

## **Project 9: Tackling Inequalities in Work and Care: Policy Initiatives and Actors at the EU and UK levels**

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### **1. The Research in Context**

The proposed research will investigate policy development in respect of first, ‘work/family reconciliation’ (or, in the UK prior to 2000, ‘family friendly’) and ‘work/life balance’<sup>1</sup>, and second, equal opportunities at both the UK and EU levels. The literatures on ‘work/family reconciliation’, on ‘work/life balance’, and on equal opportunities are in large measure separate. We plan to construct narratives of policy development for both dimensions of the research (work-family/life and equal opportunities), and also to analyse the links between them.

We see the relationship between these two pieces of policy development as crucial because the gendered *divisions* in paid and unpaid work have long been recognised as being central to issues of gender *inequality*. Much of the debate over the ways in which to tackle gender inequalities has focused on how to strengthen women’s position in the labour market, whether it is as important to address men’s participation in unpaid work, and how far equal treatment of whatever kind should be the goal. Gender equality defined as ‘same treatment’ (with men) has a long historical tradition, especially among feminists in the English-speaking countries; the recognition and accommodation of ‘difference’ has been stronger in continental European feminist literature, and a source of ambivalence in policymaking. Our focus is therefore on the development of work-family/life reconciliation/balance policies in relation to equal opportunities policies; while we will necessarily interrogate the meaning of the shifts in equal opportunities policies, the research is not about equal opportunities policies *in and for* themselves.

While particular issues relating to *women’s* position in the labour market (especially in respect of access and pay) and in the family (especially in respect of claims on the basis of motherhood) have been policy issues throughout the period of welfare state development, and indeed prior to it in the case of the rights and protections due to mothers (Wikander et al., 1995), the *relationship* between the gender divisions and gender inequalities in paid and unpaid work has come to the top of the policy agenda over the past decade because of the related family, labour market and welfare state changes.

To sketch these changes briefly:

The settlement at the heart of the modern welfare state was that between capital and labour. But it is increasingly recognised that there was a second key settlement between men and women (Lewis, 1992; Orloff, 1993; Esping Andersen, 1999; Crouch, 1999). The old labour contract was designed first and foremost for the regularly employed male breadwinner and provision had to be made for women. The gender settlement at the household level meant that those marginal to the labour market got cash cover via dependants’ benefits. Alain Supiot (1999) has described the labour/capital settlement in terms of security traded for dependence. A similar set of arrangements can be said to have marked the gender settlement. The male

breadwinner model was based on a set of assumptions about male and female contributions at the household level: men having the primary responsibility to earn and women to care for the young and the old. Thus this model made provision for the unpaid work of care, but at the price of inscribing female dependence on men. The male breadwinner model that was built into the post-war settlement assumed regular and full male employment and stable families in which women would be provided for largely via their husbands' earnings and social contributions.

A pure male breadwinner model never existed; women always engaged in the labour market. But there were historical periods in some countries and for some social classes for which the model more accurately described the social reality than others: for people of the middling sort in the UK and the US in the late nineteenth century and large tracts of the middle and respectable working classes in the years following the Second World War in many western countries. There has been an enormous behavioural change in the second half of the twentieth century, with increasing numbers of women entering the labour market. Indeed, this has become one point of convergence between EU member states. Family change, which has resulted in more family breakdown, more fluidity in intimate relationships, and a large increase in single person households has also contributed to the erosion of the male breadwinner model at the behavioural level.

