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Bongo: EU EO policy and
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Beating the Drums at Camp Bongo:
EU EO policy and its effect on UK working women

by

Carly Dugmore

A Doctoral Thesis
Submitted in partial fulfilment of the requirements for the award of
Doctor of Philosophy of Loughborough University

March 2004

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Acknowledgements

Thank you to Mum and Dad for all of their love and support and for putting up with the 'bear with a sore head' days. Rest assured, I will make sure you go to the best retirement home(s)!

Thank you to Deirdre for holding my hand and making me laugh and for becoming one of the dearest friends I have ever had.

Last, but not least, thank you to Barbara, for all of her encouragement, enthusiasm and ability to calm, and from whom I have learned this life lesson: do what you love, and love what you do.
Abstract

This thesis examines why, in spite of three decades of EO policy, workplace inequality persists between women and men. At the heart of this is the explicit question of whether the law is an effective vehicle for change. This thesis researches and analyses the four predominant areas in the EO policy process: EU approach to EO policy, national approach to EO policy, company approach to EO policy, and employee approach to and use of EO policy.

This thesis argues that a liberal approach to the law (men's rules for women's rights) is not an effective means of attaining equality. In terms of both policy content and the process of policy making the status quo is upheld rather than challenged. In terms of policy content, the current trend for reconciliation of work and family, aimed predominantly at women, upholds the 'mother as carer' archetype. This has a marked effect even on women who are not mothers: childless women suffer from anticipatory discrimination yet do not benefit from child based policies. Importantly, this thesis shows that at a workplace with a more traditional EO policy awareness and use of EO policy, as well as attitude towards it, are all low. However, at a workplace with a more proactive EO policy, based on the inclusion of all groups of workers, these three areas are marked considerably higher.

Despite their increased presence, women may continue to be marginalised from policy making because they approach politics differently from men. The things women value, such as conciliation, inclusion, and the pooling of ideas, lose out to the confrontational 'power over' style of a political system designed for men. Research of UK MEP's demonstrates that women and men have different attitudes towards working women, towards EO policy, and towards the changes necessary to affect equality for women. Crucially, unless women's alternative approach is allowed to sit alongside the more traditional liberal approach to policy making, women will continue to be marginalised politically. However, women should not wait for change to happen, but orchestrate their own liberation. Women need to start setting the beat by banging their drums.

Key words:
Liberalism, Male norm, Marginalisation, Homogeneity, Difference, Inclusion.
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Chapter 1
In the Beginning was the Word, and the Word was Goddess

Introduction

Some women wait for something
to change and nothing
does change
so they change
themselves.

Audre Lorde, poet, (1934-1992)

It's a hell of a thing to be born, and if you're born you're at least entitled to be yourself

Louise Nevelson, sculptress, (1899-1998)

1.1 Introduction

1.12 Back When We Were Very Young, That Was A Very Good Year: Her Story

Issues important to women today have played a significant part in the lives of women over the centuries. Early women's history, for example, was devoted to setting the accomplishments of queens, abbesses and learned women against the equivalent male figures of authority and ability, thus "creating heroines in the mirror image of heroes" (Miles, 1993:12). As Miles (1993) points out, "this pop-up, cigarette-card version of women's history ... reinforced the false effect of male domination of history, since there were always many more male rulers and 'geniuses' than female" (ibid.). It failed to address the reality of the majority of women's lives. This was noted as far back as 1818 by Jane Austen in her novel Northanger Abbey: "Real solemn history I cannot be interested in ... the quarrels of popes and kings, with wars or pestilences, in every page; the men all so good for nothing and hardly any women at all." As such, history reminds us that women have difficulties in being accepted as women against a universal male norm.
Consider the case of Cleopatra. A capable and courageous ruler who, along with Bodiccia, is one of only two women in the whole of history to challenge the might of Rome. Yet, to all intents and purposes the history books have consigned her experiences and achievements to the archetype of ‘great romantic heroine’ (Felder, 1997). Further, only thirteen women featured in a recent poll by the BBC of One Hundred Great Britons. There was no mention of Catherine Booth (cofounder of the Salvation Army), Margaret Dawson (founder of the women’s police service), Elizabeth Fry (prison reformer), Elizabeth Garret Anderson (pioneering physician), Jane Goodhall (zoologist), Agnes Hunt (pioneer nurse of the physically handicapped), or Amy Johnson (pioneering aviator) to name but a few. History demonstrates how the experiences and achievements of women have long been marginalised and ignored. As Virginia Woolf smartly observed, “I would venture that Anon, who wrote so many poems without signing them, was a woman” (cited in Miles, 1993:145).

Also, women have experienced life differently to one another. In the Dark Ages, for example, when education was prohibited to women, religious sisterhoods kept the education lamp lights burning by secretly studying the arts, sciences and language within the safety of their abbesses (Lucas, 1983). Hildegard of Bingen (1098-1178), walled up in a convent cell with the last rites at the age of seven, is probably the most famous of such women. History also shows us that women have not always been subordinate and they have not all been subordinate at the same time. From Eva Peron lording it over los descamisados in 1940’s Argentina to the wealth of Winnie Mandela’s experience of post apartheid South Africa in comparison to that of township women, women have lived different experiences to one another. History thus, also reminds us that women are not only different to men, but are different to one another in terms of our race, age, class etc. There are consummate differences, for example, between the countless extraordinary women from all corners of Europe who fought two world wars underground - differences illustrated even in the way they live their lives today: Nancy Wake, the inspiration behind Charlotte Gray, has lived the final years of her amazing life in the luxury of London’s Stafford hotel, whilst a great number of Britain’s other war heroines live on the poverty line. Nowhere, culturally or historically, are or were, women a homogenous group.
Yet, somehow women’s marginalisation from historical and political theory serves to present women with a common bond, regardless of our differences. It connects us to our past as well as to other groups of women. Hence, “women ... are born three thousand years old” (Shelagh Delaney cited in Ban Breathnach, 1998). The search for equality is a collective fight. This is a theme both historically and culturally.¹

1.13 The X Files? A Brief Time of History

Somehow, between woman taking the first step in evolution to the present day, women have let their ascendancy slip. Gould-Davies (1971) points out that in human cell structure, women carry the original human chromosome, the basic X chromosome. A baby girl collects another X while a baby boy needs a defective Y chromosome, a deformed and damaged X, “the biological afterthought” (in Miles, 1993:19). Women are therefore the original blueprint, the biological norm against which males are the deviation. As de Riencourt (1985) notes, “Far from being an incomplete form of maleness, according to a tradition stretching back from the biblical Genesis through Aristotle to Thomas Aquinas, femaleness is the norm, the fundamental form of life” (in Miles, 1993:20). Research in both the UK and the USA points directly to a single woman as the original ‘gene fount’ for the whole human race. She lived in Africa 300,000 years age and her descendants later migrated across the globe giving rise to all humans who live today (Miles, 1993).

As well as being the founder of the human species, historical and archaeological evidence suggests that woman went on to found many of the trades and industries that we rely upon to this day. For example, women, in their gathering, founded agriculture and botany²; they were the first to experiment with technology³; and they may have

¹For example, one of the earliest Anglo Saxon poems, The Wife’s Complaint, speaks of, “the griefs [sic] I have undergone from girlhood upwards, old and new, and now more than ever; for I have never not had some new sorrow, some fresh affliction to fight against” (in Alexander, 1977). In 1851 Sojourner Truth argued: “I have ploughed, and planted, and gathered into barns, and no man could head me! And ain’t I a woman?” (in Felder, 1997: 69). Seen as the symbol of the conjunction of race and sex she went on to argue that, “If colored men get their rights and not colored women, colored men will be masters over the women, and it will be just as bad as before” (op cit).

²Successful gathering demanded discrimination, evaluation and memory in the selection of seeds, nuts and grasses (Morgan, 1972 in Miles 1993). The Prehistoric dead were buried on beds of flowers known to have medicinal properties and used to this day in traditional remedies (Calder, 1984).

³Tools designed for scratching up roots and tubers or for pulverising woody vegetation into more digestible textures predate tools designed later for hunting (Boulding, 1976).

3
inadvertently created the field of mathematics\textsuperscript{4}. Evidence from Stone Age cultures points to women as councillors, wise women, leaders, doctors and law givers (Miles, 1993).

Evidence is also irrefutable that as humans emerged from the Stone Age, God was a woman. Anthropological and archaeological evidence reveals that during this period women were held in sacred status (Miles, 1993). Researchers believe this sacred status of womanhood lasted at least 25,000 years, and some argue this figure should be pushed back further still to 50,000. During this period, “all women and all things feminine enjoyed a higher status than has ever been seen since in most countries in the world” (Miles, 1993:45). Importantly, the things we reject today as too feminine, of little value, were once revered. The value we place on things has changed.

If women once ruled, how did men succeed in enforcing the subordination of women and why did women let them get away with it? Where, why and how did it all go wrong? That is another debate, and though it is one I would have liked to explore more, word limit prevents me from doing so\textsuperscript{5}. Instead, the question I am looking at is how do we put it right?

1.2 Bermuda Triangle: The More Things Change the More they Stay the Same

1.21 Mother in Law?

The election in 1997 of 101 labour women into the New Labour Government (120 women from all parties) signalled a new dawn for women’s relationship to politics. Not only was the UK closer than ever to realising the critical mass of women thought necessary to influence the political process, but Labour itself was to tie us closer with the rest of Europe. This resulted in the signing of the Social Chapter as well as the introduction of EU EO policy. It also exposed the UK to the workings of the EU, seen

\textsuperscript{4}The connection made in primitive societies between the lunar and menstrual cycles unearthed the capacity to recognise abstractions, make connections and think symbolically (Miles, 1993). Women taught men the principles of number, calendar, organisation and counting (Boulding, 1976).

\textsuperscript{5}The quotes from women which appear at the beginning of each chapter are though, my ‘homage’ to women’s feats throughout history. As the experiences of so many ordinary, yet remarkable women, will always remain unearthed, the few will have to represent the many. Each quote is in keeping with the themes of the chapter in which it appears as well as the thesis overall.
by some as one of the most democratic (and women friendly) institutions of its kind world wide (Pillinger, 1992).

These were crucial steps given that women experience politics differently from men. Research reveals that women are less likely to be members of political parties, they are less likely to be active within parties, are less likely to hold elected office and are less likely to see the realities of their lives reflected in political media coverage (Stephenson, 1998b). Women believe the personal is political, they value informal politics and they place importance on people and the community (Stephenson, 1998b, Squires & Wickham-Jones, 2001, Elgood et al, 2002). Women exhibit these traits as MP’s, MEP’s and voters.

However, many commentators argue that the numbers of women in the political arena are not themselves sufficient to affect change. One reason for this is that liberalism, the concept upon which the legal and political process is built, is not conducive to a women friendly approach to either policy content or the policy making process itself. Thus, it is argued that liberal rights are inappropriate for women’s fight for equality and as such, the law cannot affect change (MacKinnon, 1983, Gregory, 1987, Smart, 1989).

Liberalism serves to uphold the current patriarchal structure of society rather than offer any challenge to it, containing the fight for justice rather than promoting it. Liberalism results in the marginalisation of female, alternative discourse and experience. This is an issue that should not be dealt with lightly. Much of the literature of women, for example, deals with how women have to change themselves or are not free to be themselves. Historically, too, this issue has merit. The first charge against Joan of Arc, and which brought the death sentence, was that she wore trousers under her suit of armour (Goodrich, 1993). Likewise, the issue of being oneself has long been part of the ‘women’s agenda manifesto’:

6 In Zora Neale Hurston’s 1937 novel, Their Eyes Were Watching God, Janie’s jealous and controlling husband forbids her to uncoil her hair or converse with the neighbours on the steps of the shop. In response, Janie has “an outside and an inside” and can sit and watch “the shadows of herself” ministering to her husband while she herself is “sitting under a shady tree with the wind blowing through her hair.” Similarly, in Anne Tyler’s 2001 novel, Back When We Were Grown-Ups, Rebecca questions: “How on earth did I get like this? How? How did I become this person who’s not really me?”
"No one who understands the feminist movement, or knows the soul of a real new woman would make the mistake of supposing that the modern woman is fighting for the vote, for education, and for economic freedom, because she wants to be a man. That idea is the invention of masculine intelligence. Woman is fighting today, as she has all the way up through the ages, for the freedom to be a woman" (Hamman, 1914:296).

1.22 Cradle to the Grave

An analysis of UK women’s working patterns reveals that segregation between women’s and men’s work had hardly changed over the last century and into the new millennium. The wage gap prevails, women are over represented in the lower end of the job market, they work more part time hours and are less likely to be in managerial positions than men. In the home, the female role has not changed significantly from the generation before it and the domestic commitments that impaired women’s advancement in the labour market prior to the introduction of the first piece of equality legislation in 1970 still prevail. In the workplace as well as the home, EO policy has led to female change and male inertia.

Over the past decade, EU EO policy has moved in the direction of reconciliation policy, with the aim to allow women to combine child rearing and paid work. Such women centred policies are based on the assumption of female adaptation and carry the insinuation that women require remedial treatment to fit into the prevalent work culture. This serves to reinforce ‘traditional’ gender roles (Cameron, 1993). Such legislation can also fuel stereotypical thinking and stimulate a stigma of incompetence about female employees (Kandola et al., 1995).

Further, such women centred policies neglect the role of fathers in child care. Evidence suggests that there has been a recent cultural shift in attitude towards the roles of men and women in parenting. Men increasingly want to play a part in their child’s upbringing: nine out of ten men think fathers should be very involved in their children’s care from the beginning (Reeves, 2000), and only one out of one hundred men say they will not take paternity leave because parenthood is a job for the mother (Financial Times, 2000). Yet, in spite of this, only one in fifty men say they can afford, financially, to take unpaid paternity leave (Reeves, 2000). The lack of provision for fathers in EO
policy has implications for both women and men. For women, it ensures that in terms of employment practice, motherhood matters in a way that fatherhood does not, even for women without children. For men, it means that many fathers miss out on the important moments of their child's life. Reeves (2000) argues that only "When the phrases 'career man' and 'working father' have ceased to sound silly, when a man carrying a baby on a Tuesday afternoon is not gawped at, when breadwinning is not seen as a strand of the Y chromosome, women will have a shot at equal status in the office and boardroom. Not before" (02). One might argue that there will be no real incisive changes in the search for sex equality so long as only half of the equation is tackled.

1.3 The Unfinished Dance: Aims and Relevance of the Thesis

1.31 Aims

This thesis hopes to identify why, in spite of the growth of EO policy over the last two decades, inequality persists between women and men at work. At the heart of this is the explicit question of whether the law is an effective vehicle for change. This thesis will analyse the predominant areas in the development of EO policy: EU legislation, national legislation, company policy and employee take up (see Diagram A.1 in Appendix A).

European Union

EU EO policy is formulated to allow women to accommodate both career and family, leaving intact the 'traditional' male lifestyle. One might question whether legislation concerned with female adaptation and male inertia is too remote to enhance equality. This approach is based on the premise that the disadvantaged group itself should be the focus of change and EO policy in this form presents no challenge to the structural disadvantages faced by many women workers and may well leave intact the very obstacles that prevent women from reaching an equal footing with men (Blakemore & Drake, 1996). Another important point is that EU EO policy is developed through a series of compromises (Spicker, 1993) and it is often watered down to least binding (non compulsory) forms. Further, despite the growth in number of women politicians and their anticipated impact on policy, evidence suggests that such an impact in the policy process may be limited due to a number of factors (Kathlene, 1989, 1998; Vallance, 1988; Norris, 1996). These include the fear of being professionally
undervalued if supportive of what are seen as ‘soft’ equality issues, the resistance of men to the presence of women and the dominance of the prevailing male ethos.

National Government
National governments are able to apply EU EO policy in a minimal form (Duncan, 1996). The breadth of discretion given to National governments allows them to veto, undermine or delay implementation of EU policy, profoundly affecting the desired impact of the legislation. In addition, the values of a nation’s law enforcers can affect the application of equality legislation and such “restrictive interpretation of protective legislation has meant that judicial interpretations have worked against improving the situation of women even where this is the express purpose of the legislation” (McCann, 1985). This is an issue of fundamental importance to the success of protective legislation both at work and in the home.

Company Level
It may be that the commitment of a company or business to a programme of EO policy is apathetic. The anticipated cost of equal opportunities might exceed the desire to implement equality in the workplace. EO policy might be seen as a financial burden rather than the utilisation of available human resources. EO policy measures may be poorly managed and might be characterised by substandard implementation, inadequate communications to employees and non existent monitoring policies.

Employee Take-up
Defining women as the “problem” issue in the work force and aiming policy at them, serves to marginalise women from the labour market by way of fuelling the negative evaluation of female workers, preventing them from being accepted by their male peers (Cameron, 1993). This has serious repercussions for the utilisation of EO policy by female employees. This is complicated by a lack of awareness by employees of the equality policies available from their employers and is paralleled by the low level of awareness by many employees of the equality rights enforced at the EU level.
These issues all question the role that the legal process can hope to play in establishing equality between men and women at work and is of paramount importance to the future of EO policy.

1.32 Research Objectives

- To examine the effectiveness of law as a means to equality and to examine whether legal strategies can ever be of benefit to women. This will form the theoretical and conceptual basis of the project [Chapters 2, 3 and 5].
- To investigate the European policy process from the draft proposal stage to implementation in Member States via EU mechanisms and to investigate the impact of women policy makers at European and National level given the need for women to form a significant voice in a male dominated political sphere [Chapters 3 and 5].
- To examine British women’s occupational situation in light of past EO policy. Thus, assessing the impact of the legislation itself [Chapter 6].
- To initiate and evaluate data to assess the availability of EO policy in the workplace and of the utilisation and impact of such policies in relation to employees [Chapters 7 and 8].

1.33 Relevance of the Thesis

Political Relevance
This thesis is relevant for policy makers as it evaluates the EU policy process. This is crucial to the future of EO policy as so much of policy is now determined at EU level. At the outset of this research, the UK public had recently elected in 1997 the New Labour Government into office, paving the way for the expansion of the EU into UK politics. With this came a commitment to EU EO policy issues.

A 1996 Council recommendation on balanced participation of women and men in the decision making process stipulated that the under representation of women at the heart of decision making reflects a “democratic deficit” in the political arena (Equal Opportunity Magazine, 1996). The Council recommended the introduction of legislative, regulatory or incentive measures to improve the balance in decision making (op cit). However, the EU itself would concede that as an institution it has, thus far,
been met with apathy from most of Europe's citizens, especially women. Even in 1999 Pauline Green MEP admitted that to date, “we have failed to persuade the majority of women in Europe that Europe is for them, about them and of value to them” (Women Of Europe Newsletter, January 1999).

In 1997 the European Commission produced a Green Paper, 'Partnership For A New Organisation Of Work'. It's aim was to offer a “challenge and an opportunity” for equal opportunity between men and women. It recognised the need to look not only at how to organise firms “but the whole social infrastructure” so as to “support women and men on a more equal footing” (Equal Opportunity Magazine, 1997). This can be seen as contradictory to the ethos of EU policy, which upholds, rather than challenges, the existing divisions of work between women and men. The thesis is also relevant as the UK approaches the introduction of its first paid paternity leave (in April 2003).

Work Place Relevance

In terms of work balance relevance, this thesis is important for a number of reasons. Demographic changes in the UK are changing the focus of what employees require from EO policy. For example, within ten years a quarter of UK women will be childless (Panorama, 2000). Policies aimed at allowing women to reconcile work and family are not only largely irrelevant to this group of women, but can also be damaging. Research indicates that childless women may suffer from ‘anticipatory discrimination’ (Reeves, 2000) with managers unwilling to hire or promote women of childbearing age in case they become pregnant (EOC, 2000, Panorama, 2000). Childless women highlight the implications and difficulties of treating women as a homogenous group in policy making. This is an interesting category to analyse as opposed to more traditional categories such as race or disability, given the issue of ‘woman as mother-carer’ at the heart of so much of EU EO policy.

Part of this study contributed to a European wide study into paid and unpaid work. The study was carried out by the European Network On Policies And The Division Of

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7European Network contact: http://cwis.kub.nl/~fsw_2/network
For further details see Jacobs, Frinking, Keuzenkamp and Willemsen (2000) for the research outline and background to this study.
See Willemsen (2001) for the results of this comparative study.
Unpaid And Paid Work. The Network investigated the conditions that influence the effect of policies on the division of paid and unpaid labour between men and women in fourteen EU countries.

1.4 Implications

There are a number of implications arising from this thesis.

1. Firstly, if there is evidence that women do speak in a different voice, this has consequences for their future impact on the policy making process. Unless alternative discourse can stand alongside a more traditional liberal approach to policy making, women will continue to be marginalised from politics.

2. Reconciliation policies, aimed at supporting women's role as carers, have implications for women's roles at home and at work. At home, they will continue to be responsible for child care and elder care. At work, they will be penalised for failing to conform to the male full time worker standard.

3. This has implications for childless women. They might be penalised twice over - for not being men, and also via 'anticipatory discrimination' whereby employers may discriminate against them as (potential) mothers despite their childless status.

4. Excluding men from child policies equal to those enjoyed by mothers continues to treat fathers as secondary parents. Many men will not be able to afford time off work to raise their children. Children will also miss out on a male role model during their formative years.

5. EO policy in its present state upholds, rather than challenges the roles of men, women, mothers and fathers in society and has not redressed inequality between the sexes.

Thus, the issues in this thesis may be seen as cyclical. The ultimate aim is to affect change to; professional practice; the organisational structure of legal and political

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Also, see Bagilhole and Dugmore (2001) for the UK report of this study.
(liberal) arenas; the organisational culture (inclusive rather than divisive EO policy); policy content and approach (end to homogeneity, end to women as carers); and to wider society (the creation of a climate in which men can care and do). This leads us back to square one: the need for change in attitude and approach in the legal and political arenas. For example, a more conciliatory and 'pooling of ideas' approach may be more acceptable if society is more receptive to women and men sharing the role of caring, brought about by an EO policy which supports women and men equally in this role.

So how can one secure such a change? What needs to happen to X before Y will change? This thesis suggests that Box 1.1 might contribute in some way to this.

<table>
<thead>
<tr>
<th>Box 1.1 Bringing About Change</th>
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<tbody>
<tr>
<td>1. Change from a liberal approach to politics to an approach which incorporates all discourse;</td>
</tr>
<tr>
<td>2. End to EO policy as divisive and aimed at women and move towards both men and women as carers;</td>
</tr>
<tr>
<td>3. This changes the face of workplace and society;</td>
</tr>
<tr>
<td>4. Feeds back into a change in political agenda, (less linear, singular, incorporates alternative discourse and the needs of others, not least because men can now appreciate alternative outlooks and experiences).</td>
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1.5 Thesis Overview

Chapter Two: Killer Queen

This chapter is an overview of feminist theory, and more precisely, a critique of liberal feminism. Liberal feminism holds that women can gain equality through the legal process. However, the law is built on a liberal political and theoretical approach. Other feminists point out the difficulties of achieving equality through a system which upholds rather than challenges the patriarchal order of society. Further, it is argued here that the concept of 'liberalism' might itself be at odds with a female approach to policy content and policy making. Themes emerging here are carried forward into the subsequent chapters on women and law.
Chapter Three: Mother Mary was a Virgin
This chapter outlines women’s place within the law. The points raised in the previous chapter are more practically applied to the area of women and the law. The commonalties between the experiences of women as policy users (in both the criminal and civil courts) and the experiences of women as policy makers (in the political arena) are pointed out. Many of these stem from the marginalisation of women’s experiences from the arena in which they stand. That such a comparison is possible suggests that these issues are widespread rather than isolated, and that for women to gain equality their alternative discourse, attitude and approach must be incorporated into mainstream legal and political structures. The EU’s role in the delivery of EO policy is analysed in light of these issues.

Chapter Four: Objecting to Her Values
This chapter outlines the methodological approaches used in the thesis. A variety of methods were used in the gathering of data and the benefits of these are detailed.

Chapter Five: Two to Tango?
This chapter looks at the attitudes of UK MEP’s towards EO policy. It also examines the approaches to policy making by women and men to identify if the sexes indeed do speak in a ‘different voice’. This chapter examines again the issue of whether a liberal approach to policy content and policy making is at odds with alternative approaches, favoured by many women. If there does exist a parallel system of politics, this has implications for the successful impact of women policy makers.

Chapter Six: Wasn’t the Work-House Abolished?
This chapter presents a selected review of research into women and work in the UK. As this is an area which has been looked at exhaustively for many years, a different approach is presented here. Firstly, the cultural and political climate of the UK, in which EO policy is set, is outlined. A brief outline of work related issues for women is presented, such as occupational segregation, part time hours, as well as men’s role as fathers in EO policy. The main body of this chapter though, is a critique of the impact of EO policy from data collected from policy observers in the UK. Here, it is suggested
that, despite advances, EO policy is characterised by female change and male inertia. Without a meaningful paternity policy, women are cast further into the caring role.

Chapter Seven: Big Girls Don't Cry; Chapter Eight: Little Women
These two chapters investigate EO policy in two workplaces: A large organisation with an established equal opportunities office, and a medium sized, proactive workplace where women work in non traditional occupations. Research on employees at these two work places looks at their awareness and use of EO policy. It also looks at their attitudes towards EO policy, equality issues, and women in the workplace. From research at these two work places, several issues emerge. Firstly, EO policy is perceived as partial, benefiting one group over another. Secondly, the system of policy delivery, including the role of the employer, is important. Thirdly, women can be seen to be an heterogeneous group - women are different to men and different to each other in attitude, approach and need. Finally, the attitudes of colleagues remains a crucial factor in the pursuit of equality.

Chapter Nine: T'aint What You Do, It's The Way That You Do It
This is the concluding chapter. Here, I will summarise the previous findings and themes that have emerged from the research and I will make recommendations for further research. This thesis has attempted to pull together the complete process of EO policy from its policy conception in the EU through to its take up by employees in the UK. As such, it is hoped that any findings will make a positive contribution to improving EO policy and with it, the gaining of equality between women and men.
Chapter 2
Killer Queen
Liberal Feminism as a Round One Knockout?

Does the road wind uphill all the way?
Yes, to the very end.
Will the journey take the whole long day?
From morn to night, my friend.

Christina Rossetti, poet, (1830-1894)
(cited in de la Mare, 1973:741).

2.1 To Be (A Man) Or Not To Be (A Man): The Importance of Feminism

The main aim of feminism is to explain women’s often lowly position in comparison to men with the aim of bringing about change. Thus, Jaggar and Rothenberg (1993) claim that feminist theories are ultimately tools designed for the purpose of understanding women’s subordination in order to end it.

Feminism is important as mainstream political theory does not account for women’s experiences and social and political theory today is characteristically generated at a distance from feminist thought. Theile (1986), for example, notes that it is “common knowledge among feminists that social and political theory was, and for the most part still is, written by men, for men and about men” (30). Another aim of feminism then, is to move women from the margins to the centre of political thought.

Most traditional theory is presented from a male perspective, creating a situation whereby the experiences of women have been virtually ignored except as they relate to men, and in turn, this has produced a situation whereby man has been seen as the norm (Hakim 1987). By presenting the ‘male experience’ as common to all humans, Western thinking has come to be arranged in advance by a series of lop sided conceptual pairs which mirror the dualism of man (the norm), woman (the opposite) (Beasly, 1999). Included in these are: subject/ object; reason/ emotion; independence/ dependence;
active/ passive; good/ bad; Adam/ Eve (op cit). Within these ideas, arises the notion that “whatever man is, woman is not” (Miles, 1993:67).

Within ‘feminism’ though, there is little consensus on how gender equality should be achieved. Different theories have differing explanations for women’s inequality and consequently varying solutions for bringing about its demise. Beasley (1999) maintains that an awareness of competing theories will develop a more consistent and effective feminist politics. Similarly, Bryson (1999) asserts a need to “acknowledge such conflicts and recognise their source in underlying theory” (09). Further, Ozga (1990) claims that we should mix competing arguments and to this end, “bring together structural, macro-level analysis of ... systems and ... policies and micro level investigation, especially that which takes account of people’s perceptions and experiences” (in Ball, 1993:10).

Equality legislation is built on a liberal concept of law. As such, liberal feminism supports the claim that this is the route through which equality between women and men can be achieved. This thesis is structured around a critique of liberal feminism. This chapter will outline and critique liberal feminism, firstly by examining liberal feminism itself and then by exploring alternative feminist theories which reject liberalism and argue instead that an approach which upholds the existing (sexist) structures of society cannot effect change. The thesis will present a collective critique of liberal feminism using the other relevant feminist theories outlined. These are Marxist/ socialist feminism, radical feminism, Black feminism and postmodern feminism. These theories have been selected because they highlight the issues important to critiquing a liberal, law based approach to equality: these issues include, the male ‘norm’, issues of same versus difference, competing world views, politics as personal or public, the public-private debate, individualism versus collectivism, and issues of homogeneity and patriarchy. Many of these issues overlap, and their recurrence and interconnections demonstrate both their significance and centrality to women’s lives as well as to a feminist agenda. The issues will also be applied and explored throughout the thesis, in particular, in how they relate to women’s experiences of the law (Chapter Three).
2.2 Adam's Apple: Feminism and Liberal Theory

Liberal feminism is the mainstream face of feminism (Beasley, 1999). Liberal feminists believe that women's subordination is rooted in a set of attitudes and constraints that limits women's access to the public arena. The explanation for women's position in society is seen in terms of unequal rights and barriers to participation beyond the family and thus, the solution to equality is to emphasise the equality of rights and opportunities by removing restrictions to the access to such resources. Liberal feminists thus, focus on the public sphere, the legal system, politics and the institutional struggles for rights of individuals (op cit). This should ensure that Eve, in addition to Adam, as it were, has equal access to all of life's opportunities.

Liberal feminists presume that there is an underlying sameness between men and women, that women can do what men do. In essence, they "want what men have got rather than questioning its value in any thorough sense" (Beasley, 1999:51). They believe that inequality stems from the fact that women are denied opportunities based on their sex. As equality in this way is achieved via the extension of existing principles, liberal feminism is said to "accept without criticism a set of values that are essentially male" (Bryson, 1999:12).

Even those feminists who want to live separately from men cannot escape from their laws or the effects of their policy decisions and men are central to the lives of many women as fathers, sons, lovers, friends and colleagues (Bryson, 1999). Liberal feminists assert that there is no inherent, inevitable conflict of interest between women and men. As such, they claim that the pursuit of equality is one in which we can all be winners, and men's self interest alongside the pursuit of justice should produce male support for feminist goals (op cit). As men retain the bulk of power in political life, liberal feminists see male support as not only possible but politically essential. The only problem is to convince men that the cause is theirs too (op cit).

Liberal feminists argue that equality is achievable through the law and that the legal process and hence, EU EO policy, is a viable vehicle for equality for UK working women. They believe Government intervention has the ability to change the position of
women in society (Beasley, 1999). Public citizenship and equality with men in the public arena are central to liberal feminism.

Bock and James (1992) assert that equality can be interpreted, “sometimes as the right to be equal, sometimes as the right to be different” (04). Such disagreement in the interpretation of this principle has culminated in feminist debates about equality and difference (Guerrina, 2001). As such, ‘equality feminists’ can be said to base their claims on the liberal concept of formal equality. They argue that male and female participation in the labour market is subject to the norms and standards entrenched in society and to which they must ascribe. Thus, they believe that the role of feminism is to remove all obstacles to women’s full participation in the public sphere and the labour market (op cit). Focusing on sexual differences in the private sphere is seen as distorting feminists attention away from this aim, and ‘equality feminism’ therefore rejects anything traditionally associated with women or the feminine (Guerrina, 2001).

Elshtain (1992) argues that the principle of equality, “is a powerful term of political discourse and an instrument for social change and justice, one of the strongest weapons the (relatively) powerless have at their disposal in order to make their case and define their claims” (124). As such, ‘equality’ should remain an integral aspect of feminist analysis because mainstream social, political and legal structures continue to play a crucial part in the attainment of equality and “grappling with those powerful terms of political discourse that necessarily define politics in the West is an unavoidable task” (ibid.).

2.21 Core Blimey! Will Eve Ever Get More Than One Bite? The Male ‘Norm’

It can be argued that the liberal approach allows women to nibble on the periphery without ever getting at the core of the problem. One of the biggest criticisms of liberal feminism is it’s use of the male lifestyle as the yardstick against which we should all be measured. The uncritical acceptance of the male ‘norm’ is reflected in the assumption by some, that women should almost become ‘female-men’ if they want to get ahead. In this way, liberal feminism repeats the failures of a mainstream history and politics that excludes women’s experiences and achievements. For example, Miles (1993) asserts

1 An interesting footnote to this notion comes from the British actress, Dame Edith Evans, who once asked, “When a woman behaves like a man, why can’t she behave like a nice man?” (cited in Little Book of Quotations, 1999).
that mainstream history systematically fails to find or acknowledge the ‘Age of Queens’, not because it does not exist, but because they expect ‘matriarchy’ to be a mirror image of the oppression of patriarchy. If matriarchy is instead understood as a form of social organisation which is, “woman-centred, substantially egalitarian, and where it is not considered unnatural or anomalous for woman to hold power and to engage in the activities of the society alongside men,” then the 4000 years between the first civilisation and the beginnings of organised religion indicates that “matriarchy abounded” (Miles, 1993:45-6). A politics that only recognises the experience and achievement of a male ‘norm’ denies the experiences and achievements of women. In adhering to the male ‘norm’, liberalism can be said to uphold a system that perceives and treats women the way men perceive and treat women. Further, the acceptance of a male standard causes liberal feminism to fall foul of the same criticisms of the mainstream theory that feminism, as a whole, seeks to redress.

Thus, it may be argued that there is a need to displace men as the norm against which women are measured and society organised. Legal rights and employment and political practices are frequently not gender neutral and ignore women’s traditional social responsibilities and reflect the specific needs, perceptions and priorities of men. In reflecting men, they work for the half of the population “who cannot give birth, who have historically been absolved from many domestic and caring responsibilities, whose physical maintenance is taken care of by others, whose communication style is characteristically assertive or even combative, and who have been encouraged to repress their emotions” (Bryson, 1999:204). The mere extension of these ‘male’ rights and opportunities to women cannot produce equality. Thus, Kingdom (1991) argues that “the ideology of equal rights has severe limitations ... stemming from its failure to recognise the implications of significant differences and divisions between females and males” (in Pascall, 1993:116). Treating women the same as men lacks any consideration for the relationship between the public and private spheres and fails to account for the impact that women’s familial role might have on their participation in the labour market. It also fails to recognise the relationship between women’s position in the reproductive process and legal debates about the role and power of legislation in promoting

2During this period, women held power, owned and controlled money and property, enjoyed physical freedoms, fought alongside men and women’s rights were upheld and respected in marriage partnerships (Miles, 1993).
women’s rights (Guerrina, 2001). Hence, the extension of equal rights to women in its present form without adapting to account for the needs of women as well as men does nothing to challenge its patriarchal nature, and at best it can be extended to women only as “lesser men” (Pateman, 1989:197). Therefore, Hoskyns (1985) maintains that the aim for women should be, “not to compete in a man’s world but to transform the structures of patriarchal society” (in Chamberlayne, 1993:173).

One might question whether a concept of universal citizenship originally predicated on the very exclusion of women can be reformed so as to satisfactorily include them (Lister, 1995). However, Riley (1992) argues that the concept of universality should not be abandoned, that it can form the basis for arguments for participation, entitlement and responsibilities for all (in Lister, 1995). Lister maintains that universalism can be seen as an ideal against which one can measure the denial of citizenship and rights to women. She argues that the aim is to push past false universalism and towards an analysis of difference without slipping into tokenism. In this way, the achievements a liberal route to gender equality might provide should not be overlooked. Underlying the extension of women’s rights has been the winning of the vote, the significance of which is all to easily forgotten over half a century after the event. Again, the significance of the right to vote (formal rights) is best seen when measured against its denial, the situation in Mugabe’s Zimbabwe is one of the best present examples of this.

A feminism of ‘difference’, drawing attention to the differences between women and men rather than treating them as if they are the same (as in liberalism) focuses on women’s special needs and acknowledges women as women (Guerrina, 2001). ‘Difference feminism’ highlights the need to challenge current social, economic and political structures based upon the male ‘standard’ of worker and citizen. It argues that liberal feminist calls for ‘equality’ lack consideration for the connections between the public and private roles and its impact on women’s ability to participate in the labour market. Liberalism also fails to recognise the relationship between women’s reproductive roles and legal debates about the roles and power of legislation promoting women’s rights (op cit).
Rhode (1998) maintains that just as the exaggeration of gender difference has historically served to legitimate gender hierarchy, the denial of gender difference has had similar consequences. Approaches that have sought to “celebrate women’s distinctive attributes have homogenised and essentialised their content, while strategies of denial have ignored women’s particular needs and circumstances” (Rhode, 1998:344). Thus neither single approach to policy making is effective. She claims that in order to know which side of sameness/difference dichotomy to emphasise in legal context we need to develop a theory of disadvantage: women are both the same as and different to men. From this perspective, “the preferable strategy for resolving issues such as employee leave policy should be to press for the broadest possible coverage for all workers” (Rhode, 1998:349, emphasis added). Importantly, she argues, “To pronounce women either the same or different from men allows men to remain the standard” (350). Razia Aziz (1992) argues that even the concept of difference lends towards the creation of “fixed and oppositional categories which can result in another version of the suppression and difference” (cited in Lister, 1995:04). Alternatively, it can be claimed that, “equality does not necessarily preclude difference, and difference should not constrain the pursuit of equality” (Guerrina, 2001:36). Judith Evans argues that policies should be based on the concept of “equality of difference” (in Guerrina, 2001:36). Philips (1993) also searches for a way to integrate both a politics of difference and a politics of greater generality and alliance combining both universality as well as a recognition of the partial nature of all our differences. She supports the search for “a commitment to challenging and transforming the perspectives from which we have previously viewed the world” (71).

However, it could be suggested that women should not replace men in the centre but the centre itself should be abandoned, producing a new norm which encompasses all social groups. Indeed, Bacchi (1990) argues that it is no longer either simply about justice (seen as the male world view or ethic) or about caring (seen as the female world view or ethic), rather it is about drawing them together to transform the domain. Ungerson (1993) also, maintains that the ethics of justice and care can be merged, citing the provision of care (the delivery of reliable public support services) to elderly or disabled

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3In fact, English classical scholar Jane Harrison noted that, “To be meek, patient, tactful, modest, honourable, brave, is not to be either manly or womanly, it is to be humane” (Women's Wit and Wisdom, 1991).
people wishing to remain in their own homes: "the private aspects of care - the parts that contain the love and watchfulness - can flourish within a public framework ... by the state" (in Lister, 1995:25).

Further, in this way, dichotomies (although criticised by many groups of feminists, as mentioned earlier) are useful to establish opposites in order to create a middle ground. In this case, the law (and, as will be discussed later, the process of law making), which is based on a liberal approach can be analysed to demonstrate how things are, which allows us to postulate how things could be, presenting us with the opportunity to find a middle ground which is acceptable to and encompassing of both women and men. These issues, though differing in terms of solution, are collective in their illustration that liberal feminists acceptance of a male standard are inappropriate for women's pursuit of equality.

Marxist feminism can be used to critique the liberal idea that women can gain equality through an amendment to the prevailing social system. While both Marxist and socialist feminists would acknowledge that a non-discriminatory legal and political system (liberal based approach) is imperative in the creation of an egalitarian social framework, they would argue that it is only one part of a larger system of required changes. Marxist feminists argue that change must not only penetrate deeper into the structures of society than those solutions tendered by liberal feminism, but that the system of justice delivery itself must also be targeted. In this way, change is part of a long term process. Gender relations are created and perpetuated by the prevailing economic market and other social structures such as religion, the traditional nuclear family and the mass media as well as by the ruling political and legal system. Hence, inequality is embedded in all social, political and economic structures. The law in itself, is not an adequate vehicle for change as it merely upholds and perpetuates the norms and values of the ruling elite, in this case, perpetuating the 'male norm'.

Marxist feminists also maintain that sexual oppression is a dimension of class power. They claim that the emerging organisation of the first form of private wealth and, therefore of class hierarchy, led to the treatment of women as property (Beasley, 1999).
Hence, class oppression predates sexual oppression. Accordingly, Marxist feminists are less concerned with sexist attitudes and ideas and more focused on labour and economics (the primary source of sexism) when exploring women’s positioning. The organisation of labour and the tools of labour are seen as constituting the underlying system of society (op cit). Thus, placing emphasis on the public sphere and waged labour with less significance given to unpaid labour, the private sphere.

Marxist feminists believe there is an underlying sameness between women and men: women and men are ultimately oppressed by capitalism and their ‘interests’ are not therefore crucially different. Power is not only the result of sex but of class as well and it is this that creates divisions between women and men. Segal (1987) maintains that, “It does not seem to be the personality characteristics of men which remain the same, but rather the continuing existence of differing power relations which privilege men” (143). One example of this can be seen in the new age attitude towards men at childbirth. The growing incorporation of men into the childbirth experience has not resulted in wholesale changes in men’s behaviours to long term aspects of parenting such as taking paternity leave or raising children.

