

TOPIC: GENDER EQUALITY

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1. The Universal Declaration of Human Rights¹

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and security of person.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

2. Women and Human Rights

There is still a long way to go, before the UN Human Rights are a reality to all people in all societies, and to women the way is still longer.

In some societies men subordinate women utilizing law and tradition. In other societies we find formal gender equality through law, but in reality, inequality due to tradition still prevails.

Since 1979 the United Nations have thus worked to ensure ratification and implementation of the Convention on Elimination of All Forms of Discrimination against Women (CEDAW)².

The Convention defines discrimination against women as

¹ Universal declaration of Human rights as adopted and proclaimed by General Assembly resolution 217 A (III) of 10th December 1948. www.unhchr.ch/udhr/index.htm

² The CEDAW Convention - www.un.org/womenwatch/daw/cedaw

“any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field”.

By accepting the Convention, States commit to undertake a series of measures to end discrimination against women in all forms, including:

Incorporating the principle of equality of men and women in their legal system, abolishing all discriminatory laws and adopting appropriate ones prohibiting discrimination against women

Establishing tribunals and other public institutions to ensure the effective protection of women against discrimination

Ensuring elimination of all acts of discrimination against women by persons, organisations or enterprises.

The Convention provides the basis for realising equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life - including the right to vote and to stand for election - as well as education, health and employment. States parties agree to take all appropriate measures, including legislation and temporary special measures, so that women can enjoy all their human rights and fundamental freedoms.

The Convention is the only human rights treaty, which affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations. It affirms women's rights to acquire, change or retain their nationality and the nationality of their children. States parties also agree to take appropriate measures against all forms of trafficking and exploitation of women.

Countries that have ratified or acceded to the Convention are legally bound to put its provisions into practice. They are also committed to submit national reports, at least once every four years, on measures they have taken to comply with their treaty obligations. The Convention, which was put into effect in 1981, is ratified by 180 countries by March 18th 2005 - over ninety percent of the members of the United Nations.

2.1.

Twenty-six years after the adoption of the Convention, there has been significant progress in the recognition and implementation of the human rights of women. Laws have been strengthened to ensure equality, courts and judicial processes in many countries have been guided by the Convention's principles, and national institutions have been developed for the advancement of women.

Still, no country in the world has achieved full equality for women both in law and in practice. Women in many countries continue to have unequal legal status with regard to marriage, divorce, property inheritance and nationality laws, while traditions, customs and stereotypical attitudes towards the role of women and men in some societies are major impediments to equality and women's enjoyment of human rights: e.g. arranged marriages, loss of right of self-determination in marriage, loss of personal property in marriage, and no legal right over children in marriage.

But the UN World Women Conferences have to a large degree been responsible for placing equality on the international agenda. The year 2005 marks the tenth anniversary of the United Nations Declaration and the Beijing “Platform for Action”³.

The following critical areas in the “Platform for Action” describe the means by which governments, UN international organisations, and NGO’s, must work at in order to encourage women’s equality:

- The persistent and increasing burden of poverty on women.
- Inequalities and inadequacies in, and unequal access to, education and training.
- Inequalities and inadequacies in, and unequal access to, health care and related services.
- Violence against women.
- The effects of armed or other kinds of hostility toward women, including those living under foreign occupation.
- Inequality in economic structures and policies, in all forms of productive activities and in access to resources.
- Inequality between men and women in the sharing of power and decision-making at all levels.
- Insufficient mechanisms at all levels to promote the advancement of women.
- Lack of respect for and inadequate promotion and protection of the human rights of women.
- Stereotyping of women and inequality in women’s access to and participation in all communication systems, especially in the media.
- Gender inequalities in the management of natural resources and in the safeguarding of the environment.
- Persistent discrimination against and violation of the rights of the girl child.

Results and hindrances on the 12 critical issues have since been evaluated, and the further implementation of the Beijing declaration and “Platform for Action” discussed⁴.

In March 2005 the UN Women’s Commission, which represent governments, passed in agreement a disputed declaration concerning “gender equality, development and peace for the twenty-first century”⁵. The declaration confirms the whole Beijing plan for action and sends an important message, that equality is to be worked into UN’s summit meeting in 2005 on development and security.

3. The European Union and legislation on gender equality

The European Union was involved in drafting the Beijing Platform of Action; and equality between women and men is one of the fundamental principles of Community law.

Since the creation of the European Communities in 1957, legislation on gender equality has made extensive progress. It started out to guarantee equal pay for women and men and now extends to cover all forms of sexual discrimination in the workplace.

The scope of the Union's activities is so broad that they directly influence women's daily lives. Moreover, in the areas where Member States have given the EU the power to act, European laws take precedence over national legislation, and a national law that contravenes European law has to be changed. In other terms, if progress is made at European level, it must be

³ Fourth World Conference on Women, Beijing, 4 -15 September 1995 - www.un.org/womenwatch/daw/beijing/platform/declar.htm

⁴ Beijing + 5 - Process and Beyond - www.un.org/womenwatch/daw/followup/bfbeyond.htm

⁵ Beijing + 10 - www.un.org/womenwatch/daw/Review/english/news.htm

incorporated at national level. It is therefore essential for women to be informed of the possibilities the EU has to offer.

3.1. The Treaties⁶

- Equal pay in the Treaty of Rome⁷ (1957)

The first provision on gender equality in the early European Community Treaty was article 119 of the Treaty of Rome, which introduced the principle of equal pay for women and men for equal work. This principle was used extensively by the European Court of Justice to ensure equality between women and men in employment in general.

- Gender equality reinforced in the Treaty of Amsterdam⁸ (1997)

In 1997, equality between women and men, extending beyond the issue of pay, was introduced for the first time into the European Treaties as a one of the objectives and mission of the European Union (articles 2 and 3)⁹.

Article 2 says that it will be the Community's task to promote the harmonious, balanced and sustainable development of economic activities, environmentally-friendly growth, a high degree of convergence of economic performance, a high level of employment and social protection, the raising of the standard of living and quality of life, economic and social cohesion and solidarity among Member States. And Article 3 lists the various measures which the Community should take to carry out the tasks specified in Article 2. As amendment of Article 3 a new paragraph has been added saying in all the other activities referred to in this Article, the Community shall aim to eliminate inequalities, and to promote equality, between men and women.

Article 13¹⁰ of the same Treaty, which is the general anti-discrimination clause, also makes reference to discrimination on grounds of sex and can be used as a legal basis for proposing further European legislation (directives). Article 141¹¹ (ex article 119) allows for further European legislation on gender equality in employment, it contains a reference to equal pay for women and men for equal work, or work of equal value, and it introduces positive action measures to achieve this. The progress achieved in this instance was due to the lobbying efforts of women across Europe.

