

A decorative graphic consisting of a grid of dots in various shades of gray and red, arranged in a pattern that suggests a world map or a network of connections.

## On the way to gender equality?

Reports from Austria, Denmark, France, Germany, Hungary, Sweden, Switzerland, the United Kingdom and the United States

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- Equal rights for men and women are among the basic norms of modern societies. The actual implementation of equal rights is traditionally a central project of progressive political forces.
- Against the background of the demographic change that can be observed in many industrialised countries family and gender policy has also gained in economic and demographic policy significance. And indeed in recent years – sometimes by means of cross-party alliances – considerable progress has been made.
- However, in Germany but also in many other countries (neo) conservative and right-wing populist forces are marshalling against progressive gender and family policy. That is happening even in countries in which gender equality achievements long appeared to enjoy social consensus.
- This study brings together experiences and current family and gender policy debates from nine countries. It presents a broad comparative overview of the various approaches and debates in the countries concerned in concise reports.





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## Foreword »Part of a culture war«

Progressive gender and family policy is not just a fuss about nothing, as former German chancellor Gerhard Schröder once put it. It is an important element of the platforms of centre-left parties and a central social modernisation project. That applies to Germany every bit as much as to other OECD countries. However, in Germany in particular there has been a widening gulf in recent years between young and middle-aged women and the Social Democrats. This estrangement has found expression in election results and party memberships, but also in a certain failure to communicate between the »political system« and potential activists.

That gives rise to the question of where the Social Democrats in Germany stand in relation to gender and family policy issues. Are they living up to their claim to modernity? Are they lagging behind by international comparison with regard to issues and standpoints? Do they have reason to hang their heads in shame in relation to the family and gender policy programmes of, for example, the Parti socialiste in France, the Labour Party in the United Kingdom or the Democrats in the United States? Have they developed plausible answers to the important questions of our time? Are there blind spots? But we must also ask whether debates are being held in other countries from which Germany could learn. What counterforces do progressive parties in other countries have to cope with and are they similar to those in Germany with regard to issues, rhetoric and mobilisation capacity?

Two years ago we at the Friedrich-Ebert-Stiftung decided to address this question systematically. We began with an analysis of the gender and family policy debates in other countries in Europe and in North America, looking in particular at positions in the centre-left spectrum. To that end, in October 2014 we brought together international gender and family policy experts from political parties, think tanks and academia in Berlin to compare debates and to discuss the different approaches of progressive parties. On the agenda were questions such as: what particular gender policy issues require attention in which countries? How does the family and gender policy of the current government shape up? What issues are controversial? What have been the effects of the economic crisis on the debate and on concrete policies?

What do the Social Democrats stand for? What positions are particularly controversial?

This document represents a first preliminary report. It is directed towards all those who are working on future-oriented policy programmes. We provide initial portraits of nine countries with regard to their family and gender policy developments and conflicts, as well as the positions in the relevant centre-left spectrum: Austria, Denmark, France, Germany, Hungary, Sweden, Switzerland, the United Kingdom and the United States.

This is very much a work in progress. In other words, we make no claim to completeness, nor would we like to give the impression that we are offering the last word. The aim is rather to provide a snapshot of a longer-term and rapidly developing process – knowing perfectly well that in some places reality is likely to overtake the findings we present here in the not too distant future.

It should also be noted that our perspective is necessarily a German one, although reputed international experts were involved and the results of the international meeting in October 2014 have influenced the text (see the acknowledgements). Not least against this background we would welcome suggestions for improvements, ideas and remarks.

Nevertheless, a first preliminary result is that the German Social Democrats are very much up to date, at least in terms of their programme. In some aspects, such as time policy and the debate on the future of elderly care, which is a key gender policy issue, they are even at the forefront. However, they still have to overcome a number of – in particular communicative – challenges. Many of these are specific to Germany, such as the as yet uncompleted unification of eastern and western Germany with regard to gender and family policy attitudes. Centre-left parties in many countries, in turn, face other challenges. For example, one might mention the resurgence of right-wing populist movements. They are making headway in turning public opinion even among broad swathes of the political centre against progressive family and gender policy with their aggressive anti-gender rhetoric. Fancifully, they seek to discredit policies aimed at giving both women and men new opportunities as »outdated« and even »totalitarian«. Gender and family policy has thus become an embattled symbolic issue, indeed now part of a veritable culture war. It is still far from certain that progressive forces will come out on top.



Not least for this reason we have to answer the question of how the social democratic parties can give their gender and family policy a voice and connect with people, and above all how they can get people on board with it again. What can be done to exercise a positive influence on the debate? We are keen to engage in dialogue with

everyone who has an interest in shifting the argument in favour of centre-left positions in the future.

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## COUNTRY REPORTS

### 1. Austria

#### 1.1 Facts and Figures

- The European Institute for Gender Equality's Gender Equality Index for 2012 was 50.2 (out of 100). This represents a decrease compared to the first measurement in 2005 (50.5). Austria scores below the European average of 52.9.
- The gender pay gap, at 23 per cent, is slightly wider than that of Germany.
- The gender pension gap stands at 34 per cent.
- By contrast, transparency concerning wage inequality has improved of late. Since January 2014 all companies with over 150 employees have had a statutory obligation to publish gender-specific statistics on remuneration.
- Women's labour-market participation, at 67 per cent, is relatively high; in 2013 the part-time employment rate of women was 46.9 per cent and that of men 10.9 per cent. Part-time employment has increased for both women and men over the past 20 years, although more sharply for women.
- The proportion of women in executive positions at Austria's 200 largest companies by revenue is 5.9 per cent, while their membership of supervisory boards stands at 16.2 per cent. These figures have changed little over the past 10 years.
- In March 2011 the government introduced a self-regulatory quota system for state-affiliated companies (state holding over 50 per cent). By the end of 2018 the proportion of women in the supervisory boards of such companies is supposed to be at least 35 per cent.
- In Parliament women's representation is currently 31 per cent, and almost half of all ministers are women. Austria has never had a female head of state. Women's representation is particularly low at the local level. In 2014 only 6 per cent of mayors were women.
- Family benefits in Austria are relatively generous: at just under 3 per cent they are above the OECD average of 2.5 per cent. However, the focus is on monetary transfers (direct cash payments to families) and the proportion of spending on real transfers (especially support for public child care facilities) is unusually low.
- Maternity leave totals eight weeks before and after birth. During this period wage earners, the self-employed and unemployment benefit recipients receive their full last salary as maternity allowance (so-called »weekly benefit«).
- There is no statutory entitlement to paternity leave, although there is strong multilateral support for it. In early 2011 one month's paternity leave was introduced for public servants and new fathers may now take up to one month's unpaid leave. By the end of 2013 13 per cent of new fathers had exercised this option.
- Parental leave: »leave« is a labour-law concept and encompasses the legal entitlement to release from performance of work duties without pay. Employees are entitled to leave up to the end of the child's second year. The period of leave can be split between the parents at most twice, for a minimum period of two months. Parents may not take leave at the same time for the same child. During the leave period no wage is paid, but childcare allowance can be applied for, paid up to a maximum of 36 months. The regulation on childcare allowance came into force in 2002 under the ÖVP/FPÖ government coalition. It superseded the parental leave allowance existing since the late 1960s. There has been an earnings-related childcare allowance only since 2010. At present, two systems are available, with five variants: a flat-rate benefit with four variants, as well as an earnings-related variant. Flat-rate benefits range from 12+2 months (around 1,000 euros/month) to 30+6 months (around 436 euros/month). The earnings-related variant covers 80 per cent (up to a maximum 2,000 euros a month) of the wage for 12+2 months. The complexity of this system is often criticised.
- The introduction of the earnings-related variant led to a substantial increase in the proportion of fathers taking

paternity leave: of the couples who opt for this variant 31 per cent of the men take paternity leave. Parental participation in child raising remains unequal, however; most fathers take only two months' paternity leave. Most popular among parents (50 per cent) remains the longest flat-rate variant (30+6 months). The proportion of fathers taking paternity leave is lowest in this instance.

- After the end (or instead) of parental leave parents have a statutory entitlement to parental part-time employment (a reduction in normal working hours) up to their child's seventh birthday. However, this entitlement is not accompanied by any additional financial benefits and, indeed, possible only under certain circumstances: first, the company has to have more than 20 employees and second, the claimant must have been working uninterruptedly at the firm for at least three years. In contrast to parental leave parental part-time employment can be taken by both parents at the same time.
- Child care development in Austria varies considerably (urban/rural). It is very good in urban areas. For a number of years care for children under six has been free of charge in Vienna in all state institutions and in the care institutions of large organisations. The last year of kindergarten in Austria is obligatory (half day) and free of charge.
- Of children under two years of age 23 per cent received institutional care in 2013; among children 3–5 years of age the figure was 91 per cent. The rates have risen sharply in the past 20 years.
- Since 2005, insured persons born after 1 January 1955 predominantly taking care of a child may count up to four years (per child) towards pension insurance.
- There is no splitting of income tax between married couples in Austria; the principle of individual taxation applies. Financial relief for families thus depends on the presence of children.
- Care leave: since January 2014 employees have had the possibility of applying for up to three months' care leave or part-time employment for care purposes to care for immediate family members. However, there is no statutory entitlement; in other words, the employer has to agree. The basic sum of care leave allowance is earnings-related and, like unemployment benefit,

amounts to 55 per cent of net income; there is a lower limit, however.

- Registered partnerships were introduced in 2010. However, the Catholic-conservative wing of the ÖVP insisted on various, partly symbolic, differences from marriage: for example, ceremonies may not take place at the registry office, but at the district administrative authority. Adoption by same-sex couples is not permitted, but in December 2014 the Constitutional Court (VfGH G119-120/2014-12) ruled that the adoption ban on same-sex couples is unconstitutional. The unconstitutional provisions will thus cease to apply after 31 December 2015. Adoption of step-children has been possible since 2013. This change was made under pressure from the European Court of Human Rights.

## 1.2 Current Developments and Debates

In December 2013 Austria's new government was appointed, known as »Faymann II«. It consists of a grand coalition between the Social Democratic Party of Austria (SPÖ) and the Austrian People's Party (ÖVP). From 2000 to 2006 the SPÖ was in opposition. The ÖVP governed in coalition with the right-wing populist FPÖ (Freedom Party of Austria). From 2007 the SPÖ took power again, together with the ÖVP, and from 2008 provided the chancellor Faymann. Since March 2014 the Federal Ministry for Education and Women has been responsible for equal opportunity policy at national level. This ministry resulted from the merger of the Ministry for Women (and Public Services), part of the Chancellor's Office since 2007, and the former Ministry for Education, Art and Culture. The Ministry is headed by Gabriele Heinisch-Hosek (SPÖ), who headed the Ministry for Women and Public Services from 2008. The Ministry for Families and Young People (previously the Ministry for the Economy, the Family and Young People), which was also established in 2014, is headed by independent Sophie Karmasin, appointed by the ÖVP. Apart from the period 2000–2007, when the Family Ministry was in FPÖ hands, the ÖVP has provided the Family Minister since 1987.

The Austrian government is obliged by federal law to issue »government reports on the removal of discrimination against women« every two years, detailing the measures taken. The first report was produced in 1996; during the



period 2011–2012, according to the 2013 report, the measures taken focused on the areas »active support for women« (labour market, school and occupational training, sexism, violence, health), »equal treatment in working life«, »reconciliation« and »social security«.

In Austria both gender mainstreaming and gender budgeting have been institutionalised at federal level. In 2000 the Interministerial Working Group for Gender Mainstreaming (IMAG GM) was established. It was supposed to implement the strategy of gender mainstreaming at federal level, in all federal ministries and at all political levels. At the same time, however, the government coalition (ÖVP/FPÖ) abolished the Ministry of Women's Affairs and cut resources for supporting women. In 2002 the IMAG GM developed a work programme for implementing gender mainstreaming. Gender budgeting plays a key role in this programme and since 2009 has also been enshrined in the Constitution. Austria is thus playing a pioneering role in Europe. An interministerial working group on gender budgeting was set up as early as 2004. Since 2009 all ministries have implemented at least a pilot project on gender budgeting and since 2013 they have been obliged to pay specific attention to the goal of real equality of women and men in their budgeting. Although Austria stands out among the EU countries with this very early institutionalisation of gender budgeting there have been criticisms of its implementation. The view is that initiatives tend to get no further than pilot projects and no structural changes result. Furthermore, gender budgeting is often seen purely as a »technical exercise«: although budgets are analysed from a gender perspective the findings tend not to be converted into concrete measures. Another criticism is that unpaid work continues to be overlooked and thus plays no part in the budget. Overall, the view is that gender budgeting is rather »dormant« and its implementation depends very much on who happens to be in power.

Under the Faymann I government (SPÖ/ÖVP) in 2010 a »National Action Plan on the Equality of Women and Men in the Workplace« was developed by the Ministry for Women and Public Services. The overarching aims were: diversification of educational paths and choice of occupation, increasing the labour market participation of women and boosting full-time employment, increasing the proportion of women in executive positions and reducing the income gap between women and men.

Family Minister Sophie Karmasin (ÖVP) established the goal of making Austria the most family-friendly country in Europe by 2025. This would include, among other things, fulfilling people's desire to have children, reconciling work and family life, partnership, combating violence against children and increasing awareness and take-up of family benefits and services. The development of these factors is to be supervised with an annual »family-friendliness monitor«. The stated aim of family-friendly policy for Karmasin (and the ÖVP in general) is to raise the birth rate.

In Austria – apart from in large cities such as Vienna – the day-care infrastructure is still poorly developed. Although the government is striving to attain the »Barcelona« target of care places for 33 per cent of children under three years of age, it is still a long way short of that, at 23 per cent. All the parties are agreed on the fundamental need for expanding child care provision, albeit to various degrees and with different points of emphasis. The FPÖ is calling for more child care places, but it considers family care for children inherently superior to external care and under the slogan »genuine freedom of choice in the best interests of the child and professional development« is calling not only for the expansion of day-care provision but also for material support for parents who look after their children at home. Karmasin advocates a more even allocation of resources for family policy in cash and in kind, in particular more investment in the expansion of child care provision. She faces internal party opposition to this – the ÖVP rather favours tax concessions for families. In this way she is continuing the efforts at persuasion of Minister for Women Gabriele Heinisch-Hosek (SPÖ), who has been advocating the expansion of day-care facilities for many years, in particular with the argument that investment in infrastructure benefits all families equally, not, in contrast to tax concessions, primarily those on higher incomes. In June 2014 the federal government conferred its blessing on a »development offensive« for child care provision: over the next four years care provision is to receive a boost with a budget totalling 305 million euros. As a result, more had already been spent by the end of 2014 than in the seven previous years. The expansion of all-day types of school is also being supported with an additional 800 million euros.

Minister for Women Gabriele Heinisch-Hosek has been supporting a »dads' month« for years: men are supposed to be able to bring forward part of their paternity leave

and receipt of child care benefit to four weeks after the birth of the child – previously that was not possible if the mother is on maternity leave at the same time. Fathers can in this case take only a month of unpaid paternity leave, which most families cannot afford. Furthermore, hitherto such an entitlement has existed only in the public sector. The »dads' month« is also a key demand of the Greens. Business representatives, by contrast, have opposed it. According to a study by the Chamber of Labour a large proportion of employees also oppose the statutory entitlement to a »dads' month«. The Chamber of Commerce, which represents employers, agrees and justifies its position in terms of the current difficult economic situation. Reinhold Mitterlehner (ÖVP), up to 2013 Minister for the Economy, the Family and Young People, said in 2012: »In the current difficult economic situation companies have to prioritise their competitiveness and not another social benefit«. At present something of a change is occurring, however. At the end of 2013 Christoph Leitl, president of the Austrian Business Federation and president of the Chamber of Commerce, said »I am ready to seriously negotiate about everything.« The government programme of the Faymann II coalition merely states that the option of a »dads' month« is to be looked into.

When earnings-related child care benefit was introduced in 2010 it satisfied a long-standing SPÖ demand. The declared aims were to encourage well educated women to have children and to increase the proportion of men taking paternity leave, which in fact has been achieved. Encouraging fathers to take paternity leave has long been demanded by SPÖ Minister for Women Gabriele Heinisch-Hosek. From 2010 to 2013 she often campaigned on the slogan »real fathers take paternity leave«. The Greens are currently demanding the complete abolition of flat-rate variants in order to make paternity leave more attractive, mainly for higher earning men.

The current government also wants to revise child care benefit. A working group on the issue started work in September 2014. Whether the current flat-rate models will really be converted into a flexible »child care benefit account«, as laid down in the government programme, remains to be seen. According to Minister of Family Affairs (ÖVP) Sophie Karmasin, however, the goal is greater flexibility than is currently the case, as well as support for more partnership. Thus Karmasin is pondering a bonus for families that allocate child raising more equitably.

The Greens are demanding that non-traditional family constellations also be taken into consideration with regard to child care benefit and that parents, siblings and new partners of single parents should also be able to apply for parental leave and child care benefit. One criticism of the current regulations on parental leave and child care benefit is that they encourage people to stay out of the workforce for too long.

In order to reduce the, by EU comparison, very high gender pay gap – currently 23 per cent – Austria a few years ago included an innovation in the Equal Treatment Act that obliges companies with 150 employees or more to make wages transparent and, for example, to reveal them to the works council. Furthermore, every two years an account must be provided in a report on income differences between women and men. The issue of »equal pay for work of equal value« is also gradually coming to the fore. The high wage differences between male occupations (such as mechanic) and female occupations (especially social occupations) are being addressed, although the debate is still in its infancy.

Another current gender and family policy debate concerns equality for same-sex couples. SPÖ Women's Minister Heinisch-Hosek explicitly and emphatically advocates this issue, while the ÖVP is split on the matter. Family Minister Sophie Karmasin announced in March 2014 that she wanted to abolish unequal treatment for partnerships; with reservations she also wishes to stand up for adoption rights for same-sex couples. Before that, however, a process of awareness raising has to be set in train and discrimination combated. In February 2014, furthermore, ÖVP Minister of Agriculture Andrä Rupprechter departed from the party line and advocated full adoption rights for same-sex couples. The official position of the ÖVP is that a change in the law is not urgently necessary because demand for adoptions among heterosexual couples is ten times greater than the number of children available for adoption.

Another ideologically fraught debate concerns reproductive rights. Although abortions are not a criminal offence in Austria they are not covered by health insurance. This regulation served as a »model« for the Swiss referendum »abortion funding is a private matter«, which was resoundingly rejected in February 2014. In Germany although abortions are not generally covered by health insurance, people on low incomes can apply

for costs without having to disclose the reason for the termination. The number of terminations in Austria is two to three times higher than in Germany, Switzerland and the Netherlands. The lack of sex education in school and the lack of funding for contraceptives by health insurance are considered to be among the reasons for this. Unequal access is another problem in Austria: in Vorarlberg, Tirol and Burgenland public hospitals do not carry out any terminations; the only alternative is offered by a few private – and very expensive – institutes. In other public hospitals such procedures are offered irregularly (for example, once a month). The lack of cost regulation for abortions leads to a wide variation in prices (280–1,000 euros). The Austrian Women's Circle (Österreichische Frauenring – ÖFR) is calling for a statutory upper limit of 300 euros and quality controls (in Vienna incidents occur time and again involving »cheap providers«). At present, the problematic situation with regard to abortions in Austria is denounced primarily by NGOs. But the SPÖ health minister has also advocated the option of abortions in all federal states in public hospitals. The debate about the so-called »morning-after pill« belongs in the same context. It has been available in Austria without a prescription since 2009. According to one survey in 2014, however, over 60 per cent of those questioned were unaware of this. The regulation has met with opposition above all from the bishops and the ÖVP.

One of the key issues of the Minister for Women is violence against women. The focus here is on combating domestic violence, but also so-called »tradition-based violence« (or violence in the form of traditional practices, such as female genital mutilation), which primarily affects men and women with an immigrant background. For the purpose of implementing the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the »Istanbul Convention«), which Austria signed in 2013, the federal government adopted a »National Action Plan for the Protection of Women against Violence 2014–2016« in August 2014. In the media the issue of violence against women barely surfaces, however, in contrast to gender-neutral language (see below) and family policy.

Another issue, which is discussed primarily in the political arena and to a lesser extent in the media, is the extension of protection against discrimination: in future, discrimination based on sexual orientation, religion, beliefs or age is to be prohibited, also outside the workplace (for

example, when looking for accommodation). The SPÖ used the debates that arose after Conchita Wurst won the Eurovision Song Contest to launch a third attempt to bring about a »levelling up«. Austria is one of the last countries in which this EU directive has not yet been implemented. Family Minister Karmasin supports the scheme, but has encountered resistance from her party: in particular ÖVP Women oppose it.

A recurrent issue is sexism in advertising. Although there is no ban on sexist advertising in Austria, there is voluntary self-regulation by the Austrian Advertising Council, the Organisation for Self-Regulation in the Advertising Industry. For example, calling into question gender equality, the degrading representation of sexuality and the disparaging representation of persons who do not feel they belong to any dominant representation of gender are »proscribed«. In November 2011 an »anti-sexism advisory council« was established, tasked with commenting on gender-discriminatory advertising. The directives of the Austrian Advertising Council enable proactive intervention (whereas the German Advertising Council can act only after a complaint has been made). In three Austrian cities (Graz, Salzburg and Vienna) so-called »advertising watch groups« have been set up, which report sexist advertising to the Media Council or to the relevant city administration.

However, the main public debate on gender policy – that is, outside expert circles – concerns gender-neutral language. At first glance, this may seem to be a peripheral matter, but in fact it is symbolically highly fraught and carries the danger for progressive parties that conservatives are able to »frame« the issue in a manner that suits them, namely (roughly speaking), in terms of Austrian identity and culture versus artificial-technocratic political correctness. At the centre of the debate are, on one hand, the national anthem and, on the other hand, the so-called »Binnen-I« (internal »I« used to indicate both male and female – for example, »LehrerInnen« instead of »Lehrerinnen und Lehrer«). Concerning the first issue, the text of the national anthem was altered a few years ago: the line »You are a homeland to great sons« was replaced in 2011 by »You are a homeland to great daughters and sons«. The debate flared up (again) across the media when a folk singer Andreas Gabalier sang the national anthem at the Austrian Grand Prix in June 2014 pointedly using the old text to emphasise that Austria is only a »land of great sons«. When Minister for

Women Heinish-Hosek pointed out Gabalier's mistake via Facebook she was subjected to a deluge of abuse.

At the same time, a controversy raged about the »internal-I«, which was criticised from an unexpected quarter. In March 2011 the Committee for Regulation of the Written Language of the standardisation institute »Austrian Standards« issued a draft for a new standard (Önorm A 1080). In this draft it proposed that in future the internal-I should be dispensed with in favour of unisex formulations, justifying this view by saying that »our language has always been able to address both genders by means of unisex designations«. Trade unions, the Chamber of Labour, the Austrian National Union of Students (ÖH) and the SPÖ vehemently criticised the draft. Ernst Walburg, chair of the Committee, defended the draft as follows: »Language serves the purpose of uncontentious understanding and not the assertion of dubious political aims. ... Equal treatment is an aim that must be pursued in the real world. What woman has ever been helped to get a better job or higher pay by the internal-I?« A heated public debate ensued, going on for several months, in which anti-feminist rhetoric played a major role. Later on, an open letter addressed to the Minister for Women and the Minister of Science, with 800 signatories, some of them prominent, called for a »return to linguistic normality«. Heinish-Hosek defended gendered language at once. A counter-petition by the Women's Circle in favour of gender-sensitive language quickly garnered 2,000 signatories. Also in connection with the debate on the internal-I the FPÖ called on Science Minister Reinhold Mitterlehner (ÖVP) to »cut off funding for gender mania« and to abolish all gender courses in universities.

