initiate profound changes within gender regimes.2

The three approaches result in separate conceptual frameworks in policy making
(Eveline and Bacchi 2005). To achieve formal gender equality, first there is a need for firm
equal opportunity and anti-discrimination regulations. However, as long as actual
discriminatory structural barriers are not recognized and eliminated, equal opportunities
policies rather than overcoming inequalities perpetuate them. To overcome the shortcoming
of so far existing gender equality policies, a new strategy – gender mainstreaming – was
introduced into policy-making. Gender mainstreaming as a new policy strategy has the
potential to actually overcome inequality. However, it is often refuted on the ground of
already existing gender equality policies.

As gender mainstreaming aims at long-term changes in gender regimes, it requires
high level political commitment and comprehensive implementation strategies while the
immediate results are not visible. Thus the analysis of the process of institutionalization and
implementation of gender mainstreaming has become a great concern for feminist scholars (Bacchi 1997, 2001; Beveridge, Nott, et al. 2000; Booth and Bennett 2002; Eveline and Bacchi 2005; Pincus 2002; Rees 2005; Rubery 2002; Verloo 2001).

The commitment to gender equality, and to gender mainstreaming is a political issue which very much depends on the political interests of parties and governments, who are not necessarily prepared to meet the challenge of investigating the whole policy area for compatibility with the objectives of gender equality (Rubery 2002: 503). Introducing the gender equality perspective in all policy areas implies the transformation of institutional structures and practices that perpetuate gender inequality. There are two tasks to be faced (Booth and Bennett 2002: 431) in order that gender mainstreaming as a strategy be effectively implemented. First, the necessary elements, like resources, time and organizational structures, of the strategy need to be identified. Second, thorough analysis is needed to describe the context that supports such mainstreaming strategy.

To fuse the different gender mainstreaming strategies in the European context, Beveridge et. al. (2000) demand a common theory to be adopted that overarches the various state practices. In their view, developmental theory serves as a possible basis for the creation of a consistent theory or approach to gender mainstreaming. Two approaches to gender mainstreaming are identified – an integrationist and an agenda-setting approach. While the integrationist approach addresses gender issues within a set of policy paradigm, the agenda-setting approach aims at the transformation of already existing policy agenda (Beveridge, Nott, et al. 2000, 388-91). As the integrationist approach is more conformist, it is more likely to be supported by policy makers. Hence, the approach one takes as a guiding principle determines the extent and success of gender equality policies.

We get closer to an explanation for paradoxes of implementation of gender equality policies if we examine the different policy strategies and practices, including gender
mainstreaming, in the European context. As gender equality policy in EU was focusing on equal treatment and opportunities for women, the accession of the CEE countries created a new situation. The institutionalization of gender mainstreaming in the EU 15 countries happened simultaneously with the processes of Eastern enlargement, thus the horizontal expansion of gender mainstreaming coincided with the horizontal expansion of the geopolitical boundaries of EU. While the old member states did not comply fully with gender mainstreaming, the joining of CEE countries created a challenge to gender equality policies, which in order to be effective have to be both vertically and horizontally integrated within these post-socialist democracies.

Adopting and Implementing Gender Equality in Hungary

The 2004 EU enlargement has brought significant challenges for both the old and the new member states regarding gender equality. The expansion introduced wider Europe to a new situation, that of dealing with countries that had experienced state-socialism and statist-feminism for several decades. Unlike the gradual and dynamic evolution of equal opportunity policies aiming to achieve de facto equality between women and men in the European Union³, gender equality policies reappeared on the late 1990s' national political agenda in the Central Eastern European countries only due to international pressure. In Hungary, similarly to other CEE countries undergoing legal harmonization with EU legislation, the political parties were the main agents of top-down implementation while they generally refused the idea of equal opportunities policy on the grounds of already existing legal provisions. However, they could not openly oppose equal opportunities legislation, as the adoption of different UN Conventions (especially the CEDAW) and, more importantly, of EU provisions and directives had already made a significant impact (either directly or indirectly) on the legislation of these countries. Even though the normative power of the above-mentioned
organizations was coercive, the failure to meet their, especially the EU standards might have resulted in specific economic restrictions and sanctions disadvantaging the disobeying parties (Böröcz, Sarkar 2005), a possible risk that none of accession countries wanted to undertake. Thus, introduction of equal opportunities policies in the legislation of the accession countries happened under EU guidance, through a top-down model of policy implementation.

