

GENDER POLITICS IN THE BERLIN REPUBLIC

Four Issues of Identity and Institutional Change

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ABSTRACT

This article traces four contested identity claims that carry gender meanings into politics and express the gendered tensions awakened along specific dimensions of institutional change across the past twenty years. The cultural definition of the German nation in the face of immigration, the integration of the German state in a transnational project of making a single Europe, the economic restructuring of unification and its effects on the resources and opportunities available on each side of the former wall, and political changes in the representation of women in state offices, by parties and in national policy-making all reflect continuing struggles over the institutionalized boundaries of inclusion and exclusion as a nation, an imagined community. All of these processes engage passionate feelings about gender relations and have implications for the ordinary lives of women and men as citizens and family members in the new Berlin Republic.

KEYWORDS

gender relations; feminism; national identity; immigration; European integration; German unification

In the old joke, when the Lone Ranger and Tonto are surrounded by hostile Indians, the Lone Ranger says to Tonto “I guess we’ve had it” and Tonto replies: “who you calling ‘we,’ white man?” In European history, the question of who “we” are appears as the famous *deutsche Frage* of Ger-



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man national identity. It has also troubled feminists as they struggle with the differences among women and calls to global gender solidarity.¹ It is thus not surprising that German feminists face difficult questions of collective identity in the “new Germany.” Many of these troubling questions of national identity are directly linked to the policies, institutions, and practices of the new Berlin Republic.

These new political institutions are still very much in flux. The past two decades have seen not one, but two, massive reconstructions of German institutions, each of which has had considerable implications for ordinary people’s gendered lives. On the one hand, national unification seems the most obvious discontinuity, and one whose anniversary is regularly celebrated. On the other hand, the widening and deepening of the European Union, while more gradual, may be an even more transformative “second unification” over the long run. Both German unification and transnational integration into the European Union have demanded considerable adjustment in state policies and practices. Although these institutional changes have largely been directed from the top down, they have also triggered shifts in political identities, personal practices, and popular culture from the bottom up. By looking at the different aspects of the “wir” of German politics, I attempt to connect these changes in macro-institutions of politics with the aspirations and practices of gender at all levels from the most collective and institutional to the most personal and individual.

As Tonto made clear to the Lone Ranger, no identity claim is uncontested. The assertions of who “we” are and what “we” need often come from more privileged groups, are challenged by those who see themselves as excluded, and provoke feminist debates both in Germany and transnationally about who and what any particular “we” claim represents for women, and for which women.² There are four such historically prominent assertions of the German “we” in the past twenty years that I select to consider as tropes for thinking about gender.

First, the claim that *wir sind wieder wer* (we are someone again) is a recurring theme of national pride that coexists with anxiety about the implications of nationalism for intolerance and violence. Overcoming the shame of defeat and of moral culpability in World War II has been a recurrent issue for German national identity, but a nationalism reflecting military and economic strength offers little attraction to feminists, given women’s marginalization in both domains. At the time of unification, German feminists East and West not surprisingly emerged as vocal critics of nationalistic self-congratulation.³ Today, however, pride as a dimension of national identity is more directed to the political “othering” of immigrants, and self-congratula-

tion takes different forms, ones that perhaps are more appealing to ethnic German women and feminists. The headscarf plays a strong symbolic role, representing the contest over modernity and progress in gender terms.⁴

Second, the claim that *wir sind das Volk* (we are the people) originally characterized the East German mobilization against the German Democratic Republic (GDR). This was a participatory democratic critique of the state's top-down approach to politics, and assertion of a citizen's right to self-determination that found considerable resonance among movement activists in the West as well.⁵ This democratic dimension of political identity suggests examining how the new Germany works to include women's concerns. Considering women as political actors in democratic mobilizations points both to feminism as a social movement and to the complex remaking of welfare state citizenship, as women's rights in social policy become increasingly intertwined with EU and transnational initiatives.

Third, the claim that *wir sind ein Volk* (we are one people) replaced the dissidents' call for participatory democracy in the GDR, and supported the rapid unification of the country on unequal terms. I use this wishful claim to a shared future in a single state to highlight the continuing divisions among women and men on both sides of the now invisible wall. As feminists have long argued, the gender relations that characterize the organization of daily life are political facts that both result from and lead to value differences and social policy constraints. The many ways that German "women" show no indication of becoming a single interest group are made especially evident by looking at the different family and work lives of younger women in both parts of a country that still has a "wall in its head."⁶ While there are some signs of convergence, the issue of which set of norms will prevail is still uncertain.

Finally, and most recently, the feminist magazine *Emma* proclaimed *wir sind Kanzlerin* (we are the chancellor) when the GDR-raised Angela Merkel became Germany's first woman chancellor in 2005.⁷ Here, I use the mixed and ambiguous identification of women with Merkel's success to consider the potential for women in party-based politics and institutional reforms in Germany, rather than to examine her as a political figure. Claims to what is now called "gender democracy" through the growing representation of women in leadership roles points to consideration of where and how the party structures of the Berlin Republic have succeeded and failed in bringing women into more fully empowered citizenship, and what prospects for more complete inclusion may emerge.

All four of these "we" claims are contested statements that invoke a German collective identity and so focus attention on specific dimensions

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of institutional change across the past twenty years. The cultural definition of the German nation in the face of immigration, the integration of the German state in a transnational project of making a single Europe, the economic restructuring of unification and its effects on the resources and opportunities available on each side of the former wall, and political changes in the representation of women in state offices, by parties and in national policy-making all reflect continuing struggles over the institutionalized boundaries of inclusion and exclusion as a nation, an imagined community.⁸ These core political processes and the identities they mobilize are gendered for both men and women, because gender relations are invoked to mobilize their passionate attachments to the status quo as well as to legitimize institutional changes.⁹ These struggles also point to how other forms of difference, power, and inequality are organized in and through gender relations.

Gender, Nationalism, and Headscarf

The recurrent phrase *wir sind wieder wer* expresses a renewed legitimacy for German pride, most recently stirred in the wake of unification. National pride is more problematic in post World War II Germany than in most countries, and the “economic miracle” of West Germany and the “anti-fascist principles” of socialist East Germany served in each case to anchor the identities of each postwar state in its respective bloc during the Cold War. United Germany needed a post Cold War basis for legitimating its national self-congratulation and found this in part in the new coalition of “modern” states.¹⁰ This new “West” sees itself in a new confrontation with militant Islam, the new “East.” Taking its place as a powerful state in this new West bloc has led to re-normalized assertions of German authority, both in the cultural and military sense, including military engagements in Kosovo, Iraq, and Afghanistan. The moral claims to be an active supporter of human rights globally (*nie wieder Auschwitz*) have been used to override the moral claims of pacifism (*nie wieder Krieg*), and “women’s rights as human rights” has been invoked in this “new West” to justify its military interventions.

Despite the remilitarization of both divided states during the Cold War, the collective memory of war remains a powerful source of resistance to imagining military power in positive terms. Even as the Green Party chose to endorse a renewed militarization of foreign policy in the German engagement in Kosovo and Afghanistan, the emphasis of all political parties

has been more on peace-keeping and protecting human rights than on overt displays of power. Insofar as Germany is again “somebody,” the national identity it seems most willing to embrace is a distinctly civilian one with economic power at the core. Yet, because of the identification of maleness with competition, no less than with war, German national pride has an element of machismo that feminists have always been quick to criticize.¹¹

Even more significantly, national identity has been reclaimed as a matter of pride in upholding what are called “modern European” values, which now include gender equality and antiracism. The claim to being “modern” is central to nation-building projects in many parts of the world. In a reversal of Cold War moralism, the West is now presumed to be distinguished from the backward East by its secularism and emancipation of women, precisely the “virtues” that the GDR had proclaimed as distinguishing it from the bourgeois family politics of the West.¹²