### 1.3 Positions and Discussions in the Centre Left Spectrum

Family and gender policy is currently not the main arena of dispute between the parties. However, there are – beneath the apparent basic agreement that gender equality is necessary – substantial differences. The positions of the SPÖ are, because it is currently a government party and provides the Minister for Women, predominantly consistent with the government positions presented above, and thus we shall not go into more detail here.

It is striking that the SPÖ, in contrast to the SPD in Germany, is very successful in attracting the support of young and middle aged women. Among women voters between 16 and 29 years of age – in Austria the voting age is 16 – support for the SPÖ stands at 30 per cent. By contrast, the SPÖ has a problem mobilising among young men, who currently have little enthusiasm for Social Democratic policies.

Despite the good approval ratings, especially among young women, the SPÖ is currently fighting two defensive battles on gender policy. On one hand, it has to contend with thinly veiled criticisms from the ÖVP concerning its supposed dogmatism on the issue. Although, according to its election programme, the ÖVP favours supporting women, it opposes »patronising« them. The ÖVP rhetorically adheres to a decidedly conservative difference-based feminism; for them, supporting women means facilitating a »career path in accordance with interests and strengths, equal pay for equal work and the free choice of family model«. This conceals the message that many women have different needs from men.

The second defensive battle is against the (FPÖ) position that supporting women is (i) out of date and (ii) today means discriminating against men. Underlying this is an attempt to roll back the achievements of gender policy, such as gender quotas and the strategy of gender mainstreaming. The FPÖ justifies its position as follows: »We decisively reject giving preference to one gender in order to remove real or alleged disadvantages. Statistically derived inequalities, which are due to a plethora of factors, cannot be compensated for by injustices against individuals.« When, at the same time, the Ministry for Women was abolished and gender mainstreaming enshrined in the Constitution under the ÖVP/FPÖ government in 2000 the government justified its actions by saying that the »old women's policy« had achieved nothing. The SPÖ still has to contend with this reproach. The impetus to consolidate gender mainstreaming did not come from the government, however, but was – like virtually all the other equality institutions at the federal level – part of the implementation of EU treaty provisions and directives. Europeanisation has thus been a key driving force in the institutionalisation of equal opportunity policy at the federal level. In 2001, on the initiative of the FPÖ, a »men's policy department« was established at the Ministry for Social Security and Generations. The implication is that after the successes

of women's emancipation thought must be given to the consequences of this for men. An interesting point here is the linking of the EU and gender. This is something of an Achilles heel.

Within the SPÖ there is a key debate on list places for elections. Currently, 17 out of the SPÖ's 52 National Council seats are occupied by women, that is, 32.7 per cent. Thus the party has clearly failed to comply with its own statutes: the proportion of women is supposed to be above 40 per cent. At the party conference in 2014 SPÖ Women mobilised for a tightening up of quota regulations in the party statutes. They called for sanctions against quota violations and for more eligible list places for women. According to the new regulation SPÖ regional organisations must in future put more women in list places that have some prospect of success in order to achieve the 40 per cent minimum quota. If this is violated in future the lists will be automatically »invalidated«. If an invalid list is not corrected by the regional party executive committee the federal executive committee will have to produce a regional party list in conformity with the party statutes. Regional parties are obliged to submit their lists to the federal executive committee »immediately after adoption by the regional executive committee«. As early as 2010 the »merging procedure« was agreed which prescribes that men and women must be put on lists on an alternate basis. The debate on tightening up the quota regulations became very heated

and was conducted partly online; female party members have reported »hate speech« in the form of coarse insults and verbal attacks on women advocating tougher quotas. Optimists – probably rightly – consider this abuse to be the last gasp of a small minority trying to reignite a debate that ran its course long ago.

#### Current Gender-Policy Demands and Milestones of the SPÖ

The »dads' month« in the public service is to be converted into a »baby month« and likewise to enable same-sex couples to spend the first month of a child's life together.

The various aspects of the labour market represent a core issue of SPÖ Women's political activities. At present, work is proceeding on an evaluation of the obligatory income reports and wage information in job advertisements. There are also continuing demands for a collectively agreed minimum wage of 1,500 euros, as well as no premature increase in women's retirement age.

In 2016 a comprehensively revised Criminal Code comes into force, which is to contain an extended offense of sexual harassment, as well as recognition of violence in specific close personal relationships (such as the family) as an aggravating factor. A criminal offence of cyber-bullying will also be introduced.

## 2. Denmark

### 2.1 Facts and Figures

- The European Institute for Gender Equality's Gender Equality Index for 2012 was 70.9 (out of 100). This represents a slight decrease compared to the first measurement in 2005 (71.1). Denmark still scores well above European average of 52.9.
- Individual taxation of income (since 1970).
- Shared right to parental leave and a right to paternity leave (since 1984); parental leave totals 52 weeks, of which 32 weeks can be freely divided between mother and father. The parental leave system does not explicitly provide for months or days of paternity leave, however. The proportion of fathers taking parental leave is very low, at 7.7 per cent. Among the Nordic countries Denmark's parental leave system can thus be categorised as poorly developed.
- In Denmark all municipalities are obliged to provide a full-time child care place for all children between the ages of 6 weeks and 6 years («guaranteed day-care availability»); 65.7 per cent of children under 2 years of age and 91.5 per cent of 3–5 year-olds receive external care. Child care costs are income-related.
- Women's employment rate: 72.4 per cent (men: 79 per cent), of whom 37.9 work part-time (men: 15.3 per cent); around 53 per cent of all women in employment are employed in the public sector (men: 24.5 per cent).
- The gender pay gap, at 14.9 per cent, is in line with the EU average.
- Denmark's pension system is organised in such a way that a temporary reduction of workload for the purpose of child raising is well compensated. If the reduction lasts fewer than 10 years, the pension is almost as high as for full-time workers.
- Women occupy 23 per cent of executive positions in private companies. However, at present the boards of Denmark's largest companies comprise only 16 per cent women and there is not a single CEO. In 2012 the then Social Democratic government passed a law that obliges

the 1,100 largest firms in the country to set targets for the representation of women at executive level.

- Five out of 17 ministries in the new right-wing-liberal government are headed by women.
- In 1989 Denmark became the first country to introduce registered partnerships for same-sex couples. Marriage was made an option for same-sex couples in 2012. Adoption has been allowed for same-sex couples since 2010 (in Greenland only for the adoption of stepchildren).

### 2.2 Current Developments and Debates

Equal opportunity policy has a long tradition in Denmark and is strongly institutionalised. It is a central component of Danish social democracy's success story. The Danish model is characterised by a relatively equal distribution of qualifications and incomes, an extensive public sector, high labour market participation among women and a high tax ratio, which makes it possible to fund extensive, high quality public services (for example, social infrastructure, such as education, child care, care for the elderly and so on).

In the early period of equal opportunity policy the focus was on the issue of women and work. As early as 1965 the government set up a commission to investigate the situation of women in society. In 1975 a Gender Equality Council was established. A law on equal pay was passed in 1976 and one on gender equality in the social security system in 1998.

The first national action plan for gender equality covered the period 1987–1990; since 2002 annual reports and action plans have been issued by the Ministry for Gender Equality. The first Minister for Gender Equality (a woman: the first male minister was appointed in 2011) was appointed in 1999. Gender mainstreaming was laid down as a strategy for the first time in the action plan for 1994–1996 and embedded in the amended equal opportunity law in 2000. Since then gender mainstreaming has played an important role in Danish equal opportunity policy: the gender equality perspective is defined as a cross-sectional task for all policy areas and ministries.



An important cross-regional body is the Nordic Gender Equality Cooperation of the Nordic Council of Ministers. It promotes the exchange and discussion of experiences between the Nordic countries and offers a platform for developing joint strategies. The Cooperation body has done a lot to implement the principle of gender mainstreaming in the Nordic countries. In 2013 it launched a project to investigate and compare the effects of gender mainstreaming: the Nordic Project on Gender Mainstreaming – Best Practice and Effects. The current programme for 2015–2018 brings the areas of »public space« and »welfare and innovation« back into focus. The first includes in particular measures to improve equal participation in and influence over decision-making processes, as well as equal access to the media, counteracting the increasing sexualisation of public space and the anti-gender movement. The second encompasses especially measures for implementing equal access to education and opportunities for free personal development for women and men. Also included are projects designed to ensure equal access to the labour market and the financial independence of women and men.

A recurring theme of the public and political debates on gender and family policy in Denmark is an emphasis on the fact that, while Denmark, like all Nordic countries, is an international role model with regard to equality and considers this to be an important aspect of its national self-image, there is still a long way to go before complete equality is attained. There have been criticisms that the Nordic countries have become complacent about their status as pioneers with regard to equality. The objection that no further improvements can be made is not valid. In some instances, problems first raised in the 1970s have still not been solved. For example, at the conference of Nordic ministers of gender equality in June 2014 »classic issues« such as domestic violence, gender segregation on the labour market and wage inequality between women and men were discussed.

In Denmark there is a basic consensus within the political party spectrum concerning the gender equality policy standard that has been achieved and the significance of gender equality policy. The sole exception is the Dansk Folkeparti (DF; Danish People's Party), whose position is that equality between men and women was achieved long ago and that all gender-policy activities, such as gender mainstreaming or gender quotas, thus discriminate against men. The DF has long been more

than a fringe party: at the parliamentary elections in 2015 it was the second strongest party, at 21.1 per cent, and won 37 of the 179 seats. The 2015 election campaign was dominated by the debate on the right immigration and asylum policy. Accordingly, equality policy received little attention and there was little discussion of the positions of the different parties.

From 2001 to 2011 Denmark was led by a minority government made up of the conservative-liberal Venstre and the Conservative People's Party (DKF) with the tacit support of the DF. Gender policy stagnated during these years. After the parliamentary elections in September 2011 a minority government was formed under Prime Minister Helle Thorning-Schmidt comprising the Social Democrats, the Socialist People's Party and the Social Liberal Party. The accession of the first woman prime minister in Denmark gave rise to considerable expectations of an active equal opportunity policy after years in the doldrums, which indeed had seen the clock turned back as far as gender equality is concerned, measured by the quality of public infrastructure, for example. In the 2011 election campaign the Social Democrats made much of this regression, complaining that the gender balance was being tipped in the wrong direction and that equality between men and women with regard to pay and influence remained a distant goal.

In the coalition agreement equal opportunity policy and gender issues were a key focus. The main issues were a ban on the purchase of sexual services based on the Swedish model, which criminalises the utilisation of prostitution but not the offer of such services, and the introduction of three months reserved exclusively for fathers within the framework of parental allowance, again modelled on regulations in other Nordic countries.

The gender and equality policy achievements of the centre-left government that was in power until summer 2015 are rather disappointing, however. During the legislative period the government and especially the social democratic leadership evidently put the equality policy agenda on ice. This neglect of equality policy measures and initiatives was explained in terms of the economic and financial crisis in Europe and the resulting relatively poor labour market and economic situation in Denmark. No clear vision for equality policy was discernible on the part of the centre-left government. Rather debates were held on, for example, everyday sexism and the distribution

of family care between generations (the responsibility of grandparents); specific gender policy measures were not forthcoming, however.

In 2014 the Ministry for Gender Equality and Church was renamed the Ministry of Children, Gender Equality, Integration and Social Affairs. Since the new government took office it has been known as the Ministry for Children, Education and Equality (no Danish ministry has the word »family« in its name).

As a matter of course the Social Democrat government developed another national action plan in 2014. According to the plan, topical activities were envisaged in the areas of gender and education; gender equality in the labour market; family and gender equality; men and health; and an evaluation of the gender ratio in the public sector. The areas »gender equality as a human right« and »gender equality in a global perspective« are also listed.

Regardless of the fact that the previous and the present government have not pursued the issues, the debates on prostitution and the introduction of non-transferable months in the parental benefit act in Denmark continue.

An important role in the intensive and controversial debate on prostitution and people trafficking has been played by the evaluation report, published in 2010, on the Swedish law that came into force in 1999 banning the purchase of sexual services. The report shows that in Sweden the number of people involved in street prostitution has halved, while in Denmark and Norway it has tripled during the same period. Although at the same time the number of services offered online has increased in all Nordic countries – including Sweden – it is still well below the number in countries without such legislation. Even though the significance of such data has been criticised – prostitution has been pushed underground – they do exert some sort of pressure on other Nordic countries to introduce similar laws. To date, a more liberal approach has been taken to prostitution in Denmark than in neighbouring countries. The purchase of sexual services is not prohibited. In contrast to Sweden, in Denmark social work with prostitutes does not concentrate on getting them to give up their activities, but on reducing possible negative consequences and dangers: for example, sex workers receive free contraception and medical treatment. The

public debate is polarised between those who favour a total ban on prostitution and those who consider that approach to be too simplistic and moralising. In 2011 the then Ministry of Gender Equality, together with seven other ministries and various NGOs, issued an »Action Plan to combat human trafficking«. One of the catalysts of the debate on human trafficking for the purpose of sexual exploitation was the campaign »Stop trafficking of women« launched by the Union Federation of Danish Workers (Fagligt Fælles Forbund or »3F«) in 2008. An article had appeared in the trade union's newspaper in which a journalist described the sale of a 16-year-old girl by human traffickers in Romania, to show how easy human trafficking is. The story caused a scandal and 3F collected over 100,000 signatures for a petition to demand political action. Later on, 3F called for a total ban on prostitution. That was the first time a trade union had taken up the issue.

Despite announcements to the contrary, the Social Democratic government did not, during its term of office, initiate a law introducing »non-transferable parental leave for fathers« continues to be broadly debated. The lack of parental leave explicitly for fathers is also discussed as a major reason for discrimination against women in the labour market. Although employers are officially prohibited from declining to hire a woman because they fear she may soon have children, in reality that often happens. With regard to paternity leave there are striking differences between companies. In some collective agreements and companies special regulations on paternity leave are already in place. In contrast to other Nordic countries, in Denmark the association between masculinity and (full-time) work remains widespread; the issue of masculinity and equality is little discussed and, furthermore, there is little official criticism of norms of masculinity.

In recent years one particular focus of equal opportunity policy has been the still strongly gender-specific career choices and training trajectories. In 2011 the then government launched a pilot project to encourage girls and young women in natural sciences and technology. After a positive evaluation in 2012 ten further projects followed on gender-specific career choice, as well as to get young people to remain longer in the education system.



In February 2014 the Nordic Council discussed the possibility of a »gender equality labelling« system for Nordic schools. Schools that take an active approach to combating gender stereotypes should be awarded a special label. The idea was originally conceived by Danish sociologist Cecilie Nørgaard as a national initiative for Denmark. The proposal has been strongly welcomed, with only the Swedish National Union of Teachers showing scepticism, on the grounds that they consider equal opportunity policy to be a national affair, to be implemented via legislation and monitoring instruments, not competition between schools. The background of the proposal is the poor performance of boys in Nordic schools. According to the initiator of the labelling system this poor performance is due to an upbringing in a form of masculinity that is averse to sitting still and listening.

For several years there has been a tendency for debate on gender equality to link up with debates on integration and immigration. In recent months a debate on the wearing of headscarves has been kindled in this context. In this debate, however, gender equality appears to serve rather as a smokescreen for a discussion that really concerns the position of religion in Danish society.

### 2.3 Positions and Discussions in the Centre-Left Spectrum

A key concept in the Social Democrats' gender-policy programme is, currently, »genuine equal opportunities«: Denmark should be a country in which girls and boys, as well as women and men, have genuine equal opportunities.

In order to combat discrimination against women in the labour market – for example, the gender pay gap of 14.9 per cent – the Danish Social Democrats are calling for a parliamentary commission on equal opportunities. To date, national wage statistics have not been differentiated by gender, which makes researching the gender pay gap more difficult. Since 2013 larger companies have been obliged to include gender in their wage statistics.

With regard to child care the Danish Social Democrats emphasise quality, which has been deteriorating for years. The idea now is to improve quality by imposing a minimum standard for staff and having fewer days

when child care institutions are closed. The reasoning put forward concerns better opportunities for children rather than gender equality: with regard to child care quality is really a matter of eliminating social deprivation.

Further gender and family policy positions of the Danish Social Democratic party:

- Establishment of parental leave/a parental benefit fund for the self-employed.
- Single mothers by choice should be on the same footing as other single parents, for example, with regard to »special child allowance« (*saerlige børnetilskud*).
- The issue of »boys losing out in the education system« should be addressed by comprehensive measures for those dropping out of school and training. Such measures should, among other things, prevent discrimination on the grounds of gender or ethnicity in the allocation of training places.

#### Controversial demands/plans

One component of the party programme is non-transferable parental leave for fathers. There is a clear conflict in the Danish Social Democratic party because the Social Democratic government put parental allowance reform on ice. They justified this on the basis of surveys in which citizens oppose such a reform, although we can also assume that the costs of such a reform are crucial here. The party base, by contrast, called for the implementation of reform.

In 2013 the then Social Democratic government passed a new law on the representation of women in higher management. It stipulates that the 1,100 largest Danish companies and all state institutions must develop guidelines on how many women they want in management and what strategies they intend to use to achieve it. However, no quotas or other binding provisions are laid down in the law. This is contrary to the demand laid down in the party programme for a 40 per cent quota.

### Other important actors

- The Board of Equal Treatment (»*Ligebehandlingsnævnet*«): Since 2009 there has been a complaints office to which complaints concerning unequal treatment of any kind – including on gender grounds – can be submitted. The decisions of this body are based on the existing laws and are binding.
- Denmark's Centre for Information on Women and Gender (KVINFO): KVINFO is a national documentation, information and culture centre. The Centre has an academic library and an extensive expert database.
- The Danish Institute for Human Rights: »In Denmark, the Danish Institute for Human Rights has served as the national body for equal treatment since 2002, and since 2011 the mandate also includes gender equality. The Institute is an independent state-funded institution tasked to promote equal treatment regardless of gender and other factors and [to] ensure compliance with Denmark's discrimination legislation.«
- NGOs: NGOs play an important role in Danish equal opportunity policy, especially the »Danish Women's Society and Women's Council«, an umbrella organisation for 46 women's organisations. NGOs participate actively in public debates, disseminate knowledge and have an important consultative function for government (Ministry of Foreign Affairs 2013).
- Trade unions: Within the »blue-collar« trade union federation LO equal opportunity policy issues are central. Although, in the public perception, the trade unions do not play a leading role in the formulation and discussion of equal opportunities, there is an extensive discourse on gender issues among the trade unions. For example, during *Copenhagen Pride* in September 2014 LO directed its own campaign towards LGBT in trade unions and female polemicists, writers and leaders. Lizette Risgaard, deputy chair of LO Denmark, has made issues of gender equality in the labour market (income gap, gender separation in the labour market) a focus of trade union work.

### 3. France

#### 3.1 Facts and Figures

- Due to the statutory 35-hour week many women (around 70 per cent) are able to work full time.
- A women's quota for supervisory boards and executive boards in private companies was introduced in 2014.
- Despite stringent financial penalties for political parties that fail to comply with the Equality Act the proportion of women in the French Parliament is still only 27 per cent.
- Despite a child care system that is extensive by European standards it is estimated that a further between 300,000 and 500,000 child care places are still needed.
- For a long time there was no parental leave in France for mothers with one or two children. Only in 1994 were mothers with at least two children granted a three-year »baby break«. Mothers with one child received six months off only from 2004. Accordingly, mothers in France tend to remain in work after their first child.
- Only 17 per cent of mothers with one child interrupt their employment within the framework of parental leave. For mothers with two children the rate is 33 per cent. The employment rate of mothers with a small child is thus 85.5 per cent. Even in the case of mothers with two children, with one child below 3 years of age the employment rate is 76.2 per cent. Only from the third child does the employment rate fall substantially, to 54.1 per cent. It is remarkable, however, that a majority of mothers with at least three children – including those whose youngest is under 3 years of age – continue in employment. All in all, the employment rate of mothers with one or two minor children is almost as high as that of childless women.
- Parental allowance stands at 576 euros a month for births up to March 2014. For births after April 2014 it is 390 euros or 576 euros, depending on the level of household income.

#### 3.2 Current Developments and Debates

In Germany, France is held to be a model with regard to gender equality. This judgement is nourished by the fact that in France it is evidently easier for women to reconcile work and family life. Gender equality in France, indeed, for a long time meant gender equality in the workplace. For French governments – regardless of party colours – the primary task was to support women's full-time employment and in particular through an active family policy favouring reconciliation of work and family life. Both career interruptions and part-time work were supposed to be avoided as far as possible. Part-time work is regarded in France as, at best, »*pis aller*«, in other words, as the lesser evil in comparison with a long-term career interruption. The French 35-hour week makes it easier to reconcile family and full-time employment, even though naturally it cannot completely solve time conflicts.

This relatively high employment participation among mothers in France can thus be linked to the institutional framework. It is a condition for receiving parental allowance that parents were in employment before the birth of the child. In the case of a first birth the parent who claims parental leave has to have been in work for at least two years, in the case of a second birth for at least two years out of the past four and in the case of a third child for at least two years out of the past five. Accordingly, parents cannot remain permanently on parental leave. They have to go back to work in the meantime. Nonetheless, parental allowance is not linked to wages. Rather it takes the form of a – relatively low – lump sum, which scarcely encourages those in full-time employment, particularly in the higher wage segment, to claim parental leave. Furthermore, taking on part-time employment within the framework of parental leave was promoted from 2004 by raising part-time parental allowance. Parents who are in work up to 50 per cent of the regular working week receive 438 euros a month, while those in work from 50 to 80 per cent of the working week receive 331 euros a month. Thus the proportion of mothers who remain in employment within the framework of parental leave has risen sharply. By 2010 it was already at 43 per cent.

The main instrument for boosting employment participation among mothers, however, was the expansion of child care. All children above 3 years of

age go to school. French preschool (*école maternelle*) is already part of the school system and offers families with children between 3 and 5 years of age all-day child care, free of charge, from trained primary school teachers. This all-day child care, which has a long tradition, stretches until the school-leaving exam and is supplemented for pre- and primary school children by child care in day-care centres before and after school and in so-called recreation centres on Wednesday afternoons and during the holidays, if the schools are closed. For small children there is the option of child care outside the home in heavily subsidised crèches by state-approved child minders – the equivalent of child day care in Germany – or by nannies. Crèches are heavily subsidised; parents' financial contribution depends on income. Parents receive a monthly grant for hiring a child minder or nanny, so that they do not have to bear the full cost of child care. The grant can be 174 euros, 290 euros or 460 euros a month, depending on income. Finally, parents who hire a child minder pay only 50 per cent of social security contributions – the rest is borne by the Caisse d'Allocations Familiales (Family Allocations Office, CAF) – and they also receive a financial grant that depends on age, number of children and income. On top of this, part of the child care costs – whether crèche, child minder, nanny, day-care centre or recreation centre – can be claimed against tax for children up to 6 years of age. There are also tax benefits from the so-called family allowance («tax splitting»). The number of minor children living in the household are taken into account in calculating income tax. By contrast, other direct financial aid in France is fairly modest. Parental allowance is paid only from the second child and only in the amount of 129 euros for the first two children, 295 euros for three children and 166 euros for each further child.

