

PUBLIC POLICY AND EQUALITY: MAINSTREAMING EQUALITIES

GUEST EDITORS

LINDA MCKIE AND SHEILA RIDDELL

The articles in this special section of **Scottish Affairs** were originally given as presentations to the seminar series **Public Policy, Equality and Diversity in the Context of Devolution**, which took place in 2005. The guest editors would like to thank the UK Economic and Social Research Council (www.esrc.ac.uk) for funding these seminars.

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Linda McKie and Sheila Riddell

In this special section of **Scottish Affairs** we have brought together papers on public policy and equality in the context of devolution in the UK, change and continuities in the EU, and recent experiences in Canada. These papers are drawn from an Economic and Social Research Council (ESRC) funded seminar series held in 2005 and entitled **Public Policy, Equality and Diversity in the Context of Devolution**. Contributions consider the growing emphasis on mainstreaming equality in public policy that has the stated aim of delivering social and economic benefits.

Mainstreaming offers a broad conceptual base to equalities policies and practices. Although often contested and certainly complex to work with, mainstreaming has become the established orthodoxy for public policy work on equalities and human rights. It involves the integration of equalities perspectives into every stage of policy processes – design, implementation, monitoring and evaluation – with a view to promoting equality. ‘Equalities perspectives’ generally include the recognition of inequalities, and the ongoing promotion of equality, in terms of age, disability, gender, race, sexual orientation and religion. Yet whilst the same broad approach to equalities may apply across the UK, in member states of the EU, and many other countries, the concept of mainstreaming is interpreted and operationalized in diverse ways. These diversities emerge from historical and cultural factors,

Linda McKie is Research Professor in Sociology at Glasgow Caledonian University (www.lindamckie.org) and Sheila Riddell is Professor of Inclusion and Diversity at the Centre of Research in Education, Inclusion and Diversity at the University of Edinburgh (www.creid.ac.uk). They would like to acknowledge the financial support of the ESRC and the award of grant number RES-451-26-0226. The views expressed in this special section are those of respective authors and do not necessarily reflect those of the ESRC.

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organisational and legislative arrangements, political will, and available resources.

Across the world, inequities are evident, in varied ways, and a number of organizations and researchers have documented these (Firebaugh 2006). Whilst recognising the vast inequalities that exist across the globe this special section considers contemporary governmental responses within post-industrial societies through the approach of mainstreaming. In post-industrial societies, particular concerns are inequalities in terms of gender, race and disability, and the impact these have upon labour markets, economies and work-life reconciliation¹. Discrimination on grounds of age and religion is also receiving much attention, given the ageing of many populations coupled with increased recognition of differing belief systems and the potential for these to foster political agitation and civil unrest.

In the UK the Government is working to establish a single equalities body incorporating a human rights commission, with a specific equalities commission and separate human rights body in Scotland. Northern Ireland already has a single equalities body and human rights commission that has been in operation from 1999. Whilst equality groups welcome some aspects of mainstreaming, questions have been raised about the extent to which a generic approach to equality is capable of reflecting equally the interests of all equality groups. Further, questions have also been raised about the coupling, or separation, of equalities and human rights legislation and organizational responses. Similarly, the extent to which all public policy can (or indeed should) consider the interests of all groups simultaneously has been queried: how might greater equality be achieved given the inter-weaving ways in which inequalities can operate? Mainstreaming equalities is therefore

¹ *Post-industrial society is a term used to describe societies that have undergone certain economic and demographic changes. These include a rapid growth in the service sector and decline in manufacturing alongside enhanced dependence upon information technology. Governments now often refer to the 'knowledge economy' and the need for workers with technological and communication skills. Participation of women in the labour market, regardless of their care responsibilities, has become critical to economies and household incomes. Fertility rates have declined, populations are ageing, and thus immigration has become central to maintaining an adequate pool of both skilled and unskilled workers. These issues pose particular challenges for equality and human rights.*

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a topic of immediate interest to policy-makers, practitioners, trade unions and professional associations, social movements and individuals.