In the Hungarian legislation, there are antecedents of exercising the requirement of equal treatment and of promoting equal opportunities. Several major legal documents, such as the Constitution4, § 76 of the 1959/IV. Act about the Civil Code5, § 5 of the 1992/XXII. Act about the Labour Code6, or the 1998/XXIV. Act about the rights and equal opportunities of people living with disabilities contain normative provisions that are binding for persons, legal relations and institutions under their scope. This means that the normative conception of law, which implies that it may advance the development of new, desirable attitudes, is not without antecedents. Thus, as the national legislation already contained provisions on equality, one would expect smooth institutional adjustment to the EU institutions and legislature.

However, the above mentioned gender-neutral policy frame in which the issue of gender was dealt together with issues of race, ethnicity, cultural differences, disabilities obstructed the adoption of new policy measures that could tackle gender specific problems. Thus, the EU integrationist approach was minimized in the Hungarian legislation. For effective gender equality policies there is need for gender-integrated policy, which incorporates gender mainstreaming as strategy to take into consideration the relational nature of gender differences. However, the already existing regulations on (gender) equality did not favor the introduction of the gender sensitive policy, supported by the new EU policy on social inclusion. The introduction of the Joint Inclusion Memorandum (JIM) and the National Action Plan on Social Inclusion (NAP), the follow up to the Memorandum, signaled the beginning of new policy processes. These documents were developed under tight EU
guidance and most important documents regarding gender mainstreaming in Hungary. Gender mainstreaming is regarded as a horizontal principle and integrated within the larger social inclusion agenda. We argue that the choice of this integrationist approach in Hungary that was one of the explanations of paradoxes of implementation.

The Joint Inclusion Memorandum prepared in the framework of the accession process and signed with the Commission in December 2003, outlined the main problems Hungary faced in terms of social exclusion and poverty and listed the tasks Hungary still had to do in order to realize EU common social policy objectives in the country. It addressed the exclusionary effects of several social factors like poverty, ethnicity (with special emphasis on Roma), disability, gender and, marginally, sexual orientation. Gender equality, though considered separately in a section of the document, appeared as a horizontal principle throughout all the chapters. It was argued that gender equality should be perceived as a comprehensive horizontal aim, which was above and between policy sectors. Referring to the strategy to be followed, the document argued “addressing social exclusion needs a comprehensive approach, which mainstreams gender equality, integrates Roma in the society and provides equal opportunities for people with disabilities” (Joint Inclusion Memorandum 2003: 45).

The National Action Plan on Social Inclusion (2004) addressed mainstreaming equal opportunity and social inclusion more generally, and within that mentioned more specifically – among others – “to take into account the women’s perspective in every policy field” (National Action Plan 2004: 19). As the State Audit Office Report argued (2006), the documents treated the issue of gender equality at a relatively high level of generality, without any detailed policies designing tools and instruments and it was unclear how much specific involvement the Directorate for Gender Equality had in the development of the Joint
Inclusion Memorandum, the National Action Plan on Social Inclusion, and the National Action Plan for Employment.