With the widespread entry of women into the labour market; the (much smaller) reduction in male labour force participation (due mainly to early retirement); the greater need for two incomes (related to increasing consumer expectations); and the even more dramatic and rapid pace of family change over the last quarter of a century, assumptions as to the existence and desirability of the traditional male breadwinner model family could not hold. Dual-earner families have become the norm in most western countries, although the number of hours women work outside the home varies hugely (Rubery et al., 1999). Indeed, Mutari and Figart (2001) have argued that gender differentiation is increasingly based on time. Some form of part-time work for women (sometimes supported by state policies) has historically been the main way of reconciling work and family responsibilities in European countries, unlike the US, where women have tended to work full-time and to rely on (the relatively cheaper) market provision of care. The vast majority of men have continued to work full-time and in the English-speaking countries a significant proportion (just over 31 per cent of UK fathers with children under 16) work more than the 48 hours laid down by the European Commission's 1996 Working Time Directive. In the USA, where all mothers are also much more likely to work full-time, there is, not surprisingly, much more outcry about family stress and 'the crisis of care' in both one and two parent families (Hochschild, 1995; Skocpol, 2000; Hewlett, 1991; Schor, 2001; Heyman, 2000 ).

Increasing family fluidity has also served to erode the male breadwinner family. High and stable rates of divorce and high rates of unmarried motherhood, driven by the vast increase cohabitation, have resulted in high proportions of lone mother families in many northern and western European countries and in North America. At the same time, population ageing has increased care needs. It is now a quarter of a century since Brody (1981) identified the problem of the 'women in the middle' – middle-aged women who found that they had to give care to both elderly parents and children, and since then the problem has intensified. Indeed in the UK it may well be in part responsible for the recent finding from a national sample survey that there has been a large increase during the 1990s in the proportion of women in

their 50s reporting that they are ‘very’ or ‘completely’ dissatisfied with their paid work (White, 2004).

These major changes in families and labour markets have coincided with a period of welfare state restructuring, the main feature of which has been an effort to shift the emphasis from rights to responsibilities and from so-called ‘passive’ to ‘active’ welfare provision, such that claimants on the welfare system are ‘encouraged’ into work and work is made ‘to pay’ (Lodemel and Trickey, 2000). In the European context, welfare state change has been largely driven by the aim of promoting competition and growth (EC, 2000, 2003) and justified in terms of widening the tax base and hence ‘saving’ the continental European social insurance model (Esping Andersen et al., 2002). Welfare states were built around the work/welfare relationship and the incentive and disincentive effects of social provision on the worker’s inclination to search for employment and to support *himself*. However, the work/welfare relationship has been substantially recast (Pierson, 2001; Ferrera et al., 2000). Gilbert (2002) has characterised the new trends in terms of a series of shifts from social support to social inclusion via employment, from measures of decommmodification (that enable people to leave the labour market for due cause) to ways of securing commodification, and from unconditional benefits to benefits that are heavily conditional on work or training. Crucially, for the first time, this recast work/welfare relationship has been extended to women as well as men (Lewis, 2002). At the EU level, a target of 60 per cent female labour participation by 2010 has been agreed. Indeed, as early as 1993, the European Commission identified the formal care sector as a source of new jobs (CEC, 1993), the implication being that women workers might trade the work of informal care for paid work in the formal care sector.

The new principles underpinning social provision have neatly piggybacked onto the erosion of the male breadwinner family. For the shift in ideas and practices in regard to social welfare systems is first, instrumental, serving primarily the competition and growth agenda of the European Commission (1993, 1997, 2000), and second, is also in keeping with ideas about increasing ‘individualisation’. This is defined by social theorists as the processes whereby people’s lives come to be less constrained by tradition and custom and more subject to individual choice (Beck, 1992; Beck and Beck Gernsheim, 1995), but is usually understood at the policy level simply in terms of growing economic independence. Both the contributions that men and women make to households and family forms are more fluid, there are no firm normative prescriptions. However, I have argued that there is a danger that the new set of policy assumptions about the desirability and inevitability of what is now conceptualised as an ‘adult worker model family’ (Lewis, 2001) is outrunning the social reality, because there are still profound gender divisions in both paid and unpaid work. Nowhere is there equality between men and women in the workforce, and time-use surveys show the relatively small extent to which men, especially fathers, have increased their contributions to the unpaid work of care and household labour (Gershuny, 2000; Smith, 2004).