3.2. The directives¹²

Directives are "laws" adopted at European level, which must be transposed into national legislation in the Member States (a national law that contravenes a Directive must be changed). The main Directives on gender equality are:

Equal pay (75/117/EEC)¹³

Equal treatment relating to employment, vocational training, promotion and general working conditions (76/207/EEC) – modified by directive (2002/73/EC)¹⁴

⁶ www.europa.eu.int/comm/employment_social/equ_opp/rights_en.html#treaty

⁷ The Treaty of Rome – www.europa.eu.int/scadplus/treaties/eec_en.htm

⁸ The Treaty of Amsterdam - www.europa.eu.int/scadplus/leg/en/lvb/a10000.htm#a10006

⁹ Article 3(2) of the EC Treaty - www.europa.eu.int/constitution/en/part2_en.htm#a5

¹⁰ Article 13 of the EC Treaty – www.europa.eu.int/constitution/en/part4_en.htm#a18

¹¹ Articles 137 and 141 of the EC Treaty – www.europa.eu.int/constitution/en/part26_en.htm#a171

¹² www.europa.eu.int/comm/employment_social/equ_opp/rights_en.html#dir

¹³ Equal pay Directive 75/117/EEC – www.europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31975L0117:EN:HTML

¹⁴ Equal Treatment Directive 76/207/EEC amended by Directive 2002/73/EC
www.europa.eu.int/eur-lex/pri/en/oj/dat/2002/l_269/l_26920021005en00150020.pdf

Social security systems (79/7/EEC) and (86/613/EC)
Equal treatment for self-employed workers and their spouses (1986)
Pregnancy and motherhood (92/85/EC)
Parental leave (96/34/EC)¹⁵
Burden of proof in cases of sex discrimination (97/80/EC) and (98/52/EC)¹⁶.

3.3. Equal pay

In terms of secondary legislation, the 1975 Directive on Equal Pay and the 1976 Directive on Equal Treatment in Employment, amended by the Directive of 2002 are important legal tools in protecting equal opportunities for women and men in professional life as they relate to equal pay for work of equal value, access to employment, vocational training, promotion and working conditions. Further directives on equal treatment for women and men in matters of social security schemes, occupational social security schemes, maternity and parental leave, and part-time workers completed the legal picture in terms of providing the basis for challenging sex-based discrimination.

With directive 2002/73/EC, modifying the general equal treatment in employment directive for the first time at EU level, binding legislation was introduced, recognizing and defining sexual harassment as a form of sex discrimination.

Directives for the implementation of article 13 (general anti-discrimination clause):
Directive establishing a general framework for equal treatment in employment and occupation (2000/78)¹⁷

Directive implementing the principle of equal treatment between men and women in the access to and supply of goods and services (2004/113)¹⁸.

The Council of Ministers of the EU unanimously adopted the Directive implementing equal treatment between women and men, aimed at extending the principle of equal treatment beyond the area of employment to the access to, and supply of, goods and services. The adoption of a directive was the result of a long process, as women had been waiting for a new general European gender equality law since the Amsterdam Treaty in 1999 was put into effect, which added 5 new articles on gender equality and anti-discrimination:

- 1) The Directive applies to both direct and indirect discrimination
- 2) Less favourable treatment of women for reasons of pregnancy or maternity is considered as direct discrimination
- 3) Differences of treatment may only be accepted if they are justified by a legitimate aim, for example the protection of victims of sex-related violence or reasons of privacy and decency
- 4) It is limited to goods and services available to the public and offered outside the area of private and family life
- 5) It does not apply to the content of the media or advertising or to public or private education.

The directive also applies to insurance and related financial activities, however a number of exceptions are allowed.

¹⁵ Parental leave -www.europa.eu.int/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=en&numdoc=52003DC0358&mode=l=guicheti

¹⁶ Burden of Proof in Cases of Discrimination Directive 97/80/ EC amended by Directive 98/52/EC and Directive 2002/73/EC – www.europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:31998L0052:EN:HTML

¹⁷ www.europa.eu.int/comm/employment_social/news/2001/jul/dir200078_en.html

¹⁸ www.europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2004/l_373/l_37320041221en00370043.pdf

At a time where general anti-discrimination legislation is enacted or prepared within the national law of several countries, and the EU Member States are in the process of adapting their legislation to several directives, the time seems ripe for a thorough analysis of the conceptual framework and the legal translation of the ban on discrimination in horizontal relations. The issue is of major importance for the insurance sector, whose technique is largely based on risk-classification and risk-selection, both at a theoretical and at a practical level.

The incorporation of equal opportunities between women and men in all the Community's policies and actions is commonly known as "gender mainstreaming" (see below, chapter 5).

The Charter of Fundamental Rights of the European Union¹⁹, proclaimed by the European Parliament, the Council of the European Union and the European Commission in December 2000, reaffirms the ban on all forms of discrimination, in particular those based on sex, and the obligation to ensure equality between women and men in all areas in Article 23: Equality between men and women:

Equality between men and women must be ensured in all areas, including employment, work and pay. The principle of equality shall not prevent the maintenance or adoption of measures providing for specific advantages in favour of the under-represented sex.

3.4.

Following the case law developed by the European Court of Justice and in order to make Community law effective, a very important piece of legislation was added in 1997 by The Burden of Proof Directives. The directive is particularly important as it raises the concept of indirect discrimination.

The Directives includes the following definitions:

Cases of discrimination based on gender

The principle of equal treatment means the absence of any discrimination based on sex either directly or indirectly. All direct discrimination between women and men is prohibited, including unfavourable treatment for reasons of pregnancy and maternity, and all indirect discrimination. Harassment, sexual harassment and incitement to discrimination are considered as discrimination based on sex and for this reason are also prohibited:

Direct discrimination: a situation where one person is treated less favourably based on their sex than another is, has been, or would be treated in a comparable situation.

Indirect discrimination: a situation where a provision, a criterion or an apparently neutral practice could put persons of one sex at a particular disadvantage compared with persons of the other sex, unless that provision, criterion or practice is objectively justified by a legitimate aim and the means of achieving that aim are legitimate and necessary.

Harassment: a situation where unwanted conduct related to the sex of a person is exhibited with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile or degrading environment.