Family policy was long one of the few areas in which there was a certain consensus between left and right. This is in keeping with the French «mixed system»; female employment is supported just as much as traditional families with lots of children. Hitherto, the relatively high family benefits have ensured that both family models felt well supported and with options. It is also certainly the reason why the image of mothers in France is less clearly defined and thus less restrictive than in many other countries. However, family policy has always been subject to criticism. First, the target was the level of parental allowance. Parental allowance amounts to 576 euros a month, regardless of income, which can be

attractive to the low-qualified, but not so much for those on higher wages. Thus parental leave take-up is higher among low income women with atypical working time and/or dissatisfied with their job, which thus is leading to a gap in women's career trajectories. Above all, however, French family policy is reproached with doing little to encourage parents to distribute family responsibilities on a partnership basis. Although French parental leave is very flexible because there is no minimum duration and parents can claim it both together and also successively, because of the relatively low parental allowance only just over 3.5 per cent of fathers take parental leave in France. The level of parental allowance plays a major role here because fathers claim parental leave primarily when they earn less than their wives. In France women's burdens are relieved more by the state – or by child minders and domestic help, in other words by other women with lower qualifications – than by their partners, so that the high female employment participation does not find expression in a balanced distribution of gender roles.

Furthermore, the need for child care for small children is not being met. The ratio between number of children and available places is currently 53 per cent, which, given regional differences, is not sufficient; in particular in rural areas there is a lack of crèche places, demand for which has increased due to the rise in the birth rate in recent years. At present, every second child is cared for predominantly by its own parents, in other words, usually by the mother. Although this partly reflects parents' wishes – surveys have shown that a third of the French population think that the care of small children should be provided by the parents – it is partly due to the lack of infrastructure.

Finally, family tax splitting is controversial because it favours those on higher incomes. Thus there are demands from academia to abolish it and to invest the money saved in nationwide and free child care provision for small children on the Swedish model, a proposal which is only partly viable, because child care costs are not restricted to the first three years.

Although there is a consensus in France that a lot remains to be done with regard to family policy and gender equality, despite their anchoring in the 1946 Constitution, and that family policy assistance should be expanded, a shift has been evident since 2012. For the first time for decades family policy is being cut. And

for the first time for decades people are taking to the streets because of family policy, to protest against very different kinds of reform: against the disadvantageous tax position of families, but also against the campaign against gender-based prejudice in primary schools, and against medically assisted reproduction and surrogate motherhood for same-sex couples, although the latter has not been seriously debated. The long consensus on family policy in France has disappeared overnight.

Because of the financial crisis the French state has been under budgetary pressure for quite some time. It is true that in the past reforms that resulted in financial losses for families were a regular occurrence, but they were mainly indirect, due to measures not directed at families specifically. Thus the reform of 2010 provided for a rise in the retirement age from 60 to 62 years of age based on 43 years' contributions, up from 40. This measure was detrimental above all to mothers, because their interruption of employment and part-time work caused them more difficulties than fathers in obtaining a full pension. Such and similar reforms were accepted by the French public as a necessary evil. Things are very different with the most recent family-policy reforms.

It is true that under the Sarkozy government there was already an attempt to reduce the rise in spending associated with the rising birth rate. One way was to try to make savings in the expansion of child care. Under the Socialist Hollande government, however, financial assistance for families has been cut. The tax benefits enjoyed by families through family tax splitting was restricted from 2014. Although this reform affected primarily those on higher incomes, it meant that another 10,000 households were now liable to pay income tax. The pension bonus for large families – plus 10 per cent for three children, on top of which there is an additional 5 per cent for each further child for public employees – is now subject to income tax, which in 2014 affected 315,000 families. Child allowance, which is in any case very low by international comparison (129 euros for families with two children) is to be cut for those on higher incomes from 1 July 2015. For births from April 2014 onwards families on higher incomes are entitled to only 390 euros or 482 euros parental allowance per month at an income threshold of 45,077 euros or 37,733 euros for dual earners or one-parent families with one child. The basic allowance that families receive up to their children's third birthday depends on income. Dual earners and one-

parent families with one child and an income between 37,734 euros and 45,077 euros now receive only 92 euros a month instead of 185 euros. Above a threshold of 45,077 euros the basic allowance has been entirely done away with; those on middle incomes are also affected by this. The income threshold has been lowered with regard to the basic allowance. The income threshold of single-earner couples has been reduced to a lesser extent, which means that the employment incentive for low-earning women has diminished.

Although the state has saved 3.45 billion euros through its reforms, in comparison with the 90 billion euros or so that the state spends on families each year these social cuts represent a fairly modest sum and affect mainly the higher income deciles to boot. Nevertheless these reforms triggered a wave of indignation, as is evident from the media and the demonstrations in 2014, which labelled the French government ›anti-family‹. There are several reasons for this. On one hand, other measures to increase taxes were introduced at the same time. For example, those in employment now have to pay tax on employers' health insurance contributions. Above all, however, income from active capital is now taxed at the same rate as employment income – it has been criticised as taking a rather indiscriminate ›lawnmower‹ approach. Even though at the same time taxes on over 2 million households in the lowest deciles were cut by 1.26 billion euros, nonetheless 1.35 million households now pay tax for the first time. Thus the reforms also affected low-income households, which in France met with little sympathy, especially from a Socialist government. Given the high public deficit – 4.0 per cent of GDP in 2014 – and pressure from the European Commission the French government has to prioritise, but many French people are angry that cuts affecting families are being used to fund the ›national pact for growth, competitiveness and employment‹, which, among other things, relieves companies by means of a ›tax credit for competitiveness and employment‹ (*Crédit d'impôt pour la compétitivité et l'emploi, CICE*).

Primarily the public indignation is due to the symbolic function of family policy. In France, there has always been a consensus on the role of family policy in relation to the relatively high birth rate. French family policy was regarded as exemplary, a success story – at present one of the few – even though academics rather take the view that the high birth rate is owing to the measures

implemented to reconcile work and the family, which remain unaffected by the reforms.

The real triggers of the protest movement, however, were the introduction of marriage and later adoption rights for same-sex couples – they generated a general suspicion of family policy reforms. This can be observed in connection with giving step-parents some child-rearing responsibilities, adopted in summer 2014. With this reform step parents can obtain the right to pick up the children of their partner from school or take them to a doctor, if the birth parents agree. Although this reform would undoubtedly make everyday life easier for »patchwork« and step families, it encountered fierce criticism, which would otherwise appear to be disproportionate to the limited scope of the reform, which by no means establishes genuine step-parent status. It was suggested, among other things, that the idea was to substitute natural parents with step-parents, regardless of the fact that the child rearing responsibilities in question are possible only with the agreement of the natural parents. It appears that in certain quarters any family policy initiative on the part of the Socialist government is suspicious. Ulterior motives are alleged behind any reform, so that its ramifications are suspected of being greater than they really are.

The wave of protests – »*Manif pour tous!*« – triggered by the introduction of marriage and adoption rights for same-sex couples was much bigger than had been anticipated. The demonstrators were less concerned with the marriage issue than with adoption. Most demonstrators ostensibly criticise the conferring of adoption rights, as well as the option of artificial insemination and surrogacy for same-sex couples, even though neither artificial insemination and surrogacy are mentioned in the legal text. François Hollande declared, on the contrary, that these reforms would not bestow such rights, but it was generally believed that the government would not keep its word and that sooner or later the issues of artificial insemination and surrogacy would be taken up again. This is also due to the fact that Justice Minister Christiane Taubira, as well as François Hollande have spoken out in favour of artificial insemination. At the urging of the European Court of Justice the French government has also committed itself to entering in the civil register the status of children given birth to by surrogate mothers abroad but living in France. For many demonstrators, however, this is tantamount to recognition of surrogacy.

Ultimately, the public has not forgotten that the Socialist government, when PACS – a contract similar to a civil partnership – was introduced in 1999, declared that there would be no marriage and adoption rights for same-sex couples. The aim of the demonstrators is not so much to roll back the reforms, which most realise is unrealistic, even though former president Nicolas Sarkozy declared at an event in the context of the UMP<sup>1</sup> leadership campaign on 15 November 2014 that he would to scrap the law if he was elected president in 2017, which gave rise to criticisms even within his own party. Rather the demonstrators want to stop any further reforms dead in their tracks. However, the opinions expressed on the streets are not representative of the majority: one opinion poll indicated that most people favour the legalisation of surrogacy and the right of same-sex couples to artificial insemination.

Given the unexpected vehemence of the protests, however, the government has shelved a number of reforms. The project to raise awareness of gender stereotypes among primary school children was dropped. Also the birth premium of 923 euros that the government wanted to abolish from the second child onwards was retained, as well as the increase in child allowance for 14 year-olds and tax relief for families that employ a child minder, although these measures primarily affect higher earners.

Other family-policy proposals discussed in the election campaign, mainly costly ones, such as child allowance on the Swedish model, were off the table from the very outset, due to the economic situation and austerity policy. Since 2004 parents are entitled to parental leave of six months for the first child and three years for further children. The reform envisaged a prolongation of parental leave for the first child for the other parent – usually the father – by six months and reserving them at least six months' parental leave for further children. In other words, mothers would be able to claim two and a half years' parental leave at most. The reform did not come into force because the government is now investigating the possibility of going one step further and dividing parental leave equally between the two parents. Parents would thus be entitled to a maximum of one and a half years' parental leave. This plan has come

1. Since May 2015 the UMP (Union pour un mouvement populaire) has changed its name into LR (Les Républicains).



in for much criticism, however. It cannot be assumed that the proportion of fathers claiming parental leave would rise substantially until parental allowance assumes the same kind of wage replacement function as in, say, Germany and certainly not for 18 months. Even in the Scandinavian countries, where paternity leave has long been much better remunerated, parental leave is taken by only a minority of fathers and seldom for more than three months. Thus the thrust of the reform is unrealistic. Furthermore, many people consider the government's talk of equality duplicitous: in other words, it isn't really a question of promoting gender equality, but rather of saving money by sharply cutting parental leave, as in the case of its tax measures. If fathers did not take up their parental leave option or only to a limited extent, another child care solution would have to be found. However, current child care provision is not sufficient to cover any substantial rise in demand. If parents do not manage to obtain a child care place, however, the question arises of whether women would be forced to give up work, which would further weaken the position of mothers on the labour market. This reform has still not been passed. Based on the opposition to it on both left and right its prospects are uncertain.

However, there is something to be said for the reforms of the past few years. Besides the abovementioned introduction of certain child-raising rights for step-parents the Gender Equality Act passed on 5 August 2014 clearly represents an important advance, in terms of both the scope and variety of the instruments applied. First of all, the campaign against sexist stereotypes is to be stepped up, in particular through tighter control of the media and the internet and a ban on beauty contests for under 13s. The expression »*en bon père de famille*« (as a good father would) has been removed from the *Code Civil* with reference to the responsibility of a head of household to act in the best interests of his family (to be replaced with the words »reasonable« or »reasonably«). Furthermore, more will be done to combat violence against women. This includes, for example, the systematic challenging of perpetrators' parental and custody rights, measures against harassment and discrimination in the army, the introduction of specific training for those working in health care, the judiciary and the army and so on. On top of that comes the gradual introduction of a public guarantee for one-parent families who do not or just partially receive maintenance allowance. In the absence of maintenance allowance a replacement benefit is paid

by the family allowance fund after one month. This measure is likely to improve the lives of single-parents substantially because at present alimony is not paid at all or only partially in 40 per cent of cases. Furthermore, the Act demands parity in all areas of society: the financial penalties that must be paid when parity is not complied with have been doubled. Particularly symbolic is the fact that 40 per cent of leadership positions in sports federations should be occupied by women.

Of particular importance, however, are the measures to combat discrimination against women in the workplace. On one hand, the principle of a women's quota for executive boards and supervisory boards is extended. The 2011 Act provided for a quota of 20 per cent for supervisory boards and executive boards of public companies, limited companies and limited partnerships within three years and of 40 per cent by 2017. This had an almost immediate effect: while the proportion of women on the boards of CAC40<sup>2</sup> limited companies had risen from 7.4 per cent to 10.5 per cent between 2006 and 2009, it was already at 15.3 per cent while the new law was being debated and by 2012, at 23.5 per cent, had already surpassed the target laid down for 2014, despite the strong opposition of employers. A similar development is discernible with regard to the SBF120. However, success has been limited. In order not to have to comply with the women's quota certain companies transformed themselves into »simplified« joint-stock companies (*Société par actions simplifiée* or SAS), which do not have a board. In some instances the number of members of executive and supervisory boards was adjusted so that additional women did not have to be recruited. Finally, women are generally non-executive board members. Executive members are still overwhelmingly male.

The 2014 Act extends the scope of the women's quota. Now it is not only companies with certain forms of association that are affected by the 40 per cent women's quota, but all companies with 500 employees or over from 2017 and all companies with at least 250 employees from 2020.<sup>3</sup> Penalties have also been stiffened.

2. The CAC40 is a French share index that includes the 40 largest companies in France by turnover. The SBF120 contains all the firms listed in the CAC40, as well as 80 other limited companies listed on the Paris Bourse.

3. The Gender Equality Act also provides for the gradual introduction of parity in public bodies, such as professional chambers, advisory bodies and so on.

Companies that are sanctioned for discrimination or that have failed to enter into negotiations on gender equality can be excluded from public contracts and public-private partnerships. Two problems remain, however. On one hand, the low proportion of women on executive boards; on the other hand, the fact that the women's quota on executive and supervisory boards affects only a minority of women and does nothing to improve the situation of women at work in general. A first step has been taken, however, that may facilitate further developments.

But this is also the reason why the Gender Equality Act provides for measures to promote women's employment participation and to strengthen their occupational status. On one hand, the aim is to increase the extent of female employment by doing more to relieve women's burdens in the private sphere and to promote longer part-time working. Employees are now to be given the option of converting their working-time account into »vouchers for services« that can be used in payment for household-related services. Also, for child care provided by a child minder, families will in future only have to make a co-payment (*»tiers-payant«*), which is likely to make it easier for members of lower-income families to seek employment. Furthermore, the minimum working time was raised to 24 hours a week in the Law of 14 June 2014. Based on an average working time of 23 hours a week with regard to part-time working the government is thus aiming at establishing longer part-time work. This is supposed to help to restrict unwanted part-time work. According to Eurostat, in 2013, 45.7 per cent of men and 38 per cent of women were in part-time employment because they had not been able to find a full-time job.

On the other hand, these reforms are also aimed at combating occupational discrimination against women and boosting women's presence in male-dominated occupations. Thus companies are now obliged to put the abolition of gender-related differences in remuneration and career development on the agenda of annual collective bargaining at enterprise level. Each year employers are supposed to produce a report on equal opportunities for women and men in the company. Furthermore, companies in male-dominated sectors are to receive support from sectoral training funds for women's occupational integration. As already mentioned, sanctions are to be tightened up in this respect because it has become evident that there has been little resort to

checks and sanctions hitherto. It is revealing in relation to this law, which also contains many family-policy elements, such as reform of parental leave, that it was not set in motion by the Minister of State for the Family, but by the Minister for Women's Rights, Najat Vallaud-Belcacem.

Nonetheless, reforms aimed at improving gender equality were passed that strengthen the situation of women and are likely to improve the situation of certain population groups, in particular victims of violence and single-parent families. However, for a good many years now they have been subject to budgetary constraints: only reforms that did not cost the state anything were proposed. And as before, men remain unaffected by these reforms, so that at the level of the division of labour in the family virtually nothing is likely to change. Finally, one might ask what impact the cutting of family-policy assistance and the general raising of taxes might have on the birth rate, not only for economic reasons, but also because they give the impression that families will not be supported to the same extent as previously, thus contributing to call France's credentials as a family-friendly country into question.

### 3.3 Positions and Discussions in the Centre-Left Spectrum

Parti Socialiste: Party Conferences, Basic Documents, Campaign Positions

- The most recent party conference was held in July 2015.
- In early December 2014 a new basic document (*»charte des valeurs«*) with the title *»charte des socialistes pour le progrès humain«* was presented, which does not go into detail but is supposed to serve as an ideological frame of reference. It contains nothing new. It contains nothing new in regard to gender and family policy.

*»Project Socialiste 2012«*

In this document from 2011, which comes closest to a party programme, 30 points are laid down that are supposed to represent Socialist priorities in 2012. They include:



- equal pay between women and men;
- opening up of marriage and adoption to same-sex couples;
- education and child-rearing:
  - reforms in the education system to ensure success at school and access to education for children and young people, for example, upgrading the teaching profession, revision and standardisation of lesson plans, adjustment and reduction of lesson times;
  - expansion of nursery places and school enrolment at the age of two.
- in order to reduce the number of precarious jobs – which primarily affect women – part-time jobs of fewer than 20 hours are to be abolished;
- reform of parental leave with the aim of improving women's labour market integration;
- extension of parity to the whole public sphere;
- obligation of all public hospitals to offer abortions;
- contraceptives are to be made available to minors, free of charge;
- establishment of a national body to monitor violence against women and provision of further training for specialist personnel;
- introduction of a prostitution law focusing on prevention, sexual health, rehabilitation of former prostitutes and criminalisation of clients;
- introduction of lessons at primary school level that address gender and gender stereotypes;
- re-introduction of a ministry for women's rights.

*»Les 40 engagements de François Hollande pour l'égalité homme-femme« (François Hollande's 40 commitments to gender equality)*

In the 2012 election campaign François Hollande positioned himself as a feminist and presented a paper with 40 points concerning how he intends to stand up for

women's rights and more equality between women and men in society. This draws heavily on »Project Socialiste 2012«. The points are organised under the following issues:

- equality of women and men with regard to occupations;
- combating precarity (which affects women much more);
- a commitment to lessons that raise awareness of sexism and gender stereotypes;
- support for parents and establishment or improvement of child care provision for small children;
- strengthening of political parity and more even distribution of power in all other social spheres;
- combating gender-specific violence;
- guaranteed access to health services and strengthening of sexual rights (information, sex education, contraception, abortion);
- reintroduction of a ministry for women's rights.

### 3.2 Current Issues and Internal Debates

■ In 2013 and 2014 gender and family-policy debates seem to have assumed a marginal role within the PS. The promises of the election campaign have been dealt with one by one, but further programmatic discussions are thin on the ground.

■ At the summer university in La Rochelle in August 2014, an annual PS discussion forum, an explicitly gender-policy issue was discussed at only one out of the 50 events, namely the project to introduce lessons on awareness of gender and gender stereotyping in primary schools.

■ It is probable that the currently deep internal divisions of the PS, Hollande's weak position and France's precarious economic situation are playing a role in the prioritisation of other issues and the marginalisation of gender and family policy issues.

## 4. Germany

### 4.1 Facts and Figures

- The European Institute for Gender Equality's Gender Equality Index for 2012 was 55.3 (out of 100). Although this represents an improvement in contrast to previous years Germany still lies somewhere in the middle, compared with the European average of 52.9.
- The gender pay gap stands at 22 per cent. This level has remained surprisingly constant in recent years. More recent prognoses, however, show that the introduction of the minimum wage can be expected to reduce it.
- The gender pension gap stands at 59.6 per cent. By European comparison Germany has one of the largest gender pension gaps.
- In 2012, women's employment rate in the age group 20–64 years of age stood at 71.5 per cent, compared with 82 per cent among men.
- In 2013, 48 per cent of dependently employed women worked part-time – with a maximum working time of 31 hours a week – compared with a little over 10 per cent among men.
  - The proportion of women who work fewer than 15 hours a week – that is, in »short part-time« – is 21 per cent. Thus Germany is currently European champion with regard to short part-time employment.
  - In the low-wage sector, 60 per cent of employees are women.
- Even more dire is the difference between mothers and fathers, however:
  - The employment rates of women and men with small children (0–2 years of age) stand at 31.5 per cent among women and 82.6 per cent among men.
  - While 94 per cent of fathers – between 20 and 49 years of age with children under 6 years of age – are in full-time employment and only just over 6 per cent work part-time, only 68 per cent of economically active women are in full-time employment.
- At the end of 2014 a mere 5.5 per cent of all members of boards of directors in the 160 largest listed German companies were women. This represents a fall of 0.7 per cent on the previous year. However, in 2005 the figure was still only 2.3 per cent.
  - The proportion of women in German supervisory boards stood at 18.8 per cent at the end of 2014 and thus has grown continuously since 2010; consequently this figure is often brought up in discussions about the women's quota. Female supervisory board members are more often mandated as employee representatives (25.2 per cent).
  - From 2016 a women's quota of at least 30 per cent is to apply for the supervisory boards of listed large companies, subject to codetermination. Around 100 companies will be affected by this, while another 3,500 must in future lay down binding targets to increase the proportion of women in executive positions.
  - According to estimates, the annual volume of family care work in Germany stands at around 4.9 billion hours. This corresponds to around 3.2 million jobs and added value of around 44 billion euros a year, based on a medium wage level. 75 per cent of this unpaid care work is performed by women.
    - In the event that nursing care becomes necessary in a family there is an entitlement to 10 days' leave with wage indemnification for relatives providing care. In addition, there is an entitlement to a temporary working time reduction.
  - During the statutory maternity protection period (from 6 weeks before expected childbirth to eight weeks or, in the case of multiple or premature births, 12 weeks thereafter) economically active, statutorily insured mothers are entitled to maternity benefit and an employer's allowance before and after childbirth, which are borne by the statutory health insurance funds. Maternity benefit and allowance are based on net pay from the previous three working months and amount to a maximum of 13 euros per calendar day. The difference

between average net pay for the previous three calendar months (converted into calendar days) and maternity benefit is made up with the employer's allowance.