EQUALITIES AND HUMAN RIGHTS

Equality and human rights concerns have become key elements on agendas for many governments, transnational and non-governmental organizations (NGOs). As concepts they raise aspirations about the attainment of individual potential free from discrimination and prejudice. They also aim to foster respect and understanding between people and communities. Issues such as migration and immigration, limited educational attainment among specific groups and communities, the continued under-utilization of the skills of women, raise concerns. Increasingly, governments and NGOs assert that addressing these, and related issues, will aid social justice and economic prosperity.

The principles of human rights, enshrined in the European Convention on Human Rights, provide a guarantee for the same protection and treatment regardless of who you are or how you choose to live. The convention has had a major impact in member states, as well as those countries seeking accession to the EU. Democracy and legitimacy, it is asserted, cannot be fully realised unless there are opportunities for all to participate equally. The duty to enact the letter and spirit of the convention is with governments and most have aligned responses to this with the requirements of the range of EU directives on equal treatment and discrimination (Rees 1998; Fredman 2000).

Further, in the UK devolution has provided a new political and administrative settlement for Wales and Scotland. Over the last decade new contexts and ways of working have been created through the Scotland Act and the Government of Wales Act. The political complexities of Northern Ireland have led to a different settlement there too. These developments recognise the differing social, economic and political environments contained within the UK. Yet all of these developments are underpinned by provisions for the promotion of equality of opportunity for the UK as a whole, although, in turn, devolved government has an impact upon this too.

The role of business is coming under increasing scrutiny both as a factor in the creation of inequalities but also as a champion of new ways of working to promote equality and human rights. Certainly the response of business to legislation and the work of relevant governmental agencies is to the fore of

government's thinking in any proposals for action. In the competitive environment of the knowledge, or skills based, economies, organizations and businesses may aim to become what is commonly termed as an 'employer of choice'². In this context equalities and human rights are drawn upon as positive elements of employment policies and practices.

MAINSTREAMING: OPPORTUNITIES AND TENSIONS

Added to this increasingly complex arena of economic and political developments on equalities and human rights is the concept of mainstreaming. As noted earlier, this concept has achieved the status of orthodoxy in so far as it has become the accepted basis to governmental practices and policies in most post-industrial societies. Mainstreaming equality implies that equal opportunities principles, strategies and practices should be integrated into all aspects of the work of government and public bodies. The United Nations, the Commonwealth governments, the Council of Europe and many governments worldwide support this basis to strategic action.

Mainstreaming has implications for participative democracy, since it implies that wide consultation of individuals and groups should take place before legislation is passed to ensure that it is 'equality proofed' (Rees 1998; Breitenbach et al 2002). Devolved governments in the UK and within Europe have been particularly strong in adopting and promoting mainstreaming (Rees 2001). Following the European Employment Directive, which outlaws discrimination in relation to gender, race, disability, sexual orientation, age and religion, the UK government announced its intention to move towards a mainstreaming approach, replacing the existing equality commissions with a new single equalities body. The justification for this move is that, firstly, individual identity is complex, not unitary. Therefore, if an individual has experienced discrimination in relation to employment or some other aspect of their life, it may be difficult to know whether the unequal treatment has arisen as a result of their gender, disability, race etc. Further, the principles that

² *Employer of choice is a term used by companies to assert that there are policies and practices in place that recognise employees as the greatest asset of the business. Policies and practices incorporated in this approach tend to focus upon work-life reconciliation and professional and personal development (See <http://www.employerofchoice.org.uk/>)*

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underpin equality in relation to all aspects of identity are fundamentally the same.

Although governments and some political groups are in favour of mainstreaming, a number of questions have been raised about its practicality and legitimacy. At a fundamental level there is a lack of clarity about the concept of mainstreaming and what it might entail, with some proponents defining it as a strategy whereby a concern with equality and identity permeates all aspect of policy-making and legislation, whilst others see it primarily in terms of the universal principles which should be applied to all aspects of equality policy (Breitenbach et al 2002). A generic approach to equality may be theoretically flawed, since it is not clear that all equality groups face similar social, political and economic barriers. For example, the obstacles to full political participation encountered by women, black and disabled people may be quite different (Riddell and Watson 2003).