Jessica Brown has particularly traced the emergence of a citizenship discourse that makes gender relations central to inclusion in the national community. Her study of local German culture courses for immigrants reveals that the lessons emphasize accepting the moral legitimacy of homosexual displays of affection, revealing clothing for women, and smoking and drinking in public spaces for both men and women. Despite some resistance to official tests proposed for ascertaining how well immigrants adopt such gender norms, she found considerable support in the curricula and classrooms for using gender relations as a focal point for teaching German-ness. Tolerance is emphasized, but tolerance in this instance, she argues, is understood as a one-way street in which displays of religion and of female inequality are now construed as threatening modernity and should not themselves be tolerated.¹³

This desire to be modern Europeans poses a paradoxical demand on Germans. On the one hand, they must embrace gender equality as a social norm that sets them apart from the backward and traditional “other,” typically figured as a Muslim immigrant, often Turkish. Because the “other” is seen as religious, patriarchal and oppressive to women, German national identity is being reconfigured to be the opposite—secular, egalitarian and supportive of women. On the other hand, this was not, and still is not, a fair reflection of the cultural identity of many individual Germans, who are happy to embrace at least nominal Christianity as part of the national self-definition and are sure that a father-headed family is both natural and desirable.¹⁴ By defining the “other” as backward, alien and threatening to what becomes defined as the cultural achievements of European modernity, the continuing patriarchal biases of the German state and society

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become obscured.¹⁵ There is a new East-West myth-making at work here that seems not unlike the ways in which the GDR managed to fool itself, its citizens, and much of the rest of the world into thinking that it had achieved the emancipation of women.

Recreating system competition around gender equality poses several dangers. As Nira Yuval Davis has pointed out, women themselves become enlisted as the “border guards” for national identity, since variation in women’s dress and demeanor is seen as expressing or attacking the normative boundaries of the community.¹⁶ The focus on women’s veiling as an expression of the inherent otherness of Muslim immigrants is a primary expression of this concern. It defines gender relations as political, where the state should intervene, and it also demonizes Muslim men (but only them) as the oppressors of women and thus as the appropriate targets for the disciplinary power of the state.¹⁷ By allowing its federal states to exclude women wearing a veil from state employment, Germany uses women’s clothing to express a “border” of otherness. Since representing the state defines full citizenship, this practice places religious women distinctively outside the boundaries of active membership: the state can act not through them but only on them, by deciding for them what is a political act. This contrasts with the framing of headscarves as uncontroversial symbols of religion in countries as diverse as Austria (where religion is accepted as part of the public sphere) and the United States (where religion is seen as private but protected from discrimination).¹⁸

Surprisingly, some German feminists have endorsed this exclusion of Muslim women from full citizenship, identifying strongly enough with the state as a defender of their secular values to want the state to enforce its norms against those of the local religious communities to which women themselves belong. In their view, being a modern state means standing for gender equality and acting to enforce the state’s interpretation of the boundaries of inclusion on these grounds. The idea that Muslim women are incapable of self-determination in the face of familial patriarchy is remarkably inconsistent with the idea that German women have the right to be self-determining in matters of reproductive choice. Indeed, some feminists have taken the other side in the debate, arguing for the freedom of Muslim women to make their own choices about veiling without state interference.

The resulting “headscarf debate” among feminists in Germany has been vehement. In our analysis of feminist discourse, Susan Rottmann and I found that the symbolic weight of veiling in Germany reflected a division among German feminists between those who equated the headscarf with “forced marriages” and patriarchal coercion in the family, a pri-

vate sphere of oppression from which the more modern and emancipated German state would free women, and those who had confidence that civil society would gradually assimilate and thus emancipate women without the state's help. But neither group of feminists expressed trust in the state as a guardian of gender equality, a skepticism also expressed in the minimal concern shown for the effects of discrimination by the German majority on Muslim women's ability to get jobs or rent housing on their own.¹⁹

As this example should make clear, the institutional politics of nationhood, religion, and sexuality centrally engage gender relations. The reconfiguration of states after the Cold War into a new international order in which the secular West confronts the patriarchal and religious Islamic "East" has become increasingly significant to the new imagined community of Germany. A focus on women's emancipation as a symbol of national modernity is not central to political discourse in states that have a more ambivalent relationship to modernity and secularism such as Austria, Poland or even the United States, but plays an important part in states that imagine themselves as "post-patriarchal" and secular such as the Netherlands, France and Denmark.²⁰ For Germany in particular, the false dichotomy of "us" as modern and "them" as backward, using gender equality as an emotionally loaded indicator of modernity, may be appealing precisely because it offers both East and West Germans a chance to embrace a vision of their future in which gender relations no longer divide them, as they did throughout the Cold War.

Gender Equality as Societal Transformation

The second identity claim, *wir sind das Volk*, remains an unfulfilled democratic aspiration for an empowered citizenship. This idealistic affirmation encourages political engagement, greater social equality and political freedom for both women and men. The extent to which either has been translated into actual policy and practice is debatable. With regard to translating gender equality aspirations into real political arrangements in unified Germany, feminist movements have found only mixed success. The contours of feminist effects are not only or perhaps even primarily shaped by the unification process, but have followed a transnational course of development in gender politics.

The Berlin Republic emerged in a time of global gender transformation. It is nearly fifteen years since the United Nations World Conference on Women was held in Beijing in 1995, affirming women's equality and politi-

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cal empowerment. This was itself the cumulation of twenty years of transnational feminist mobilization.²¹ The Platform for Action that was broadly endorsed in Beijing challenged all signatory states to bring consideration of gender equality into all policy making by all decision-makers, an approach called gender-mainstreaming. As a mandate for states to transform gender relations, the Platform for Action reached first from Beijing to Brussels and then to Berlin. In contrast to the feminist politics of autonomy in the 1980s in West Germany, the postunification version of feminism redefined women as citizens rather than as mothers, and expressed a growing determination to use feminist organizations and influence to achieve more equality in and through state channels of policy making.²²

In German political discourse, this feminist entry into the state has become familiar as the claim to “gender democracy” as a matter of full inclusion of women and men in decision-making roles as well as gender-mainstreaming in the considering all policy as having gendered outcomes.²³ While still controversial as being insufficiently radical, critical and transformative, the “mainstreaming” approach has been quite successful in bring feminists into policy positions. The Federal Republic of Germany responded to the Platform for Action by legally endorsing the goal of gender mainstreaming in 1998 and by funding an independent institute at the Humboldt University, the Gender Expertise Center, to teach bureaucrats throughout the system how to “mainstream gender” into their policy work.²⁴ Gender mainstreaming (GM) means paying attention to the disparate impacts on women and men of any policy decision. Although women are no longer to be the only ones responsible for bringing a “gender perspective” to policy making, GM deems including women’s perspectives in the process of considering policy options to be essential. The Gender Expertise Center has specialized in “training the trainers” and has built out a wide network of gender consultants who are working at the state and local level as well as in federal ministries on topics from sports budgets to transportation planning.

In addition, several of the party-related foundations have begun to get much more involved in the gender mainstreaming business since 2000. The Hans Böckler Stiftung, close politically to the Social Democratic Party (SPD), has helped a number of unions do gender assessments and encouraged their own endorsement of gender equality as a goal and gender mainstreaming as means (a position unions as different as IG Metall and ver.di have endorsed). As part of the process of reaching that goal, a recent demand has been to ensure that all members of corporate governing boards are gender-mixed (no more than 40 percent of one gender).²⁵

The Heinrich Böll Foundation made “gender democracy” its watchword, and has not only sponsored a great deal of gender training itself, but has committed the organization to the principle that the equal engagement of women and men in political decision-making is a sine qua non of a fully realized democracy²⁶.