- Parental benefit is paid up to a maximum of 14 months, two months of which are reserved for one parent exclusively. Single parents can receive parental benefit for the whole 14 months.
  - For those with incomes between 1,000 and 1,200 euros before the birth of the child income replacement is 67 per cent. For net income above 1,240 euros the replacement rate falls to 65 per cent. For parental benefit recipients with net incomes below 1,000 euros the replacement rate is up to 100 per cent.
  - Minimum parental benefit in the amount of 300 euros can be claimed by all persons who work up to 30 hours a week or by categories of persons who do not receive an entitlement to parental benefit through paid employment, such as students. However, parental benefit is calculated on the basis of unemployment benefit II, in which case these benefit recipients are de facto not entitled.
  - Moreover, there is a sibling bonus of 10 per cent (but at least 75 euros) for multi-child families with small children.
- Parental benefit plus, introduced in 2014, makes it possible to link receipt of parental benefit with part-time working and, as a consequence, to receive the benefit for a longer period (proportionately). It is thus possible to receive parental benefit plus for twice as long (up to six months).
  - If a mother and a father decide to work simultaneously for four months between 25 and 30 hours a week there is an additional partnership bonus in the form of four additional parental benefit plus months per parent.
- Each parent is entitled to up to three years' parental leave until the child reaches the age of three. During this period the employment relationship is suspended, although it continues to exist, and the parent is entitled to return to the same working time duration as previously.
  - With the agreement of the employer up to one year of parental leave can be transferred to the period between the child's third and eighth birthdays. During parental leave part-time employment of up to 30 hours is also permitted.
  - In companies with more than 15 employees (unless precluded by urgent operational reasons) there is a statutory entitlement to a working time reduction during parental leave of between 15 and 30 hours.
  - Within the framework of the introduction of the parental benefit plus regulations parental leave was also flexibilised. Thus in future 24 instead of 12 months can be shifted to the period after the child's third birthday. The employer's consent is no longer required, although for urgent operational reasons the employer can refuse at least the third portion of parental leave in the period between the child's third and eighth birthdays.
- Child benefit, which is paid for children up to 18 years of age (in the case of children still in education, up to 25 years of age), amounts to 188 euros a month for the first and second child, 194 euros for the third child and 219 euros for the fourth and every subsequent child. From 2016 child benefit will be raised by 2 euros.
  - For low income families there is a child supplement of up to 140 euros (from 1 July 2016 this will increase to 160 euros).
    - The child supplement – which must be applied for – is paid to parents who can cover their own needs, but not those of their children. Disbursement is tied to a number of conditions, for example, disposable income and the child supplement must be required to prevent poverty, in accordance with SGB II (Book 2 of the Social Code).
  - In addition, recipients of the child supplement are entitled to benefits in kind for education/training and participation, for example, for school trips, transport costs for going to school, personal school supplies (a total of 100 euros a year) and study support.
- In recent years the expansion of care places for children under 3 years of age has received a strong boost; since

1 August 2013 every child has had a legal right to a care place from the age of one.

- In 2014 the care rate – in other words, the proportion of under threes in child day care out of all children in this age group – stood at 32.3 per cent, an increase of 3 percentage points on the previous year.
- From January 2016, in the new federal KitaPlus programme (funded to the tune of 100 million euros and set to run for three years) day nurseries (*Kita*) that tailor their hours to parents' needs will be supported. This includes opening hours before 8 am and after 4 pm.

#### 4.2 Current Developments and Debates

In 2015 gender policy in Germany can be described in terms of the simultaneous existence of the unctemporary. The equality and family policy reform efforts of recent years have been promoted by two societal trends: (i) demographic change and (ii) transformation of gender role models. The increasing ageing of the German population and the ensuing pressure on the labour market would suggest stronger labour market integration of women also from an economic policy standpoint. At the same time, the role models of men and women have been changing, accompanied by a growing need for more equal distribution of employment and care work. Against this background there have been various reform efforts in Germany in recent years in the area of equality and family policy, aimed at better reconciliation of work and family life for women (and men). Part and parcel of this process is the gradual dismantling of the dominant breadwinner model. However, a number of key structurally misdirected incentives remain in place and thus there is a need for further reform.

With regard to the shaping of a modern and open society, family and gender policy has made great strides in Germany in the past 15 years. From 1998 to 2005 Gerhard Schröder's Red-Green government, with family ministers Christine Bergmann (1998–2002) and Renate Schmidt (2002–2005), laid the foundations for this. Particularly worthy of mention is the considerable legal progress made with regard to same-sex couples. As early as 2001 registered partnerships for same-sex couples

were introduced. Marital rape was also at long last made a criminal offence and decisive steps were taken towards decriminalising prostitution in order to release sex workers from the existing grey area (although this remains a matter of controversy among feminists).

With the introduction of the parental benefit in 2007, developed by former SPD family minister Renate Schmidt and implemented by her conservative successor Ursula von der Leyen, young couples were provided with a material basis for a division of labour between partners after starting a family. On top of that there has been a massive expansion in recent years of crèche places for children under three years of age (since 2013 there has even been a legal entitlement to a crèche place) – both were important steps away from the conservative social state based on the single breadwinner model towards a progressive model along Scandinavian lines. This also included a large-scale expansion programme for all-day schools.

Parental benefit and nursery school expansion were, on one hand, a consequence of the change in gender role models and, on the other hand, catalysed further change. Now 90 per cent of young couples in Germany take the view that both parents are equally responsible for the children. At the same time, however, in practice a – partly undesired – retraditionalisation of the division of labour can be observed among young parents. Mass market books such as *The Everything's Possible Lie* (Garsofsky and Sembach) and *Squaring the Circle: The Myth of the Multi-role Parent* (Brost and Wefing) are symptoms of the growing resignation concerning unresolved issues related to the reconciliation of family life and work.

Just how little real equality has become a reality was shown in 2011 by the first equality report by the federal government. For the first time the current state of equality between men and women was assessed systematically. The findings were unequivocal: employment and care work are distributed extremely unequally between the sexes; the decision to have children or the need for care of older family members have a tremendous impact on the life-course of women, leading to a permanent (partial) withdrawal from employment. The resources currently made available to support care work are highly unsatisfactory and the relevant risks are borne largely by the (female) individual, rather than society.

The equality report shows, in terms of a life-course perspective, why in Germany children have a stronger influence on women's careers than in almost any other OECD state. Given the low labour market participation of (well educated) mothers the equality report came to the conclusion that the situation represents a »gross waste of resources«. The authors were referring, among other things, to the contradictory family and equality policies in Germany that create numerous disincentives. For example, Germany invests a lot of money in education and training for women, but matrimonial »tax splitting« and care allowance after childbirth encourage a long »baby-break«.

The head of the commission that produced the first equality report, Professor Ute Klammer, came to the conclusion that the (then) family, equality and labour market policies resembled a »building site with signposts pointing in different directions«. To guide future legislation the commission proposed, on Scandinavian lines, the dual breadwinner model to enable men and women to carry out both paid work and care work during the life-course. In May 2015 a second expert commission was established, tasked with working out concrete proposals on the implementation of selected recommendations from the first report by the end of 2016.

Furthermore, 25 years after German reunification it can be said that Germany remains a »divided country« in terms of family and gender policy. East/west differences have not been resolved: family structures, women's employment patterns and gender role models differ substantially in the two parts of the country. While in western Germany the one and a half or one and a quarter breadwinner model dominates, in eastern Germany women's propensity to seek employment is much higher. In 2010 only 27 per cent of children in western Germany were born in relationships without a marriage certificate, as against 61 per cent in eastern Germany.

Generally speaking, all the political parties represented in the German parliament – admittedly to different degrees – have modernised their gender and family policy approaches in the past 10–20 years. By contrast, in 2014 a decidedly conservative party was founded – the Alternative für Deutschland (AfD) – which has experienced a particularly warm reception in, of all places, equality-oriented eastern Germany. Originally established as an anti-euro party, the AfD entered the European Parliament

in 2014. It then did well in the state elections in the eastern German *Länder* of Saxony, Saxony-Anhalt and Brandenburg with an extended palette of so-called »*Wutbürger-Themen*« (»angry citizen issues«), rearing up against Islam, gender and »egalitarianism« (in a pejorative sense), not to mention the legal equality of same-sex couples. AfD officials also play a role in the context of various right-wing/conservative movements. Thus the Civil Coalition (Zivile Koalition e.V.), founded by AfD MEP Beatrix von Storch, together with other self-styled »protectors of life«, participated in the organisation of a Europe-wide citizens' petition against abortion rights; the AfD is also a driving force in demonstrations against the progressive education plans of various SPD-Green *Land* governments. Furthermore, there are clear links and overlaps with the xenophobic movement Pegida (»Patriotische Europäer gegen die Islamisierung des Abendlandes« – Patriotic Europeans against the Islamisation of the West). In a position paper published by the initiative on 10 December 2014 we find the following statement: »Pegida is against this crazy gender mainstreaming, also often known as genderisation, the already almost compulsory, politically correct gender neutralisation of our language!«

Gender bashing is not confined to the AfD, however. The terms »gender« and »gender mainstreaming« have generally become negative buzzwords for conservative rightwingers and right-wing populists; indeed they are now commonplace. Under the newly coined word »genderism« gender studies, gender mainstreaming, women's quotas and also the legal equality of same-sex couples and education plans that aim at promulgating acceptance of diversity are stigmatised as dangerous, anti-democratic policies, a state-decreed and -funded re-education programme and a waste of taxpayers' money. There is no shortage of crude conspiracy theories either. The gender debate is increasingly a matter of identity and a hallmark issue.

At the same time, gender policy and modern family policy have increasingly become concerns of progressive men in politics, the trade unions, associations and the media. For example, in 2010 Forum Männer, a Germany-wide group that focuses on men's issues, was founded – as counterpart to the German Women's Council – with the aim of »promoting gender equality and gender democracy, in particular with regard to the life circumstances of boys, men and fathers«.

The feminist movement has also received a powerful boost in recent years, especially on the internet. Web 2.0 has enabled feminist activists to network and many feminist blogs have sprung up. A provisional highpoint of the internet feminist movement was a campaign against sexism launched in 2013: under the hashtag #Aufschrei (Outcry) internet feminists tweeted their experiences with sexism and thus triggered a big social debate. Within the framework of this debate political and media interest in feminist issues, feminist »leaders« and the research results of gender studies has grown. The greater the interest and the stronger the presence of gender issues in the media the more aggressively the anti-feminist »defenders of men's rights« have become. Although few in number they have become so well organised that they are able, through their massive and aggressive presence in online forums, to poison every debate on equality policy. Initially, the fact that more and more individuals (women, migrants and so on) are falling victim to violent communication on the internet (»shitstorm«) was scarcely regarded as a political issue. Now, however, awareness of the problem is increasing. For example, the *Länder* Conference of Equality and Women's Ministers and Senators (Konferenz der Gleichstellungs- und Frauenministerinnen und -minister, -senatorinnen und -senatoren der Länder, GFMK) has taken up the issue of cyber-violence against women.

Since the end of 2013 a Grand Coalition of the SPD and the CDU has governed Germany, with the former as the junior partner. However, the SPD does head key ministries relevant to gender and family policy. Besides the federal Ministry of Family Affairs, Seniors, Women and Young People (Manuela Schwesig) the party also heads the Ministry of Labour (Andrea Nahles), the Ministry of Justice (Heiko Maas) and the Ministry of the Economy (Sigmar Gabriel). The fact that the SPD has taken such a resolute grip on the family and equality ministry shows that it has learned a lesson: in the Grand Coalition of 2005–2009 Christian Democrat Ursula von der Leyen was the family minister and made her mark with progressive family policy reforms (introduction of parental benefit with partner months). Meanwhile, the SPD lost considerable prestige and its reputation for competence suffered with regard to family policy, losing women's votes as a result. This reputation for competence has now been restored; the SPD has set out to win back its reputation as the party of the family and equality. While her CDU predecessor Kristina Schröder expressly distanced herself from

feminism, Manuela Schwesig has always emphasised her function as equality minister.

The coalition pact of the CDU-SPD government contains important and path-breaking family and gender policy agreements, along the lines of the dual-breadwinner model mentioned above. This includes the introduction of a women's quota for supervisory boards, parental benefit plus, reconciliation of work and family life, the minimum wage and the right to limited part-time working (right of return from part-time to full-time). The coalition pact represents progress in comparison with the marginal role played by (working) time policy in the 2013 parliamentary election campaign and the years preceding it. On one hand, key ideas such as »time policy« and »partnership« have been incorporated. On the other hand, parental benefit plus represents a tangible instrument at the interface between labour, family and equality policy. Here the reality of changing gender roles and what parents want with regard to working time have been taken into account, at least to some extent.

At the same time, however, the SPD was unable to get the care allowance – 100 euros a month for parents who have not claimed a day care place for their small children, introduced by the Christian-Liberal coalition at the last moment in 2014 – rescinded by the coalition pact. The care allowance was denounced almost unanimously as a retrograde step in terms of education and equality policy by the business sector, the trade unions, academia and many civil society actors. The majority of the democratic party spectrum was also against its introduction, including parts of the CDU/CSU and the FDP. Only the Bavarian sister party of the CDU, the CSU, insisted on the care allowance, carrying it through as a prestige and showcase policy. In July 2015 the care allowance was declared unconstitutional by the Federal Constitutional Court and is thus, at least in most *Länder*, now history (or will be shortly).

The negotiating partners were similarly unable to reach agreement on the legal equality of same-sex couples. The SPD demanded the right for same-sex couples to get married, as well as full adoption rights; the CDU/CSU did not go along with it, however – possibly so as not to lose a key conservative »unique selling point«.

More than one and a half years after the new federal government took office almost all of the abovementioned



gender and family policy measures contained in the coalition agreement have been implemented. First in line was parental benefit reform. It aims at more partnership in the division of paid employment and care work between fathers and mothers, by creating incentives with parental benefit plus for the combination of parental benefit and part-time working – for both genders. Family minister Manuela Schwesig declared that parental benefit plus would be the first step in the direction of family working time, targeted financial support of parents with small children who both decide to work »short full-time« (for example, 32 hours a week) in order to divide paid employment and care work on a partnership basis. Since January 2014 the Federal Ministry for Family Affairs, Senior Citizens, Women and Young People (BMFSFJ) has intensified the discussion on family working time as a new instrument of family and equality policy. It contains a strong partnership element: wage replacement is to be provided only if both partners reach agreement on the as yet to be determined working time of, for example, 32 hours a week. Crucial to the proposal was the recognition that fathers are the key to a fairer distribution of paid employment and family work between the sexes. Only if they reduce their working time and take on more care work is it possible for mothers to step up their working time. The proposal, also supported by labour minister Andrea Nahles, means abandoning an idea that long served as point of reference for the Social Democrats, namely the ideal of dual full-time work for parents. There was support for such a model from the trade unions – including Europe's largest industrial trade union IG Metall – social and family associations and many feminists. This is an indication of the changing time policy discussion in Germany, in which increasingly women, but also men are calling for better and partnership based reconciliation of family and work. Given this prioritisation, however, another, equally important equality policy concern has become lost from view: the older demand for a gradual extension of exclusive partner months (at present two months), for example, in the direction of the Icelandic model. Up to a few years ago this envisaged three months exclusively for the mother, three for the father and three to be divided up as the couple saw fit. This division of parental benefit months meant that more than 95 per cent of fathers claimed parental benefit. However, only around 20 per cent of fathers claimed part of the freely divisible months. In order to further equalise the division of parental time between the sexes a reform of the parental months regulation was implemented in

recent years. The total number of months was increased to 12, with five months reserved for each parent.

Substantially more controversial than parental benefit plus was the debate on the introduction of a women's quota for supervisory boards, even though it was agreed in the coalition pact. There was considerable resistance in the business sector, sometimes even from the coalition partner itself, especially from the ranks of the CSU. Implementation of the quota was boosted by preceding events, in particular the fact that in the years 2011–2013 a cross-party alliance had formed in favour of the quota. In the so-called Berlin Declaration women from almost all parties, representatives of associations, actors, trade unionists, business people, academics and many others demanded the introduction of a women's quota for supervisory boards. The discussion also received a boost in Germany from a European Commission initiative proposing a 40 per cent quota for women in supervisory boards. However, the Council of Ministers has put this proposal on ice for the time being. Also significant for the success of the proposal was the fact that not only women from the centre-left spectrum advocated the quota, but also representatives from the conservative camp, in other words, the CDU and the FDP. Many men signed the declaration, too. This broad alliance made it easier for the SPD to push through the quota in the coalition negotiations and later on to implement it, when it came to getting the relevant law passed and the wind was blowing more strongly in the opposite direction. This has now proved possible: from 2016 onwards 30 per cent of the members of the supervisory boards of listed companies must be women (to date, it has been a little over 18 per cent). Around 100 listed companies subject to codetermination will be affected by this and a further 3,500 will in future have to set binding targets to increase the share of women in executive positions. However, to date, implementation seems to have been fitful; many companies appear to have failed to set proper targets or to develop implementation plans.

With regard to the reconciliation of care work and paid employment a number of important aspects of the coalition pact have been implemented. On one hand, in the event a family has to provide care a ten-day break from work with wage replacement was introduced. On the other hand, the inadequate law on family care time from the period in which Kristina Schröder was family minister was improved. The law was supposed to

enable a temporary working time reduction for relatives providing care, but there was no legal entitlement – this shortcoming has now been remedied in accordance with the coalition pact.

Another equality policy milestone is the statutory minimum wage of 8.50 euros an hour pushed by labour minister Andrea Nahles and adopted by the Bundestag in 2014. Although at first glance this is gender neutral, it does have a gender policy effect because more than six out of ten employees in the low wage sector are women. Accordingly, the first estimates indicate that the introduction of the minimum wage will also have positive effects on the gender pay gap in Germany.

Also on the federal government's to-do list is a law against unequal pay for men and women, the so-called equal pay law. The gender pay gap in Germany, at 22 per cent, is quite high by OECD comparison, and has barely diminished in the past 20 years. Several gender-specific inequalities come together in the gender pay gap, including women's longer employment breaks due to pregnancy and child care, the fact that they often work in poorly paid jobs and are to be found less often in executive positions. Part of the gender pay gap – up to a third – cannot be explained this way, however, and is often linked to pure wage discrimination based on gender.

The logical consequence of the gender pay gap is the gender pension gap, which in Germany is almost 60 per cent, very high by European comparison. This means in concrete terms that women in old age have only just over 40 per cent of the income of men, on average. According to a recent study by the European Institute for Gender Equality, Germany – together with Luxembourg – leads the field in Europe in this regard. Old age poverty, in particular among women from the babyboomer generation – the largest birth cohort in the Federal Republic – will rise constantly in the coming years. Many political actors are still turning a blind eye to the problem, however, since its effects will only emerge in the future. Many women – and thus female voters – are increasingly becoming aware of this ticking timebomb, however. Thus according to one survey only just over a quarter of the women questioned thought that their old age insurance would suffice to maintain their living standards in the event of separation from their partners. And 51 per cent of women – but also 44 per cent of men – are generally worried about provisions for their old age.

A German »speciality« that also contributes to the extent of the gender pay and gender pension gaps is the extremely high proportion of part-time employment among women. Although female employment has risen above 70 per cent in recent years, in less than half the cases is it full-time. The Social Democratic labour minister Andrea Nahles thus wants, over the long term, to create a right to restricted part-time work (in other words, a right to return to previous weekly working time). The introduction of such a legal entitlement would be a gender policy milestone for two reasons: first, for many women part-time employment without a legal right of return to their original working time has proved to be a career trap; second, the lack of a right to return to full-time working is a major obstacle preventing many men from reducing their working time for the sake of the family. The decisive question is now whether the CDU/CSU will keep its word and the agreement in the coalition pact or cave in to the expected resistance from the employers' organisations.

Another issue relevant to equality and family policy and high on the federal government's agenda is child care. This concerns in particular the extension of hours of care (KitaPlus programme) and the quality of care (for example, staff ratios). In Germany the *Länder* are responsible for child care, which means that the quality of day nurseries varies from *Land* to *Land*. However, the *Länder* have so far resisted a law on quality control. There has been progress nevertheless: the federal government has amended the day nursery expansion law and the municipalities can now spend money received from central government on equipping day nurseries, not only on construction measures. Furthermore, in 2017/2018 federal participation in child care running costs will be increased. In addition, a timetable has been agreed with regard to uniform day nursery quality and regular exchange of information between the family ministry and *Länder*, municipalities, providers, trade unions and parents' representatives on structural and quality issues.

#### 4.3 Positions and Discussions in the Centre-Left Spectrum

Overall, Social Democrats have become keenly aware that gender and family policy issues are important and that here in particular it is both necessary and possible to stand out from the (party) political competition. At



the Bundestag elections in 2009 the SPD lost 21 per cent of the votes of young women (18–24 years of age) compared with the previous elections. An even worse decline was registered among women 35–45 years of age, only 14.6 per cent of whom voted SPD in 2009, falling to 11.6 per cent in 2013. The women in the »rush-hour of life« – in the period of life between 30 and 45 years of age, in which many challenges with regard to career and family planning tend to congregate – clearly did not regard the SPD as representing them. These days even prominent political advisors are recommending that more emphasis be put on family policy issues (for example, child care, reconciliation of work and family life, employment and care work). Because surveys have shown that the SPD is perceived by many voters – male and female – as very »masculine« a discussion is now going on about how the party can become more »feminine«.

Currently, family and equality policy issues are playing an important role in various discussion contexts in the SPD, among other things in the »Themenlaboren« (issue labs) of the party executive, but also within the framework of the SPD parliamentary party's New Justice project. The discussion process in the SPD on gender and family policy priorities and the relevant terminology has not yet been concluded. Furthermore, there are still points of uncertainty and open questions with regard to the formulation of the party's family and equality policy positions. Because of the current gender bashing there is considerable perplexity concerning how it might be possible to present a clearly progressive gender policy standpoint, without being caught in the crossfire. Whether the notion of »gender« can become the instrument of choice is doubtful, in particular because many (men) automatically equate it with »the advancement of women« and assume that it has nothing to do with them. At the same time, given the constant crises and turbulence in Europe, gender issues are running the gauntlet of charges of irrelevancy. There is still no clear line that takes gender and family policy issues as part of a more comprehensive strategy for prosperity, growth and quality of life.

In the Bundestag election campaign of 2013 the CDU/CSU was able to present itself as the party of freedom of choice and the Social Democrats as the party of paternalism. The CDU/CSU set the notion of »freedom of choice« above all against what was originally a social democratic model that since Renate Schmidt was

family minister has prioritised the expansion of child care, including legal entitlements – in other words, the reconciliation of family life and work. The deployment of the term »freedom of choice« portrayed the left as dour dogmatists. Social Democrats now face the challenge of positioning themselves as representatives of a progressive family and gender policy, without rhetorically undervaluing lifestyles that do not correspond to this image and without »imposing« »reconciliation« as yet another unreasonable addition to the stress of everyday life. The SPD is now seeking answers to the question of how it can really facilitate reconciliation and partnership, by means of smart policy instruments (life course options) and the necessary infrastructure. This involves discovering what really makes an attractive gender and family policy.

The oldest bone of contention with regard to family and equality policy in Germany is so-called »marital splitting«, which gives married couples a tax incentive to pursue an asymmetrical division of labour (sole earner couples or the one and a half earners model). At the moment, however, it seems difficult to mobilise a political and even a social majority to abolish marital splitting, although academia, business and feminists are in agreement that it should be abolished (on this see also the results of the overall evaluation commissioned by the family ministry of marriage and family-related benefits in 2014). The fear is that the voters would not appreciate such a reform plan: to date, the public has not seen it as an emancipatory plan, but rather as an assault on their own way of life or as a hidden tax increase for families. At the same time, however, there is a lively debate on how unfair it is that couples benefit from state support through marital splitting, but not unmarried families with children or single parents. A keynote motion debated briefly by the SPD national executive, prepared for the party conference in December, concerns, among other things, the possibility of converting marital splitting into a social democratic family splitting (with protection for existing marriages), thereby taking into account the increased variety of family forms and linking support more closely to the presence of children.

A fresh appraisal is now under way within the centre-left spectrum of how family benefits and services can be made fairer, in particular because the dual system comprising child benefit and child tax allowances currently favours high income families. However, some success has been achieved with regard to single parents: family minister

Manuela Schwesig defended the increase in tax relief against finance minister Wolfgang Schäuble, who initially wanted to block it. However, the issue of support for single parents remains work in progress, because single parents – and thus also their children – remain exposed to an enormous risk of poverty in Germany.