¹⁹ The Charter of Fundamental Rights of the European Union (2000/C 364/01) – www.ue.eu.int/docCenter.asp?lang=en&cmsid=245
www.europa.eu.int/comm/justice_home/unit/charte/en/charter-equality.html

Sexual harassment: a situation where unwanted physical, verbal or non-verbal conduct with sexual connotations is exhibited with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading or offensive environment.

The Directive applies to the principle of equal pay, access to employment, vocational training and promotion and, insofar as discrimination based on sex is concerned, protection of pregnant workers and those who have recently given birth or are breastfeeding and workers on parental leave and to any civil or administrative procedure concerning the public or private sector, with the exception of out-of-court procedures.

The Directive makes it clear that a woman on maternity leave must be given protection and will be entitled, after her period of leave, to return to her job or to an equivalent post on terms and conditions which are no less favourable, and to benefit from any improvement in working conditions to which she would have been entitled during her absence. If discrimination is presumed to exist, it is up to the defendant to prove that there has been no contravention of the principle of equality. A further point brought out is that a difference of treatment which is based on a characteristic related to sex may be lawful if such a characteristic constitutes a genuine and determining occupational requirement, provided that the objective is legitimate.

Governments of the Member States will have to introduce legislation requiring employers to introduce measures to prevent sexual harassment in the workplace and to draft equality plans on a regular basis. In addition, the new text provides for increased job safeguards for parents who want time off to look after children. This text will have to be translated into national legislation by October 2005.

4. Gender equality figures

4.1. Equal pay and equal participation in the labour market

Despite the adoption of the Directive of Equal Pay, women in the EU still earn less and have less influence than men. The EU commission report from February 2005²⁰ concludes that member countries do not do enough for gender equality. Based on this report, the commission demands an extra effort for gender equality in central areas, especially on the subject of pay.

The report concludes that there is a marked gender difference both in wages and in employment rate. A woman in the EU earns approx. 16% less than her male colleague, and EU countries have not managed to reduce the large wage gap during recent years, even though the member countries with the Lisbon Strategy²¹ in 2000 have promised themselves to reduce the wage difference considerably before 2010.

The EU commission fears that the gender differences – and in particular the large gap in pay – can keep women away from the labour market because of the limited access to childcare and stereotyped family patterns. Single parents, mostly women, tend to suffer from cumulative disadvantages and are particularly vulnerable to social exclusion.

²⁰ Report on Equality between Women and Men COM(2005) 44 final 14/02/2005 – from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions www.europa.eu.int/comm/employment_social/new/2005/feb/gender_equality_2005_report_en.pdf

²¹ The Lisbon Strategy – www.europa.eu.int/growthandjobs/pdf/thematic_lisbon_conclusions_0604_en.pdf

At the beginning of the 1990's less than half of EU's women were part of the labour market. The percentage is now almost 56%, and there are still 17% fewer women than men in the labour market of EU.

The member countries have promised themselves that 60% of EU's women are to be employed in the labour market before 2010, so as to secure economic growth. Projections indicate that this figure will be hard to achieve. In Denmark the employment rate of men is approx. 80% and that of women is over 70 % and one of the highest in Europe.

According to NAP report on social inclusion²² the employment rate in Slovakia for men is 62.4% and women 51.4%, for older women only 11.2%. The NAP shows that 21% of the population were at risk of poverty. Gender mainstreaming did not play an important role in the NAP. In spite of the significant gender gap, no reference is made to gender as a poverty risk factor. Special awareness in relation to the Roma minority is needed. In Poland the employment rate for men is registered the lowest among the EU Member States, men 56.5% and women 46%. 17% of the population were at risk of poverty. Women have been facing more difficulties on the labour market than men, mainly as a result of increased competition at the labour market combined with insufficient access to affordable childcare facilities. At the same time, however, economically active women are better educated than men.

In Southern European countries such as Greece, Italy and Spain over half of the women are housewives, meaning that they have no personal incomes to provide economic independence or contribute to national economies. The provision of adequate care facilities remains the fundamental instrument for allowing women to enter and remain in the labour market throughout their lives. Changes for women also affect men; as gender equality is about the relationship between women and men based on equal rights, equal responsibilities and equal responsibilities and equal opportunities in all spheres of life.

4.2. Parental leave

A new survey²³ by Eurobarometer on parental leave reveals that the majority of men in the EU are aware that they have the right to parental leave, but do not exercise that right. Of the 2,819 current or prospective fathers polled across the EU-15, 75%, or 2,108 respondents, knew of this entitlement. However, 84% of those 2,108 said they had not taken parental leave or were not intending to do so. The main factors deterring fathers from staying at home to look after a new baby or a small child are financial, lack of information and concerns about their careers. 18% of respondents said they had not or would not take parental leave because they could not afford to. 42% of 5,688 men polled across the EU said insufficient financial compensation was the main factor that discouraged them from taking parental leave. 31% said they felt their careers would be affected and just over one in five said they did not want to interrupt their careers. Although the EU directive on parental leave was passed in 1996, 34% said they did not have enough information about parental leave.

Inequalities between women and men in the home and in employment are intrinsically linked. Women have historically been assigned to carry the main responsibilities for care and domestic work and still carry most of it today, while men have been working outside the home defined as the 'breadwinners' for the family. This distinction has been underpinned not only by gender

²² Report on social inclusion 2005. An analysis of the National Action Plans on Social Inclusion 2004-2006 submitted by the 10 new Member States, EC manuscript, February 2005

²³ Eurobarometer survey -

www.europa.eu.int/comm/employment_social/news/2004/sep/EB59_1_parental_leave_rev1_july_en.pdf

stereotypes, religious beliefs and traditions and by conservative education, but also most importantly by public policies. A culture must be encouraged where both men and women are equally considered to be caretakers and active members of the paid economy. In order to break with the inequalities in the home and at work, there is a need for proactive public policies in both the area of employment and in the area of family/care.

4.3. Equal sharing of care and domestic responsibilities between women and men

In order to achieve a more equal sharing of care and domestic responsibilities, some key policies need to be addressed. Men's responsibility for the care and upbringing of their children must be reinforced through public policy.

The EU commission encourages the member countries to implement legislation and initiatives that can rectify the gender-based imbalance as quickly as possible. The EU commission specifically recommends, among other things, that wage statistics and other relevant data based on gender is accounted for so that gender differences become clear and that both EU and member countries immediately start work on tangible aspects of gender equality on all levels, taking into consideration gender equality in all policies and decisions. In the future the commission will report on the status of progress on gender mainstreaming every other year.

4.4. Women's work and men's work

An important explanation of the big difference in wages between men and women is also - according to the commission - that the European labour market is sharply divided between male and female professions. Women dominate education, the social services, health areas, in public administration and retail business, while there is a predominance of men working as technical experts, engineers, in finance and management.