The way in which the analysis of policies to promote gender equality and policies to promote work-family/life reconciliation/balance are tied together are usefully illustrated by the debate in the literature about policy shifts at the EU level. The strand of literature addressing EU policies in respect of gender equality has tended to see the shift from a focus on equal pay and treatment, virtually the only ‘social policy’ in the Treaty of Rome, to a greater focus on work/family reconciliation policies from the mid-1990s as a welcome broadening of the understanding of what is necessary to tackle socially constructed inequalities (e.g. Hantrais, 1999). However,

such an interpretation depends on work-family/life policies being applied to men as well as women, which is difficult to demonstrate both for the EU and UK levels. An alternative interpretation suggests a move from equal treatment to equal employability (Ostner, 2000), which is more consistent with the arguments developed to date by Lewis (2001, 2002), but which requires further investigation.

## **2. Background notes on key issues in the development of equal opportunities and work-family/life policies**

### **(a) Work-family/life policies**

The determination to promote ‘active’ welfare has resulted in a policy focus on the employment side of the paid/unpaid work equation. The EU and EU member states have given only partial acknowledgement to the fact that the shift towards a set of assumptions based on an adult worker model family raises problems regarding unpaid work. The reconciliation of work and family has come onto the political agenda even in countries such as the UK, where it has never previously been thought to be part of the role of government to intervene in the ‘private’ care arrangements of families. Indeed, policies to address the problems of reconciling/balancing work and family/life have been widely touted as providing the answer to economic competitiveness, to the problem of low fertility and to difficulties posed by population ageing (e.g. OECD, 2004). The shift from work/family reconciliation to work/life balance, particularly evident in the UK since 2000, requires further elucidation. It has been suggested that it represents a shift in emphasis from gender equality to ‘diversity’ (which, if it is the case, has much in common with shifts in the approach to equal opportunities legislation), and a shift from state intervention to greater reliance on voluntary action by firms.

It is important to track the different policy dimensions in this field. From the worker/carer’s point of view, the following are crucial:

- Time: working time and time to care
- Money: cash to buy care, cash for carers
- Services: for child and elder care

It is important to track both the ‘policy logics’ at work and changes in the policy focus. In respect of policy logics, only in the USA and in some of the Nordic countries have models been based on the assumption that men and women will be fully engaged in the labour market. However these models work in very different ways. In the US case, the obligation to enter the labour market is embedded in a residual welfare system that often borders on the punitive, whereas in Scandinavia, it is supported by an extensive range of care entitlements in respect of children and older people. Thus, the US operates a fiercely gender-neutral, equality-defined-as-sameness adult worker model, with very few supports for carework, although the market provides good access to affordable (but not necessarily good quality) childcare. Scandinavia operates what is in practice, but not in name, a gender-differentiated ‘supported adult worker model’ (Hobson, 2004), with high penetration of services for the care of children and elderly people and cash transfers in respect of parental leave. Other Western European countries have moved substantially towards assuming the existence of an adult worker model family, but in practice still operate a mixed model of ‘partial individualisation’. Thus The Netherlands and the UK have

changed the nature of entitlements for lone mother families, such that women with school age children are encouraged to seek employment, the main motives being the wish on the part of Governments to address the issue of child poverty and to limit cash transfers to this group. However, incentives to partnered women to enter the labour market are ambiguous. In the UK, the operation of a welfare system for adults that relies on means-tested social assistance rather than social insurance provides an inbuilt disincentive to the partners of unemployed men to enter the labour market (Rake, 2000). The UK Government's emphasis on the New Deal, tax credits, and childcare services since 1997, with relatively little attention to parental leave, is at odds with the policy packages favoured in most other EU member states - although in line with the recent policy trends at EU level – and reflects the policy drivers, namely an expanded labour force and paid work as the means of social inclusion.

