Isis International-Manila
Monograph Series 1
Vol. 3

Gender, Governance and Democracy

The Universal Joker: Trade Liberalisation, the Labour Market and Women's Work - Experiences in Europe
Christa Wichterich

Gender, New Constitutionalisms and the Information Sector
Marina Fe Durano
Raijeli Drodrolagi Nicole

An Isis International-Manila Publication in collaboration with the Women and Gender Institute (WAGI)

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Gender, Governance and Democracy:
Gender and International Trade

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Preface

In the year 2005, Isis International-Manila (Isis-Manila) witnessed the consolidated shift of attention, energies and resources toward the Millenium Development Goals (MDGs) and the attempt to counter, if not, 'manage' the fast-rising state of global insecurity. As the world grapples and tries to keep pace with these developments, women now fear a backlash in the gains made toward their empowerment as women's participation and visibility in public spaces are gradually being curtailed. The low-key review of the status of women following the adoption of the Beijing Platform for Action a decade ago, was reflective of an environment where women's interests still remain remote from State agenda.

Global capitalism is writing its script on the bodies and lives of women and girls as it intersects with globalised media and ICTs. Spaces for women's interaction are increasingly shrinking as organisations and networks work to strengthen trans-regional feminist activism and inter-movement dialogue in challenging new and old manifestations of neo-liberal globalisation. Thus, Isis-Manila presents "Gender, Governance and Democracy", the inaugural issue of the ***we!*** monograph series.

The ***we!*** monograph series is Isis-Manila's trans-regional publication that visibly facilitates cross-border understanding and analysis on cutting-edge issues and current affairs. Its purpose is to promote a deeper and critical interrogation of the inter-linkages of global trends and the broader development agenda. An alternative platform that interrogates issues from a feminist standpoint, the ***we!*** monograph puts forward the voices of women scholars and activists. Further, it seeks to elevate feminist perspectives and analyses in an attempt to generate awareness on our common sites of struggles against patriarchy, corporate hegemonies, right-wing ideological regimes, and empire-building.

In this inaugural issue, the selection of cross-border exchanges between Asia and Europe proceeds from the Friedrich-Ebert-Stiftung Philippines' (FES) international conference Women Shaping Democracy: Progressive Politics Ten Years After the World Conference on Women in Beijing in October 2005, co-organised by the Southeast Asian Women's Watch (SEAWWatch) and Isis-Manila. Isis-Manila extends its appreciation to colleagues in SEAWWatch, WAGI and FES, in particular, to FES former Director, Beate Martin, and former FES Southeast Asia Regional Gender Coordinator, Anja Koehler. The engagements that took place in this conference served as the bases for this monograph series.

Isis-Manila is immensely grateful to its long-time partner Women and Gender Institute (WAGI), for collaborating in producing this monograph series. We are especially grateful to the enthusiasm and commitment of the Executive Director of WAGI, Josefa 'Gigi'

Francisco who served as this issue's guest editor. The direction setting and production of this inaugural issue was made possible through the coordination and leadership of an inter-generational editorial team from Isis-Manila and WAGI comprised of Anjani Abella, Marilen Abesamis, Maria Melinda Ando, and Aileen Familara. We also extend our appreciation to the always reliable and ever-ready Sonic 303 for the cover design and Lithwerke for lay-out and printing services.

Finally, Isis-Manila also extends its utmost thanks to all its partners that continue to support and believe in our work and contributions toward people-centred development and social change. In particular, our gratitude goes to the Evangelisches Missionwerk/Church Development Service (EED–Germany), with complimentary funds drawn from the WAGI/UP-NCPAG (University of the Philippines–National College of Public Administration and Government)/UNDP (United Nations Development Program) Governance Portfolio Fund.

This monograph series compiles six critical opinion articles in three (3) volumes, namely [1] Women in Politics; [2] Gender and International Trade; and [3] Peace and Security. The series reflect Asian and European perspectives on current debates on gender, governance and democracy.

A common thread running through these rich cross-border essays is the call for the construction of democratic and gender-sensitive differentiated democracies with economies based on solidarity and not

on profit. As such, in the larger debate of re-claiming peace, nation building, and state building, all essays call for the promotion of gender justice and equity and re-affirm that real development will not take place without the promotion of women's empowerment and recognition of women's pro-active participation in public spaces.

Indeed much is left to be done.

Raijeli Drodrolagi Nicole
Executive Director
Isis International-Manila

Introduction

To many, the debates around the issues of global economic restructuring and trade liberalization take place in specialized spaces that are hospitable only to a few technically oriented persons and largely remote and unwelcoming to a large number of women's rights activists and feminists. For decades, many women have struggled and successfully broken into these highly 'exclusive' and male-centric spheres but much remains to be changed. Women continue to be at the periphery of trade-related discussions despite evidence that point to the widening rift, disparity and social inequities between men and women, as well as, within the 'ranks' of women themselves, caused by processes of trade liberalisation. This volume is a vivid expression of Isis-Manila's commitment to supporting initiatives of, by and for feminists who critically confront, expose and provide alternative developmental tools in response to the silent pillaging of our lives.

The present volume brings together essays reflecting realities and experiences in gender and international trade from both North and South. The critical and feminist standpoint-viewpoint employed by these two discursive articles studies demonstrate that there are no winners, most especially among women, when it comes to the general trade policies imposed by the World Trade Organization (WTO) and implemented by our governments. No winners, that is, except for big multi-national/transnational corporations that are trade liberalisation's strongest allies and major stakeholders.