Socialist feminists maintain Marxist beliefs but argue instead that women’s subordination predates the development of class based societies. Bryson, (1999) claims that Socialism has many theoretically attractive qualities. For example, it promotes equal rights and opportunities to all individuals while stressing the economic and social rights and freedoms of the interests of working class people. She asserts that, “As such, some would say it is of more relevance to ‘ordinary people’ than the formal rights offered by liberalism” (16). Thus, “it is only in the context of a general movement to economic equality that the needs of all groups of women, rather than those of an elite minority, can be met” (ibid.).

The collectivist approach of socialism, as opposed to the individualism of liberalism, makes it easier to recognise that gender disadvantages are, like those of class, structurally incorporated into the very core of society and not the result of individual failings (Beasley, 1999). This can lead to collective policies to challenge disadvantages,
as in the Scandinavian countries where state policies have been deliberately formulated to combat both class and gender inequalities.

The collectivist approach of socialism is said to be more in tune with women's experiences and approaches than liberal individualism, as is the whole goal of a more co-operative society, rather than the individualistic competition that characterises some forms of liberal thought (Bryson, 1999). The best example of this was The Women’s Peace Camp at Greenham Common which became a symbol of the strength of women, of the values which women put on the safety of the world for future generations. As an example of peaceful demonstration they have set an international example and are a “moving testimony to the strength and determination of women in adversity” (Legget, 1994:77).

Socialist feminists see no basic conflict of interest between women and men and believe we should work together to create a society free of subordination. Men are seen as having a vested interest in prioritising gender issues in that this will end pressures on them as breadwinners and the expectation to conform to the model of masculinity.

Socialist feminism is also concerned with abolishing the division of labour. Rather than specialising in one task, workers should be able to take on a range of tasks so that men can do ‘women’s work’ as well as women doing ‘men’s work’. Relatedly, it recognises the way in which men are oppressed and encourages men and women to work together towards a more egalitarian society. Segal (1987) argues that if one studied how particular groups of people are able to control specific institutions which construct dominant frameworks of meaning one would find it is only men from certain powerful groups (middle class, white, heterosexual, able bodied) who have the power and not just women who are excluded.

In response, liberal feminists counterclaim that Socialism presents a muddled economic thinking and a naively optimistic view of human nature. They claim that socialism offers a loss of individual freedom, and is “at best, a bureaucratic ‘nanny state’ that stifles
initiative by penalising success or at worst the nightmare of Stalinist dictatorship” (Bryson, 1999:18).

However, revolutionary German Socialist Rosa Luxemburg astutely maintained that, “Socialism by its very nature, cannot be dictated, introduced by command ... Without general elections, without unrestricted freedom of press and assembly, without a free range of opinions, life dies out in every public institution and only bureaucracy remains alive” (in Felder, 1997:150).

Socialism is also criticised for its inclusion of men in any solution to the equality issue, as many socialist men have spoken out against inequality yet contributed to the oppression in practice: “a lot of the Socialist talk about freedom was only talk, and ..... Socialist young men expected Sunday dinners and huge teas with home-made cakes, potted meat and pies, exactly like their reactionary brothers” claimed Hannah Mitchell, a working class suffragette campaigner (in Bryson, 1999:18).

Anti socialists argue that the position of women in communist countries was very poor and their absence from decision making even more striking than in the West. They were expected to contribute as workers while retaining responsibility for domestic work. For example, the former East German (GDR) female model was the full time employed mother (Künzler et al, 2001). Ironically, a similar pattern of ‘double burden’ has emerged from recent Western equal opportunity drives, with legislation designed to enable women to combine both employment and familial responsibilities, even though it is contrived to aid women rather than burden them. Most socialist feminists would argue in any event, that the communist regimes in question did not represent genuine socialism and thus do not invalidate socialism in principle as a means of liberating women (Bryson, 1999). Indeed, the collectivist societies of early human cultures suggest that freedom for women and men was the most striking feature of that era (see for example, Miles, 1993).

Nowadays, it is widely acknowledged that “any analysis of the causes and possible cures of women’s subordination has to be related to its socio-economic context, and that it is not possible to give women meaningful equality while leaving the economic
system untouched” (Bryson, 1999:20). However, some Marxist feminists claim that concentrating on economic and class issues make it unable to conceptualise gender inequality or to see that even working class men can benefit from the oppression of women. Heidi Hartmann (1986) talked of an ‘unhappy marriage’ between feminism and Marxism, paralleling the situation to a wife who forgoes her independent rights and has her position incorporated into that of her husband. To avoid this secondary status we “either we need a healthier marriage or we need a divorce” (02).

Thus, in the 1960’s socialism was combined with theories of patriarchy to explore the historical development of patriarchy and its complex relationship to the capitalist economy. It was argued that women’s gender specific oppression in the labour market is central to the maintenance of capitalism. Hartmann argues that neither capitalism nor patriarchy can be reduced to the other. Bryson (1999) maintains that, “if patriarchy exists independently rather than as an integral part of capitalism, it may be possible and necessary to challenge it directly, and for women to organise separately in defence of their own interest” (21).

2.22 One Flew East, One Flew West: Private Issues and Personal Politics

For many women, the connections between the public and private spheres are critical in the shaping of their lives. This connection is also imperative in shaping what many women deem as political issues. Liberal feminism’s commitment to social citizenship derived from work in the public sphere fails to question what constitutes social rights and values, for example, the exclusion of ‘caring’ as a social value. Yet, the inclusion of the private sphere in issues of citizenship, in terms of how it shapes ones access to employment (and consequently, access to social security and pensions), is essential given women’s volume of work in this private sphere. This has led Lister (1993) to argue that, “if women’s relationship to citizenship is to be understood and changed, the public-private dichotomy has to be brought into sharp focus” (04). Liberalism also fails to account for structural obstacles in both the public and private spheres and by doing so, implies that if women fail it is because of their own failures rather than any form of discrimination (Bryson, 1999). It ignores the structured power relations in the family that prevent women from entering the ‘race’ on an even keel and offers no challenge to
the structural barriers that restrict women once they enter the public sphere. An example of this is the low value placed on caring, both in the home and outside it. Thus, Roberts (2000) argues that sexism and inequality prevail in the inflexibility of employers who, for as long as four out of five part-timers are female, refuse them a career structure. She argues that sexism prevails in the “blindness of politicians who blithely discuss ‘citizenship’ as if it carries the same meaning for women as it does for men” and ignore lobbyists such as the Women’s Budget Group who argue for a gendered political economy which includes in the gross domestic product the value of reproduction (09). As long as law makers exclude private issues inequality will continue to demand public (legal) interventions.

Further, it can be argued that equal rights are not always appropriate to women’s experiences. For example, demanding an ‘open to all’ equal rights approach has different connotations when applied to a ‘women only’ centre which houses a rape crisis centre, than when applied to a ‘men only’ recreational facility such as working men’s clubs, or men only golf facilities. While an equal rights approach to the latter would counter sexist exclusion practices, such an approach does not account for the complexities in the former.

Radical feminism can be used to critique the liberal notion of assimilating women into arenas of activity associated with men. Instead they focus on the positive value of womanhood. They focus attention on women’s secondary position as women in a social structure governed by men. They believe that women are oppressed because of their sex and support the idea of a shared sisterhood and separatism from men, wanting to change society rather than amend it. They argue that a politic which does not include at its core women’s unique experiences and needs is just patriarchy by another name.

Radical feminists claim that all men without exception share in the benefits of a social system of male supremacy and therefore, women and men are different whether this is socially constructed or innate (Beasley, 1999). To this end, “any woman ... has more in common with any other woman- regardless of class, race, age, ethnic group, nationality - than any woman has with any man” (Johnson, in Beasley, 1999:54).
Radical feminism focuses on the *politics of the private sphere* and, in particular, the control over women's bodies, motherhood and sexuality. The source of domination over women is seen as sexual control and oppression is acted out on women's bodies. Indeed, history would seem to support this. Evidence suggests that when the tide turned against early woman and 'matriarchy', woman's body was the site for hate: "The attack on women's bodies ... signalled, precipitated even, the decline of women into their long night of feudal oppression and grotesque persecution ... By denoting women as separate, different, inferior and therefore rightly subordinate, men made women the first and largest out-group in the history of the race" (Miles, 1993:104).

Radical feminism suggests we value and celebrate women's bodies rather than see them as a site of subordination and history does show that when woman was Goddess all things female were celebrated (Miles, 1993). In December 2000, a poster of English model Spohie Dahl posing naked on a rug in an advertising campaign for Opium was withdrawn for being 'sexually suggestive' and 'degrading to women', becoming one of the most complained about adverts in the Advertising Standards Authority's with 730 complaints (Guardian, 2000c). The photograph was deemed inciteful of rape in a climate where titilating photographs of celebrity women hanging out of dresses, pass uncommented. Woods (2000) points out that, "Sophie isn't draped across a BMW, or stradling the barrel of a tank ... She looks serious, passionate, provocative, and as though she's just had a whale of a time having sex. Which is the problem, of course" (in Brookes, 2000:6-7).

The poster threw up the uncomfortable relationship between sex and desire, or more to the point, women *with* desire. Radical feminism would argue that this flies in the face of the traditional belief that female sexuality, women and their bodies are (and should be) passive. The image of a woman controlling her own wants and desires did not sit easy among a society that clings to the belief that women should not present themselves as sexually demanding beings. Sex is a male domain, a ring of masculinity, and it is unbecoming for a woman to enter uninvited. Brookes (2000) asserts that "women's desire has always been mediated through a male prism. From the pornography women
share with their partners, to the way we are sold cars, the erotic landscape is overwhelmingly male” (06).

In response to claims by liberal feminists, radical feminists question why, if it is in men’s favour to strive for gender equality, so many men are opposed to it in practice. They argue instead that men benefit from the present system and reject the view that men can be feminists. They claim instead that women need to organise separately to defend their own interests and any involvement from men will weaken their cause.

Radical feminists also point out the complexities in unravelling men’s patriarchal power, pointing out the difficulty in disentangling the socially constructed from the biological. Thus, it is possible to oppose patriarchy without assuming that all men are the enemy. What remains however, is the reality that women’s gain will be men’s loss: “If women are to have more opportunities, more money, more time and more power than they do now, men will inevitably have less in relative terms, and will almost certainly have less in absolute terms as well” (Coote & Patullo, 1990:24).

There are a number of criticisms of radical feminism. Firstly, history shows that there is no such universality to women’s experiences, and in this instance, radical feminists repeat the mistake of the liberal approach. Men have not always had power over women as the experiences of the Goddess era, Existing Stone Age cultures and the Balonda tribe of Africa demonstrate (Miles, 1993). Further, not all groups of oppressed women have been unaware of their injustice and in many instances have taken strides to overcome it. For example, in 215 BC, when Roman senators tried to curb inflation by restricting the amount of wealth women could own, forbidding them to wear multi coloured dresses or ride in a two horse carriage, crowds of rioting women filled the Capitol and raged through the streets until the law was repealed, “in what must have been one of the earliest victories for sisterhood and solidarity” (Miles, 193:72). Early Roman women certainly did not wait for feminists to tell them of their plight!

Throughout history, when women have been oppressed, there have always been some groups of women who have known about and tried to change it. Even during her darkest
hour, the creation of the ‘monolithic gods’, woman was enlightened to this fact. For example, many canny women joined convents, houses of women, to gain access to the education forbidden to women at that time. “From Brigid of the fifth century ... there is an unbroken line of women of extraordinary drive and organisational ability, who used to the full the privilege of their position of being outside the control of any man,” (Miles, 1993:131). From Harriet Tubman and her Underground Railroad, to Tz’u Hsi who ended the practice of foot-binding and Rigoberta Menchu Tum, winner of the 1992 Nobel Peace Prize for raising the plight of aboriginal people, history is littered with strong, defiant women. During the two Great Wars, it was women such as Edith Cavell, Marthe McKenna, Violette Szabo, Andree de Jongh and their countless female colleagues who were the backbone of the resistance movement which saved the lives of millions of allies.

Most recently, members of the left wing underground resistance group RAWA (Revolutionary Association of Women the Women of Afghanistan) were defying the Taliban regime long before the UK and the USA sought retaliation, wearing make-up beneath their shrouds, taking weapons training and continuing their education at one of the underground schools (www.rawa.org). The radical feminist assumption that women throughout history and culture merely waited in the wings for rescue is an insult to the achievements of the many groups of women who have fought oppression.

Further, in universalising from the experiences of white, middle class western women, radical feminists thus, ignore oppression based on race and class. Women’s experiences are not all the same and claims of a universal ‘sisterhood’ trivialises the suffering of those women for whom oppression really is a matter of life and death (Bryson, 1999). Ramazonglu (1989) rejects the idea that we can understand as a ‘united sex class’ a group which includes “Saudi Arabian princesses ... British ‘immigrant’ public toilet cleaners ... African ... Wall Street executives ... Turkish bank managers ... white South African housewives ... [and] Filipino servants” (112). In this way, radical feminism falls foul of the same criticism that can be made of the liberal tradition it itself rejects.
Radical feminism also encourages women to only identify their bad experiences with men. Happily married women are dismissed as having ‘false consciousness’ and women are viewed as helpless victims rather than celebrating their collective resistance and potential power (Bryson, 1999). The stress on women as victims also sets up the notion of women as good and men as bad. This mirrors traditional political thought which is based on the notion of (sexist) dualistic roles of good vs. bad, Adam vs. Eve, right vs. wrong, and so on, as aforementioned. Indeed, Segal (1987) argues that early feminist failure was the “failure to acknowledge sufficiently the strengths of women’s capabilities and behaviour” (13). A point which still applies to radical feminism. In addition, radical feminism overlooks the fact that, even today, “the ability of a minority of women to achieve successful careers is dependent upon an army of badly paid nursery nurses, cleaners and child minders, and the lifestyle of most successful women is as much the product of exploitation as is that of middle class men” (Bryson, 1999:61).

Further, many men may resent being lumped together as the cold hard enemy, and such analysis not only denies the love and respect that many women share with men, but also falls foul of the myth of homogeneity, which many feminists spend a lifetime trying to dispel.

The importance of the connections between the public and private spheres, as highlighted by radical feminism, is also crucial to women’s political activity, where for many women, what is classed as ‘personal’ is for them political. In upholding male structures, liberal feminism overlooks the differences between women and men in terms of the definition of what is political. Many feminists have done much to reconstruct the political in order that it can be seen to include informal forms of political participation at both community and governmental level (see for example, Pateman, 1989). This has revealed the stark contrast between women’s under representation in formal politics and their vital role in “the capillaries of community life” on the other (Putnam, 1993 in Lister, 1995:07).
History is littered with examples of women who have organised themselves effectively to bring about change yet their efforts and achievements pass unremarked because their actions are not classed as political according to the liberal definition. Indeed, the achievements of suffrage (where the first woman's petition was presented to the House of Commons in 1832) is often underplayed, yet, “had the minority not been preaching the gospel of equal rights and already shown what women could do, it seems ... unlikely that the majority would have been prepared to grasp the opportunities the Great War undoubtedly presented” (Marlow, 1998:05).

A liberal theory concerned with formal political activity in the public sphere overlooks the importance women play in informal grassroots politics, and in turn, overlooks the importance such political activity plays in the lives of many women. In doing so, it neglects the understanding that “personal power and confidence ... comes from women’s engagement in political struggle, when it is women collectively who direct and control it” (Segal, 1987:231).

However, Coote and Pattullo (1990) maintain that “no matter how successful women were at organising at a grassroots level, their power was limited while they remained outside the circles where key policy decisions were made and implemented” (85). This is a dilemma addressed by Lister (1993) who argues that the onus on change should not be with women, but on the nature and conduct of formal politics and its interface with informal politics. Young (1989) also holds that a refusal to encompass the involvement of community activity in the struggle of poor women, black women, women with disabilities for justice, is to reactivate the very process of exclusion which underpinned the practice of citizenship to begin with (in Lister, 1995).

Philips (1993) maintains that embracing the notion of active political citizenship reasserts the separation of a public sphere from a private one. Under these terms, we are acting as citizens if we campaign publicly for men to do their share of housework, but not if we sort out the division in the privacy of our own home! Many feminists would now take the stance of Mouffe (1992:09) who says, “what we need is a new way of
understanding the nature of the private and the public, as well as a different mode of articulation between them” (cited in Lister, 1995).

2.23 Postmodern Prometheus: Issues of Difference and Discourse

As has already been suggested, women may conceptualise and experience the world differently to the male standard, and liberal feminism can be criticised for excluding women’s alternative discourse by upholding the male norm. Postmodernist feminism highlights the importance of women’s alternative discourse. Postmodernism is not a clearly defined theory, rather a loose body of thought drawing on interconnected ideas around language, power, reason, knowledge, identity and resistance. Things are not seen as ‘either/or’ but made up of numerous interpretations and meanings (Bryson, 1999). Postmodernism rejects the idea that justice, liberty or equality can be seen as universal objective, human goals and analyses instead the ways in which morality and knowledge are constructed. This reinforces the radical argument that what passes for knowledge is only a partial and limited male perspective and the rejection of female qualities such as emotion and intuition. Similarly, it reflects the feminist argument that such ‘world views’ conceal a male agenda (op cit).

Postmodernism stresses plurality rather than unity and it recognises that homogeneity in women censors out the historical and social forms of diversity both within and between women: “Universalism marginalises what is seen as dissimilar, thus bringing into play normalism, which declares dissimilarity abnormal and attaches a negative judgement to nonconformity” (Beasley, 1999).

The stress on ‘difference’ reinforces Black feminism’s criticism of any feminist argument that treats women as a homogenous mass. Postmodernism has thus allowed for the “celebration of difference, the recognition of otherness, the presence of multiple and changeable subjectivities” (Mirza, 1997:19).

Women belong to a minority within a dominant culture and postmodernists criticise liberal feminists for drawing categories from one experience, usually that of the white middle class, and applying them to all women. Further, postmodernism challenges
categories like ‘sex’, ‘class’, ‘race’, questioning the assumption that one category takes priority over others in the social hierarchy of inequality (Beasley, 1999:81).

A postmodern feminist understanding of the power of words to construct reality also underpins attempts to challenge legal and popular perceptions of rape and the notion that unwanted sexual attention should be conceptualised as sexual harassment not harmless fun (Bryson, 1999): “Women continue to live in a world in which the vocabulary, vision and criteria for achievement, success and excellence are mainly moulded by the male experience” (Roberts, 2000:09). Thus, postmodernism shows how the power of words and language maintain and resist patriarchy. All in all, postmodern feminists think society needs a complete revamp in order to improve things for everyone: Postmodernists, like Prometheus and Mary Shelly’s Frankenstein before them, certainly lean towards meddling with life as we know it in order to fashion a superior form of being!

However, postmodernism has itself drawn criticism for suggesting that ‘woman’ derives meaning from discourse rather than from reality, which as much denies women their experiences of suffering as does the liberal theory on which equality legislation is based. In this way, the suggestion that textual analysis is more important than setting up a crèche or campaigning for better pay is seen to depoliticise the political (Bryson, 1999). But such an approach has no real basis in reality; Westminster (with its largely male composition and its male rules) is not going to dissolve like sex differences. Differences exist between women and men and between women and other women and this is the reality we have to deal with.

However, in spite of its criticisms, postmodernist feminism does draw attention to liberal feminisms failure to value a female discourse. For example, the importance liberalism attaches to rationality, self determination and equal competition (the result of a male perspective) excludes the value of qualities traditionally associated with women such as empathy and caring (Bryson, 1999). Thus, much of the domestic and caring

*On receiving an award in 1992, Barbara Streisand dryly observed, “We’ve come a long way. Not too long ago we were referred to as dolls, tomatoes, chicks, babes, broads. We’ve graduated to being called tough cookies, foxes, bitches and witches. I guess that’s progress. Language gives us insight into the way women are viewed in a male dominated society” (in Goodrich, 1993:263).*
work done by women becomes invisible. Further, liberal feminism's disregard of more 'feminine' qualities ignores the historical values that were attached to 'womanness' in the Golden Age of women, as well as the womanly values still revered in some cultures today. Liberal feminists overlook the fact that the devaluation of women in language is a linguistic link to the presence and power of men in all the social institutions. They reflect men's historic and continuing position of power within these separate institutions and hence men's way of representing the world with themselves as the norm and women as the deviant (Segal, 1987).

In upholding the male 'norm', liberalism also ignores issues of 'masculinity' as well as 'femininity' which need to be analysed, in order to understand the social meanings and identities men attach to everyday things. Just as we look at how women work in a contextualised manner (Gilligan, 1993) we need to look at how men see things from an instrumental viewpoint (discussed more fully in Chapter Three). For example, studies suggest that violent crime is not just a response to poverty and unemployment, but it is also a masculine response to deprivation. Criminal behaviour in some groups of men is a product of society which Segal (1990) claims “constructs masculinity around ideas of dominance, social power and control over others, but then denies to some men any access to such prerogatives” (155-6). In this way, male bigotry or men's antisocial behaviour is not innate, but a product of dominant forms of masculinity, and the social processes through which masculinity is constructed. If masculinity is socially constructed, it can change, and society today offers a range of masculine behaviours, including the David Beckham school of nurture and fatherhood. Segal (1990) argues that such diversity offers the possibility of non-oppressive ways of being a man. This is important, as the experience of caring for others can give rise to particular ways of moralising based on ideas of interconnection and responsibility (women's approach to politics) rather than individualistic notions of rights and justice (liberal approach to justice).

2 In terms of the 'norms' of male and female behaviour, US Advertising executive Lois Wyse once noted that, "Men are taught to apologise for their weaknesses, women for their strengths" (Women's Wit and Wisdom, 1991).
The importance of language and discourse is also demonstrated in Bart et al.'s (1991) study of male and female responses to pornography which revealed the different meanings underlying responses given by men and women. The report on obscenity and pornography claimed to have proved that pornography was not only harmless but under circumstances could be beneficial to society (Bart et al, 1991). They had done so by applying a (liberal) objective, rational research design. However, Bart et al commissioned their own research and examined the meanings and interpretations given by women and men. They concluded that ‘for’ and ‘against’ pornography are not the same thing for women as for men. That is to say, women and men can give the same answers but have different meanings. Hence, they argued, there are “no ‘community standards’- there are male standards and female standards” (191). This demonstrates how women’s conceptualisations of world views are lost when a liberal approach is applied.

The acknowledgement of women as different to the male standard is necessary in order for their world views to be taken into policy making. If women can only enter the political arena as ‘female men’ then their voices will be lost. They must be free to offer different views rather than become assimilated by the prevalent structure itself. This is especially significant if we view a free and democratic society as one where it is safe and acceptable to be different.

Attention to alternative discourse was, of course, famously discussed by Virginia Woolf early last century. In her books A Room of Ones Own (1929) and Three Guineas (1938), she addressed the difficulties faced by women writers. She observed that “a woman’s writing is always feminine; it cannot help being feminine; at its best it is most feminine” (cited in Felder, 1997:131). Long ignored, this feminist perspective needed, in Woolf’s famous formula, “five hundred pounds a year and a room of ones own” to develop (ibid.). The issue of competing discourse and world views is an important issue for making and interpreting law and is developed further in the Chapter Three.
2.2 An Ark of Biblical Proportions: Women and Homogeneity

As aforementioned, liberal feminism stands accused of reflecting the concerns of white middle class women who aspire to the most successful men (Bryson, 1999). Thus liberalism does not reflect the values of all men, only the most privileged. Just as it makes no distinction between privileged men and the majority, it makes no distinction between different groups of women. If women en masse, are not the same, how can they, as a group, be the same as men? Liberal feminism fails to account for class, race and age differences amongst the experiences of working women as well as the distinction between childless working women and working mothers.

An overlooked category here is that of childless women; most feminists point out women’s uniqueness as defined by their ability to have children, but what of those who do not have children. Are they more like men than women?

This chapter has outlined how liberalism universalises from a male perspective. Black feminism further critiques the liberal assumptions which universalise the experiences of women and suppress the differences between women (Beasley, 1999). Black feminism highlights liberal feminism’s inadequate recognition and marginalisation, or even repression, of differences among women, differences marked by power (op cit). In this way, Black feminism tackles the issue of homogeneity of women that liberal feminists overlook. Women (and men) are all different, according to race, age, sexuality, class, disability and individual personality and life experiences - women are not all in the same boat in terms of their encounters and needs: we would need to borrow Noah’s Ark to fit us all in! Black feminism argues that by failing to acknowledge or explain racial oppression, liberal feminism has served to uphold and perpetuate the inequalities of a racist society. hooks (1981) has pointed out that “Black women have felt forced to choose between a black movement that primarily serves the interests of black male patriarchs, and a white women’s movement which primarily serves the interests of racist white women” (09).

Bryson (1999) maintains that throughout the history of feminism, many white feminists have failed to see women of colour. As a result, many women, “have felt able to
generalise from their own experiences and to make universal claims on behalf of their sex which for many women are irrelevant, inappropriate or false” (33). For example, the feminist complaint that women are stereotyped as weak creatures in need of male protection and are unfit for work outside the home contradicts the experiences of many black women as well as white women whose labour in factories and fields is exploited.

It is argued that Black feminism should not be tacked onto the end of feminism but should be equal to it. Indeed, Davies (1990) argues it should be a central starting point. She maintains that a feminist movement which begins with middle class white women will only improve the lot of those at the top of the social pyramid, leaving the lives of other women untouched. If we aim at improving the situation of those at the bottom, that is, working class black women, then the “entire oppressive structure of society will have to be transformed” (Bryson, 1999:34). Davies (1990) argues that, “The forward advance of women of colour almost always indicates progressive change for all women” (31). Indeed, those on the receiving end of oppression are more likely to see it than those who are advantaged by it and, Bryson (1999) asserts that, “precisely because they are the most disadvantaged group in society, with no institutionalised inferiors, black women have a special vantage point and a particularly clear understanding of the world from which we can all learn” (34).

It is also argued that by focusing on the experience of Black women we can see the interconnections of different forms of oppression which opens up feminist analysis of other previously marginalised or excluded groups. A multifaceted approach allows us to see that, “different systems of oppression are not independent, but support each other ... to understand that any one individual is likely to be a member of both subordinate and privileged groups rather than simply victim or oppressor” (Bryson, 1999:34-5). Thus, Black women’s situation should not be understood as the sum of cumulative disadvantages (gender plus race plus class) but as a multiplier of events (gender times race times class); different forms of oppression interact so that gender oppression is experienced by groups of women in qualitatively different ways (op cit).
However, it could be argued that Black feminists should be careful not to underplay sexism in their desire to promote issues of racism. For instance, there are many individual free and educated White women who are racist, but sexism among free, educated and powerful ethnic minorities is often group-based or institutionalised: arranged marriages, female circumcision by ‘wise’ tribal ‘elders’ and the impending stoning to death of Amina Lawal, a Nigerian woman whose only crime was to have daughter Wasila out of wedlock, are examples of this. Indeed, Lecs (1986) argues that, oppression, “based on class, race, religion or region have in common their ability to rely upon and indeed a tendency to strengthen, family and community as forms of solidarity and resistance on the part of the oppressed. Sexual oppression, however, is located within these very institutions” (95).

Black feminism itself can be criticised on a number of grounds. Firstly, although it stipulates the differences between different groups of women, it still falls into the trap of treating different groups of women (in this instance, different groups of women of colour) the same, repeating in itself the criticism it makes of liberal feminism. Many black women are in high flying jobs and similarly, some groups of black women have more in common with other groups, men, women, black or white, than with other black women. All black women are not oppressed and all black women are not at the bottom of the pile. To say otherwise is an insult to all women and arguing over who is the worst off smacks of martyrdom. It could also be argued that a good number of low paid black women at least control their private domain as single parents, while many white working class women are trapped further by marriage.

Talk of racism as an institution of oppression by white people is also ahistorical in part. The roots of slavery for example predate colonialism. Some parts of Africa dealt in slaves long before Europe invaded the continent and continue to do so today while the practice is banned throughout the West. Black women are not homogenous and in instances, there is racism between groups. There has historically been discrimination by black people towards each other. In the 1850’s novel The Bondswoman’s Narrative (thought to be the first manuscript by a female African American slave), Hannah Crafts observed that, “the family residence was stocked with slaves of a higher and nobler order than those belonging to the fields” (202). Indeed, traditional colour and class
distinctions between house slaves and field slaves was commonly remarked upon by
slave narrators⁶. This colour distinction remains true today, for example in the USA
light skinned black people have felt rejection from both the white and black community
and a number of modern day African American role models have spoken out about such
displacement including Mariah Carey, Halle Berry and Vanessa Williams. Additionally,
in the UK differences between ethnic groups can be seen in the different employment
patterns of Black and Asian groups.

2.3 The (A)Gender Of Politics: Issues of Feminism and Political Practice
Liberal feminism is accused of upholding the male worker as the standard citizen
against whom we should all be measured. In this way, liberal feminism stands accused
of failing to move away from mainstream political theory which excludes the issues and
experiences of many women. As demonstrated, there are a number of issues that are
important to women’s lives and consequently to a feminist agenda. Their recurrence in
various feminist theories and their interconnections with each other (as well as my
difficulty in pigeonholing them into separate and/ or individual issues) indicates not
only their significance but also their centrality to women. The complexities and deep
seated interconnections also demonstrate that these issues cannot be dealt with
superficially through amendment, but need to be part of a long term, thorough agenda
of change. The liberal approach’s failure to acknowledge this suggests that change for
women through its means will be minimal: how can a legal system built on traditional
political thought that typically ignores women’s issues hope to bring about equality?

Feminist theory has raised a number of issues that this thesis will now address
practically. These include, issues of universalism and difference, public and private
issues as related spheres and forms of political activity (informal politics, the personal
as political), competing world views, the male ‘norm’ and issues of homogeneity in
defining women as a group. This thesis will demonstrate how these issues, derived from
theoretical debate, have a real basis in women’s experiences of the law, in terms of
women as users of the law and women as makers of laws.

⁶Distinctions between colour was a theme continued in Harlem Renaissance literature (see Zora Neale
Hurston) and carried through to contemporary works by authors such as Toni Morrison and Alice
Walker.
2.31 Thrown Out with the Baby’s Bath Water: Childless Women and the Motherhood Marker

As we have seen from history, not all women shared similar experiences. Not all women lived and died as slaves, and not all women enjoyed the privileges of royal women. Hence, “There is no generic woman nor any monolithic woman’s point of view” (Rhode, 1992:158). Bryson (1999) argues that “women do not constitute an economic group united by their role in social production or reproduction and that it is not therefore appropriate to conceptualise them as a class” (58). Yet still, women by and large continue to be treated as a single homogenous group in the eyes of law makers.

Undoubtedly, women are still grouped together because of their ability to give birth. Guerrina (2001) asserts that the “Current political debates about the extension of maternity and paternity rights highlight the continued importance of motherhood in defining gender roles and gendered divisions of labour in modern British and European society” (33). But not all women are mothers.

What defines us as women if we are not mothers? Childless women are a group overlooked by both feminists and policy makers. If a woman is not a mother she does not enjoy the maternity privileges of legislation, yet can be penalised for her ability to become a mother. Therefore she does not enjoy the privileges of being a man either. If “Women’s maternal role has profound effects on women’s lives, on ideology about women, and on the reproduction of particular forms of labour power” (Chodorow, 1978 11), then women’s maternal role has implications for women without children too, especially if motherhood refers to women’s standing in the political order, itself an issue pondered by Pateman (1992). This thesis will use childless women to highlight the implications of policy makers treating women as an homogenous mass.

2.32 I Want To Ride My Bicycle: Does The Law Ride Us By?

The second major issue this thesis will address is whether the law is an effective vehicle for delivering equality. Western law is built on the principle of liberalism and, ”many of the inadequacies in contemporary equal protection law stem from its preoccupation with difference” (Rhode, 1998:350). The current trend in EU EO policy towards reconciliation for women between family and employment. However, “to require
maternity, but not paternity or parental leaves, is to reinforce a division of child-rearing responsibilities that has been more separate than equal. Difference-oriented approaches in various employment contexts have led to the establishment of 'mummy tracks' that often turn into mummy traps” (Rhode, 1998:349).

Can a legal system that upholds the traditional ordering of society bring about equality? It is to this issue that I now turn.

Box 2.1 Chapter Summary

1 Feminism as a body of thought is important in challenging traditional social and political mainstream theory which at best, pushes women to its margins.

2 Liberal feminism is the mainstream face of feminism: the law is built on a liberal political and theoretical approach, and liberal feminists maintain that women can gain equality through the legal process.

3 Other feminists maintain that a liberal process which upholds rather than challenges the present (sexist) order of society cannot effect change.

4 This thesis surmises that there are important issues in need of address to effect change for women. These are: the male ‘norm’, universalism versus difference, the public - private spheres as connected fields as well as definitions of ‘political’ activity, competing world views and the heterogeneity of women as a group. The recurrence and interconnections between these issues highlights the significance and centrality of these points to women’s lives.

5 It is prudent to incorporate competing arguments rather than settle on just one. Having done so, this thesis will apply the above issues more practically to the area of law.
3.1 Introduction

The demand that women should have the same legal rights as men has long been central to feminism, and many feminists still believe that the law can be used to achieve their goals. Others argue that the law is inherently biased against women and reject the underlying assumption that the prevailing legal system is a fair one. They argue instead that it, “fails to recognise women’s needs or articulate their experiences, that it expresses a limited, male conception of justice and that it is both a source and a reflection of men’s paternal power” (Bryson, 1999:72). The law can thus, be seen as a site of struggle in which feminists can contest the current meaning of being a woman (op cit.).

This chapter explores how the law upholds and perpetuates the image of women and sets boundaries of values, behaviour, image of and attitudes towards women. This is important firstly, because the law helps create the meaning of what it is to be a man or a woman (Smart, 1989), and secondly because women have to seek redress for
discrimination within its remit, as well as work within the confines of the legal and political arenas to make and change equality law.

This chapter will firstly look at how the law upholds and perpetuates certain images and standards of women. In light of this, it will then question whether the law can be a vehicle for change. It will then examine women’s approach to law making. Then it will look at women in the EU.

3.2 Hysteria - Her place in His Territory: Women’s Image in the Law
Carlen and Worrall (1987) maintain that the criminal law constructs women within the ideologies of domesticity, sexuality and pathology. Women defendants are re-presented as family members, as sexual objects, and/or as sick (Worrall, 1990). This is important given that the law sets the boundaries for women’s treatment in society as a whole. It is also significant as “justice” is no more and no less than the name we give to that which is (re)produced by the law, within the institution of the law” (Worrall, 1990:20).

The experience of rape illustrates how women are (re)presented sexually. Helena Kennedy QC (1992) maintains that the attitude of the court to a female will depend on what kind of woman she is perceived to be, and that the assessment of a woman’s worth is “enmeshed in very limiting ideas” (22). Women often find that the sexual reputation of the victim rather than the accused is put under scrutiny (Bryson, 1999). Segal (1987) also argues that, “Sex, as it is socially defined and controlled, is also, without doubt, tied in with all the social practices and institutions confirming men in their power over women” (71).

Beliefs about ‘acceptable’ and ‘appropriate’ female behaviour frequently mean that a woman is required to explain behaviour that would be unremarked in a man. It is therefore, “the victim rather than the accused who is called to account for going out on her own at night, accepting a lift or drinking with strangers; the man who is accused is not similarly required to justify his presence or behaviour in public space” (Bryson, 1999:79). For example, the law submits to the belief that a woman who has sex outside a stable relationship deserves any sexual fate that comes her way. Kennedy (1992)
argues that the myth that women are “arch deceivers, prone to making false allegations, blights many rape trials” (32).

This has certain parallels with sexual harassment cases in the civil courts, where there is the common held belief that women initiate unwanted attention and then issue complaints when they are caught out. It is often believed that many of the cruel and vile things which men do are done at a woman’s instigation (Greer, in Segal, 1987). Thus, “wherever they stand in the courtroom, women are not deemed to have the same authority or credibility as their male counterparts” (Kennedy, 1992:21). Kennedy further argues that female court incumbents are not immune from such categorisation: “Passivity is still the expected role; aggression is considered phallic, certainly unattractive in a woman” (49, italic added). This is indicative of the experiences of women as users of law, women as legal actors and women as law makers in the political arena. In the latter, it is suggested that party selectors do not like assertive women who display male traits, as it ‘jars’ them the wrong way (Elgood et al, 2002).

Closely associated with the image of women defendants as ‘sexual’ is the assumption that they are “sick”. In the construction of femininity, the ‘normal’ female body and mind are perceived as being predisposed to malfunction: “Menstruation, pregnancy, childbirth, and the menopause all result in ‘hormonal imbalance’ - a phrase which connotes that women may themselves be ‘imbalanced’ during those times” (Worral, 1990:64). Yet these are all normal life experiences for women. Thus, in the eyes of the law (and measured against a male norm) the normal woman is likely to be viewed as abnormal.

Medicalising and pathologising women is a way of perpetuating the myth that they are victims of their own physiology and that the function of all women might be intrinsically impaired (Kennedy, 1992). There is much less willingness to invoke psychiatric explanations in male wrongdoing (op cit), nor is pathologising female crime a new phenomenon. In the nineteenth century, for any woman with money for a doctor and a lawyer, nymphomania, pyromania and all manner of manias were invented to explain their aberrant behaviour - Hysteria was the Latin word for the womb.
Suffragettes were met with the same insistence that their behaviour was due to menstrual dysfunction, ovarian problems or chronic spinster-hood. Force feeding in hospitals was resorted to only in instances of obstruction, unconsciousness or insanity, yet in HM prisons, by 1914, 165 women had been forcibly fed (Marlow, 2000). The discourse of pathology reinforces beliefs about the natural contrariness of women and about women being at the mercy of their ‘raging hormones’ (Worral, 1990).

One example of how the law domesticises women can be seen in responses to the father’s role in child care. A judge recently ruled that one father had no grounds to prevent his ex-wife from leaving the country with their son as he could keep in contact via e-mail and live computer video link ups (Daily Mirror, 2000). In this way, family law upholds the superiority of mothers. Further, unmarried fathers have no legal rights regarding their children in terms of medical treatment, place of residence or choice of school. They can sign ‘parental responsibility’ orders which grant them these rights, but only if the mother signs it too (Reeves, 2000).

The flip side of this, of course, is that society expects women to be motherly. Indeed, there is a “heightened outrage when they run in the face of those ideas,” (Kennedy, 92:24-5). Most recently, this can be seen in the differential media response to Maxine Carr, accused of conspiring to pervert the course of justice, and Ian Huntley, who stands accused of double child murder: in addition to the legal crime, the media has convicted Carr of the moral crime of going against her (nurture) nature.

3.21 Not In My Court: The Exclusion of Alternative Discourse and Experience

In working out where to place women in the discourse of domesticity, sexuality and pathology, solicitors overlook the possibility that a woman might not be guilty. By tailoring their representation to the woman’s circumstances, the woman’s own experience and voice is excluded (Worral, 1990). In making her fit an image, her experiences are marginalised from the process. As the law is designed by men, for men, the social complexities that make up a person’s life are overlooked. One example of this, is the financial differences between women and men. Because of their lack of resources, financial penalties are unsuitable for many women passing through the
courts, and women tend to go to prison far earlier in their criminal activity than men, despite the triviality of their crime (Kennedy, 1992).

The inability of a man-made and male dominated legal system to express women’s experiences is epitomised best in rape cases. For example, Sue Lees’ (1996) study of British women’s own experiences of rape found that their voices were silenced by a justice system in which traditional male assumptions and myths are institutionalised. It is argued for example, that in rape cases where the alleged attacker is known to his victim and where he is white, men throughout the legal system tend to identify with the (male) attacker, rather than the (female) victim, though this show of solidarity is not extended to Black (ie, non-white ‘old boys’) or stranger rapists (Bryson, 1999). This is based on the myth that women are not men, and therefore their credibility is not dependable. The current trend towards naming rape as ‘date rape’ is also a blight on a woman’s credibility, her worth and the validity of her experience: “‘Date rape’ ... implies that the rape is somehow less serious, that it happened almost accidentally when the man misread the signals given by the woman” (Lees, 2000:15).

The failure of the legal system to acknowledge women’s experiences can be seen in other examples. Middle class magistrates find it hard to understand the material circumstances which restrict the choices of many women (the lack of a car which forces a woman to walk alone at night or the absence of alternative accommodation which forces a woman to return to a violent husband). Instead, women are seen to have chosen to contribute to their own plight by their imprudent behaviour and are thus, in part to blame for the consequences (Worrall, 1990). Difficulties resulting from an inability to leave an abusive man is interpreted by the police, the courts and social services as an unwillingness to leave and mitigates against a woman’s ability to obtain protection. In cases where a woman has started but withdrawn proceedings before, she is even less likely to be taken seriously (McCann, 1985). Kennedy (1992) argues that “Denying women their experience is one of the ways in which male power is maintained” (15).

The lack of women in the judiciary confirms the marginalisation of women’s experiences. One might suggest that keeping women out of ‘men’s areas’ allows the
myths which serve men’s purpose to prosper, and could be why they fight so hard to retain an ‘old boys’ atmosphere. Female lawyers often admit to feeling patronised and marginalised and their legal arguments are given more weight when repeated from the mouths of male colleagues (Kennedy, 1992). They also face the accusation of over-empathising with their clients far more often than men because explanations have to be sought as to why they fight so hard to win. Tough fighters amongst men are identified as passionate: “professional distance is ... a way of excluding women’s values from notions of professionalism: caring is interpreted as partial; it is impartiality that is the male, legal, ideal” (Kennedy, 1992:51).