In respect of shifts in the policy focus, it is important to recognise the extent to which policy in this arena is subject to pendulum swings. Thus, for example, Germany's introduction of long (three year), flat-rate parental leave in the mid-1980s favoured female labour market exit and maternal childcare in the family in contrast to the introduction of a 12 month parental leave (at 80 per cent replacement income rate) in Sweden in the late 1970s, which aimed to promote gender equality in the workplace (Scheiwe, 2000). It is highly significant that in countries with historically short (under 15 hour) part-time working on the part of women (especially the UK, Germany and The Netherlands) there have been major initiatives in recent years to promote childcare services, over and above paid leaves. Such policies are in line with the desire to promote adult employment, because it is well known that services provide incentives to female employment, whereas long homecare leaves – which extend beyond the period of parental leave, offering only low rates of replacement income, and which are usually promoted by more conservative politicians - may tend to promote female labour exit (Moss and Deven, 1999; Morgan and Zippel, 2003). In addition, research findings in the English-speaking literature have now swung away from condemning the effects of maternal employment on young children towards endorsing institutional provision, at least for three and four year olds (Gregg and Washbrook, 2003; Sylva et al., 2004).

#### (b) Equal opportunities policies

The longstanding debate in the feminist literature on equal opportunities and social citizenship has centred on the problems of 'equality versus difference' (e.g. Scott, 1988; Lister, 2002). As Joan Scott (1988) insisted almost fifteen years ago, the choice between claiming on the basis of equality, in the sense of equal-to-men, or of difference, is an impossible one. To opt for equality means accepting that difference is antithetical to it. To opt for difference means admitting that equality is unattainable. In addition, the equality/difference debate has mapped onto debates about the desirability of 'universal' treatment in pluralist and diverse societies. Iris Young (1989) argued first, that the idea of universal citizenship has in practice excluded groups judged not capable of adopting the general point of view, and second, that the existence of privileged groups has meant that the equal treatment inherent in the idea of universality has perpetuated inequality. However, it is possible to interpret the Swedish approach to gender and social citizenship in terms of the establishment of a universal citizen-worker model, with the possibility of taking account of gender difference via programmes (like parental leave) that permit (usually mothers) to 'decommodify' their labour for cause (Lewis and Astrom, 1992). The charge that such

an approach merely serves to perpetuate inequalities in both paid and unpaid work serves to show how problematic the whole arena of equality legislation is.

Indeed, equal opportunities policies have also taken very different forms, from strictly equal treatment, for example in relation to pay, to the recognition of indirect discrimination, albeit still at the level of the individual. Some of the most acrimonious debates have taken place in regard to how far measures to tackle inequality should go beyond equal treatment to special treatment/positive action, or to positive discrimination (as a means of rectifying historical and systemic patterns of discriminatory treatment on the basis of sex or ethnicity).

The relationship between EU and nation state levels in respect of equal opportunities policies is particularly hard to unravel; the role of the ECJ has also been important. Membership of the European Economic Community was decisive in forcing the adoption of equal pay legislation in the UK (O'Donovan and Szyszczak, 1988), and Bergquist and Jungar (2000) have argued that the entry of Sweden into the EU had an important effect on the EU policy, particularly in respect of promoting the shift towards a 'gender mainstreaming' approach, and away from equal treatment (and, some would argue, positive action) (see Rees, 1998; Fredman, 2002). UK resistance to EU level initiatives was very strong between 1980 and 1997, and notwithstanding the willingness of the UK Government to sign up to EU level initiatives since 1997, the contours of UK provision in, for example, the field of work/family reconciliation policies remains markedly different from many other member states. However, the current impetus to incorporate religion, age and sexual orientation into established anti-discrimination law has come from the EU. An EU Directive implementing the principle of equal treatment between persons irrespective of racial and ethnic origin was adopted in June 2000 and a second Directive followed in November 2000 extending the principle of equal treatment to age, disability, religion and sexual orientation (this Directive applies only to employment and training, whereas the race directive extends somewhat further.)

