Globalization has been associated with economic neo-liberalism and deregulation. In the field of gender, however, new ‘soft forms of regulation’ towards gender equality have emerged in the context of globalization (cf. Lenz 2003a). The most important are the UN norms established during the UN decade of women and the EU Directives on gender equality at work as well as the gender equality goal in the Amsterdam Treaty of 1997 (see below). Present research has concentrated on the roles of supra-national organizations, especially the EU, and of transnational advocacy networks (Keck and Sikkink 1998; Walby 1999a, 2002b; Woodward 2004; Zippel 2004). The responses of governments and the effective results, however, have varied widely.

In this chapter a broad framework is proposed for analysing these soft forms of regulation and their national differences. It relies on the theoretical comparative framework developed in discussions with the ‘Globalization, Gender and Work Transformation’ (GLOW) Research Group. Three basic dimensions are compared: (1) the gendered welfare regimes, (2) the varieties of capitalism and (3) the gender regime comprising the form of state feminism (gender policy institutions in government) as well as women’s movements and their mobilization (cf. Osawa and Walby in this volume). In this chapter these dimensions are discussed not as separate isolated factors, but rather with the aim of looking at their interlinkages and interdependencies. Also it should be pointed out that these dimensions are often seen as static structures without looking at their dynamics of change. The gendered welfare state, for example, is considered as a stable gendered structure, which evolved in national modernization. But the issue of regulation following the impulse of the international women’s movement and gender politics demands a dynamic perspective on processes. The dynamism of regulatory development is understood in terms of social action: actors negotiate for regulations and thus the role of the main actors and institutions in negotiating these regulations has to be conceptualized. Which actors – for example, states and their women’s political machineries or women’s movements or
large interest groups – can be perceived around different phases of negotiation? How can and do they enter in the basic aspects of policy development, that is to say problem definition, agenda setting, policy formulation, implementation and evaluation? For example, how do women’s movements or the state or the UN establish that gender inequality is ‘a real problem’ and in which circumstances and how far are they able to set the agenda for developing more equal norms and rules? I will consider the main actor constellations at these aspects of policy development of regulations and the results in comparing mainly the British, the German and the Japanese welfare states (which form the basic comparative sample of this book).

This chapter will involve some travelling in time and space. First I will discuss a processual understanding of globalization beyond its widespread equation with neo-liberalism and try to shed some light on the options for regulations towards gender justice. Then I will discuss the institutional contexts of regulation in the dimensions of national welfare states and varieties of capitalism. In the next step, I will sketch the institutional contexts of the gender regimes in a comparative way. Short comparative case studies of international impulses on the regulation of work in Germany, Japan, the UK and the US will illustrate the varieties of regulations and focus on possible reasons for these differences. The main argument is the need for integrating the three dimensions of the gendered welfare regimes, the varieties of capitalism and the gender regime in a more sophisticated, but manageable framework for negotiations over regulations on equality at work.

Globalization and new global actors

Analysing the global impulses of these processes of regulation calls for a broad understanding of globalization. In a different context I introduced a concept of globalization which overcomes a narrow economic focus, including the processes of political, cultural and communicative globalization (Lenz 2003a). Whereas economic and political hierarchies are powerful, globalization also leads to increasing international interdependence in view of the political supranational organizations (especially the UN and the EU) and to the reconfiguration of time and space by new technologies and forms of ICT communication. New forms of communication supported the global emergence of understandings of women’s and human rights and a global civil society (Lenz 2003a).

The increasing influence of new actors beyond the nation-state, especially supra-national organizations, transnational enterprises and NGOs, is crucial for the issue of regulation. These new actors can expand and promote the range of options according to their material, organizational and power resources as well as their capacity and potential for adopting an orientation towards, reflexivity in and learning from the new complex global games.