3.22 Fraternité - The Brotherhood of Man

Kennedy (1992) maintains that, “The courtroom is still an arena where men, for the most part, play the dominant roles” (63). She argues that increasing the number of women in senior positions would change the nature of discourse, challenge sexist attitudes and myths and encourage judges to ‘take stock’ of women’s different experiences. There is evidence to suggest that similar arguments can be applied to the political arena (see Squires & Wickham-Jones, 2001, Elgood et al, 2002).

One of the most important factors for consideration when examining the affect of new legislation is the criteria which judges bring to bear on this decision making process (McCann, 1985). Some 80% of judges in the 1990’s were white men who had been to both public school and to Oxbridge, and the number of those privately educated was actually rising (Bryson, 1999). Smart (1989) maintains that “this backing is likely to give them a particular set of personal values which will in turn colour the exercise of their discretion” (23).

One way in which the traditional ‘men’s rule’ of the legal arena ensure women are excluded is through language. Worral (1990) asserts that women are subordinated both because they are already subject to the ideological pressures of gender stereotyping outside the court and in part because of the ‘masculine’ characteristics of the court-room. She claims that “the public nature of the court-room and its

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1It should be noted that many of the issues concerning women can also be applied to other groups who do not ‘fit’ the background of the dominant group in court, notably people with working class backgrounds and ethnic minorities.
communications, reflecting distinctions between 'male' (public) and 'female' (private) space, may seem especially oppressive to women ... [and] the adversarial nature of English court proceedings (with their accompanying vocabulary of 'fighting', 'winning', and 'losing') may seem as irrelevantly aggressive by women" (84). This has parallels with the adversarial style of politics which is felt to be unappealing to many women (see Stephenson, 1998b).

A further example of this can be seen from the experiences of the renowned Greenham Common women who were pulled into Newbury Magistrates court. The women made their own political statements:

"It was quite extraordinary to see the way in which the traditionally regimented courtroom procedure was changed. One after another, the women gave forceful explanations of why they were involved. Their large numbers together in the dock meant that they were not intimidated and were able to express themselves freely in what is normally an inhibiting male theatre. They gave each other encouragement and support" (Kennedy, 1992:259).

The alienation of women in male dominated courts is also applicable to civil law. In the case of discrimination tribunals, conciliation officers from the Advisory Conciliation and Arbitration Service (ACAS) have to act impartially in the exchange of information between the two parties and are therefore not in a position to provide support for discrimination applicants (Gregory, 1987). Consequently, in 1996 only one in twenty cases brought under either the Sex Discrimination Act or the Equal Pay Act reached a hearing and was concluded successfully (ONS, 1998). Thus, Bryson (1999) asserts that, "problems arise when women try to pursue equality within legal systems in which men have written the rules" (74). This is clearly a critical issue for equality law and demonstrates the need for those who come before the tribunal system to be judicially represented. To be tried before one's peers is, after all, the basis of British law.

3.23 Section Summary

The law is important because it creates the meaning of what it is to be a woman. Women's experiences of the law are linked to the image it holds of them. Consequently, women are either mythologised by the law (image) or marginalised by the law (exclusion of discourse and experiences). These issues are all significant because they
have been shown not to be unique to just one arena but hold true to some degree in the criminal, civil and political arenas. This is shown in Box 3.1 below. Given this, many feminists argue that the law is not an effective means of instigating sex equality.

Box 3.1 Parallels between women as law users and law makers

- Disqualification of alternative discourse (language)
- Disqualification of alternative experiences and accounts
- Punished if not ideal woman (passive not assertive)
- Issues of isolation, alliance (players are overwhelmingly male)
- Adversarial style (women do not like)
- Men’s rules
- ‘In group’ control
- Old boys network
- Ethic of rights vs. ethic of responsibility
- Merit of individual put under scrutiny rather than the issue at hand

3.3 Who Wants Symbols When We Can Beat Drums? The Law, Equality and Representation

3.3.1 The Law as a Vehicle for Change

Chapter Two offered a critique of the liberal approach to equality. It was argued that this approach upholds a male norm, excludes women, separates the personal from the political, and marginalises alternative discourse and experience (see Box 3.1). As a consequence, many feminists maintain that the law is not an effective vehicle for bringing about equality. For example, the law upholds the male life experience as the norm and the ideal (Battersby, 1998), it implies that women must become like men to succeed, and it contains the fight for justice by upholding the status quo (Gregory, 1987). Audre Lorde aptly proclaimed that “the Master’s tools will never dismantle the Master’s house” (Miles, 1993:277).

However, Morris and Nott (1991) claim that there is still an important role for the law in the pursuit of equality. This is because the law purports to represent the values and morals of a society at a given time. Guerrina (2001) also argues that the law should

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remain an integral aspect of feminist analysis because mainstream social, political and legal structures continue to play a crucial part in the attainment of equality. Indeed, Walby (1999) believes that the extent to which the law changes and responds to the increased political articulation of women is underestimated, and changes in policy are symbolic of a general process of women’s increased political voices. Indeed, EO policy has been developed within the EU in response to women’s lobbying and the construction of alliances amongst women. Hoskyns (1996) points out that the original inclusion of Article 119 in the 1957 Treaty of Rome is the result of French women trade unionists in winning equal pay. Further, the increased representation of women in trade unions, the law and Parliament has also increased the likelihood that “women’s struggles find positive expression through the law” (Walby, 1999:75).

3.32 The Principle of Equality

To this end, it seems that rather than abandoning the fight for equality through the law altogether, the law needs to be changed in order to equally incorporate competing discourses. Thus, it could be argued that to make a real difference to the lives of women, the definition of equality needs to be more radical. Here, different policies are applied to different social groups in order to produce not only equality in terms of opportunity, but also in outcome. An example of possible policy in this respect is all women short-lists to overcome women’s under-representation in politics. EO policy in this sense would reject individualistic concepts of fairness and intervene directly in workplace practices in order to affect the outcome of the contest rather than the rules of the game (Jewson et al, 1995). Cockburn (1989) maintains that within organisations the pursuit of EO for women rests on either a ‘short’ or ‘long agenda’. The short agenda seeks to minimise bias in recruitment and promotion and is limited. In contrast, a long agenda would see transformation at the structural level, challenging the processes of power by and over certain groups within institutions. A long agenda would look for the melting away of the ‘white male monoculture’ (Cockburn, 1989).

The differences in definition of EO policy can be said to mirror differences in approach to policy making. Though not exclusive, two dichotomies (liberalism and radicalism) can represent a gendered world view in both approach to content of policy as well as the
policy making process itself (see Box 3.2 below). Current policy is based on a liberal tradition (in the left hand column of the table). Liberalism is associated with equality of opportunity and issues of rights and justice. Various commentators (Gilligan, 1993, Kathlene, 1998) argue that women moralise the world differently to men (right hand column). For example, for women the personal is political and public and private spheres cannot be separated. It is argued that these factors need to be incorporated into policy in order to make a difference for women.

The acceptance of the liberal norm excludes alternative discourses or experiences or language or world views. Many feminists insist on the collective, social and contextualised nature of rights instead of individual rights, and claim that women should not be claiming ‘rights of men’ based on men’s identifying qualities of rationality, competitiveness and autonomy, but rather should base claims for equality on women’s qualities such as emotion, interdependence and care. The language of individual rights, for example, allows no space for the moral and emotional ambivalence which many women feel about abortion. McDonnell (1984) asserts that, “Our ‘politics’ cannot afford to be divorced from our authentic feelings, no matter how vague or contradictory they may seem. Our real task, is to search out and find ways to reconcile the two” (13).

If women’s unique experiences and viewpoints are crucial to policy making, then women must be free to express them at all points. Finding ways to reconcile the personal and the political is vital because at present women may be penalised for expressing themselves as women where men are in the ascendancy. Nor is it enough for women’s experiences to be merely ‘tacked onto’ the prevalent system of law, as any attempt to reconstruct a female alternative to the basic values of the current systems would preserve the notion of the ‘law’ as the pre-eminent discourse and the view that it has access to truth and justice (Smart, 1989). The aim instead is to reclaim women’s rights to language and expression and thought - post modernism can be helpful here with its idea of deconstruction.

Further, focusing on interconnections represent a shift away from narrow individualism to a perspective which understands that “humans are part of a society and that they do
not exist in isolation from one another" (Bryson, 1999:219). This would also acknowledge that both care and responsibility are essential for human survival. All humans are dependent upon the care of others from infancy to eldercare, and even the most independent among society (usually men) are dependent upon the domestic and emotional support of family and friends (usually women). A perspective that recognises this can also recognise the "social importance of work that is frequently unpaid and the ways in which this affects the roles played by men and women in economic and political life" (ibid.). As such, this would reject the traditional public-private split.

<table>
<thead>
<tr>
<th>Liberalism</th>
<th>Radicalism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individualism</td>
<td>Wider society</td>
</tr>
<tr>
<td>Equality of opportunity</td>
<td>Equality of outcome</td>
</tr>
<tr>
<td>Short term policy solutions</td>
<td>Long term policy solutions</td>
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<tr>
<td>Justice</td>
<td>Fairness</td>
</tr>
<tr>
<td>Rights</td>
<td>Need</td>
</tr>
<tr>
<td>Separate</td>
<td>Connected</td>
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<tr>
<td>Objective</td>
<td>Subjective</td>
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<tr>
<td>Public as separate to private</td>
<td>Public and private as connected</td>
</tr>
<tr>
<td>Instrumentalism</td>
<td>Contextualism</td>
</tr>
<tr>
<td>Ethic of Justice</td>
<td>Ethic of responsibility</td>
</tr>
<tr>
<td>Power over</td>
<td>Power for</td>
</tr>
</tbody>
</table>

### 3.33 Does Representation Matter?

Similarly, it is often questioned whether political representation matters. Many studies make a case that there is little evidence of women making changes in favour of their sex once in power. Vallance (1988) for example, found that women MEP’s have often been unwilling to become involved in ‘soft’ women’s issues for fear of being professionally undervalued or labelled as ‘women’s politicians’ who have no real expertise. Further, the women most likely to be elected to Parliament are those whose lives most closely resemble those of successful men. They are disproportionately childless, white, middle class and non-disabled (Bryson, 1999). Moreover, it is arguable whether the infiltration of women into the political forum would overcome the disadvantages of a male dominated domain. There is evidence to suggest that the ‘out-group’ (the minority
females) are swallowed into the prevailing (male) ethos of the ‘in-group’ (in this case the majority male culture of Parliaments and the legal system) (see Vallance, 1988).

Norris (1996) argues that members of minority groups have to “internalise institutional norms for successful entry and career promotion” (93). However, critical mass theory suggests that there will be a qualitative change in the nature of group interaction only once the minority group reaches a critical size (thought by some to be at least 30%) (Squires & Wickham-Jones, 2001). If women are proportionately represented, it is argued, they will be more confident in putting forward their own case. To some extent, devolution in Wales and Scotland support this argument. Val Feld, former Director of the EOC in Wales, says the presence of so many women in the National Assembly for Wales, “changes the behaviour of men, giving legitimacy to those men that do want to work in a way that allows for co-operation and collaboration” (Squires & Wickham-Jones, 2001:97).

So, in light of these arguments, does it matter if the representatives are men? Many feminists (e.g., Smart, 1987, MacKinnon, 1983) argue that political representation does matter, not only on the basis of fairness and justice\(^3\), but also because of women’s distinct experiences and voices.

Women politicians, it should be remembered, are not a monolithic group. They differ in the solutions they see, the kinds of women they represent and the extent to which their concerns are salient (Dodson, 1998). However, in spite of heterogeneity among women, Conover (1988) believes that a shared feminist identity enables women to make their distinctive mark on politics.

Importantly, in relation to this issue, a survey of women MP’s found that, “Women who described themselves as feminists were more likely to be active in their party at local, regional and national level, more likely to have stood and been elected as local councillors, more likely to have been involved in local public bodies, pressure groups and community groups, more likely to have held office in a Trade Union or a woman’s organisation than women who said they were not feminists” (Stephenson, 1998a:15).

\(^3\)For debates about issues of fairness and justice see Phillips (1998), Lovenduski (1999).
In the UK, political party and age mediate a feminist identity, with Labour MPs and young women far more likely to describe themselves as feminists than Conservative MPs and older women (Stephenson, 1998a). ‘Feminists’ were far more supportive towards representing women’s issues and increasing women’s representation in Parliament than non-feminists (op cit).

The identification of a ‘feminist identity’ among female politicians serves two purposes: firstly it protects against the labelling of women as one group, and secondly a feminist identity is linked to a difference in political style among women. Conover (1988) for example, argues that the presence of a feminist identity drives much of the gender gap in attitudes and much of the differences in attitudes amongst women themselves. As such, a feminist identity is the ‘mechanism’ that enables women to make their distinctive mark on politics. If feminist and non-feminist women are different, this might impact on their actions and attitudes in policy making.

Thus, it can be seen, the law can be used to bring about equality if altered in order to incorporate alternative discourse and experience. Also, women can make a difference within politics, so representation does matter. In her study of the legal system Kennedy (1992) argues that the “symbol of justice may be a woman, but why settle for symbols?” (263). Comparatively, for women to assert any real influence in the political arena, it is felt that they must move into the core of decision making rather than remain on the periphery. Cymbals make noise in any orchestra but it is the drums that set the beat!

3.4 But Caesar wore Chanel! The Cut of Women’s Alternative Political Style

The Common Law upon which our legal system is based developed in the Middle Ages when drawing on the Roman tradition, women and children were placed under the jurisdiction of the head of the household (Kennedy, 1992). From this has developed the expectation that women adopt the male norm, and with it the comes the assumption that women can be fashioned out of a masculine cloth (Gilligan, 1993). Her failure to conform to the traditional (male) practice is often seen as a lack of ability rather than her difference. “‘Romans always lie, said the Roman,’ contains a factual truth about imperialism: that there is a lie at the center of any imperial order” says Gilligan (1993:xxiv). The lie here is that women are somehow less than men because they may
look, moralise and act differently to men - Who, after all would fancy telling Julius Caesar he was not fit to rule Rome because he wore a dress? This section will now examine three ways in which women's political style may differ from men's. These are how they moralise the world, their interest in personal issues, and their relationship to power.

Kathlene (1989, 1993) found two differing views of moralising the world, neither of which was exclusively male or female. Kathlene adapted Carol Gilligan's (1982, revised 1993) original framework of women speaking in 'different voices' to the political process of public policy formulation. She suggests that women and men have differing attitudinal orientations and gendered views of the world. Men tend to be instrumental in their behaviour, attitude and approach to policy making. Their moral reasoning embraces liberalism's universal principle of individual rights. Problems are framed in terms of rights. A focus on private rights denies the interaction of the public with the private, denying that the personal is political. Instrumentalists see the world as separate and operate according to justice. Contextualists, on the other hand, see themselves as an extension of the community and affiliated and related to others. Contextualists, who tend to be women, do not readily recognise distinct and separate social spheres. Instead, they address problems by anticipating, interpreting and responding to people's needs, viewing problems as a societal failing rather than an individual's fault. They see the world in terms of 'connectedness' and operate an ethic of care (Kathlene, 1989).

3.41 This Time its Personal: ‘Common Touch’ Politics

Conventional approaches to politics suggest that women are generally less interested and active in politics than men. However, if we “look beyond the formal political system to less institutionalised forms of collective activity, a very different picture emerges” (Bryson, 1999:92). The overall involvement of women in community groups, voluntary organisations, protest groups and wider social movements may not be greater than men's involvement, but it is significant that it is at the level of local community action women frequently play a leading role. Elgood et al's (2002) study of parliamentary candidates also revealed that there is no separation of the personal and the political for women.
Many women have always been involved in voluntary and charitable work, in fund raising and social events. For women, grassroot’s activity still represents an important link between individual concerns and wider political issues. Indeed, women feel more strongly than men that previous experience in local politics was important in encouraging them to stand for selection to government (Elgood et al, 2002). Yet, to suggest that women’s political priorities differ from men’s does not mean that women are not interested in ‘serious’ political issues. A study of women voters showed that women have deeply held opinions on a wide range of political issues even though they describe themselves as not interested in politics (Stephenson, 1998b). Ali (1996) agrees that although many women are uninterested in politics as defined by men, many are involved in a system of ‘parallel politics’. Bryson (1999) maintains women are active in “informal networks and community activities, and many gain political information and values ... from women’s magazines and daytime television, through which the voices of ‘ordinary’ women can frequently be heard unmediated (and unnoticed) by political ‘experts’” (94).

Women’s alternative definition of the political and their commitment to ‘people’ work, might also help to explain why so few women chose to stand for selection in formal politics. Elgood et al’s (2002) study of Parliamentary candidates showed that many women feel better able to make a difference to peoples lives by contributing in ways other than standing for selection. Further, women’s commitment to personal or people politics is also reflected in the work they do if they enter formal politics. The Fawcett Society found that women MP’s considered constituency work and case work to be the most important parts of their job (Stephenson, 1998a:17). This is an important issue, given that many women MP’s claim such work hinders their involvement in other parliamentary activities. Childs (2001) for example, found that many women MP’s felt that their constituency work had actually prevented them from fully acting for women (in Squires & Wickham-Jones, 2001).

3.42 Hands Across The World: Women and Power

Another difference in the political styles of women and men is their relationships to power. The overlap between issues of power and personal politics also demonstrates the centrality of both issues to women’s political activity.
Bryson (1999) suggests that "while men are interested in power over others, women have a liberatory understanding of power as something which is enabling and empowering but which does not have to involve the subordination of other groups" (95).

Women's leadership styles tend to be more consensual, emphasising co-operation. They see the roots of social problems as connected and interrelated with social forces beyond just the individual (Dolan and Ford, 1998). As already demonstrated, women spend more time than men keeping in touch with constituents, "an activity that presumably fosters mutual understanding and a co-operative outlook" (Carey et al, 1998:91). This can be seen through the empowerment of women by participation in small-scale groups, where for the first time they were listened to and could feel a sense of value and worth. The camp at Greenham Common is probably the most well known of these.

The Zero Tolerance Campaign is another example that demonstrates the importance of uniting grassroots (informal) feminist activity with state politics. Zero Tolerance seeks to raise awareness and challenge myths about domestic violence against women and children. Mackay (1996) outlined the significance of informal feminist activists working with the women's committee. She argued that feminists "may be gaining some leverage from their intervention in the state through women's committees and women's units to control and define certain issues" (209). Thus, Segal (1987) asserts that "personal power and confidence ... comes from women's engagement in political struggle, when it is women collectively who direct and control it" (231).

To this end, it is important that women MP's do not lose touch with grassroots movements and ordinary women. Grassroots feminists can help women MP's to keep in touch with the issues effecting ordinary women. Lovenduski & Randall (1993) insist that, "In the long run, feminists inside a system are more likely to be effective if there is a strong autonomous feminist movement outside the system" (12).

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4This is not a new issue for women. The suffrage movement tried to implant in the public mind the concept that women were, in Lydia Beekers words, "the co-ordinate, not the subordinate, half of humanity" (Marlow, 2000:26).
Kathlene’s study of male and female legislators in America revealed a strong gendered approach to leadership in which woman and men have different leadership skills:

“Women chairing committees spoke less, took fewer turns, and made fewer interruptions than their male counterparts, ... Male chairs, beyond taking the floor away from speakers through interruptions, influenced and controlled committee hearing discussions through engaging in substantive comments more than did female chairs. Men, in one out of six turns, interjected personal opinions or guided the committee members and witnesses to a topic of their interest. Men used their position of power to control hearings in a way that we commonly associate with the notion of positional power and leadership. Conversely, women used their position of power to facilitate discussion among committee members, the sponsor, and witnesses - rarely interjecting their own opinion on the topic” (Kathlene, 1998:198).

(Carey et al, 1998) argue that women favour co-operation to confrontation and perceive power as a way of benefiting all rather than some at the expense of others. Consequently, increased representation of women could spur procedural change within policy making away from confrontation and towards bargaining and accommodation (op cit.).

There is also evidence to suggest that the presence of women also affects the behaviours of male politicians. Schroedal and Mazumdar (1998) maintain that men “feel freer to adopt non-hierarchical modes, consensual modes, and approaches that would not have been accepted under rigid male institutional norms” (210). This has been seen in both the Scottish Parliament and Welsh Assembly experiences (Squires & Wickham-Jones, 2001).

3.43 Can’t Get You Out Of My Head: Competing Voices in Policy Making

In terms of policy outcome, there is a widely held view that the Labour women MP's of 1997 failed to deliver for UK women. There was “no emergence of guerrilla girls fighting for better deal for women voters or for the feminisation of parliament” (MacDougall, 2000). It is suggested that these women had little impact in changing the culture of Westminster and were disappointingly passive and loyal to the government. Indeed, all but one voted to support the decision to abolish the benefit premium for lone parents, who are disproportionately women (Squires & Wickham-Jones, 2001).
However, it should be remembered that changes cannot happen overnight (they have not happened yet in the labour market, and politics as a profession is no different). If MP's in general have not been able to pull the British politics into the modern era, how can one expect women MP's to feminise it in just one term. Indeed, there is evidence that women have influenced Westminster. We should not look for changes in a liberal 'men's rules' fashion, but look at the way women have made changes in their own ways.

Childs (2001) found that there is a distinctive policy style emerging amongst women MP's (in Squires & Wickham-Jones, 2001). Women Labour MP's have been encouraged to pursue a strategy of private intervention and behind the scenes pressure rather than public challenges. This might be a response to media hostility, and a reflection of the dangers of running as a 'women's' MP. Jo Gibbons, special advisor to the Minister for women, explains: “The reason they don't put their heads above the parapet is because, if you are a woman, you get your head blown off far more often that if you are a man” (Squires & Wickham-Jones, 2001:98). Norris (1996) agrees that “there are strong institutional constraints on how far individual members can attempt to challenge the dominant policy agenda or parliamentary procedure without being marginalised politically” (92).

Childs (2001) also suggests that there is evidence of a ‘feminisation’ of the political arena. For example, she found that a link between the presence of women MP's and the representation of women's issues was made explicit by nearly half of the Labour women MP's she interviewed: “There is widespread support amongst the new Labour women MP's for the contention that their presence enables the articulation of women’s concerns at the centre of political debates” (in Squires & Wickham-Jones, 2001:95). Norris (2000) too, asserts that there are links between women MP's and the development of a women’s agenda. She maintains that across most policy issues it is party rather than gender which proves to be the stronger predictor of attitudes. However, across political issue scales women consistently tend to place themselves slightly to the left of the men in their political party. Women within each major party are significantly more egalitarian than men on the issue of gender roles at work and home. She concludes that, “the gender of politicians matters most substantially on gender-related issues” (08).
Squires & Wickham-Jones (2001) also believe that women have influenced the policy agenda at Westminster, "both in terms of the pressure applied by female activists, party members and think-tank researchers, and in terms of the values and actions of the MP's themselves" (93). They cite, as examples of this, the development and mainstreaming of innovative proposals for family policy, child care and work-life balance as well as policy changes which have benefited women, such as the National Child Care Strategy and the decision to pay the Working Family's Tax Credit to the primary carer.

Yet there remains concern that women do not push themselves into seats of real power. For example, just 18% of Labour women MP's and 13% of Conservative women MP's said that becoming a member of their party's front bench was very important to them (Stephenson, 1998a). Women who described themselves as feminists were more ambitious than those who did not, with 55% of feminists stating it was important for them to become a member of the front bench against 33% of non feminists. Given that back benchers may have little room for independence this is of concern. Dodson (1998) asserts that "Until women are chairs of powerful and key committees, hold half the leadership positions, and have the expertise that comes through years of experience, they will have to continue to build the strong ties to male colleagues that enable them to accomplish goals they could not otherwise accomplish" (149).

Less positively, there is also evidence to suggest that women's progress might be thwarted by the traditional structures of politics. Many female politicians speak of the need to be taken seriously in the political arena. The deviation from the male 'norm' along with perceptions that they are committed to 'women's agendas' could cause them to be written off as lightweights.

Women, no matter what their number, still have to work within the confines of gendered institutions and socially prescribed roles (Kathlene, 1998). Thus, simply increasing numbers may not bring about equality. Both women MP's and women standing for political selection cite the aggressive and adversarial style of political debate as a barrier to formal political activity for women (Stephenson, 1998a, Elgood et al, 2002). Many women feel that, "The House of Commons is a male institution with silly rules, 'secret'
conventions, not written down anywhere or justified, managed by men for men” (Woman MP, in Stephenson, 1998a).

The argument that many women are put off entering politics by the confrontational culture of Westminster is often taken to imply that women cannot cope with aggressive Parliamentary debate. This again supposes that there is only one way of doing or reporting politics. Yet, “In no other area of life is it thought that the best way for a group of people to solve problems is to stand on opposite sides of a room and shout insults at each other. Changes to the way Westminster operates are needed not to make life easier for women, but to bring the way Britain is governed into the modern world” (Stephenson, 1998b:140).

However, Childs (2002) believes steps can be taken to ensure women do not get marginalised within politics. She suggests that if women are to have a positive impact on policy there must be ‘safe spaces’ in which feminised analyses can be freely expressed (in Squires & Wickham-Jones, 2001). Without such spaces, women find it difficult to act for women without hindering their own parliamentary careers. Further, not only is it essential that women be participants in policy debates, “they must be part of a genuine discourse which can only ensue among equals, which means that women must be in power - not merely around the halls of power” (Schroedal and Mazumdar, 1998:206). In Scotland, Parliament is built on principles of power sharing, access, participation and EO which has allowed back bench MSP’s to play an important role in developing cross-party consensus on issues that are hard to overturn in chamber (Squires & Wickham-Jones, 2001).

3.44 Camp Bongo! Towards a Feminist Agenda?

To recap, the political arena adheres to a liberal (men’s rules for women’s rights) tradition. This is at odds with many women who have a different approach to policy making, for example, they make connections between personal and political issues and view their relationship to power in a way that differs to men. Women can be said to speak in a ‘different voice’ and consequently, have made a distinctive imprint on national politics. However, the current political arena serves to marginalise alternative discourse and may prevent women from occupying more central political roles.
In the 1990’s a popular pursuit for men was seen as ‘spiritual retreats’ where groups of men could commune together around the camp fire in the middle of the nature, wear tribal war paint and ‘find themselves’ as men. I would argue that in a similar vein, women need to find themselves, to be free to act as themselves to express who they are and what they feel. They also need to move from the periphery into the core of politics, and perhaps these two issues are related. Women need to set up their own camp, Camp Bongo, where they can start setting the beat with the drums!

3.5 A River Runs Through It: Mainstreaming Women Into The EU

3.51 Brussels Sprouts! The History of EU EO

From its inception in 1957 the EU has supported the ideal of an equal role for women in society and gender equality has been given pride of place in European legislation (Bagilhole, 1997). Indeed, many of the gains made by working women over the past fifteen years can be traced to changes at the European level (Crawley and Slowley, 1995). Hoskyns (1992) argues that women’s policy is the “only element of social policy directly targeting a disadvantaged group within the work force, which has both legislative provisions and some degree of institutionalisation at community and national level” (21). On the other hand, women themselves are notably absent from the key EU institutions. In addition, some commentators argue that the hierarchical nature of decision making in the EU, and the lack of open, democratic structures, makes it harder for women to access and influence outcomes (Duncan, 1996).

One of the main objectives of the EU is to improve the living and working conditions of all its citizens and, in this respect, the main problems facing women in the EU are inequality with men at work and unequal opportunities in society (Waddington et al, 1997). Other commentators, such as Pillinger (1992) maintain that in contrast to many National Governments the EU has been fairly open to pressure from women. The EU has adopted a number of Directives in order to implement the principle of equal treatment and has created structures and programmes to support these commitments. These include the European Commission’s Equal Opportunities Unit (established to turn the EC’s words into deeds), the European Parliament’s Women’s Rights Committee (to scrutinise draft legislation communications, policies and political actions as well as to monitor the implementation of legislation and to ensure women’s voices
are heard in the European Parliament), the European Women's Lobby (which represents women's voluntary organisations and acts as a channel of opinion and information and as a campaign group), and the Action Programmes on Equal Opportunities (which provide funding for resources and training, monitoring and enforcement of law, the promotion of gender balance in decision making and ensuring that women's rights are part of all European policies) (Waddington et al, 1997).

The EU also adopted the principle of 'mainstreaming', the incorporation of EO issues into all actions, programmes and policies from the onset (Rees, 1998). The aim of this approach is to identify the covert biases in favour of men and redress the balance (op cit). This will be a long term process demanding the co-ordination and consultation between all those involved in EU policies, and a Commissioner's group has been set up to take an overview of equal rights and opportunities at both the Union and Commission level (Waddington et al, 1997).

The framework laid in the Treaty of Rome, in which Article 119 on equal pay set the scene, has since been backed up with a web of legislation aimed at improving women's opportunities at work. Directives covering EO include those on equal pay, equal treatment, statutory social security schemes, pregnancy and maternity and parental leave. Further, the Treaty of Amsterdam has strengthened the EU's commitment to EO.

In the Charter of Rome (1996), the EU Ministers for Women's Affairs demanded a renewal of politics and society by means of an active EO. In its recommendations of 2 December 1996 the Council of the EU called upon member states to develop suitable measures and strategies to amend the under-representation of women in decision-making positions. In the Treaty of Amsterdam (1997), forty years after the original Treaty of Rome, the EU member states undertook to make EO an essential component of European and national policies. This makes equality between women and men a criterion against which all areas of policy must be measured. This conforms to the 1995 Beijing Declaration: “Without the active participation of women and the incorporation of women's perspective at all levels of decision making, the goals of equality, development and peace cannot be achieved” (Squires & Wickham-Jones, 2001:03). The Declaration of Paris (1999) carried on from these commitments, calling
for gender mainstreaming as a tool by which equality could be guaranteed in principle and in practice (Squires & Wickham-Jones, 2001).

In the field of equality in employment, significant shifts have occurred since the First Action Programme. Policy objectives have shifted from equal treatment to the reconciliation of paid work and family life, and policy measures from positive action to gender mainstreaming (Stratigaki, 2000). This was a response to demographic changes whereby elderly non-workers outnumbered the younger labour supply and whereby the ageing population meant lower economic growth, lower levels of competition and less employment. Reconciling work and family life was seen as the solution to these economic problems. It was at this point that Sweden and Finland joined the EU and were crucial in getting discourse about the reorganisation of gender roles and the gendering of work onto the political agenda (Duncan, 2002). Gender equality in these countries was already central to their political economies with women integrated into both the labour force and politics, with substantial social policy already in place. Consequently, these countries, along with Denmark, were in the position of having to prove to women that joining the EU would not be detrimental to their successes. For the EU then, “The task became one, then, of exporting the Nordic model to the EU rather than the other way round” (Duncan, 2002:310).

3.52 The Montagues and the Capulets - Policy Actors in the EU

Europe is managed by five different institutions:

The European Council consists of the Heads of State or Government of each Member State, who usually meet twice a year to give overall direction to the EU’s programme.

The European Commission consists of 20 Commissioners appointed by the national governments of each member State, and each Commissioner is responsible for a particular area of Community policy. The Commission makes proposals for European legislation and action and overseas the implementation of common policies. The European Parliament must give its approval to the appointment of the Commission, and also has the power to censure it.
With its exclusive right of initiative, the European Commission has been a major player in Europeans' women's policy. From the time of the 1974 social action programme to the present day, the Commission has proposed a series of directives, recommendations and action programmes in the field of equality. In most cases, the initial drafts were prepared by women officials committed to action on issues of equality, in many instances, overcoming resistance from their hierarchical superiors and the reluctance of national politicians (Stratigaki, 2000).

In the 1980's two action programmes were drafted under pressure from women's movements and driven by United Nation's deliberations that gender divisions in the home were essential to women's positioning in the labour market. The Community Charter in 1989 proposed 'reconciliation' measures as a means of promoting the right to equal treatment. All three programmes enjoyed political visibility in Europe despite their weak legal status (Stratigaki, 2000).

The Commission has had to try and find ways of balancing the contradictory demands of the European Parliament (EP) and the Council of Ministers and consequently, its margins for manoeuvre have been frequently constrained. Unanimous voting in the Council has forced the Commission to propose solutions acceptable to all member states (op cit). For example, the Commission proposed that member states should ensure public funding makes an essential contribution to childcare provisions, a position backed by the EP. The Council's final text simply states that they should encourage authorities and individuals from national to local level to make financial contributions in this area (Stratigaki, 2000). Only five of the twenty Commissioners are women, holding the portfolios of Commission Vice-President and Relations with the EP, Employment and Social Affairs, Transport and Energy, Education and Culture, and Budget and Environment (European Commission, 2000).

*The Council of Ministers* is the power base of the EU (Pillinger, 1992). It is where all the major decisions are made and where policies are rejected or accepted. It comprises Government Ministers from each Member State and discusses the proposals put forward by the European Commission and ensures that national interests are
represented. This Council then decides what form these proposals should take, amends the proposals if necessary and decides whether or not the proposals should become law. Pillinger, (1992) argues that, “It has reproduced and reinforced male interests, and is the most patriarchal of all the institutions. It is only occasionally that women’s interests are directly represented” (175).

The fact that the presidency of the Council of Ministers is rotated between the different Member States every six months can be said to have a destabilising effect on women’s issues, and Pillinger (1992) argues that member states have used their presidency to block the discussion of women’s rights issues.

Article 119 on equal pay was introduced in the Treaty of Rome at the initiative of the French Government, with the underlying aim to reduce competition between industries in member states, since the French had already implemented equal pay legislation. The three 1970’s directives on equality introduced by the Council were pushed through by external forces. Women’s organisations entered the European arena and pushed for legislation, and women officials in the Commission initiated and brought forward proposals based on favourable rulings by the European Court of Justice (ECJ) (Stratigaki, 2000). During the German presidency in 1994 women ministers in charge of equality met informally to discuss equality matters and eventually succeeded in mobilising the relevant Commission services to try and integrate gender equality into employment policy (op cit). At the insistence of Belgium, Finland and Sweden, positive action and mainstreaming were finally incorporated into the Treaty of Amsterdam.

The European Parliament (EP) is the parliamentary body of the EU and by its nature is political and democratic. It was developed as a body to legitimise Community activities and the Treaty of Rome described it as “representing the peoples of the states” as well as acting “to exercise the advisory and supervisory powers” (Article 137; Pillinger, 1992). The EP has 626 Members. It is a consultative rather than legislative body, and does not hold the same constitutional basis, power and authority that national parliaments hold. Its main function is to put political pressure on the Commission to implement policies considered to be important and to suggest amendments and give
opinions to the Council of Ministers. It exerts a degree of political, democratic and executive control over the Commission.

It is argued that the importance of the EP in EO lies in “the questions it raises, the debates it initiates and the research it reports and commissions” (Buckley & Anderson, 1988). For example, during the 1989-94 mandate, the Committee produced 27 reports covering issues such as women's health care and the fundamental rights of women (Stratigaki, 2000).

The Women's Rights Committee of the EP was set up in 1984, mainly by women MEP's from all political parties. It has supported the European Women’s Lobby, for example, in arguing against EP proposals on cuts to funding and opposing the positions adopted by the Council of Ministers (Stratigaki, 2000).

Women tend to be better represented in the EP than in the lower houses of their respective national parliaments. This is true for Austria, Belgium, France, Greece, Ireland, Luxembourg, Spain and the UK (op cit.). It is argued that, “the processes and arrangements of the European Parliament itself are an encouragement to greater female participation” (Valiance and Davies, 1986:08). For example, the multicultural nature of the EU lends towards negotiation and the search for compromise, qualities traditionally labelled as feminine. Consequently, Kauppi (1999) argues that, “The political style of many women politicians appears to be more in tune with the style prevalent in EU institutions than with the style dominant in the national political centre” (335).

The EP is the only institution where women have infiltrated the EU in any significant number. Their representation here has increased with each election since 1984 and this trend continued with the 1999 elections. The proportion of female UK MEP's rose from 18% in 1994 to 24% at the 1999 European elections (though this number was still considerably lower than in the majority of other EU countries, despite a new electoral system of proportional representation used for the elections) (EOC, 2002a). Yet, at 30.2%, women continue to be underrepresented in the EP (European Commission, 2000). If the EU is seen to be so suited to women’s political style, one could question
not only why they remain mostly on the periphery, but how they are expected to instigate change for women from such a position.

More positively, the EP has afforded women access to power positions such as finance and economics, which has permitted them experience in areas traditionally reserved for men (Kauppi, 1999). Also, the EP has provided women politicians with a stepping stone to national politics, and to accumulate political experience in a more democratic and co-operative arena (op cit.). In this way, it can be asserted that, “The significance of the European Parliament in national politics in a unifying Europe might be that it provides a forum for the partial overturning of a multitude of nationally determined political values and hierarchies: for example, those that determine the sexual division of political labour” (Kauppi, 1999:339).

However, one may also argue that a certain ambivalence towards the EU as an organisation, has meant that politicians and administrators perceive posts in EU institutions as less valuable than positions at national Parliament (Kauppi, 1999), and are more willing to see women take them.

The European Court of Justice (ECJ) is the supreme court of the EU. It decides whether actions taken within the EU are against European law and ensures that Treaties are respected and applied. For the first time in history, a woman was appointed in 1999 as one of the fifteen judges (European Commission, 2000).

National courts are also bound by EU law to follow judgements and rulings that are made by the Court which has the effect of ensuring that the law is applied in a uniform way. The ECJ played a positive role in promoting equality in the 1970’s, underpinning the adoption of the equal pay and equal treatment directives. It also contributed to their implementation by way of its judgements throughout the proceeding decade (Stratigaki, 2000). However, as Hoskyns (1992) argues, “the courts rulings are not and cannot be a substitute for good legislation” (25).

The EO policy developed by the EU offers a move towards sexual parity but “without effective enforcement these doctrines can remain empty formulae” (Corcoran,
It can be suggested that the power of the EU to itself bring successful enforcement proceedings against a member state is almost as limited as that of an individual in prosecuting a company or government.

Theoretically, an individual can bring enforcement proceedings against a body to the ECJ if s/he has not been protected from discrimination outlined in EU legislation. In practice this is a restricted option due to the complex and patriarchal workings of EU institutions. The ECJ can only work on the cases that are brought to it. Yet as it is largely inaccessible to many women, there is insufficient mobilisation around the issues to coerce governments into favourable responses (Hoskyns, 1992). The ECJ does not have the power to create laws and policies and cannot extend positive ruling to benefit other women in the same position as the claimant. Further, the ECJ may rule in favour of the claimant but the member state has “considerable leeway in interpreting how justice will be restored” (Blakemore & Drake, 1996:38), thus reducing the benefits of seeking justice in the first place. As it stands, the prosecution procedure is itself a barrier to justice.

The EU has limited enforcement power which has very serious implications for future policy. This raises questions over the importance and relevance of the EU: “Implementation by norms, statements of principle or through formal legal equality can never take the place of enforcement” (Forbes, 1989:37).

*The British Government in the EU*

Through a long period of imperialism and hegemony (the expansion into overseas territories through political and economic domination), the British have developed a sense of their uniqueness which borders on condescension towards other nations (George and Bache, 2001). Popular prejudices towards much of the rest of Europe has resulted in the desire for past governments to distance Britain from the EU under the guise of protecting national parliament and sovereignty (op cit).

Past British governments have been cautious, sometimes negative, to European legislation and have shown reluctance to bring Britain into line with the rest of Europe. EU sex discrimination law has been evoked on more occasions in the British courts than
in any other member state. On occasion, the EU has brought proceedings against Britain to force their compliance (Bagilhole, 1997). Past changes have occurred “grudgingly, at the last possible moment, in the narrowest possible way and in a piecemeal fashion” (Bagilhole, 1997:80).

The 1997 Blair government promised a more co-operative and conciliatory approach to Europe than that of previous Conservative governments, and Britain signed the Social Chapter, rejected by the Major government at Maastricht, shortly after Blair took office. With new Labour came the introduction of new legislation from the EU, but also a move away by the EU from hard law concerned with equality in the workplace, towards soft law aimed at the reconciliation of work and family. Labour signed up to the Parental Leave Directive 1996 and signalled its intentions to introduce directives on working time, part time work and parental leave and to improve legislation governing maternal leave (Bagilhole and Dugmore, 2001).

Yet even with a Labour Government, Britain continues to clash with Europe to some extent, picking up the battle where its old Conservative foe left off. Blair’s desire for an Atlantacist policy (individuals acting in an efficient free market) is at odds with the EU’s social partner model (social partners, labour and capital, bargaining in a regulated market), a contradiction paradoxically deepened by Blair himself by signing the Social Chapter in 1997 (Duncan, 2002). Blair himself has been on conference crusades to persuade the ‘Europeans’ to drop their model and take on his, but has had little success.

Blair’s resistance to the EU is best encapsulated in his fight against the extension of parental leave to all parents with children under five, arguing instead that only parents with children born after the implementation date were eligible (op cit.). Blair, of course, lost the ensuing court case, argued by Cherie Booth. The impact of UK equality legislation will be looked at in detail in Chapter Six.