The extent to which equal opportunities policies have been firmly tied to labour markets at EU and nation state levels has important implications for work/family reconciliation. The EU has historically been confined to the public sphere of trade and employment, which has arguably made it as difficult to address the broader issues of systemic inequality arising from the unequal division of work, paid and unpaid, and the fact that a majority of women workers enter the labour force on terms that are different from those of men. Indeed, the basis for women's claims-making – as mothers, wives and workers - is inherently more complicated than that of men (Peattie and Rein, 1983) and partly explains why their claims have been so much harder to accommodate. Nevertheless, the EU has succeeded in widening its approach towards equal opportunities, for example, in the shape of the 1996 Directive on parental leave, and EU level policy documents have consistently referred to the importance of the 'balanced participation' of men and women in member states, possibly because of the visible role played by specific women's lobby groups (the European Women's Lobby and the Advisory Committee on Equal Opportunities for Women and Men). There are profound tensions at EU and nation state level between the different bases for women's claims and the different approaches to equal opportunities policies.

#### 4. Questions and Approaches

We plan to look at the development of policies and the policymaking process, rather than at outcomes, but we will endeavour to comment broadly on the implications of our policy analysis. We will cover the period from the mid-1990s in depth: at the EU level, the Parental Leave Directive came into force in 1996, and in the UK, Labour's election in 1997 marked a new orientation to work- family/life policies. However, we will also explore the period from the early 1980s using secondary published documents.

Preliminary work suggests that it would be useful to explore in depth what appears to be a major turning point at EU and UK levels. In the late 1990s/early 2000s there was a shift:

- in the meaning of equal opportunities policies (from positive action (using Rees' 1998 definition) to mainstreaming
- towards 'an adult worker model family' with a strong focus on women's employment
- from work/family reconciliation (or 'family friendly' policies) towards work/life balance (which, like 'mainstreaming', may be more 'diversity-friendly')
- from 'hard' to 'soft' governance, and towards more multi-level forms of governance (the OMC at EU level; partnerships at UK level).

We need to explore the links between these shifts. For example, does this *set* of changes make it inevitable that gender mainstreaming will be integrationist rather than radical?

We shall be analysing the UK and EU cases separately and then exploring the relationship between them, and how far there is any 'policy learning/transfer' between the national and EU levels. We are interested above all in how the policy issues are *framed*; following one influential strand of the comparative analysis of welfare states (e.g. Pierson, 2001), our focus will be on ideas, interests (of actors) and institutions.

It is possible to argue that the kind of welfare state restructuring (described above p. 3) has represented a 'paradigm shift' (Hall, 1993) in ideas about the nature of the work/welfare relationship; I would argue that this is especially the case in respect of the assumption that women will be 'citizen workers' (Lewis, 2002). The shift in ideas about the role of social policies (in promoting 'social investment') and about the relationship between social and economic policy has taken place at EU and UK levels. We need to explore these changes in relation to ideas about care. In the US, Hertz (1999) has argued that the concept of balancing work and family is essentially about competing ideologies of childcare, while Kremer (2002) has made a similar point about the centrality of 'ideals of care' in The Netherlands. In the UK during the long period of Conservative hegemony, there was profound tension between those Members of Parliament who adhered to traditional the family values associated with the male breadwinner model, and more libertarian Members, who were agnostic about increasing employment rates among mothers with young children (King, 1987; Lewis, 1992).<sup>2</sup> We need to pay attention to the policy drivers and how they have changed over time, for example, at UK level child poverty and employment as a means to social inclusion have been key since 1997. Across EU member states, parental leave has served both the idea of promoting women's employment (in Sweden) and of promoting female labour market exit (in Germany).