Durano and Nicole lament the assault on sovereignty posed by new trade and finance regulations put in place by the WTO and other economic agreements, made possible by the global processes of 'New Constitutionalism' and the 'Marketisation of Governance'. The essay strongly questions the traditional approaches of mainstreaming Asian women in politics and integrating them into the mass media. Instead of integrating women, it urges feminists and women's movements in the region and the rest of the developing world to confront macro issues in economic governance and how the power of the media is deftly intertwined with that of the market.

The European Union [EU] implements policies of trade liberalisation not without problems, and not without resistance either, as Christa Wichterich illustrates in her essay. She does so by highlighting the attack of trade liberalization on European women's economic and social rights through strategies such as reduced public expenditure for social services and flexible employment. It is through such strategies

that women now stand witness to a backlash in the gains made over time by the women's movements in their struggles against oppression and marginalisation.

Both essays bring to fore a dangerously insecure world spawned by marketisation and trade liberalization for women worldwide.

Anjani Abella and
Josefa 'Gigi' Francisco
Issue Editors

The Universal Joker: Trade Liberalisation, the Labour Market, and Women's Work - Experiences in Europe

12

By Christa Wichterich

When the Berlin wall fell in 1989 and Germany reunified, ten new countries proudly joined the fifteen old members of the European Union in 2004, and more countries lined up for EU accession, all driven by hopes for equal rights and a better economic life. This hope danced round one magic place: the free market, whose guiding principles were competition and efficiency. The market was supposed to provide space for growth, wealth, and equal opportunities. For women, this promise was steeped in hopes for individual rights, gender equality, and secure livelihoods. Invariably, these hopes were nurtured by the "American dream" of "I can make it" if I only try.

In Eastern European countries, women's aspirations had been entangled by the transition from the earlier centrally planned economies to market economies and manifold attempts to catch up with the single European market. In these post-socialist adjustment processes, gender roles and gender relations are re-arranged, and new lines of inclusion and exclusion are drawn.

At the same time, women's social and economic rights are reconfigured as the neoliberal globalisation gets a full grip of Western European economies. Social and economic development is marked by an intensified competition against other global players, by low growth rates, vast unemployment, and a dismantling of social welfare systems. Social market economy or "welfare capitalism"[1] with a strong redistributive role of the state had been the feature of Northern and Western European societies as a result of the historic class compromise following the second World War. Now, in one country after another, a package of neoliberal reforms is being introduced as the standard recipe to solve problems of growth, jobs, and welfare. The newly formed German coalition government of right and left, for example, stands for the consensus that "there is no alternative" to a neoliberal restructuring of markets, states and social reproduction in West Europe. This restructuring implies the further demolition of historical achievements in Europe and an erosion of high living standards and social welfare.

The overall goal for this restructuring is competitiveness of European economies and the single EU market in international trade and the world market. In the process, what happens to women's economic and social rights, to gender justice and gender equity?

The Visible and the Invisible Division of Labour

European statistics of the labour market indicate a significant difference in women's employment across the continent. While in Scandinavian countries the rate of so–called "economically active women"[2] is around 70 %, in the Mediterranean countries it is a mere 40%[3]. This difference reveals the way care for children and social reproduction are organised, whether child care is considered a private responsibility of the individual mother or is perceived as a "public" concern, in short, a centrepiece of social reproduction.

The Scandinavian and French welfare systems were outstanding in the old EU of 15 member states in that they offered public day care centers and day schools with lunch provisions – much as the socialist governments did earlier in Eastern Europe. This made it possible for mothers to continue with full-time jobs, something that is reflected in more continuous work biographies and successful careers of mothers in Scandinavia and France. At the same time in the Netherlands and West Germany where the states do not provide care facilities for babies, the political buzzword is "reconciliation," meaning young mothers should find individual strategies to combine job and child care. Therefore, many women leave their jobs after giving birth and rejoin the labour market much later, but only with part time work. Particularly in southern, very family-oriented European countries, juggling unpaid care work and paid work is still treated as a private problem of the individual.

In most of the EU countries, growing waged employment among women has left one fundamental element of gender inequality virtually untouched: the gender-specific division of unpaid labour. Women

spend twice as much time as men in the performance of unpaid care and reproductive labour within the household and community. Men's chronic abstinence from care work has indeed been reduced, but only slowly, even where governments provide paid "parental leave" to allow men to care for children and become more active fathers. In Germany, not even five percent of fathers take parental leaves. On the contrary, most fathers spend more time at their work places than they did earlier, and do overtime work to bring more income home. The Swedish welfare system is the European pioneer in policy attempts to force fathers to take at least a few months' parental leave. In this system, parents risk losing child care payments if the father doesn't stay home to do care work.

Despite the differences in women's employment rate in Europe and in the public provision of child care facilities, there are overall tendencies in the restructuring of the economies and the labour markets which result in very similar patterns of female employment.

Global Competition - Who is taking away whose jobs?

Let's take Germany. Being the world champion in exports and the homeland of powerful corporations, the German economy has been a major beneficiary of international trade. The TNCs based in Germany merge or split, and manage to make huge profits while paying little or no taxes. Due to competitive pressure, particularly from East Asia, corporations minimize costs and maximize efficiency to ensure competitiveness. Production is offshored to cheap labour regions in East Europe or to China. Threats to relocate production are used to

exert pressure on trade unions and on governments to allow reduction of wages, social security expenses, and taxes. Additionally, these threats make workers in other countries appear as direct competitors “who take away our jobs”.