How to approach this goal remains controversial. On the one hand, the state-centered and corporatist style of German politics was open to a constitutional amendment to give the state the positive duty to take steps to advance gender equality, which was adopted in 1994. This feminist success reflected an effort in the East to advance some of the goals of the failed Social Charter of the dissidents in the GDR.²⁷ In the West, feminists were determined to make sure that the EU definition of equal treatment of men and women did not block efforts toward affirmative action, as the *Kalanke vs. Bremen* decision of the European Court of Justice threatened.²⁸ Like the compromise abortion law that passed in 1992, the revision of the equal rights amendment reflected the active lobbying work of an East-West cross-party coalition of women in parliament and in civil society in the early 1990s.²⁹

The positive action called for in the gender mainstreaming approach has received some of its impetus from the EU level. The EU is certainly not intrinsically a pro-feminist force, but the accession of Sweden and Finland helped feminists to win a set of more supportive provisions in the Treaty of Amsterdam in 1995. Similarly, German unification and the widening of the EU to the East helped to define gender equality as part of the modernization and liberalization agenda the EU endorses.³⁰ The main EU policy direction has been to both demand national laws prohibiting discrimination on grounds of gender, language, religion, sexuality, disability, and age, which Germany has been notably reluctant to accept, and to endorse a strategy of “activation” of all potential workers, which has met with mixed success in Germany.³¹ Both of these were to be combined with policies making gender equality a practical state goal, not just a matter of modern values, by adopting such measures as a parental leave directive and equalization of employment conditions between full and part-time workers.³²

This has meant that EU integration has contributed significantly to concrete policies “activating” women workers and recognizing gender equality as an appropriate target of public policy. Policies that aim for gender equality in Germany now include both anti-discrimination law and family policies. Both of these have proved quite controversial.

The degree of German resistance to passing an anti-discrimination law (ADG) is actually remarkable.³³ Initially introduced by the Red-Green

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coalition in 2002 as a response to the EU demand that all member states prohibit discrimination on the basis of gender, language, religion, age, disability, and sexuality, the bill foundered in 2004-2005, in part because even members of the government proclaimed it a bureaucratic nightmare and job-killer.³⁴ The Grand Coalition that was in office from 2005-2009 was finally able to pass a broad but weaker anti-discrimination law (AGG, or Allgemeines Gleichbehandlungsgesetz) that would cover all employers and also at least those portions of civil society that were judged to have broad impact (thus only landlords with more than fifty units and who also lived off-site were to be covered). This met the minimum EU standard but lacked any of the mechanisms for collective pressure for enforcement that the Red-Green bill had offered, such as the class action suit.

Even among feminists, neither the ADG or AGG mobilized the same sort of popular engagement that either the headscarf or abortion issues did, and was instead defined by most women's groups as "really more about race," especially the desire to continue to allow landlords to refuse to rent to Turkish or other non-ethnic German families.³⁵ Women's groups preferred the affirmative action approach taken in the constitutional amendment. This positioned the state as the actor rather than the enforcer and targeted women for state help. The active policy of gender mainstreaming that feminists preferred included an extension of affirmative action hiring plans into private industry. The 2001 voluntary measures, all that the women's lobby had been able to secure, however, were widely deemed a failure, even though pronounced a success by then Chancellor Gerhard Schröder—a judgment widely seen as reflecting his personal view that women's equality concerns were a *Gedöns* (fuss) rather than the government's serious assessment that any real progress had been made.³⁶

Moreover, the so-called Hartz IV reform package introduced under the Red-Green government included measures such as the *Bedarfsgemeinschaft* that have precisely the kind of disparate negative impact on women's unemployment benefits and job training that gender mainstreaming was supposed to identify and prevent.³⁷ This represents a step backwards in a country already perceived to be lagging the rest of the EU: in Germany, women are slightly less likely to be in leadership roles (28 percent versus 32 percent in the EU 27), earn less (23 percent less than men working similar hours compared to 17 percent less in the EU 27) and are much more likely to be working part-time (47 percent versus 31 percent).³⁸ Overall, the effect of the Hartz reforms has been to decrease the total hours per week that women spend in employment, which is precisely opposite to what the EU has been seeking to achieve in its "activation" approach.³⁹

Also, few cases of gender discrimination have made it successfully through the courts, and the damages paid by discriminating companies are not large enough to be a deterrent.⁴⁰ Overall, labor policy seems not to have done much to help women, and feminist engagement has been relatively ineffective.

For family policies, the verdict is more split. Optimists see the family policies now being introduced as heralding the remaking of the longstanding institutionalization of a strong male-breadwinner family policy.⁴¹ This more “modern” approach, which is typically cast as “Nordic” paradoxically resembles the policies of the supposedly “backward” East and allows alliances among feminists in eastern Germany with EU and Scandinavian feminist networks.⁴² But pessimists argue that even a more generous rate of pay and the ability to work part-time during the leave still will not be enough to induce men to take leaves and still attenuates women’s attachment to the labor force.⁴³ Both pessimists and optimists agree that Germany is slowly moving in the direction of a “Nordic model” of encouraging a “daddy month” for men, expanding childcare to cover more of the three to five year-olds, and institutionalizing a more continuous but often part-time career orientation for women.⁴⁴ At a minimum, family policy that actively tries to bring men into taking leave can have effects on public consciousness well beyond its actual and immediate changes in sharing domestic labor.

The EU has endorsed this direction of reconfiguration of gender relations in the family as a step toward greater equality, but most feminists remain skeptical. In Germany, any move away from the strong male-breadwinner model is hailed as a sign of feminist progress, but in other European countries the issue is whether such modernization is not simply a re-institutionalization of gender inequalities on new terms. Some worry that work-family policy is displacing rather than enhancing gender equality as a state goal, seeing these changes in law as just reflecting the state’s need for women’s paid and unpaid labor to meet the demographic challenges of an aging and declining population.⁴⁵ Within Germany, even the labor force activation and modernization impulses coming from the EU are still blocked by both the income-splitting provisions of the tax code and the erratic hours of the school system.⁴⁶

To sum up, there are unmistakable signs of a changing gender regime that is “activating” women as workers and citizens. With the impetus for redefining women “from mothers to citizens” coming from Beijing and Brussels, feminists have had some successes in Berlin, but remain concerned about how little commitment they see toward modernizing the Ger-

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man welfare state as an egalitarian one, rather than institutionalizing a one and a half earner family that still leaves women in an economically precarious position. Women's individual choices of how much paid work to do, how many children to have, as well as collective feminist struggles form an important part of the story, as women are seeking more actively than ever to have their desires respected and needs met. The closer to these grass-roots one goes, however, the more the question of whether German women are part of one people or remain two different "nations" arises.

Unification and Diversity among Women

The third phrase on which I focus is the claim that *wir sind ein Volk*. This, ironically, highlights the continuing sharp division between the lives that women and men are leading east and west of the now invisible wall. What Irene Dölling called East German women's "stubbornness" has kept alive a different regime of gender in the new states that is in some ways more modern and egalitarian than that institutionally anchored in the West.⁴⁷ Yet, the West's framing of the East as backward and patriarchal hampered real collaboration among feminists within Germany in the years following unification. Feminists in the West were scornful of the "Muttis" of the East while the East German women who wanted more gender equality were put off by the personal and organizational style of the "Emanzen" in the West.⁴⁸ Mutual devaluation has become less significant today, in part because of the active work of women's organizations, including women's affairs offices at the state and local levels, to bridge divides of experience and identity.

But, as the Berlin Republic adopts more "mommy politics" of its own, by bringing more women into higher education, keeping mothers in the labor force more continuously, but still looking the other way in the face of continuing discrimination against women, the differences in how women respond to these incentives in both parts of the country remain.⁴⁹ Despite convergences in matters such as deferring children until education is complete, there are still remarkably strong differences in women's preferred and actual work-family arrangements in the new and old federal states. In fact, because many of the differences are seen among young people, there is every reason to see gender norms and identities as being transmitted across generations and institutionalized as parts of the local collective identities of both women and men.