Even within particular equality fields (for example, gender, disability, race), there are ongoing debates as to whether discrimination and inequality occur as a result of economic injustice or lack of political recognition (Young 2000). Mainstreaming equality policies may gloss over these very important debates both within and between a range of equality domains. A generic approach to a range of equality issues may reduce the political power of new social movements such as the disability movement, which has developed relatively recently and is still in the process of carving out its political terrain (Riddell and Watson 2003). People are much less likely to mobilise round generic equalities than a specific aspect of identity such as gender, sexual orientation or disability.

The single equalities body which is the future vehicle for the delivery of the mainstreaming agenda in Britain takes no account of social class, which in many fields such as education, health and employment is the social variable most strongly associated with unequal outcomes and life chances (Saunders 1989; Firebaugh 2006). There are concerns that the focus may be on ensuring that public bodies comply with statutory requirements, instead of addressing material outcomes.

In summary, it is not evident that generic equality legislation will be feasible or effective. Ongoing debates consider how the impact of equalities policies

should be assessed. A key process in mainstreaming, social audit³, is often criticised as overly managerialist, and there are disagreements about what categories and performance indicators should be used within any audit.

GENDER: A FOCUS FOR MAINSTREAMING?

The papers that follow concentrate on gender and mainstreaming. Limited attention is paid to other fields of inequalities. The dominance of research work on gender and mainstreaming may come as no surprise. Generally the introduction of mainstreaming has been focused upon gender. This reflects developments in legislation, policy and organisational responses on gender inequities. These, it might be argued, have a longer history and broader reach than other domains of inequalities given the plethora of governmental organisations and NGOs working on gender. Further, the EU has placed particular emphasis upon the business and economic case for mainstreaming with the need to tackle the under-utilization of the skills of women, and an ageing workforce, of particular importance for knowledge economies. However, there is a growing body of work on mainstreaming across the domains of equalities coupled with global trends in trade, migration and political tensions. In this context human rights concerns are receiving enhanced attention.

The first three papers consider equalities in the context of three devolved administrations in the UK. Esther Breitenbach considers 'Developments in Gender Equality in Scotland Since Devolution' and Paul Chaney 'A Case of Institutional Decoupling: Equality and Public Policy in Post Devolution Wales'. Detailing the respective responses in Scotland and Wales both authors note that while political will may be there to a greater degree than pre-devolution much remains to be achieved, not least in agreeing how to interpret, implement and evaluate mainstreaming. Elizabeth Meehan's paper

³*Social auditing is a way of measuring the extent to which organizations are working towards values and objectives it has committed itself to. With regards to mainstreaming this involves the determination of categories for data collection to enable on-going monitoring and evaluation in the pursuit of equalities. It may also include the collection and analysis of qualitative material for the identification and assessment of processes.*

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reflects on developments in Northern Ireland, 'The Experience of a Single Equalities Commission in Northern Ireland'. She critically considers the work of the agency from 1999 noting the complex and dynamic political context to equalities work and the tensions that can result from working across the domains of inequalities.

Tuula Gordon offers a considered overview of 'The Nordic Approach to the Promotion of Equality'. Her style is positively critical as she offers examples that might be drawn upon by others but also demonstrates the oft unspoken problems encountered in the Nordic approaches. By contrast to the somewhat secular approaches in the Nordic countries Mary Daminen notes the interplay of the church and state and the implications of that for women and gender equality in Malta. Her paper, 'Gender Equality in Malta: a Southern European Perspective', details the historical basis to current practices noting the impact of the EU in terms of promoting change. The final paper considers Canada and the inter-weaving of equalities and human rights policies and organisational responses. Janet Siltanen offers detailed insights into recent events and activities in her paper entitled 'Gender, Diversity and the Shaping of Public Policy: Recent Aspects of the Canadian Experience'.

We hope this special section will add to debates on mainstreaming and that policy-makers, researchers and academics alike will find the content stimulating, insightful and challenging.

ACKNOWLEDGEMENTS

The editors would like to thank all those who took part in the ESRC funded seminar series **Public Policy, Equality and Diversity in the Context of Devolution**. We would also like to thank the authors who contributed to this special section for the timely production of their papers. Lastly, Lindsay Patterson offered advice and support and we would extend our appreciation to the editorial team of **Scottish Affairs**.

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April 2006