Mainly men are affected by the present wave of job relocation because capital-intensive production, e.g., the German car production, the centrepiece of the German economy, is nowadays shifted to China or East Europe. In a much earlier wave of offshoring starting in the 1960s, labour-intensive industries and women’s jobs were affected, particularly textile, toy and electronic industries. Initially, industries were relocated to Mediterranean countries which offered cheap labour, then to the Asian tigers -- South Korea, Taiwan, Hong Kong, Singapore -- and from there onwards to other Asian countries. While at that time, the offshoring of production and women losing employment transpired without much public notice, nowadays there is daily a public outcry because male breadwinners are losing their jobs as well and joining the surplus labour force. It is no longer such a silent and invisible process.

In each wave of relocation, small and medium enterprises are crowded out of the market while big corporations associate, merge and acquire other enterprises in what often enough results in higher profit margins. German producers of textile machinery, the number one in the world, benefit a lot from the Chinese boom in textile production because they sell sophisticated technology and machinery to Chinese producers. If they relocate the production of machinery to China, German workers will lose their jobs but German corporations will be able to increase their profits even more.

The clash of interest following the end of the textile agreement (Multifibre Agreement) shows the changes caused by international trade. Imports of Chinese textiles into the EU more than doubled in 2005 while the prices of dresses, underwear, and trousers decreased by 30% to 50 %. The EU restricted its imports to protect the EU market, provoking a kind of trade war between garment producers (mostly based in the Mediterranean countries) and transnational retailers (mostly based in northern Europe). Big corporations like Hennes & Mauritz based in Sweden do not own a single production site. They only give orders to producers in cheap-labour countries, and then market and sell fashion worldwide. Many European retailers had ordered lingeries and other apparel which were piling up in Chinese warehouses and not allowed to enter the EU market. Retailers complained that the protectionist measure of the EU commission spoiled their businesses but the EU garment producers welcomed the import restrictions. The corporate retailers were the majority and more powerful, and local producers, being part of a declining industry in Europe, lost the battle.

European consumers were told that they are actually the winners of trade liberalisation because free trade intensifies competition and results in lower prices. They are further conned by huge advertising and market machinery that says a good life depends on cheap consumer goods.

Another wave of job relocation is less visible: the transnationalisation of the service sector, in particular of office work and of care work. Due to new information technologies, much data processing, accounting, research and development, architecture and engineering for companies based in Europe is done in Asia. European financial service providers, banks and insurances, currently off-shore many of their operations to

"cheap" Asian countries. Once again, predominantly women will be affected and Europeans will be made to feel that Indian, Chinese or other Asian women are "taking away their jobs" and destroying their livelihoods.

The Flexible Woman or the Globalisation of Labour Patterns

Another strategy for cost reduction and weakening of collective bargaining is labour informalisation and flexibilisation. There is a strong tendency to split up full time and permanent jobs into part time and temporary jobs while cutting down wages, social allowances, and social security. Due to subcontracting, outsourcing, and informalisation, a kind of Third World-isation is creeping into the European world markets. Contract labour, sweatshops, and home-based work are making their way back into European economies.[4] To cleanse and deodorise unemployment statistics, more and more so-called "mini jobs" are created in Germany, low-paid jobs on an hourly basis. Deregulated, low wage sectors like free trade zones are also planned. In the downgrading of labour, wage dumping and rights dumping certainly go hand in hand.

Europe experienced a female-led informalisation in the '90s which continues to this day, and increasingly affects high-skilled labour as much as low-skilled ones. Currently in the EU, 81% of part time workers are women, with part time jobs on the rise. This restructuring of employment patterns happens at a time of deep employment crisis and brings the Fordist model of the white, male, full-time employed breadwinner to an end. Women have been pioneers in the new flexible

modes of labour, as part time and temporary workers, just-in-time- and home-based workers, and self-employed and own-account workers - a process that can be observed in West and East Europe countries alike.[5]

Re-unified Germany is a good example of how the restructuring of labour markets in transition economies and in western capitalist economies ends up with very similar patterns of women's employment. As in other socialist countries, the former East Germany had achieved high standards of education and job training and had successfully brought women into "male" skills and industries. They were employed in nearly equal numbers with men, more than 90 percent actually.[6] After decades of state planned economy, women called the "guaranteed" employment "coercion" and welcomed the market economy almost with euphoria hoping for a win-win solution and a wonderland of free choice.

However in the transition process, a massive de-industrialisation and trimming down of the public sector took place. Nearly two thirds of the retrenched workers and civil servants were women who were laid off despite their often higher qualifications. Women were sent back home or to training courses of "female" skills and traditional "female" occupations. Women's employment was slashed by almost a third. Women shifted from professionalism in industries and administration to the service sector and from formal to informal employment. Many re-employed women got only part time or odd jobs in the service sector. The gender gap in employment increased and resulted in a painful dequalification of women and in a growing gender wage gap.

In typical shock therapy, women realised that the transition to the "free" labour market entailed a new engendering of employment and income – a process called by some East European feminists "repatriarchisation" of the paid

economy. Market dynamics of inclusion and exclusion revitalised old gender differences, but translated them into seemingly gender neutral competition, efficiency, and quality management. Gender became once again a distinct divide in an unequal playing field, a social category in an increasingly fragmented and polarised labour market – along with class, age, and race.

Economic Integration and Social Disintegration

At the same time that dismissals, the defeminisation of employment, and deskilling made headlines in the dismantling of the East German economy, the feminisation of employment became the buzzword in Western Germany – paradoxically amid a mounting crisis of the labour market. The employment rate of West German men decreased but that of women remained on a steady increase up to 58 % in 2005.[7]

More women were integrated into the labour market but not on equal terms.[8] While the gender gap in the employment rate has shrunk, employment is still marked by significant gender differences, old and new. Gender persists as a social category of discrimination: horizontally along sectors, professions, and occupations and vertically, along wages, prestige and decision-making power. Gaps in employment time[9] and in wages are the most tangible indicators for gender discrimination in the labour market. The gendered valuation of work shows in the hourly gender wage difference of 23 percent in Western Germany.