Denmark has one of the most gender-segregated labour markets in Europe. Over half of all Danish men and women work in sectors where their respective genders occupy at least 70% of the vacancies.

Besides the fact that women receive a lower income in comparison with male colleagues in corresponding jobs, statistics reveal that a higher percentage of women occupy positions in the public sector, where pay is comparably less than in the private sector. The use of de-central wage negotiations in conjunction with wage bargaining has had an influence on the settlement of wage levels and contributions toward pension savings. Men are generally better at negotiating individual wages than women, which can be seen in higher wages and pension contributions. At the same time women enter the labour market on average 1½ years later than men, and leave it again on average 1½ years earlier than men. In most of the EU-member States the Pension Age is lower for women than for men²⁴. Because of a longer parental leave, women have a shorter period in which to save pensions, which even with interest and compound interest, gives them a lower pension in the end than men.

Men still earn considerably more than women, which cannot be explained solely by the fact that women are absent because of childbirth. When one accounts for wages – either in relation to the amount of hours stated in a contract of employment or the actual amount of working hours –

²⁴ EU og Arbejdsmarkedet – pensionsalder by Ove Fich 15/10/2002 - www.eu-arbejdsmarkedet.dk/eu_arbejdsmarked/artikel.html?id=2506

men's wages are higher than women's. In Denmark men earn on average between 12 and 19% more than women, depending on how the wages are summed up.

Kenneth Reinicke²⁵ from the Danish Research Centre for Gender Equality argues that there is strong evidence suggesting a marked difference in the way male and female staff make their wage demands. Men are better socialized in the "battle for the wages". Men are often seen to be more attentive to quantify their past work and thus they make more frequent and higher wage claims. Women's work is often not appreciated in the same way as that of men's. This is especially evident when their effort has to be converted into a matter of wage rise. Women are often also more reluctant to make wage claims. There is still a tendency where women, to a larger extent than men, want their employer to "discover" their qualifications, rather than they themselves having to accentuate them.

Byrial Radsted Bjoerst recently defended a Ph.D. - thesis on the subject of equal pay²⁶, and he concluded that it is the State's obligation to put forward proposals, if equal pay is to be encouraged. He also pointed out that EU's Equal pay directive and the ILO convention actually legally binds the State to actively work towards equal pay.

In 2001 the new Danish government indefinitely postponed the introduction of a break down of wage figures by gender in businesses with more than 10 employees. Instead the government encouraged the two sides of labour market to find alternative ways to achieve equal pay. But according to Bjoerst the traditional Danish model is not able to manage the job:

"Until now the Danish State has leant back and given the task to the different parts of the labour market. But that does not wash, because there is no balance between the involved in this area. The Confederation of Danish Employers is not particularly interested in equal pay, and we have in reality only had the women's unions under The Danish Confederation of Trade Unions, fighting hard for the cause."

Recently the government have changed their stance and declared that they will after all carry out a breakdown of wage statistics based on gender at businesses. On the 10th of October, a new bill has been sent to hearing in the relevant organisations. This bill concerns itself only with companies more than 35 employees rather than earlier where companies with 10 employers were included in the bill. Furthermore, according to the new bill there have to be at least 10 men and 10 women in the same position in order to release equal opportunity statistics. Finally, only positions with the same official International Standard Classification of Occupations (ISCO-code), even when the equal pay bill regards "work of the same value", rather than work that share the same formal job title, can be compared. Moreover, it has been included in the bill, that the employer's responsibility to create gender divided statistics is removed, if the employer enters an agreement with the employees, which describes the conditions that are important to payment of women and men in the company. The agreement, furthermore, has to concern itself with concrete action oriented initiatives. All worker unions and women's rights organizations have been very critical about the bill whereas the employer's organisations are satisfied.

4.5. Leading jobs

²⁵ Information (Danish Newspaper), 10/10/2005, article by Kenneth Reinicke, Ph.D, the Danish Research Centre for Gender Equality, RUC

²⁶ Byrial Radsted Bjoerst reported in Ugebrevet A4 07/02/2005 – (Weekly newsletter for the Danish Confederation of Trade Unions - www.ugebreveta4.dk/smcms/Ugebrevet/7422/7641/7686/7690/Index.htm?ID=7690)

The EU report from 2005 also shows a continuing imbalance between women and men regarding access to leading positions. It is more than twice as common to make men leaders, and men have more than three times the chance to gain an executive position, despite the fact that women have managed to occupy more top positions than before in most EU countries during the 1990s.

There have been a number of attempts through the gender quota system to secure an even share of the prestigious positions between genders.

Despite this, figures show for example that within academic posts in Denmark, women occupy 1% of professorships within natural sciences, 6% within the humanities and 7% within social science.

It can be seen in the Equal Opportunity reports sent by all Danish local authorities to the Minister of Equal Opportunity on the 1st of September²⁷, that 77% of the employees in the local authorities are women, while 82% of all leading positions are held by men. "It is surprising that it is mostly men who are in the leading positions in the local authorities when there are so many women available for these jobs. This is not good for the skilful and ambitious women, who want a place at the top of hierarchy. The local authorities also miss out on a lot of talent", states the Minister of Equal Opportunity, Eva Kjer Hansen in connection with the publication of the reports.

It is just every fifth local authority, which is working with the objective to have more women in leading positions, and only 11 local authorities have given examples of concrete initiatives, which are designed to attract female leaders. However, if one looks at the next step down in the hierarchy at the assisting directors, office heads, and department heads, there is reason to be optimistic. Here women constitute 46%, and among leaders in institutions this number is as high as 63%, which is a slight increase since 2003.

A new report²⁸ by professor Nina Smith, which has been written in order to get more women into leading positions, shows that women in top positions yield good economic results. The report is based on a unique data material, and there is documentation to suggest that it is economically sound to hire female leaders. A Danish company with a woman as administrating director has an average gross profit of 38% whereas a company headed by a man has one of 34%. A company with women in top leadership is generally 7% above the gross profit of their competitors without female leadership. Female leaders also improve the result after tax in relation to net capital.

4.6. Political representation

Women make up more than half of the population and electorate in the European Union, yet they continue to be under-represented in all European Union decision-making bodies, in political decision-making in EU Member States and in economic and social decision-making. Moreover, some women such as young, disabled, lesbian, migrant and ethnic minority women face multiple discrimination in this area. The average representation of women in January 2005 stood at 24% for the Lower Houses in EU Member States.