At the same time, the unspoken question concerns how positive incentives can be applied to get men and women to distribute paid employment and care work on a partnership basis. The proposed family working time (see above) is currently the focus of this rethink because it has proved to be particularly capable of attracting broad-based support and finds a hearing even in segments of the conservative party spectrum.

A paradigm change has also been discernible in the media debate on working time. For a long time the standard of full-time working for men went unchallenged and work–family life reconciliation was treated only as a »women’s issue«, but suddenly the focus shifted to problems of work-life balance and what fathers wanted in terms of working time. In summer/autumn 2014 the media also discovered the issue of »time policy«. For example, Elisabeth Neijahr and Marc Brost wrote in *Die Zeit*: »For the first time in 30 years Germans want different working times and it has become a mass movement once again«. But other big media outlets – among others *Der Spiegel* and *Wirtschaftswoche* – have also taken up the issue of working time. The issue has also become embedded in the demography debate, as well as in the debate on skills shortages, which already exist in some sectors (especially social and health care services) and loom in others. Overall, the issue of »time pressure« has come to the fore and is widely discussed. There is also broad awareness of, among other things, statistics produced by health insurance organisations on the issue of the everyday burdens on families and the ensuing health risks. Time pressure, according to the diagnosis, not only impedes equality between men and women, but also jeopardises the health of parents, the institution of the family and thus also child welfare. On top of that, numerous studies based on representative surveys show that the issue of »time pressure« and its associated reconciliation problems is of key importance for many parents.

Other debates are linked to the discussion on family working time, in particular the issue of what a new

full-time standard in the life course might look like that also took into account people with care responsibilities. Also still to be answered is the question of how small and medium sized enterprises could be helped to make it easier for their employees to exercise working time sovereignty and what the division of labour could be between legislators, the social partners and business. The issue of working time is also under renewed discussion in the trade unions. Among other things, IG Metall recently declared that the issue of (self-determined) working time will be a central focus of its trade union activities in the coming years. There is every chance of forming majorities in the centre-left spectrum for family working time because the Greens and The Left are also looking at how »short full-time working« for parents and in the life course could be better promoted. The Greens are also debating a version of family time, although they are seeking to extend receipt of parental benefit to 24 months, of which eight months would be reserved exclusively for each parent. However, such an extension is likely to be very expensive.

The biggest gender policy challenge in the coming years is, at first glance, not a *gender policy* challenge: the future of old people’s care. However, the German care system remains based largely on the unpaid labour of women, who often have to take long periods out of employment to care for relatives or even never return to the labour market. Because the number of people in need of care will increase considerably in the coming years more and more women – actively employed until that time – would have to assume care duties. At the same time, professional care is typically a female occupation: badly paid, without further development options and subject to considerable intensification as a result of »rationalisation« it is a so-called dead-end job at major risk of old age poverty. It is the task of left-wing equality and family policy to come up with possible ways out of this that also take into account the dignity of those who need to be cared for. This involves flexible time budgets to improve the reconciliation of work and family life, good municipal infrastructure and financial upgrading of social service jobs. The SPD has recognised the importance of the issue in family and equality policy terms and is working on solutions at various levels. The struggle concerning how the issues are interpreted has yet to be won, however. This applies to models for reconciling work and family life, as well as »family working time«: in other words, the issue is not (further) expensive, inefficient transfer

payments, but social investment, which in the medium term will pay dividends for both the individual and the national economy and social protection systems. Closely tied to this issue are »social services for modern families«: what social services are needed by families with children or relatives in need of care? How can we make such services available to all families, not just to families with high incomes (for example, the Belgian voucher system is under discussion)? How can the gender policy advances of well educated women be realised without poorly educated women paying the price? In other words, how can decent jobs be created out of the growing need for social services? How can a(nother) division of the labour market into well paid, well insured »male« industrial jobs and badly paid »female« service jobs be prevented? How can we upgrade »female« jobs? Professor of home economics Uta Meier-Gräwe said in the *Frankfurter Rundschau*: »Whether the expansion of the service sector is accompanied by the development of good service sector employment or whether we remain on the well trodden path of a cheap services economy is ultimately a political decision«. Social Democrats have yet to take this fundamental decision for themselves.

Another gender policy issue is still in its infancy and has been little researched to date, namely the effects of digitalisation of the world of work on gender relations. The Ministry of Labour has launched a debate within the framework of the dialogue »Work 4.0« and the expert committee working on the federal government's second equality report is also dealing with the issue. This includes, for example, the question of how »reconciliation gains« can be realised from enhanced opportunities for mobile working.

Last but not least there is the question of what a modern model of the family might look like: according to the Social Democrats »for us a family is wherever people take responsibility for one another«. The task now is to update and specify this model. The family landscape is constantly changing: almost 30 per cent of children in western Germany are now born in non-marital situations, while in eastern Germany the figure is 60 per cent. At the same time, the number of so-called rainbow and patchwork families is increasing; new family-like communities are also forming, such as so-called »senior living communities« (*Senioren-WGs*). Given the rapid change, Social Democrats, but also the Greens, have already begun to examine how »new communities of

responsibility« can be better supported, safeguarded and recognised.

On a positive note, family and equality policy issues are now a focus of concern for Social Democrats. In particular under the label »politics for the rushed [gehetzte] generation« leading politicians have recently been putting work–life reconciliation issues on the agenda – and not only as marginal issues, but as central challenges for a modern society. The challenge is to get people on board with progressive gender and family policies once again.

## 5. Hungary

### 5.1 Facts and Figures

- The European Institute for Gender Equality's Gender Equality Index for 2012 was 41.6 (out of 100). Although this represents an improvement in contrast to the first measurement in 2005 Hungary still scores below the European average of 52.9 and the score slightly decreased compared to 2010 (42.0).
- Female employment rate: 55.9 per cent (male rate: 67.8 per cent), which marks one of the lowest female employment rates in the EU.
- Low part-time rate among women (slight increase due to the crisis): 8.7 per cent (overall part-time rate: 6.4 per cent).
- The gender pay gap stands at 20.1 per cent (with an increasing trend: in 2006 it was 14.4 per cent).
- A maternity leave of six months' (24 weeks) with 70 per cent earnings replacement (without cap).
- Also, there is an entitlement to a two-year parental leave (70 per cent earnings replacement, capped) for mothers or fathers who had been employed for at least 365 days during the two years prior to birth (*gyermekgondozási díj* or GYED [child-care benefit]).
- For a third year, as well as for those not previously in employment there is a low universal benefit (around 90 euros, not raised since 2008) (*gyermekgondozási segély* GYES [child care assistance]).
- Since January 2014 it has been possible to combine GYED with employment after the child's first birthday which was not possible before; from 2015 this is possible from the age of six months on.
- Protection against dismissal applies during parental leave. However, this has been modified: previously, it applied up to the child's third birthday (even if – as is usual – the mother returned to work earlier). According to the new Labour Code protection applies only to the period of parental leave; dismissal protection no longer applies from the day the mother returns to work.

- Parental leave can be taken by either parent, however, because of the predominant conservative role expectations and the income gap between men and women very few men take parental leave.

- At present, there are day nursery places for 16 per cent of children under the age of 3 (though the trend is upwards).

- Only 10 per cent of MPs are women.

### 5.2 Current Developments and Debates

In recent years government rhetoric on family policy has undergone several transformations. The period of office of Gordon Bajnai (2009–2010), who was appointed by the Socialist Party (MSZP), but was himself an independent, was characterised mainly by »austerity« policy. The issue of »crisis management« dominated the public debate, also in the area of family policy. During his term of office certain universal benefits were frozen (and have not been raised since then). Within the framework of the cuts and in an effort to speed up mothers' return to the labour market, Bajnai's »crisis cabinet« cut, among other things, parental leave from three to two years. The long parental leave is very appreciated by Hungarians and thus the curtailment was extremely unpopular. To make matters worse, this measure was not accompanied by increased state provision for children under three years of age, with the result that it would have boosted poverty rather than female employment. One of the first measures implemented by the Fidesz/KDNP government in 2010 was the symbolic restoration of three-year parental leave.

Although »austerity« policy was high on the government's agenda due to the EU deficit procedure, which ended only in 2013, it vanished from the repertoire of justifications for cuts in family benefits when Viktor Orbán came to power in 2010. Instead, selective family policy cuts were from now on sold as conservative measures »in accordance with nature« and expressed a preference for certain strata of society. For example, the lack of investment in child care infrastructure and the failure to raise universal family benefits, while at the same time families with higher incomes received an increased tax relief, was justified on the grounds that the majority of middle-class families, which in any case it was government policy to support, would prefer to look

after their children at home. According to a government programme, increasing the tax relief aimed at boosting the fertility of the middle class.

Whereas in the period from 2010–2014 family policy in Hungary had been rather conservative in orientation, at present a progressive transformation is under way, in terms of both discourse and political action.

In 2014 the national-conservative alliance between Fidesz and its small coalition partner KNDP (Kereszténydemokrata Néppárt – Christian Democratic People's Party) was re-elected in Hungary, with Viktor Orbán as prime minister once again. Between 2010 and 2014 and from 2014 until the composition of parliament changed early in 2015 he governed with a two-thirds majority, which is enough to make changes to the constitution. He used this option extensively, also with regard to family policy issues (see below). As already mentioned, at the 2014 parliamentary elections the ruling parties won a two-thirds majority, but in the meantime this has been lost due to a by-election won by an independent candidate in February 2015.

At the 2014 elections the progressive opposition alliance comprised the MSZP (Socialist Party), the DK (Democratic Coalition), the Hungarian Liberal Party (MLP) and the electoral coalition Együtt-PM (made up of a liberal splinter party and a spin-off from the Greens, which has since been dissolved). The right-wing extremist Jobbik (literally, the »Rights«) improved its share of the votes from 16 to 20 per cent. The Green Party (LMP) was the only one to make a conspicuous issue of gender equality in the election campaign (LMP is still seen as pioneers; only recently they have put the situation of single parents on the agenda for the first time in Hungarian politics); it just managed to surmount the 5 per cent threshold and now has five MPs (out of 199). Only 20 of the 199 MPs are women, which means that Hungary has the lowest proportion of women MPs in the EU.

Family policy in 2010–2014 initially adhered closely to the right-wing conservative orientation of the government coalition. The most substantial conservative move in the period from 2010–2014 was a change in the constitution 2012, which provides that Hungary shall »protect the institution of marriage« as a »union of man and wife« and as »the basis for the survival of the nation«. This definition excludes marriage between same-sex partners

and besides that discriminates against unmarried couples with children with regard to social rights and inheritance issues. The government had already tried to embed the new definition in family law *tout court*, but that was rejected as unconstitutional by the Constitutional Court. The government circumvented the latter's ruling by changing the constitution.

In the debate on the family law reform in 2012 the opposition Green Party, the LMP, tried to get one month out of the 36 months of parental leave set aside solely for fathers (or the other parent), but in vain. The main counter-argument was that this would represent too great an interference in private family affairs. Nevertheless, the five days of paid paternity leave remained in place. Although studies show that there is a connection between engaged fathers and the birth of a second or third child, an exclusive parental leave month for fathers is no longer publically discussed. Though recently the party Együtt tried to place the topic on the agenda of family policy, it was quickly set aside by the government parties.

Nevertheless, a progressive turn can be observed. A new subcommittee has recently been established within the Cultural Committee of the Parliament which is committed to »the dignity of the women« and has a progressive agenda for the coming months. It remains to be seen what will be decided and prepared there. The shortages in nursery care are on the agenda. Also, there are initiatives to support the reintegration of women into the labour market. Since January 2014 it is, for example, possible to combine child-care benefit (GYED) with employment after the child's first birthday; from 2015 on this is possible from the age of six months. It remains characteristic though that the measures target the better-off and that they are embedded in a demographic discourse.

Yet – this discourse has undergone a reinterpretation. There is a growing awareness that higher birth rates among the middle class can only be achieved by means of improvements in the reconciliation of work and family life, not by attempts to push a conservative model of the family. Massive expansion of day nursery care is thus in prospect. Closely connected to this stance is the concern about women's low labour market participation, which the governing parties share with the opposition parties. Expanding part-time work for women is regarded in

all quarters as the key to higher employment rates, by facilitating reconciliation of work and family life. This consensus is based on the fact that all parties, from left to right, are united by the conviction that child care and the household are overwhelmingly a woman's domain. However, the left-wing parties at least point out that part-time work is usually paid very low and thus cannot represent a permanent solution for families.

By and large, however, the family and gender policy debate and corresponding government measures are dominated by demographic change or the »demographic crisis«. Emotive slogans such as the »death of the nation« are combined with »family values«. The government hailed the rise in the birth rate from 1.25 children per mother in 2011 to 1.41 in 2014 as a success of its policies.

The opposition parties barely challenge this discourse. In 2013 the five parliamentary parties announced that there was consensus on the fact that the government must do everything it can to enable people to have the children they want. Recently this joint declaration was reaffirmed. Then opposition politician Gordon Bajnai, who has left politics following the 2014 election campaign, spoke of women almost exclusively in terms of demographic challenges and even in the socialist MSZP's campaigning women were in evidence only as mothers (and as candidates mainly in last place on party lists, without a hope of winning). Thus the demographic discourse remains dominant – few feminist actors and journalists raise their voices against it. It remains a challenge how to turn this consensus (which can only be found rarely in Hungarian politics and is therefore appreciated) to policy measures which at the same time contribute to gender equality.

Interestingly, one of the few vociferous and successful civil movements in Hungary concerned a »women's issue«, namely combating violence against women. In 2012 a citizens' initiative called for a law to combat violence in families, gathering over 100,000 signatures. During the parliamentary debate a Christian Democrat MP unleashed an unprecedented wave of indignation by declaring: »Women should only talk about self-fulfilment when they've had three or four children; then there'd be more respect in the family and less reason for violence.« This triggered spontaneous demonstrations throughout the country, involving men and women, progressives and conservatives alike. A heated media discussion

ensued, the upshot of which was that the government coalition changed its previously hostile attitude towards the citizens' initiative's demand for a law on violence against women. In fact, a new law was included in the Penal Code which, among other things, allows the police to intervene – until then violence against women (in the sense of domestic violence) was regarded a purely private matter. The law came into force in July 2013, although not with the formulation »family violence«, which had previously been common in the public debate. In order not to »besmirch« the notion of »family« the term »violence in relationships« was used instead. Regardless of the terminology, a genuine paradigm change took place here and the issue of violence in the family ceased to be taboo. A series of scandals – for example, concerning an MP who had brutally beaten his wife – has in the meantime ensured that the issue of »violence against women« remains on the agenda. In March 2014 Hungary signed the Istanbul Convention, the Convention on preventing and combating violence against women and domestic violence by the Council of Europe. The progressive parties and feminist actors urge for its immediate ratification; the government ensures that it is in preparation.


### 5.3 Positions and Discussions in the Centre-Left Spectrum

Since the election, the socialist party MSZP has been engaged in a profound process of self-reflection about ways to become politically significant again in the coming years and beyond. It may be that this ongoing debate on strategic reorientation will provide an opportunity for the party to reposition itself on gender and family policy issues.

There certainly are opportunities to forge alliances. For example, in response to an appeal made by a hospital nurse, social care professionals have been mobilised. In May 2015 they demonstrated against their high workload and low income. Many emigrate or switch professions and a skills shortage is looming. The demonstrators are calling for fair wages and better working conditions, also because through this, recruitment to social professions would be improved.

Furthermore, the initiative »The City is for All« proves to be interesting: it is primarily taking a stand against housing





shortage as well as the criminalisation of homelessness and is committed to the construction of social housing. The movement belongs to Hungary's progressive forces and advocates the inclusion of disadvantaged groups, including women. Left-wing feminist activists are also involved.

For the progressive parties it may be advisable to stand shoulder to shoulder with these movements, learn from them and develop a joint vision of society, in particular for women (and not only those of the middle class).

With regard to gender policy, the demarcation line does not correspond to the common party political dividing lines (conservative, liberal, left-wing), therefore, the question arises whether the progressive parties will be able to embed the gender issue in a broader context, namely the inclusion of disadvantaged and excluded groups, such as the poor and ethnic minorities, for example, the Roma. It is also worth clarifying whether there is a way to agree on minimum standards regarding family policy and gender policy issues – beyond party political cleavages. With the demographic discourse, the initiatives concerning violence against women and the recognition of social professions, there seem to be chances.

## 6. Sweden

### 6.1 Facts and Figures

- The European Institute for Gender Equality's Gender Equality Index for 2012 was 74.2 (out of 100). Compared to the first measurement in 2005 this means an improvement of 1.4 points, though, the score decreased by 0.2 points compared to the last measurement in 2010. Nevertheless, Sweden still heads the index, ranking before Finland, Denmark and the Netherlands.
- The gender pay gap in Sweden, at 15.8 per cent, is close to the EU average of 16.4 per cent. It widened again in 2014 for the first time in years.
- Women's employment rate is 77 per cent compared with 82 per cent for men, putting Sweden well above the Lisbon target of 60 per cent.
- In particular among mothers with children 0–6 years of age the level of employment is very high, at 76.6 per cent.
- 30 per cent of working women and 11 per cent of working men work part-time (the EU averages are 32.5 per cent and 9.4 per cent, respectively).
- Normal working time in Sweden is 40 hours a week. Average normal working time in 2008 was 33.7 hours for women and 37.6 hours for men.
- Women thus do, on average, just under 4 hours less paid work a week than men (Sweden is therefore below the EU average of 6.4 hours. In many other western European countries the gender time gap is much worse.)
- The difference in the time men and women spend in unpaid work is diminishing, mainly because women's unpaid hours are falling. Thus in 2010/2011 women spent on average 26 hours a week in unpaid work, while in 1990/1991 it was around 33 hours a weeks. Men spent 21 hours a week on house work during both periods.
- With regard to equality in working life there are still a number of serious shortcomings in Sweden, as in many other European countries. For example, although the proportion of women in executive positions is increasing and rose from 29 to 36 per cent between 2006 and 2012 – putting it just over the EU28 average of 33 per cent – developments in the private sector lag well behind those in the public sector:
  - While the majority of executive positions in the public administration are held by women (64 per cent), the proportion of women in supervisory boards and executive boards of listed companies is a mere 4 per cent.
  - Overall, the proportion of women in executive positions in the private sector is around 25 per cent.
  - Currently, policy measures are being discussed aimed at increasing the proportion of women in executive positions in the private sector.
- The proportion of women in the Swedish Parliament is traditionally high. After the parliamentary elections in 2010 women held 45 per cent of the seats, which was the first decline since the 1930s (in 2006 the figure was 47 per cent).
- Currently, since the election in 2014, the cabinet of the Social Democrat/Greens minority government has 12 women out of 23 ministers, besides the prime minister.
- The birth rate in Sweden of 1.9 children per woman is relatively high compared with other western European countries (with the exception of France).
- Parental leave:
  - Sweden has a highly developed and flexible parental leave system, which is supposed to encourage and enable both parents to spend time with their children.
  - Parental leave totals 480 days (16 months), for 390 days of which (13 months) benefit of 80 per cent of the previous gross wage is paid – if the recipient previously worked for at least 240 days and up to a maximum annual income of 445,000 SEK (51,864 euros) – or a minimum rate of 225 SEK (just under 25 euros) per day. On top of that, 90 days are paid at a fixed rate of 180 SEK (21 euros).



- Parental leave can be claimed up to the child's eighth birthday or the completion of the first year of schooling. Days can also be taken as 3/4, 1/2, 1/4 and 1/8 days, with total duration being prolonged accordingly.
- In most instances parental leave – in accordance with this right to flexible use – is extended beyond the originally intended 16 months, so that children as a rule go into full-day care at the age of one and a half years.
- Out of the 480 days parental leave at the moment 60 days (two months) are reserved for each parent, while the remaining 360 days can be divided flexibly between father and mother. In 2016 the reserved days will increase to 90 days (three months).
- There is a right to take three consecutive periods of parental leave in a year, although in practice many employers allow further periods.
- Since 2012 up to 30 days can be taken by both parents together, up to the completion of the first year of a child's life (double-days).
- Women take 75 per cent of total parental leave days, men 25 per cent.
- Besides state benefits a majority of employees – in Sweden the level of trade union organisation is still very high, as is collective agreement coverage – receive further benefits during parental leave laid down in collective agreements.
- Speed bonus:
  - If another child is born or adopted within 30 months, benefits during parental leave are assessed in accordance with income before the birth/adoption of the first child. This is particularly important for parents who reduce their working time after the birth of the child.
- Gender equality bonus:
  - The gender equality bonus was introduced to encourage a more equitable distribution of parental leave.
  - Both parents receive tax relief in the amount of 50 SEK (6 euros) per day if they distribute parental leave equally – for nine of the total of 13 months a maximum bonus of 13,500 SEK (around 1,550 euros) is available.
  - It is disputed whether the intended effect – to get men to take more parental leave – could actually be achieved by this means. Due to this, the Gender Equality Bonus will be scrapped in 2017.
- Temporary parental allowance:
  - Up to 10 days can be taken in the run up to a birth and in the case of adoption of children below 10 years of age both parents can claim 5 days temporary parental allowance, which they can distribute as they choose (up to a maximum 60 days after birth or the award of custody). Single adoptive parents can take the entire 10 days.
  - Furthermore, there is an option of paid release from work to look after sick children. Temporary parental allowance can also be claimed in this instance. For example, if children have to be taken to the doctor, but also for child care if one partner has to take another child to the doctor or for cases in which the regular caregiver (partner, relative, child minder) is ill.
  - Release from work is accompanied by the provision of temporary parental allowance (*tillfällig föräldrapenning*) in the amount of 80 per cent of income (up to a maximum annual income of 333,700 SEK [39,277 euros] for up to 120 days a year and child under 12 years of age and with a sick note for children between 12 and 15 years of age).
  - Days of temporary parental allowance can also be taken pro rata.
  - Up to 60 days can be used for staying with small children if the regular carer is sick.
  - Since 2001, days can also be transferred and taken by third persons (for example, grandparents or neighbours).

- Care allowance:
  - Care allowance is paid in Sweden after parental leave has been used up for children under 3 years of age as a tax-free allowance in the amount of 3,000 SEK (around 344 euros) per month, if children continue to be cared for at home and not in publically funded childcare institutions.
  - The recently elected centre-left government has abolished care allowance. From 2016 it will not be possible to apply for the benefit anymore.
- Child benefit:
  - In Sweden a tax-free child benefit (*barnbidrag*) is paid to all parents with children up to 16 years of age. From the second child a supplement is paid which, under certain circumstances, can be paid beyond the sixteenth year up to the child's twentieth year.
  - For children born after 1 March 2014 child benefit is now paid automatically, half and half, to both parents. Thus both parents receive 525 SEK a month.
  - When a child attends secondary school the Swedish National Board for Student Aid pays a training allowance after child benefit has expired.
- Until children reach the age of 8 or have completed their first year of school there is a right to reduce working time by up to 25 per cent without wage compensation.
- In Sweden there is also a right to a place in public, full-day child care institutions, also for the unemployed.
  - In 2002 low fee ceilings were introduced for mainly publicly funded child care, whereby most regional differences were eliminated (3 per cent of household income for the first child, 2 per cent for the second child and 1 per cent for the third child).
- The gender pension gap – that is, the difference between the average gross pension of women and men over 64 years of age – is 33 per cent in Sweden, below the European average (EU27) of 39 per cent.
- Concerning how Swedish society treats its oldest members, the country did very well in the Global Age Watch Index 2014 – which refers to the care situation, financial security, life expectancy and social involvement of older people – taking second place out of 91 countries.
- Care-giving relatives are remunerated to some extent for nursing services they provide by municipalities and in such cases are employed by the municipality.
- Since 2009 same-sex couples have had the right to get married, which also confers on them the right to adopt Swedish and foreign children. The right to adoption was already – since 2002 – among the rights that accompanied partnerships for same-sex couples introduced in 1995. In 2009 this was superseded by the right to get married.