While the gender gap in education has narrowed, the gender segmentation in labour is still very much intact with a high concentration of women seen in the social and service sectors as well as in language, cultural and

medical studies. Gender specific training and gendered connotation of skills is reflected in the fact that 82 % of women are working in the service sector.

Obviously, women's lead in education do not translate into better employment and income. Statistics show that women's employment gains consist in part time, precarious, and low-paid jobs. The paradox is that the number of employed women increased while the total hours of female employment decreased, meaning more women share a shrinking amount of paid labour. Deregulation and informalisation go hand in hand, as shown in the experience of the sales and retail sector in Germany. Here, the government allowed retail shops longer opening hours exactly at the same time when it introduced the so-called "mini jobs," or low-paid employment. Shops, supermarkets and malls extended their opening hours and employed more sales women but on an hourly, precarious, and casual basis and with minimal pay. Once again, consumers were blithely told they are the winners of deregulation because they benefit from longer opening hours.

Women are crowded at the bottom of the wage and value pyramid in the labour market. Forty-one percent of employed women work part time, compared to only 6 % male employees. Women hold three quarters of all low-paid precarious jobs. In contrast, they hold only one third of middle income and medium level management positions and fill only 21 % of leading positions in the private and public sector, though mostly in small and medium enterprises. Less than 5 % women manage to break the "glass ceiling" to top executive posts or to boards of corporations listed in the stock exchange.

Another way to nurture the myth of the market as a level playing field is to urge women to create their own jobs. Self-employment, free lancing, starting an enterprise by calling an own-account worker a "one-person-company" are encouraged by employment policies, and assisted by training and micro-credit schemes. They indicate a shift of risk taking from the corporation to the individual "free" homo oeconomicus, transforming him or her from a dependent employee to an independent entrepreneur. Women are encouraged to take up the initiative particularly in the service sector, and strive for entrepreneurship, seen as an economic manifestation of independence. Women's share in newly founded enterprises has increased to 30 percent in Germany but most of these businesses earn very little. In contrast to male entrepreneurs, however, women don't give up quickly. They try to make both ends meet despite a lot of self-exploitation.

In a contradictory process, women's participation in the labour market has brought about a flexibilisation of old gender roles, of the gendered public-private divide, and a reconfirmation of gender inequality. The feminisation of employment is key to the neoliberal restructuring of the labour market aimed at deregulation and cost reduction. Informalisation makes for the reduction of labour costs and the introduction of flexible and under-valued types of employment. Women serve as a natural pool for flexibilisation because they are expected to combine their paid job and unpaid care work in the family. Low pay is justified by continuously defining women as "secondary earners" rather than breadwinners of households. It is the "flexible" woman who is at the core of the deregulated labour market – the order of the day in global competition. These rules of neoliberal globalisation generate gender asymmetries and inequality anew.

Being integrated into the labour market on irregular, informal, and poorly paid terms results in low entitlements for unemployment allowance or social welfare, as well as small pensions. Pushed and pulled into insecure employment and consistently placed at the bottom of the value production chain, women become highly vulnerable. The ILO stated recently that because women "stick" to informal and low-paid jobs, they account for 60 % of the working poor. This results in an ambivalent process of women's integration into paid labour and their participation in social disintegration at the same time.

Service Liberalisation, Deregulation, and the Erosion of the Public Sector

Women are touted as beneficiaries of flexibilisation and the expansion of the service sector, yet market mechanisms obviously fail to create the promised level playing field. It is not the women, but the national economies and the single European market which improve their competitiveness in the world economy due to deregulation, and benefit from the integration of cheap, efficient, flexible female labour.

Along with deregulation and informalisation, work specialisation leads to a widening range of values attached to work. The gap widens between overvalued and overpaid labour of the globalised elite in executive positions, and undervalued and underpaid work, mostly in services which are bound to specific localities. Measured by qualitative and quantitative benchmarks, by neoliberal norms of efficiency and productivity, care work appears to be slow and expensive. Therefore it is further devalued or eased out of the paid economy. Modules for

nursing old people have been developed by the service industry which confine care to a technical operation only, e.g. exactly 5 minutes are alloted to wash the face of an old person lying in bed; if the nurse needs more time or if she just chats with a lonely old woman, she will not be paid for it.

Another downward pressure on labour standards and wages is the so-called "harmonisation" of rules among the 25 EU member states in the process of creating a single EU market. Trade liberalisation within the EU is parallel and complementary to progressive liberalisation on a multilateral scale. Presently, driven by a strong lobby of service corporations in Brussels, the EU wants to liberalise the European market internally and "improve the EU single market as home base for competing successfully," EU commissioner Peter Mandelson said.

The directive for the liberalisation of services adopted by the EU parliament in February 2006 opens the internal EU market. Of particular concern is whether it will be possible for service providers hailing from an EU member state with low social and environmental standards (e.g. Poland) to evade and undermine the high standards in other EU member states (e.g. Germany and France). National regulations and laws in the country of operation will definitely come under pressure from increased competition. Options to deregulate, informalise, and cut costs at the expense of people working in the service sector, majority of whom are women, will be enlarged, worsening the downward spiral of wages and social security in Western European countries.