Still within the framework of social inclusion agenda, the National Development Plan I (NDP) was a document preparing the national policy machinery for spending EU structural funds in the period of 2004-2006. Equal opportunity issues were translated by the Plan into questions related primarily to the Roma, women (identifying sub-groups of special needs), and disabled by trying to articulate cross-sectional thinking. According to the implementation plans of National Development Plan, representatives of gender (women’s) equality bodies, organizations were to be involved in the monitoring committees assigned to supervise the strategy formulation and operational activities of the five major program areas spending EU funds on social and economic development of Hungary in 2004-2006. In order to operationalize the equal opportunity principle, an equal opportunity guideline was developed for applicants and evaluators (Krizsán and Pap 2005: 34). The implementation of the National Development Plan was under process in 2006, it has not yet been assessed and at the time of writing it was too early to predict the impact of the EU Structural Funds on the lives of Hungarian women.

By 2006, two years after the accession, Hungary incorporated some elements of gender equality policy in the EU documents, but it did not adopt any strategic policy document to introduce gender mainstreaming. These policy documents marked the beginning of a process targeting long-term improvements in women’s situation. However, they also displayed the controversial position of gender equality issues on the Hungarian political agenda. Documents were adopted to comply with EU demands, however, they also revealed the discrepancies that resulted from lack of political will and commitment to the issue: no policy tools, system of monitoring were developed, the suggested policy aims did not address the real needs of Hungarian women.
Gender equality policies for women without feminist participation?

In Hungary, the controversial relationship between the national government and civil society has a long tradition and is assumed to have long-lasting consequences. This is especially true in the case of the women’s movement. Paradoxically, the norm entrepreneurs of “the East” were complaining about the gender blind practices of their own governments, while the EU gender equality mechanisms, in the framework of anti-discriminatory legislation, were accepted by the same national political elite. This is even more striking if take into consideration that scholarship on Eastern Europe from the early 21st century was underlining that after the transition women’s position in these societies were characterized by an alarming worsening of their public, social and economic roles were diminishing during the 1990s (for more see Pető 2003, 2004).

The 2000 CEDAW Report on Hungary stated that while the number of NGOs increased radically after the political transition, the growth of the number of women’s organizations slowed down considerably after the initial boom (Krizsán and Pap 2005: 14). It is important to note that following the transition, there was not crucial issue that could have facilitated the emergence of a strong women’s movement in Hungary (like the issue of abortion, that facilitated group formation during the mind 60-70 among western feminists, and still is a mobilizing force for women in Poland). This resulted in women’s organizations’ weakening policy access and policy influence within national policy making.

A successful gender equality policy would require a balance between the expert-bureaucratic model and the participatory-democratic model of implementation. This could ideally be achieved only if both the representatives of the national government and women’s NGOs are cooperating in policy-making. As Walby (2002) argues, the interaction between the three levels of governance involved in gender policies – global, regional and national
levels – determines the success of implementing gender equality policies. Hence, the pre-requisite of successful implementation of gender equality policies is the existence of a strong feminist movement including state (femocrats) and non-state (independent) feminists and high-level participation of women in decision-making, which implies the existence of open policy-making processes between the different levels of governance involved in the process.

However, in Hungary, the implementation of gender equality policy was the task of specialized experts and administrators. As many policies were prepared on short deadlines, the national machinery might be blamed for excluding the representatives of civil society wishing to be involved. On the other hand, as the governments had to produce visible results on short term, it is understandable that the time for procedural requirements and social debate was short. Thus, it can be claimed that both the governmental side and the NGO side operated retroactively rather than proactively with respect to crucial issues concerning women’s rights. Therefore, even influential women’s NGOs failed to make any significant contribution to the policy process beyond representing a critical voice. Ideally, for effective cooperation both open-policy making processes and the professional competence of NGOs are required.

The Hungarian government in the past years followed the integrationist path and since 2003 founded independently from the women NGOs sixteen local level offices called ‘Houses of Opportunity’ in major regional cities. These institutions were financed partly by the ministry and partly by municipal budgets, defining both the activities and the target groups these institutions address. This meant that the concept of equal opportunities was negotiated by these parties so that it could be integrated in the already existing institutional frameworks.