## 6.2 Current Developments and Debates

Internationally, Sweden is a role model with regard to modern and successful family and equal opportunity policies. Many Swedes are proud of this. The far-reaching equality between the genders has – as in other Nordic countries – become part of Sweden's political culture. The ranking of the Global Gender Gap Report 2014, issued by the World Economic Forum, can serve as an indicator of Sweden's progressive equal opportunity policy. Sweden takes fourth place after Iceland, Finland and Norway. The considerable social and political salience of gender issues in Sweden is also highlighted by the fact that in recent years the »Feminist Initiative« has had considerable electoral success in some municipalities and even gained entry to the European Parliament. At the general election in 2014, however, it failed – only just – to reach the 4 per cent threshold.

Equal opportunity policy is often credited with the fact that a large proportion of women (77 per cent) are in employment in Sweden, while, at the same time, the birth rate of 1.9 children per woman is relatively high by European comparison (EU average 1.6). Comparative research on family policy in European countries has confirmed the strong connection between a dual carer model and relatively high birth rates.

Family and equal opportunity policy in Sweden is closely linked to Sweden's Social Democratic Workers' Party (*Sveriges socialdemokratiska arbetareparti*), which – with

brief intervals – has dominated Swedish politics since the 1930s. Although this dominance was broken in 2006 and a centre-right coalition came to power, since 2014 the Social Democratic Party has once again been the strongest party in the Swedish parliament, forming a minority government with the Greens.

Since the early 1970s the establishment of a dual carer model has been pursued step by step, with a range of reforms, with parents being encouraged to share employment and unpaid care work. The basis for this is formed by individual taxation, introduced as early as 1971; the expansion for over 40 years of affordable and high-quality public all-day child care from the end of the first year of a child's life; and the establishment of particular rights and obligations for fathers. Initially, the focus was on enabling women to take up employment, although increasingly the emphasis shifted to encouraging men to take more responsibility for care work. The stress on equal rights and obligations for both parents is also expressed by the consistent application of gender-neutral language in legal texts.

Underlying the bulk of family-policy instruments is the assumption that both partners will be in work. Furthermore, the design of support measures is flexible in order to accommodate individual cases to the largest extent possible. At the same time, family-policy instruments contain strong incentives for the equal distribution of care work, which has been successively expanded since the relevant instruments were introduced.

This is particularly clear with regard to parental leave. For example, straight after the introduction of parental insurance and the related parental allowance – which at that time was paid for the first six months after birth – parental leave was freely distributed between the parents. In the 1980s parental leave was extended – to one year, with a further three months for which a lower flat-rate benefit was available – and in 1995 a month was reserved for each parent. This so-called »mum's« or »dad's« month, which cannot be transferred to the other partner, had a direct effect on the take-up of parental leave by fathers, whose proportion rose by 10 days, on average. Since 2002 parental leave has totalled 16 months and the reserved months increased to two. The introduction of this second reserved month increased the average parental leave taken by fathers by another seven days. By 2012 the proportion of parental leave

used by fathers amounted to one-quarter of the whole (91 days). In 2015 the centre-left government decided to increase the amount of reserved leave even more. From 2016 onwards three months will be reserved for both parents. However, the overall lengths of parental leave stayed the same.

A particular focus of Swedish family policy is the provision of high quality whole-day child care, with the quality of care and the training of pedagogical staff being the focus of policy measures. Fifty-one per cent of children under 3 years of age and 95 per cent of children between 3 and 6 years of age receive formal child care. In recent decades child care provision has become more varied; for example, day nurseries are provided by parental initiatives or other organisations, while the number of private whole-day care centres has also increased. All establishments are state-supported and subject to quality-assurance measures. There are no extra fees even for alternative private provision. People employed in child care are predominantly highly qualified. Around 60 per cent of pre-school teachers have completed three years' higher education. In addition, most child care institutions have long opening hours – from 6.30 to 18.30 – which facilitates reconciliation of full-time activity and family life.

Disincentives for dual earner households have been removed by a series of reforms. The most far-reaching reform was introduced as early as the 1970s, when separate taxation was introduced for spouses. There was a transitional period of 20 years during which the system was converted to individual taxation. As a consequence, in combination with progressive taxation, two low incomes became more economically beneficial for families than a single higher income (usually that of the man).

Another significant reform area in family policy was the strengthening of fathers' rights and obligations with regard to custody. For example, in 1998 the courts were for the first time given the authority to award joint custody, even against the will of one of the parents. Today, the task of getting parents to reach agreement on custody and children's residence voluntarily lies primarily with the social authorities, as a result of which the courts only rarely deal with custody cases. Overall, the Swedish solution has brought about a stronger emphasis on joint responsibility of parents and in the event of divorce joint custody has become the norm. This has also led to a larger

proportion of children spending half their time with their father and half with their mother, which appears to have positive effects on children's emotional health. In 2005 the law was changed once again to make it easier for one parent to obtain sole custody if the other parent fails to fulfil their obligations. However, this change has led to a doubling in the number of judicial disputes.

In Sweden the bulk of tax-funded care provision is furnished by the 289 municipalities, while central government largely restricts itself to laying out the basic guidelines. What is available to those in need of care as either in- or outpatients is very broad, including care provision from private suppliers. Provision ranges from various types of accommodation for those in need to various kinds of domestic utility services, such as »meals on wheels«, help with cleaning and shopping, transport services and the installation of emergency call systems. The emphasis of care policy is on benefits in kind, designed to »help people to help themselves« and to enable them to live self-determined lives for as long as possible. To that end an individualised approach is taken, which provides for numerous levels of provision and enables individual solutions. Overall, Sweden spends a relatively high proportion of GDP, by European comparison, on care provision (around 3.5 per cent compared with the European average of 1.2 per cent).

Although Sweden – after 12 years of uninterrupted Social Democratic government – was ruled by a conservative-liberal coalition between 2006 and 2014, which stood for a more traditional approach to family policy and legislated accordingly, even this government did not call into question the basic pillars of Swedish family policy. The conservatives did, however, seek to put what it saw as »freedom of choice« at the centre of family-policy debates. Some of its reforms were aimed at strengthening the dual carer principle, while others tended towards a stronger traditionalisation of family life and cleared a path for more »market« solutions. The centre-right coalition did not always present a united front on family-policy issues. While the Christian Democrats campaigned for measures – such as care allowance – that tend to promote traditional family forms, the Liberals advocated measures aimed at gender equality. Thus the design of policy measures in many cases turned out to be a compromise between the two positions.

Perhaps the most prominent legacy of the period of conservative government is child allowance, which was introduced in 2008 and is paid to parents with children below 3 years of age who care for them at home and not in state-financed institutions. Although the measure is basically oriented towards women and men, it clearly supports traditional family patterns. The project was extremely controversial from the outset and the decision on whether to introduce it was left to municipalities. In 2011 care allowance was applied for 2.5 per cent of all children between 1 and 3 years of age, corresponding to 4.7 per cent of children in the municipalities in which care allowance was introduced; 92 per cent of applicants were women. By mid-2013 around one-third of Swedish municipalities had introduced care allowance. Recently, the 2014 elected centre-left government decided to abolish care allowance. From 2016 it will not be possible to apply for the benefit anymore.

A number of changes were also made to parental leave and temporary parental allowance. In order to further increase the proportion of fathers taking parental leave, an »equality bonus« was introduced in 2008 (see above). The equality bonus is particularly beneficial for parents on low incomes. With the introduction of the equality bonus the distribution of parental leave between mothers and fathers changed somewhat, however. In any case, only a few of those eligible claimed this benefit, presumably because the application procedure was so complex. Therefore, the centre-left government decided to scrap the Gender Equality Bonus in 2017 as well.

In 2010 a new provision was introduced in the social insurance system designed to help single parents who are unable to take care of their children due to illness. This awards parental allowance, possibly temporarily, to another insured person – in other words, someone legally resident and/or working in Sweden – who gives up paid work to look after a child.

Another family-policy project of the centre-right coalition was the introduction of tax deductibility for the cost of domestic help. Up to a fairly high ceiling 50 per cent of such costs can be set off against tax. This concerns cleaning, but also spending on babysitters. On one hand, this measure is aimed at helping families in which both parents are working full time and career-oriented, while on the other hand, it is supposed to provide an incentive to establish an official labour market for nursing and

care services. The measure encountered various criticisms early on because in particular households on high incomes would benefit, while a labour market would be created largely for low qualified and poorly paid domestic workers. In 2010 around 4 per cent of households claimed tax deductions on such costs. While in the lowest income quartile only 1.6 per cent of households with minor children made use of tax deductibility, ten times as many did so in the highest income quartile. The latter group also accounted for around two-thirds of the amount deducted. The measure was not particularly successful with regard to the second aim – increasing the number of official jobs – either. Ultimately, the reform particularly boosted the career opportunities of higher earners.

During the centre-right coalition's period in office the lower and upper thresholds of parental allowance were also changed. Thus the fixed sum paid regardless of previous earnings was gradually raised from 60 SEK (around 6.5 euros) to 225 SEK (26 euros) a day. This partly made up for long overdue adjustments to wage and price changes, but it also reduced the incentive to work before parental leave.

Many privatisation initiatives were also launched by the centre-right government, which sometimes led to a deterioration of the care situation. This was due in particular to the increased use of poorly qualified staff, on one hand because of the lack of qualified care personnel and on the other hand in an effort to cut costs. Efforts were also made to implement »market« solutions, for example, through the introduction of voucher systems.

Current equal opportunity policy is based on a long tradition of progressive policy approaches. The official aim of equal opportunity policy in Sweden is to put men and women in a position to shape society and their own lives equally. Besides equal access to education and paid employment, as well as combating gender-based violence, the focus of gender policy in Sweden is on the equal distribution of power and influence, together with the equal allocation of care and unpaid housework between men and women. The economic potential of gender equality for generating economic growth is also emphasised because better use is made of people's individual potential, for example, in the workplace.

Equal opportunity policy in Sweden is also firmly anchored at the institutional level. For example, there is a minister for gender equality. Over time this ministry has had a number of different homes, transferring in 2014 from the Ministry of Education to the Ministry of Health and Social Affairs. Currently, in the new centre-left government, the post is held by Social Democrat Åsa Regnér. Besides the institutional anchoring of equality and gender issues in all ministries, the Minister for Gender Equality and her Department of Equality Policy are responsible for the coordination of government policy, special equality initiatives and the development of appropriate implementation methods.

Currently, family policy is not particularly high on the list of political priorities, however. The main focus is unemployment, which is running at 7–8 per cent, and the rising youth unemployment, which is now 20 per cent in Sweden, although the figure is distorted by the structures of the education and training system and the fact that students looking for work are also included. There is also intense discussion of the integration of immigrants, also with regard to their inclusion in the labour market. Sweden has traditionally had a very liberal asylum policy and by EU comparison had by far the highest rate of asylum seekers in 2014: 8.4 asylum seekers for every 1,000 inhabitants compared with Germany's 2.5, for example. However, with the rising number of refugees coming to the EU even the Swedish system comes under increasing pressure. Labour market developments and high immigration have contributed substantially to the rapid rise of the right-wing populist Party of Sweden Democrats (*Sverigedemokraterna*). In future, the centre-left government will be gauged by how it deals with this problem.

Overall, Sweden remains a model country with regard to gender equality. Although the generous, publicly funded social provisions that supported the dual earner model came under pressure during the term of office of the centre-right coalition and the unfavourable development of the Swedish labour market, to date this has not led to the erosion of the widely held ideal of extensive gender equality in Swedish society. It will be interesting to see whether the centre-left minority government will manage to implement its policy ideas against the background of the economic situation and steer policy back towards a more extensive welfare state.

### 6.3 Positions and Discussions in the Centre-Left Spectrum

After the electoral defeats in 2006 and 2010 Sweden's Social Democratic Party underwent a process of personal and policy renewal. This culminated in the slogan »*framtidspartiet*«, »party of the future«, and the assumption of the party leadership by Stefan Löfven in 2012, who was previously leader of the trade union IF Metall. The main emphasis in welfare state policy was the idea of the »Nordic model«, which historically was established and has been developed by Social Democrats, based on universal access to state provision. At the heart of the election campaign in 2014 were issues such as education, health care and employment, in particular such problems as the declining quality of the education and health care systems and the high (youth) unemployment. The Social Democrats managed to emerge from the election by far the largest party in parliament, but it was long uncertain whether it would be able to form a government. Finally, a minority government was formed with the Green Party, which after a tug-of-war – and the threat of a new election – got a draft budget through parliament at the second attempt, which enabled them to govern, albeit at the price of a few compromises.

#### Election Issues 2014

- The centre-right coalition's privatisation policy in the realm of public services came in for particular criticism. Among other things, profit withdrawals by service providers in education and elderly care and in the running of refugee centres were discussed; such providers make high profits on the back of tax payers' money.
- Sweden is performing markedly worse in rankings related to the quality of its education and health care systems, among others the Euro Health Consumer Index (EHCI) and PISA studies.
- In parallel with these developments, as a result of several tax reduction packages, the share of taxes in GDP fell from 48.9 per cent in 2005 to 44.6 per cent in 2012, which has increased the pressure on public services.
- Although the Social Democratic Party did not oppose private solutions (and the resulting profits) in principle during the election campaign, there was a stronger focus

on standards and the prospect of tighter regulation was held out.

- At the heart of the party's political message was access to welfare state provisions, bearing in mind that segregation has increased in both education and health care.
- Another election issue was teacher training and raising the status of the teaching profession. The recruitment of more teachers and an improvement in teachers' pay were among the key projects raised in the election.

#### Political Discussions and Planned Measures of the Newly Elected Centre-Left Government under the Leadership of Stefan Löfven

The following remarks concern measures contained in the first draft budget introduced to parliament by the government. As expected, it was unable to achieve a majority in the vote on 3 December 2014. However, it can be assumed that subsequent budgets will contain similar items.

The government goes so far as to describe itself, within the framework of its presentation of gender policy measures in the draft budget, as a feminist government, which recognises gender equality as a transversal objective and intends to strengthen gender mainstreaming in all policy areas. The key equality policy issues in the budget are as follows: more support for women's shelters provided by civil society organisations and other measures in the campaign against male violence against women; the establishment of greater economic equality between women and men; the organisation of working life in accordance with gender fairness; and the improvement of health care provision for women.

#### *Reduction of Pensioners' Tax Burden*

- In the first draft budget the reduction of pensioners' tax burden was envisaged, with particular attention to women's income.

#### *Increase in Maintenance Payments*

- The increase in maintenance payments of 300 SEK a month per child provided for in the draft budget was



aimed at improving the economic situation of single parents.

#### *Equitable Take-Up and Other Aspects of Parental Leave*

- There have been discussions for some time in the centre-left spectrum on measures that might be able to further increase the proportion of parental leave taken by men. In the draft budget the introduction of an additional »father's/mother's month« was announced for 2016, which means that in future three instead of two months will be reserved for both partners.
- Furthermore, there is also a plan to raise the minimum level of wage replacement payment provided for the period of parental leave.

#### *Other Policy Plans Related to Equality Policy*

- Measures and programmes to prevent the exclusion of women from working life.
- Gathering information concerning illness and working environment, in particular in relation to women's working environments.
- In addition, health care for women is to be improved.
- In total, 208 million SEK was set aside for special projects to improve gender equality.

#### *Other Equality Policy Positions*

##### *Women's Quotas for Executive Positions in the Private Sector*

- In his government statement newly elected prime minister Löfven announced his intention to introduce a women's quota for supervisory boards (on the model of Norway), unless the proportion of women on supervisory boards increases by 2016.

##### *Abolition of Care Allowance*

- After the instalment of the new government a legislative initiative was prepared to abolish care allowance, which indicates that the government parties can count on the

support of the Liberals to overcome the advocates of this measure in parliament (Christian Democrats and the right-wing populist Sweden Democrats).

#### *Other Actors*

##### *Feministiskt initiative – Feminist Party*

- The Feminist Party criticises the fact that women continue to be exposed to multifarious forms of discrimination in society, especially in the labour market: women earn less than men for the same work, shoulder more unpaid care and house work, are at greater risk of having to take on involuntary part-time work and are overrepresented in precarious forms of employment. According to the Feminist Party every second woman in Sweden risks falling into poverty after retirement.
- Its policy plans include the following:
  - elimination of all forms of discrimination in the labour market, for example, by imposing appropriate standards in public procurement
  - ending the withdrawal of private profits within the framework of public services
  - individualisation of parental insurance, accompanied by a parity-based distribution of days between women and men
  - raising minimum pensions and reform of the pension system
  - introduction of a six-hour day to reduce work-related health risks and enable better reconciliation of work and family life
  - enhancement of critical pedagogical approaches in education and increasing awareness of racism, sexism and discrimination against disabled people and LGBTQ people in teaching



## 7. Switzerland

### 7.1 Facts and Figures

- Gender pay gap: 18.4 per cent
- Women's employment rate: 71.1 per cent
- Women's part-time rate: 58 per cent
- Among women with children under 15 years of age, 13 per cent are in full-time employment.
- Men's part-time rate: 14.5 per cent (with a rising trend)
- In the 100 largest companies in Switzerland women make up only 6 per cent of the members of boards of directors.
- State/development of child care: on average, a full-time child care place is available for 11 per cent of children of preschool age and for 8 per cent of children of school age. Provision varies considerably, however.
- Women in employment receive earnings replacement benefit for 14 weeks after giving birth, corresponding to 80 per cent of their wage (maternity allowance). There is no paid leave option for fathers.
- Women in politics: With a 30 per cent share of women in the national parliament Switzerland is above average by international comparison; this share has remained static for years, however.
- A law on »registered partnerships« was adopted by referendum in 2005 and has been in force since 2007. Access to IVF treatment and adoption – also adoption of step-children – by same-sex couples are not permitted.

### 7.2 Current Developments and Debates

In Switzerland, reconciliation of work and family life is traditionally considered a private matter. Generally speaking, a conservative view of the family prevails in Switzerland. Women are regarded as chiefly responsible for child care. Mothers who would like to take on a full workload or work full-time are somewhat frowned upon.

In public debates Switzerland is often characterised as a »developing country« with regard to family policy. In recent years, however, it has come to be generally acknowledged in the political sphere that families need a suitable environment. For the Federal Council (*Bundesrat*), improving the reconciliation of work and family life is a »political priority«. However, to date, child care provision outside the family has been meagre in Switzerland (see above) and there is a substantial divide between urban and rural. Overall, family policy in Switzerland is strongly shaped by federalism. The federal government cedes the bulk of the relevant competences – as in many other areas – to the cantons and the municipalities. Provision therefore varies considerably. That applies in particular to the school system and the arrangements for child care outside the family. Many, though not all cantons and municipalities have made improving the reconciliation of work and family life an explicit goal. Thus there are strong regional differences: in urban areas and in francophone Switzerland the provision is much better than in the rest of the country. Here the majority of people now have access to child care. The costs of child care are socially adjusted. For couples on regular wages the costs are relatively high, which means that in particular for (lower) middle class families it pays only to a limited extent (especially in combination with the provisions allowing couples to split income tax) for both partners to be in work.

The particular manner in which a federal structure is interwoven with direct democracy in Switzerland time and again proves to be an impeding factor for a comprehensive and modern family and gender policy. One result of this special variant of democracy was that women did not obtain the vote until 1971. In national referendums both a popular majority and a majority of the cantons (*Ständemehr*) must be achieved for a motion to pass. Because more conservative rural cantons outnumber the more progressive urban and francophone cantons they can block progress in family and gender policy. This happened in March 2013, for example, when a »federal resolution on family policy« was put to the vote after a parliamentary initiative by the Christian Democratic People's Party (CVP). The initiative provided for changes to an article of the constitution on family policy; the aim was to strengthen family policy competences at the federal level, especially with regard to reconciliation of work and family life. The cantons would be required to »offer needs-based provision of

day-care facilities to supplement family and school care«. If the efforts of the cantons proved to be inadequate the federal government would have been duty-bound to »establish a general framework for promoting the reconciliation of employment and the family«. A majority of Swiss citizens accepted the initiative, but it was unable to obtain the requisite cantonal majority. Foremost among the opponents was the Swiss People's Party (SVP); the FDP was split. The opposition's line of attack was based on arguments about freedom and justice: the state should not be too closely involved in the raising of children (»Staatskinder? Nein!« [State children? No!]) and not discriminate against those who look after their children themselves.

Since 2003 and the adoption of the federal law on »financial assistance for supplementary child care« there have been efforts to boost the creation of additional day-care places for children; the number of care places has almost doubled during this period. After the temporary curtailment of the programme at the beginning of 2013 because of the early exhaustion of the credit, at the end of 2014 a second prolongation was agreed until the end of 2019. The issue of quality of care is increasing in importance; around 44 per cent of those employed as caregivers have no professional training. Just over half of the cantons contribute to the costs of kindergartens and day-care families; however, parents continue to bear the bulk of the costs. Although these costs are tax deductible (with an upper limit) the functioning of the tax system (splitting of income tax), in combination with the relatively high child care costs, makes it unattractive for dual earners to accept a place or increase the number of hours.

Although the SVP has been successful in blocking family and gender policy initiatives it has not managed to push through initiatives of its own. In November 2013 it launched the »family initiative«. Its aim was to introduce tax deductions for parents who care for their children at home – in compensation for the fact that external child care costs are tax deductible. Initial opinion polls indicated a majority of 64 per cent in favour of the »family initiative«. These results mobilised the opponents of the move, however, and triggered a no campaign. This was aimed at the traditional model of the family, which the measure would have cemented (»*Herdprämie*«, allowance for remaining at home), although even more at the projected loss of tax revenues. There was a clear

confrontation across the party spectrum: on one hand, there was the SVP, which defended the »family initiative« with the argument that families are a private affair and child raising is primarily the task of parents. On the other hand, against the »family initiative« were all the other parties, with a range of emphases. Both the SP and the centre-right CVP and FDP oppose the »family initiative« with a demand for better reconciliation of work and family life. The FDP emphasised the economic advantages of stronger labour market participation among women. The CVP describes itself as the »family party«. It emphasises the equality of all models of the family: neither traditional nor modern models should receive particular support from the state; rather families should be ensured maximum freedom to choose. For the SP, women's economic independence and the social and financial security of the family are the most important issues.

One obstacle to equality in Switzerland is the school system. There are lessons in Swiss schools both in the morning and the afternoon. The lunchtime break is around two hours, during which time children are supposed to eat at home; implicit in this assumption is that mothers cook for the family. Such long lunchbreaks are also common in the world of work, although things have begun to change in recent years. For a number of years some schools have offered »supervised lunchbreaks«, often on the basis of private initiatives. Provision varies sharply between cantons and municipalities.