As Dyson (2000) has argued, 'interests come to be constructed in certain ways...'. Some of the most persuasive literature on EU policymaking and on Europeanisation has talked about the importance of the degree of 'fit' in terms of

institutions and ideas between member states and the EU level. There is, of course, a much greater multiplicity of interests and actors to be considered at the EU level (Barbier, 2004). Following Dyson (2000) on the importance of ‘fit’, we propose to investigate at EU and UK levels:

- policy ideas and mechanisms: the nature of the ‘policy package’ regarding work-family/life and equal opportunities policies, for example, the UK has focused on employment, tax credits and childcare services, and less on parental leave than other member states;
- ideas about and changing practices of governance, for example, in the UK, there is an absence of a tradition of policymaking by the social partners, who were responsible for the 1996 Parental Leave Directive at EU level;
- presence/absence of legitimating discourses, for example, the consideration given to ‘the business case’ has been particularly strong in the UK, and Pollack and Hafner Burton (2000) have stressed the extent to which women’s lobby groups at the EU level have been successful in ‘strategic framing’ (that is, ensuring a ‘fit’ between particular dimensions of gender mainstreaming and the preoccupations of EU policymakers).

In his study of Europeanisation and the relationship between member states and the EU level, Olsen (2004) has also made a strong case for looking at logics of calculation and expected utility, which may vary from situation to situation, that is, the importance of the balance between shared norms and self-interested bargaining.

*How might we read the outline narrative?*

We need to hold firmly in mind that gender has, since the Treaty of Rome, been strongly institutionalised at the EU level, while social policy has been very weakly institutionalised. The reverse is true in the UK (and other member states). It is interesting that the EC-funded WRAMSOC project recently concluded that policy action to address the ‘new social risks’ arising from the erosion of the male breadwinner model family, have often been dominated by actor coalitions that do not represent those most affected by the policies. *Yet* Pollack and Hafner Burton (2000) and Hoskyns (2000) argue that the women’s lobby has been effective at EU level.

(i) On equal opportunities:

- From equal treatment of women to equal employability of women (Ostner, 2000)? This is an interpretation that fits the trend in ideas about the role of social policy.
- From equal treatment of women to a wider definition of gender equality, addressing the sharing of unpaid as well as paid work (Hantrais, 1999)? This is a view which reflects the line taken by the EU level Action Programmes, but is there wider evidence for it?
- From gender specific positive action for women (as defined by Rees, 1998) to mainstreaming incorporating diversity, in which case is attention to gender inequalities weakened or strengthened?

(ii) On work-family/life:

(The literature on work/ family and on work/life is bifurcated and debate between the two literatures is curiously absent.)

- From work/family policies as part of an equal opportunities agenda to work/life policies as part of an employment agenda? That is, from a family to

a work focus (for example at EU level from the Childcare Network of 1992-2000 to first the social partners, then the EES; at UK level responsibility for policy moves in large measure from the DfES to the DTI)

- From work/family to work/life, representing a narrowing of choice to work or to care?

How valid are any of these linear interpretations? For example, it is interesting that UK developments from 1997 to 2003 seem largely to parallel EU developments, but the Treasury and DTI 2003 document is entitled: Balancing Work and Family Life and longer maternity leave is now proposed, possibly as a response to the domestic backlash against the employment of mothers of young children.

We also need to pay attention to the possibility of policy trade-offs, for example between work/life balance policies and family policies: that is the possibility that government will press for work/life policies and neglect the development of family policy.

And finally, what are the ideas about what government can do in this field and how have they changed? How influential have women's voices been in the policymaking process? If 'fit' between ideas, interests and institutions at the EU and member state level is of key importance, and if the restructuring of welfare states on the one hand, and the introduction of new modes of governance on the other, has exacerbated the subservience of social to economic policy, then the answers to these questions may be expected to be negative.

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<sup>1</sup> The shift in terminology is in and of itself significant.

<sup>2</sup> It will be interesting to examine the extent to which, and where, policymakers have looked for evidence to support their changing ideas. At the recent Dutch Presidency Conference on childcare, the EC representative, Ms. Pavin Woolfe, said that the Barcelona targets for childcare provision, which are substantially higher than the Lisbon targets for women's employment, were arrived at on the basis of a 'common-sense' decision. In 2004, the DTI brought in Ekberg (2004) from Sweden to talk on 'daddy leave', but why him and not someone whose work on this topic has achieved more international recognition?

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