For example, by 2000 an absolute majority of all births in the ex-GDR occurred outside of marriage (52 percent versus 19 percent in the West)

and in the new states 15 percent of women aged twenty-five to twenty-nine lived in non-marital unions with children (only 3 percent in the West did). The reasons that women in the ex-GDR give for putting off children remained notably different from those in the West too—the former emphasizing the difficulty of achieving sufficient financial security and finding a husband who will participate in childrearing and the latter naming a desire for travel, fun and self-realization. Women in the ex-GDR continued to prioritize getting a job and supporting themselves over being married, and they make decisions—like deferring births—that help them to fit children into that model.⁵⁰

Right from the start, polls indicated a much higher level of support for a two-earner family, greater awareness of discrimination against women, and less support for the idea that a stay-at-home mother has a warmer relationship with her child in the East than in the West.⁵¹ The idea that wifehood and motherhood are just two sides of the same coin—an idea that was characteristic of the West but not of the GDR—has also not exactly caught on in the East, even among the younger generation. Germans under age thirty in 2000 who had been raised in the East were less likely to consider having a child together as a reason to marry (24 percent versus 38 percent).⁵² In 2000, there were higher proportions of four to six year-olds in full-time daycare (56 percent versus 20 percent), infants in any out of home childcare (34 percent versus 7 percent), and higher levels of husbands' participation in housework (sixteen hours versus twelve weekly) and childcare (10.5 hours versus 8.5) in the new states than in the old ones.⁵³

The “East” perspective, while different from that of the Federal Republic, is not unusual internationally. Even in 1991, ex-GDR women were closer to the European and American norms than the women raised under the strong-breadwinner/housewife division of labor in West Germany were.⁵⁴ Women in the East continue to struggle to sustain a worker-mother identity across generations, sometimes with the help of their state and local governments. But, in the terms internationally defined as more “modern,” West Germany falls behind. Thus, Katja Guenther finds that the EU-oriented local women's groups in Rostock, which benefit from their Baltic regional ties with Scandinavia, are more engaged in helping women succeed economically and in supporting families' needs than are the local women's organizations in Erfurt, a city more closely connected by the transportation grid and political parties to its adjoining West German sister states.⁵⁵

In sum, the claim of being “ein Volk” is still far from true. The gender relations that characterize Germany today are not unified and show no signs of becoming so. While there are secular trends toward smaller fami-

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lies and fewer marriages, the gulf between East and West in what constitutes a good life continues to be huge. Even as one generation is replaced by another, the collective element of a distinctively Eastern set of gender norms remains visible, not only in women's and men's stated attitudes but in the family arrangements of the generation that came of age in an ostensibly unified Germany. As individual as these decisions might seem to those who make them, they add up to a different approach to gender that creates facts on the ground for future policy-makers.

Making a New State with Women

The feminist organization that emerged in the course of the unification process, the Independent Women's Association (Unabhängiger Frauenverein, UFV) had as its slogan "Ohne Frauen ist kein Staat zu machen" (one can't make a state without women). In the years since unification, it appears that to some extent they were correct. The final phrase *wir sind Kanzlerin* highlights this reality. On the one hand, it points to the electoral successes women have experienced, but on the other, it points to the continuing role of partisanship and electoral campaigns in defining what gender means and how equality is understood. The phrase, used by Alice Schwarzer, the public face of feminism for the German media and publisher of *Emma*, the feminist magazine, loosed a storm of outrage among some feminists and most journalists. Most framed this as Schwarzer's capitulation to the mere fact of Merkel "having breasts" rather than a political judgment that "feminism lite" as she called it, was an improvement over supporting more left parties, such as the SPD and Greens, which had repeatedly shown themselves untrustworthy on feminist issues.⁵⁶

Like other aspects of changing gender relations since unification, the expansion of women's political representation has been a secular trend visible around the world rather than a German *Sonderweg*. It is most obvious in countries where there is proportional representation and electoral quotas or party quotas for women, but it is observable even in single member, winner-take-all systems such as the U.S.⁵⁷ Of course, the selection of Angela Merkel as chancellor is a symbol of this greater inclusion of women in positions of authority, but it is more useful to consider the rise of women as candidates and representatives as a broader phenomenon. This does not mean that unification itself had no effect.

As the table shows, in the preunification national elections of 1987 only 16 percent of the SPD seats and less than 8 percent of the Christian Demo-

cratic Union/Christian Social Union (CDU/CSU) seats were held by women. In just three years, in the first postunification election, this jumped to 27 percent for the SPD and 14 percent for the Union parties. The introduction of party quotas helped, and one can see the time lag between the SPD and CDU/CSU in this regard (see Table 1).⁵⁸

Table 1: Women's Share of German Parliamentary Seats by Party and Party Alliances 1987-2005 (in percent)

	CDU/CSU	SPD	FDP	Greens /Alliance'90)	PDS/Left Party
8 th Legislative Period 1976-1980	7.5	6.7	10.0	-	-
9 th Legislative Period 1980-1983	7.6	8.3	13.3	-	-
10 th Legislative Period 1983-1987	6.7	10.4	8.6	35.7	-
11 th Legislative Period 1987-1990	7.7	16.1	12.5	56.8	-
12 th Legislative Period 1990-1994	13.8	27.2	20.3	37.5	47.1
13 th Legislative Period 1994-1998	13.9	33.7	17.0	59.2	43.3
14 th Legislative Period 1998-2002	18.3	35.2	20.9	57.5	58.3
15 th Legislative Period 2002-2005	23.0	37.8	25.5	58.1	100
16 th Legislative Period 2005-2009	20.4	35.6	24.6	56.9	46.3
17 th Legislative Period 2009-	20.6	38.4	24.7	54.4	52.6

Source: www.bundeswahlleiter.de

As one also can see in Table 1, another important factor was the introduction of a "zipper list" (alternate listing of male and female names on the party list) by the Green Party in the 1986 campaign. This highly visible commitment to a principle of gender equality in representation had a effect on other parties as well, since the parties that had been resisting demands from their own women members for some sort of quota rule themselves more or less quickly capitulated, although not to the extent of also adopting a 50 percent rule. The PDS/Linke also embraced the zipper list, and variation in the numbers of seats won by the Green and PDS/Linke lists overall thus has a disproportionate effect in the overall representation of women. The proportion of women has hovered in the vicinity of 36 percent (+/- 2

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percent) for the SPD and 20 percent (+/- 3 percent) for the Union parties through most of the Berlin Republic.

What Angela Merkel as chancellor represents is not mere representation of women, however, but of a different model of governing. Brigitte Zypries, the SPD Justice Minister in the Grand Coalition, praised Merkel's collegial style with thinly veiled jabs at her chancellor and fellow cabinet ministers in the previous Red-Green coalition.⁵⁹ As a childless woman with a professional career in science and politics who only married when about to run for national office, Merkel does not embody the wife-mother ideal that even many German feminists still invoke when speaking of women.⁶⁰ Her family politics, however, follow the line laid out by the equally exceptional Ursula von der Leyen, a mother of seven who has also maintained her employment when her children were young, and who enjoys an even greater level of personal popularity. Controversial as their policies have proved in terms of actually shifting the German gender relations away from idealized motherhood, as discussed earlier, their unquestioned competence and quiet exercise of power have had the same type of counter-stereotypical effects in Germany as "no-drama Obama" has had in the United States. While there is obvious ambivalence about such an ambiguous symbol of emancipation as Merkel herself, the shifts of political representation and family policy are connected. The attempt to modernize the welfare state—not merely in family politics, but in part-time jobs creation, flexible and precarious working conditions, and privatization for both women and men—reflects some of the concern for the future that is part of the "second demographic revolution" that is sweeping Europe, namely its declining birth rates and aging population.⁶¹

This significant demographic change has multiple political consequences for all European countries, and Germany's gender politics reflects this broader transformation as well. Among other things, it returns to the question of immigration as a source of a new tax-paying workforce that can support the pensions that Germans are hoping to collect, but also is bringing in increasing numbers of non-German women—more or less legally—to serve as caregivers for the elderly. Policies that the government adopts about immigration, pensions, retirement, and paying for eldercare, all ostensibly gender neutral, are therefore key elements in defining where and how gender relations will change in the future.

Angela Merkel's selection as chancellor and the policies being adopted by the Grand Coalition she has led may point to a broader shift in the meaning of modernity and conservatism in Europe. As the Grand Coalition brought the CDU and SPD together in a common project of modern-

ization, it has also radicalized both the right and left wings. On the right, the traditional nationalist voices in the CDU/CSU and in the protectionist defenders of the male-headed family in the SPD as well as CDU are being challenged by the realities of ethnic, family and sexual diversity; on the left, the advocates of gender, class, and race equality are challenged by the embrace of neo-liberalism, the weakening of social protections for low-wage workers, and the realities of an economic crisis in a globalized economy. While Merkel and her supporters have initiated a reform process within the CDU that may have discomfited many of its “traditional values backers,” the SPD faces considerable difficulty in competing for votes with the left alliance, Die Linke, which has taken up many of its unfulfilled promises of gender equality. As the Green party previously challenged the mainstream parties and changed their representation of women by forcing them to compete for the loyalties of young women voters, the generational and gender divides of the electorate will surely play some role in the policy-making of whatever coalition emerges from the 2009 elections.