3.53 Putting On The Ritz: The Rhetoric of Liberal Equality

In light of the commitment of the EU to the equality objective, its outcome can be said to be questionable. One reason for this is because of issues concerning the formulation of EO policy. It is suggested that the concept of equality on which current legislation, at
both EU and national level, is based is limited in its effect on positive changes for women. Broadly speaking, EU EO policy draw upon an equal rights tradition of policies deriving from a liberal political tradition. As already discussed, this concept of equality implies an adherence to the values and structures of a patriarchal society because it ensures equal access to structures that are already inherently sexist. Thus, equality in this form is "tantamount to asserting that the Ritz is open to all - the availability of a facility does not mean that everyone has the wherewithal to take advantage of it" (Morris and Nott, 1991:193). Guerrina (2001) argues that, as it stands, legislation promotes the same values upon which it is based, which has serious implications for the future of women's rights in the UK and Europe.

More positively, since the Treaty of Amsterdam the EU's commitment to mainstreaming ensures that issues of sex are now implicitly included in an agenda of greater inclusiveness in policy making (Shaw, 2001). Rees (1998) also maintains that mainstreaming has moved beyond what she terms 'tinker, tailor' approaches (equal treatment and positive action approaches), and towards the more overt transformation of programmes. This can be seen as a "markedly different guarantee to that of bare equal treatment or non-discrimination" (Shaw, 2001:01).

However, mainstreaming is not without its own problems. Shaw (2001) points out that the legal frameworks of gender mainstreaming are generally 'soft', and questions whether this implies a long term "watering down of already relatively weak equality concepts enshrined in the existing equality directives" (02). Pollack and Hafner-Burton (2000) query whether mainstreaming opens new opportunities for social actor intervention or changes the balance of social forces. This is critical given the importance of the feminist lobby in the push towards equality, as outlined earlier in this chapter. Important too, may be that with such an apparent inclusiveness in policy making, more radical challenges to the status quo could lose their capacity to contest set

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5It is not the intention of this thesis to detail and critique EU EO policy in the specific, but rather to suggest that the (liberal) ethos underlying the equality agenda may uphold rather than challenge divisions between women and men.

6For details of how a liberal concept of equality is incapable of delivering socio-economic change see for example, More (1996), Fredman (1997) and Guerrina (2001).
ideas about power and policy (Shaw, 2001). Overall, Shaw (2001) concludes that mainstreaming can, at best, be a strategy towards equality and not the goal in itself.

3.54 It's Not That Kind Of Job!: Disharmony With ‘Reconciliation’

In terms of policy formulation, it can also be argued that the focus of EU EO policy content is not adequate for bringing about equality between women and men. Policies have tended to be rooted in the Treaty of Rome where there is no reference to the non-working population and to women’s roles outside of paid work, leaving the EU without relevance to many women. The focus on the public but not the private sphere which is so important to women has left many inequalities unchanged. For example, in the UK the increased number of women in the labour market and UK work-based legislation (Equal Pay Act and the Sex Discrimination Act) did little to improve the situation of women’s employment, with the overrepresentation of women in marginalised and undervalued job areas and the deregulation of the labour market which created new working patterns to women’s disadvantage. Work-based policy has not only been ineffective in protecting many groups of women at work but has overlooked many of the reasons why women are in these jobs in the first place: “Policy aimed at employment issues only skates the surface” (Duncan, 1996:417). EU gender policy ignores most elements of patriarchal structure found in paid work, the household, the state, male violence, sexuality, and culture (Walby, 1990), and neglects the interaction of these elements, as well as the interaction of the public and private spheres. As has already been argued, the private and the personal are important areas for women, both in terms of women in the workplace and women as policy makers.

Arguing in favour of an equal rights (public sphere) tradition, Walby (1999) claims that pensions and other welfare benefits can be dependent upon a woman’s employment record and the importance of this should not be underestimated given the increased, and increasing, longevity of old age. Further, the importance of the relationship between employment and education should not be understated. She also maintains that employment can play its part in women’s increased political representation, arguing a correlation between women’s employment levels and their presence in Parliament.
However, research indicates it is not the level of women's employment that is important here, but their presence in certain areas, notably the professional occupations (Kenworthy & Malami, 1999), from which women are still largely absent. Also, women's numbers and performances in education have improved but sex segregation in educational subject choice, and consequently job choice, remain prevalent (EOC, 2002b).

In contrast to Walby's more optimistic analysis, Duncan (1996) maintains that the political and economic principles underlying the EU actually uphold gender disparity. The EU emerged from, and primarily remains, an economic grouping, where gender equality is not a primary issue and even where EO have been addressed this has usually been done from an already gendered economic perspective. This gendering is reinforced by the dominant Christian Democrat/conservative welfare state paradigm in the EU which assumes the traditional division of labour (male breadwinner/female homemaker) (op cit.). Indeed, most feminist organisations in Denmark, Sweden and Norway opposed joining the EU because of fears that their Social Democratic objectives of full employment, a reduction in income differentials and an expansive public sector - notably favourable to women - might be replaced by the conservative, male-centred model (Duncan, 1996).

The economic assumption that the EU is populated by male workers is compounded by the dominant Christian Democrat/conservative welfare state political paradigm, which stresses the use of the welfare state to maintain status differentials (Borchorst, 1994). Gender differentials are a major part of this concern, where social citizenship is seen in terms of a male worker supported by a wife or mother.

Reconciliation policies, with women's continued responsibility for familial obligations, are further evidence of how policies maintain the gendered ordering. The trend towards reconciliation of work and family has brought with it new issues for women. In theory, policy is formulated to allow women and men to accommodate both career and family. It is argued that this puts the issue of care on the agenda, resulting in men spending less time at paid work and more time raising families or caring for elderly relatives. However, there is little evidence of a shift in care delivery. Public sector cuts and
privatisation, in addition to policy supporting women entering the work force have simply left many women with a dual burden. Women have been pushed further into the caring role.

History has demonstrated that society does not order itself into a fair and equal system without direct intervention, yet ‘reconciliation’ rests on the assumption that men will chose to be more involved with care giving. There are few measures aimed specifically at redressing the care balance. Parental and paternal leave remains a less viable choice than maternity leave. Men’s higher comparative earnings ensures that care leave is much more often taken by women. To put paternity or parental leave so far behind maternity leave in terms of time off and pay is to reinforce a division of child-rearing responsibilities. Rhode (1998) claims that this has led to the establishment of special ‘mummy tracks’ that often turn into mummy traps.

The opportunity to demonstrate a new attitude to fatherhood was recently open to Tony Blair, but he chose not to take paternity leave: “You’ve got to have some common sense about it, ... I mean, you want to spend more time with your baby, but you don't give up the job ... I cannot stop being prime minister. Its not that kind of job” (cited in Reeves, 2000:23) The message was clear. Paternity leave is only for those with unimportant jobs (op cit). This highlights a problem with the way “government and society champion a work culture to the detriment of the caring sides of fatherhood” (O’Sullivan, 2002).

The problem is that the government and the EU that drives much of the national policy in the UK, have moved towards a policy of reconciliation which, given the absence of specific paternal coverage, ties women firmly to the caring role. In this way, reconciliation has not moved away from the assumption that all things domestic will continue to be shouldered by women (Stratigaki, 2000). Equal rights policies embody specific conceptualisations of gender relations and values and beliefs about motherhood, and define the scope of equal rights and maternity legislation (Guerrina, 2001). To this end “Mother magic is upheld in public discourse” (Reeves, 2000:14).

Reeves goes on to point out that whilst, at this moment, women might be better carers of children than men, the simple reason behind this is that women do more of it!
“Pointing out that fathers are less skilled than mothers in some areas of parenting is rather like pointing out that pilots can fly better than most passengers” (16).

A further concern with reconciliation policy is that it leaves in place the same structures of the workplace that have served to disadvantage women in the past. Like ‘equal of opportunity’ before it, reconciliation policy leaves intact the ‘traditional’ male lifestyle. One might question whether legislation bound with female adaptation and male inertia is too remote to enhance equality. Cameron (1993) for example, argues that unless one tackles male attitudes, “equal opportunities will continue to be treated as a women’s problem and consequently marginalised” (16).

Further, reconciliation policy also serves to marginalize women from the labour market by way of fuelling the negative evaluation of female workers, insinuating that women need remedial treatment to fit into the prevalent aggressive male culture (Cameron, 1993). Such positive action can aggravate inequality in the workplace rather than promote equality and the stigma associated with positive action can fuel stereotypical thinking and prejudiced attitudes rather than suppress it (Kandola et al, 1995). Negative evaluations are made of people seen by others to have gained through affirmative action, something Kandola et al call ‘the stigma of incompetence’. In this sense, EO can work to prevent women from being accepted by their male peers. Bacchi’s (1996) study of affirmative action programmes in six Western nations, for example, showed that it is seen as a form of charity for the underprivileged or a form of discrimination against men. The impact of reconciliation policy is discussed in Chapter Six in relation to women’s and men’s employment patterns in the UK.

3.55 Another One Bites the Dust: The Process of Implementation

The process of EO policy implementation is also not without consequence for the impact of EO policy on women’s equality. The differentiation of the levels of policy making in and around the EU has complex effects on gender. Walby (1999) points out that, “The determination of some of these policy areas is located within the remit of the EU, while that of others, under the principle of subsidiarity, is within the remit of constituent member states” (60). Welfare policies are located primarily within member states and employment policy, and EO regulations primarily at the level of the EU.
Different national gender orders will mean that EO policy will have different impacts in different member states and compromise implementation. However, Walby (1999) argues that the power to block in the name of national diversity and national gender regimes should not be overstated because the EU has become a "supra-state, not a collection of national governments, albeit with a partial remit" (69).

EU EO policy is developed through the process of compromise (Spicker, 1993). Legislation proposals are frequently altered and adapted before they are viewed by the Council of Ministers (Pillinger, 1992). Some member states argue for a levelling down to the minimum standards. The legal status of the Directives affords them the leeway to do this, as they are only binding with respect to the outcomes to be reached and not how they are to be reached (Duncan, 1996). Some member states are content to delay the application of a new proposal for as long as possible. Hoskyns (1992) argues that, "It is a clear weakness of equality legislation that such a response is possible" (25).

Adoption of legislation takes place through the legal system of the member state, so is in effect, voluntary and dependent on the goodwill of the government in question (Buckley & Anderson, 1988).

The discretionary implementation by national governments is legitimated by the principle of subsidiarity which has served to undermine gender policy. Subsidiarity works whereby, "what is best done at the local, regional or national level must not be undertaken at the community level. The Commission must only enact those regulations that are essential" (Delors, 23.09.1988, in Doogan, 1992:171). This is a problem for women because EU policy is not implemented at its fullest in order to not step on some member state toes. Subsidiarity reduces the significance of EU EO policy.

Subsidiarity has been used as an excuse by the EU for not embarking on some of the more controversial aspects of policy that women have demanded, such as binding legislation on child care, paternity leave, positive action and maternity issues (Pillinger, 1992). Subsidiarity favours non-binding 'soft law' rather than binding legislation and is interpreted to mean the retention of national sovereignty in social policy and reduction of the effect of contentious issues (Duncan, 1996). The consequences of subsidiarity in
the EU is that it upholds and reflects the Conservative breadwinner/homemaker doctrine of the EU, which Duncan (1996) argues itself adheres to the doctrine of the Catholic church (itself hardly an enthusiastic exponent of sex equality!).

In practice, subsidiarity is a heavily gendered principle as it supports the existing structures thus maintaining, rather than challenging, the status quo. For example, public child care is of part time capacity, preventing mothers from becoming full time workers and therefore supporting traditional motherhood (op cit). Hence, member states can weaken gender based policy and justify it under the principle of subsidiarity. In many ways, European policies provide little more than a framework for EO, and have failed to tackle the material and structural roots of women’s subordination and inequality.

3.6 Chapter Summary

The law is important because it creates the meaning of what it is to be a woman. However, women’s experiences of the law are linked to the image it holds of them. As a consequence, women are either mythologised by the law (image) or marginalised by the law (exclusion of discourse and experiences). These issues are all significant because they have been shown not to be unique to just one arena but hold true to some degree in the criminal, civil and political arenas. Thus, many feminists argue that the law is not an effective vehicle for equality.

Women’s opportunities to influence equality law in the EU may be limited due to their positioning within the various bodies of the EU. Also, the process of policy making is based on a liberal (men’s rules for women’s rights) tradition which may be at odds with the way women approach policy. I have also looked at the process of law making itself. I have looked at the formulation of EO policy (in terms of definition and content) and the implementation of EO policy. It can be argued that EO policy leaves in place the structures that prevent women from achieving equality in the first place. Thus, equality based on a liberal tradition is not a viable vehicle for change.
The legal and the political, in both measure and structure, uphold and perpetuate the existing system of inequality rather than offer any meaningful challenge to it. This is because they are built on a liberal definition of policy content and a liberal process of policy making.

Women may speak in a different voice and operate a parallel system of politics. At times, this may be in conflict with the liberal tradition on which the definition of policy and the process of policy making are based.

There are commonalities between the experiences of women as policy users (in the criminal and civil courts) and the experiences of women as policy makers (the political arena). Many of these stem from the marginalisation of women's experiences from the arena in which they stand.

In order for women to gain equality with men their experiences must be incorporated into mainstream legal and political structures.
Chapter 4

Objecting to Her Values

Methodology

Isn't it splendid to think of all the things there are to find out about? It just makes me feel glad to be alive - it's such an interesting world. It wouldn't be half so interesting if we knew all about everything, would it?

Anne of Green Gables (1908)
by Lucy Maud Montgomery.

I craved to go beyond the garden gate, follow the road that passed it by, and set out for the unknown.

Alexandra David-Neel, French Explorer, (1869-1968)

4.1 Introduction

This Chapter outlines the research design used in the thesis. The research methodology involved the analysis of secondary sources and original empirical work. The research was centred around the four legislative areas illustrated in Diagram A.1 Where does policy break down? These were: The EU level; the National level; the Company and Business level; and the Employee level.

4.2 Check Mate: Good Feminist Research

4.2.1 Quantitative Methodology

Quantitative research, such as surveys that produce statistical data, is based on a scientific model for observing human behaviour. Quantitative data is said to be objective (not clouded by the researchers feeling), reliable (consistent across time and different groups of study) and allows for generalisations (findings apply beyond the researched group itself). For some researchers, this is the only reliable way to study the
social world. At each stage of research I have used the quantitative method of questionnaires.

There are numerous advantages of such an approach to the topic. Statistical data is said to be objective and unclouded by personal feeling. Importantly, the “brevity” of statistics “makes them easily communicated to ... lawmakers who seek information” (Norris, 1996:83). This is of course crucial if the research is to challenge prevailing political inequity. According to Jayarante & Stewart (1991), good research should, “propose methods that are both appropriate for the kind of ......information needed and which permits answers persuasive to a particular audience” (102). As this thesis aims to stimulate debate about law and policy making, it is important to make the project attractive to lawmakers.

However, I would argue here that if law makers favour quantitative, statistical data (objective) over qualitative research, this might uphold rather than challenge the liberal model which excludes alternative (often female) discourse. This is a theme central to this thesis and a critique of a liberal approach to policy making was outlined in Chapter Three.

In terms of feminism, there are a number of criticisms that can be made regarding the appropriateness of quantitative research. Reinhartz (1992) argues that, “language is linked to gender” (87). This is important if one adopts a universal, gender-blind and, hence, ‘male’ research design. Quantitative method, such as the survey method, does not allow for the meaning behind the data to be revealed and can lead to invalid analysis. Jayarante & Stewart (1991) argue that translating women’s experiences into categories predefined by researchers distorts women's experiences of the world. This results in a silencing of women’s own voices. Kathlene (1998) for example, argues that, “attitudinal constructs describe “ideal types” in a theoretical world of only two options ... such a gross simplification violates the very assumptions of complex interactions and subtle but important gendered behaviours” (190). This means that individual women’s understandings, emotions and actions must be explored in those women’s own terms (op cit). In this way, ‘objectivity’ can itself be questioned, as ‘objective science’ has
often been sexist (and hence cannot be said to be objective) in either its purpose or effect (Jayarante and Stewart, 1991). These are critical issues given the nature of my research topic.

On the other hand, Birke (1986) contends that to simply remove ourselves from objectivity and rationality leaves the terrain of ‘rational thought’ to men, thus, “perpetuating the system which excluded us in the first place” (cited in Jayarante and Stewart, 1991:98). Lister (1993) and Riley (1992) present a similar argument with regards to ‘universalism’, as discussed in Chapter Two. Again, the marginalisation of women’s alternative discourse is a theme discussed throughout the thesis.

Another criticism of the quantitative approach is that although it can demonstrate the ‘what’ of a problem, it cannot explain the ‘why’ behind it (Hakim, 1987). This is crucial if the aim of research is to improve the position of women in society. If one cannot identify the process at work behind the statistics, one cannot hope to change the outcome. Ignoring the processes and interactions behind the statistics invariably fails to address the individuals at the heart of the research issue. The opinion of the individual is an important part of the social process (Hakim, 1987). For example, only the victim can identify the affects and consequences of harassment (Stanley & Wise, 1993). Hence, “the personal is not only the political, it is also the frequently invisible yet crucial variable in any attempt to ‘do research’” (Stanley & Wise, 1993:266). The relationship between the personal and the political is important to many women, and hence, to the policy making process, as discussed in Chapter Three.

That so many of the criticisms of quantitative research are actually issues central to the thesis itself (i.e. speaking in a different voice, upholding the male standard etc.) means that I have been aware of such weaknesses in statistical research and have attempted to counter them. For example, all of the questionnaires I have used have contained some open ended questions to allow for opinions to be expressed freely. Further, at every stage of study, I have backed up quantitative research with qualitative methods.
4.22 Qualitative Methodology

Many feminists argue that traditional, quantitative, ‘objective’, research in social science is used as a tool for promoting sexist ideology and serves to ignore issues of concern to women and feminists alike (Jayarante, 1993). Mies (1993), for example asserts that; “New wine should not be poured into old bottles” (66). Instead, many feminists maintain that qualitative research methodology is more suitable to researching women. However, it is also maintained that qualitative method itself has faults, whilst, as aforementioned, others argue that quantitative methods should not be left for the men.

Hakim (1987) describes qualitative research as that which is “concerned with individual’s own accounts of their attitudes, motives and behaviour. It offers richly descriptive reports of individuals perceptions, attitudes, beliefs, views, and feelings, the meanings and interpretations given to events and things, as well as their behaviour” (26). I have used the qualitative approach by interviewing women both individually and through a focus group.

Oakley (1981) argues that “personal involvement ... is the condition under which people come to know each other and to admit others into their lives” (in Jayarante & Stewart, 1991:90). For example, in an interview study of clergy wives, Finch (1993) found that the women were enthusiastic and welcoming and many expressed their enjoyment at having someone to talk to at the end of the interviews: “their intentions are apparent simply from the hospitality which one characteristically receives” (164). I found this to be true in all interviews I conducted, where an air of ‘all girls together' prevailed. Indeed, this too is evidence that in spite of the heterogeneity among women, our collective relationship to men serves to unite us.

Also, like Finch, I found that interviewing women in an informal way allowed the interviews to take on the characteristics of an “intimate conversation” (169). Finding out about women’s experiences and opinions in their own voices, is crucial then to feminist research. Hakim (1987) for example, argues that much previous social research has been presented from a male perspective, which has meant that, “women have been
virtually ignored, except as they related to men, and that the male has been seen as the norm” (in Becker, 1997:05).

However, not everyone is favourable towards the qualitative approach. Its main weakness is said to be that a small number of respondents, even when chosen as a good cross section of the sample population, cannot be taken as representative (Hakim, 1987). They cannot be generalised beyond the study itself. However, Guba and Lincoln (1981) counter-argue that the same also applies to statistical collaborations as, “Generalisations are impossible since phenomena are neither time- nor context-free” (in Ward Schofield, 1993:206).

The qualitative approach is also criticised for its lack of objectivity. However, Jayarante (1993) asserts that no data are truly objective as personal biases impinge on the research process, from practice in theory formulation and interpretation through to the development of research design, data collection and analysis. Further, in order to conduct ‘objective’ quantitative research, one does not have to be detached and unconcerned about the topic (op cit). Finch (1993) even suggests that, “Siding with the people one researches inevitably means an emotional as well as an intellectual commitment to promoting their interests. How else can one justify having taken the privacy into which many gave so readily?” (178).

Becker (1997) also maintains that values affect every part of the research cycle. For example, Yllö (1988) concluded that, “My talks with battered women made clear to me that I am part of what I am studying ... Being aware of this makes a difference in how I understand the problem” (in Jayarante & Stewart, 1991:91). This point is also demonstrated by Stanley and Wise (1991) who looked at obscene telephone calls. They studied the feelings of the researched towards the researchers and how that relationship changes the research itself. Due to the violent and contemptuous nature of the calls they began to perceive the callers as oppressors: “our interpretation of them as such was embedded in the context of the specific series of interactions that took place between us and them and between the two of us” (274). They argue that orderly, tidy, “hygienic research” is misleading “in that it emphasises the “objective”, “value free” involvement
of the researcher and suggests that she can be “there” without having any greater involvement than simple presence” (280).

Usually, triangulation is seen as the solution to these above problems. Triangulation is the combination of both quantitative and qualitative methods. For example, results of quantitative data can be compared with the results of a qualitative study to enhance the validity of findings. Bryman (1988) argues that “the researchers claims for the validity of his or her conclusions are enhanced if they can be shown to provide mutual confirmation” (31). Hakim (1987) argues that, “Multi- levelled analysis is usually necessary when research is intended to inform debate on the need for changes to existing legislation and possible options for new legislation” (132).

4.3 Empirical Research
I will now apply the above critique of research methodology to my own research design in order to justify my choices. As outlined before, the research came at each stage of Diagram A.1, Where does policy break down? Firstly, I will outline the research methods used for the EU stage.

4.31 EU Level Research: MEP Questionnaires and Interview
The empirical research for this section of the thesis concerned UK MEP’s. All 138 UK MEP’s from the parliamentary terms 1994-1999 and 1999-2004 were sent a detailed questionnaire (a copy can be found in Appendix B). In total, 46 questionnaires were returned.

The questionnaire aimed to assess the ways in which MEP’s approach politics, in order to identify whether women and men speak in different voices (as discussed in Chapter Three). The questionnaire aimed to identify how the MEP’s viewed the role of the EU in improving equality between women and men and to note their opinions of the European process in order to assess where EU EO policy might be breaking down, given the persistence of sex inequality at work in the face of so much legislation and policy. A further aim of the questionnaire was to gauge the attitudes of men and women MEP’s to equality issues. MEP’s were chosen for the study, as opposed say, to women and men from the European Commission, as they are supposed to be people’s link to the EU.
Also, the European Parliament is where most of the women working within the EU base are found (see Chapter Three).

The research took the form of a questionnaire when it became clear that access to UK MEP's was extremely limited. For example, of the five regional women MEP's I sought interviews with to consolidate the questionnaires, only one gave her time to the research. Many MEP's were even unwilling to participate in a questionnaire survey, citing that it was against their policy or that they would only discuss issues with people from their own constituency. This was ironic, given that MEP's were chosen as the survey audience precisely because they link the EU to UK citizens.

However, the survey method here did allow for anonymity which was important given the contentious nature pertaining to sex divisions within the EU. Further, it allowed for direct statistical comparisons between women and men MEP's. Also, the open ended questions presented the MEP's the opportunity to give their opinions freely, allowing for richer data. Also, Sue Waddington, then MEP for Women's Rights, lent her support to the survey, which encouraged a number of MEP's to take part in the survey.

The overall response rate, and the response rate for both women and men separately, was 33.3%. The questionnaire consisted of both open and closed questions, giving the respondents ample opportunity to fully air their views. A number of the questions also listed a variety of options and asked the respondents to assign their preferences numerically. Overall, the questionnaire was kept relatively short in order to encourage as many MEP's as possible to fill it in. This was at the advice of the female MEP interviewed, who also served as the pilot to the questionnaire.

As stated above, five Midlands based women MEP's were also contacted for interviews. Of these, three consented, though when it came to arranging a time for meeting, two of them would not be tied down. The interview that did take place allowed

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1 I also contributed to her working project *Women and Europe* which provides information about the EU, identifies current European issues, sets out the EU's position on equal opportunities and details developments and initiatives in the equal opportunities field. This proved to be useful background research for the thesis. *Women and Europe (1997)* by Waddington, Payne, Brack, Blow, Pearson, Dugmore and Kinnoock.
for in depth discussion of issues concerning women as workers, women as the targets of EU EO policy, and women working within the EU institutions. The interview complemented many of the issues dealt with in the questionnaire, in addition to subjects of a more contentious nature, such as the tensions between women and men employed by the EU. It also provided me with insight into the EU as well as the work done by MEP's. Talking face to face allowed for a relaxed, enjoyable, atmosphere and did not feel like work at all. As noted by Finch (1993) such a pleasant atmosphere encouraged trust and confidence and the MEP I interviewed freely discussed tensions between women and men in the EU (though these remain off the record at her request).

4.32 National and Employment Level: Policy Observer Questionnaires and Interviews

The empirical research here investigated the possible impact of the major EO legislation and policies in the UK on working women. This research contributed to a European wide study into the impact of equal opportunities on the division of unpaid and paid work between women and men².

The research sought the informed opinion of key policy makers and observers in the equal opportunities field. The study was conducted using a postal questionnaire which was sent to various actors and observers in the policy field. These included: the Equal Opportunities Commission; two major business led campaigns for equality between women and men in paid work, Opportunity 2000 (now know as ‘Opportunity Now’) and Fair Play; Trade Unions who were active in the field of equal opportunities; the Department of Trade and Industry; the Government Women’s Unit; a local authority proactive in equal opportunities; and prominent academics in the disciplines of European Studies, Economics and Social Policy.

A questionnaire was used as the vehicle for data collection as it became clear that it was impossible to set up either individual or panel interviews. None of the policy makers or observers was willing to participate in anything beyond a postal questionnaire. Of the 35 questionnaires sent out, fourteen completed questionnaires were received.

²Details of this project were outlined in Chapter One of this thesis.
The questionnaires contained extensive questions on the impact of the main pieces of legislation pertaining to gender equality in the UK. The legislation included; the Equal Pay Act; The Sex Discrimination Act; The Employment Rights Act; and the then recently introduced National Minimum Wage. Also included was Paternity Leave, although this was not at the time legislation in the UK. Opinions on its potential impact on the roles of men and women were collected. The respondents were also asked to assess the impact of both national and EU equality legislation and policies in general, to comment on their orientation and to consider the issue of gender equality for legislators and policy makers.

The majority of the questions were in the form of statements, to which the respondents had to stipulate the degree to which they agreed or disagreed. Some questions also asked the respondents to assess the success of legislation on a numerical scale. There were also a number of open ended questions and room was always available for the respondents to add any comments they thought appropriate. The extensive and in depth knowledge and expertise of the respondents allowed some useful findings to emerge. Thus, the questionnaire allowed for both a degree of statistical analysis as well as rich qualitative research findings. A copy of the questionnaire can be found in Appendix C.

To supplement this research, I interviewed a Regional Campaign Manager of Opportunity 2000 regarding the influence of EU EO policy and the roles of both the National government and the role of business in EO policy (Opportunity 2000 is a business driven organisation). I also interviewed the leader of the Training, Employment and Development Programme (TEDP) at a local Women’s Centre. This offered insight into several issues important to this thesis: the differences between women, and the importance of grassroots schemes such as these which are so crucial in changing the lives of the women who walk through those doors. It also highlighted that top down policy is not working, as if there was equality between women and men, schemes like these would not be so crucial in the community. This serves to highlight the contradictions within the government’s approach to equality as they are constantly under the threat of closure due to the lack of financial support they receive.
Again, the interviews threw up issues named previously (trust, friendliness, opening up etc.). At the end of the interview the leader of the TEDP actually thanked me for listening to her. She said she had enjoyed herself and that it had been therapeutic to have someone to talk to. She asked if I could come again the following week!

Following my initial visit to the Women’s Centre, I arranged with the temporary general manager to interview the staff, and also some of the women visiting the centre. However, a change in management cancelled this arrangement. The new manager did not want me to talk to her staff, and when I tried to arrange an interview with her, she told me that equal opportunities was a defunct issue, as men and women were now equal at work. The leader of the TEDP noted her concerns about the approach of the new manager and pointed out that if the work place was equal, there would be no call for the Women’s Centre. I also interviewed the manager of a second Women’s Centre in the area. However, she did not want the interview recorded, and consequently, is not referred to in the thesis.

4.33 Employee Level: Large Organisation Questionnaires and Focus Group

My first attempt to secure access to a group of employees came through the interview conducted with the Regional Campaign Manager of Opportunity 2000. She consented to distribute a questionnaire to 50 business representatives at an upcoming meeting of Opportunity 2000 members. The questionnaire aimed to discover what influence the EU and the National government have on company EO policy. It was hoped that the questionnaire would open the door to further involvement with the business representatives. The business representatives were also given a leaflet which detailed the project and provided them with various contact numbers. Despite assurances of distribution at the business meeting, no questionnaires were actually returned. Further, Opportunity 2000 policy prevented the release of the names and addresses of the business attendants at the meeting, and as a consequence, there was no opportunity for follow up. Fifty further questionnaires were sent randomly to regional and national businesses, but were also unsuccessful. A copy of this company questionnaire is in Appendix D.
My second attempt to secure access to an organisation was no more successful. I had arranged with a leading high street retail company for 1000 questionnaires to be sent to their stores in the Midlands regions. This had been agreed with the HR Information and Reward Manager at Head Office. All the stores were to be briefed that they would receive my survey and letters were to be forwarded to Store Managers by the company detailing that they had given my survey full support. It was requested that the questionnaires be distributed and collected by the Store Managers. I received nine completed questionnaires and when I telephoned each of the Store Managers it became clear that my questionnaires had been placed in canteens or offices rather than distributed to employees (Appendix E).

A further 175 questionnaires were sent to the Group Human Resources Adviser at the company. These were to be distributed to HQ employees. She was interested in the results of these herself in order to analyse the Group’s EO policy. When I failed to receive a single returned questionnaire I contacted the company to find that the HR Advisor had gone on maternity leave and no one had received my parcel of 175 questionnaires. Another parcel was forwarded but again, nothing was returned. After a number of further telephone conversations the original parcel was located at the back of a cupboard and apparently distributed. Despite further conversations, it became clear that nothing would be coming back to me.

In the end, two very different organisations consented to be involved with my research: A large organisation with an established EO unit and a medium sized local authority with a proactive EO policy.

The Large Organisation Survey

The large organisation research consisted of a detailed questionnaire which was sent to the approximately 2500 permanent staff on its monthly pay roll (Appendix F). Again, a questionnaire was the only option given by the employer, which was seen as reaching as many people as possible. This was important as the organisation itself was interested in the analysis of its EO policy. It was also the option that would cause the least disruption to the work place. The questionnaire was returned by 220 people, a response rate of less

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3 The questionnaire sent to this company was the same as that used in the large organisation survey.
than ten percent. Interestingly, the Equal Opportunities Officer felt this was a good response rate compared to her previous experiences.

The aims of the questionnaire were threefold; to identify the level of awareness amongst employees of EO policy at both a national level as well as organisation provision; to gauge the attitudes and opinions of the employees towards EO and men and women at work; and lastly, to identify the employee's usage of EO policy, what might influence their use of policies and how they themselves would like to see EO policy developed at the work place. Again, these were important issues in helping to identify where EO policy might be breaking down.

Once again, the questions were a mix of closed questions, allowing for some statistical analysis, and open ended questions, allowing the respondents full opportunity to air their views. A section of the questionnaire was devoted to the respondent's opinions towards various statements. Opinions here were measured via an attitude scale.

The survey allowed for statistical comparison between the various groups I was interested in (women, men, childless workers, parents). It also allowed for comparisons between the different sections of the research, such as the policy observer survey and the study of MEP's. As many of the questions were open ended, the questionnaire also yielded substantial amounts of qualitative data. Questions regarding the (lack of) rights of childless workers in comparison to those of parents prompted much emotion and a number of people poured out mini essays on the topic. This added depth to the statistical analysis.

**Focus Group**

The research of the medium sized public organisation came via a focus group of tradeswomen working in male dominated trades. This organisation has a proactive policy to employ women in non traditional trades such as carpentry and plumbing. A focus group is a discussion based interview that produces qualitative data (Brewerton and Millward, 2001). The focus group allowed for rich detail to emerge on the women's opinions and attitudes with regard to issues surrounding equal opportunities, women, men and work, and their experiences. The focus group was used as opposed to separate
interviews for issues of time and disruption to the organisation. It was also used as it allowed the women to dictate the discussion, revealing the issues important to them, rather than important to me, the researcher. This allowed greater insight into their opinions and experiences. The focus group also allowed for a certain empowerment among the women, safety in numbers so to speak, rather than a one on one with a researcher and was more informal than formal. Albrecht et al (1993), for example, claim that using the group rather than an individual means that, “opinions about a variety of issues are generally determined not by individual information gathering and deliberation but through communication with others” (54). The focus group was also held at the tradeswomen’s place of work to further put them at ease.

The focus group took on a chatty atmosphere as the women all knew each other. There was a relaxed atmosphere and much giggling (it took some time to decipher parts of the tape!). The women egged each other on in their stories of sexist encounters with men. The women were also able to steer the conversation towards issues important to them rather than to issues set by the researcher. This allowed issues of importance to them to come through. As Blumer (1969) noted, “Such a group, discussing collectively their sphere of life and probing into it as they meet one another’s disagreements, will do more to lift the veils covering the sphere of life than any other device I know of” (in Flick, 1998:116). This was certainly the case. When one of the women said something another disagreed with they all shouted out.

The focus group also generated diversity and difference within the group and between the group and the large organisation study. This was important as difference is an important issue to this thesis.

4.4 Back to Square One - How To Avoid Tent Pegs?
As can be seen, I have triangulated my research methods. However, one might argue that what is valid to one group of women is enough in itself; to reject something that is not applicable to other groups denies the voices of those researched. This still insinuates that quantitative research is the yardstick for good research and that qualitative data needs to be backed up and cannot stand on its own. We need to come away from
classifying research in the same way we classify data (i.e. dichotomies, good against bad, man against woman etc.). In this way, research methodology falls foul of the criticisms of liberal feminism and the liberal approach to policy making as argued in Chapter Two.

Roberts (1981) asserts that a commitment to taking people's experiences is essentially a political activity, but is not peculiar to feminism nor does one become less professional or rigorous as a result (in Finch, 1993). This reference to political activity is crucial given the association women make between the personal and the political (Chapter Three).

Overall, it should be remembered that individuality transcends classifications such as sex and race. Others may have approached this research differently. As this is a project which concerns women's 'different voices', this point should be mooted, not muted. Finally, by being not only aware of the ways in which research methods can marginalise women, but having these issues as central themes to my research, I would like to think that my thesis is not repeating past failures.
Chapter 5

Two to Tango?

Women as Law Makers

Our case is, I say, so simple, that it is like having to prove that one and one are two. Indeed, this is precisely what the opposition denies. It says that one and one are not two; that in politics one man and one woman are only one, and man is that one.

Israel Zangwill
suffragette and playwright, (1864-1926)
(cited in Felder, 1997:51)

5.1 Introduction

Overall, 138 MEP’s from England, Scotland, Wales and Northern Ireland (108 men and 30 women) from the parliamentary terms 1994-1999 and 1999-2004 were sent questionnaires. In total 46 questionnaires were completed, 36 by men and 10 by women. The overall response rate was 33.3% for both women and men. This chapter also includes comments from the female MEP interviewed.

The questionnaire was divided into two broad sections. The first part aimed to assess the ways in which MEP’s approach their work and to see if women and men approach politics differently. This has implications given that women are still a minority group in political decision making and might have consequences for the way women’s issues are brought to the political table. It was also important to see how they viewed the role of the EU in improving equality between women and men and to gauge their opinions of the European process in order to assess one of the central questions of the thesis; Where does policy break down? (see Diagram A.1).

Secondly the questionnaire sought to assess the attitudes of MEP’s with regards to equality issues. Their opinions and awareness of both potential and real equality issues have implications for the way such issues are addressed and tackled, if at all, in the political arena.
Overall, the research will be analysed in light of the ways in which women might legislate differently: their world view (contextualism versus instrumentalism), their relationship to power, and the connections they make between the personal and the political (as outlined in Chapter Three).

Summary of Empirical Findings

* The data demonstrates that women MEP's have a different political style to men MEP's.
* In addition, women's attitudes towards EO policy differ substantially from the attitudes of men MEP's.
* It is noted that there are limited ways in which women are able to express themselves politically (and hence these gendered differences). Traits favoured by women lose out to the traditional (liberal) approach to politics.
* If women are isolated in politics they may not be able to influence the agenda more positively towards a 'women's agenda'. This may cast doubt over the success of the law as a vehicle for change.
* This is also important as it suggests that 'equality' breaks down before it even leaves the EU political arena in which, as a policy, it is conceived.

5.2 Demographic Profile of the Respondents

As Box G.1 (Appendix G) shows, by far the majority of respondents were men, accounting for over three quarters of the respondents in the survey. Although, statistically the same percentage of women as men actually completed the questionnaire, proportionately, one might expect more women to have responded. This in itself might indicate the importance of an equal opportunity agenda to women MEP's.

Box G.1 shows that half of the respondents were from the Labour Party with the Conservative party the next best represented. Among the women, 60.0% were from the Labour party followed by 20.0% from the Liberal Democrat party, reflecting the fact that these parties have more women proportionately than the Conservative party (10%).

The majority of the respondents (63.1%) were parents. The men were more likely than the women to be parents with 86.1% being fathers but only 40.0% of women being
mothers. The men were three times more likely than women to be the parents of younger children. This may be a reflection of how politics and motherhood does not mix; women tend to come into politics either later, after their children have grown, or forgo having children altogether (see for example, Elgood et al, 2002).

For almost half of the MEP's (48.8%), their current term of office was their first mandate. Men more so than women were in this situation, with 62.5% of women into their second term. This may be a reflection of the social democratic ethos of the EU which is said to be more politically conducive to female participation (Valiance and Davies, 1986).

5.3 Policy Approach

_key areas of political interest_

Valiance’s (1988) study of women MEP's revealed that even though women were represented on all committees of the European Parliament the balance of women’s representation was predominantly on social issues. She found that only one third of committees were chaired by women and the only committee where women outnumbered men was that on Women’s Rights.

Comparing these findings from the women elected in 1984 to the parliamentary terms from 1994-1999 and 1999-2004, little has changed. For the parliamentary term 1994-1999 five out of the twenty committees were chaired by women; Women’s Rights, Civil Liberties and Internal Affairs, External Economic Relations, Fisheries, and Budgetary Control (Chart G.1, Appendix G). The first two areas could be said to be traditional ‘soft’ ‘female’ areas but the other three were more economic and financial ‘hard’ areas, traditionally inhabited by men. In terms of committee membership, women outnumbered men on only one committee, that of Women’s Rights where they accounted for 85% of members. They were most predominant in traditionally ‘soft’ ‘female’ committees such as Culture, Youth, Education and the Media (where women made up 50% of the members), Environment, Public Health and Consumer Protection (40%) and Civil Liberties and Internal Affairs (35.3%). In traditionally ‘hard’ ‘male’ areas such as the committee on Budgets and the committee on Foreign Affairs, Security

1Figures from the combined Member States.
and Defence Policy women’s presence was lower (20% for each committee). On the committees where women were Chairs, women’s membership was always less than 40% with the exception of the committee on Women’s Rights: On the committee on Civil Liberties and Internal Affairs 64.7% of members were men and the figures for the other three women-chaired committees were even higher - External Economic Relations (80% of members were men), Fisheries (80.8%), and Budgetary Control (82.1%).

For the current parliamentary term, 1999-2004, four out of the seventeen committees are chaired by women; Women’s Rights, Environment, Public Health and Consumer policy, Legal Affairs and the Internal market, and Economic and Monetary Affairs. Again, the first two are traditional ‘female’ areas while the second two are more traditionally male areas. Women still only outnumbered men in two committees; Women’s Rights and Environment, and Public Health and Consumer Policy - both committees being traditional ‘female’ areas. On the committee for Women’s Rights the number of participating men dropped from the previous term and there were only four male members. This is important given concerns raised in Vallance’s work (1988) that men will simply leave women to discuss discrimination amongst themselves, thus pushing equality issues further towards the margins, rather than encouraging men to grapple with reality of women’s issues.

On two of the committees chaired by women, women members outnumber men; Women’s Rights (10.5% of members are men) and Environment, Public Health and Consumer Policy (45.8% are men). On the two ‘hard’ committees chaired by women men’s membership is predominant; Legal Affairs and the Internal Market (71.6% of members are men) and Economic and Monetary Affairs (where men make up 73.3% of members).

Importantly, committee work was seen by the respondents in my study as “critical”. The interviewed women MEP asserted that:

“most of the important legislative decisions are made in committees.”

The questionnaire asked the MEP’s to list their areas of political interest. Of the women, 40.0% listed ‘women’s rights’ as an area of political interest, whereas none of the men
listed this area. The interviewed female MEP commented that when she first started in politics twenty years ago:

"there was a fair bit of belittling of women, belittling of women's committees certainly."

When asked if things had changed, she said "No, not really." It was also pointed out that it was seen as acceptable for men MEP's to arrange meetings or social activities together but when women MEP's organised lunches together, there is resentment from some of the men: "Oh, you're getting together to plot."

Time spent at local, national and European level

Kathlene (1988) maintains that women politicians spend more time on local, people oriented duties. Therefore, the respondents were asked how they divided their time and duties between EU, national and local constituency level.