According the official (in-door) report (2006) on the operation of these institutions, equal opportunities for women were included in the wide, all encompassing equal opportunities policies. Similarly to the strategic EU documents (Joint Inclusion...
Memorandum, National Action Plan, National Development Plan) women were defined as one of the target groups besides children, the elderly, the Roma etc. Unfortunately, it is telling, that some of the regional office reports simply omitted women’s / gender issues from their platform. Some restricted the inclusion of gender to the “Women in the media” lecture series organized under the auspices of the ministry. The few regional offices that incorporated gender issues in their programs, focused mainly on the issue of women’s reintegration in the labor market by offering counseling and awareness raising programs (House of Opportunity 2006).

The institutionalisation of gender equality in Hungary

Setting up the national machinery, as the first strategic step of implementation of gender equality, was accomplished relatively early in Hungary following the Beijing Declaration of 1995. At the end of that year, the Secretariat for Women’s Policy (which was renamed Equal Opportunity Secretariat in 1996) was established within the Ministry of Labor. The Secretariat had predominantly consultative status, and in the first years, it was considered a relatively “progressive and effective organ”, though not capable to pursue any gender mainstreaming tasks (Krizsán and Pap 2005: 12). In 1998, the newly elected conservative government changed the institutional status of the Secretariat and integrated it at a relatively low institutional level in the Ministry of Social and Family Affairs. Following the government change in 2002, the Secretariat was reorganized several times by the new socialist-liberal government. First, its name became Directorate General for Equal Opportunities, and operated in the Ministry of Employment and Labor. Following its reorganization, the Directorate was elevated to ministerial status integrated in the new governmental office, named Government Office for Equal Opportunities established in 2003, which included equal opportunity policies on three main grounds: ethnicity, disability and
gender. The governmental restructuring in 2004 brought yet another change in the Hungarian women’s policy machinery. The Government Office for Equal Opportunities was “downgraded” and integrated within the new Ministry of Youth, Social and Family Affairs and Equal Opportunities (ICSSZEM). From June 2004, this same ministry was responsible for social inclusion issues falling under the EU Social Agenda.

The continuous restructuring of the women’s policy machinery in the Hungarian governance severely damaged its official function and scope of authority. It was integrated in ministries (Labor and Social Affairs) that were not “political”, i.e. not backed by separate parliamentary act or law, therefore subjected to the will of the ruling governments (Jalusic and Antic 2000: 21-22). As the alterations in the position of women’s policy machinery show, there was no direct correlation between the effectiveness of the machinery and its position in the institutional hierarchy. Instead, the policy access and influence of the machinery much depended on the personal commitment of various politicians responsible for this policy area.

The elevation of the state machinery to the rank of governmental office accompanied a policy shift from gender equality policy focus to equal opportunity policies on all grounds. As a consequence, the policy frames referred to general equal opportunity concerns, with fewer statements made on gender issues. At the same time, gender mainstreaming could rarely be considered present even at the rhetorical level in the key policy statements of the ministerial office. The tasks attributed to the Directorate within mainstreaming were primarily the coordination of gender related actions of different ministries in the fields of employment, social policy, education and economic policy, and monitoring gender equality aspects of certain strategic policy documents.

The broad institutional umbrella was widened even further by its inclusion in the social inclusion agenda. The Ministry of Youth, Family and Social Affairs and Equal...
Opportunities was responsible for the implementation of the EU Social Agenda aiming at the modernization and development of the European social model, as well as the promotion of social cohesion. Adopting the EU Social Agenda, the principle of gender equality was conceptualized as a horizontal principle in the Hungarian policy-making and not a separate target to be achieved. Consequently, as there was not any wide demand from the population for specific programs targeting women, gender issues were ‘mainstreamed’ – included in the larger frame of social inclusion, which resulted in the marginalization of gender equality.