It seems unlikely for the CDU to be captured by “traditional values voters” and move backward away from its gradual embrace of modern families. The family reform tack taken by Merkel and von der Leyen is, after all, a continuation of family policy shifts begun already under both Rita Süßmuth and Heiner Geissler in the 1980s. But such regression is not unthinkable: the “pro-family” moral tone that is taken about gender in the current webpages of the Federal Ministry for Families, Seniors, Women and Youth is notably out of line with the actual policy directions that its minister, Ursula von der Leyen repeatedly has taken, and there is evidence of a press-driven antifeminist mobilization of men and conservative women.⁶² The practical family agenda is one of modernization, including support for two-earner couples, gay relationships, and shared parenting.⁶³ But will such a modernized work-family system be any better in the long run for women than the single male breadwinner model it is replacing?

Part of the modernizing process for politics evident globally and in Germany is the growing importance of non-state, non-elected actors in the political process. Even as women are becoming more visible and powerful in electoral positions, the non-elected bureaucrats and technocrats are increasingly important in laying down policy directions, whether through the EU’s comparative “best practices” models of governance (the so-called Open Method of Coordination), the decentralization of policy to local administrators, and the growth of transnational advocacy groups who have an important role in making domestic and foreign policy.⁶⁴ Some

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have argued that shift toward “modern” neoliberal governance—stronger administration and weaker, less clearly defined parties, privatizing of public services, fragmentation and consolidation that makes regions and transnational actors more influential than individual states—has been facilitated in Germany by unification and concomitant need to rapidly remake the politics of the GDR, which has had spillover effects on the old federal states as well.⁶⁵ Sonia Alvarez calls the engagement of feminists in non-partisan, typically transnational, expert networks as a form of activism for women the “NGOization” of the women’s movement.⁶⁶ Sabine Lang has documented the shift toward the NGO form in West Germany before and after unification, while Katja Guenther also points to the “lobby” style adopted with some success by feminists in Rostock.⁶⁷

The use of NGOs as advocacy networks can be seen as a valuable political innovation or as a threat to either social protest movements or conventional party politics or both.⁶⁸ This process of “NGOization” provides opportunities for access and influence outside the party system, using resources of expertise and organizing at which women have historically excelled, but it also implies a loss of power in and through democratic means, suggesting that women may be coming in ever greater numbers into a parliament that is ever more constrained by the demands of the European Commission, the Council of Europe, the G 20 and other transnational governance mechanisms that are less democratically accountable.

Challenges for the Next Decade of the Berlin Republic?

In the twenty years since unification, the changes in gender relations are complex, and can neither be called good or bad for women. When looking at gender, it becomes clear that unification cannot be seen in isolation from the processes of European Union growth and global processes of liberalization. These include such complex issues as the definition of modernity as part of a new East-West system competition between the Muslim countries and the secular West, and the uses of gender equality as a legitimizing myth, a global norm and a policy objective as part of modernization. This does not make unification unimportant, but places it as a thread in a broader tapestry of gender change that has been underway for generations.

On the one hand, feminists might welcome the present modernization of welfare state toward an adult worker model, one that defines the state’s role as supporting “the child and its parents” rather than “the worker and

his dependents.” The normative power of the EU has worked toward making discrimination illegal even over German resistance. On the other hand, the modernization of Europe has gone along with a shift toward neoliberal politics that leave more women and men in precarious economic circumstances and at the mercy of administrative rather than democratic decision-making. The global dimensions of the issues facing the Berlin Republic, from gender mainstreaming to the NGOization of politics, point to the need to engage in a transnational debate about what modernity can and should mean.

These debates are, as I hope to have shown above, very much about gender relations and what form they will take in future even when they seem to be about ethnicity (immigration) or class (the welfare state). Whether that future is described as the fuller realization of the promises of modernity or the more challenging and unstable ideal of a post-modern society, the restructuring of gender relations is inseparable from the overall reconstitution of the nation through the remaking of inequalities and borders. The gendered governance practices of the Berlin Republic regulate people’s access to and rewards from membership in the national community, their means of economic and social support, and their ability to participate in and influence the political decision-making process itself. In this context, the incorporation of diversity—between east and west, among the EU 27, and within and among native-born and immigrant people—becomes the central challenge for contemporary politics.

Moreover, there is a challenge not only to the state but to German feminists to diversify their own imaginations of what kinds of life plans women and men find fulfilling. This is a matter of importance not only for those who are still looking at the divide produced by the old east-west system competition but for those who are concerned about the opportunities for full inclusion of “traditional” women, both Muslim and Christian and secular conservatives, in the polity. The model of using the state to institutionalize a particular family-work model and then expect all women and men to fit their lives into the age, gender, and religious boxes that it produces will never be able to accommodate the diversity of life plans that actual women and men try to follow. When the state is seen as the active guarantor of one model of gender equality, it may be unable or unwilling to defuse either the “mommy wars” or the “headscarf debates.” The ultimate gender question is whether any state can be a site for inclusive citizenship practices, and the next decade will show more clearly if the Berlin Republic is willing to try.

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Notes

1. The "sisterhood" question is explored, for example, in Myra Marx Ferree and Aili Mari Tripp, eds., *Global feminism: Transnational women's activism, organizing, and human rights* (New York, 2006).
2. This process of differentiation and exclusion is traced very clearly in the feminist literature on intersectionality. One of the defining early works of this genre bore the trenchant title *All the women are white, all the Blacks are men but some of us are brave*, eds., Gloria Hull, Patricia Scott, and Barbara Smith (Old Westbury, 1982) and this concern has become a central one for German feminist theorists today. See for example, Cornelia Klinger and Gudrun-Axeli Knapp, eds., *ÜberKreuzungen. Fremdheit, Ungleichheit, Differenz* (Forum Frauen- und Geschlechterforschung, Band 23) (Münster, 2008).
3. Criticism of nationalist self-assertion as machismo can be found in Ingrid Miethe, "From 'Mother of the Revolution' to 'Fathers of Unification: Concepts of Politics among Women Activists Following German Unification,'" *Social Politics* 6, no. 1 (1999): 1-22. Other early 1990 German feminist discussions problematizing national self-congratuation are discussed in Myra Marx Ferree, *German feminism since the sixties* (Palo Alto, forthcoming).
4. The headscarf issue is addressed as key issue of European feminist politics in Joan Wallach Scott, *The Politics of the Veil* (Princeton, 2007) while the specific feminist debates in Germany are reviewed in Susan B. Rottman and Myra Marx Ferree, "Citizenship and intersectionality: German feminist debates about headscarf and anti-discrimination laws," *Social Politics* 15, no. 4 (2008): 481-513.
5. There was considerable resonance of social movement participatory democratic mobilization for feminists in both East and West Germany. See, for example, Ingrid Miethe, *Frauen in der DDR-opposition: Lebens- und kollektivgeschichtliche verläufe in einer frauenfriedensgruppe* (Opladen, 1999) and for the West, Ute Gerhard, *Atempause: Feminismus als demokratisches Projekt* (Frankfurt/Main, 1999).