Switzerland is a country of part-time employment and not only with regard to women. While full-time employment is still almost sacrosanct for men in many European countries, the proportion of men working part-time in Switzerland is increasing. That is not the outcome of legislation, government incentives or trade union activities, however. Rather the movement towards men working part-time is coming from civil society. For example, the initiative »TEILZEITMANN« (Part-time man) is committed to the reconciliation of career and part-time working for men, with the slogan »Real men have part-time careers« (literally, »whole men have part-time careers«). The project is backed by the equality authority, which thus makes it clear that it considers equality policy not just to be about women or about improving hourly pay for women and giving them more opportunities for advancement by getting more men to work part-time. Also conducive to the reconciliation of work and family

life in Switzerland is the fact that there is a relatively high degree of flexibility with regard to working hours: for example, flexitime is almost as widespread as in the Nordic countries.

In order to get more women into leading management positions, in November 2013 the Federal Council decided to introduce a »target quota« of 30 per cent women for the supervisory boards of 24 federally owned companies (by 2020). This is not a binding quota, however, merely a voluntary commitment. Only in the canton Basel-City was there a popular vote (in February 2014) clearly in favour of a binding women's quota of 30 per cent for government and government-related companies and organisations (cantonal bank, hospitals). This is the first gender quota of its kind in Switzerland. This women's quota was achieved because a red-green majority was supported by a cross-party alliance. Despite the opposition campaign among young middle class women (»we don't want any women's quotas«) the measure was passed with a 67 per cent majority. The case of Basel-City shows that direct democracy can have favourable outcomes in urban areas. In other large cities and at federal level there have been similar plans, which failed. However, the women's quota in the supervisory boards of public companies and in the public administration remains a »hot topic«. Initially, these demands came exclusively from the left, but in 2012 FDP Women also called for a quota, a clear divergence from party policy.

Since 2005 there has been »maternity allowance« in Switzerland, a kind of parental allowance, although solely for mothers (as the name implies). Working women receive an earnings replacement benefit for 14 weeks after the birth of the child, corresponding to 80 per cent of their income. Before 2005, companies rarely made such payments. No paid leave is provided for fathers; many companies grant fathers one or even a few days' paid or unpaid leave after the birth of a child. There is no paternity leave in Switzerland. In 2011, SP member of the Swiss Council of States Anita Fetz submitted a motion to the Federal Council to look at a model of paternity leave. Various models were examined, but the report issued in 2013 declared that »the Federal Council takes the view that the introduction of paternity leave or parental leave to improve reconciliation of work and family life does not have first priority because, in contrast to child care provisions supplementing family and school care, such leave would concern only a limited time after the birth of

the child«. The calls for a legally enshrined paternity leave are becoming more frequent and vociferous, however. Besides the trade union federations and the SP Federal Council member Simonetta Sommaruga, the CVP is also in favour. It proposes that men should be able to take paternity leave in place of military refresher courses. All previous initiatives failed, however, because they were considered to be too costly. In 2005, »manner.ch«, the umbrella federation for men's and fathers' organisations was founded. Its key issues are the equality of men and women in the areas of work, the family and sexuality. The subproject [teilzeitmann.ch](#) (see above) has garnered much media attention.

Also the subject of constant discussion is the so-called »marriage penalty« with regard to pensions: pensions for married couples together are capped at 150 per cent of the maximum pension for individuals. Cohabiting couples (that is, unmarried but living together), by contrast, each receive a full pension. On the other hand, married couples receive a number of benefits, including the fact that only one person has to pay social security contributions. On top of that, survivor's pensions, spousal splitting of income taxation and care credits for looking after one's marriage partner favour married couples. In particular the CVP advocates the abolition of the »marriage penalty«. The SP points out the accompanying advantages of married status and takes the position that either all forms of relationship have to be put on an equal footing – which would require a massive expansion of the pension system – or the system should be left as it is.

At the end of 2013 for the first time more people were single than married. The Federal Council has acknowledged that this signals a decisive societal transformation and resolved – in response to a corresponding postulate<sup>4</sup> from National Council member Jaqueline Fehr in 2012 – to produce a report by the end of 2014 on how family law could be reformed to take account of this. The Department of Justice, headed by SP Federal Council member Simonetta Sommaruga, to that end commissioned a report in early 2014 from professor of civil law Ingeborg Schwenzer. The report contained a number of unconventional ideas: certain legal institutions should no longer be linked to marriage status, but rather to »life partnerships« that have been

4. A postulate requires the Federal Council to examine whether it is appropriate either to submit a draft federal assembly bill or to take appropriate measures and to present a report on the subject.

in existence for at least three years and in which there is a child. Furthermore, same-sex couples should be allowed to marry, the ban on incest should be abolished, polygamous marriages should be permitted and a child's parents should not have to be of different genders. Before the proposals could give rise to a broader and more serious debate, however, discussions focused on the reaction of the SVP National Council, which had declared, in response to the Schwenzer report, that homosexuals are »misguided«. The concluding report »Modernising Family Law« followed in March 2013. At its centre is the equality of forms of cohabitation with and without marriage, as well as registered partnerships. To that end the Federal Council wants, on one hand, to create a new form of »legally regulated partnership with weaker legal effect than marriage« on the model of the French »Pacte civile de solidarité«, and on the other hand the civil statuses of »single« and »divorced« are to be replaced by »not married«. Parliament was tasked with working out the relevant laws. In comparison with the first report the media had almost nothing to say about this one.

Currently, the main object of discussion is the possibility of adopting step-children (both in the government and in the public debate). At the end of 2013 a corresponding draft was submitted for consultation on revision of the civil code. Besides the SP and the Greens, the BDP (Conservative Democratic Party, a moderate breakaway party from the right-wing populist SVP) and, after prolonged wrangling, the FDP favour the adoption of step-children. The CVP and the SVP strongly reject an adoption law. An important NGO, which advocates equality for families of same-sex couples, is the Swiss Rainbow Families Association. Opening up marriage to same-sex couples is currently rather a marginal issue.

At the latest since early 2014 the issue of equality has been closely linked to the issue of immigration. In February 2014 the Swiss decided by a narrow majority to limit immigration (popular initiative »Against mass immigration«). The decision to impose a quota on immigration from EU countries triggered a debate on the looming skills shortage. One possible solution would be to improve women's integration in the labour market. The confrontation embodied in »the advancement of women instead of immigration« as a kind of equality policy from the right, poses a challenge to progressive gender discourse.

The gender debate was also intertwined with another popular initiative in 2014. The trade union demand for a wage floor of 22 Swiss francs (around 18 euros) per hour embedded in the constitution was strongly rejected in May 2014. One widespread argument against the initiative was that mainly second-earners – that is, women – are affected by low wages and thus such wages mainly amount to additional earnings (»pocket or pin money«). Rejecting this view were primarily the SP Women and the Unia trade union (the largest member of the Swiss Trade Union Confederation). They stressed that a legal minimum wage is an important step for wage equality between women and men.

A gender policy debate that was most intense and polemical in 2014 concerned the project »Lehrplan 21« (»Curriculum 21«). In this project of the Swiss-German Conference of Cantonal Ministers of Education (D-EDK) for the first time a common curriculum was worked out for primary schools in German-speaking cantons, which also includes the topic of »sexual diversity«. Opposition was strong and well organised. As early as 2011 there was a petition »Against the early sexualisation of primary schools«, which was supported by the national councils of the SVP, the FDP, the CVP and the ultra-right Christian EDU (Federal Democratic Union) and gathered a large number of signatures. Another online petition was called »No gender in Curriculum 21«. The petition was initiated jointly by the SVP and Christian groups; it criticises the inclusion of topics such as equality, gender and sexual orientation in Curriculum 21. It is directed against the dissemination of »left-wing ideologies« and demands that »all formulations and competences based on left-wing ideologies, such as »gender-specific discrimination«, »gender-specific forms«, »transformation of gender relations«, »questioning gender stereotypes« and »the term sexual orientation« be removed from Curriculum 21. Instead, they propose the following: »addressing the issues of gender, gender roles and gender relations must be based on the natural differences between men and women that go beyond biological gender characteristics. Reducing these differences to the different socialisation of boys and girls is to be rejected as unscientific«.

Anti-feminist and anti-gender rhetoric currently feature strongly in some parts of the press. Particularly prominent are *Weltwoche* (circulation around 80,000) and the *Basler Zeitung* (BAZ, circulation around 60,000), which is close to the SPV. Key here are ideological suspicion (»gender

ideology») and the reproach of being »unscientific«. Particularly polemical are the criticisms directed towards university institutions or individual academics. The SVP regularly calls for the abolition of municipal and cantonal gender equality offices because it considers them to be superfluous. This demand is now part of its manifesto. On the other hand, the wave of outrage when Swiss TV broadcast a documentary series on Swiss history (»The Swiss«) in autumn 2013 that featured solely male protagonists was astonishing. There is therefore polarisation in both directions.

### 7.3 Positions and Discussions in the Centre-Left Spectrum

The SP has adopted a basic position on »family policy«, but not on equality or gender policy. The SP identifies problems in particular with regard to low-income families (children at risk of poverty, one income in the family is not enough) and the lack of child care places. Among the proposed measures the focus is currently on the introduction of family income support for families at risk of poverty and tax credits for families, emphasising that the purpose of this is not simply to create new privileges for higher earners (fixed credits per child instead of income-dependent tax deductions for families).

The focus of the SP's women's organisation is on »economic equality between the genders«. This concerns not only equal rights but above all social and financial security. SP Women concentrate on the following issues: wage equality, provision for old age, health care, tax policy, the right to care at different stages of life and anti-discrimination. They are against unification of the retirement age (at present, women 64 and men 65). They advocate that, first, wage equality and reconciliation of work and family life must be improved. SP Women favour a revision of the Companies Act in the direction of a fixed 30 per cent quota for supervisory boards. Instead of the term »women's quota« they use the term »gender quota« in order to avoid the reproach of advocating discrimination against men.

Legislative aims of the SP parliamentary party, 2011–2015: In this document gender equality and family policy are addressed in more detail than in the party's basic platform, in which the focus remains on family and social security. In the new paper for the period 2015–2019

for the first time the equal treatment of all parents, regardless of their sexual orientation or gender identity, was taken as basic position on family policy. Besides the aims already mentioned, the Party also demands the following:

#### Family and children:

- Expanded provision of child care places to help families outside school hours, as well as day-care schools offering supervised lunchbreaks.
- Introduction of parental leave of 24 weeks in total, including maternity leave of 14 weeks.
- Introduction of parental leave in accordance with the EU directive (although there is next to no public discussion of this issue).
- Development of new working time models and part-time working for both sexes, even at upper management level.
- Free health insurance for children and young people in education or training up to 25 years of age (Swiss health insurance premiums are levied in accordance with income and extremely high by international comparison).
- Stronger integration efforts in order to boost the starting chances of children from immigrant families.
- Support for state schools as an important focus for integration.

#### Old people

- Boosting old age and survivors' insurance (AHV) in order to ensure the subsistence of people on low and middle incomes.
- Flexible retirement age (62–65) depending on professional career and the arduousness of the work.
- Strategy for solving the problem of the lack of care personnel.

### Anti-discrimination

- The SP parliamentary party wants to make an active effort against discrimination on the grounds of gender and sexual orientation (Gender: reduction of the gender pay gap, 30 per cent quotas for political posts and administrative boards of semi-public enterprises, combating domestic violence. Sexual orientation: action against discrimination in the workplace and those seeking accommodation, facilitated naturalisation of partners in registered partnerships.). In the paper for 2015–2019 it is proposed that homo- and transphobia be brought under the criminal provision for racism. In addition, for the first time opening up marriage to same-sex couples is demanded explicitly.
- Introduction of a general ban on discrimination within the meaning of the international women's rights agreement (Convention on the Elimination of All Forms of Discrimination against Women), which also includes sexual orientation.
- Awareness of CEDAW should be improved and its implementation supported.
- Combating sexism and gender stereotypes is mentioned for the first time in the paper for 2015–2019.
- The same goes for the upgrading of care work.

Summary: The focus of the SP's gender, equality and family policies in Switzerland is clearly the family and its social and financial security. The party's demands in these areas at present are formulated with regard to the question of how the situation of women (with children) can be improved. But a change is emerging here: within the party there is criticism of this one-sided approach. The younger generation in particular is demanding that the needs of men (with children) should also be considered. The reconciliation debate has also focused strongly on families with children, while dependents needing care are barely discussed (although in Switzerland care has traditionally been provided, unpaid, largely by women). The first steps in the direction of diversification of equality policy issues are evident in the new paper on the SP parliamentary party's legislative aims for 2015–2019.

One major challenge facing the SP is the considerable regional differences in Switzerland in relation to both infrastructure and patterns of representation. The SP has a majority in almost every city (with the Greens), but in rural areas it is in a minority almost everywhere.



## 8. United Kingdom

### 8.1 Facts and Figures

- The gender pay gap, at 19.1 per cent, is just over the EU average (16.4 per cent). If one looks at only full-time employees it stands at 9.4 per cent (figures for November 2014).
- 71.3 per cent of women between 16 and 59 years of age are economically active (as against 78.3 per cent of men – figures for February to April 2015), although a lot more women than men work part-time (figures for 2013: 42 per cent of women and 12 per cent of men between 16 and 64 years of age).
- The statutory maximum working time in the United Kingdom is 48 hours a week. This regulation is part of the working time legislation adopted by the then ruling Labour Party in 1998.
- A report commissioned by the government – Lord Davies, Minister of State for Trade, Investment and Small Business – in 2011 proposed that the 100 biggest companies in the United Kingdom should establish a voluntary quota of 25 per cent women among senior management by 2015. 33 of these companies have indeed set a quota. The effect has been ambivalent: while the share of non-executive managers increased from 15.6 per cent in 2010 to 28.5 per cent in March 2015, the share of executive managers rose only from 5.5 per cent to 8.6 per cent. Overall, at 23.5 per cent the rate just falls short of the proposed 25 per cent.
- Women are substantially underrepresented in the current government and in Parliament. At the 2015 parliamentary elections 191 women MPs were elected, a share of 29 per cent, which is higher than ever before. (In the previous parliament the figure was 23 per cent.) In the Labour shadow cabinet, by contrast, half the members are women.)
- Maternity leave is 52 weeks, although the right to return to the same job applies only for 26 weeks. Paternity leave is 14 days. Wage replacement for the first six weeks is 90 per cent, falling to 135.45 pounds a week (138.18 as of 2 February 2015) until the 39th week, or continuing at 90 per cent of average weekly earnings, whichever is the lower. The remaining 12 weeks are unpaid. Payments are borne by the employer, who can reclaim 92 per cent from the state. Maternity and paternity leave can be claimed only by people in work.
- Paternity leave was introduced in 2003 by the previous Labour government. In addition, during this period both the duration and the financial benefits for maternity leave were doubled. In the 2015 election campaign the Labour Party announced that, if elected, it wanted to double paternity leave to four weeks.
- Since 2011 there has been an option for mothers to assign up to 26 weeks of their maternity leave to the father, although only if the child is at least 20 weeks old (*Additional Paternity Leave*).
- For children born or adopted after 5 April 2015 there is a possibility for the parents to divide the remaining optional weeks and income replacement payments if the mother ends her maternity leave early (*Shared Parental Leave and Pay*). However, this must happen within the child's first year.
- All employees (originally only parents and carers) have the right, after a minimum of 26 weeks in a post, to request flexible working time (flexitime, part-time, telework, job-sharing). Employers are obliged to examine such requests, although they are not obliged to grant them. In practice, however, child care or care of dependents continues to be considered a »good reason«.
- For every child above 3 years of age parents can claim 15 hours of state-funded child care per week. Parental leave lasts a maximum of 1 year from the birth of the child. This means that there is a gap with regard to 2 year-olds. The Conservative Party's election manifesto for the 2015 parliamentary elections promised to increase free care for 3- and 4-year-olds to 30 hours a week, but this has not yet been implemented.
- For children under 3 years of age child care provision is poor: only 35 per cent of under threes receive child care outside the family. There is little public debate on this problem, however.
- Schools in the United Kingdom are, in principle, free to decide how long they offer care outside school hours. No political party has come up with reform ideas on this.

- Hospitals are state funded, but care services have to be financed privately by patients.
- Income replacement payments for family members who care for dependents are available only for low earners (maximum of around 61.35 pounds a week). People on low incomes of up to 102 pounds a week who care for other people (not only family dependents) for at least 35 hours a week can apply for a »Carer's Allowance« of 62.10 pounds a week. They can also apply for a »Carer's Credit« that replaces missed pension contributions. This applies to people providing at least 20 hours of care per week
- Under the current government a ceiling for private costs of care was introduced: the state subsidises costs of care above 72,000 pounds (as of February 2015).
- 44 per cent of older people in need of care are in professional care.
- Women's pensions are, on average, one-third lower than those of men. The risk of poverty of women and men over 65 years of age is 21.4 per cent, above the EU average of 15.9 per cent (figures for 2010). Women are harder hit by this than men.
- In England and Wales same-sex marriage was adopted in mid-2013, in Scotland in early 2014. Northern Ireland explicitly opposes same-sex marriage. Before that there was the option of civil partnerships, which were broadly equal to marriage, including adoption rights (with the exception of Northern Ireland up to 2013). Neighbouring Ireland voted for same-sex marriage in a referendum in May 2015.

## 8.2 Current Developments and Debates

Within the United Kingdom there are sometimes major differences between England, Scotland, Wales, and in particular Northern Ireland. One example is abortion legislation. In contrast to the other countries of the United Kingdom abortion is illegal in Northern Ireland. The sole exception is if the pregnancy endangers the life of the mother; rape and foetal deformations are not grounds for abortion. According to a law of 1861 women who have an illegal abortion are to be punished with life imprisonment.

The Labour Party was in power in the United Kingdom from 1997 to 2010. During this period there was substantial progress in family policy – especially the introduction of so-called »Sure Start Centres« (see below) – which the subsequent conservative-liberal government put into reverse, generally speaking. It remains to be seen that the Conservatives' election victory in 2015 will mean for family and gender policy. There was little in the Conservative election manifesto about family policy (see the promised expansion of care above) and nothing explicit about gender policy. The coming referendum on whether to remain in the EU could have far-reaching consequences in this regard. EU exit would probably mean that the United Kingdom would fall behind with regard to family and gender policy, because in this country the EU has hitherto been the main driving force in this respect.

Even 15 to 20 years ago the family and the division of labour between women and men was still considered a private matter, which had no place in public debate. That has changed considerably in the meantime. Family policy has become a public issue and a frequent topic of public debate. Child care dominates the debate; that also applies to the family and gender equality policy disagreements between the parties. However, whether child care is a national task is no longer an issue, but rather how it is to be organised.

In 1998 the Labour government, under the aegis of Gordon Brown, launched the »Sure Start« programme. It was a major social and equal opportunity policy achievement. Within the framework of this programme – with the help of considerable state investment – a large number of local initiatives were launched to expand early child care, with the primary focus on disadvantaged groups. By 2001 there were already around 250 local »Sure Start« projects. From 2005 the very heterogeneous local projects were integrated in »Sure Start Children's Centres«. In these integrated centres, found in particular in socially deprived areas, a mixture of child care, early childhood education, health care services and family support are provided. In 2010 there were already over 3,000 such centres, which meant that high quality provision was available in almost every part of the United Kingdom.

In recent years, however, under the Conservative government, the funding of »Sure Start« Centres has

been cut by 20 per cent. Many Centres have already had to close or to reduce their services and others will have to follow suit. Because not all municipalities are in a position to make up for the diminished state support, it is likely that Centres will close primarily in poorer areas – in other words, precisely where they are most needed – and where families cannot make up for the lost state provision with private child care. At present there is a heated debate on the future of the »Sure Start« Centres in the United Kingdom.

An OECD comparison (2012) shows that the United Kingdom now has the second highest child care costs, at 27 per cent of family income, after Switzerland (way ahead on 51 per cent). The OECD average is 11.8 per cent. The Family and Childcare Trust has calculated that the costs of part-time care for small children (up to 2 years of age) rose by one-third under the Conservative-Liberal Coalition, while at the same time only 43 per cent of UK municipalities fulfil their obligation to provide care for the children of working parents (figure for 2014: 54 per cent). For many families it is more economical for one parent – usually the mother – to stay at home and look after the children.

At the same time, with the collapse in industrial jobs and later due to the economic crisis the number of women who are the main or sole breadwinner in their family has risen sharply. In combination with the high child care costs that often means that these families live in very difficult financial circumstances. One million women in the United Kingdom are now the sole or main breadwinner in their family. No policy solutions have so far been forthcoming to address this structural change.

Particularly hard hit in this respect is the so-called »sandwich generation«, namely, the women who have to care for both their children *and* ailing parents, while also perhaps having to provide the family income. There is very little support for such women. People in need of care with few financial resources are in an extremely vulnerable position in the United Kingdom. Because care services have to be funded privately by patients people in need of care with limited funds are often not discharged from (state-funded) hospitals. A fundamental reform of health care and social provision (see below) is thus under discussion. Little discussed, if at all, is the issue of reconciling care and job, not even by the Labour Party.

Particularly problematic with regard to equal opportunity policy in the United Kingdom is the combination of high weekly working hours and the few hours a week for which (free) child care is available. However, the issue of »flexible working time« – as an entitlement of employees – or the reduction of working time is not really a topic of public discussion or at most by left-wing think tanks. Instead, the working time debate is focused on zero-hours contracts (work contracts that do not stipulate working hours). The employer pays only if the employee actually works; on the other hand, the employee must be available at all times in case they are needed for work. The reconciliation of family and job are particularly difficult in this instance. In the last quarter of 2014 just under 700,000 workers were employed on such zero-hours contracts as their main source of employment.

So-called »austerity policy« affects women in the United Kingdom disproportionately. The conservative-liberal government, besides cutting spending on the »Sure Start« programme, has also cut income replacement payments in maternity leave. Rises in maternity leave are limited to 1 per cent a year, which is not enough to cover cost-of-living rises. The funding of many NGOs, especially those involved in projects tackling violence against women, has also been cut back sharply during the crisis.

In the past, efforts were made to take a broader approach to equal opportunities and to standardise anti-discrimination laws. In 2010, in the Equality Act 2010, the »Gender Equality Duty« (GED) was replaced with the »Public Sector Equality Duty«, which covers various forms of discrimination. (The GED obliged all public institutions to actively promote equal opportunities for women and men and to adopt measures against sexual discrimination and harassment.) The new law has been criticised because it has no explicit gender component and takes no account of forms of multiple discrimination. The Equality Act does not apply to Northern Ireland.

Similarly, the Women's National Commission was replaced in October 2007 by the Government Equalities Office (GEO). This works with all ministries, although it is presided over by the Minister for Women and Equalities, since April 2014 Nicky Morgan of the Conservative Party (In 2013 Morgan voted against same-sex marriage, but later acknowledged that she would vote differently today

because at the time she had wrongly assumed that her constituents were opposed to the Act.). The focus of the Equalities Office over the past year were the gender pay gap and women in executive positions (priorities), homophobia in schools and »positive body image«.