By 2006, it seemed that the shift brought the complete marginalization of gender equality issues in Hungary. Only one small department was dealing with gender equality issues under the supervision of a deputy state secretary in charge of strategic development and international affairs, and not equal opportunities, unlike the departments on Roma policy and disabled policy (Krizsán and Pap 2005: 10.). In October 2004, officially altogether nine people were responsible for the coordination and implementation of gender equality policy in Hungary, and the numbers deteriorated. From the start, the expertise in gender equality policy was not a prerequisite for the staff to be hired. The Report of the State Audit Office (2006) on the operation of the Ministry in 2005 highlighted the imbalance between the number of civil servants and experts, and warned that the small number of experts jeopardized the effective operation of the Directorate. However, due to lack of institutionalization of gender studies in Hungary it is rather hypocritical to demand expertise.

The governmental restructuring following the parliamentary elections in 2006 brought the reorganization of the gender equality machinery within the Ministry of Social Affairs and Labor. Moreover, a new Gender Equality Council was established by the 1089/2006. (IX. 25.) Governmental Decree on the Establishment of the Gender Equality Council, replacing the inoperative Council of Women’s Representation. This council was a consultative body with increased number of civil society representatives and experts. Though the immediate
impact of the reorganized gender machinery on women’s lives was not yet visible, the
governmental restructuring and the initial developments can be considered as a new
opportunity window for women’s NGOs to gain political access and policy influence on
gender related issues.

**Further problems: the three-legged equality stool**

The implementation of gender equality policy covers a wide scope of policy-making, as the
gender equality perspective should be considered and introduced into all policy fields, the
most important being the field of political representation, employment and public services.
This logic does not fit in the structure of local administration, and because of this, we can see
the resistance of state administrations throughout Europe. Employing certain rhetorical
devices, it is easy to manipulate, “forget”, postpone and disregard the complex and intricate
system of responsibilities and financial obligations. One way of resistance is the suspension
or deferment of decision-making, and questioning the actuality of the problem in question. In
Hungary and its neighboring countries, the absence of the political legitimization of equal
opportunities policy, as well as its weak institutionalization and poorly funded system made
this kind of “forgetting” very easy.

Achieving the *acquis*, Hungary satisfied the EU demands and achieved *de jure*
fulfilment of all formal legal requirements relevant to equality, implicitly gender equality,
imposed by the EU. However, Hungary did not adopt any strategic policy document to
introduce gender mainstreaming. Instead some elements of gender equality policy were
included in the equal opportunities policies that were introduced in (date?) in different
sectors, mainly the employment and social policy. The core element of gender equality policy
in the Hungarian context, similarly to the other member states, were equal opportunities and
equal treatment in employment, and the major site of implementation was the labor market, the sphere where women were most disadvantaged.

Several studies have been directed on labor market participation, with special focus on women, following the regime change and the impact of the European Union (Bukodi 2005, Fodor, 2004, 2005). According to these studies, the rate of employment fell dramatically and unemployment had spread by the early 1990s as a result of the political and economic changes. In 1993, the decrease in unemployment began, and favorable changes – expansion of the labor market began in 1997. In recent years, this positive trend stalled and showed growth again only in 2003.

The employment rate of men in Hungary, similarly to other countries, was traditionally higher that of women. In 2003, 51 percent of women and 63 percent of men were employed (Bukodi 2005: 16), and 45 percent of all employed were women (Krizsán and Pap 2005: 54). Women’s participation in the service sector has been traditionally higher than men’s: in 1992, 64 percent and in 2003, 74 percent of women in employment had a job in the service industry (Bukodi 2005: 23). Women were over-represented in poorly paid state sector jobs such as health care and education.

The Table 1 presents the wage disparities between women and men as according to the data (1998-2003) of the Hungarian Central statistical office.