6. "Die Mauer im Kopf" was a trope made familiar in the media in the years immediately postunification, and continues to be a focus of attention. See for example, retrospectives from the ten year anniversary: "Die Mauer im Kopf." *Die Zeit*, 38/1999, and Heinrich Senfft, *Die sogenannte Wiedervereinigung* (Berlin, 1999).
7. The gender issues raised in the election period around 2005 are reviewed in Myra Marx Ferree, "Angela Merkel: What does it mean to run as a woman?" *German Politics and Society*, 24, no. 1 (2006): 93.
8. Benedict Anderson, *Imagined communities: Reflections on the origin and spread of nationalism* (London, 1983) initiated the upsurge of scholarly interest in the imagined community idea of nationhood through his study of nation-making by the spread of common media, but other scholars have built out from his argument to show how the imaginations of communities are gendered as well. Nira Yuval Davis, *Gender and nation*, (London, 1997) has been among the most influential of these.
9. Susan Gal and Gail Kligman, *Reproducing gender: Politics, publics and everyday life after socialism* (Princeton, 2000) offer a powerful analysis of the intertwining of gender and reproduction in the political claims-making process, particularly in times of national restructuring. In their account, women and their bodies symbolized moral purity (in times of corruption), tradition (in times of rapid social change), order and control (through patriarchal families) and national renewal (in giving birth) that Eastern European politicians exploited in the 1990s.
10. The shift to a politics of "modernity" in both Germany and the EU is evident in Jane Jenson, "Writing women out, folding gender in: The European Union 'modernises'," *Social Policy* 15 (2008): 131 - 153; Teresa Wobbe, "From Protecting to Promoting: Evolving EU Sex Equality Norms in an Organisational Field," *European Law Journal* 9, no. 1 (2003): 88-108, and Angelika von Wahl, "Gender equality in Germany: comparing policy change across domains," *West European Politics* 29, no. 3 (2006): 461 - 488. See also Hae Yeon Choo, "Gendered modernity and ethnicized citizenship," *Gender & Society*, 20, no. 6 (2006): 576-604, on images of North Koreans in South Korea as an interesting parallel to the remaking of Cold War citizenship language in Germany.
11. Feminist pacifism has been an important element of German postwar feminism, see Jennifer Anne Davy, "Pacifist Thought and Gender Ideology in the Political Biographies of Women Peace Activists in Germany, 1899-1970," *Journal of Women's History* 13, no. 3, (2001): 34-45.
12. The establishment of the GDR version of women's emancipation is outlined in Myra Marx Ferree, "The rise and fall of 'mommy politics': Feminism and German unification," *Feminist Studies* 19, no. 1 (1993): 89-115, and the vision of restored religious and male authority and female domestication in the postwar FRG version is detailed in Robert Moeller, *Protecting motherhood: women and the family in postwar West Germany* (Berkeley, 1993).
13. Jessica Autumn Brown, "Making citizens: Educating Germany's immigrants on the ideological, emotional and practical aspects of belonging," PhD thesis, University of Wisconsin-Madison, Department of Sociology, 2010.
14. The claim to a German *Leitkultur* was more often than not expressed in terms of the central role of Christianity and Christian values, despite the obvious discontinuity between the gender relations chosen to symbolize this in German classrooms for immigrants and the gender relations espoused in international relations, at least by the Catholic Church. See Doris Buss and Didi Herman, eds., *Globalizing family values: the Christian right in international politics* (Minneapolis, 2003). In Germany this power is clear in Angelika von Wahl's discussion of the continuing impact of the right in the form of the CSU and Catholic Church in "From family policy to reconciliation policy: how the Grand Coalition reforms the welfare state," *German Politics and Society* 26, no. 3 (2008): 25-49.
15. For example, the resistance to extending school days for older children and providing childcare for younger ones revolves around continuing claims that a mother should be

- home with her children and resistance to eliminating income-splitting is tied to fathers having the primary obligation for financial support. Karin Hagemann, "Between Ideology and Economy: The 'Time Politics' of Child Care and Public Education in the Two Germanys," *Social Politics* 13, no. 2 (2006): 217-260; Sabine Berghahn, "Der Ritt auf der Schnecke. Rechtliche Gleichstellung in der Bundesrepublik Deutschland," (2003) <http://www.gender-politik-online.de>; also available an abbreviated version in *Recht und Geschlecht. Zwischen Gleichberechtigung, Gleichstellung und Differenz*, eds., Mechthild Koreuber and Ute Mager (Baden-Baden, 2004), 59-78.
16. Nira Yuval Davis, *Gender and Nation* (Thousand Oaks, 1997).
 17. This tension is explored in detail in Susan B. Rottmann and Myra Marx Ferree "Citizenship and Intersectionality: German Feminist Debates about Headscarf and Anti-discrimination Laws," *Social Politics* 15, no. 4 (2008): 481-513. See also Sabine Berghahn, "Verfassungspolitischer Streit um ein Stück Stoff: Das Kopftuch der Lehrerin im Konflikt zwischen Grundrechtsschutz, staatlicher Neutralität in Glaubenfragen und föderaler Gesetzgebung," *femina politica: Schwerpunkt: Verfassungspolitik-verfasste Politik* 13, no. 1 (2004): 45-56. The entire October/November 2009 issue of *Emma* is devoted to articles making the case that a headscarf ban in German schools is necessary for women's rights, with references to the French approach as a positive model.
 18. Nora Gresch, Leila Hadj-Abdou, Sieglinde Rosenberger, and Birgit Sauer, "Tu felix Austria? The Headscarf and the Politics of 'Non-issues'," *Social Politics* 15, no. 4 (2008): 411- 432, and Joyce Marie Mushaben, "Die Freiheit, die ich meine ...': An American View of the Kopftuch Debate," *femina politica: Zeitschrift für feministische Politik-Wissenschaft* 13, no.1 (2004): 98-104.
 19. The experience of being discriminated against is certainly not rare. See Umut Erel, "Gendered and Racialized Experiences of Citizenship in the Life Stories of Women of Turkish Background in Germany," in *Gender and Ethnicity in Contemporary Europe*, ed., Jacqueline Andall, (Oxford, 2003), 155-176, and Rob Euwals, Jaco Dagevos, Mérove Gijsberts, and Hans Roodenburg, "Immigration, Integration and the Labour Market: Turkish Immigrants in Germany and the Netherlands," *IZA DP Discussion Paper Series*, no. 2677 (2007). Consider, too, the publicly expressed willingness of landlords to discriminate: Ulrike Herrmann, "Vermieter wollen diskriminieren dürfen; Die SPD streitet um das Anti-diskriminierungsgesetz. Die Gegner erhalten Auftrieb bei einer Bundestagsanhörung," *taz, die tageszeitung*, 8 March, 2005. Although noting that good data on experiences of discrimination is rare, Heike Gleibs points to an increasing percentage of immigrants who report school or workplace discrimination (65 percent in 1999 and 77 percent in 2004) and a plurality who report housing discrimination (49 percent). Heike Gleibs, "Haben Anne und Ayshe gleiche Chancen?" *Themenblätter im Unterricht*, no. 59, (Bundeszentrale für politische Bildung, 2006), available at http://www.bpb.de/publikationen/LPYWGT,0,Gleiche_Chancen_f%FCr_Anne_und_Ayshe.htm.
 20. Gresch et al. (see note 18).
 21. See Margaret Snyder, "Unlikely Godmother: The UN and the Global Women's Movement," in Marx Ferree and Tripp (see note 1), 24-50.
 22. The long transformation of the UN's approach to women "from mothers to citizens" is well documented in Nitzza Berkovitch, *From Motherhood to Citizenship: Women's Rights and International Organizations* (Baltimore, 1999) and Snyder (see note 21). This transformation is followed by Rachel Cichowski, "Women's Rights, the European Court and Supranational Constitutionalism," *Law & Society Review* 38 (2004): 489-512, and Rachel Cichowski, *The European Court and Civil Society: Litigation, Mobilization and Governance* (Cambridge, 2007).
 23. Halina Bendkowski is credited with coining the term "gender democracy" but it passed into more general use through its adoption by the Heinrich Böll Institute in the 1990s, see Helga Braun, *Geschlechterdemokratie wagen!* (Königstein/Taunus, 2002). It has been a controversial idea among feminists, as evidenced in Halina Bendkowski, Sabine Hark