The research confirmed Kathlene's theory to some extent. On average women MEP's devoted more time to work at the local level (the level nearest to people) than the men MEP's who spent more time on work at the EU level (the most removed from people) (Pie G.1 in Appendix G).

The female MEP interviewed noted that it was difficult to separate how tasks are divided between EU, national and local level:

"a lot of them fall into all three and don't neatly fall into a pocket."

She highlighted this by talking about her work concerning home-working. She had done practical work in the European Parliament on the Part Time Workers Directive and Employment Relationship Directive, in putting down amendments to include home-workers in conjunction with two local groups and with the National Home-working Campaign and the International Home-working Campaign.

Important aspects of MEP's job

The respondents were asked to name what aspects of their job they felt were the most important. About half of both the women and the men paid heed to the issue of serving the needs of their constituents and their area (Pie G.2). Women MEP's rated more
highly the importance of committee work than did men MEP's. Also important to the respondents was influencing legislation, and 'explaining the EU to constituents'. Some MEP's also felt it was important to act as a watchdog over the European Commission. The interviewed MEP felt she was seen as a voice for her area and hoped to be seen as: "a catalyst for debate about what sort of Europe people want."

She thought that one of the main aspects of her job was to give people an avenue through which to discuss their issues as well as herself being able to give groups recognition for work they may wish to bring to her attention:

"For me to turn up at something means I've given my time. To go along and say, 'I think the work that you do is valuable and I'm interested in it and I want you to keep telling me about it and sending me reports', I think that's an important aspect."

She also felt that she got something in return for her efforts:

"I go to Towns guild women, women's institutions, clubs of various kinds ... but I always get a lot myself. Hopefully I put a lot in and I think that to politicise women and give women confidence and to value their contribution is one of my functions really."

*Information sources used to form proposals and to keep up to date*

One indicator of a contextual versus instrumental approach to policy making is the number and variety of sources a policy maker uses to draft proposals or keep up to date with current issues. The use of more sources represents a contextual orientation, recognising the complexity of the environment and the need to integrate and incorporate as many affected people as possible. An instrumental approach relies on fewer sources, usually those sources deemed as more politically 'legitimate' and 'objective' (Kathlene, 1998).

The respondents were asked what sort of information sources they used for their work and to keep up to date with current issues. On average, the women listed 3.6 sources each and the men 3.1.

A wide variety of sources were noted by the MEP's, the most popular being EU sources, cited by a quarter of the respondents, then media sources, Internet sources, government sources and lobbyists (Pie G.3).
The interviewed female MEP made the point that she uses non traditional lobbyists as one of her main information sources. Early on she made the decision that: "I was going to try and make opportunities for those many low budget organisations who couldn't lobby to lobby. In other words, I was going to try and redress the balance."

The information sources given by the MEP's were classified into five categories; people sources (e.g., meetings, constituents letters), organisation sources (e.g., government sources, Trade Unions, lobbyists, voluntary organisations), studies, personal sources (e.g., own experiences, own research) and interest groups (Pie G.4). From this, it could be seen that women use informal (soft) sources (people, interest groups, personal) slightly more often than men. Formal, legitimate sources (organisations, studies) were used slightly more by men than by women.

Influencing policy
The respondents were then asked how they thought MEP's could influence policy. The most cited way of influencing policy was through amendments to legislation which was noted by 29.9% of the respondents (Pie G.5). Also important to women and men was public forum work and networking.

The interviewed female MEP illustrated the importance of public forum work and networking:
"If you are a halfway competent speaker ... and get asked to go to conferences ... you also listen to other speakers and pick up copies of reports and you start to understand where to put the pressure which is often well before the policy enters the public domain."

She felt that lunches, working groups, meetings and speeches all had their place in influencing policy:
"Is it policy? Where do you sow the seed? Where do you start things off? Draw together people who are bright, in positions of power and say to them, 'would you consider this?''"

A male MEP in the survey also commented on this:
"MEP's have, although they rarely admit it, no legislative or executive power. The only way in which we can have an influence on policy is to raise awareness of issues."
5.4 Attitudes Towards EO policy

The second part of the questionnaire sought to assess the opinions of the MEP’s on equality issues. Their awareness of potential and real equality issues have implications for the way such issues are addressed and tackled, if at all, in the political arena. It was important to see how the MEP’s place the position of the EU in improving equality between women and men and to gauge their opinions of the European process in order to assess where policy might break down: Is EU EO policy too weak to begin with or is it strong enough but breaks down outside of the EU remit?

The respondents were presented with three questions to gauge their opinions about EO policy and women and men at work. Firstly, they were asked to choose which definition of EO policy they preferred, then they were asked to choose whether they would prefer to see policies support women to stay at home with children or policies support women to get into paid work. Lastly, they were asked why they thought segregation at work persisted and why women held positions of responsibility at work less often than men.

In terms of their definition of EO policy, about three quarters of the respondents (74.4%) felt that EO policies should allow women and men to compete equally in all aspects of work (Pie G.6). Just 2.3% felt that policies should allow women to reconcile family and the labour market, which is interesting given that most current EU EO policy is aimed at precisely that. Overall, MEP’s preferred EO policy to include both women and men, with only 7.0% preferring EO policy to be aimed solely at women.

The respondents were asked if policies should enable women with young children to work (by improved childcare and services) or to stay at home (through financial help). Over three quarters of the respondents felt that policies should enable women with young children to work by offering more child care facilities and services (Pie G.7). Less than a quarter, (23.3%) felt that mothers of young children should be given financial help to enable them to stay at home. However, there was a gender difference, with 87.5% of women compared to 72.7% of men thinking policies should help women to work, and over two times as many men than women thought policies should help
women stay at home to raise children (27.3% and 12.5% respectively). Only one MEP, a woman, questioned the use of ‘mother’ rather than ‘parent’ in the examples.

**Women and work**

The respondents were then given a list of six reasons why women might hold positions of responsibility less often than men in the labour market (Pie G.8). These were, ‘women are not as interested in a career as men’, ‘women are less competitive than men’, ‘women have less time because of domestic responsibilities’, ‘the work place is dominated by men who lack confidence in women’, ‘women don’t always have the skills required’, and ‘structural disadvantages in the work place prevent women from competing on an even footing with men (e.g., the old boys network)’.

Just over half of the respondents felt that the most important reason why women hold positions of responsibility less often than men was because of structural disadvantages. But over a quarter of the respondents felt it was due to domestic responsibilities and 10.3% thought it was because of men’s attitudes. Only 7.9% attributed it to women’s lack of interest or competitiveness.

The female respondents were in general agreement as to why women hold positions of responsibility less often than men in the labour market. Two thirds of women MEP’s felt that this was due to structural disadvantages, 22.2% thinking it was because of domestic responsibilities and 11.1% attributing it to men’s attitudes. None of the women thought this situation was down to women’s lack of abilities, though it was noted by one woman in the survey that:

“Sometimes women don’t have enough confidence in themselves.”

A substantially lower number of men (48.3%) compared to the women felt the situation was down to structural disadvantages and 13.4% of men thought women lacked either interest, competitiveness or skill to hold positions of responsibility.

**The efficiency of EU EO policy between women and men**

The respondents were asked to grade the efficiency of EU EO policy in terms of its effect on women and men at work on a numerical scale, where one was the lowest score
and five was the highest score. Only 2.4% of the respondents gave the legislation full
marks, though none graded it at the lowest score (Pie G.9). Overall, women graded EU
EO policy lower than men did. The average score given by women was 2.9 and the
average score given by men was 3.3.

Two thirds of the women graded the legislation at three or above and a third graded it a
score of just two. In comparison, 87.9% of the men awarded the legislation a grade of
three or above and just 9.1% of the men gave it a score of two or less.

The interviewed female MEP felt that:
“quite a bit of it is still a matter of national policy or working practices and I'm not sure at European
Union level, you can create a change of climate.”

The respondents were then asked if they thought EU EO policy was strong enough.
Importantly, the response to this question was divided along sex lines: over three
quarters of women felt the legislation was not strong enough compared to just two fifths
of men (Pie G.10). A further 9.4% of men felt the legislation was too strong.

Overall, it was summarised by the following male MEP:
“Within the limited remit of the EU it has given proper prominence to equality, which is better than some
governments, but there is still room for improvement, notably in policies beyond the labour market.”

The respondents gave reasons as to why they felt the legislation was not effective. Half
of the women compared to only 16.7% of the men felt the problem was the lack of
enforcement at the national or local level (Pie G.11).

The men were more likely than the women to blame the limitations of the legislation
itself rather than implementation. A quarter of women and 16.7% of men thought the
legislation was not strong enough. A further 16.7% of men thought the problem was
down to men's attitudes, which was not an issue mentioned by the women. The
following are relevant quotes from male MEP's:
“The roots of the problem are attitudes - It takes time to change them.”

“The institutions are dominated by a male/ macho culture.”
Important issues for improving EU EO policy

The respondents were asked to consider what they thought were the most important issues for improving EU EO policy. They were provided with a list of six issues, and asked to select those they felt to be the most important. The issues were, 'improved child care facilities', 'changes to the work place (for example, the harmonisation of work and school hours)', 'paternal services and benefits', 'better awareness of equality issues and available support services', 'targets for women’s promotions', and 'more tightly enforced penalties for sexual discrimination and harassment'. The respondents could also select an issue of their own. It was commented by the female MEP interviewed that tackling domestic arrangements, child care, or the culture of a society in terms of its childcare facilities is a national rather than EU job and that the national climate has to change in order to accommodate EU policies.

Here, there was a distinct difference along sex lines. The vast majority of women MEP's wanted to see changes to make the legislation itself more practical in areas such as child care, targets for women’s promotions and changes to the workplace (Pie G.12). On the other hand, half of the men MEP's preferred to concentrate on raising the awareness of existing policy and increase penalties for those not conforming to them. Hence, women think the workplace remains unequal and further issues need to be addressed, whereas men believe the current arrangement of work and policy is an effective relationship.

About a third of the women felt that the most important issue was child care, a third chose changes to the work place, and a third chose targets for women’s promotions. Nearly a third of men felt that raising awareness was the most vital issue at hand. Then, two fifths felt that child care was the most important issue and a further two fifths felt that tougher penalties were called for. Just 7.1% felt that targets for women’s promotions was important and the same number noted the importance of changes to the workplace. Only 14.3% of the men believed that better paternal facilities and benefits were the crucial issue.
The importance of women MEPs

The vast majority of the respondents felt that it is important to have women MEP's. There were a number of reasons given for this. Half of the respondents felt that it was important in order to reflect society (Pie G.13). However, two fifths of the respondents felt that women were important because of the unique view they bring to politics: “Women often have different life experiences, often more real.”

A further 15.6% felt it was important for women to have political representation, but only 3.1% felt women were important in terms of reaching a critical mass - getting enough numbers in order to significantly influence politics.

Speaking out for women’s rights was commented on by a number of the women. The interviewed female MEP had stood twice for European Parliament, once for the Council, twice for European elections and about seven times in Union elections. She felt that standing as a woman was an advantage: “When I’ve had the chance to write part of my own election leaflet I’ve always written something about women ... and to be honest, it never occurred to me not to put it down. I always saw it as an asset ... I thought some men would vote against me as a woman but they’d do that regardless of what I put.”

She also noted that women politicians have a duty to their female constituents: “You can’t stand in an election and say ‘I’m only going to look after half the people ... I’m uneasy with women on the Left who stand and say, ‘I’m not going to do anything with women’. You’ve got to do your bit.”

However, another female MEP pointed out that there is a difference between standing as a women MEP and acting to protect women’s interests: “most women MEP’s pull the career ladder up after they are promoted, they do not help other women.”

Interestingly, more men (24.0%) than women (16.7%) appreciated women’s unique view and women were more aware of the issue of reaching a critical mass. It was felt that a critical mass of women would make a contribution to mainstreaming equal opportunity issues in all EU policies. None of the men mentioned critical mass.
More than half of the men (56.0%) felt that women were important in order to reflect society and 12.0% thought it was important for women to be represented in politics. One male MEP even went as far as to say that women offered something more than men. Other men noted that:

"Women in any organisation have a civilising effect."

"The ones already here are far more effective than the men."

However, despite this apparent support from the male MEP's, some of the women commented on how some of the men were resentful of women’s presence in the EU and of challenges to the ‘traditional’ way of doing things. This was also noted by the interviewed female MEP:

"The challenge of the prevailing male ethos. My goodness, where to begin! ... it's not just the work environment, it's the social environment as well. It’s 'pubby' and 'clubby', going to play darts, football, all those sorts of things which some women enjoy but many do not. There's also resentment if women try to organise a women's lunch or a meeting ... Whereas, it's almost a way of life for many men. I wouldn't overstate it because there are many examples of women and men working co-operatively together. But it's still there to a large extent."

"Women have had to be much more careful about challenging and being too critical because it's now acceptable for men to say, 'Well, you've gone too far, you're being too demanding, aren't you satisfied? You've got this and you've got that, haven't things moved on far enough?' Some of it's to do with sexual harassment and power relationships and we need to try and bring that out in the open."

Advantages and disadvantages of EO policy for women

The respondents were asked to consider the possible advantages and disadvantages that EO policy could have on various parts of society - women, the work environment, businesses, society as a whole, men, and children.

When asked how EO policy affects women, the respondents listed far more advantages than disadvantages (73.7% and 26.3% respectively) (Pie G.14). The most important advantage for women was thought to be the number of opportunities that EO policy has given them. Pay equity (14.3%) was the second most cited advantage of EO policy.
The interviewed female MEP commented on the influence that better pay has on women:

"Being able to earn enough and support yourself and your children and a home ... very few women can do that ... In the European Parliament, there are more women than in most other parliamentary assemblies, and there are many women in fairly senior positions earning good salaries. And it alters the whole social complexion. If those women want to go out for a nice meal they just go ... they have enough to go on holiday, to have a flat, to have a social life and it means that they really are competing as equals."

Another female MEP also felt that:

"confidence that you are valued and treated equally expands your horizons."

Of the disadvantages that EO policy might cause, doubts over women's ability accounted for one fifth of problems noted:

"It may be confirmed in male minds that they are the less able sex."

Pressures on women to perform both at work and at home was also seen as a possible disadvantage, and to this end it was noted by the interviewed woman MEP that:

"An Equal Opportunity Policy can be a mask as well as an opportunity, 'We've got this Equal Opportunity Policy therefore why aren't you the managing director?' Whereas, the Equal Opportunity Policy can be illusory or a facade for having the thing right on paper and not much actually happening ... It can put pressure on some women to achieve when they may not feel able or ready."

She also commented on the difficulties of dual roles for women:

"I think the practical difficulties for a woman working in a high powered job, or even a job with any responsibility, where it's draining, but fulfilling, but also hard work, and then to have to think about shopping in the lunch hour is really very, very hard work. [Men] still use language like, 'I help with the housework', or I've made the bed for you' ... the implication is it's still mainly [her] responsibility and he will do some of it."

**Advantages and disadvantages to men**

Whereas the respondents felt the effect of EO policy on women was far more positive than negative, they were more split on the effect EO policy has on men. They listed slightly more advantages than disadvantages (54.5% and 45.5% respectively) (Pie G.15). The most cited benefit was that EO policy promoted equality. Other advantages to men were that EO policy gives them a social education, it leads to shared
responsibilities, it makes for a more pleasant workplace, and it tests their mettle. It was noted by a female MEP that EO policy:
“makes men confront their own sexism.”

The interviewed female MEP astutely noted that:
“If you think that women were denied parliamentary representation for over 700 years, there’s bound to be some painful sorts of changes.”

The respondents felt that there were five ways in which EO policy disadvantages men. These were that men’s behaviour had to change, they were overlooked at work, they faced competition from women, they had to adapt to changes at work, and they might feel jealous of women. One female MEP summed up the mood by stating the following:
“All EO policies have an inherent flaw as they bias the results of competition. But this disadvantage is marginal compared with the achievements.”

Advantages and disadvantages to the workplace environment
Overall, the respondents felt that EO policy offered more advantages to the workplace environment than disadvantages (57.1% and 42.9% respectively) (Pie G.16). The respondents felt there were five ways in which the workplace benefited from equal opportunities. By far the most popular reason was that it makes the workplace a friendlier place. Also important to the respondents was that EO policy creates a balanced workplace, sets a moral climate, changes the rules of behaviour for the better and improves relations between women and men.

The respondents felt that EO policy created four disadvantages to the workplace environment. Half of comments were about the tensions that equal opportunities might cause between women and men at work. Also of importance were that EO policy might create a suspicion of incompetence about women’s abilities to get ahead on their own, it might look like favouritism towards women, and it creates competition.

The interviewed female MEP commented that:
“In practice, it can be very painful in the transitional stage. You get the phrase, ‘You only got there because you’re a woman, you’re not really up to it’.”
She also felt that:

"It can give some men a real kick up the bum! In the workplace, it's not removing bigotry, but putting it in its place. It's saying that the workplace is a place where all people are respected and valued. So it's setting a different social and moral conduct."

**Advantages and disadvantages to business**

When asked how EO policy effects business far more respondents volunteered advantages than disadvantages (71.4% and 28.6% respectively) (Pie G.17). The MEP's listed six ways in which EO policy benefits business. They felt that the most important way was that it allows employers to draw from a greater pool of resources. They also felt that EO policy gives businesses a greater balance, helps to feminise the work place, maximises the potential of workers, helps to break the glass ceiling, and stimulates healthy competition.

The respondents noted only three ways in which EO policy might disadvantage businesses. Firstly, that it might lead to over regulation, then the cost might be too high, and finally it might stimulate jealousy at work.

The female MEP interviewed noted that:

"there is a cost ... you need people to review it, to set it up, to explain it, to monitor it. Training for certain groups of people costs money."

She also felt that:

"Employers will do enough to stay within the law and learn how to do enough to stay in the law."

However, she believed that EO policy makes good business sense:

"More and more businesses recognise this, they want to get the best value out of their employees and treating them well is good business sense ... they realise that their business needs to reflect values that are not only good commercial values, but do well."

**Advantages and disadvantages to society**

Overall, the respondents felt that EO policy offered more advantages to society at large than disadvantages (61.5% and 38.5% respectively) (Pie G.18). They proffered seven ways in which EO policy is advantageous to society, the most popular of these being
that it makes available the skills of everyone. Also noted was that EO policy allowed for a greater participation of citizens in society, gives women increased independence, creates a fairer society, helps men to empathise with women and understand their situation, and that as such leads to improved gender relations. EO policy was also seen as helping to dispel a macho culture and over-aggression from society.

The female MEP interviewed commented that:

"To under-use women's experiences and talents and potential ... is not just a personal injustice ... but it's a waste to society. Those people don't blossom, they don't realise their potential ... if you don't train it, if you don't encourage it, you don't give people with ideas an opportunity to run, then they're the losers but the business is the loser and society is the loser as well."

However, five ways in which EO policy might disadvantage society were noted by the respondents. These were that women might end up with a double burden of work and family and might end up doing it all themselves, it might put a strain on the family, it might upset the traditionalists in society who think a woman's place is 'at the kitchen sink', it might create unhealthy competition, and children might suffer if both of their parents work.

Advantages and disadvantages to children

When asked how EO policy affects children the respondents listed more advantages than disadvantages (57.1% and 42.9% respectively) (Pie G.19). First of the advantages listed was that having women participate more fully in society presents children with positive role models. It was also felt that EO policy might lead to shared parenting, an improvement in child care facilities, create a better world for children to live in and reduce negative stereotyping.

However, the respondents noted four possible ways in which EO policy might disadvantage children. By far the most important of these was concern over the possibility that children might be deprived of their (working) mothers. Further comments suggested that mothers might be tired after work and neglect their children, boys might be unsure of their roles in society and that competition at work might set a bad example.
In conclusion to this section, overall, taking comments about the effects of EO policy on all six parts of society together, the MEP's believed there were more advantages (63.5%) than disadvantages (36.5%) to EO policy (Pie G.20). The overwhelming advantage of EO policy was seen as universal rather than just favourable to women. This was best summarised by the following comment from the interviewed female MEP:

"to have a workplace that reflects a society where there's an equality of consideration ... to be in a workplace where men and women are treated equally, with respect ... it, in subtle ways, fosters [the belief] that 'this is how things are. This is how people behave.'"

The biggest challenge to EU EO policy

Finally, the respondents were asked to consider which parts of the legislative process, if any, posed the biggest challenge to EU EO policy. The respondents were given a list of six areas where the process might break down. They could also decide that the legislative process was fine as it was. The six areas were, 'the power of the EU to enforce legislation is insufficient to counter non compliance', 'the ability of national governments to reduce implementation of policy to minimum standards is too strong', 'policy content does not deal with the right issues to tackle inequality', 'policy can be undermined by law enforcers such as tribunals, the courts, the police', 'policy is not implemented effectively at the business/ employer level', and 'the take up of policy by employees is too low'.

Interestingly, a minority of the respondents felt that the legislative process was fine as it was (Pie G.21). The most cited issue by the respondents was that the problem lay at the EU level, with the EU's power to enforce legislation being insufficient to counter non compliance. One male MEP noted that:

"European Union policy is only as good as national enforcement allows it to be."

The next most important issue was that policy is not implemented properly at the employer/ business level. Next the respondents felt that the problem was at the national level, with national governments having too much discretion over implementation of legislation, and the same percentage felt that the take up by employees was too low. A
small minority felt that policy content did not deal with the right issues to tackle inequality. One male MEP noted that:

"At the end of the day, it's all a game of tactics. The current equality agenda is largely about middle class women competing with middle class men. The rest lose out."

For women MEP's, the EU’s limited power of enforcement was the key issue, selected as the most important issue by half of the respondents. The issue of discretion for national governments was also important, accounting for 30.0% of their choices. Hence, 80.0% of women MEP's thought that the governmental (EU and national) side of policy posed the biggest challenge to equality.

For men, the main issue was that policy is not implemented properly at the business/employer level. A further 17.4% of men thought that take up by employees was too low. Hence, 47.8% of men thought the problem lay outside the direct remit of government and was instead in the hands of the workplace. The corresponding figure for women was just 10.0%. By far less men than women (26.1%) thought that policy breaks down at the governmental stage (enforcement and discretion).

The interviewed female MEP, who did not believe that the legislative process was fine as it was, observed that:

"there’s a limit in what the European Union can do, and I think probably, if we’re going to make real progress on Equal Opportunity legislation at several levels, and on enforcement at several levels, then I think one strand on it's own is not going to be able to make real progress. Each [part] underpins and supports another."

5.5 Women and Law Making: Discussion
Access to MEP's proved difficult in the first instance and even during the interview with the female MEP, when discussions moved towards the topic of sexism within the EU, she asked for the tape recorder to be switched off and for anything she said further to be off the record. Further interviews with women MEP's, MP's, and women in senior positions about the issues raised in this chapter would be interesting, however, access to women MEP's has been difficult and with such a thorny issue it is suspected that any comment would again be off the record. The wall of silence around tensions between women and men serves to keep sexism alive rather than eradicate it.


5.51 Political Style

It would appear that women MEP's have made limited inroads in terms of committee membership or the chairing of committees. They were more prevalent in social areas and their numbers were generally lower in more technical 'hard' areas. Over the two parliamentary terms reviewed, women outnumbered men in just three committees - Women’s Rights for both terms, and Environment, Public Health and Consumer Policy for the latter term.

This is also important given that it is only when women reach a sizeable minority that individual politicians feel a strong responsibility to represent women (Schroedal and Mazumdar, 1998). It is significant also because, as discussed in Chapter Three, women are far more likely to call themselves 'feminists' when there is a large number of women present, and a feminist identity is conducive to a more pro-women agenda.

Another issue here, is that men’s absence from Women’s Rights committees might result in the marginalisation of equality issues (Vallance, 1988). Although policies coming through from the EU do not suggest equality has been marginalised, one might question whether an increased involvement by men would result in an increased agenda of ‘hard’ legislation rather than the general and ‘limited’ content the MEP's themselves think is ineffective.

In my study, women chaired nine out of thirty committees over the two terms. This is about a third of the committees, which is the same proportion compared to 1984 (Vallance, 1988). Of these, four could be said to be soft committees, the other five more ‘hard’ committees. However, on the committees where women were Chairs, women’s membership was generally low (with the exception of Women’s Rights for both terms), falling below the ‘critical mass’ of 30% in five of the nine committees.

This is crucial for a number of reasons. Firstly, women leaders have more power than rank and file men and women, but less power than male leaders, and deference is given to male chairs because of gender power (Schroedaer and Mazumdar, 1998, Kathlene, 1998). Secondly, women view power as a process through which voices can be heard and tasks completed (power for), while men tend to view power as the capacity to
control and dominate (power over) (Carrol, 1972, Bryson, 1999). In this way, women leaders may be open to taking competing arguments on board, while male leaders may take charge of the political agenda. The female MEP interviewed noted this gender difference in leadership style:

“There’s not a culture of, ‘here is an issue, let’s pool our ideas, let’s distil our experiences’ .. It’s a sign of weakness if you try and look at that way of doing things.”

If women are to become central rather than peripheral to decision making, different approaches to policy making need to be accepted within the political arena.

The women MEP’s spent more time than the men on work at the local level of politics (closer to people), while the men MEP’s spent more time than the women on European work issues (further away from people). This certainly supports previous research on gendered legislating, which suggests that women are more involved in ‘people’ based politics than men. This issue also links with women’s tendency to see the personal as political, as well as their significant involvement in informal, community based political activity. The woman MEP I interviewed spoke of her political motivation:

“I was influenced about battles about equal pay because I didn’t have it. I’ve got two children, the whole thing about child care was important for me. The battles about abortion and contraception were issues that were important to me. So I did feel that my own life experiences and the things that politicised me were very much feminist issues.”

This link between the personal and the political associates women with a contextualist approach to legislating. Contextualists see themselves as an extension of the community and affiliated and related to others (Kathlene, 1998). Important here, is not only the need to value women’s ‘parallel politics’ (Ali, 1996), but to acknowledge that many political women feel that their significant involvement in personal or people politics can leave them with little time to fully act for women (see Childs, 2001 in Squires & Wickham-Jones, 2001).

One female MEP commented on how all three levels of work, local, national and EU level, are interrelated and hard to separate, which also demonstrates a view more inclined to connectedness than separation, and hence, contextualist (Kathlene, 1998).
Women MEP's used a greater number of sources than men to form proposals and to keep up to date on current affairs. They also used more informal (people-based), subjective sources while men used more formal or legitimate, objective sources. This also seems to support a female, contextual approach and a male, instrumental approach to policy making.

5.52 Attitudes to EO policy

There were more obvious differences between women and men when it came to attitudes to EO policy than to policy style. When it came to attitudes towards women, work, and EO policy there were certainly a number of differences between women and men. In terms of defining EO policy, the majority of all MEP's preferred a definition which includes both women and men, rather than solely women. Further, only a small number of MEP's prefer EO policy to be defined as policies aimed at allowing women to reconcile work and family, which, in the absence of 'hard' paternal or parental based legislation, is the basic ethos behind EU EO policy.

Overall, the MEP's also preferred policy that enabled women with young children to work (through improved childcare and services) rather than to stay at home (through financial help). However, more female MEP's than male MEP's preferred concessions to allow women to work. Conversely, over two times as many male MEP's as female MEP's preferred concessions to allow women to be able to stay at home. Only one MEP, a woman, out of the survey questioned the use of 'women' rather than 'parents'. Interestingly, just 14.3% of men MEP's believed that paternal policies were a crucial in EO policy.

The majority of women MEP's felt that structural issues kept working women out of positions of responsibility, a view shared by a substantially lower proportion of men. This might also reflect a contextual approach by women. Less of the women than men were parents, yet even so, the women displayed more awareness and understanding of the practical difficulties for working mothers than did the men. None of the female respondents thought that women lacked the skills necessary to hold more positions of responsibility yet 13.4% of men did believe this.
Women graded the effectiveness of EU EO policy lower than men did. Many more men than women graded EU EO policy a score of three or above (on a scale where one is the lowest score and five the highest) and one in three women graded the policy a score of two or less. The majority of women thought the EU EO policy was not strong enough, whereas half the men thought it was strong enough, and a number of them even said it was too strong. Over twice as many women as men thought the main problem with the EU EO policy was that it was undermined or lacked enforcement at the national or local level. The men were more likely to blame the limitations of the legislation itself rather than its implementation. However, when asked how best to improve the EU’s EO policy, the most cited male response was to raise awareness of issues and increase penalties rather than to make changes to the legislation itself, suggesting a lack of real commitment to either proposition. Women MEP's wanted to see decisive changes in practical areas such as childcare, promotion targets, and changes to the structure of the workplace.

There was significant agreement among all MEP’s that it was important to have women MEP's. More of the male than the female MEP's thought that women bring a unique voice to politics. Women thought it was important to have female MEP's in order to reach a critical mass. This perhaps indicates that women feel that their present numbers are not enough to make crucial inroads into political decision making. None of the men referred to the importance of a critical mass, something that Kennedy (1992) would argue illustrates how it is “often the way with discriminatory practices that its victims know full well what is happening whilst those who perpetrate it are oblivious” (15).

Overall, it was felt that there were far more advantages to equal opportunities than disadvantages, and this applied to its effect on all parts of society - women, men, children, business, work environment, and society at large - though to different degrees. The most disadvantages were noted with regards to the effect of EO policy on men and children. The most advantages were expressed with regards to women and business.

More men than women felt that the legislative process was fine as it was and did not need changing. The vast majority of women felt that the governmental side of
legislation was the biggest challenge to EU EO policy while men felt that the biggest challenge was at the workplace level. This suggests that while women want to see critical changes to the structure of the legislative process, men think that change should only come at the lowest (non binding) level. This in itself might be evidence of an instrumental approach to policy making by men: the view of people as self-centred and in competition with each other leads to an adherence to the protection of individual rights in order to guarantee individual freedom (Kathlene, 1998).

5.53 Summary

Overall, it would appear than men MEP's are reasonably satisfied by the current arrangement of EU EO policy and there are few suggestions that they would like to see any further hard or binding changes. Women, on the other hand, feel that structural changes need to be made both in the workplace and in the legislative process in order to improve the situation of women. They also recognise that reaching a critical mass is important in order for change to occur. There are serious implications for women’s influence in politics if their numbers are not great enough to challenge the dominant (male) attitude which upholds the status quo.

So, do women speak in a different voice? There is evidence to suggest that this is the case. Women used more people or community based sources, refer to the personal in the political, and place great value on local level, people-based work. A number of women spoke of the conflicts between political women and men in the EU, and the importance of supporting a women’s political agenda, and the forming of alliances amongst women socially was also noted. These issues are not unique to women MEP's but are found in studies of women MP's as well as women voters (e.g. Stephenson, 1998, Squires & Wickham-Jones, 2001). One would expect that if the EU is seen as the most democratic of political institutions there should be differences between the experiences of women MEP's and women MP's. Yet, by and large, the experiences of women MEP's appear to mirror those of the women MP's in studies by Squires & Wickham-Jones, (2001) or the Fawcett Society (Stephenson, 1998b), as well as the experiences of women standing for selection for government (Elgood et al, (2002). Examples of such parallels would be the issue of politics as an ‘old boys network’ or the retention of an adversarial, macho style of politics, rather than a conciliatory style that
favours collaboration and the pooling of ideas. Further, if there is little evidence that women MEPs are making the EU work for them, either the EU is not as women friendly as is suggested or women need to change their approach and push their own style of policy making further onto the agenda.

Can women’s different voice change the legislative process? The implications of the different styles women and men bring to the decision making arena suggest that there may be difficulties in bringing about change even if women’s numbers improve. If women’s style of policy making prevents them from access to real power, then their different voice cannot change the process of policy making without there being an acceptance of their ‘parallel politics’. Evidence does suggest that women’s approach to politics is at odds with the ‘traditional’ liberal approach to policy making. It is crucial that a form of politics is reached that incorporates both the liberal approach (favoured by men) and the contextual approach (that might be more conducive to women) into policy making.

Box 5.1 Chapter Summary

1 Much of the research suggests that women MEP’s do indeed bring a different voice to politics. Further research needs to be done on this issue to develop the consequences of this.

2 Women MEP’s value the people based elements of politics and connect the personal to the political. The research backs up the view that for many women, the personal is important in politics.

3 The research also suggests that, although women MEP’s bring a different voice to politics, there are limited ways in which they can express it.

4 Traits such as conciliation, inclusion, and the pooling of ideas that many women exhibit, lose out to the confrontational, ‘power over’ style of a political system traditionally designed for men.

5 In order for women to be equal to men, their parallel system of politics must sit equally alongside the more traditional liberal approach to policy making.
Chapter 6  
Wasn’t the Work-House Abolished?  
Women’s and Men’s Paid and Unpaid Work

There are no heroines following the shining paths of romantic adventure, as do the heroes of boys books ... Of course girls have been reading the so-called boys books ever since there were such. But consider what it means to do so. Instead of closing the covers with shining eyes and the happy thought, “That might happen to me someday!” the girls turning the final page, can only sigh regretfully, “Oh dear, that can never happen to me - because I am not a boy!”

Amelia Earhart, pioneering aviator, (1898-1937)  

6.1 Introduction

Many ‘traditional’ patterns of work have made the journey into the twenty first century. Women are over represented in part time employment, with more women working part time hours in the UK than in any other EU country. The wage gap prevails with full time working women earning 82% of the male full time hourly rate (EOC, 2002b). Women working part time have seen only a 7% rise in pay parity with full time working men since 1971 (Rake, 2000), confirming UK women as among the worst paid in Europe. The division of unpaid work between women and men also remains unequal with the majority of housework, child care and elder care falling to women (ONS, 1998). Thus, labour market inequalities and the unequal division of unpaid labour persist despite the presence of equality policy.

This chapter will firstly outline the legislation which governs equal opportunities in the UK. It will then profile the patterns of paid and unpaid work of women and men. Finally, this chapter presents a critique of UK EO policy by policy observers in the field of equal opportunities. This aims to assess the effect of EO policy on women’s working patterns and experiences.
Summary of Empirical Findings

* Overall, EO legislation has improved the situation of working women in the UK. Without it, the situation would be bleaker.

* The EU has been significant in influencing and improving the body of EO policy at the national level, setting the standards of acceptable behaviour. Thus, the law can be effective in promoting change.

* However, policy has not been proactive enough to make meaningful change: Female change (positive) has run parallel to male inertia (less positive). Policy now makes it easier for women to work and give care.

* Upholding the 'woman as carer' model overlooks the needs of fathers, casts women further into the caring role, and results in anticipatory discrimination against women, even for those who are not mothers.

* Thus, EO policy is seen as breaking down as it fails to challenge the male half of the equation (the role of fathers) and disregards the differences amongst women (mothers and childless women).

6.2 My Kind of Town: The Political and Cultural Climate of the UK

In the UK, pay equality was made law in 1970 before accession to the European Community (EC) in 1973, and the Conservative government was also committed to the end of sexual discrimination prior to joining the EC (Bagilhole & Byrne, 2000). In fact, the demand for equal pay between the sexes had been heard for a century, with women active in trade unions forcing the Trade Union Congress to pass a resolution in favour of pay parity in 1888 (op cit).

6.21 Pomp and Circumstance: National Gender Legislation

The Equal Pay Act 1970 (amended 1983) makes it illegal to pay women and men different wages if they are performing similar work or work of equal value. In theory, the Act applies to both men and women, but given the wage gap, the likelihood of men using it to claim equal pay with women is unrealistic. Bagilhole (1997) argues that this is an indictment of the act itself.

Though not directly applicable to gender equality, race (The Race Relations Act 1976) and disability (Disability Discrimination Act 1995) mediates the impact of employment on gender relations. Issues of race and disability, while noted here, will not be explored in this thesis.

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Since 1983, the Act allows for the fact that two different jobs can place equal demands on employees in terms of effort, skill and decision making. Traditional ‘male’ attributes, such as strength, should not carry greater weight than ‘female’ traits such as mental dexterity (Bagilhole and Byrne, 2000).

The Sex Discrimination Act 1975 (amended 1986) is the second piece of law regarding gender equality in the UK. This outlaws discrimination on the grounds of sex or marital status in employment, training and related matters, education, provision of goods, facilities and services and the disposal and management of premises (Bagilhole 1997). It also set up the Equal Opportunities Commission (EOC) whose main roles are to monitor the Act, make suggestions for amendments, and support claimants under the legislation (op cit).

Although predominantly used by women, men have also successfully brought claims under it’s provisions, for example, by gaining cheaper swimming pool admissions for retired men on the grounds of indirect discrimination due to the fact that the statutory retirement age currently for men is five years later than it is for women (Bagilhole & Byrnes, 2000).

The Employment Rights Act 1996 applies to all employees but is particularly relevant in EO terms for women in terms of maternity provisions. It allows a pregnant woman to claim maternity leave, pay, and the right to return to her position providing she meets certain employment conditions and gives notification of her intentions to use the act (Bagilhole 1997). It also allows a woman time off work for ante natal care and entitlement to pay for time taken off (Bagilhole & Byrne, 2000).

6.22 Jive Takin’: New Labour, New Family

Family issues have grown in political importance in the 1990’s and beyond and the Labour government has gone further than previous British governments in developing explicit policies for families. The New Labour government came into office in 1997 with a majority of 179 seats in the legislature and with 25% of it’s parliamentary members being women. Labour reversed the UK’s opt outs from the Agreement on
social policy as part of an explicit commitment to a more ‘constructive’ relationship with Brussels (Bagilhole & Byrne, 2000).

With New Labour came the introduction of new legislation from the EU, but also a move away from hard law concerned with equality in the workplace towards soft law aimed at the reconciliation of work and family. Labour signed up to the Parental Leave Directive 1996, which gives all employees the basic right to twelve weeks leave following childbirth or adoption and to time off for urgent family reasons, and has introduced directives on working time, part time work and parental leave and has improved legislation governing maternal leave (op cit).

In 1999 the government introduced the National Minimum Wage which had an immediate impact on low paid workers in the UK, the majority of whom are women (Guardian, 1999b). This is a crucial piece of legislation as in other EU member states where strong statutory protection exists, the pay gap narrows between men and women (Bagilhole, 1998).

More than at any other time, the issue of child care has been targeted by the government to be of vital importance and a number of initiatives have been developed accordingly. The independent Child Care Commission chaired by Harriet Harman, whose proposals were announced in January 2001, has also called for child care to be raised far higher on the political agenda. (Skelton and Hall, 2001). An example of this is The National Childcare Strategy which aims to provide affordable, accessible childcare for up to 1 million children by 2003. In February 2001 the then Education and Employment secretary David Blunkett announced £58 million in new funding to boost childcare provision and nursery education, in addition to the £113.5 million which has been committed to Early Years Development and Childcare Partnerships for training (op cit).

With a thriving economy the future of reconciliation of family and work policy under New Labour looks clear. However, if employers consider such measures to be driving up non-wage labour costs they have little to fear of compulsion from governments representing either of the major political parties (Bagilhole & Byrne, 2000). Also, UK
workers work the longest hours in Europe, and the rise in the intensity of work has been steeper than in any other country in Europe between the years of 1991 - 1996 (Guardian, 2000b). Time will tell whether EO measures or family reconciliation practices will be able to sit easily along side this growing “harder, faster” work culture and will be a test to the governments commitment to gender equality in the workplace.

Yet the future does look bright. In his pre-budget speech on 27 November 2002, Gordon Brown announced:

"With 175000 more in employment in the British economy over the past year, and in total 1.5 million more jobs since 1997, I can report our unemployment rate this year is lower than in Japan, America and the Euro area for the first time in fifty years" (Guardian, 2002a:18).

This is indeed, proof that work initiatives introduced by Labour have not damaged the job market as exponents of a more flexible labour market predicted: which, of course, was always the excuse put forward as to why ‘EO’ could not be introduced.

6.3 The Mighty Blighty Aphrodite: UK Women and Paid Work

In 2001, 20 years after the introduction of the Equal Pay Act, 79% of men and 66% of women aged 16-64 are in employment (EOC, 2002b). In 1971, prior to equal pay legislation, these figures stood at 91% and 57% respectively. Further, projections suggest that 1.7 million new jobs will come into existence in the UK by 2011 of which an estimated 1.4 million will be taken by women (Rake, 2000). Men’s unemployment rate now exceeds women’s for all age groups (ONS, 1998) and men are more likely to experience long term unemployment than women (op cit).

One reason for the overall growth in women’s employment can be attributed to the growth in employment among women with children. The number of working women with children has doubled since 1973 and most women with young children are now in paid work (Guardian, 1998). In 1974, 24% of working women returned to work within 11 months of having a baby. Now 68% do so (op cit). One in three women return to work within a year of having their child, up by 50% in the last 10 years (Panorama, 2000).
However, there is an important discrepancy between rates of full time and part time work for men and for women. In 2001, 12.5 million men in the UK were in permanent employment, with only 0.98 million of these part time (EOC, 2002b). In contrast, although 11.27 million women were also in employment, 4.9 million of these were in part time employment (op cit).

Age too, mediates the impact of gender in employment. Employment rates are the closest for those aged under 25; 65% of young women and 72% of young men. Whereas, 62% of women aged 45-64 are economically active compared to 78% of men of the same age (op cit). There is also a wide variation between the employment rate for different ethnic groups, especially for women and disability (op cit).

6.31 Glass Slippers? Women and Occupational Segregation

The segregation of women and men in employment is a factor which potentially limits the significance of the increase in women’s employment in terms of gender equality. Despite the growing number of women in paid employment segregation between the sexes persists. Women are concentrated in a limited number of occupational classifications, relatively separated from those in which men are employed (Walby, 1997). Also, women are over represented in part time, temporary and precarious employment, they work shorter hours and are paid less for the work they do.