Public services will come under even more pressure to privatise and to compete with the cheap provisions from Eastern Europe. Already, national governments in the EU are under tremendous pressure to reduce expenses,

downsize public institutions and social services owing to a fiscal squeeze. The neoliberal critique of welfare systems cites overprotection and a curb on individual ambitions and responsibilities. Its systematic dismantling of state welfarism has become an integral part of neoliberal restructuring of societies. The EU introduced with the Maastricht Treaty a binding regime of fiscal austerity and price stability as the World Bank and the IMF did in structural adjustment programmes for the South. Municipalities and governments try to stabilise their budgets by reducing public spending, cutting essential services, increasing users' fees in the health and education sector. Funds are withdrawn from social projects run by NGOs which implement or complement state welfare programmes such as housing for battered women, training, and assistance for women's health and reproductive rights.

At the same time, when governments attempt to cut their social obligations, they try to fill their empty pockets by selling government-owned assets and privatise public institutions. The political pressure on national governments from inside the EU to reduce expenses and indebtedness is accompanied by an influential lobbying of service corporations based in the EU and by the multilateral GATS agreement to liberalise the service sector. This results in a convergence of political, economic, and corporate interests in the liberalisation of the service sector.

Migration and Enhanced Competitiveness

Similar to the integration of women into the labour market, the integration of migrant workers into European economies plays a significant role in cost reduction and deregulation of the labour market. Illegal and undocumented migrants in particular have no choice but

to take odd jobs on an hourly basis, accept poor working conditions and low pay. This is how business corporations continuously fill the hierarchy of the labour market from the bottom.

The patterns of transnational migration have changed: migration is more temporary, more undocumented, and more feminised. Women constitute half of the migrants coming to countries of the EU from the South and the East. Women count – regardless of how little their incomes are – as reliable remitters of precious foreign exchange to their families back home.

The labour market for migrant workforce is likewise gender segregated. Men are concentrated in construction, transport and storing, garbage collection and outdoor cleaning. Both men and women do seasonal labour-intensive work in agriculture, planting, and harvesting. In Western Europe they are mainly from Poland; in Spain they are mainly from Morocco, competing with migrants from Eastern Europe.

Female migrants also restructure reproductive and care work. Most of them work informally, unprotected, in private households and the service industries (as housemaids, cleaners, nurses, au pairs, care takers of aged people) and as sex workers. Be they women from the Philippines or from Ukraine – many put up with a deskilling and dequalification although they were well educated in their home countries. The housemaid as a profession, which had vanished to a large extent from the labour market in Europe, has reappeared. Rather than negotiate with their husbands, professional middle class European women transfer their reproductive work to low-paid undocumented migrant women. Thus, the private household, the kitchen, and the bedroom have become a

site of neoliberal globalisation. This results in a new division of labour between well paid and poorly paid women, between women from different ethnic communities and countries. While women's movements had always demanded a new gender division of labour, now there is a new international division of care work between women from different countries and colours, and a global care chain around the world.

The old social hierarchy between the "madam" and "maid" is reconstructed into a pattern of the modern professional and the care worker. This new hierarchy symbolises the polarisation of values attributed to work in the labour market and the growing social disparities between women.

In the informal "black" market for domestic workers, competition is intensified and a racist hierarchy along their ethnic and geographical origins is established. In Berlin, cleaners and maids from Eastern Europe are paid best, followed by women from Latin America and Asia, while Africans get the least.

In the course of market liberalisation, European governments reduce controls on capital flow and corporate mobility, increase border control, and try to limit the continuous flow of migrants by strict immigration laws. However, they fail to control the transnational corridors in which a Mafia-like industry makes enormous profits on the commodification, trade and enslavement of women from Eastern Europe. Despite new laws against the booming business of trafficking of women, governments fail to protect women from global criminal networks. An estimated 150 000 women are trafficked each year from Eastern to Western European countries. Women are exchanged for cars, auctioned, transported from one West European country to another, one brothel to another, without

knowing where they are locked up.[10] If West European authorities detect trafficked women they are criminalized and deported. In a revolving door effect, women are trafficked back shortly by the same criminal gang which expects them behind the border. Most of the women are ashamed to go back to their families with empty hands.

While they are denied stay permits in Western European countries, governments fill shortages in the domestic labour market by legalising migrants who prove to have a job (The Spanish and Italian governments offer residence permits to migrants who are employed) and by inviting migrants through green card rules or Mode 4-rules in the General Agreement on Trade in Services (GATS). Germany introduced two green cards, one for IT experts and one for care workers for the elderly. The latter green card responds to a crisis in care work and social reproduction. It formalises an informal system by which women from Eastern Europe, particularly from Poland, had organised themselves. The women set up rotating systems in their extended family or in the neighbourhood: a woman travels by bus to West Germany and cares for an old person in a private household. After three months she goes back home and her neighbour takes over. After another three months, a niece takes over the shift and after that, its again the turn of the first woman to do care work in Germany. Due to demographic changes and long life expectation in many European countries, the focus of care work has shifted from kids to the elderly, and this care deficit can only be resolved with the help of migrant workers.

The EU plans to use Mode 4 in GATS – the temporary movement of labour – as a targeted strategy to overcome shortages in the domestic labour market. According to the strategic goal set at the Lisbon European

Council in 2000 "to become the most competitive and dynamic knowledge based economy in the world," the EU wants to issue stay and work permits to highly skilled professionals and "key personnel" of TNCs. This targeted approach aims at providing highly skilled and competitive labour at low costs to the corporate sector without regard for the cost of qualifying these experts and the brain drain caused in countries of the South. The EU is not willing to open its borders for less skilled workers although they are urgently needed for dirty and dangerous labour as well as for care work and social reproduction. However, the continued informal flow of migrants ensures that this work is done at a cheap price. The leaders of European societies are hardly concerned about the care drain from the South and the East.