### Table 1. Female earnings as a percentage of male earnings

<table>
<thead>
<tr>
<th>Year</th>
<th>Gross earnings</th>
<th></th>
<th>Net earnings</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Manual</td>
<td>Non-manual</td>
<td>Total</td>
<td>Manual</td>
</tr>
<tr>
<td>1998</td>
<td>73</td>
<td>63</td>
<td>82</td>
<td>79</td>
</tr>
<tr>
<td>1999</td>
<td>72</td>
<td>61</td>
<td>81</td>
<td>77</td>
</tr>
<tr>
<td>2000</td>
<td>73</td>
<td>60</td>
<td>81</td>
<td>78</td>
</tr>
<tr>
<td>2001</td>
<td>74</td>
<td>61</td>
<td>81</td>
<td>79</td>
</tr>
<tr>
<td>2002</td>
<td>77</td>
<td>64</td>
<td>85</td>
<td>83</td>
</tr>
<tr>
<td>2003</td>
<td>78</td>
<td>66</td>
<td>88</td>
<td>84</td>
</tr>
<tr>
<td>2004</td>
<td>77</td>
<td>66</td>
<td>86</td>
<td>84</td>
</tr>
</tbody>
</table>


Commented [s17]: Who is the author of this report? The Statistical office? How is it listed in the references?
According to these results, the wage differential between women and men gradually decreased in recent years. However, despite women’s higher level of education, in 2003, women’s gross average income was 13 percent lower than that of men. Though not visible in this table, the gender pay gap varied according to the qualification requirements of various occupations. Women’s wages made up 90 percent of men’s wages in case of the so-called simple jobs (which do not require qualification), while 70 percent in case of jobs requiring higher qualification (university or college degree). In positions of comparable income both in the private and in the state sector women were paid in average some 13–14 percent less than men (Krizsán and Pap 2005: 49).

The statistical data on employment in the 3rd period of 2005 show similar figure. Accordingly, women’s employment rate decreased to 44 percent of all employed, which practically it means that only every second woman is economically active in Hungary. But it is important to note, that the Hungarian number was the third worst average level of women’s employment among the 25 EU Member States. It should also be noted, that the poor Hungarian score, i.e. women’s low employment rate, is partly due to the very low employment rate (11 percent) of women aged between 55 and 64. In the last two years, the employment rate of both women and men has been rising, partly due to the higher retirement age for women and partly to the stricter rules on disability pension (Bukodi 2005: 16-17).

Some measures were introduced that indirectly fostered the closure of gender pay gap. These were the introduction of the minimum wage and the 50 percent wage increase for those working in the public sector. These changes contributed considerably to the pay increase of women and the narrowing of pay gap as increase in wages was introduced in sectors in which women were over-represented. Other ways of encouraging women’s employment were the introduction of flexible working times, part-time and distant employment opportunities. In Hungary, however, in comparison with the EU-15, only a relatively few employees worked in
flexible work arrangements: 22 percent compared to the 45 percent EU average. In 2003 only 6 percent of women employees in Hungary worked in part-time employment (Krizsán and Pap 2005: 44).

However, in order to at least approach the 60 percent of women’s employment target of the Lisbon strategy, other institutional changes need to be introduced that could facilitate women’s integration in the labor market. For that, equal opportunity policies are not enough, but a gender-integrated approach is needed. In order to change the traditional pattern of the domestic division of labor, changes should be introduced in men’s role as well; otherwise, gender equality remains a dream to be never fulfilled. The Act LXXXIV of 1998 introduced in 1999 on parental leave permits both parents’ application for child-related benefits, whereas only mothers and single fathers were entitled to it. However, in 2006 there were still no provisions encouraging men to apply for parental leave (Monitoring the EU Accession 2002: 276), thus the percentage of applying fathers is very low. Therefore involvement of men in caring for children in practice remains symbolic. In fact, in 2003 only 6 percent of those who received childcare benefit, and about 1 percent of those who received childcare allowance were men (National Action Plan 2004: 42). Another incentive for fathers to take on a greater share in family responsibilities is the right of fathers to have a five days work-time allowance upon the birth of the child. This provision serves the realization of a nontransferable leave available for fathers after the birth of the child. Besides this peculiar provision, other means should be introduced to encourage fathers to participate in family responsibilities (Krizsán and Pap 2005: 21).