Into the new millennium, the majority of men and women still conform to the roles expected of them at the turn of the previous century. In 2001, the most heavily dominated male occupations include taxi drivers and chauffeurs (with men accounting for 93% of employees in this area), security guards and related (92%), and software professionals (84%) (EOC, 2002b). Women still dominate the caring, nurturing roles in the labour market. The most heavily dominated female areas are care assistants and home carers (where 90% of employees are women), and nurses (90%) (op cit). One in two women are in the clerical, personal services and sales sectors (Reeves, 2000). Women comprise 88% of nursery and primary classroom and other teachers as well as 97% of those in childcare and related occupations (Skelton and Hall, 2001). With men and women working in different sectors it remains difficult to achieve pay parity between the sexes.
Also, UK women still bang their heads on the glass ceiling when it comes to the top positions. Following decades of government and business rhetoric about sex equality, only three percent of company directors are women (Reeves, 2000). On the heels of 16000 court cases on sex discrimination grounds between 1996-2000 alone, there is one female CEO in the FTSE-100 (op cit). Men predominate in most professional occupations at the senior levels. They account for 70% of employees in the managers and senior officials occupational group (EOC, 2002b). This is despite women being constantly ranked above men in terms of management skills (The Industrial Society, 1999). More positively, there is evidence to suggest that the balance is shifting, especially in professions such as law and medicine (Reeves, 2000). For example, over half of all newly qualifying solicitors are women (Guardian, 1998).

However, when women do make inroads into traditional male domains they still run the risk of reverting to enforced stereotypes. In 1999 women made up 34% of all hospital medical staff in England yet at the consultancy level, the highest level of medical staff, only 21% were women (EOC, 2001c). In education, a much higher proportion of male than female full time Higher Education staff were in the higher grades. Ninety per cent of professors and 78% of senior lecturers and researchers are men (op cit).

The extent of women’s part time employment means that the proportion of working hours performed by women as compared to men has not risen as rapidly as the proportion holding jobs (Walby, 1997). The increase in women working full time between 1971-1995 was less than 200000, a rise of just 3%, compared to a rise of 75% in women working part time (op cit). This means that if we were to measure women’s employment not in terms of jobs, but rather the total hours worked by women and men, then the picture of growth would be significantly different.

Over 80% of part time employees of working age are women and women represent the majority of part time employees in all occupational groups. Importantly, part time work is even more segregated than full time employment. For example, 93% of part time employees in the clerical/secretarial group are women compared to 67% of full time workers in clerical/secretarial occupations (ONS, 1998).
Crucially, over 75% of female employees say that they work part time because they do not want a full time job, whereas 73% of part time male workers are either still in education or cannot find full time employment (ONS, 1998). A much higher proportion of women than men say that they work part time because of reasons associated with child care (op cit).

Compared with the rest of the EU, full time employees, both men and women, in the UK work on average the longest hours per week (Women and Equality Unit, 2001). However, more women than men work 30 hours or fewer per week. In contrast, men are much more likely to work 40 or more hours per week (Guardian, 2000b). Clearly, such long hours away from the home have implications for the division of unpaid work that goes on within it.

6.32 All That’s Gold Does Not Glitter: Women and Pay

In 1970, women’s full time average hourly pay was 63% of men’s. By 2001, 31 years after the introduction of the Equal Pay Act, it had risen to 82% (EOC, 2002b). However, even by the age of 20 there is already a 10% pay gap between young women and men (ONS, 1998). Also, since the 1970’s the differential in hourly earnings between women working part time and men working full time has not altered significantly, in 2001 standing at 59% (EOC, 2002b). Further, women’s gross individual income, including income from employment, pensions, benefits, investments etc. is on average just 52% of men’s (op cit).

Research on behalf of the Government Women’s Unit concludes that women are paying a heavy price just for being female (Rake, 2000). For example, for middle and high skilled women the earnings penalty is higher than that incurred by having children, with middle skilled childless women earning £241 000 less over a lifetime than a man with similar qualifications. The overwhelming conclusion is that the level of a woman’s education has the biggest single impact on her likely lifetimes earnings. For ‘Mrs Low Skill’, who has no qualifications, the gender gap represents over a third (37%) of their lifetimes earnings, compared to ‘Mrs High Skill’, who has a degree, who experiences a shortfall of around an eighth (12%) (op cit). In line with women’s increase in education this might bode well for the future: more women than men are now training to be
doctors and lawyers, and 57% of girls in a recent survey put a high earning career in the City at the top of their list, nursing attracting just 3% of the votes (Reeves, 2000).

Overall, women are grossly over represented at the bottom of the income distribution scale and under represented at the top. Twice the proportion of women as men fall in the bottom two fifths of income distribution (Rake, 2000). For each of the six family types (single pensioners, lone parents, pensioner couples, non-pensioner singles with no dependent children, non-pensioner couples with dependent children, non-pensioner couples without dependent children) the average income is higher for men than for women (EOC, 1999b).

Men have higher average weekly earnings than women in each major occupational group and they comprise the majority of employees in most of the occupations where average earnings are the highest. On the other hand, women form the majority in the occupations where average earnings are the lowest, typically 20% below the average (Reeves, 2000). It is most likely the simple fact of female domination of certain sectors that leads to their low status. In other words, women enter sectors which become low paying as a result: if 90% of nurses were men, would their pay be so low? Thus, Reeves (2000) argues that there is “an unspoken, even unconscious, assumption that women’s pay packets are somehow supplementary to those of men, so sectors dominated by women attract less pay” (4).

6.4 Venus, the Bringer of Peace: Order in the Private Sphere
The increase in the number of women in the labour market over the last twenty years is due largely to the number of women with children who are now economically active. The amount of time taken off following child birth has decreased, the economic activity rates of women with dependent children has increased, the number of working women with pre schoolers has increased, and working women with children aged 10 and over are as likely as women without dependent children to be in paid employment (Walby, 1997). Yet despite the rise in women’s economic activity rates, family form continues to have a lasting impact on the working lives of women with children. The major responsibility for domestic work, child care and elder care still rests with women. It is argued that, “woman’s role in the home has not changed dramatically from that of her
mother” (Guardian, 1998). In 1973 only 27% of women of working age with pre school age children were economically active (ONS, 1998). Today, the employment rate for women with children under the age of five is 54% (EOC, 2002b). However, there remain vast discrepancies between working parents, and the comparable figure for fathers here is 91% (op cit). Also, 67% of working mothers with children under five work part time compared to just 3% of fathers (op cit).

6.41 Hushabye Mountain: Mother Magic?
The lack of flexible working arrangements play a major role in influencing mothers’ decisions to stay at home. The Women and Equality Unit (2001) found that mothers’ reasons for not doing paid work included that suitable childcare was too costly or that they could not find work of suitable hours. Almost half of all parents say that a supportive employer is important in helping women return to work, yet a similar proportion feel that working mothers do not receive this support from employers (op cit). The UK still has one of the poorest child systems of child care in the EU. For every 6.6 children under the age of eight there is only one place in a day nursery, with a registered child minder or an out of school club (EOC, 2002b).

In effect, where there are effective choices between paid labour and child care women with the opportunity of a decent job will take it (Walby, 1997). Women are more likely to return to work following child birth if they are entitled to employment provided extended maternity leave, are in a higher level occupation, the public rather than private sector, have access to employment operated flexible and family working practices, or have worked for their employer for a long time (ONS, 1998). However, two thirds of full time workers say their employers do not allow flexible working time (Panorama, 2000). Research among professional women reveals that there are limited opportunities for retraining and the women felt unable to negotiate with their employers (op cit). Significantly, women who change to part time work at a lower grade following child birth hardly ever regain their status (op cit).

But child care issues should not just be ‘mother issues’. There is a growing trend in attitudes towards the greater incorporation of fathers into child rearing. The EOC found that 80% of both men and women felt that fathers should have time off work when their
baby is first born. Further, around 75% of both men and women felt that such leave should be paid, either by the employer or the Government, rather than unpaid (2001a). Just one percent of men said they would not take parental leave because they thought parenthood was a job for the mother (Reeves, 2000). Crucially, policy makers should remember that paternal employment has an almost identical effect (i.e. a slightly negative effect) on child development as maternal employment (Ruhm, 2000). Research also shows that issues traditionally associated with women, such as flexibility over hours, are now increasingly important to both women and men. The DTI and recruitment website reed.co.uk found that job hunters would sooner have flexibility over better pay, and 77% of parents with children under six said it was important to consider their work-life balance when considering a new job (Guardian, 2003b).

All of this points to the need for a change in policy to allow fathers greater freedom to raise their children. This has the potential to make real inroads in gender equality at work. Reconciliation policies aimed at women (either directly, eg increased maternity benefits, or indirectly through the lack of comparable levels of paternity leave pay, or lost earnings), underpins the 'Mother Carer Archetype', pushing women further into the caring role. This affects their opportunities at work. For example, the EOC (2000) found that middle managers are “reluctant to promote women in case they become pregnant”. Further, they feel that, “men ... are more committed because they don't have a child to go back to” (Panorama, 2000). Moreover, 45% of members of the Institute of Directors said they would think twice about taking on a woman of childbearing age because of maternity legislation (op cit). The folly of excluding men from parenting, and pushing women further into it, seems to have become a blind spot for policy makers. The Trades Union Congress, for example, fights for a greater increase in maternity than paternity rights, while calling for the eradication of the pay differential between women and men. “How is that supposed to work exactly?” asks Reeves, (2000:19). “Only when fathers and mothers bear equal responsibility for parenting can men and women share equal status at work” (op cit).

Hence, the ‘Mother Carer Archetype’ not only has ramifications for women’s career prospects in general, but also for childless women in particular who suffer from
‘anticipatory’ discrimination (Reeves, 2000). Fathers also lose out, which in turn means so do their children.

As luck would have it, time is ripe for such a change in policy. Recent figures reveal a change in the demographic of women in the workplace. Mothers giving birth now are nearly three years older than their counterparts in the early 1970’s, with the average age now 29 (Guardian, 2000a). The last quarter of the century has also revealed increasing childlessness, and within ten years, a quarter of UK women will be childless (Panorama, 2000).

This is of profound significance to the future of a gender equality policy aimed specifically at women reconciling work and family, and also highlights the danger of assuming the homogeneity of women as a category at both the EU and national level.

6.42 Warning: Wearing Purple in our Thirties! Cooking, Cleaning, Caring etc. etc.

In addition to being the backbone of family policy, an integral part of the work force and magical mothers, women also shoulder the vast burden of housework as well as the lions share of caring for elderly relatives: the load of the twenty first century woman is sure to send us reaching for purple clothes and red hats well before our own dotage!

Housework in the UK is still a female dominated activity. In couples, the majority of women always or usually do the washing and ironing, the cooking and the grocery shopping (ONS, 1998). Only in undertaking small repairs around the house do men predominate (op cit).

Crucially, attitudes to the division of labour appear to be shaped early in a person’s life. In a survey of young people, the EOC found that attitudes to equality differ according to gender even in children. Although most children did not believe that A man’s job is to earn the money and a woman’s job is to look after the home and family, a quarter more girls than boys disagreed with the statement (EOC, 2001b).

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2 Inspired by the poem Warning by Jenny Joseph.
Furthermore, recent policy developments encouraging the care of people in their own homes, with the informal assistance of family and/or friends in conjunction with care provided by statutory agencies, reduces the time available for paid employment, especially among women in their 40-50’s (Walby, 1997). Statistics suggest that married men rely on their wives to fulfil these familial obligations: “Marriage for women seems to redefine them as the main carer of anyone requiring care in the household” (Arber & Ginn, 1995:26).

One might argue that elder care is now likely to keep women out of employment in a similar way to caring for children. A greater proportion of women than men are carers and women are more likely than men to spend in excess of 10 hours per week caring for someone (ONS, 1998). This is a growing concern for women given the demographic changes of an increasingly ageing population.

The changing age profile of the population will require a change in work-life balance policies to include a focus on elder care, as well as the aforementioned need for equality between maternity and paternity provision. For example, the Institute of Management found that childless workers resent the perks enjoyed by their colleagues who are parents. Many feel that their own responsibilities, such as looking after elderly parents, should also be recognised (Mirror, 2000). The survey concluded that such a backlash threatens to “undermine that all-important team spirit which organisations are so keen to foster” (op cit). EO policy may be divisive if it is aimed at one group (i.e. parents) without similarly incorporating the needs of other workers.

6.5 Fly Me To The Moon: Change Through Education?

In the future, changes in the educational achievement of women and men might bring about changes in their division of labour. As outlined above, a recent study on women’s earnings concluded that the level of a woman’s education has the biggest single impact on her lifetime’s earnings (Rake, 2000). The report produces striking differences in women’s lifetime earnings by qualification level. Childless women, for example, are estimated to earn £518 000 over the entire lifetime if they have no qualifications, £650 000 if mid skilled and £1 190 000 if they graduate (Rake, 2000).
At GCSE level young women have outperformed young men for the past eleven years. In 2002, 62.4% of young women attained five or more grades A* to C at GCSE or SCE Standard Grade compared to 53.4% of young men (Guardian, 2002b). Women also outperform men at GCE A level. Thirty four percent of girls and 27% of boys gain two or more A level passes aged 17-19 either at school or in FE or three or more SCE Highers in Years S5/S6 (EOC, 2002b).

There are now more women than men on full time and part time undergraduate courses (op cit). Between 1990 and 1995/96 there was a 66% increase in the number of full time women undergraduates and a 50% increase in full time male undergraduates. However, there are still fewer women than men on postgraduate courses (ONS, 1998).

Importantly, there are still gender differences in subject choice from A Level to postgraduate level. The most popular A Level subjects for women are English Literature and Biological sciences. For men, the most popular are Mathematics and Physics (EOC, 2000b). Subject choice at the undergraduate level also remains segregated. Women account for only 37% of those studying Physical sciences, and just 15% of those studying Engineering and technology (EOC, 2002b). Further, women account for only one percent of Construction Apprentices, but 98% of Childcare Apprentices (op cit).

The lack of involvement by men in the care and education of very young children is seen as one cause of the low status of child carers, and the trivialising of the work they do (Skelton and Hall, 2001). Moves to encourage men into the early years setting would tackle gender issues twofold; firstly by providing children with competing male role models, and secondly by challenging the Mother Carer model of child care.

However, the difficulties in drawing men into early years settings illustrates the extent to which the role of men, and importantly, the role of fathers, has fallen by the way side with regards to child rearing (op cit). The significance of this situation should not be underestimated in the culture of the UK as well as many other European countries. Further, unless very young children learn to see both women and men performing caring and nurturing roles, educational choices will continue to be influenced by stereotypes, despite the growth in opportunities at work for women. The EOC for example, found
that children viewed a number of jobs in a stereotypical light. Half of them thought that
being an airline pilot or a train driver was more suited to a man, and three out of five
thought that secretarial work was best suited to a woman (EOC, 2001b). Thus, “the
importance of working with the early years age group, the development of gender
identity in young children and their perception of gender roles are all recognised as key
factors in the development of sex-stereotyped views” (Skelton and Hall, 2001:01).

6.6 Proofing The Pudding: A Critique of UK EO policy by Policy Observers

A study was undertaken into the views of UK EO policy observers on the UK’s gender
equality legislation. This provides a critique of the impact and effect of EO policy on
the lives of women and men in the UK. Detailed questionnaires were sent to various
actors and observers in the policy field, academic, businesses, government departments,
and campaign groups. Fourteen questionnaires were returned. Also included here, are
the comments from the leader of an employment and development project interviewed
at a local Women’s Centre, and a Regional Manager and European Advisor of a branch
of Opportunity Now (previously known as Opportunity 2000).

6.61 Equal Pay Act

Less than half of the respondents (38.5%) felt that the Equal Pay Act (EPA) has
increased the number of women in the work force (Pie H.1 in Appendix H). The
increasing number of women in the labour market was seen as a factor behind the
introduction of the EPA rather than one of its consequences. The respondents felt that
the Act formed part of a wider environment that makes paid work a more acceptable
and rewarding package for a larger number of women in today’s society, though it was
suggested that other factors have perhaps been more relevant in increasing the number
of women in the workplace. The decline of traditionally ‘male’ industries, such as
manufacturing, in conjunction with the expansion of female dominated industries, such
as the service industry, have played important roles in the changing female dynamic in
the labour market. As such, the respondents felt that the culture of part time jobs and

3The study contributed to part of a European wide research programme conducted by The European
Network on Policies and the Division of Unpaid and Paid Work. Their central aim is to understand the
political, economical and cultural mechanisms that determine the impact of policy measures with regards
to the division of paid and unpaid work between women and men in different EU countries (Vossen et al,
1998).

4 The names of the organisations targeted are listed in Chapter Four, methodology.
flexible hours has also been conducive towards female employment, making paid employment an easier option than it used to be.

In light of this, the increase in the number of women in the labour market can also be said to be a case of economic demand. The growth in men’s unemployment has also played its part, as has the need for dual earner families.

Less positively, the respondents felt that the EPA has not raised pay in part time work where much of the increase in women’s employment has been experienced and it was suggested that better education was probably more important in the aim of achieving pay parity with men.

The majority of the respondents (69.2%) felt that the EPA had not reduced occupational segregation between women and men in the labour market (Pie H.2). Evidence suggests that occupational segregation is in fact rising as more women enter the labour market, and women’s overrepresentation in part time work remained constant throughout the 1980’s and 1990’s, which is a clear indictment of the UK’s segregated work force.

The EPA has not managed to make a significant impact, with women in traditionally female jobs still receiving lower rates of pay than workers in traditionally male jobs. The respondents felt that few men and women are crossing over into traditional female or male areas. However, on the positive side, the legal right to equal pay makes it worth women striving for men’s jobs, which are generally higher paid.

The main purpose of the EPA was to equalise pay between women and men. Therefore, the respondents were asked to rate its success in doing so, on a numerical scale of one to five, with one being the lowest and five being the highest. Most of the respondents were positive about the success of the Act, with 69.3% giving it a score of 3 or 4 (Pie H.3), though none felt that it had been a total success. It was generally accepted that the UK would be in a worse position with regards to pay equality if the EPA had not come into force, though the Act itself is not without problems.
The Act had an initial impact on wage inequality after implementation, though 25 years on, a significant differential remains. The pay gap itself has not significantly closed for last 10 years. Overall, the respondents felt it was difficult to measure pay parity given that women and men remain occupationally segregated. Consequently, little inroad has been made in terms of pay in the feminised areas of the labour market.

Just over half of the respondents felt that the EPA had not impacted on the division of unpaid work between working couples (Pie H.4). Indeed, it was never the intention of the Act to tackle the impact on unpaid work in the private sphere and the respondents felt that it would be very difficult for legislation to tackle such personal practices in the UK. Instead, any changes in the distribution of unpaid labour would have to result from a longer term cultural shift and would also depend on the different hours that men and women work in the labour market.

6.62 National Minimum Wage

Just over half of the respondents remained neutral when asked if the introduction of the National Minimum Wage (NMW) would increase the number of women in the workforce (Pie H.5). As this was a relatively new piece of legislation respondents felt it was difficult to gauge its current impact and any relationship between the NMW and pay equality was then not yet clear. It was felt that its effect was difficult to disentangle from other policies in this area. However, what was clear was that it was likely to have a positive effect on women's pay because it is mostly women who work at the lower end of the pay distribution where this legislation impacts. It was felt that, as with the EPA, more pay would make it more worthwhile for women to work. It was also felt that it might counteract the impact of losing social security benefits, which can prohibit and discourage some women from working.

5 The policy observers were asked to put forward their recommendations for improving the various pieces of legislation. These can be found in Appendix I and will be summarised in the chapter conclusion.
6 At the time of the survey, the National Minimum Wage had only been in operation for a few months. The respondents then were commenting on its potential on working women in the UK, rather than assessing its past and present impact, as with established Acts such as the EPA etc. The NMW of course, has been operational since 1999.
Alternatively it was argued that the NMW was so low it would not make much difference to women’s position at work7. Firms which resented the legislation will simply redefine tasks so women end up doing more work in the same time to earn the wage.

Just over half of the respondents felt that the NMW would not reduce occupational segregation between women and men (Pie H.6). On the positive side, it was felt that although the NMW was not introduced for this purpose, it may mean that men will take on more traditional women’s jobs, if they are better paid. In contrast, warning was sounded that the NMW may come to be used as the maximum wage or benchmark pay for certain jobs, thus creating permanent low paid ‘ghettos’, most of which will be occupied by women.

The respondents were asked to assess how successful the NMW would be on equalising wages between women and men, using the scale outlined before. The majority of respondents (66.7%) rated it a score of 3 or more. (Pie H.7).

It was acknowledged that traditionally women’s work has always been lower paid than men’s and therefore a national minimum at least controls a lower threshold of pay below which no one should fall. Evidence suggests it has already had a particularly positive impact on part time employees, most of whom are women. On a more negative note it was felt that the NMW was too low to have much of an impact except at the very bottom of the labour market. The difference between men’s and women’s pay is too large for the slight rise in the bare minimum to have much of an effect.

6.63 Sex Discrimination Act

The respondents were split as to whether the Sex Discrimination Act (SDA) has reduced occupational segregation between men and women. A third of the respondents believed that it has reduced occupational segregation, while the same percentage disagreed that this was the case (Pie H.8).

7The level of the Minimum Wage has since been re-graded, though arguably still remains low. In October 2003 it will be raised to £4.50, and to £4.85 in October 2004.
On the positive side, respondents felt that the SDA has been successful in that it has opened previously closed doors and it has helped to remove many of the barriers that women faced. However, some respondents felt that occupational segregation has been amazingly stubborn and that because the Act is individualistic it deters people from bringing a case forward. It was felt that to make major inroads traditional and new definitions of 'women's' and 'men's' work need tackling.

The majority of the respondents (58.3%) thought that the SDA has improved women’s access to training and promotions (Pie H.9). It was felt that the SDA was a foundation for setting standards and encouraging women to expect equality. Any government funded education and training was influenced by the legislation. In terms of higher education, the evidence of increased female admission and graduation was probably encouraged by an anti-sexist climate.

Also, 63.6% of the respondents believed that the SDA has helped women to break through the glass ceiling (Pie H.10) and none of them disagreed with this. It was felt that the Act contributed positively to the general work culture making it more favourable to women. It was felt that it had at least raised awareness of the issue and given women a recourse to fall back on if all else fails, and without the SDA the position would be worse than it is. The following comment from a respondent sums this up:

"It's still not happening fast enough. Still when you get to the top level women are thin on the ground. Nevertheless, with women that are getting promoted through to the top level it is making a difference in attitude to both male and female."

To some extent, the Act has made people aware of, and embarrassed by, the glass ceiling. Many firms now have policies to improve gender balance though outcomes are still not high in many firms. However, most cases taken under the legislation, whether proven or not, result in the person leaving their organisation. Targeting the work culture itself remains the main obstacle yet legislation alone cannot change attitudes and until this happens women will be disadvantaged. One respondent said that until recently, she had insisted upon having a man head the strategy groups in her division:
"He has more pulling power with his peers ... It's trying to get that grey suited, grey haired man, the dinosaurs, to change their attitudes and if one of their own can do that then it has more impact."

The respondents were asked to assess the success of the SDA in eliminating workplace discrimination between women and men, on the numerical scale outlined earlier. Two thirds of respondents graded it at 3 or above (Pie H.11).

First and foremost, the respondents believed the state of the UK labour market would be worse off without the SDA. The threat of legal proceedings was seen to carry weight with employers. Whilst recognising that you cannot legislate for culture and attitude, the Act set an important framework for action. Practices that once favoured men are being abolished and the Act can be used, and has been, to ensure this, for example having to give up a job when getting married.

However, the picture is mixed and old expectations are hard to die. As the SDA is individualistic, it isolates claimants and results in people leaving the organisation anyway. To this end, the Act is weak and reactive rather than proactive, stating what employers cannot do rather than what they should do.

6.64 Employment Rights Act\(^a\)

The vast majority of the respondents (83.3%) believed that the Employment Rights Act (ERA) has successfully protected the rights of pregnant and newly returning mothers in the workplace (Pie H.12). Overall, this is the policy that the respondents deemed to be the most successful in achieving its aim.

The respondents felt that the Act had established certain important rights for women, particularly the principles of maintaining women's right to return to their previous employment after maternity leave. Previously, when pregnant, women could be forced to resign from their jobs and often were made to do just that. They were also very unstable in this position and would accept pay cuts and downgrades, with large numbers of women returning to work in a part time capacity.

\(^a\)As from April 6 2003, Maternity Leave will increase from 18 to 26 weeks, paid, plus 26 weeks unpaid Additional Maternity Leave. Standard statutory pay to increase from £75 per week to £100 per week, with most firms able to reclaim all of the cash from the government.
The respondents felt that the ERA has allowed women to use the law to protect their position and their working situation would be more precarious without it. Most employers are aware of the legal implications of the Act and to some extent it has influenced the thinking about recruiting women positively. This though, still depends on the attitude of the employer, as job protection and employment rights remain a contentious issue.

Two fifths of respondents believed that the ERA had improved the quality of jobs open to women returning to work after maternity leave (Pie H.13). It was felt that for many women the right to return to their previous jobs has assisted their careers. They have been able to secure their position and their situation would be worse without it.

However, the protection of jobs affects women differently depending on the industry they work in and their hours of work. Once more, too much depends on the attitude of the employer. Further, the period of maternity leave is still too short and many women forfeit their entitlement. Also important here was the need to look at the issue when maternity leave is over, which is child care. One respondent noted the following:

“This is where we’ve got to get parity over who looks after the children and we’ve got to get over the stigma that it has to be a woman’s responsibility.”

Two fifths of the respondents (41.7%) did not think that the Act has improved women’s access to training and promotions on return to work from maternity leave (Pie H.14). It was felt that employers might still limit training and promotion to women due to their pregnancy. This is perceived by employers as an easy way of indirectly discriminating against those seen as less committed. It was also felt that changes have not necessarily come about due to the ERA itself. More importantly change has been due to investors in people, such as National Training Awards and other benefactors, and a need to improve customer satisfaction levels. It was argued that the change did not come about from altruism. Further, there are still a lot of men and women in employment who resent those returning from maternity leave.

In spite of this last comment, the majority of respondents (63.6%) believed that the ERA has encouraged a positive shift in attitudes towards pregnant women and new
mothers in the workplace (Pie H.15). It was felt that while one cannot be sure about attitudes, the Act has required a change in behaviour and the fact that it was a law meant that attitudes would change. They felt that attitudes were the hardest to crack, but even if not the intention of the Act to tackle these, it must begin to shift public opinion.

The more cautious respondents felt that whilst there had probably been an attitude shift among good employers, particularly in the public sector, these account for only a small proportion of women in the labour market.

The respondents were asked if they thought that maternity provision has had any impact on childless working women. It was felt that it might discourage these women from having children because the provision was too low to help them successfully juggle work and family. Also, it was felt to impact on them negatively in that it might increase their workload if adequate maternity leave cover was not arranged. This would disproportionately effect women workers due to occupational segregation where most women work with a majority of other women. It was also felt that maternity leave may reinforce the view that child care is still a woman’s main responsibility. It may impact on a woman’s promotional opportunities and lead to possible discrimination on hiring.

6.65 Paternal Leave

Nearly half of the respondents (45.5%) did not think paternal leave legislation has the potential to affect the balance of women and men in the labour market (Pie H.16). The main reason for this was that if leave is unpaid it would only be of benefit to those wishing to take it who are in a position to forgo wages. Significantly, it was noted by one respondent that, among staff at the Department of Trade and Industry, the department responsible for paternity leave, not a single man had used the right in the two years since its introduction.

It was felt that any paternal leave would only affect the behaviour of a few couples initially but that in many decades and with more changes to the legislation, the balance between couples would change more if the legislation was sufficiently robust.

9Again, at the time of the survey, there were no real provisions for paternal leave. The respondents comments here, are with regards to the potential that such provision could have. As of April 6 2003, new fathers are entitled to two weeks paid paternity leave for the first time in the UK.
In contrast, the majority of respondents (63.6%) felt that paternal legislation could impact on men in the labour market (Pie H.17). This is because it was seen as at least establishing a minimum right for men who wanted to take a more active role in child care. However, it was felt that it would have more of an impact on men if some sort of parental leave was to be taken in equal non-transferable periods by both parents, and in this way may be part of a longer term cultural shift in the labour market.

Again, it was felt that the effect of the legislation would be disproportionate on different groups of workers, as company culture would be negative in some places and not others. As such, paternal leave may impact on the promotional opportunities of men who do take it up in some companies. Any leave would have to be aimed at all workers equally to have a positive effect:

"Once again ... its got to be seen that its quite acceptable from the people in higher grades to do that, otherwise its going to stop women in higher grades from taking time off. Its got to be seen as equal."

The respondents were split as to whether paternal leave would have an adverse effect on the careers of working men, with 36.4% feeling that such legislation would effect the careers of working fathers whilst the same percentage disagreed (Pie H.18).

Those who thought it would have an adverse impact on father's careers felt that there was no reason why employer discrimination would not affect men too. However, they did feel that it would depend on the length of leave taken and also on the company that one worked for. It was also noted that, as things stand, it would not have a considerable effect on men because they would not be away from the work force for a significant length of time.

Those who felt that the legislation would not have a negative effect maintained that ultimately, men's position in paid work is established and strong and it would take more than these provisions to change their predominance in paid employment.

Less than half of the respondents (45.4%) believed that the legislation would effect the distribution of child care between couples with children (Pie H.19). Importantly, it was noted that any redistribution would depend on who takes the leave, for how long they
take it and the incomes of the individuals concerned. Some respondents were cautious in the fact that they felt that any redistribution of child care responsibility would be marginal, only making a difference for couples where the woman is earning far more than the man, and that the UK will not be overwhelmed by a “tidal wave of ‘stay at home dads’”.

More positively, paternal leave was seen as having the potential to bring about change. For those men who take it, leave would improve paternal bonding and is likely to be part of the egalitarian model of partnership which is emerging for some.

6.66 Legislating For EO policy

The respondents were asked to assess the importance of national EO legislation in general in achieving workplace equality between women and men, using the numerical scale previously outlined. Over half of the respondents (54.6%) rated the legislation at four or above (Pie H.20).

The respondents felt that although all of the legislation was useful, it could have been more effective if it was stronger, more proactive and more effectively implemented. That said, without it the situation for women would be more difficult:

“When you think we’ve had the vote for the last 100 years, what been achieved since legislation was introduced 20 odd years ago looks quite considerable.”

It was noted however, that EO policy has not always been the driver for women’s roles in the labour market and that improvements have occurred due in part to law and in part to commercial necessity. As such, EO policy has worked alongside structural and cultural change.

The employer or business level was also seen as an important issue in equal opportunities, particularly those employers or businesses that were not pro EO policy:

“The main blockage is when it comes down to the employer. At the end of the day it's the profit cost, what it's going to cost them as an organisation, what it's going to cost them if they don't do it. They have to do the weighing up.”
Another issue here was the stigma behind the term ‘equal opportunities’. It was felt that many people still negatively associate this term with a specific political movement:

“I wish I could get rid of those two words ‘equal opportunities’. When [employers] hear those words it takes you back to the 1960’s, to the feminist movement. They don’t see equal opportunities as the full picture ... It’s ‘Oh, we’ve been here before, we’ve got the tee shirt, it doesn’t work’. They don’t see it as something that they should be doing every day like ‘Health and Safety’. They can’t see the relevance of it.”

Also considered important was the lack of cohesion between top-down EO policy and bottom-up grassroots action, both of which were seen as crucial in bringing about equality. The Regional Manager of Opportunity Now (an example of a top down agenda) noted:

“It’s all very well trying to get the grassroots up but women have been saying for the last 100 years what should be happening but it is not happening. Until we get the change at the top and implement those policies, we’re not going to meet bottom coming up ... It’s changing the policies from the grassroots up and trying to meet in the middle.”

This was also an issue mentioned by the leader of the Training, Employment and Development Project (TEDP)10 (an example of a bottom up, grassroots organisation). The project, as well as the centre as a whole, is under constant threat of closure. Sarah11 saw this as double standards given the government was trying to kick start EU EO policy at one end, but wants to cut off funding at the grassroots level on which many women are dependent. If EO policy was working in general there would not be a need for these schemes.

The respondents in the survey were asked to assess how important the impact of the EU has been on the body of EO policy at a national level. This was done using the numerical scale outlined above. Nearly three quarters (72.4%) rated it at four or above (Pie H.21). The EU was deemed more important than the national government in terms of EO policy. It was felt that without it during the years of the Conservative governments there would have been no progress on EO policy, and may even have been

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10 The project runs courses such as taster computer courses and integrated business technology. It offers business advice and information, budgeting plans, careers advice and educational advice. Women can also rent their own workspaces at the Centre in order to try out their own business and see how they fare before striking out on their own. They pay £15 per week and have on hand support.

11 Not her real name.
regression. Even with the Labour government it was felt that the EU had provoked action on EO policy:

"Just over the last few years it's happened more than in the past ... the UK does everything kicking and screaming but eventually we settle into it ... It's probably making a bigger impact than a lot of people actually realise."

"This government has made a considerable change ... more willing to have an openness about it ... mainstreaming and not just bolted on to the end."

Examples cited were the EU Pregnancy directive, which led to the extension of the period of maternity leave in the UK, the Parental Leave Directive which lead to new legislation at the national level, and the signing of the EU Social Chapter by the Labour Government, which was felt to be particularly important in beginning to bring the UK into line with other member states. The EU was seen as the crucial catalyst in strengthening our national equal pay legislation and eliminating sex discrimination in social security legislation.

Three quarters of the respondents agreed that EO policy oriented specifically and exclusively towards women and their (possible) family responsibilities detrimentally affects women's position in the labour market by casting them into the caring role (Pie H.22). It was seen as establishing in the minds of employers that women are different, 'less good' employees who need special treatment and thereby may justify different, worse, treatment. It reinforces prejudices and views against positive action and offers no challenge to the status quo of the roles of women and men. It was also seen as absolving men of their responsibilities for child care and family life and it was felt that that only when there is equality in the private sphere can there be equality in paid work. The respondents felt that EO policy needed to challenge women's and men's roles in both paid and unpaid work.

As an additional point to the question above, the respondents were asked to consider the impact of such EO policy on women without children. A quarter of the respondents (25.0%) felt that such policy can have a detrimental effect on the labour markets of childless women whereas 50.0% disagreed (Pie H.23). Those respondents who felt that EO policy oriented to women with children was detrimental to all women, felt it was an
old approach that did women in general a disservice. It was felt that if employers are influenced by the possibility of women having children they may discriminate or maintain a prejudice against all women. It might perpetuate a tendency to see EO policy in terms of mothers, which “lumps children with women which is what we don't want.”

In addition, reinforcing the idea that caring is a woman’s responsibility also has implications for the distribution of elder care, which creates further problems for women:

“As you get older, it lumps you with elderly and dependent care, so you do a full circle. You do your child care bit and then you do your elder care bit. It's something that needs to be looked at. There are more and more women deciding not to have children because of that reason.”

Finally, the majority of respondents (69.3%) felt that more women in political decision making positions would lead to a more effective approach to EO policy (Pie H.24). Although the respondents were fairly united on this point, the complexity of the issue was acknowledged. It was felt that although this should be the case, there was little evidence that it happened in practice, the best example of this being the influx of Labour women MP’s at the 1997 general election. It was noted that the issue is not just about improving numbers but about where women are placed in terms of power. In a centralist, controlling government, women’s views could be shifted to the back benches.

More positively, it was noted that the presence of women in sufficient numbers and senior positions in Trade Unions has made a difference and having more women in politics should at least keep women’s issues higher up the agenda, as well as offer a challenge to the more traditional attitudes. Examples from Scandinavian countries would back this up. Overall, it was felt that women’s voices have been silenced for too long and it is necessary for them to be heard, even though it is not of itself sufficient to ensure a more ‘effective approach’.

6.7 Chapter Summary

Overall, we have seen a shift in female labour market behaviour but a large degree of male inertia. This is unsurprising given that policies have generally been aimed at women. Overall, it was felt that the legislation had been useful, and that the situation for
women in the UK would be far worse without it. However, the respondents also felt very strongly that EO policy could have been more effective and had more of an impact if it was stronger, more proactive and more effectively implemented. On the positive side, it was felt that policies were at least a foundation for setting standards and encouraging women to expect equality. The legislation mainly contributed positively to the general paid work culture, making it more favourable to women and had at least raised awareness of the issues and given women a recourse to fall back on if all else failed.

However, the respondents felt that the impact of policies should not be overestimated as they only form part of a wider climate of change in terms of employment. The decline in ‘male’ industries, such as manufacturing, the growth in ‘female’ sectors, such as the service industry, as well as the culture of part time and flexible work have all played their part in increasing women’s representation in paid work.

Another important issue highlighted is the danger of an assumption of homogeneity of women as a category at both EU and national levels in the formulation of EO policy. This assumption is reinforced by concentrating and orienting policy towards women and their difficulty of reconciling paid work with familial responsibility. This can make some policies largely irrelevant to many groups of women, as well as casting women further into the role of carers whilst absolving men from their caring obligations. In turn, this might reinforce prejudices and justify different and worse treatment of women by employers, which is of growing concern due to the forecast increase in childless women. Women are an heterogeneous group divided by age, ethnicity, class, disability, sexuality, motherhood, occupation and education amongst other things. These factors all mediate the division of both paid and unpaid work between women and men.

Overall, not one of the respondents suggested that any of the pieces of legislation discussed did not need to be improved. In terms of maternal and paternal leave, the main improvements surrounded the length of time and levels of pay. It was felt that there should be a ‘daddy quota’ as in Norway and Sweden, where certain leave is set aside for fathers only. Also, effective implementation and the curtailing of employer discretion were deemed important. Accountability was felt to be an important issue in
need of attention. The best way to improve the EPA and the SDA was felt to be to combine them, so that women cannot fall through the gaps and proactive clauses were also called for.

The respondents felt that the EU had been immensely important in prompting UK governments to act in the area of equal opportunities. Even with the present Labour Government (now of course, in its second term), it was felt that the EU still provoked action in this field. Feelings were mixed however about the influence of women politicians on women’s issues. It was pointed out that the issue was not just about numbers, but about where women were placed and the power they held.

Box 6.1 Chapter Summary

1. Since the introduction of the EPA in 1970, the work place has been characterised by female change: more women work than ever before, women return to work sooner after childbirth, and women are making some inroads into non traditional occupations and higher grades.

2. This period has also been characterised by male inertia, in both the work place and the home. Women remain the predominant carers of children, the elderly, and the home. Consequently, they still have lower rates of pay than men, are still over-represented in low paid, low status sectors, and work more part time hours than men.

3. Overall, EO legislation has improved the situation of UK working women. The EU has played an integral part in improving and influencing the body of legislation at the national level.

4. However, the success of equality legislation is undermined by the lack of meaningful paternity policy. Without equal rights for fathers, women are cast in the caring role, and this influences their career opportunities, even among the growing number of women who do not have children.

5. Education is seen as the key to gender equality. Yet without the involvement of men in caring and educational roles of very young children, sex stereotypes will continue to influence educational and career prospects in spite of the opportunities opening up for girls and women.
7.1 Introduction

The study was undertaken in an organisation that has an EO policy, and has had an EO officer for 10 years. A questionnaire was sent to the 2500 people on the organisation’s permanent payroll and was returned by 220 people. The aims of the questionnaire were firstly, to identify the level of awareness of EO policy at the workplace and the national or EU coverage of EO, and secondly, to gauge attitudes towards EO policy. The third aim was to find out people’s usage of the EO policy, past and future, what might influence this, and how the workers themselves would like to see the EO policy developed in the future. These issues are all crucial in identifying where EO policy might break down (see Diagram A.1).

Summary of Empirical Findings

* Awareness of EO policy was quite poor in general. Only half of the respondents were aware of national laws and only a third of these could name specific
legislation. Awareness of both EO policy at the organisation plus the methods for publicising it was also limited.

* EO policy was largely seen as child policy. Policies allowing for child care were disproportionately used by women while men made more use of personal development policies.

* The respondents felt it was more important to change the nature of policy delivery rather than introduce new policies.

* EO policy was seen as ineffective for three broad reasons; it deals negatively with childless workers; it deals negatively with parents; and it deals negatively in terms of sex. Childless workers were seen to be treated least well by EO policy.

* An EO policy based on partial coverage causes tensions and resentment amongst employees.

7.12 Demographic Profile of the Respondents

In the survey, 45.9% of the respondents were women and 54.1% were men (see profile summary, Box J.1, in Appendix J). The ages of the women and men were spread quite evenly between the bands of 21-30 years of age up to 51-60 years, though generally men were older than the women. In terms of ethnicity, 95.0% of the women and 87.4% of the men were White. The largest ethnic minority group was Asian and 4.0% of the women and 8.4% of the men fell into this category. Only 4.0% of the women and 2.5% of the men had a disability.

The organisation reflected the occupational segregation that is typical of the UK. Over a third more of the men than the women were employed at the highest grade (47.9% and 29.7% respectively), whilst Secretarial or Clerical/ Ancillary grade accounted for just 7.6% of the men’s employment yet 40.6% of the women’s.