Both the gendered as well as the ethnic division of labour are instrumental for cutting costs and the shrinking of rights in the neoliberal restructuring of the labour market. Migrants contribute to the competitiveness of European economies and corporations in the world market. Women are a kind of a "universal joker" in market and trade liberalisation as well as in the social reproduction of societies. Despite claims there is no necessary connection between trade liberalisation and women's emancipation, a strong connection does exist between trade liberalisation and growing social inequalities.

Endnotes

[1] *See Esping-Andersen's groundbreaking analysis on the three different types of welfare states in Europe: Esping-Andersen, Gosta (1990) The Three Worlds of Welfare Capitalism, Cambridge: Polity Press; For a feminist analysis on welfare regimes see Sainsbury, Diane (ed.) (1999) Gender and Welfare State Regimes, Oxford: Oxford University Press and Silius, Harriet (2002): Feminist Perspectives on the European Welfare State, In G. Griffin and R. Braidotti (eds.) Thinking Differently. A Reader in European Women's Studies (pp. 31 – 49). London/New York: Zed Books.*

[2] *'Economically active women' refers to employed women falling within the 'economically productive age' of 15 – 64 years.*

[3] *See for a comparison of the old (15 member states) and new (25 member states) EU: http://Europe.eu.int/comm/employment_social/news/2005/feb/gender_equality_2005_report.eu.pdf*

[4] *For global trends see Wichterich, Christa (2000) The Globalized Women: Reports from a Future of Inequality, London: Zed Books.*

[5] *For the interconnectedness of feminisation with the informalisation of labour see UNRISD (2005). Gender Equality, Striving for Justice in an Unequal World, Geneva, p 67-85.*

[6] *Information and updates on Central and Eastern Europe (CEE) and the Commonwealth of Independent States (CIS) may be obtained from the following websites, KARAT (Coalition for Gender Equality), Retrieved February 15, 2006, <www.karat.org> and Women and Labour Market in Central and Eastern Europe, Retrieved February 15, 2006, <www.womenslabour.org>.*

[7] *Latest facts and figures on Germany can be drawn from Bothfeld, Silka u.a. (2005) WSI-FrauenDatenReport, Handbuch zur wirtschaftlichen und sozialen Situation von Frauen, edition sigma, Berlin.*

[8] *A more thorough analysis and documentation on women's integration in the labour markets of Europe and North America can be found in Orloff, Ann Shola (2002). Women's Employment and Welfare Regimes. Globalization, Export Orientation and Social Policy in Europe and North America, Geneva: UNRISD.*

[9] *Among the factors that Mutari and Figart critique when exploring gender discrimination in remunerated employment is time where women are made to work part-time and men most often than not are assured full-time jobs. For a more in-depth exploratin of this critique, refer to Mutari, Ellen & Figart, Deborah (2001). Europe at a Crossroads: Harmonization, liberalization, and the Gender of Work Time. In Social Policies, 8, 36 – 64.*

[10] *Similar atrocities and efforts by civil society are documented in the ILO Report (2005) A Global Alliance Against Forced Labour, Geneva.*

About the Author

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International Trade: Inter-Linkages with Women in Politics and Mass Media

By Marina Fe B. Durano,

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and

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ISIS International – Manila

"The world contains inequalities that are morally alarming, and the gap between richer and poorer nations is widening. The chance of being born in one nation rather than another pervasively determines the life chances of every child who is born. Any theory of justice that proposes political principles defining basic human entitlements ought to be able to confront these inequalities and the challenge they pose, in a world in which the power of the global market and of multinational corporations has considerably eroded the power and autonomy of nations (Nussbaum, 2004: 4)."

Introduction

How can women increase their political participation? In this paper we examine the various processes and mechanisms by which they can participate fully and achieve political parity with men in various national settings. The once familiar terrain of state-centered politics has become more complex and difficult to negotiate. Governance is no longer the same as it was at the time of the 4th World Conference on Women in Beijing, and even less so when compared to the time of the 3rd World Conference on Women in Nairobi. While women's citizenship rights and women's marginalisation from political processes remain major issues, the conditions and rules have changed since the time women earned the right to vote.

What assumptions are we making about our states and governments, in particular, what boundaries and sovereignties are we dealing with? Once we obtain decision-making positions or attain some amount of political power, how much can we really do as women politicians in terms of economic regulations and laws? Is international trade a part of our concern? Should we even consider international trade as an issue for women in politics?

A wealth of literature says that state boundaries and sovereignties are becoming more and more blurred (Nussbaum, 2004; Trebilcock and Howse,1999). International trade agreements and treaties are playing an important role in making the nation-state less powerful and encompassing than what it used to be. Echoing others, this essay contends that the creation of global markets under neo-liberal globalisation has evolved to be one of the most important governance project of the latter half

of the 20th century. Following the structural adjustment programmes implemented in developing countries, the creation of global markets resulted in radical changes in peoples' attempts at survival and in states' strategies of governance in the face of an increasingly integrated global economy.

The New Constitutionalism

The dominant juridical and political dimensions of governance in the current international political economy constitute the New Constitutionalism[1] spawned by neo-liberal globalisation. At the heart of this process is the re-construction of State and Capital as key elements in re-ordering social relations worldwide.

Since the 1990's, over 130 countries have revised and amended their constitutions, or adopted new ones to accommodate a framework for market democracies that opens up domestic labour, economic sectors, and natural resources for exploitation and surplus extraction (Africa, 2005). Yemen, for example, amended its 1994 Constitution which proclaimed: "the state should oversee foreign trade and promote internal trade" to read, in 2000: "the state shall oversee freedom of trade, encourage competition and protect investment in a way that it serves the national economy… it shall encourage foreign and local capital to engage in various fields of social and economic development in accordance with the law". In the Philippines, there is currently a call for Constitutional Change that is aimed, so the government claims, at altering if not deleting parts deemed to be "economic restricting provisions" to a globalised market.