- und Claudia Neusüß, "Geschlechterdemokratie—ein Streitgespräch: Feministischer Aufbruch oder institutionelle Anpassung?" *femina politica, Zeitschrift für feministische Politikwissenschaft* 11, no. 2 (2002): 29-40. Unlike "Geschlechterdemokratie" the term "gender mainstreaming" remains in use only in English, reflecting its transnational origins.
24. See the website of the GenderKompetenz Zentrum at the Humboldt Universität zu Berlin, available at <http://www.genderkompetenz.info/>.
 25. Birgit Riegraf, "Geschlecht und Differenz in Organisationen: von Gleichstellungspolitik und erfolgreichem Organisationslernen," *WSI-Mitteilungen* (2008). For more regional details on the implementation and effects of gender mainstreaming, see <http://www.gender-index.de/>.
 26. Gabrielle Schambach and Barbara Unmüßig, "Geschlechterdemokratie—das Konzept der Heinrich-Böll-Stiftung," *femina politica, Zeitschrift für feministische Politikwissenschaft* 11, no. 2 (2002): 11-28.
 27. Dagmar Schiek, "Die Schnecke Fortschritt kriecht rückwärts: Das zweite Gleichberechtigungsgesetz," *Streit: feministische Rechtszeitschrift* 13, no. 1 (1995): 3-13.
 28. Case 450/93 Eckhard Kalanke v Freie Hansestadt Bremen; available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:61993J0450:EN:HTML>.
 29. See more extensive discussion and interviews in Myra Marx Ferree (see note 3).
 30. Silke Roth, *Gender politics in the expanding European Union: Mobilization, inclusion, exclusion* (New York, 2008).
 31. Von Wahl (see note 14); Ursula Degener and Beate Rosenzweig, eds., *Die Neuverhandlung sozialer Gerechtigkeit: Feministische Analysen und Perspektiven* (Wiesbaden, 2006). See also Ines Hofbauer and Gundula Ludwig, "Gender Mainstreaming—ein Thema für die Wissenschaftsforschung—Geschlechtergerechtigkeit limited? Eine politische Strategie auf dem Prüfstand?" *femina politica, Zeitschrift für feministische Politikwissenschaft* 14, no. 2 (2005): 32-42.
 32. Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC, *Official Journal of the European Union*, L 145, (1996): 4-9, available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31996L0034:EN:HTML>; Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC, *Official Journal of the European Union*, L 14 (1998): 9-14 available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31997L0081:EN:HTML>.
 33. This continues the resistance expressed in the "EU conformity law" of 1981 that mandated non-discrimination but set up such weak sanctions as to make it no deterrent to actual practice, as the ECJ finally ruled. See also Wiebke Hennig and Susanne Baer, "Europarecht als Chance—Zu den Richtlinien 2000/43/EG vom 29 June 2000 und 2000/78/EG vom 27 November 2000 gegen Diskriminierung," *Streit: feministische Rechtszeitschrift* 21, no. 4 (2002): 169-175; and Barbara Degen, "Das Allgemeine Gleichbehandlungsgesetz (AGG)—Tanzschritte auf dem Weg zur Gerechtigkeit im Erwerbsleben," *Streit: feministische Rechtszeitschrift* 25, no. 1 (2007).
 34. Prominent SPD politicians cited in the CDU/CSU position paper against the Red-Green anti-discrimination proposal included the following: (NRW Ministerpräsident Peer) Steinbrück hingegen übte scharfe Kritik an dem Entwurf. Das Gesetz sei in seiner jetzigen Form "eine zusätzliche Belastung für die Wirtschaft," und erschwere "die Konkurrenzfähigkeit unserer Unternehmen." Er wünsche sich, dass es "so nicht in Kraft tritt" und werde der gegenwärtigen Form im Bundesrat nicht zustimmen, sagte der SPD-Politiker der *Bild am Sonntag* (Meldung AFP, 5 March 2005). "Bundesinnenminister Otto Schily (SPD) hat Presseinformationen zufolge bei der Kabinettsitzung am Mittwoch die Rücknahme des Entwurfes für ein Antidiskriminierungsgesetz gefordert. Schily habe seinen Vorstoß mit den Worten begründet: "Das wäre ein echter Beitrag zum Bürokratieabbau," berichtet das Düsseldorf *Handelsblatt* (Donnerstagsausgabe) unter Berufung auf Regierungskreise (Meldung DDP, 2 March 2005). "Ich sehe das genauso wie der Kollege Schily," (Wolfgang Clement nach einer Meldung von Reuters, 3 March

- 2005). See “Kritikpunkte der CDU/CSU-Bundestagsfraktion am Gesetzentwurf des Antidiskriminierungsgesetzes (ADG),“ 16 March 2005, available at <http://www.cducsu.de/upload/2B64476570ACCC6D0B861AB66B230F7211376-n4pjldai.pdf>. See also Karl-Otto Sattler, “Geschichten vom verregelten Völkchen,” *Das Parlament*, no. 11 (14 March 2005), available at <http://www.das-parlament.de/2005/11/ThemaderWoche/001.html>.
35. Rottmann and Marx Ferree (see note 17).
 36. Chancellor Gerhard Schröder’s hostility to feminism was seen as best captured in his widely cited comment about “Frauenpolitik und so Gedöns” on the occasion of the swearing in of his cabinet in 1998. *Bild*, 14 January 2002. The failure of the 2001 compromise is detailed in “Frauen in Führungspositionen: Je höher, desto seltener,” available at <http://www.box2.boeckler-boxen.de/5437.htm>, which concludes that there was no change to be observed.
 37. Feminist assessments of the consequences of Hartz IV can be seen in Ursula Degener and Beate Rosenzweig, eds., *Die Neuverhandlung sozialer Gerechtigkeit: Feministische Analysen und Perspektiven* (Wiesbaden, 2006) as well as Sabine Berghahn and Maria Wersig, “Vergemeinschaftung von (Ehe-)Partnern durch die Reformen der Agenda 2010—eine Rückkehr zum Geschlechtervertrag“ des 19. Jahrhunderts?“ *femina politica, Zeitschrift für feministische Politikwissenschaft* 23, no. 2 (2005): 21-32; Sabine Berghahn, “Geschlechtergleichstellung und Bedarfsgemeinschaft: Vorwärts in die Vergangenheit des Ernährermodells?“ *Vortrag im Institut für Arbeitsmarkt- und Berufsforschung der Bundesagentur für Arbeit (IAB)* (Nuremberg, 2005); available at <http://web.fu-berlin.de/ernaehrermodell/IAB.pdf>. Silke Bothfeld, Ute Klammer, Christina Klenner, Simone Leiber, Anke Thiel, and Astrid Ziegler, *WSI-FrauenDatenReport 2005: Handbuch zur wirtschaftlichen und sozialen Situation von Frauen* (Berlin, 2005); available at http://www.boeckler.de/169_91922.html report that the percentage of employed women who worked only part time in the old federal states rose from 34 percent to 45 percent and in the East from 17 percent to 28 percent between 1991 and 2004, while the numbers of women in full time employment fell, shifting more women to marginal positions in employment.
 38. A sobering assessment of how far behind the European norm Germany falls is provided by Birgit Breese, “Frauenverdienste—erverdiente: wie weit liegen sie auseinander? oder: Wie breit ist der ‚gender pay gap‘ in Deutschland?“ *Streit: feministische Rechtszeitschrift* 25, no. 3 (2007): 99-107; and for women in management, Elke Holst, “Women in managerial positions in Europe,” *Management Revue* 17, no. 2 (2006): 122-142.
 39. Between 2001 and 2006, women’s total average hours of work fell from 31.5 to 30.2. Statistisches Bundesamt, *FrauenDatenreport* (Wiesbaden, 2008).
 40. The disappointment of the three most widely known cases are reviewed in Emma Chantal Louis, “Antidiskriminierungsgesetz: Ein Sieg und zwei Niederlagen,” *Emma*, no. 2 (March/April 2009), available at http://www.emma.de/anti_dis_2009_02.html.
 41. The most optimistic reading of family law reform is von Wahl (see note 14).
 42. Katja Guenther, *Places of resistance: Feminism after socialism in eastern Germany* (Palo Alto, forthcoming).
 43. Sabine Berghahn, “Von der Familienpolitik zur Frauenpolitik und zurück ...” *Streit: feministische Rechtszeitschrift* 24, no. 2 (2006): 51-56) is one of the most eloquent and least ideological of the pessimists.
 44. For fuller discussions of the Nordic model as such, see Kimberly Morgan, *Working Mothers and the Welfare State: Religion and the Politics of Work-Family Policies in Western Europe and the United States* (Palo Alto, 2006), Wiebke Kolbe and Mechtilde Veil, “Schweden—idealisiertes Vorbild für Gleichstellungspolitik und familienpolitische Reformen in Deutschland?“ *Feministische Studien* 25 (2007): 86-91, and Janet Gornick and Marcia Meyers, eds., *Gender Inequality* (Cambridge, 2009).
 45. Jane Jenson, “Writing Women Out, Folding Gender In: The European Union ‘Modernises,’” *Social Policy* 15 (2008): 131-153, and Berghahn (see note 43) are among the most prominent of these critics, but hardly the only ones.