When it came to children, 52.5% of the women and 60.5% of the men were parents. Overall, a third of the respondents (33.7% of the women and 33.6% of the men respectively), had pre-school or school aged children, and 22.8% of women and 26.9% of the men had non-dependent children. Similar proportions of the women (42.6%) and the men (39.5%) did not have children. Childless workers tended to be younger than
workers with children and 43.2% of childless workers were aged 30 or under compared to just 4.0% of parents in this age group.

Following national trends, more men than women worked full time (76.2% of women compared to 91.6% of men). This was a reflection of women's home life responsibilities: of those women with pre-school children, 40.0% worked part time, whereas 93.8% of men with pre-school children worked full time. Women with older children were more likely to work full time, and 62.5% of women with school aged children did so. Where women and men did not have children their hours of work were much more equal: 88.4% of the childless women worked full time as did 91.5% of the childless men.

7.2 Awareness of EO Policy

Just over half of the respondents (54.5%) were aware of national laws regarding equal opportunities (Graph J.1 in Appendix J). Of those respondents aware of EO Policy, 35.0% could name at least one piece of legislation specifically, 44.2% could name a general area of EO policy or law and 20.8% were aware that laws or areas of law existed but could not name any (Pie J.1).

Of those respondents able to cite a specific piece of legislation, 30.4% named the RRA (Race Relations Act), 28.0% named the DDA (Disability Discrimination Act), 20.0% named the EPA (Equal Pay Act), and 16.0% named the SDA (Sex Discrimination Act) (Pie J.2). Similarly, a quarter of those respondents able to name a general area of EO policy named race. This was again followed by disability and gender (Pie J.3).

Of the 20 policies cited on the questionnaire, 14 were actually available at the organisation itself and six were not available (Chart J.1). The respondents were asked which of the policies they thought were and were not available at the organisation. They were also asked which methods the organisation used to publicise its EO policy (Chart J.2).

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1 EO policy is used to refer to both national and organisational EO policy and/or legislation.
Out of the policies actually available at the organisation, the two policies which the respondents were most aware of were ‘Policy statement on equal opportunities’ and a ‘Harassment and bullying policy’, cited by 88.5% and 87.4% respectively.

Around half of childless women and men were unaware that their place of work offers ‘Extended maternity leave’. Mothers were more aware that this policy was in place (60.4%), suggesting that individual need might influence awareness of workplace policy. This was also the case for ‘Holiday schemes for children’, which over half of mothers and fathers were aware of but about three quarters of childless women and childless men were not. However, nearly two thirds of fathers did not think that the organisation offered ‘Paternity leave’, which was available.

In an ageing society such as the UK, the need to take leave from work to care for elderly or sick relatives is a growing issue. However, despite its availability within the organisation, over 65% of the respondents were unaware of this policy. Also, just under a third of the respondents were not aware that the organisation has ‘EO training programmes’. This is important as EO training is the forerunner in challenging ideas and attitudes towards equality in the workplace, and the low numbers being aware presumably reflects their lack of attendance on this training.

Out of the six policies cited on the questionnaire not available at the organisation around half of the respondents believed that ‘Job share’ was available, and 41.3% thought likewise about ‘Flexi hours’. While these were not officially available, flexibility over job hours was often left to the discretion of immediate bosses, an issue that is discussed later in the chapter. Interestingly, parents did not necessarily have higher levels of awareness of child related policies than did childless workers.

Overall, awareness of how EO policy was publicised at the organisation was limited (Chart J.2). For example, four fifths of the respondents were unaware that meetings are used to publicise EO policy.
7.3 Use of EO policy

Only 15.0% of the respondents had used some form of EO policy at the organisation (Pie J.4). Not surprisingly, the majority of these were women (60.6%). Also, parents made up 66% of those who have used EO policy.

Of those who had not used EO policy, four fifths claimed not to have done so because there had been “no need”. Only 9.6% had not done so because they were “not aware of any” (Pie J.5).

Of the respondents claiming not to have used EO policy measures due to lack of awareness, 45.5% were childless women and 36.4% were mothers, whereas only 18.2% were fathers (Pie J.6). Of those saying they had no need to use EO policy fewer were mothers than fathers.

A continual theme emerging from the survey was that EO policy was seen as ‘policy for parents’, and those without children often felt excluded:

“Stop expecting single members of staff to pick up the slack when parents have to disappear for family reasons” (Male, childless).

“Employers are very accommodating for women with children, more difficult and extra work for women without children” (Female, childless).

“[We have] no flexibility, expected to cover for people with children” (Male, childless).

Overall, the most frequently used EO policy measure was ‘Training’, which accounted for 22.2% of the policies used (Pie J.7). This contradicts findings in section 7.2, where a third of the respondents said they were unaware that the organisation had an EO training policy.

The policies used by the respondents were divided into categories: ‘Child policies’ (denoting maternity and paternity policies, sick child days, holiday schemes and so forth), ‘Training policies’ (personal development policies), and ‘Altered hours’ (reduced hours, job share, part time work etc.). From the measures used by women, only 18.8% were Training policies (Pie J.8). Importantly, the figures for men showed
that 83.3% of measures used were Training policies and none of the men had used Child policies. Indeed, one female respondent noted that:

"At my place of work, all the men are on a professional scale and to my knowledge none has taken advantage of child policies" (Female, mother).

The vast majority of policies used by mothers were Child policies and Altered hours. For fathers the most used were Training policies and only a minority used Altered hours. Overall, policies allowing for child care were disproportionately used by women whereas men made more use of personal development policies. If this trend in policy use continues, women would be further pushed into the caring role whilst men develop more skills to offer their employers.

7.3.1 Future Use of EO policy

In total, 78.3% of the respondents thought that they would use EO policies sometime in the future, with 21% more women than men saying that they would do so (Graph J.2).

Importantly, of the specific policies cited as future use options by respondents 34.5% were currently formally unavailable at the organisation (Pie J.9). Examples of these were sick child days, flexi hours, career breaks, job share, and targets for women’s promotions. This might give a clear indication of policies actually needed by the workforce but which are not in place.

The policies chosen by the respondents for future use were similarly divided into categories: Personal Development policies (denoting training etc.), Child policies (denoting sick child days, holiday schemes etc.), Leave other (denoting leave for reasons other than child related leave), Altered hours (reduced hours, job share, flexi hours etc.), Protection policies (e.g. harassment and bullying policies), Maternity policies, and Paternity policies.

The most cited future use policy was Child policies. Also noted were Maternity policies and Paternity policies (Pie J.10). Hence, half of future use policies were specifically child care related. Only 7.8% were for personal development.
Interestingly, only 17% of men listed *Personal development policies* as an area of future use (Graph J.3). This may be because women are more likely than men to find their route to employment and/or promotion blocked by discrimination and/or familial responsibilities and thus, more likely to require them. Alternatively, this might be because men are already utilising them.

Of those saying that they would use *Child policies* in the future 36% were already mothers and 23% were presently childless women. Only 9% were childless men. Hence, even among those who do not yet have children, child care was seen as a predominantly female issue.

Of those saying they would like to use some form of *Altered hours* 46% were childless women. This is possibly because they expect to have children in the future. It might also be a response to the extra workload that falls on childless women when mothers take leave/days off, as well as the lack of choice over hours and leave they encounter. These are issues that are discussed more fully later in the chapter.

Importantly, of the respondents stating they might use *Protection policies* in the future only 10% were mothers. The other 90% who cited this as an area for future use was divided between childless women, childless men and fathers equally. Traditionally, mothers have been the group most in need of protection from discrimination at work, yet here, other groups of workers express concern about job protection. This suggests a need to switch the legal emphasis away from an EO policy aimed predominantly at a single group, mothers, towards a less partial coverage which encompasses all groups of workers.

### 7.32 Desired Improvements to EO policy

The respondents believed that it was more important to tackle the way in which EO policy is *delivered and implemented* than to see the *introduction of new policies*. However, men placed greater emphasis on delivery and implementation than women, and childless women more than mothers (Graph J.4). This perhaps reflects the perceived hierarchy of whom EO policy is aimed at; mothers first, who have the most policies,
then fathers and childless women, and finally childless men. It also hints at a desire for a change in the delivery of EO policy so that it includes all groups: without changing the delivery process of EO policy, new policies could also bypass these groups of workers.

Issues important in terms of improving the way policy is delivered and implemented at the organisation included improved publicity, greater transparency on issues of monitoring and targets, an increased commitment from senior management and a greater emphasis towards other groups of people rather than just have women as the target for EO policy (Pie J.11). Comments on the delivery and implementation of EO policy included:

“Less aggressive and macho senior management. They set a poor example which undermines the commitment of most staff to equal opportunities” (Male, childless).

“[Should] aim to positively promote women as there is a very male biased management” (Female, mother).

 “[EO policies] are effective in as much as employers stick to them but, in a large diverse organisation with a large number of departments the legislation is recognised but the other type of areas are locally interpreted to say, departmental heads” (Female, childless).

“Legislation means nothing without intent. Implementation is dependent upon willingness and acceptance by all without which they are useless” (Male, childless).

Issues of publicity and clarity were more important to men, probably because EO policy is neither seen as aimed at, nor therefore known to them. This might also however, be lip service by men and is perhaps suggestive of a ‘the policies are fine just publicise them a bit more’ attitude.

The issues of universality and transparency were more important to women than men. This is perhaps an indication that women believe the workplace still covertly operates as a ‘mans world’. Hidden discrimination is more important than overt discrimination:

“It would prevent a lot of bad feeling if some general framework across [the organisation] could be in general use. Some sections have less formal working arrangements, such as flexi time, but others can’t do this because it is in the hands of the Department or section leader. It should be universal” (Female, mother).
7.4 Attitudes Towards EO policy

The vast majority of the respondents (95.6%) stated that EO policy was a good thing. Some of the respondents felt that EO policy benefited organisations, as well as the individuals within them (Pie J.12).

However, in spite of widespread approval of EO policy, the vast majority of the respondents (90.9%) also thought that it was generally ineffective. The most cited reason for this, noted by 26.9% of respondents, was due to discretion with regard to the interpretation of EO policy (Pie J.13). It was noted that policies can be easily ignored by employers, and that they are only "as effective as the employer is honourable":

"In theory [policies are] good, in practice it depends on how they're interpreted by the employer" (Female, mother).

"Policy is not the problem, practice is" (Male, father).

"Recruitment is often a matter of simply 'going through the motions'. Selectors often know what age/ race/ gender they're looking for and will find reasons to reject anyone who doesn't fit this specification" (Male, childless).

Just under a quarter of respondents said that EO policy lacks proper enforcement and 19.2% felt it only offered only 'partial coverage'. Among women, 41.7% thought that EO policy was ineffective because there was too much discretion in terms of interpretation by employers and 28.6% of men shared this opinion. A quarter of women thought that the policies were too cumbersome and difficult to use. These are significant failings of EO policy then, given that women are the predominant users and target audience of EO policy within the organisation.

Among men, 14.3% thought that EO policy was ineffective due to the lack of awareness surrounding the policies/ legislation, and the same percentage believed that attitudes in the workplace prevent EO policy from being successful (none of the women cited this as a reason). A similar proportion of men thought that poor practice at work, in terms of the implementation of such policies, is to blame. For men, the reasons for ineffectiveness in EO policy are traditional; its not generally for them so they know little about it, and to use it would draw unwelcome comment from their colleagues.
7.41 The Perceived Benefits of EO policy

The opinions of the respondents regarding the benefits of EO policy were arranged into three categories; Child policies (benefit of EO policy seen in terms of its delivery of child policies, such as maternity leave); Equality (benefit of EO policy seen in terms of its specific aim to deliver equality at work) and; EO benefits everyone (EO policy seen as generally beneficial to everybody). From this it is possible to see more clearly how the respondents classified the advantage of EO policy and thus, how they viewed its function.

Overall, 50% of the respondents said that EO benefits women in terms of child policies, 33.3% thought EO is good for everyone and 16.7% thought it benefits women in terms of equality (Pie J.14). Thus, there is a very real danger of EO policy being seen as merely child policy, as these comments illustrate:

“[I’m] not sure how policies can help women without children” (Female, mother).

“Equal opportunities is biased towards children and the family” (Male, father).

“Children seem to be the main ticket to getting what you want” (Female, mother).

“Most measures are targeted at supporting those with children” (Female, mother).

Just over half of the respondents thought that EO policy benefits men in terms of child policy (Pie J.15). However, the difficulty of judging the impact of EO policy on men did not go unmentioned by the respondents. Crucially, it was observed by one respondent that:

“no one knows if men have children or not” (Female, childless).

A further 37% of the respondents said EO policy is good for everyone and 11.1% thought it benefits men in terms of equality.

Taking the views of women and men separately reveals some interesting differences of opinion. Firstly, women did not list equality as an advantage to men. Secondly, women and men see the benefits of EO policy for men in different terms. Men largely see the benefit in terms of child care while women see the benefits of EO policy for men in less
specific terms, its merit being generally good for everyone. Hence, women retain the view that EO policy has little to do with men specifically, its impact reserved more for women. Tellingly, one man wrote ‘not applicable’ next to the question asking him to list the advantages and disadvantages of EO policy for men.

7.42 Perceived Disadvantages of EO policy

Interestingly, two fifths of mothers saw the disadvantages of EO policy to women in terms of its effect on childless women, citing the lack of perks and the increase in workload (Pie J.16). A large number of mothers also believed that EO policy can be a risk to a woman’s career before she even gets her foot in the door, with 30% saying that maternity provision may prevent the appointment of young women. Indeed, it was also noted by some men that employers might be put off hiring female candidates because of having to provide child care facilities. The following comments about these issues are made by mothers:

“Male bosses may be less inclined to recruit women with children if worried about potential days off with care.”

“Women without children can and do feel they get fewer job perks than women with children.”

“Employers are very accommodating for women with children but perhaps not so for women without children.”

“Women without children may not be expected to have such pressing family needs but their needs may just differ in focus.”

“Still the attitude that if women work they should be treated as men, e.g. full time with no time off for the children. Even though the legislation is there, you feel awkward and guilty taking time off.”

Overwhelmingly, childless women saw the disadvantages of EO policy to women in terms of its effect on childless women. They noted in equal measure the increased workload and lack of choice over hours and leave as well as lack of perks. Interestingly, mothers did not cite the lack of choice over hours and holiday as an issue for childless women.
Interestingly, whilst childless women believed EO policy raises doubt over the merit of women workers, mothers highlighted the question of commitment. This is possibly because women with children have to prove that they can juggle competing commitments, whereas childless women might feel they need to legitimate their position alongside men in the labour market. Examples of comments from childless women were as follows:

"[They] don't make allowances for other commitments as important as children but to those without ... why are only children important?"

"Women with children get excused for time off, leaving early, not being able to [work] at certain time. As I don't have children its assumed I can work all sorts of hours to cover for other women."

"From my long experience from work as a woman without children, I have had to 'carry' those who have had time off for their children. This has been in the form of extra hours, always having to work earlier or later hours and always having the last choice of holiday dates. Often mothers who have time off for children tell of visits to the hairdressers, beauty clinics etc."

"In my section all women with children have been given consideration ... This is not applicable to women without children unless one is willing to formally reduce hours."

"Socially it is more accepted that women with children should need 'help'. However, where women without children are concerned, they could be seen as obtaining a position solely on the basis that they are female and quotas need to be met, rather than because they are competent. This could in effect perpetuate condescending attitudes."

A quarter of fathers believed that EO policy disadvantages men due to the effect it has on childless men who were seen to be penalised in terms of the lack of perks and a lack of choice over hours and leave (Pie J.17). A further quarter of fathers felt that men in general are treated as second class to women by EO policy, and 12.5% said that EO policy treats men as if they are supposed to cope by themselves without any support. A quarter of fathers believed the introduction of EO policy has led to a loss of men’s 'traditional' power and the loss of full time work. Interestingly, none of the fathers directly mentioned paternity issues. Among comments made by fathers were the following:
"Men with children have no rights."

"My job can make it difficult to be with my children."

"Despite the 'official' stance that men have the same rights [as women] this is not translated into real opportunities as expectations are that women undertake child care, rearing etc. and not men. Society is still prejudiced against men having the same opportunities for career breaks."

"[Men's] issues are never addressed by employers."

"Initiatives are primarily in place for the benefit of women."

"[EO policy] is weighted in favour of women with kids."

Half of the childless men cited poor paternity policies as a way that EO policy disadvantages men. Ways in which this was the case were that paternity leave was unpaid, there is a risk to a man’s career if he takes paternity leave, and EO policy excludes men from child rearing. These issues were mentioned by childless men yet, interestingly, not by fathers. Notably, an increase in workload to childless men in not mentioned by either group of men, yet its effect on childless women is noted by both groups of women. The comments noted by childless men included:

"Men are not seen as the main parent of the child."

"We might like to think we live in an age where the man could be the primary carer but the man still faces the old gender issues."

"Many men don't feel it appropriate to take paternity leave."

7.43 Explaining the Disadvantages of EO policy for Women and Men

The findings concerning the negative effects of EO policy reveal an overall agreement among the respondents; EO policy in its present state is not working and the reason for this is due to its partial coverage. Invariably the respondents believed that EO policy benefits one group of workers over another.

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2 Since the survey statutory paternity leave has been introduced.
From these findings emerge three explanations as to why EO policy does not work\(^3\). This is a significant finding given the central theme of this thesis - where does EO policy break down? (see diagram A.1 in Appendix A). These explanations are as follows:

**Explanation 1  EO policy deals negatively with childless women/men:**
Here the responses given were concerned with the negative effect of policy on childless women or childless men. For example, in terms of extra workload, lack of perks, or lack of choice over hours and leave;

**Explanation 2  EO policy deals negatively in terms of sex:**
The responses were concerned with how the other sex 'have it better' at work. For example men might say that EO policy is reserved for women or that it treats men as second class citizens and/or parents, whilst women might argue that the workplace remains a male domain;

**Explanation 3  EO policy deals negatively with mothers/fathers:**
Here the responses were concerned with the negative way in which the policy deals with parents. For example, a lack of support or flexibility in terms of policy.

In light of these emergent explanations one can see which groups of respondents identify the three explanations as to why EO policy was not working. Taking the views of women and men together, it can be seen that the most important reason why EO policy does not work is because of its effect on childless workers (Pie J.18). The second is because one sex is treated better than the other in terms of EO policy. The least cited reason behind the ineffectiveness of EO policy is cited as the lack of support for parents.

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\(^3\)Explanations are based on answers given to question 8 from the questionnaire, *Does EO policy disadvantage women?*, and responses given in the negative to question 7, *Does EO policy benefit women?* Negative responses to the latter were not outlined as a separate section in the main text so as to avoid repetition. Further, they added nothing new to the findings. It was not advisable to combine the two sets of answers under the heading ‘disadvantages’ as they referred to slightly different things. Responses given to the two questions were however, both applicable to this part of the study.
Breaking these figures down, the statistics show that 58.9% of all respondents felt EO policy was not working for women because of its effect on childless women (i.e. Explanation one). A quarter of respondents thought that EO policy was not working because of its effect on mothers (i.e. Explanation three), and 16.1% thought that EO policy does not work because men still ‘have it better’ than women (i.e. Explanation two).

Two fifths of all respondents thought that EO policy does not work for men because of its effect on childless men (Explanation one), though notably, childless men’s issues are not as prominent as those of childless women. A further third of respondents felt that EO policy does not work because women ‘have it better’ than men (Explanation two). This is an important difference between the sexes, with twice as many respondents claiming that ‘men have it better’ than ‘women have it better’. Just over a quarter of the respondents felt EO policy does not work because it is ineffective for fathers (Explanation three).

Overall, this suggests that the reasons why EO policy is seen as not working for women are slightly different to why EO policy is seen as not working for men. EO policy was seen as affecting groups of men quite evenly. This might suggest that EO policy generally fails to benefit any group of men rather than benefiting one group more specifically. In turn, EO policy was seen as not working for women in terms of one group - childless women. In itself this might be an indication that EO policy has made some inroads on working mothers issues. It also suggests that there are very real differences between groups of women in terms of the effect of EO policy, as well as differences between women and men. This is crucial given that legislation is based on a liberal concept that treats men and women the same, and women as a homogenous group.

**7.44 The Effect of EO Policy on Childless Workers**

A significant theme then, has emerged from the study. When it comes to identifying the needs of different groups of workers, the main reason EO policy does not work is the lack of support for childless workers. However, looking at childless women and
childless men as separate categories shows a number of differences between the two groups.

*Childless women* felt that the extra workload was the major way in which EO policy fails them (Pie J.19). One third of men were aware of this problem, possibly because they are at work to see it.

The second most important issue for childless women was the lack of choice over hours and leave. Nearly a third of men also observed this as a problem for childless women, perhaps because they can empathise with their own needs being overlooked; the men’s complaint of being treated as second class is an example of this.

The lack of perks was the least important of the three issues to childless women. Interestingly however, 70% of mothers thought that lack of perks was the biggest issue for childless women. Indeed, only a minority of mothers cited the extra workload and lack of choice over hours as issues for childless women. This might be because mothers are aware that they are seen to receive preferential treatment and perks are the most obvious form of this. Also, it might reflect the view that childless women are seen to have ‘sour grapes’ over the preferential treatment of mothers, rather than a legitimate reason for complaint.

Importantly, for *childless men* the most significant way in which EO policy is seen to fail them is the lack of perks: it accounted for every single complaint they noted (Pie J.20). Their absence of complaint over workload and choice of hours may be a reflection of the UK work culture where men are still seen as full time workers, accounting for the longest hours of all men across the EU. As some of the male respondents noted, men are expected to be able to handle the amount of work they have without complaint.

Interestingly, more women saw the extra workload as an issue for childless men than saw it as an issue for childless women; this even though it is mostly mothers who take leave, and thus, it is predominantly on childless women that their workload falls - women tending to work alongside other women. Perhaps this is a reflection that mothers
are more keenly aware of how their motherhood status is viewed by men than by other women.

7.5 Opinions
The last part of the questionnaire asked for the respondents opinions to 20 questions about EO policy at work. For analysis, the questions fall into several sections:

*The motherhood marker:*
How people view the roles of mothers and fathers in child care;

*Assumptions about women at work:*
Looks at (pre) conceptions of women at work as well as the perceptions made about them by employers (and how these perceptions might be shaped by the roles women and men play in child care);

*EO policy and workplace change:*
Looks at different groups of disadvantaged workers and gauges the respondents reactions and sympathies to workplace change needed to accommodate their respective needs.

7.5.1 The Motherhood Marker
Half of women thought that a women should reduce her hours of employment during her child’s formative years (Table J.1). Slightly more mothers than childless women held this view. Just over half of the men shared this opinion. Childless men were the most conservative of the groups with 57.5% agreeing that this should be the case.

Overall, fewer of the respondents thought that a father should reduce his hours to raise his child (Table J.2). More men than women thought a father should work less. However, of all the groups, childless men were the most likely to think that fathers should work fewer hours. Actual parents were the least inclined to think this.
The majority of women and men thought that concessions allowing fathers to spend more time with their families should be incorporated into EO policy (Table J.3). Over three quarters of women and over two thirds of men agreed that this should be so.

Again, actual parents were less inclined to support the view pertaining to concessions than non parents. The younger groups of workers were also more likely to support this view.

Importantly, despite their positive opinions regarding children here, none of the men in this survey had used child policies at the organisation, and only 16.7% of fathers and 26.7% of childless men said they might use paternity leave in the future.

Only one fifth of women and men agreed that no one can care for their children as well as a mother (Table J.4). It was a view expressed most by mothers and least by childless women. A quarter of childless men shared this view. Fewer fathers than mothers believed that no one can take care of a child as well as her mother. As demonstrated earlier in this chapter, many fathers expressed anger at being treated as second class parents by EO policy.

The majority of the respondents, 71.4% of women and 66.3% of men, thought that the way the labour market is set up makes it easier for women to care for children (Table J.5). Childless women and mothers were most in agreement with this view, although over two thirds of fathers also believed this to be the case. Only 56.3% of childless men shared this view and again showed themselves to be the most conservative of the four groups.

Thus, the employees believe that the present arrangement of work and family (which is itself upheld by the current arrangement of EO policy), maintains the status quo regarding traditional family roles. This arrangement is upheld and perpetuated by the deep seated values of the women and men themselves in regard to the roles of mothers and fathers.
7.52 Assumptions About Women at Work

A large minority of respondents thought that it is hard for women to be 100% reliable if they have little children (Table J.6). This view was expressed by 42.5% of childless men, 38.9% of fathers, and 34.0% of mothers. However, it was a view shared least of all by childless women (31.3%). This is interesting as 35.3% of childless women claim that extra workload falls on their shoulders when mothers take leave.

Again, childless men are the most likely to take a conservative view towards women which suggest that while fathers as a group might be relaxing their views on women and children, childless men are still more likely to represent the ‘Traditional Male Archetype’. This is possibly because EO policy is applied to them least out of the four groups and thus, their animosity is the highest. It is also fair to say that in general, while mothers and fathers can appreciate the difficulties of juggling work and family, and given that childless women tend to work alongside other women and can thus glean an awareness of such difficulties second hand, childless men are likely to be furthest removed from the issue and as such have a limited understanding of it.

Only a minority of women thought that women are less committed at work once they have a family (Table J.7), yet twice as many men believed this statement to be true. There was a clear discrepancy between the sexes over this statement that transcends the presence of children.

The male point of view here is interesting as, in all likelihood, any extra work resulting from a mother’s dual commitment falls mostly onto other women, not men, so they have less cause for complaint. It also suggests that feminism may have influenced women’s viewpoint.

A large minority, 39.6% of women and 42.9% of men, agreed that employers are often put off hiring young women in case they become pregnant (Table J.8). More childless women than mothers believed this to be true. Men were also more inclined to be in agreement with this statement than mothers.
This has already been shown to be a bone of contention for childless women earlier in the survey. Indeed, they have just cause to voice concern; statistics reveal that 45% of Institute of Directors members said they would think twice about taking on a woman of child bearing years because of maternity legislation (Panorama, 2000).

A large minority, 30.7% of women and 32.0% of men, believed that managers are reluctant to promote women of child bearing years in case they become pregnant (Table J.9). This view was shared virtually equally amongst all four groups. However, these figures are lower than those believing employers are put off hiring young women of child bearing years and might indicate the belief that an employer will be less discriminatory to an employee whose abilities s/he knows. Importantly, research shows male line managers are reluctant to promote women of child bearing age in case they become pregnant (EOC 2000). That the employees are largely unaware of such attitudes demonstrates the covert nature of this kind of anticipatory discrimination.

A minority of women (24.8%) and men (17.7%) agreed that bosses pay women less because they do not expect them to stay in their jobs as long as men (Table J.10). More mothers than childless women believed this to be the case. Men agreed less than women with this statement.

Just under half of women and 42.6% of men thought that parents are treated more favourably than childless workers in terms of flexible hours and leave (Table J.11). Unsurprisingly, childless workers were more inclined to voice this view. Also, whilst 41.5% of mothers shared this view though it was a view held by only 27.8% of fathers. This is more than likely due to fathers feeling like they are treated as second class in relation to mothers in terms of rights and benefits.

Over half of the respondents thought that the workload of parents who take time off work to be with their families falls on others (Table J.12). This was a view held least by mothers, probably because as the predominant leave-taker they are not at work to see where their workload is distributed.
Interestingly, this was a view held most by childless men. Given that fathers are less likely to take parental leave and that women tend to work with other women it might be suggested that their view is influenced more by prejudiced beliefs than by experience. This is of concern, given that childless men were one of the younger cohorts.

7.53 EO policy and the Workplace

Only a minority of respondents felt that women should put up with inappropriate banter if they want to get ahead at work (Table J.13). Interestingly, having children seemed to have some bearing on this statement with mothers and fathers the least likely to expect women to put up with smutty banter compared to childless women and childless men. Age may also be of some significance here, with childless workers generally younger than parents.

The vast majority of respondents, 68.3% of women and 73.1% of men, thought that racial harassment should result in the sack (Table J.14). The youngest two groups, childless men and childless women, most strongly agreed with this statement.

Nearly three quarters of respondents felt that tasks should be allocated to fit in with the abilities and needs of disabled people in that job/section (Table J.15). This was a view generally shared with equal support among all four groups. Improving the work place for those with disabilities seemed to be the least contentious equal opportunity issue among the respondents. Likewise, an emphatic 90.1% of women and 83.2% of men thought that access for disabled people should be provided in all buildings (Table J.16).

The vast majority of respondents also believed that although Ethnic Minority workers might dress differently to white workers, this has no influence on the quality of their work (Table J.17).

Interestingly, about a quarter of the respondents agreed that if a worker takes a break to practice their religion extra work falls on the employees around him/her (Table J.18). However, this is certainly less than the 51.5% of women and 56.3% of men who thought that the workload of parents who take time off work to be with their families falls on others.
About a quarter of women and men agreed that women should not expect the workplace to change just because they want to work (Table J.19). This is interesting given that 71.4% of women and 66.3% of men thought that the way the labour market is set up makes it easier for women to care for children than for men to do so.

Overall, the vast majority of respondents, 70.3% of women and 60.6% of men, did not believe that EO policy prevents people from getting ahead on merit (Table J.20).

7.6 Summary of Survey
A full summary and discussion of this research will appear in Chapter Eight, which itself looks at the experiences of women working in a small organisation with a proactive EO policy. This will allow comparisons between the two workplaces and workplace EO policies.

Box 7.1 Chapter Summary

1. EO policy breaks down because it is seen as a hierarchical concept; mothers are treated most favourably, then fathers, childless women and lastly childless men. This partial coverage causes tension and resentment amongst the employees.

2. Consequently, it is felt to be more important to change the nature of delivery than to introduce new ones. Without such change, new policies would continue to bypass some groups of workers.

3. The importance of an honourable manager is as necessary as the EO policy itself. For the policy to be effective it is imperative to have a manager of integrity who will uphold the spirit of the policy as well as the policy itself.

4. Overall, EO policy is ineffective for three reasons;
   - it deals negatively with childless workers,
   - it deals negatively with parents,
   - it deals negatively in terms of sex.

5. The employees (the users of the policy) reflect the opinions of the policy observers twofold; women are not an homogenous group (the needs of childless women differ from those of mothers); and the exclusion of men from EO policy reduces its effectiveness (reserves caring for women and causes resentment from fathers who feel like secondary parents).
Jon sits in the living room, having a beer with one of the painters. I am in the kitchen, slamming around the pots. “What’s with her?” says the painter. “She’s mad because she’s a woman,” Jon says. This is something I haven’t heard for years, not since high school. Once, it was a shaming thing to say, and crushing to have it said about you, by a man. It implied oddness, deformity, sexual malfunction.

I go into the living room doorway. “I’m not mad because I’m a woman,” I say. “I’m mad because you’re an asshole.”

Cat’s Eye (1988)  
by Margaret Atwood.

Who knows what women can be when they are free to become themselves?  
The Feminine Mystique  
by Betty Friedan (1963).

8.1 Introduction

This is an example of a medium sized organisation with a proactive EO policy. The organisation is a local authority in the public sector. Around 450 trades people are employed in the housing department, mostly carrying out repairs on the city’s council estates. But less than 10% of these are women. To help redress the balance, the council is taking positive steps to encourage more women into apprenticeships for bricklaying, plastering, painting/ decorating, plumbing, carpentry and electrician work.

Brian¹ is Apprentice co-ordinator at the City Council and he recruits female apprentices proactively through radio, schools, careers centres and women’s centres, and poster campaigns. Of the 50 apprentices on his books, 21 are female. Apprenticeships usually last for three years, but plumbers and electricians serve four. Training is offered up to

¹Names have been changed
NVQ levels two and three. They are paid around £90 per week at the age of 16, rising to £160 per week at 19. A skilled trades person can earn up to £300 per week including bonuses. One example of the proactive EO policy is that sexist behaviour is banned on all sites.

The women in the focus group came from a range of trades: Chrissie was an electrician, Veronica a bricklayer and second hand, Lydia a carpenter, and Tessa and Lucy were painter and decorators. Two of the women were mothers, Lydia and Tessa.

**Summary of Empirical Findings**

* An EO policy of inclusion fosters a more harmonious environment than aiming policy at a specific group (i.e. mothers). Encompassing all workers in EO policy reduces the divisions created by the exclusion of certain groups in more traditional approaches.

* Without commitment and determination at the implementation stage, EO policy breaks down. EO policy is only as good as the manager who implements it.

* Despite a proactive EO policy, support for working mothers remains at odds with the structure of the workplace.

* Both groups of women still feel the need to prove their ability at work, whether this is by way of commitment, reliability or skills. Women have to work hard to gain the respect of their colleagues.

* This demonstrates that law, the legal and political process, does have a role to play in the delivery of equality. Critically though, to coin a phrase, it is not what you do it is the way that you do it.

* The implication of this is that policy in itself cannot deliver equality. It must be part of a myriad of changes in society as well as the work force; the role of men in caring and the conviction of managers to implement it, being two examples.

8.2 The Focus Group Interview

The women were asked what made them turn to careers in non-traditional work. Their responses varied. Lydia, a carpenter, commented that it was a change of career:

“A complete change of career. I didn't want to be doing office work for the rest of my life. I got this opportunity and I took it.”
For Lucy, a painter and decorator, the choice was reactive to her circumstances:

"I wanted to be a nanny. I applied for a NNEB course but there were no places left. They put me on a course [for unemployed people] who didn't know what direction they wanted to take. That was for a year and I started to get a taster of different areas of work. There was nanny-ing, bricklaying, painting, printing, everything, and me and a friend decided to do painting and applied to the council."

Veronica, a bricklayer, wanted a managerial position but felt she should know the background to her work beforehand:

"I wanted to do my trade so I knew about the job and then work my way up into management so that I knew what I was talking about, before I told someone else what to do."

This raised the issue of whether women must prove their competence to men, as Veronica could have gone straight into management with the right qualifications. Did the women feel that they would not be taken seriously by other workers (mostly men) without proving they could do it themselves? This is an important issue as, if women have to continually prove themselves it delays their ascent to the top positions. At this, Veronica was defensive:

"I think that's only fair! I wouldn't want to tell someone how to do their job if I didn't know what I was talking about."

Tessa, also a painter and decorator, was more pragmatic:

"I think it's more so for women though. You've got to be able to prove yourself anyway. If you do go into what is classed as a male dominated trade and you go in there telling them what to do, if you've not had the experience of that pressure it could make it quite difficult for you."

This was disputed:

"I don't think you should have to prove yourself" (Veronica).

"Yes, but you do. You shouldn't have to but you do. I tell you who has got more of a problem, the older men having a younger woman tell them what to do" (Lucy).

Chrissie, an electrician, felt that proving herself was an ongoing issue:

"I find it a lot in my own trade. If you're on a job with someone it's like, 'why don't you do this?' and I'm like, 'I was going to do that next'. It's not from management. It's because things have moved on from when they were doing their apprenticeships. People don't like change, do they?"
Continually proving oneself was seen to be important as mistakes made by women were held onto by male workers for long periods of time:

“If you make one mistake you’re tarred with the same brush that, none of the women can do that. Look at them, they’ve made a right mess’. But if one bloke had made the same mistake, it’s not noticed” (Lucy).

“If you make a mistake it lasts longer than what it would do with a man” (Veronica).

Although they acknowledged that this happened, the women were defiant in their response to this practice and refused to let the men get to them:

“I came here to do this. I think I’m all right doing it. It’s down on paper that I can do it ... I try not to think of it as anything else. I come to work everyday, I do my job and I go home again” (Chrissie).

“You come here to do a job, that’s it. We all come to work, but to say we don’t think that we are a woman, the other blokes know we are women and they do look at you and go, ‘Oh, you’re a woman’. You can’t say you don’t see it. I’ve seen it for 15 years. That’s why I’m still here, to prove that I can do my job and they can’t push you out” (Lucy).

In general, it was felt that it takes a particular sort of woman to cope with the pressures of working in a male dominated workplace:

“There are women that are stronger, not stronger physically, stronger minded, I think” (Lucy).

Tessa and Lucy had recently attended a convention about the Trade Industry which made them realise the depth of support they received from their own employers at the council. To this end, the women acknowledged that their own place of work, and the support it affords the workers, cannot be said to represent what they referred to as ‘the real world’:

“When we went to the “Women and Men in Trade Convention” it was an eye opener for us to look at other women in the construction industry, what they have to put up with. Because we have got a lot of support here, we’ve got a lot of backup. We were looking at women who work on building sites on their own and they haven’t got a toilet and if they want to use one they have to walk two miles up the road” (Tessa).

“Really, this isn’t the real world. Not just for women, for every apprentice” (Chrissie).

“It’s covered with policies, the council is. They look after you here” (Lucy).
The women were asked whether the policies in place at the Council actually work and if there were any differences between the women and the men:

"Not all the time. They might have it written down but they don't always keep to them. With harassment .... the supervisor would be kept here and the person who has been harassed will be moved on. They work it how they want to work it, most of them do. Craft workers are still treated a bit more different than the supervisors" (Lucy).

"I've been told off about my nails by blokes. I can wear nail varnish if I want to. It doesn't mean I can't do the job" (Lydia).

"They have to be careful. They're not supposed to discriminate between men and women at any level" (Tessa).

"It's the same for blacks and lesbians and gays though" (Lucy).

In contrast to the more traditional EO policy in the large organisation survey, at this workplace the Council protects other groups of workers with discrimination policies, and women are not singled out as a remedial group. It was felt that this takes away the emphasis from women in particular, and creates an inclusive rather than exclusive atmosphere amongst the workers:

"With all the other policies they've got and everything that goes with it, you've got such a broad range of people to take on, that it's not just focused on women. It's spread all over the board" (Chrissie).

It was also felt that the level of awareness about the policies was good amongst the workers:

"They should be [aware]. It's not something that's kept quiet. It's a very important thing. When you get an apprenticeship a lot of the questions at the interview are about it" (Tessa).

The women were confident that the policies would be backed up if an incident did arise, and they expected that a man would lose his job if he crossed the line. However, it was noted that a woman should expect to put up with a certain amount of 'banter' in order to get on with her job:

"It depends on what sort of harassment you're talking about. You're working with men so a lot of the time you are going to put up with silly banter. There's always a line ... When I first started and I was working with three chaps, one of them read the Daily Sport, full of naked women. When I started he wasn't sure and when he swore in front of me he was like, 'Oh I'm ever so sorry', and I said 'don't
apologise, I'm just here to do my work'. And after a few weeks, he was like, 'What do you reckon, is she nice then?', and I'm like, 'No, I don't fancy her', and if you just laugh, you can get on with them on that level. You don't say, 'look, I'm a woman and I don't want you reading that” (Tessa).

Brian, the Apprentice co-ordinator, pointed out that one of the benefits of having women working on site was that they made it a more pleasant environment. He felt that an environment where swearing was copious was not nice for any worker to work in. It was also noted that there were many men who preferred to work in a less sexist environment:

"Some men do get offended by it [the nude posters]. Some men have said ‘I don't like these posters with women’s boobs hanging out. Some men have different views and some women have different views. It's an individual thing” (Lucy).

Tessa saw this in itself as evidence of women’s impact on the workplace:

"I think it's getting more and more because they're taking on more women every year, we are getting more women oriented, but not that much more women oriented than when Lucy started [15 years ago]. They know they can't change it and that's the way it's going to be.”

Lucy felt that another factor important in 'feminising' the workplace was the attitude of managers in upholding certain policies and standards at work. To this end, getting a manager from an outside firm to set certain standards was seen as harder than getting “the blokes to accept women on the site.” Again, it was felt that proving yourself to others was a bonus:

"The only other woman I know in my trade works in the office. Prior to this job she went out on the site and she wanted to learn about the trade, so she could ring up the wholesalers and say this, that and the other” (Chrissie).

Interviewer: “Is she treated differently because she’s an office worker?”

“No because she’s clever. Over fifty percent of the people who took the exam failed it and she came out with a double distinction, so if anyone did say anything she could turn around and say, ‘I've got this and this, what did you do?’ On paper, she knows what she's doing but if she went out on site I guess she'd find it difficult” (Chrissie).
It was felt that the women were generally more committed than the men to doing the more academic aspects of their jobs. This might be related to the need to prove one’s ability to co-workers:

“As far as it goes for the lads at college, at night all they want to do is go out getting boozed .... they don’t want to sit down overnight doing homework. On the kit they probably know more than I do, partly because I don’t get the range they do working out on the site .... When it comes to class work, that’s just more inclined as to how I am” (Chrissie).

The women were then asked if they had ever used any of their employer’s EO policies, and if so, did they work. As shop steward, Lucy had come across the measures more than the other women had done. Contrary to earlier comments that the policies were good, she felt that there was room for improvement:

“They don’t follow it up. They do what they want to do. They don’t follow the guidelines.”

Tessa also felt that this was the case:

“A couple of months back we had a young boy working with us. He was only 14. It was a training initiative. He had a portfolio of what he did every day. His school had to check it and his mum had to check it and it was left on the job while he was working. When he came back, some of the tradesmen had been in and they’d drawn pornographic pictures on it of me and Lucy. We had a very good idea about who it could have been .... but they completely denied it .... We all had to give statements and we all had to give a piece of handwriting and that was it. It stopped. It never did come to a conclusion. We never did find out what happened.”

Tessa also felt let down by the lack of communication between themselves and management: “We only heard on the grapevine that he [the man above] had left, we were never told by management.”