Though the generosity of the Hungarian parental leave provisions (i.e. full-time leave till the child is 3 years old with social insurance benefit at 70 percent of earnings below a ceiling, until the child is 2 years old and lower allowance for the 3rd year) is welcomed by many, the policy should be assessed and documented to avoid its ambivalent and to
determine the extent the long parental allowance hinders women in returning to the labor market particularly if not accompanied by the existence of flexible jobs. Generous parental leave provisions are beneficial only if accompanied with good institutional childcare arrangements, as these enable women to return to the labor market. But when these policies contradict each other, women's position becomes difficult. As the figures in the table below show, only two-thirds of women using parental leave returned to the labor market.

Approximately half of the returners continued their careers at the original workplace, while a significant part of women started a career at a new workplace or by became self-employed which could be considered as a disadvantage.

<table>
<thead>
<tr>
<th>Distribution (%) of the trajectories of former child care benefit recipients</th>
<th>1999</th>
<th>2002</th>
</tr>
</thead>
<tbody>
<tr>
<td>Became housewife</td>
<td>12</td>
<td>17</td>
</tr>
<tr>
<td>Claimed new maternity leave</td>
<td>16</td>
<td>12</td>
</tr>
<tr>
<td>Became unemployed</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Became self-employed</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Looked for new workplace</td>
<td>32</td>
<td>26</td>
</tr>
<tr>
<td>Returned to original workplace</td>
<td>35</td>
<td>36</td>
</tr>
</tbody>
</table>


In order to avoid the entrapment caused by prolonged stay away of women from labor market due to childcare, changes have to be introduced in the childcare policy. Such a policy should not only focus on the payment of different forms of childcare benefits but also on subsequent or parallel support for reintegration in the labor market. Furthermore, the increase in the availability of daycare would also contribute to the easier reintegration of women in the labor market.

If in Hungary, the conditions of 2007 persist in the availability and affordability of childcare services, the targets set at the Barcelona summit with regard to childcare (i.e. providing childcare by 2010 to at least 90 percent of children aged between 3 years old and the mandatory school age and at least 33 percent of children under 3 years of age) will be difficult to meet. While the coverage for the children below the age of 3 years old is below
10%, there is extensive coverage (90 percent) of kindergartens for the age group 3-6. Moreover, there are wide regional disparities in access to childcare. The negative impact of the transition, that is the closure of childcare institutions as a result of economic restructuring, was not compensated against. The responsibility of providing childcare facilities resides mainly with the central government, while the role of employers is barely visible. The growing deficit and the decrease in birth rates obstruct on the onset the creation of new childcare facilities, widening regional disparities even further. According to the publication of the Central Statistical Office (KSH) the number of day nurseries in Hungary decreased to the half between the years of 1990 and 2003 (CSO 2003: 177). Linking to this, in the year of 2002, the main reason of the unsolved situation of child caring was the lack of places in day nurseries (CSO with the Government Office for Equal Opportunities 2003: 96).

As this short overview on the Hungarian developments shows, Hungary adopted an integrationist approach to gender equality policies to be implemented through a top-down model. Promoted by the EU, the original human rights frame of the gender equality policies has been narrowed from the onset into labor and social policy issues. This far, the integrationist approach to gender mainstreaming promises to handle the complex issues of gender inequality through targeting women’s employment in more effective ways. However, the question still remains how much this approach discloses/shades the inherently political character of the problem, and what results would bring.

Conclusion

The accession of Hungary to the European Union created controversial feelings and expectations: high dreams on economic advancement and greater influx of capital were mixed with deep apathy and strong anti-EU feelings fearing inflation. The European Parliamentary elections in 2004 already signaled a gender-specific problem: women were