The World Trade Organization (WTO) with close guidance from the Organization for Economic Cooperation and Development (OECD) and the World Economic Forum (WEF) as well as in concert with the International Monetary Fund (IMF) and the World Bank (WB), provides the central rationale, legal bases, and mechanisms of the new global governance architecture. The WTO's former Director General was unequivocal about this when he said, "we are writing the Constitution of a single global economy" (Gill, 2000). The United Nations and its related agencies, which continue to be mandated with ensuring global development and peace, have largely been relegated to the sidelines and its programs geared mainly toward providing a human rights and sustainable development framework to the neo-liberal project.

The WTO can now define what acceptable domestic regulation is or is not, constricting the set of options that national governments may have for their policies. It has become increasingly difficult to delineate the boundaries between the sovereign right to regulate and its obligation to the international community, that is, not to restrict trade gratuitously. The WTO thus systematically targets national policies, practices and regulations that are seen to act as non-tariff barriers to trade. This is illustrated by Trebilcock and Howse (1999) who critically examined the challenges confronting protagonist states facing the question of contested boundary under a dispute settlement mechanism. Three different tests are used by a panel of experts. The first is used to determine whether the country with the offending standard has intended to adopt a policy in bad faith. This test requires external experts to assess the intention of policy, which is clearly difficult to make since it would require an understanding of the policy-making process in a particular country. The second is a scientific test assessment, implying some objectivity

to the test. However, experiences show that normative judgments are present especially in the choice of methodology. The panel is thus often confronted with conflicting evidence, which could be beyond the expertise of its members. The third test is the proportionality test where the panel should decide whether the choice of regulatory measure is proportional or not to the stated objective of the regulatory measure. Trebilcock and Howse (1999) were clear on this:

> *"As a legal test for evaluating whether a measure is necessary is based on whether at least three restrictive measures has been employed, a panel will be required in what may be a complex policy inquiry into the various policy alternatives and their viability in achieving the stated policy goals. In answering these questions, panelists are drawn into the uncomfortable area of second-guessing expert domestic regulations. The question of proportionality can easily extend to an inquiry about the validity of the stated goals" (p. 164)*

Marketisation of Governance

Governance today is all about marketisation[2] – solely about the creation of markets – no longer about social welfare nor democracy. The type of governance being promoted is meant to create markets where there are none, to strengthen them where they are present, to maximise the generation of value-added, and to respond to market failures possibly through regulations and standard setting. Governance supports the generation of value-added through the reduction in the costs of transacting with markets. Markets have been chosen as the arena for exchange and are privileged as the mechanism for resource distribution. But there are other institutions, states for example, that can be used for effective resource distribution. Today, however, what is deemed more important is leaving this resource distribution to the market because the market, it is claimed, is more efficient in dividing up resources. Rao (1999), an economist from the

University of Massachusetts, describes the situation: "in the liberal view, global order and efficiency can be secured by a market system so long as nation-states do not interfere in cross-border transactions among agents except to enforce property and contractual rights." It appears here that state minimalism is carried one step further than in the national context. Contractual freedom ensures that the world economy is not less automatically harmonised by the market than the national economy. In addition, a globalised market based on laissez faire within and among nations automatically disciplines would-be interventionist and predatory states, which is the traditional concern of neo-liberalism, and limits the control of public policy, a primary concern of neo-classical political economics.

An important aspect of the changing role of the state is its decreasing involvement in social welfare policies. Social welfare receives token service through targeted poverty programmes while social safety nets are made conditional on budgetary restraints. So there is a precondition, meaning we have to be careful with the budget, and only when the budget is in place, can we talk about dividing it. Such is the fate of gender budget initiatives. In a situation where the main role of the state is to create markets, making secondary the pursuit of other social objectives, women are increasingly bearing the burden of survival for themselves, their households, their communities and their nation-states. Sassen (2002) observes that the increased visibility of women in global circuits, movements and migrations can be viewed in the context of the radical changes that transpire in their own home economies. She asks, "Are there systemic links between these two sets of development, the growing presence of women from developing economies in the variety of global circuits and the rise in unemployment and debt in those same economies?" One way of articulating this is to posit that a) opportunities for male employment are shrinking in many of these countries; b) opportunities for more traditional forms of profit-making are likewise

shrinking as these same developing countries increasingly accept foreign firms in a widening range of economic sectors and are pressured to develop export industries; c) the fall in revenues of governments in many of these countries is partly linked with the burden of debt servicing; and d) all contribute to raising the importance of seeking alternative ways to make a profit and secure a revenue. Hence, the state itself, not just the individual citizen, faces a situation of having to struggle for survival. The interesting result of this economic restructuring is the increased visibility of women's burdens as these are moved into the public sphere of the global markets and out of the private sphere of households. This becomes even more evident as women migrate in pursuit of survival strategies. At the same time, the state and the nature of governance are being reformulated to fit more closely the stringent requirements of the integrated economies and the global market economies.

Challenges for Women in Politics

While accepting that policies are endogenous, neoliberalism sees the global market as the solution to the ills of the national political economy. The solution to the weakness of the state is found in global markets so that market liberalism is seen as the ideal antidote to state failures. State obligations and responsibilities are swamped by the international flow of goods, money and people that are often beyond a single state's sphere of influence, jurisdiction or control. Thus, not only do we need to reconsider the nature of the state so that they reflect feminist processes and aspirations but we must also reconsider them against the trends toward integration and the blurring of state boundaries and sovereignties. As we have argued above, national intentions and actions for development are already being curtailed and their validity judged

by external actors. What does that say about national regulation and policy-making which are the very spaces women in political parties are trying to break into?