In September 2011 the government launched the »Think, Act, Report« initiative, a cooperation project with industry to draw attention to fairer pay for women. At present, around 1 million employees are registered in the »Think, Act, Report« initiative. However, participation in the initiative does not require actual disclosure of wages, but merely basic data on the number of employees and whether a company has, in general, addressed the issue of fair pay. »Think, Act, Report« is one of the main projects of the national Equalities Office.

The poor representation of women in Parliament is often criticised and in different quarters. In particular in summer 2014, when an international ranking of the representation of women in parliament was published, which showed that the United Kingdom had fallen from twentieth place in 1997 to sixty-fifth in 2014, the option of all-women shortlists (AWS) was discussed with renewed vigour. The Labour Party had already introduced the possibility of establishing all-women's lists for parliamentary elections some time previously. Deputy party leader Harriet Harman justified this step as being the only one that would work: even in the case of 50/50 candidate lists the men were always selected. In summer 2014 Prime Minister David Cameron and some other Conservatives also acknowledged that they wanted to consider the possibility of all-women's lists. The idea was to make the party look more modern and to give it more resonance among women voters. Former Conservative Minister for Women Maria Miller also advocates women's lists, although only if the proportion of women does not improve of its own accord soon. The official position of the Conservative Party is that there are no plans for all-women's lists. Critical voices regard the Tories' hints as a last-minute effort to get more votes. However, a majority of Conservative voters – including women – are against AWS.

The Conservatives have threatened that they will quit the European Convention on Human Rights unless British courts obtain more competences. Presumably that will also have consequences for the Convention on the Elimination of All Forms of Discrimination against

Women (CEDAW). The United Kingdom has already been reprimanded by the CEDAW Committee because of the austerity measures that have affected many women and the abolition of the Gender Equality Duty. At the time of the last CEDAW Report in 2010 the Government Equality Office (GEO) refused to cooperate with women's NGOs.

### 8.3 Positions and Discussions in the Centre-Left Spectrum

#### Election Manifesto 2015

##### *General*

- In its manifesto Labour concentrated on improving the party's economic policy appeal, focusing on reducing the budget deficit. Other key issues were the NHS and the conditions on the labour market. The idea was to appeal to so-called »working families«.
- It was announced in the manifesto that large companies would be obliged to publish figures on their gender pay gap. New Labour Party leader Jeremy Corbyn also addressed this issue in the paper *Working with Women* in July 2015. Although the United Kingdom passed an Equal Pay Act as early as 1970 wage equality between men and women has still not been attained.
- The shadow minister for women and equality has been Gloria de Piero since 2013.

##### *Child care*

- Working parents of 3- and 4 year-old children (compulsory schooling begins at 5 years of age) are to be entitled to 25 hours a week (instead of the current 15 hours) of free child care. To meet the additional care costs Labour proposes to impose a bank levy (a tax on the high-risk loans of British banks). In addition Labour wants to expand the »Sure Start« programme once again.
- »Sure Start« is to be fundamentally revised so that the different local arrangements can function together better.
- Labour is also discussing the quality of child care. Parents are to be consulted on how child care arrangements are working.

- Furthermore, child care before and after school (8 am–6 pm) is to be introduced for primary-school children.
- The Labour Party recognises that many fathers would like to spend more time with their children and proposes to double paternity leave from two to four weeks, as well as to raise paternity benefit to 260 pounds.

#### *Living Wage*

- Labour advocates a »living wage«, that is, a wage higher than the current minimum wage (since 1998) and that covers all living costs. This demand is made in particular within the framework of family-policy positions.
- The Labour Party also proposed to increase the national minimum wage from the present £6.50 (since October 2014) to over £8 by 2019.
- Labour wants to abolish the much-criticised zero-hours contracts (see above), under which men and women are employed without a fixed number of hours and at best find out only at short notice whether they will be required to work or not.

#### *Improving the Quality of Teacher Training*

- Labour criticises the current extremely variable quality of teacher training and schools. In particular, in poorer areas there is a distinct lack of good schools at present.
- Labour wants to improve teachers' qualifications and to provide all schools with the same good general conditions and freedom to be able to improve. Furthermore, control of schools is to be decentralised and regional supervisory bodies introduced. Parents are also to be enabled to get involved via these supervisory bodies.
- Non-academic training is to be improved through the introduction of a »technical baccalaureate«.

#### *Reform of the Health Care System*

- The National Health Service was one of the main campaign issues of both parties. The Conservatives promised investment in the amount of 8 billion pounds a year during the next government. Labour announced that it would invest 2.5 billion pounds more than the

Conservatives in order to pay for 8,000 new general practitioners, 20,000 nurses and 3,000 midwives. There would also be a guarantee that all patients would be able to see a GP within 48 hours.

- Labour aims to reform the health care system in such a way as to integrate services for physical health, mental health and social services. Privatisation of the health care system is to be stopped in its tracks.

As a result, Labour justifies its plans to invest money in more free child care primarily in terms of the economic argument of increasing women's employment. To this end Labour has emphasised the long-term costs incurred by closing the Sure Start Centres. This has been backed up by, among others, the Fabian Society and the largest left-wing think tank in the United Kingdom, the Institute for Public Policy Research (IPPR), both of which stress that high child care costs are economically counter-productive because they keep well qualified women out of the labour market. Furthermore, the higher spending on 25 hours of free child care a week would be compensated by higher tax revenues (the IPPR has made the relevant calculations). Another left-wing argument for more free child care is the improvement of equal opportunities for children through school enrolment. It is important to note, however, that, as a Fabian Society survey confirmed, there is a consensus across the political spectrum on the view that tax increases should rather be spent on funding care for older people than for children.

After the election defeat the Labour Party finds itself in contest to determine its future direction. The lack of »economic competence« which a considerable portion of the electorate has been persuaded to believe in has led a number of leading figures to talk in a business-friendly way; others argue that the party should focus once more on its social democratic values and social policy strengths. Jeremy Corbyn, elected party leader in September 2015, published a paper *Working with Women* a few months before his election, which contained an array of equality policy goals. Among other things he expressed a desire for free child care, an expansion of resources for care, in particular at local level, and to introduce a women's quota for Labour MPs of 50 per cent.

### *Labour Women*

- Labour Women's positions on family- and gender policy are scarcely more copious or detailed than those of the main party.
- Women in politics: Labour Women emphasises that the Labour Party has the best representation of women, although they advocate an even higher proportion. In fact, with 42.7 per cent of its MPs women, the Labour Party has the best gender balance.
- In early 2014 deputy party chair Harriet Harman launched a new website for Labour Women, »Amplify. The Voice of Labour Women«. The goals of the project include raising awareness of the damage inflicted on women by David Cameron's government, defending what the previous Labour government did for women and offering a forum for the exchange of campaign ideas for the 2015 general election.
- It is an overarching aim of the Labour Party to make it easier for mothers to return to employment (see above). Labour Women would like to ensure, however, that women are not forced to return to work prematurely and point out that to that end the duration of maternity leave was doubled under the previous Labour government.

### *Other Actors*

- In the United Kingdom there is a very active and well networked NGO scene dealing with gender, equal opportunities and family policy. At the level of individual countries the various groups are organised in the umbrella bodies »Engender« in Scotland, the National Alliance of Women's Organisations (NAWO) in England, the Northern Ireland Women's European Platform (NIWEP) and the Women's Equality Network Wales (WENWales). At national level representatives of these four umbrella organisations make up the UK Joint Committee on Women (UKJCW).
- *Commission on Older Women:* A »Commission on Older Women« has been established via the website [yourbritain.org.uk](http://yourbritain.org.uk), which addresses the concerns of older women in relation to work, the media and care responsibilities. The initial motivation was the observation that older women are often neglected in society. Furthermore, 50 and 60 year-old women – the first to

have both families and careers – still suffer considerable disadvantages.



## 9. USA

### 9.1 Facts and Figures

- The gender pay gap stands at 23 per cent.
- Women make up almost half of the workforce, at just under 47 per cent.
- Of mothers with children under 1 year of age 55.8 per cent are in employment.
- Part-time employment among women is very low: only 17.5 per cent of women work part-time, compared with 10 per cent of men.
- The proportion of women on the boards of the top 500 companies (by turnover) in the United States is just under 14.6 per cent.
- There is neither parental allowance nor parental leave. Employers with 50 employees or more are obliged under federal law (*Family and Medical Leave Act of 1993*) to grant 12 weeks of unpaid parental leave (for men as well as women), care leave and unpaid sick days.
- Child care options are inadequate and often very expensive. A study by the Children's Defense Fund found that child care costs parents more than a college education. However, 43 per cent of under-threes and 66 per cent of 3–5 year-olds receive external care.

### 9.2 Current Developments and Debates

In contrast to Europe the yardstick for gender and equality policy in the United States is not family policy or the reconciliation of family and work (at the federal level there is no department of state for women or the family), but primarily discrimination and abortion legislation.

While in Europe equal opportunities are implemented primarily by means of political measures, in the United States private actors are predominant. Feminism and feminist organisations have much more influence in US society than in, for example, Germany. Women's rights organisations – such as the National Organization for Women (NOW), NARAL Pro Choice or Emily's List – are extremely influential and can rely on a broad and membership base which can easily be mobilised.

Women's policy issues are often extremely divisive in the United States. Women's rights organisations are confronted by an increasingly reactionary («conservative»), often Christian-influenced lobby that wants to ban abortion, rejects sex education and demands that women in particular get married as virgins.

Few issues are as controversial in the United States as reproductive rights, which are under siege at the moment. Abortion is a bitterly contentious and restricted fundamental right. Progressive opinion in particular views abortion policy as an integral part of women's and equal opportunity policy. In 1973 the Supreme Court, in the famous *Roe vs Wade* case, de facto declared all state abortion legislation to be unconstitutional by declaring the right to privacy extended to a woman's right to have an abortion. While those on the left welcomed the decision, there was an outcry among large sections of the population. This is due both to the fact that the judges were well ahead of public opinion in their construction of abortion as a basic right and also that their ruling even permitted late abortions. In the ensuing years the basic right to an abortion, despite vigorous protests from the pro choice movement, became subject to considerable restrictions under national and state legislation and subsequent Supreme Court decisions. In particular since «conservatives» came to power in several states in 2010 the law has been tightened up: from 2011 to 2013 more restrictive laws on abortion were passed than during the previous decade. In some states – mainly in the south and mid-west – abortion clinics were legally prohibited and closed under pressure from «conservative» politicians. This led to a situation in which women in some areas had to travel up to 400 km in order to terminate a pregnancy, despite the fact that women are still perfectly entitled to a termination in the United States.

The so-called «pro life» movement is extremely accomplished in mobilisation and its supporters are very active in election campaigns. To them, the end justifies any means. President Obama puts himself in the pro choice camp and spoke out against the so-called Hyde amendment and the so-called «global gag rule» as a presidential candidate. The Hyde amendment is a law passed in 1976 that prohibits the use of tax revenues for abortions other than in cases of rape or incest or if the life of the mother is at risk. The «global gag rule» says that development aid cannot be granted to institutions that even mention the option of terminating a pregnancy at a

counselling session. The »global gag rule« was reinstated during the presidency of George W. Bush (having been signed by Ronald Reagan as early as 1984 and overturned by Bill Clinton in 1993). President Obama's order to overturn the ban was one of the first actions of his presidency. Amending or even abolishing the Hyde amendment, which is almost 40 years-old, is a much more difficult prospect for President Obama and at present it is not a priority. On the contrary, before the legislative work on health care reform commenced, President Obama, to the extreme annoyance of his progressive base, announced that health care reform would not lead to any change in current abortion law. The point was that the already precarious health care reform was not to be jeopardised even further by introducing the issue of abortion. At the urging of conservative Democrats, however, abortion legislation was eventually amended in the course of health care reform. Although President Obama is against the Hyde amendment he declared himself willing to reaffirm it to placate the conservative wing of his party. Thus the health care reform contains the so-called »Nelson amendment«, which stipulates that health insurers that receive public funds may not include abortions in their insurance policies, but have to provide separate insurance policies for abortions, which are not paid for with tax money. The expense associated with a separate insurance policy make it unlikely that health insurers will bear the costs of abortions at all.

Extremely disturbing in this situation is the growing influence of radical Christians, who among other things are also opposed to contraception. The so-called »Hobby Lobby« case has become particularly well known. This concerns a company whose owners are ultra conservative Christians. They claim that their religious beliefs prohibit them from allowing their employees access to means of contraception. This ended up before the Supreme Court, which found in favour of the company owners.

The proportion of women on the boards of the top 500 US companies (by turnover) is only around 14.6 per cent. However, that is six times higher than in Germany (2.4 per cent). The difference is due to two reasons in particular: anti-discrimination legislation and the notion of diversity management. The diversity approach is based on the premise that companies benefit from a heterogeneous workforce. This is why companies value and take an interest in gender, ethnicity, religion and other characteristics.

The most far-reaching national regulations influencing women's equality in the United States are the anti-discrimination laws. Some of these laws have existed in the United States – in contrast to Germany – for almost 50 years and prohibit, among other things, discrimination on the ground of gender. Particularly important in relation to gender discrimination are Title VII of the Civil Rights Act of 1964 and the Equal Pay Act of 1963. The first forbids discrimination in recruitment, dismissal, promotion and demotion procedures, as well as practices that appear neutral, but which have a disproportionate affect on groups protected by the law. In the case of deliberate violation of anti-discrimination laws companies in the United States face fines running into millions of dollars (punitive damages). For this reason and because of the potential harm to the firm's reputation anti-discrimination legislation in the United States is taken very seriously.

The Equal Pay Act provides that there must be equal pay for equal work, with the focus on the tasks that actually have to be completed during the working day and the qualifications needed for that purpose. In the case of a successful law suit employees can receive damages, although the burden of proof in litigation lies with the employee.

Despite the Equal Pay Act, the anti-discrimination legislation and the importance of diversity, women in full-time employment in the United States receive, on average, only 77 per cent of the average pay of men. That is due, on one hand, to the fact that sectors in which a disproportionate number of employees are women are characterised by worse pay than male-dominated sectors. Another substantial reason for the »pay gap« is the treatment of mothers in full-time employment. While childless women earn 94 per cent of what childless men earn, mothers earn only 60 per cent of what fathers earn. Furthermore, non-white women are even harder hit by the gender pay gap: an Afro-American woman earns around 65 per cent of what a man earns.

In the 2008 election campaign Barack Obama promised that the anti-discrimination legislation that had been blocked under President Bush – the so-called Lilly Ledbetter Fair Pay Act – would come into force. The Fair Pay Act was also the first law signed by President Obama. It makes possible legal action for wage discrimination against the employer even if the discrimination has already been going on for longer than three months. Before the

law came into force there was a three-month period for bringing an action; the point is that employees often only discover that they are suffering wage discrimination after the deadline has expired. Overall, only 15 per cent of all discrimination suits brought before the courts are won by the plaintiff. (The average for successful civil suits is 51 per cent.) Judges demonstrably allow discrimination cases less often than other civil law cases or, when it comes to negotiations, allow them less time in court. The Fair Pay Act was celebrated by Obama's supporters as an important victory.

Women's rights organisations have also long been campaigning for the establishment of a so-called Pay Check Fairness Act. This would oblige employers to publish employees' pay levels, which would make it much easier for women to defend themselves against unequal pay (or at least to find out about it in the first place). President Obama has already signed such an order for state-owned companies; they now have to provide information on their pay practices by race and gender. This does not apply to private companies, however; a law to that effect was rejected by Congress in September 2014.

Other important family policy issues, in particular discrimination against mothers in the labour market, have not made it onto President Obama's agenda, however. They include the precarious situation of women during maternity. The United States is today the only industrialised country without any guaranteed paid maternity leave. Although employers are obliged by federal law (Family and Medical Leave Act of 1993) to grant 12 weeks' unpaid parental leave (for men as well as women), care leave and unpaid sick days, that applies only to companies with 50 employees or more. Only rarely have states introduced more generous regulations with longer leave duration and sometimes income replacement payments (for example, California, also for family members in need of care).

In the United States 13 per cent of all men and 16 per cent of all women are affected by poverty. The latter figure includes a disproportionate number of single mothers, women with an immigrant background and African Americans. Because of the economic and financial crisis the percentage of poor people in the United States has grown even further. Millions of economically active people have become unemployed since the outbreak of the financial and economic crisis in autumn 2008.

The general tenor of media reporting presents the crisis as a »masculine problem«. At first glance, this makes sense: 80 per cent of those who lost their jobs during the crisis were men. This is explained, on one hand, by the fact that in the first place it was full-time jobs occupied mainly by men that were cut and on the other hand that »male sectors«, such as industry and construction, are more susceptible to economic upheaval than the »female sectors«, such as health care and education. During the financial and economic crisis for a time there were fractionally more women in employment than men.

President Obama's efforts to combat the financial and economic crisis within the framework of the US economic stimulus package have predominantly been devoted to investment in »male sectors«. However, regardless of the crisis and the stimulus package, and due rather to demographic change, the number of jobs in the care sector has grown sharply, leading to a slight recovery of the labour market. The economic crisis in the United States has also had an unexpected effect on highly qualified women. It is primarily the jobs of low qualified workers that have been cut due to the crisis. Well qualified women, however, long active as housewives, have increasingly returned to the labour market, for a whole range of reasons: loss of their partner's job, loss of assets due to the financial crisis or worries about economic decline.

Women make up only 18.5 per cent of the representatives in the two houses of the US Congress. After the mid-term elections in November 2014 this number increased marginally. This leaves the United States lagging behind even Afghanistan and Pakistan in this respect. The cause is the US electoral system. While in Germany many seats in the Bundestag are allocated via lists, in the United States voters decide in primaries whom will stand as candidates in the election – all representatives are direct candidates. For that reason the political parties have only limited influence on who will stand for them and have no opportunity to make a commitment to a certain number of seats for women or to impose quotas in candidate selection. A candidate's prospects of winning a primary and getting elected depend largely on their financial backing. For that reason the organisation Emily's List was founded in 1985 to support, at local, regional and national level, the election campaigns of female candidates for the Democratic Party who advocate reproductive rights. Since 1985 Emily's List has raised over 80 million dollars

for election campaigns and thus has participated in the election of many female politicians, for example, former Secretary of State Hillary Clinton, Democrat minority leader Nancy Pelosi and former Secretary of Health, Kathleen Sebelius. The Republicans recently established a similar organisation, named GOPink, in order to provide backing for Republican women in election campaigns. Sexism remains a serious problem in US election campaigns, against which equal opportunity mechanisms have little purchase. Media interest in politicians is great, although it can easily turn into a »witch hunt«. Media campaigns against female politicians such as Hillary Clinton, Nancy Pelosi or even Sarah Palin scarcely have an equivalent among male politicians.

Even before Barack Obama came to office in January 2009 women's organisations – among others, Emily's List – were criticising the future president. Women made up much less than 50 per cent of the cabinet he was proposing. Even the final cabinet contained less than one-third women. On the other hand, besides the Department of the Interior and the Department of Health, what previously had been male domains – such as the Department of Trade – were now occupied by women. Furthermore, with his two nominations for the Supreme Court President Obama sent an important signal concerning equal opportunities for women. First, he nominated Sonia Sotomayor, who became only the third woman and the first Latina to be appointed Associate Justice of the Supreme Court. His second nomination was Elena Kagan, whose appointment meant, among other things, that for the first time ever the Supreme Court had three women on its benches, comprising one-third of its members.

Women were decisive in Barack Obama's election victory in 2008: 54 per cent of women voters voted Democrat. Barack Obama addressed women voters directly in his election campaign by putting issues such as anti-discrimination, but also abortion policy on his agenda. After four years in office President Obama again targeted women's votes. His achievements with regard to policy on women are somewhat mixed, however, as the results of the mid-term elections showed: women voters once again voted Democrat and Republican in equal proportions. Nevertheless, in 2012 women's votes again proved decisive: 55 per cent of women voted for Obama, as against 44 per cent for Mitt Romney, while 52 per cent of men voted for Romney. Only in 1996 had

the voting gender gap been wider. The troops were at the ready: »A Romney presidency would send women back to the 1950s«, wrote Jessica Valenti in a scathing commentary in *The Guardian* written shortly before the election. US author and founder of the feminist blog Feministing-org, Valenti was only one of many feminists, women journalists and women artists who backed Obama's re-election.

Broadly speaking, women as an electoral constituency incline more to the Democratic Party, especially single women; married women rather vote Republican. This is generally explained by the belief that women voters apportion higher priority to »social« issues, such as education and health care, which Democrats tend to favour, than men do. At the mid-term elections, by contrast, the key issues were tackling unemployment and public debt. The Democrats, whom the bulk of the population have been persuaded to believe are incapable of getting the US economy going again and of reducing public debt, suffered a historic defeat. Turnout was particularly low among working and single mothers, who tend to favour the Democrats very strongly.

### 9.3 Positions and Discussions in the Centre-Left Spectrum

Gender policy-relevant issues adopted or under discussion by the Democrats include the following:

- Improved access to the health care system for women and better coverage of services by health insurance companies (criticism of differing premiums for women and men, ban on refusal of insurance due to previous breast cancer, funding of »planned parenthood«, co-insurance of children up to 26 years of age).
- Education: reform of the grants system, expansion of the kindergarten system, projects to improve the quality of schools.
- Establishment of the »White House Council on Women and Girls« (which reinforces the principle of gender mainstreaming).
- Projects to promote the participation of girls and women in natural sciences, technical studies and mathematics.

- Violence against Women Act: renewed funding of projects to combat violence against women.
- Raising the minimum wage (so it's sufficient for working families to live on).
- Introduction of paid parental leave: in summer 2014 feasibility studies were funded in five states on the introduction of paid parental leave. The Department of Labor launched a campaign »Lead on Leave«.
- Raising tax deductions for »working families« (on many issues the focus is on »work« and »working families«: hard work is supposed to pay).
- Expansion of credit for small businesses, which are three to five times more frequently managed by women or minorities.

The progressive think tank the Center for American Progress recommends seven measures to reduce the gender pay gap:

- (i) Because women are disproportionately represented in the low wage sector (two-thirds of all minimum wage workers are women), they would benefit more from a raising of the minimum wage, from \$7.25 to a recommended \$10.10.
- (ii) An increase in the minimum wage is also recommended for employees receiving so-called »tipped wages« – tips amount to around \$2.13 per hour – because women predominate here, too.
- (iii) Support for fair working time planning because flexible working time is often required by employers in the low wage sector, but for (single) mothers in particular this poses a problem.
- (iv) Support for transparency with regard to wage issues.
- (v) Investment in affordable and high quality care provision.
- (vi) Around 40 per cent of US women workers have no access to paid sick leave; for part-time workers this rises to 73 per cent. In cities and some states there are already initiatives to improve access to paid sick leave,

but federal regulation would also have a positive effect on the gender pay gap.

(vii) As much as 10 per cent of the gender pay gap is attributable to the fact that women can devote less time to their professional career (especially because of care work). A mere 12 per cent of US women workers have access to paid family leave from their employer and the United States is the only developed nation that does not offer state support services and benefits. A national social insurance programme to furnish parental leave with wage replacement payments and for absence on health grounds would improve the economic security of families and women's employment opportunities. In some cities such programmes already exist.



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