There is no binding provision at European Union level for the achievement of gender balance in decision-making. There are some binding European provisions relative to positive action

²⁷ Report from the Municipalities to the Minister of Equal www.lige.dk/Default.asp?Id=134&AjrNws=620

²⁸ Til gavn for bundlinjen by professor Nina Smith et al, Nationaløkonomisk Institut, Handelshøjskolen in Aarhus www.lige.dk/files/pdf/ninasmithrapport

measures in employment, which to some extent can be used to improve the situation of women in decision-making in certain fields.

Women occupy only one fourth of the seats in the 15 old EU countries' parliaments, and in the new EU member countries the same pattern is emerging. Nevertheless the EU commission estimates a little progress is also underway, referring to the fact that 10 out of the 15 old EU countries have provisions in their constitution or gender equality laws concerning a balance between women and men's participation in the political process of decision-making.

At the last election to the European Parliament in June 2004, 222 women were elected, corresponding to 30.3% of the 732 members.

At the drawing up of the latest EU commission in 2004, the president called on the governments to nominate women candidates. Of the 25 members in the final commission, 7 were women, corresponding to 28%.

At the last general election in Denmark, February 2005, 947 parliamentary candidates were nominated, of which 299 were women (31.6%). That is the highest percentage of women candidates ever. In 2001 the percentage was 29.4. 66 women were elected corresponding to 36.9% of the Danish Parliament. The ministers in the new government comprise of 19 people, 4 of which are women (21%).

The Danish Research Centre on Gender Equality has recently carried out a survey²⁹ of women politicians in the Danish media. Over 75% of women members of the Danish Parliament have, in conjunction with the survey, answered questions relating to what gender means in Danish politics today. The survey's main question was: Does the relatively high number of women in modern politics mean that women and men can get on with their political job under the same conditions?

The survey showed that gender does not mean much, as far as women's conditions in the Danish Parliament and among political colleagues is concerned. However when it comes down to the political life in the media and public, things begin to look somewhat different.

Just below 75% of the women thought that the two genders have equal influence within their political party, and 80% said that their gender has never been a hindrance for them in the party. They do emphasise however, that there is no gender neutrality in the disposition of political posts. A woman politician comments that *men are better at organising themselves in the disposition of influential posts, they are better at making a sober evaluation of how they should position themselves in order to achieve the best for themselves. They are calculating insofar as whom to support, if they themselves want to get on.*

Women are predominantly content concerning other parliamentary work. Some point out that this can be a problem, particularly when older male colleagues make a mark for themselves by using a condescending tone in front of younger women politicians, while speaking from speaker's chair of the Parliament. Others speak of men making decisions in informal groups without the participation of women, but only 6% of the women have felt that their gender as such has been a hindrance in their political work generally. On the other hand the women questioned thought that men have more power than women in the Parliament, but do not apparently see the unequal power relationship as a hindrance in their political career.

²⁹ Women in the media by Ulrikke Moustgaard, 2004. "Håndtasken, heksen og de blåøjede blondiner - danske, kvindelige politikere ifølge pressen - og dem selv". Reported in National Danish newspaper Politiken 23.04.2005

In contrast to this, only 17% of the female politicians thought that the media treats male and female politicians equally. Now and then there are stories in the press that criticize a politician as a person, and, according to those who were questioned, a woman who makes a mistake in her political or private life is judged harder than a man in a similar situation. 45% of the female politicians thought that gender has an influence when the media makes personal criticisms in their articles.

On the whole, there is a big difference in how the media refers to women and men. In conjunction with the election of the Social Democrats new leader, Helle Thorning-Schmidt, the public were able to read in a national newspaper: "Helle Thorning-Schmidt comes across self conscious, dressed in extremely high heels and a chic suit". Furthermore that she resembles "the director's young wife" and is "the political answer to the democratising of luxury". She is known in the media world as "Gucci-Helle". Another national newspaper wrote: "Denmark's new Iron Lady". And they quoted a party colleague of having said that she is "ice cold and makes Ritt Bjerregaard look like a warm blooded woman", (Ritt Bjerregaard is a former EU commissioner, former minister and long serving member of the Danish Parliament and now "Lord" Mayor in Copenhagen, often caricatured as an animal trainer holding a whip).

Denmark's Minister of Justice, Lene Espersen, is often referred to as "the talking cleavage". Personally she finds it unfair that there is such enormous focus on how women politicians look and their dress code, but she admits that younger women have a greater chance of being elected to the Parliament than men.

Denmark's Minister for the Environment, Connie Hedegaard finds it positive, that there are so many high placed women in Danish politics, and is of the opinion, that it will create more focus on gender equality. She also says that if one is led to believe that gender equality exists, then one should just look at the names of those put forward for public boards, councils and committees, where there in spite of everything should be an equal number of men and women. Here there is a long way between the names of women.

4.7. The ideal of sharing equally

In modern society each individual is responsible for creating his or her own life. In Denmark we have equal access to education and jobs in contrast to more traditional societies. In sociological terms one talks about cultural liberation, in other words, being liberated or free of traditional marriage and family traditions, and having choice of profession and values. The course of a person's life is no longer staked out at birth – we can make new choices all through life and can, so to speak, "invent ourselves".

The cultural liberation means on the one hand, that we have far more opportunities for self-realisation, and on the other hand it means an expansion of our expectations, what we dream of and long for, even if it is for various reasons, impossible to achieve in real life. In this context it is interesting to look at what cultural liberation means as far as our understanding of gender goes. Have we more leeway in this area, or are the changes we observe in the pattern of gender roles, just ripples on the surface?

A Nordic umbrella project "Equality in The North between rhetoric and praxis – studies of changes in the public and private understanding of modern equality politics"³⁰, both aims to

³⁰ Gender Equality - Between Rhetoric and Practice - Nordic Project

About the Politics, Psychology, and Gender in Heterosexual Couples: Welfare States as Laboratories for the Future?

The paper was used as the basis for a presentation at the 109th APA Convention in San Francisco, August 25, 2001, in the symposium "All quiet on the home front? The discursive production of quiescence in domestic life"

study the connection between different types of political rhetoric as well as the basic understanding of equality and gender.

The survey focuses on the attitudes of cohabitant women and men towards gender and how they deal with and present themselves as women, men and couples. It also looks into how women and men pass on political messages concerning equality when describing their joint everyday life. A central question is which ideas each individual couple has regarding their family project, and how these ideas are expressed in their dealings in life. At the same time the survey attempts to uncover how individuals express their identity as women and men in everyday life.