Commented [s21]: usually, the feminist criticism is that the focus is too narrow because it addresses labor policy but not social policy -- what other policy fields should also be included?
more Euro-skept than men, as 10 percent more women voted against joining the EU than men (Pető 2004). During elections, women voted for political values that ensured their equal access to goods, independent of gender differences. The appearance of gender equality in the norms and rights of EU member states has always been pushed through from above, and the key to their success was that the states played a major role in their formulation. In Hungary, both liberal and conservative parties showed a visceral disinclination to equal opportunities politics, as they expected the state to follow the patterns of “state feminism,” the politics of pre-1989 Soviet-type emancipation, especially that aspect of it which focused on women’s employment. The socio-political program that was identified with state tutelage and interference since 1990 has been dropped out from the vocabulary of politics, and the parties have begun to voice the neo-liberal idea that “smart people will get ahead.” The social impacts of this phenomenon by now – in the narrow latitude of Hungarian economy, social differences have become enormous very fast.

In Hungary, the introduction of equal opportunities policy in all policy areas was a requirement of eligibility for EU accession. Under strong EU pressure, the process was initiated from international level through legislative and institutional changes. During this process an integrationist approach was undertaken through an expert-bureaucratic model of implementation. There were changes in some policy areas with relevance for gender equality, such as policies concerning primarily women’s participation in the labor market, welfare benefits, domestic violence, prostitution, and abortion. However, by focusing on equal opportunities policies and distancing itself from any kind of positive action, the Hungarian national governance failed to include the three equality perspectives in its policies on gender equality. Through the integrationist approach, that Hungary adopted and realized some level of institutionalization of women’s policy machinery and some policy changes, Hungary satisfied the minimum demands of EU. Gender mainstreaming was adopted at rhetorical level
in key policy documents, but in 2006, a comprehensive strategy included in all policy fields was still missing, and the principle of women’s perspective was subordinated to more important economic or social concerns. The governmental restructuring after the 2006 general elections can be viewed as an opportunity window for civil society representatives to involve in policy-making. Gender mainstreaming as a strategy can facilitate cooperation between the parties. However, as long as there is no high-level mobilization and strong pressure from the civil society/representatives of women’s organizations, it is illusory to expect further developments.

References:


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Endnotes

1 For a discussion on sexual harassment in the EU see the chapter by Kathrin Zippel in this volume.

2 For an extensive discussion on EU legislation on reconciliation of work and family life see the chapter of Kimberly Morgan in this volume.

3 For a discussion on the differences between the gender and equal employment regimes of old and new EU members see the chapter by Angelika von Wahl in this volume.
Article 66 of the Constitution states the following: (1) The Republic of Hungary shall ensure the equality of men and women in all civil, political, economic, social and cultural rights. (2) In the Republic of Hungary mothers shall receive support and protection before and after the birth of the child, in accordance with separate regulations. (3) Separate regulations shall ensure the protection of women and youth in the workplace.

It prohibits discrimination against private persons on the grounds of gender, race, ancestry, national origin, or religion; violation of the freedom of conscience; any unlawful restriction of personal freedom; injury to body or health; contempt for or insult to the honour, integrity, or human dignity of private persons shall be deemed as violations of inherent rights. This Article is very useful in cases where the employer refuses to employ a woman owing to her gender.

(1) In connection with an employment relationship, no discrimination shall be practiced against employees on the basis of gender, age, race, national origin, religion, political views or membership in organizations representing employees or activities connected therewith, as well as any other circumstances not related to employment. Any differentiation clearly and directly required by the character or nature of the work shall not be construed as discrimination. (2) In the event of any dispute related to a violation of the prohibition on discrimination, the employer shall be required to prove that his actions did not violate the provisions of Paragraph (1). (3) Employers shall provide the opportunity to employees for advancement to higher positions without discrimination and solely on the basis of the length of employment, professional skills, experience and performance.

There are no accredited Gender Studies Programmes operate at undergraduate level at the public universities in Hungary. Except for the CEU Gender Studies MA and Ph.D. programme, there are no graduate and postgraduate level courses. Furthermore, the CEU
Gender Studies Programme, in 2006, was not yet accredited by the Hungarian Accreditation Committee. See more Pető 2006.

Economically active person: employed and unemployed persons, entering the labour force market (Women and Men in Hungary, 2004: 110).