How we view politics and governance and how we participate in these spheres is no longer just about understanding how politics operates and ensuring gender parity in executive positions or parliamentary seats. It is more about understanding how the dominant form of macroeconomics limits national sovereignty, compromises social welfare and undermines democracy. It is time for us to seriously get into economic governance issues and to critically address how the broader economic environment is making it more difficult for women to access and control resources, how women workers from the South are relegated to low paying and high risk jobs in an increasingly racialised and sexualised global division of labour, or how social reproduction is increasingly borne by women as both states and market fail. If we do not reconsider these trajectories, all our efforts at getting women into decision-making positions, or putting more money into women's projects through gender budgets, may be simply adding another building block in legitimising a global political economy that exacts extreme sacrifices from women and the poor.

Concretely the women's movements need to begin questioning in a more open way the frameworks on women's rights that we have put forward --- whether these be in addressing national or global issues of women's inequalities. When we look at the World Bank and its projects on poverty alleviation, we need to raise questions about the economic assumptions that inform their notions of poor women's empowerment. When lobbying at the United Nations, we need to find ways of avoiding or rejecting agreements that valorise economic efficiency and to interrogate the freer flow of goods and services in ways that pass on the costs of adjustments to the destitute.

Challenges for Women in Media

In the construction and expansion of the liberalised market, the role of media and ICT is crucial. Globalised media, information systems, and communication structures play a central role in fuelling economic and cultural globalisation. More visible in recent years have been the significant roles played by corporate mass media in rationalising and garnering support for the ever-expanding militaristic and hegemonic roles that key governments have sought to play. The rapid advance in digital technologies has also facilitated the production and widespread distribution of media products that exalt the values of consumerism. Sadly, the advancements have not resulted in the production and distribution of media content that reflects the different social realities around the world particularly those of the developing South.

In sum, the women's movements need to re-examine their women and media discourses. Their analyses should be broadened from representation and media consumption of women's bodies towards issues on the concentration of media ownership to a few global players, deregulation and liberalisation of services, the socialisation of media workers, to name a few. We need to ask: *What do we mean by the phrase 'power of the media'? What is its function in society? How do the different media express their power? How do they relate to other institutions of power in society? What is the media's significance in today's geo-political environment? How have media institutions changed with the advent of new ICTs and in relation to ideas about globalisation?*

On such a thoughtful analyses can women truly confront persistent inequalities and the challenges they pose.

Endnotes

[1] *The concept of New Constitutionalism was first elaborated by Stephen Gill in a paper titled "The Constitution of Global Capitalism" presented at The Capitalist World, Past and Present at the International Studies Association Annual Convention, Los Angeles, 2000*

[2] *The concept of "marketisation of governance' was popularized by DAWN in a book of the same title authored by Vivienne Taylor (2000).*

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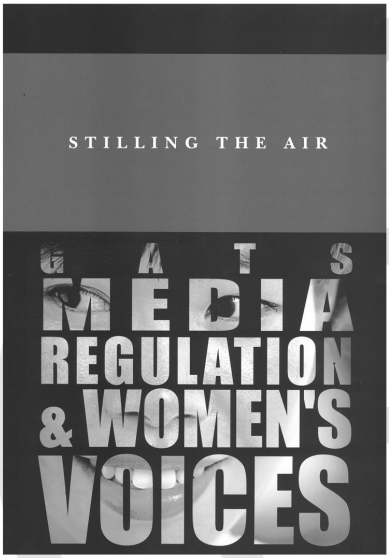
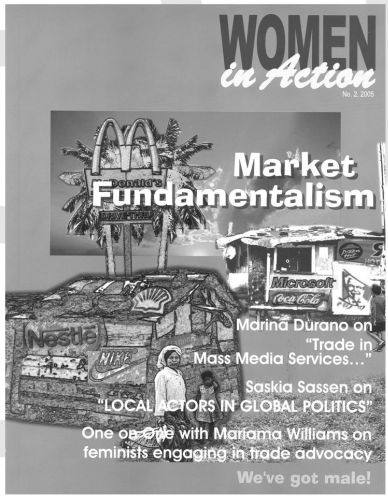


STILLING THE AIR:
GATS, Media Regulation and Women's Voices

The impetus for "progressive liberalization" in the trade in services has prompted a serious look at the impact of this policy on various services sectors. Among the sectors that women and feminists have chosen to study is the audio-visual services sector. This paper begins to unravel the implications of various trade agreements under the World Trade Organization (WTO) on women and, more importantly, on cultural transformation that promotes gender equality.



Women in Action 2: 2005
MARKET FUNDAMENTALISM

This is a Women in Action (WIA) bumper issue, especially put together for the Hong Kong WTO 6th Ministerial Meeting. This issue brings together the voices of women and activists from the developing South and reveals the ways in which market interests have prevailed above all other interests.

Isis International

Isis International-Manila is a feminist NGO dedicated to women's information and communication needs that advances women's rights, leadership and empowerment throughout Asia and the Pacific. It is committed to empowering women with adequate information, communication tools and networks that enable pro-active participation in global, regional and national development processes.

Isis-Manila promotes South-South and North-South dialogues to enhance diversity and collaborations within the global women's movement. Further, it aims to contribute to the growing social justice movement globally by challenging inequities, stereotypes and cultural and political homogenisation furthered by globalised media and ICTs.

Through its programmes and services, Isis-Manila offers spaces and channels to communicate, share information, exchange ideas and experiences and build networks for support and collective action.

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