The survey concludes that the official ideologies on gender in The North come across as a kind of overriding understanding and do not plant themselves among the more traditional practices. Equality and sharing equally is a universal ideal, but the ideal is something outside of, and not a part of that which each single individual experiences as their innermost self.

4.8. Men and women's self-perception

When speaking of gender differences in the private sphere and in public debates, one finds the use of contrasting principals and characteristics attributed to the two genders. Cultural ideas exist, for example, that aggressive behaviour and rational thinking are characteristic for men, while women are attributed social and emotional qualities.

Women's extra housework is a continuing theme in debates in the media and in the private sphere. Women and men have apparently different views regarding the importance of and responsibility for children and homemaking, and it seems as though it is difficult for the genders to understand one another's perspective on this issue.

Even though there is no longer an official segregation of genders, we do find that the division of gender lives on in the form of private practices and rituals within the military, sport, and not least in the creating of networks in public and private business communities, which in praxis prevent the other gender from participating.

4.9. Ethnic minorities and equality

Special attention must be paid to the double discrimination of sexism and racism that immigrant women often face, in particular in the labour market.

Personal freedom and the right to choose is applicable to both women and men. Everyone must have an equal chance to create goals for their life, whether it is through choice of education, work or partner in life. For ethnic minorities, one of the conditions necessary to live up to this right to equality between genders is the knowledge that equality is part of democracy, and an understanding of what gender equality actually entails. A recent survey³¹ in Denmark showed that 15,000 immigrant women are isolated in their own home.

Norms and practices for gender patterns also express themselves in the delegation of roles and task in the domestic as well as in the public space. Traditional gender patterns, where the

³¹ Survey 2005 – "Køn, etnicitet og barrierer for integration - Fokus på uddannelse, arbejde og foreningsliv" by cand.oecon., ph.d. Margrethe Dahl - Socialforskningsinstituttet: 05:01 (The Danish National Institute for Social Research) – www.sfi.dk/sw19763.asp

woman is responsible for domestic tasks while the man is responsible for supporting the family, can limit the woman's participation in the labour market as well as in social organisations. This is especially true, if there are smaller children in the family. Women from ethnic minorities are generally more positive than men regarding labour market participation for women. The attitude towards the education of girls and boys from ethnic minorities can also be affected by these gender patterns. It seems, however, that there has been an attitude to change this among some ethnic minority groups in the sense that, to a larger extent than earlier, women are supported by their families in their wishes to complete an education.

Besides the norms of labour segregation between men and women, demands about protection of women's modesty restrict the conditions in which women and girls can participate in activities outside the domestic sphere. The ideals of modesty and the expectations to the role as an ethnic minority woman can also mean that some women marry early and have children, which can effectively block professional education. It seems, however, that some women use education as a liberation strategy to gain some of the freedom that men belonging to ethnic minorities have easier access to. The social control of women from ethnic minorities can, however, also lead to the fact that it will be difficult for them to participate in activities outside the planned teaching.

The norms for men belonging to ethnic minorities can also hinder the women's participation in the labour market. Men place great prestige in their role as supporter of the family, and education is often secondary to paid work. Moreover, it seems that in addition to there being relatively little control over boys from ethnic minority groups, these boys pursue opportunities to gain recognition and status in their friendship groups rather than pursuing an education. The differences, nevertheless, can also be explained by stereotypical conceptions of gender and ethnicity. Discrimination in the labour market can hinder the opportunities of ethnic minorities to get jobs. Men of ethnic minorities experience discrimination on the labour market to a larger extent than women do. Women typically meet prejudice due to their veil whereas men are met with prejudices of aggressiveness, criminality and chauvinism. It looks as though the attitude towards ethnic minorities varies from profession to profession. On the one hand, some traditional male trades place a lot of emphasis on the ethnic minorities' cultural and linguistic deficiencies. On the other hand, it is viewed to a larger extent to be an advantage in certain female trades to have a background of ethnic, cultural or linguistic diversity. Furthermore, networks can have a role to play as well. Women from ethnic minorities have less contact to the majority of the population than men from ethnic minorities, which might explain the lower employment rate among women. Since part of the family (for example, the children's grandparents) still live in their home country, ethnic minorities often lack a close family network in Denmark which might otherwise have helped with childcare at difficult times. Given the traditional gender patterns, this must be viewed to have a negative effect on the participation of women in the labour market.

Many women do not know of their rights, which creates new problems such as forced marriage and killings motivated by honour. A condition for gender equality is that culture or tradition is not used as an excuse to neglect equality between women and men, as was the case on 8th of March 2005: 40 women of different ethnic backgrounds reported the Imam Raed Hleihel to the police because of threatening and discriminating comments against women from Muslim families³². The focus of the police report was the Friday prayer on the 18th February 2005, during which the Imam demanded that Muslim men make sure that their wives, daughters and sisters cover themselves from head to toe. The men were encouraged to keep the women in a submissive role, which is a threat against the women, their freedom, self-determination and equal rights. The Imam's speech was tape recorded and distributed among Muslim school children, for them to assimilate and obey.

³² Kvinden og samfundet årgang 121, april 2005 (Magasin for the Danish Women's Society)

5. Gender mainstreaming

The Council of Europe has defined gender mainstreaming as the (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by people normally involved in policy-making.

Gender mainstreaming cannot replace specific policies, which aim to redress situations resulting from gender inequality. Specific gender equality policies and gender mainstreaming are dual and complementary strategies and must go hand in hand to reach the goal of gender equality.

Gender mainstreaming can only be developed when some prerequisites are fulfilled. The most important prerequisite, but often one of the hardest to attain, is the political will to implement this strategy. Furthermore, a gender equality policy must already be in place and gender-sensitive data and statistics must be available. Tools and instruments to put the strategy into practice have to be developed and the people involved have to be trained.

A good time to start mainstreaming is when a new law is being prepared or a policy is being planned or revised, for example in the field of education. The policy process is reorganised so that the people usually involved in policy-making (and not just gender equality experts) take a gender perspective into account from the very beginning of the process. Mainstreaming gets gender equality out of the isolation of specific gender equality policies and involves more and new actors in building a balanced society.

Gender mainstreaming is the integration of the gender perspective into every stage of policy processes – design, implementation, monitoring and evaluation – with a view to promoting equality between women and men. It means assessing how policies impact on the life and position of both women and men – and taking responsibility to re-address them if necessary. This is the way to make gender equality a concrete reality in the lives of women and men creating space for everyone within the organisations as well as in communities, to contribute to the process of articulating a shared vision of sustainable human development, and translating it into reality.