46. Ulrike Spangenberg, "50 Jahre Ehegattensplitting! Gute Gründe für eine Reform der Besteuerung der Ehe," *Streit: feministische Rechtszeitschrift* 26, no. 4 (2008): 161-167, and Karin Hagemann, "Between ideology and economy: The 'time politics' of child care and public education in the two Germanys," *Social Politics* 13, no. 2 (2006): 217-260 address these two continuing problems.
47. Irene Dölling, "Structure and Eigensinn: Transformation processes and continuities of Eastern German women," in *After the wall: Eastern Germany since 1989*, ed., P. J. Smith (Boulder, 1998), 183-202.
48. Ulrike Helwerth and Gislinde Schwarz, *Von Muttis und Emanzen: Feministinnen in Ost- und Westdeutschland* (Frankfurt/Main, 1995).
49. Marina Adler, "Child-Free and Unmarried: Changes in the Life Planning of Young East German Women," *Journal of Marriage and Family* 66 no. 4 (2004): 1170-1179; note also that Lynn Price Cooke finds continuing differences in how much housework male partners contribute, with the East German men being more participatory. See "Persistent Policy Effects on Gender Equity in the Home: The Division of Domestic Tasks in Reunified Germany," *Journal of Marriage and Family* 69 (2007): 930-950.
50. Adler (see note 49); and Karsten Hank and Michaela Kreyenfeld, "A Multilevel Analysis of Child Care and the Transition to Motherhood in Western Germany," *Journal of Marriage and Family* 65, no. 3 (2003).
51. The wifehood-motherhood connection at the time of unification is explored in Myra Marx Ferree, "Patriarchies and Feminisms: The Two Women's Movements of Unified Germany," *Social Politics* 2, no. 1 (1995): 10-24.
52. Statistics on reasons for marrying are found in Adler (see note 49).
53. Childcare use statistics are based on regional differences in use, which reflects both local availability as well individual decisions to enroll children, while the domestic division of labor is calculated for married couples based on where the wife was educated. Both structural availability (311 public childcare places/1000 children aged zero to three in the East and 19/1000 in the West) and individual choices reflect the persistence of a different gender culture in the ex-GDR. See Hank and Kreyenfeld (note 50).
54. Consider the level of agreement in 1991 with the statement "an employed mother can give a child just as much warmth and security as a mother who does not have a job." While 66 percent of East Germans agreed, only 39 percent of West Germans did. In this regard, it is the East Germans who were closer to the European average (61 percent agreement). Institut für Demoskopie (Allensbach, 1993).
55. Katja Guenther, "Understanding Policy Diffusion across Feminist Social Movements: The Case of Gender Mainstreaming in Eastern Germany," *Politics & Gender* 4, no. 4 (2008): 1-27; Katja Guenther, "A Bastion of Sanity in a Crazy World: A Local Feminist Movement and the Reconstitution of Scale, Space, and Place in an Eastern German City," *Social Politics* 13, no. 4 (2006): 551-575.
56. Marx Ferree (see note 7).
57. Aili Mari Tripp and Alice Kang, "The Global Impact of Quotas: On The Fast Track to Female Representation," *Comparative Political Studies* 41, no. 5 (2008): 338-61.
58. Table adapted from Beate Hoecker, "50 Jahre Frauen in der Politik: späte Erfolge, aber nicht am Ziel," *Aus Politik und Zeitgeschichte (APUZ), Beilage zur Wochenzeitschrift Das Parlament*, no. 24-25 (2008): 10-18; available at http://www.bundestag.de/blickpunkt/104_Spezial/0402020.html, and author's additional calculations.
59. Alice Schwarzer interview with Justizministerin Brigitte Zypries, "Bei uns zu Hause waren die Rollen umgekehrt," *Emma* (July/August 2006), available at http://www.emma.de/zypries_2006_4.html.
60. Marx Ferree (see note 7).
61. Ron Lesthaeghe, "The second demographic transition in Western countries: an interpretation," in *Gender and family change in industrialized countries*, eds., Karen Oppenheim Mason and Ann-Magritt Jensen (New York, 2003), 17-62.

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62. Elisabeth Klaus, "Antifeminismus und Elitefeminismus—Eine Intervention," *Feministische Studien* 26, no. 2 (2008): 176-186.
63. On issues of sexual modernity and gay rights in particular, see Dagmar Herzog, "Post coitum triste es...? Sexual Politics and Cultures in Post-Reunification Germany," *German Politics & Society* (this issue).
64. Brigitte Young, *Triumph of the fatherland: German unification and the marginalization of women* (Ann Arbor, 1999) pointed soon after unification at the paradoxes of women becoming more vocal in making claims on government and more visible in representative roles in politics and government administration just as the powers of the state were being hollowed out by the increases in corporate influence transnationally. See also Heike Kahlert and Antonia Kupfer, "Mehr Markt, weniger Staat und (ungelöste) Ungleichheitsfragen: Perspektiven der Wohlfahrtsstaatsforschung im Neoliberalismus?" *femina politica, Zeitschrift für feministische Politikwissenschaft* 14, no. 2 (2005): 2-20; and Marion Löffler, "Transformation des politischen Feldes als Chance für feministische Politik?" *femina politica, Zeitschrift für feministische Politikwissenschaft* 17, no. 2 (2008). Much more optimistically, Roth (see note 30) and Kathrin Zippel, *The politics of sexual harassment: A comparative study of the United States, the European Union and Germany*, (New York, 2006) see women as benefiting in the long as well as short term from the political opportunities of expert networks and expanded administrative authority that vie with classic forms of partisan conflict management.
65. Stünne Andresen, Irene Dölling, and Christoph Kimmerle, *Verwaltungsmodernisierung als soziale Praxis. Geschlechterwissen und Organisationsverständnis von Reformakteuren* (Opladen, 2003). See also Ingrid Kurz-Scherf, Julia Lepperhoff, and Alexandra Scheele, "Modernisierung jenseits von Traditionalismus und Neoliberalismus? Die aktuelle Arbeitsmarktpolitik als Ausdruck eines verkürzten Modernisierungskonzepts," *femina politica, Zeitschrift für feministische Politikwissenschaft* 14, no. 2 (2005): 62-74.
66. "Advocating feminism: The Latin American Feminist NGO 'Boom,'" *International Feminist Journal of Politics* 1, no. 2 (1999): 181-209 is her classic argument, more recently nuanced in her article "Beyond NGO-ization?: Reflections from Latin America," *Development* 52, no. 2 (2009): 175-184.
67. For "NGOization" as a trend in both eastern and western parts of Germany and Europe see Sabine Lang, "The NGO-ization of feminism," in *Transitions, environments, translations: Feminisms in international politics*, eds., Joan Wallach Scott, Cora Kaplan, and Diane Keats (New York, 1997), 101-120, and Guenther (see note 42). See also Birgit Locher, "Wissenschaft, Politik und NROs: Strategische Allianzen für frauenpolitische Belange am Beispiel neuester EU-Politiken gegen Frauenhandel," *femina politica, Zeitschrift für feministische Politikwissenschaft* 13, no. 2 (2003): 51-60.
68. For the tension between German inequality politics and transnational equality aspirations see, for example, Birgit Sauer, *Die Asche des Soveräns: Staat und Demokratie in der Geschlechterdebatte* (Frankfurt/Main, 2001) and Zippel (see note 64).