6. Summary

The reports on gender equality throughout the EU-Member States show, that there are still many challenges in working for equality between women and men.

The pay-gap between women and men is still very large – 16%.

The unemployment rate is considerably higher for women than for men.

There are too few women in both managerial jobs and in politics.

Gender equality among ethnic minorities is wanting.

Many workplaces are gender-segregated.

A large number of municipalities, counties, and state institutions, need to implement tangible initiatives on gender equality.

Increased participation by women in the labour market has to be accompanied by a commensurate increase in male involvement in family responsibilities.

Working mothers (and fathers), who are members of single-parent families or large families, need flexible working hours and suitable childcare facilities so that they can meet their more extensive family commitments.

The work on implementing gender equality in the daily planning and administration – the so called gender mainstreaming – leaves as yet, a lot to be desired.

7. Glossary

CEDAW : Convention on elimination of all forms of discrimination against woman

Context: the set of facts or circumstances that surround a situation or event; "the historical context"

Convention: a treaty: an international convention: a text of law signed by two or more countries with essential or procedural provisions

Hetero: different.

Imam: the spiritual leader of a Muslim community. He leads the congregation in prayer and acts as an advisor and advocate for and to the community. He is not a priest and has authority by knowing the Qur'an and other sacred texts well.

Migrant: a person who leaves his/her country of origin to seek residence in another country.

NGOs: Non Governmental Organisation

Precedence: judges are obliged to give reasons for their decisions in court. Subsequent cases of the same type may refer to those judgements because of the precedence that has been set.

Ratification: making something valid by formally ratifying or confirming it; "the ratification of the treaty"; "confirmation of the appointment"

Socialised: to cause to be social or fit to live with others.

Sovereignty: supremacy of authority or rule as exercised by an independent (sovereign) state

Stereotypes: a stereotype is a preconceived (not based on research or experience) or oversimplified generalization about an entire group of people without regard for individual

differences. Even when stereotypes are positive, they always have a negative impact and can lead to discrimination.

Treaty: a written agreement between two states or sovereigns. A treaty is a binding agreement under international law concluded by subjects of international law, namely states and international organizations. Treaties can be called by many names: treaties, international agreements, protocols, covenants, conventions, exchanges of letters, exchanges of notes, etc.; however all of these are equally treaties and the rules are the same regardless of what the treaty is called.

8. Important websites:

United Nations Inter-Agency Network on Women and Gender Equality, Women Watch
www.coe.org/womenwatch

United Nations Economic Commission for Europe
www.unece.org

Activities of the European Union
www.europa.eu.int/pol/index_en.htm
go to: Human Rights
go to: Equality

European Commission index Gender Equality
www.europa.eu.int/comm/employment_social/gender-equality/index_en.htm

European Parliament Committee on Women's Rights and Gender Equality
www.europarl.eu.int/committees/femm_home.htm

Council of Europe
www.coe.int

European Women's Lobby
www.womenlobby.org

Open Society Institute & Soros Foundations Network
www.soros.org
go to: Gender Equality
go to: Publications

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10. Appendix

10.1 Interpretations of gender

In order to reach an understanding of the contrasting attitudes in praxis and self-perception, which have such an influence on equality, we have chosen to look closer at an empirical survey by Dorte Marie Soendergaard that deals with the gender identity of modern people.

Soendergaard is a graduate in applied psychology, and has for a number of years been connected with the Norwegian Women Research Environment. While working on her Ph.D. thesis, "Tegnet på kroppen"³³, she has undertaken interviews among young university students of both genders to try and find the modern interpretation of gender, by studying the students' experiences, adjustments, pattern of activities and ways of understanding:

10.2. The Sign on the body

A criticism from many women is that the woman's body is constantly portrayed as an object. The woman has her real body, but also an understanding of the body she has been socialised in striving to obtain. The portraying of the body as an object is synonymous with the feeling that her body is not there for her. How she appears in the eyes of others influences whether she will succeed in rising in social status, because of the evaluation of others.

If women break away from this implication of bodily accessibility, by recovering their right over their own body, either through physical performance or intellectual independence, then they appear non-feminine or even lesbian.

In their access to power the women are then exposed to a double-bind situation: If they act as men, they risk losing their femininity, and if they act as women they appear as incompetent.

Soendergaards interview material renders the probability, that the women experience stricter rules as to how they present their body than men do. It is apparently a male definition of female beauty that creates beauty ideals.

The ideal is that *he is big, strong and broad shouldered, and that she is smaller and weak*. This position of asymmetry is something that both genders work at, and their efforts are seen as a mutual acknowledgement of each other as respectively masculine and feminine.

A cultural unanimity is revealed in the interview material, telling us that feminine scoring on sexual components is the equivalent of "floozy", whereas academic attributes are connected to masculinity.

The dilemma women face is that by presenting themselves as too feminine, they risk being interpreted as frivolous, and by presenting themselves as too masculine, which is perceived as academic, they raise suspicion as to their sexual orientation.

³³ Professor at the Danish University of Education, dr.philos. Dorte Marie Soendergaard: The Sign On The Body

The balance and considerations are, according to Soendergaard, not found in the male discussion group. Men just have to soften up and adjust their appearance a bit if they want room to manoeuvre, whereas women must go through difficult considerations regarding their gender identity.

10.3. Gender and academic enterprise

In relation to discussions about gender's relevance to academic enterprise, Soendergaard emphasises that the students operate with distinctions between soft and hard, where the economic and political sciences constitute the hard fields, and the more sociological disciplines make up the soft fields. It is the hard subjects, and the way that they are approached, which command prestige.

Soendergaard concludes in relation hereto, that if women do well in the hard, prestigious areas, their gender becomes explicitly set. She sees this as a coupling between soft, low prestige and femininity, and hard, superior prestige and masculinity.

According to Soendergaard it is looked upon among the students as being masculine to be able to separate the academics from the social, the theoretical from the emotional – in other words to remove the so called soft and attribute it to exceptions. Women are expected to be more social and therefore less able to make this separation. That then becomes their starting point from, which they are to be understood in the academic culture.

10.4. Sexual contacts

The interviews describe aggressive sexual contacts from the opposite sex, to which both genders had been subjected, where the male reaction was adulation and surprise, and the female reaction was anger and anxiety of an assault.

According to Soendergaard, the different reactions are to be seen in the light of the fact that both women and men understand themselves in a cultural context. The cultural luggage for women means a consciousness that a sexually aggressive male figure has played an important role in their previous history, in other social classes and in other cultures. The male history of world experience on the other hand does not contain sexual assault, the body as an object, and sexual suppression, and a man will therefore interpret that type of occurrence in such a way that he stays in a subjective position.

On the background of her material Soendergaard concludes that when women dominate sexually and in relationships, the relationship quickly falls to pieces, in that both the woman and the man feel discomfited by the dominant relationship. In relationships where the man is dominant, both of them apparently interpret his dominance as an expression of love, or explain away the dominance by a completely individual interpretation of it as a mental necessity.

10.5. Parenthood

Soendergaard observed a particular pattern regarding the student's reflections on parenthood. Men who did not have any children did not talk very much about how they imagined a future parenthood, whereas women without children were very busy airing their thoughts on what it will be like to have children. Those men who already were fathers were eager to talk of their

paternal experience and how lovely it was, whereas women who had children almost never participated in group discussions on this theme.

According to Soendergaard the last group mentioned found it difficult to talk about their children, because they found themselves trivialised by appearing attached to a function that in a cultural context is regarded as subordinate. The opposite can be said of a man who finds it prestigious to reveal a reflective attitude to his duty as a parent, in that the relatively unconventional choice makes him appear exciting, provided that he does not sow doubt concerning his masculinity by exaggerating his attachment to this duty.

Soendergaard shows how there culturally is an outline of a code for motherly love, experienced as an inner and personal value, something emotional, which both society and women themselves expect to own as an inner quality. If motherhood for each individual woman is to appear successful, she has to develop this particular feeling of unconditional attachment to, and accessibility for her children. Those women that are unable to do this become culturally stigmatised, whereas there is a much wider scope for men's emotional attachment to their children. For most women there is an intensity and responsibility in caring for their offspring, something that the collective system of semantics finds conflicting when faced with the motivation for professional enterprise. It is culturally interpreted as an individualistic scheme to follow this motivation for professional enterprise, and the women students in the survey are unable to express their considerations on political or collective solutions to the clash of interests. They describe their individual efforts when attempting to find acceptable solutions to dilemmas and conflicts that they meet in their endeavours to combine motherhood with a profession/education.

A career is not looked at in the same way as an inner affair, but rather as something external and *rational*. The woman finds that her career aspirations are egocentric and problematic in relation to her role as a parent.

The men who have become fathers express, as the women do, that there is a lot of practical work involved with the children. But they do not have problems with expectations, from themselves or from others, concerning their fatherly love. They are together with their children as much as their work or studies allow, and consider it fun to be a father. When they speak of their children and activities with them, it is in the knowledge that it gives rise to interest and prestige in their surroundings. They are, in the image of themselves, good and modern representatives for their gender.

Among the women in the survey who did not have any children yet, was evidence of many different expectations and ideas about what it will be like. There are some women who are of the opinion that their career can continue as before, and some women who think that it will be necessary later on to downgrade study ambitions as well as work. Generally there is a rather worried attitude, with a great deal of considerations regarding the contrast between the demands of a career and caring for children. At the same time a number of the women expressed the desire in finding a man willing to share equally in the families' division of labour.

The men did not express those worries. They are more worried that the woman will be preoccupied with the family project.

Soendergaard accentuates in conjunction hereto, that in the public debate one meets proposals from men demanding equal rights in caring for the child, *after a divorce*. As long as the nuclear family functions, there is a clear tendency towards the women having the main responsibility for housekeeping, without protests from the men.

Likewise, the weighing up of the work effort in relation to housework and work outside of the home follows a gender-based pattern. The man's participation in activities at home is limited by his integration in activities outside the home, whereas the woman's undertaking of activities outside the home is limited by her activities within the home.

It is precisely within this area that the gender-oriented decisions are particularly marked. It becomes important for each individual to find a balance in which the result is found acceptable and harmonic for each person and their surroundings.

Soendergaards survey shows that the ideals of equality exist only as ideals and are not yet in practice in every day life. Student environments operate with a notion of equality, but Soendergaard establishes that the demands made at the university are connoted with the masculine.

The women declare that they take the main responsibility for the well being of the family, while at the same time trying to make a career. The modern man differs from men in traditional society by giving relatively high priority to parenthood, but he identifies himself first and foremost by his social position and arranges his everyday life in concordance with it. In other words, it is after he has complied with the demands of study and business that the time at his disposal is earmarked as family time.

Despite the ideals of equality there are apparently clear traditional patterns just underneath the surface. They are more veiled than in traditional cultures, but the question is, whether this veiling is precisely what makes it even more difficult to achieve the ideal of equality.

Gender identity has become more flexible, and certain aspects of it are under negotiation, but we still operate with a clash of interests between manly and womanly. Our sexuality has a decisive influence in other spheres of life, and children are still mainly a matter for women.

8 Latest National Legislation on Gender Equality as a result of the Directives

Directive	Denmark	Greece	Italy	Poland	Slovakia
Equal pay (75/117/EEC)	21/08/2003				
Equal Treatment (76/207/EEC)	19/12/2004				

+ (2002/73/EC)					
Social security (79/7/EEC) + (86/613/EC)	26/09/2005				
Pregnancy and Motherhood (92/85/EC)	20/08/2002				
Parental leave (96/34/EC)	20/08/2002				
Burden of proof (97/80/EC) + (98/52/EC)	20/08/2002				
General Framework for Equal Treatment (2000/78)	12/01/2005				
Access to and supply of Goods and Services (2004/113)	Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 21 December 2007 at the latest.				

9 Statistics³⁴ – Gender gaps

Issue	Denmark	Greece	Italy	Poland	Slovakia
Employment rate 2004 – females	71.6%	45.2%	45.2%	46.2%	50.9%

³⁴www.epp.eurostat.ec.eu.int/portal/page?_pageid=1090,30070682,1090_33076576&_dad=portal&_schema=PORTAL

Employment rate 2004 – males	79.7%	73.7%	70.1%	57.2%	63.2%
Unemployment rate 2004 – females	5.7%	16.2%	10.5%	19.8%	19.3%
Unemployment rate 2004 – males	5.1%	6.6%	6.4%	18%	17.3%
All-risk of poverty after social transfers 2003 – females	12%	22%	20% (2001)	16% (2002)	21%
All-risk of poverty after social transfers 2003 - males	11%	20%	19% (2001)	17% (2002)	21%
Earnings in industry and services EUR/year 2003 women	38,509.3	14,375.6	-	6,697.0 (2001) 5,505.5 (2004)	4,057.2 4,626.7 (2004)
Earnings in industry and services EURO/year 2003 - men	47,592.8	17,888.8	-	7,995.7 (2001) 6,663.8 (2004)	5,498.4 6,383.9 (2004)