After the interview, when the women had left the room, Brian admitted that he had had to work hard at getting rid of the culprit. This was just one incident that demonstrated that much of the success of the EO policy at the Council was down to him as extremely committed rather than the policies in themselves.
Lucy also felt that the EO policy was far from perfect:

"We've had a case where once there was a girl, she went to report something about a supervisor and it dragged on for over a year. She was off sick for a year. So you've got to think about the consequences of reporting something. It just takes so long."

In terms of child care the employer was reviewed more favourably:

"I'd only just started my apprenticeship when I became pregnant, but they were actually very good. They gave me the time off that I needed, the job was kept open for me when I came back .... If the job's available they'll let you take off five years but you're not guaranteed to come back to your job" (Tessa).

This was called the Retain and Re-entry Scheme. Like many of the policies, it is not just for women. For instance, an apprentice who had a domestic crisis was put on part time duties. Tessa felt she had been supported in other ways too:

"They were very good when I got pregnant. As soon as I felt it was too much they put me on light duties in the sign shop, even before I was due maternity leave."

Lucy felt that the main problem was the attitudes of some of the other workers rather than management:

"It's comments off the men you get; 'Oh, if you employ women they'll only get pregnant' ... We've had a manager turn round and say, 'Well, they'll only get pregnant for 9 months. You're bad back lasted for 12!'"

The issue of resentment regarding concessions for pregnant women is seen to be offset because the jurisdiction of the policy covers the rights of all workers:

"A lot of the chaps are on light duties with bad backs, so it's not just us" (Tessa).

Lucy pointed out that a more pressing issue for many of the workers was to do with the hours of work, which are 7:30am to 4:30pm, and are quite rigid. But again, this was not seen as an issue just for women, as both sexes would like to see a later start time. Relatedly, the matter of child care was also of importance, and this was seen as a significant way in which women with children were penalised in terms of career development:

"One argument we've been fighting for years is that the council have actually got a council crèche .... and I was offered a place but it doesn't actually open until 8.00 - 8:15 in the morning whereas we have to start work at 7:30. So the majority of people that use it are office workers" (Tessa).
“My friend just had another baby and had to go to part time hours. She was hoping to come back as a leading hand and work up to supervisor. To be Leading Hand you have to work till 8:00pm to work your way up the ladder. I don't see why you should be restricted on working up the ladder just to because you work part time. They’ll be a time when your kids go to school and you’ll want to come back full time” (Tessa).

At the time of the focus group, Tax Credit paid 70p in the pound towards child care and was seen by the women as an improvement, though not ideal. It was felt that if the council wanted to employ women in these jobs then they should subsidise child care.

The women felt that in spite of the policies in place, much of the success of equal opportunities depended on the individual manager involved. This was in spite of Council policy that progression to the next level of supervisor is dependent on evidence that one has dealt personally with equal opportunity issues:

“Some of the supervisors who are moving up to managers aren’t actually being trained in the policies” (Lucy).

Lucy, a Trade Union representative, made a point of telling men she was representing them as well as the women, and her style of representation has gone down well with all workers:

“Lucy will go to the meetings and come back and tell you this, that and the other, so you’ll find a lot of the men actually go to Lucy now because their own shop steward is just [undominated]. When I was at my first depot, I didn’t know who my shop steward was. He’d go off to his meetings and he’d come back and he wouldn’t tell you what was going on, and I didn’t know he was my shop steward. I was paying my Union fees and not knowing who was actually representing me” (Tessa).

“They know that I’m there for them and not just for women. They pay their fees for my union so I’m there for everybody” (Lucy).

One of Lucy’s achievements was a change in uniform to the benefit of women, which is also an example of how her style of representation has led to the respect of many of the workers:

“Because we’re built differently to men some of the trousers don’t fit the women .... management said, ‘well, we’ll introduce combats,’ and the men were like, ‘well why can’t we have combats?’” (Lucy).
The women pointed out that while the men did not bother going to the Trade Union meetings or did not listen to what was going on, Lucy attended meetings and chose the trousers. When the men saw them they wanted to know why they had not got combat trousers themselves! The Council warehouse also in the past did not used to stock gloves or shoes that fitted women, and Lucy arranged for this to change too.

Despite the women's achievements and ability to organise the workplace to meet many of their needs, they insisted, quite demonstratively, that they are not feminists:

"Oh no. We run a women's group. We're not there to bash men, we're just there to support, same as the black group, the gay/lesbian group. We're just there as a support in case anyone is having any problems" (Lucy).

"If you go to them, some men will say. 'Off you go to your women's meeting, sitting there drinking tea and talking about knitting'" (Tessa).

The women are allowed time off work, two hours for one afternoon a week, to attend the meeting, but none of the women from the focus group actually go to the women's group meeting themselves. Over the last fifteen years though, a long list of achievements has come out of the support group, suggesting that the meetings do actually work out many issues raised:

"I didn't realise coming through the group how much had been sorted out" (Lucy).

"Being able to allocate a women's toilet. They [the achievements] probably sound trivial" (Tessa).

In light of this, the women did not feel there were many reasons why other women could not succeed at work in general:

"I don't think there's anything stopping the women from getting there, I think it's a case of if you want it and you want it badly enough, there's nothing to stop you from doing it" (Tessa).

Even in non-traditional employment such as this, there are few jobs women cannot do:

"Some of the blokes are small and can't lift up thing" (Tessa).

Age though, was seen as an issue that might be contributing to the lack of trades women. In this respect, this Council has been held up as an example of how to increase
the number of women on its books. Other councils have age caps, for instance they are usually only open to school leavers, while here many of the 'under represented' groups, e.g. women and ethnic minorities are older. This is an issue for women, especially those looking to return to work after their children have grown:

"People are looking out, the kids are grown up and they think, 'I want a job now, but what can I do?'" (Lucy).

There was also felt to be a need to involve men in equal opportunity issues. Lucy, for example, pointed out that there were a number of men at the women's conference she recently attended:

"It was nice to see men there. What needs to happen is for managers to come along and see for themselves that we are normal and that we can do the job just as well as them."

It was also felt that for society to see women performing non traditional jobs was positive for changing attitudes:

"[My family] thinks it's brilliant. They always want me to do stuff. My friend's got a boyfriend who's an electrician but she's like, 'why don't you come and do it for me' (Chrissie).

"My husband's a chef and when my daughter used to bring her friends home, I'd come home covered in paint and my husband would be cooking the meal and they thought it was really good that your mum's a painter and decorator and your dad does the cooking ... and it was a positive, especially at school age" (Tessa).

"When I went to college, I was the only woman in my class and the blokes would say 'what have you been doing today?' and I'd say 'Oh I've been up on the roof.' They'd say 'I'd never let my daughter do that, she's going to work in an office'. It's fantastic for me but they'll not let their daughters do that sort of job. That reflects on the children as well; You're not allowed to do that but son, you go on" (Veronica).

Tessa noted that when she first started her job, a little old lady asked her if she felt ashamed taking jobs away from men. Her response was:

"Well there was only me and a one legged man who applied and he couldn't get up the ladder!"

Which brings us neatly back to a point made at the beginning of the interview:

"A lot of women in the industry constantly have to prove they can do it" (Tessa).
8.3 Conclusion of Women and Men at Work
Firstly, I will summarise the survey of the large organisation. Then I will summarise the small organisation focus group in light of this to identify similarities and differences between the two.

8.3.1 Summary of Large Organisation
Awareness of EO policy was quite low amongst the workers at the large organisation. Only half of the respondents were aware of national laws regarding EO policy, and of these, only a third could name a specific piece of legislation. Awareness of both the EO policy at the organisation itself, as well as the methods used for publicising it was limited. The respondents tended to see EO policy as 'child policy', and consequently, many of them felt EO policy had nothing to offer them. Policies allowing for child care were disproportionately used by women with men making more use of personal development policies. If this trend is to continue, many women will find themselves with less skills to offer their employers than their male counterparts, and further pushed into the caring role.

There were a number of differences amongst the groups in terms of the perceived benefits of EO policy. Issues concerning childless women were at the forefront of the minds of both mothers and childless women themselves. Issues concerning childless men were most important to fathers. However, childless men were more concerned with paternity issues.

All groups of women and men thought that EO policy in its current form is not effective enough in its support of workers. They saw EO policy as putting the needs of one group of workers ahead of another and because of this partial coverage of the work force EO policy was seen as ineffective. The respondents did not agree however, about which work groups do better out of EO policy: men for example, commented on how EO policy effects their standing against women (e.g. second class workers and parents), whereas women were more likely to look at how EO policy effects their standing against other groups of women (e.g. mothers have more perks).
The respondents cited three ways in which EO policy does not work; EO policy deals negatively with childless workers; EO policy deals negatively with mothers and fathers; and EO policy deals negatively in terms of sex, discriminating between women and men. However, EO policy will always be partial if it seeks to redress disadvantage and inequality in the workplace. The problem for policy makers here then, is that without safeguards, to increase or improve EO policy in one area, will increase the animosity from other groups.

EO policy in its current form also has repercussions for women in particular, given that most current EO policy is aimed specifically at allowing women to combine work and family. The three explanations emerging from the large organisation survey show that a 'work - family' reconciliation policy fails fourfold; First, the 'mummy track' route (i.e. policies that help women to be working mothers) does not benefit women because the measures are not good enough; secondly, childless women get burdened with extra work when mothers take leave and have little choice in the negotiation of hours and leave; thirdly, many men resent the fact that EO policy treats them as second class parents and citizens in relation to women; and number four, many women feel that the workplace remains a male domain and offers no challenge to the 'traditional' division of labour.

Of importance to the respondents from the large organisation was the lack of coverage in EO policy for childless workers. This was especially a problem for childless women who tend to take on the extra work of mothers on leave, due to the tendency of women working alongside each other. Diagram K.1 (Appendix K), draws together the issues shaping the experiences of childless women at work. As it can be seen, childless women are affected not only by actual issues, such as extra workload, lack of perks and the overlooking of issues important to them (such as elder care leave etc.), but also by assumptions based on their sex. These assumptions are reinforced and perpetuated by any EO policy which has the reconciliation of work and family at its centre. This is because reconciliation in its current form upholds the status quo, with women as carers, rather than challenging this notion, as discussed in the earlier chapters. Childless women find themselves in the position of being neither 'men' (treated in policy making as the full time breadwinning worker norm), nor 'women' (treated in policy making as Mother.
the Carer). They are not ‘men’ because they are still privy to assumptions on the grounds of their sex, and they are not ‘women’ because they are not mothers. As such, many childless women feel that they are overlooked in EO policy.

The solution to negative attitudes towards EO policy, would be to aim policy at all groups so that EO policy encompasses all workers. Examples here would be to raise flexibility and support for mothers, account for the needs of childless women in terms of work load and hours, offer equal rights to mothers and fathers, and to aim EO policy in general at both women and men in more equal measures.

To a large extent, there remains the traditional belief that mothers, as opposed to fathers, should be the child carer and reduce her hours of employment accordingly, though childless workers were more likely than actual parents to support the view that fathers should work less in order to raise their family. For parents this might support a practical awareness of the financial implications of a reduced male wage to the household. Also, parents tend to be older than childless workers and might adhere to more traditional beliefs.

A large number of employees, both female and male, though again less so actual parents, believed that concessions to allow fathers to spend more time with their families should be incorporated into any EO policy. Yet conversely, less than a quarter of men said they might use paternal policies in the future. Overwhelmingly the respondents believed that the current arrangement of the labour market makes it easier for women to care for children than for men to do so. This realisation is perhaps also reflected in the more conservative approach actual parents have regarding child care.

There is also evidence to suggest that while fathers are perhaps re-evaluating their view of women and children, childless men are more likely at times cling to the ‘Traditional Male Archetype’.

Nearly one third of women and two thirds of men thought it is hard for women with small children to be 100% reliable. Childless women were the group least inclined to
agree with this, even though the workload of absentee mothers falls on their shoulders, possibly because some of them expect to be in that position themselves someday.

Two times as many men than women thought that women are less committed at work once they have a family. A small number of the respondents, one out of eight, thought that EO policy disadvantages women because it raises doubt over their commitment and makes men look like the more attractive employee to hire. Two fifths of women and men believed that employers might be put off hiring young women in case they become pregnant, and one eighth claim that EO policy disadvantages women because maternity policies might put bosses off hiring young women. A third of respondents thought managers may be reluctant to promote women of a certain age in case they become pregnant. The respondents perceive bosses to be less discriminatory towards women whose abilities they know.

These assumptions all impinge on women's progress in the labour market. Firstly, the assumption that women should be carers, and then because women's work suffers because she is the carer. These notions have a marked impact on the likelihood of a woman a) getting hired and b) progressing in a career, even if she is not a mother herself.

There seemed to be evidence of a hierarchy of EO issues, with disability and race drawing more support from the respondents than issues of gender. The respondents were more favourable towards ethnic minority and disabled workers than to women in terms of time taken off (for religion as opposed to child related reasons), changes to the workplace (to accommodate disabled workers as opposed to accommodating women), and putting up with discrimination/harassment (racial as opposed to sexual).

A quarter of women and men agreed that women should not expect the workplace to change just because they want to work. Yet 71.4% of women and 66.3% of men also thought that the way the labour market is set up makes it easier for women to care for children than for men to do so, suggesting an acceptance of the status quo. Childless men are the most inclined to say that women should not expect the workplace to change.
It would seem that when it comes to changes to the workplace the respondents are more sympathetic to the needs of disabled and ethnic minority workers than they are to women's. This is especially so for childless men. Given that childless men are one of the youngest cohorts, it is of concern that they maintain such traditional views.

8.32 Comparison of the Two Organisations

In contrast to the large organisation survey, the women in the medium sized organisation's focus group were very aware of the policies on offer at their place of work, to the extent that they could even offer opinions on what was available as well as its worth. This was the case not only for those using the policies, but also for those who had not used the policies. Also important, was that the EO policy was not singled out as 'child policies' and consequently 'women's policies'. EO policy was available to everyone, as demonstrated in the Retain and Re-entry Scheme, which covers maternity leave as well as leave for injury or domestic crises. Due to this, the women were not seen as receiving special perks at work, and importantly, did not feel that they were seen by their colleagues as receiving preferential treatment.

In both studies child related policies were, on the one hand, said to be adequate yet, on the other hand, eluded the needs of mothers in practical ways, such as creche hours not matching working hours, the cost of child care being too high, and the length of leave insufficient. Child related leave also impinged on a woman's career structure. In terms of the effectiveness of the EO policy, both groups felt that structural problems in the workplace were still an issue. The lack of support and/or understanding from senior management to practical issues, as well as to issues such as discrimination and harassment, was noted in both studies. In the case of the tradeswomen, this was an issue despite the positive influence of their manager. It was felt that if more men attended EO conferences or meetings it was felt they might develop a greater understanding of the needs and experiences (of different groups) of women. Men need to be involved in any solution to the equality issue.

Complaints about the partial coverage of EO policy in the large organisation led to three theories as to why EO policy does not work, as outlined earlier. However, due to the inclusionary nature of EO policy at the small organisation, there were no such
complaints from the women in the focus group. There was no apparent resentment between working mothers and women without children, and it was noted by the women that other groups, such as gay/lesbians and ethnic minorities, are not only similarly protected by the workplace policies, but have their own meetings each week to discuss any issues.

Whereas one issue emerging from the large organisation survey was the extra work that falls onto childless women when mothers take maternity leave, such an issue was not mentioned in the focus group. Distinctions between maternity leave and leave for injuries such as bad backs did not appear so big because of the Retain and Re-entry policy. There was no mention about the reliability or commitment of working mothers, though, as with the large organisation survey, the question of women's ability was a significant issue. The focus group women felt they had to constantly prove themselves to their colleagues. In both studies, the women felt that their ability to become pregnant influenced the attitudes of the men they worked with, both as colleagues (to the tradeswomen) and as senior management (at both organisations). This suggests that the work culture of an organisation may be as important as the EO policy itself.

The tradeswomen also felt that it takes a special kind of woman to cope with the pressures of working in a male dominated workplace. She has to be mentally strong and put up with some of the banter from the men. In this way, it might be said that they did not expect the workplace to change to accommodate them. However, in direct contrast to this, the tradeswomen provided examples of how they did expect it to change: refusing to make concessions on their femininity by wearing nail varnish, for example, or demanding clothes more suitable for women. In relation, the women in the large organisation felt that women should not have to put up with sexist banter. Only a quarter felt that the workplace should bend to meet their needs, even though they felt that the current labour market arrangement makes it easier for women to be the carers in society. What these contrasts between the two studies might suggest, is that one fights harder to retain ones identity when up against the majority, as is the case of the tradeswomen working in one of the remaining strangleholds of male power.
Pregnancy and career progress was also important to both study groups. In the focus group, the women noted how the career structure at their workplace was not supportive of working mothers. Working long hours, for example, impinges on one’s promotion if a woman is working part time. Also, the hours of work are rigid and do not correlate to the crèche hours, making child care difficult. However, the rigidity of starting hours was seen by the women as an issue important to both sexes, rather than just working mothers.

Another issue important to both study groups, is that women are not all the same; women are different to men, and women are different to each other. In the large organisation survey, for example, it emerged that women and men had different views about how they would like to see EO policy at their workplace changed, and that mothers had differing needs to childless women. The focus group also threw up some interesting differences. Lucy, the Trade Union representative, had a different style of representation than her male colleagues. Her ability to listen to the worker’s needs and provide positive responses to them, won her the respect of not only the women but also the men. Also, the commitment of the women to Trade Union meetings meant that the issues important to them were sorted out, whilst the men, who did not bother with attending meetings, missed out. An example of this is seen in the change in uniform to the benefit of women. Women were also seen as a group within which there are certain differences. This is best demonstrated in that it takes a certain woman to succeed in a non traditional occupation.

Another similarity between the two study groups is that EO policy is only as good as the manager who implements it. The person is seen as more important than the policy itself. In the large organisation study, the respondents felt that there was a lack of commitment from the senior management and they questioned the delivery of the EO policy, citing that policy was only as good as an “honourable employer”. Although the focus group women acknowledged that Brian, the apprenticeship co-ordinator at their workplace, was a dedicated man who worked hard to ensure that equality was upheld, they were not aware of the extent of his input in the success of the EO policy. From comments made off the record and not in the presence of the women, it was clear that without Brian, many of the policies would collapse. Behind the scenes, he manipulates the system in
order to achieve things, and in many instances, it is his intervention rather than the success of the system itself that makes the difference. Following the meeting at the organisation, there was the impression that without Brian’s commitment, the organisations successful EO policy would be under threat of collapse.

Overall, the women felt that working in non traditional occupations presented positive role models to young boys and girls. However, even after the women had earned the respect of their male colleagues, the attitudes of the men remained stereotypical to the extent that, as fathers, they would not encourage their own daughters into non traditional occupations.

Box 8.1 Chapter Summary

1. EO policy is only as good as the manager who implements it. Without the support of those in charge, EO policy is rendered meaningless.

2. Women are different to men, and different to each other. Women are different in attitude and approach, and in need. An EO policy based on a male worker standard, excludes the needs of women. At the same time, an EO policy which treats all women as the same, in this case, upholding the Mother as Carer archetype, also excludes groups of women who do not fit this female standard.

3. EO policy appears to work best when it is aimed at all groups inclusively rather than one group in particular. Partial coverage, for example an EO policy which concentrates on maternity policies and helping women combine work and family, without similarly addressing the needs of other groups of workers, such as the childless and men, causes tensions in the workplace.

4. Despite EO policy support for working mothers, paid work and caring for children remain at odds due to the structure of the workplace. For example, career prospects are hindered by part time hours, and crèche hours often do not correlate with working hours.

5. Women constantly feel the need to prove their ability at work, whether this is in the form of commitment, reliability or skills. Women have to work hard to gain the respect of their colleagues. Men’s attitudes remain a tough nut to crack. Getting more women into non-traditional occupations or managerial positions presents positive role models to children and men.
Chapter 9
T’aint What You Do, It’s The Way That You Do It

Discussion and Conclusions

I read and walked for miles at night along the beach, writing bad blank verse and searching endlessly for someone wonderful who would step out of the darkness and change my life. It never crossed my mind that that person could be me.

Black and Blue (1998)
by Anna Quindlen.

No coward soul is mine
No trembler in the worlds stormtroubled sphere.

Emily Brontë, (1818-1848)

9.1 Introduction
The aim of this thesis was to examine the effectiveness of law as a means to equality between women and men in paid work and to examine whether legal strategies can ever be of benefit to women. Despite the quantity of EO policy development over the past two decades, there remains a marked inequality between women and men in the labour market.

This thesis looks at the various stages of policy formulation and take up to discover where EO policy is breaking down. It has examined women’s approach to policy making via a survey of UK MEPs. It has critiqued the impact of EO policy on women and men by way of a survey of policy observers. It has looked at women and men’s attitudes and use of EO policy in two organisations: a survey of a large organisation with a traditional EO policy, and a focus group of tradeswomen from a medium sized organisation with a proactive EO policy.
This thesis will now examine the findings of the past eight chapters, as well as compare and contrast the different research findings. Then it will look at the implications of these and make suggestions for what further research needs to be done.

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<th>Box 9.1 Key Words</th>
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<td>Liberalism, Marginalisation, Alternative discourse, Male norm, Homogeneity, Difference, Inclusion.</td>
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9.2 Divide or Conquer? Review of Politics, Policy, Women and Work.

9.21 Defining EO policy

One area of contention with regards to EO policy is its definition. Three quarters of the MEP's preferred to define EO policy as that which allows men and women to compete equally in all areas of work. Only 2.3% opted for the definition, Policies that allow women to reconcile family and paid work. This is interesting given that EU EO policy is based on such a definition.

Further, the policy observers remarked that 'EO' carries with it the stigma of the women's rights movement which is off putting to many people. This casts EO policy as irrelevant to many people in that it is an old formula, tried and failed before. Many employers and employees do not see EO as relevant in the way that Health and Safety is perceived as relevant in the workplace. In this way, there are parallels between the attitudes of the policy observers and the employees at the two organisations studied. Research from the tradeswomen focus group for instance, revealed that an inclusive EO policy, one that is open to all groups of workers, raises awareness and positive attitudes towards the policy: only two of the women in the focus group were mothers, for example, yet the whole group was able to discuss the policies available at the workplace. Research from the large organisation showed that two of the groups largely excluded from EO policy, childless workers and men, cast as irrelevant EO policy in their workplace as their needs were overlooked by the policies.

The nature of EO policy influenced both its awareness and use among employees. Awareness was low at the large organisation where EO policy was more traditional, i.e.,
based on reconciliation of work and family. Whereas, awareness was higher at the tradeswomen's workplace with the proactive EO policy, based on inclusion of all groups rather than one group above all others. Use of EO policy was also low in the large organisation. Here, EO policy was seen by the employees largely as 'child policy' and consequently, many of the employees felt excluded from it. Child related policies were used more by women and personal development policies more by men - a trend which, left unchallenged, will push women further into the caring role with less skills to offer employers than their male counterparts.

In relation to their use of EO policy, the employees at the large organisation wanted to see changes to how EO policy is delivered, rather than the introduction of new policies. Without change in this area, any new policies could continue to bypass some groups of workers.

The male employees would prefer more publicity about existing policies rather than the introduction of new ones. This mirrors the attitudes of men MEP's who on a number of occasions, cited preference for incremental change rather than proactive intervention into EO policy. Just as there are similarities between women MEP's and women working in other work sectors, so too are there affinities between men MEP's and male workers in general.

9.22 The Workplace

What was beyond dispute was that EO policy was a good thing. The employees in the large organisation felt that EO policy removed prejudice and exploitation at work, and felt it was morally right. The MEP's felt that EO policy provided more advantages than disadvantages in all quarters of life: for women, for men, for children, for the work environment, businesses, and society as a whole.

Overall, the employees in the large organisation survey felt that the main benefits of EO policy for women were maternity and child related policies. Only a minority listed 'equality' as the reason why EO policy is beneficial to women. The MEP's felt that the main advantages for women were the opportunities and possibilities that EO policy has given women, accounting for half of the advantages cited.
The most cited advantage of EO policy for men was paternity and child related policies. Thus, among the employees, EO policy was seen as chiefly child related policy. The MEP's felt that the main benefits of EO policy for men were that it promoted equality and gave men a social education.

Nearly half of the MEP's did not think that EU EO policy between men and women was strong enough. The average score out of a possible five was 2.9 from women and 3.3 from men and only 2.4% gave the legislation the highest score. The policy observers were more positive about the effects of the legislation. Their average score in assessing the impact of the EU on the body of EO policy at national level was 4 out of a maximum of 5. In fact, for them, the EU was more important in driving EO policy than the government.

However, the employees, the users of EO policy, were less emphatic. For all its benefits, the vast majority of respondents in the large organisation felt that EO policy was generally ineffective. They felt the reason why EO policy was ineffective was due to the discretion given to managers with regards the interpretation of EO policy. This reason accounted for 41.7% of responses from women to the ineffectiveness of policy and 28.6% of responses from the men.

A key issue emerging from the research was that the EO policy was only as good as the manager that implements it. In fact, at times it was the manager rather than the EO policy itself which was the more significant factor in EO issues. For example, the apprenticeship co-ordinator at the work place of the tradeswomen managed the system to ensure equality was upheld. Without his dedication and intervention, many of the successes at that workplace would not have been achieved. Conversely, the respondents in the survey of the large organisation felt there was a lack of commitment from senior management and stated that the EO policy was only as successful as the employer was committed. It was felt that practice, not policy, was the problem. Two out of five MEP's felt that the biggest challenge to EU EO policy was that policy was not implemented properly at the employer/ business level. This was cited as the second most important challenge to EU EO policy.
The issue of work place culture was also felt to be important in mediating the impact of EO policy. The policy observers felt that legal contributions to equality can only lead towards gender parity at both work and home alongside a workplace and societal culture conducive to such an end.

Likewise, the structure of the work place was also seen as a critical issue in attaining equality for all groups involved in the thesis. In the focus group, the tradeswomen noted how even with a proactive EO policy, the career structure at their workplace was not fully supportive of working mothers. Working long hours impinges on the promotion chances of mothers working part time for example. Half of the MEP's felt the most important reason why women hold positions of responsibility less often than men was because of structural disadvantages, with women more likely than men to think this. However, men MEP's were far less likely than women MEP's to want to see interventions into such structures in order to bring about equality, believing the current arrangement of work and policy to be an effective relationship.

9.23 Improving EO policy

When it came to making improvements to EO policy, there were clear divisions along sex lines for both the users (employees) and the makers (MEP's) of policy. This is important if there is evidence that women's 'different voices' are marginalised by a liberal approach to policy making.

The most important issues to women MEP's were improving childcare, changes to the workplace, and targets for women's promotions. Conversely, the biggest issue for men MEP's was to raise awareness of existing policies. This was a theme concurrent with men as employees: in the study of the large organisation, men preferred the promotion of existing policies rather than the introduction of new ones. This might be because lack of awareness is an issue for men or it could be a sign of men paying 'lip service' to EO policy - supporting incremental change but not meaningful change. Importantly, only 14.3% of men MEP's and none of the women MEP's thought that improved paternal facilities and benefits were the crucial issue.
The issue of lip service was also significant in terms of the legislative process behind EU EO policy. Four out of five women MEP's thought that the biggest challenge to equality was the governmental (EU and national) side of policy. In contrast, just under half of the men MEP's felt that the problem lay outside the remit of government and was in the hands of the workplace. Again, this indicates how men prefer changes in the delivery of EO policy to come at the lowest, least interventionist level, in direct contrast to women who would prefer real change in structure. This too, is evidence of how men and women legislate differently, and also of how men favour a liberal approach while women prefer a more radical approach (see Box 3.2 in Chapter Three).

Over half of the policy observers felt that treating women as a homogenous group made equality legislation irrelevant for many groups of workers. Treating all women as the same ignored the class, cultural, age, and sexual differences etc., that affect the life experiences and life course of women.

9.24 EO policy and Women

The respondents from the large organisation felt that EO policy in its present state is not working because of its partial coverage. The respondents felt EO policy deals negatively with childless workers, with mothers and fathers, and in terms of sex (for example, women think men have more advantages and vice versa). Of these explanations, half of the respondents felt that EO policy was not working because it deals negatively with childless workers. Childless workers are not privy to the same perks as parents, choice over hours and leave are reserved for parents, and childless workers have to pick up the extra workload left behind by absent parents. These issues were particularly acute for childless women. Yet even here, there were differences between women and men. For childless men, the main way that EO policy is seen as failing them is the lack of perks, while the burden of the extra workload was the main issue for childless women.

Importantly too, for childless women, two out of five employees at the large organisation believed employers might be put off hiring young women in case they become pregnant. They similarly claim that bosses might be reluctant to promote young women for the same reason.
Only a quarter of the policy observers felt that reconciliation policies have a negative impact on childless workers. Although it was noted that employers might be influenced by the possibility of women having children and consequently discriminate against all women. Reconciliation policies might also perpetuate the tendency to see EO policy in terms of mothers, which, as one respondent commented, “lumps children with women which is what we don't want.” Also noted by respondents in the large organisation was the extra workload taken on by childless women when mothers take child related leave.

In comparison, three fifths of the policy observers felt that reconciliation policies have implications for the division of elder care between women and men in society, creating a cycle of care: raise your children then nurse your parents. Of interest, the policy observers felt that women-oriented policies are detrimental in terms of the division of eldercare but are not detrimental to childless women, yet both issues here are based on same premise; they push women further into the caring role. Also interesting is the discrepancy between the views of policy observers and employees in relation to this issue. The respondents in the large organisation survey felt very strongly about the (lack of) rights of childless workers in relations to parents in terms of perks, workload and lack of choice over leave and hours. Here, one only had to scratch the surface for deep feelings to pour forth from the employees. This suggests that the childless women issue is one important in the workplace but as of yet, an issue overlooked by those on the delivery side of policy.

A large minority of the large organisation survey respondents felt that it is hard for a woman with small children to be completely reliable at work. This was a view expressed the most by childless men. Two times as many men than women also thought that women are less committed at work once they have a family. Also, in the focus group of tradeswomen, the women spoke of their constant need to prove their merit and skills. Both the women MEP's and the tradeswomen noted that mistakes made by women were held onto longer than those made by men. Underlying this is a covert message from men, as commented on by the female MEP interviewed: “You only got here because you’re a woman, you’re not really up to it”.

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None of the women MEP's thought that women lacked the skills necessary to hold positions of responsibility in the work place while 13.4% of men MEP's did. As discussed in Chapter Eight, such aspersions, in conjunction with her child bearing ability, have a marked impact on the likelihood of a woman getting hired and then progressing in a career, even if she is not a mother herself.

However, in the proactive organisation where the EO policy was available to all workers, women were singled out for attention less often. For example, the Retain and Re-entry scheme, covering maternity as well as leave for injury and domestic crises, means that women are not seen as the recipients of special perks. Consequently, the tradeswomen did not feel that they were seen by their colleagues as receiving preferential treatment. Interestingly, in the survey of the large organisation, the respondents were more supportive of workplace changes to accommodate the needs of ethnic minorities and people with disabilities than for women. An inclusive EO policy aimed at all groups of workers appears to overcome some of the divisions and resentment of an EO policy aimed more specifically at a single group (i.e., mothers).

A clear finding from this thesis is that women are not the same. They are different from men and different from one another. In the large organisation survey women had different ideas to men about how they would like to see EO policy at their workplace changed. Similarly, women MEP's had different ideas to men MEP's about what is needed to bring about equality in the workplace. Also, mothers in the large organisation had different needs to childless women. In terms of style, Lucy from the tradeswomen focus group had a different approach to Trade Union matters than her male counterparts, and women MEP's demonstrated a different approach to legislating compared to the men. The issue of childless women also illustrates the differences between groups of women.

9.25 EO policy and Men

In terms of attitudes, the respondents in the large organisation were quite traditional, with childless men at times reverting to the ‘Traditional Male Archetype’. The respondents were aware that the labour market upholds the traditional division of caring and family roles, yet one out of four of the respondents believe women should not
expect the workplace to change just because they want to work. This arrangement was bolstered by the deep seated values of the women and men themselves with regards to the roles of mothers and fathers in child care. Employees, like MEP's, did not support an increased role for fathers in child care.

The explanation that one sex gets treated better than the other was a bigger issue for men than for women. Men felt strongly that they were treated as second class workers and second class parents. Also, the policy observers noted that the discrepancy between maternity benefits and facilities and those of paternity were too large to make much of a difference on men's child caring role. The culture of the UK workplace with its long hours was also seen as a hindrance to men's increased child caring in spite of paternity leave. Indeed, the men in the large organisation survey felt that employers do little to attend to the needs of working fathers, and the needs of working men in general were largely overlooked. It was noted that this has created a work culture where men are expected 'to cope' with things 'without help'.

Yet relatedly, only 35.7% of the respondents felt that men should work fewer hours in order to raise their children, and just 16.7% of fathers and 26.7% of childless men said they might use paternity policies in the future. This demonstrates the complexity of the issue of paternity rights. In order for paternity benefits to be meaningful there have to be changes to the workplace culture. For example, there needs to be a move towards a culture where it is acceptable for both men and women to be care givers. In turn, this will only come if the right to paternity leave is financially viable. Indeed, the MEP's felt that EO policy disadvantaged men precisely because it demanded changes in both behaviour and the workplace itself. They also felt that men might be overlooked at work, and face competition from women for jobs and promotion. This too, might affect the take up of paternity leave, given the view that employers overlook women for hiring and promotion in case they get pregnant (Chapter Six). This was also an issue mentioned in the large organisation survey, as well as by the policy observers. If men feel they will be similarly penalised for parental leave they will not take it. Excluding men from child caring, while pushing women further into it upholds pay inequality between the sexes; only when fathers and mothers have equal responsibility for child caring can men and women share equal status at work.

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9.26 Women and Politics

The vast majority of UK MEP respondents felt it was important to have women MEP's. Over half of the MEP's felt women were important in order to reflect society. Women were also felt to be important because of the unique view they bring to politics. Interestingly, more men than women noted women's 'unique view'. This demonstrates an awareness among some MEP's that women and men might have different attitudes to policy issues. There was evidence from the women though, that men were at times resentful of women's presence in the EU Parliament and of their challenge to the more 'traditional' way of doing things. Women MEP's also noted the importance of attaining a critical mass of women, perhaps indicating that their present numbers are not enough to make crucial inroads into political decision making.

However, there was no evidence to suggest that men MEP's supported changes that would allow women greater participation in public life. As already noted, the men were less inclined to support real change to social arrangements, preferring to tinker with what is already in place rather than make proactive changes. This was true with regards to the issues important to improving EU EO policy, and the issues posing the biggest challenge to EU EO policy. The men were also more likely to think that both EU EO policy and the legislative process itself were good enough as they were. Whereas the women preferred to see critical changes to the structure of society, the work place and the policy making process, the men preferred change to come at the lowest, least interventionist, levels. This suggests both possible lip service from the men as well as a sex divided political approach to EO policy. Further, it was noted that there was not a culture of pooling ideas or collaborating on projects favoured by the women, because it was seen as a sign of weakness.

The majority of the policy observers felt that more women in political decision making positions would lead to a more effective approach to EO policy. This was interesting given that they also identified the problems associated with the assumption of the homogeneity of women as a category in policy making. Likewise, there are differences among women MEP's, they cannot be seen as a united mass acting for another united mass. Different women have different political agendas, and are different according to various factors such as having children, race, age etc.
The policy observers also noted that there was little evidence that women politicians make a positive difference for other women. The negative effects of Thatcher’s government and the neutral effect of the influx of women MP’s in the 1997 General Election were cited as examples of this. Yet it was felt that increasing the number of women in senior positions in both politics and other decision making arenas such as Trade Unions, keeps women’s issues higher up the agenda and offers challenges to traditional attitudes. Overall, as one policy observer commented, they feel “women’s voices have been silenced for too long”, and it is necessary to allow them to be heard.

There seem to be parallels between women’s experiences of the criminal court and the civil court (Chapter Three). There are also similarities between women’s experiences of the criminal and civil courts (where women are law users) and women’s experiences of the political arena (where women are law makers). This, of course, is to be expected, for both the EU Parliament and Westminster are workplaces susceptible to the same inequalities faced by other women workers. Yet, this also reveals that EU EO policy is failing to work before it even leaves the structures of the EU itself. In all legal arenas there is evidence to support the view that women’s alternative discourse and experiences are marginalised; that the things which women place value in, such as the personal in the political, are disregarded; the arena upholds a male ethos of adversary and an old boys network; and women are punished for not conforming to the norm the law purports women should take on (see Box 3.1 Chapter Three). All of this serves to keep women on the outskirts of power rather than the driver of it.

9.27 Harmonia’s Necklace: Do Women have a Different Political Voice?
As has been shown in this research, the content and approach of EO policy is not effective in achieving equality. The concept of ‘reconciliation’ holds a myriad of problems that have been discussed. However, if the alternative policy making approaches of women politicians are indeed marginalised in the policy formulation process, their ability to orchestrate a more ‘women friendly’ agenda will be limited: thus, like the mythological Harmonia’s unlucky necklace, singing a different tune can prove fatal.
There was evidence to suggest that women MEP's have a different approach to policy making. There was certainly evidence that women and men have different attitudes towards working women, towards EO policy, and towards the changes necessary to affect equality for women. The absence of men from the Women's Rights committee in the EU Parliament also suggests that women's issues have become marginalised. Indeed, one might question whether an increased presence of men here would see a move away from soft, least binding EO policy towards 'hard' binding legislation. This suggestion is also indicative of the fact that men still hold the political sway. Evidence also suggests that women are more involved in the local level of politics (closer to people) while men spend more time than women on EU work (furthest away from people). There is nothing new in this finding, as many researchers have found evidence to suggest that women value the personal in the political whether this be as voters, as MEP's or as MP's (Chapter Three). Women MEP's also use a greater number of sources when it comes to making proposals and keeping up to date on current affairs. They use more people-based sources, while men make more use of formal, legitimate, objective sources. Kathlene (1998) would argue that these findings are evidence of a contextual approach to policy making.

A number of women MEP's spoke of the conflicts between political women and men in the EU. Also, the importance of supporting a women's political agenda and forming alliances among women socially was noted. The EU Parliament is supposed to be one of the most democratic political institutions in the world, yet in many instances, the experiences of women MEP's mirror the experiences of women MP's in the UK and women standing for selection for government (see Stephenson, 1998a, 1998b, Squires & Wickham-Jones, 2001, Elgood et al, 2002). These issues include the old boys network, the adversarial nature of politics, and the lack of conciliation. Further, women MEP's do not appear to be making the EU Parliament work for them and do not seem to be pressing their own style of policy making onto the political agenda.

Again, it should not be expected that women policy makers are not dissimilar to women workers in other workplaces. The tradeswomen in the focus group demonstrate that here too, women bring different skills to the job, whether this be diligence to formal examination work in serving ones apprenticeship or listening to the needs of the
workers in terms of being a Trade Union representative. Hence, women MEP's are privy to the same issues facing other women workers. This again suggests that EU EO policy breaks down before it even leaves the EU parliament - *if it does not work at the top of the tree before it is translated by national governments, and changed by the discretion of businesses and the interpretation of managers, it will not work anywhere.*

9.28 Mettle Detector: A Special Sort of Woman?
The tradeswomen in the focus group felt that it takes a special sort of woman to cope with the pressures of working in a male dominated workplace and this notion might be applied to all working women. The tradeswomen, for example, refused to make concessions to their femininity by continuing to wear nail varnish despite comments from the men. They earned respect from the men by pushing their own agenda with regards to uniforms more suitable for women and also with approaches to Trade Union issues. Their male manager noted that the women created a more pleasant working environment (a point also noted by men MEP's). This all suggests that equality comes best when women organise their own liberation (a case of women's rules for women's rights?). This is important as for women, there is a relationship between the personal and the political. It also proves that 'female' traits are admired by some men, and hence women can get ahead as women.

On a related issue, people tended to be more enthusiastic about issues important to them. For example, the female MEP interviewed noted that her political agenda was shaped by issues that affected her, such as pay and child care. Further, women from 'grassroots' projects such as women's centres were more enthusiastic in talking to me than large corporate organisations. This again demonstrates how personal issues shape political issues for women. This suggests a pattern:

| Personal Issues | Enthusiasm = Organise own push for Change |
It also suggests that 'bottom up' projects have a part to play alongside a 'top down' government framework for equality. Indeed, the importance of this sort of informal political activity was noted by the policy observers, the leader of the Training, Employment and Development Project at the women's centre, as well as the female MEP interviewed. Again, this adheres to the claim that women operate a parallel system of politics, and supports the claim the women have an alternative approach to political issues than men.

Box 9.2 Main Findings

- Women approach politics differently to men.
- A liberal approach to politics excludes women’s alternative discourse and approach to policy making.
- Men have to be involved in any solution - fatherhood should be equal to motherhood.
- Women are not a homogenous group.
- Reconciliation policies for assisting women cope with family responsibilities and paid work uphold rather than challenge the status quo.
- An inclusive rather than divisive policy causes less resentment and greater awareness.
- The discretion of managers is as important as the policy itself.
- Reconciliation policies reinforce women’s need to prove their abilities.
- Childless workers do least well out of present EO policy and are overburdened and under-rewarded.
- Equality works best when women stand up for themselves and organise their own liberation.

9.3 Implications

Firstly, the evidence that women approach politics differently to men has consequences for their future impact on the policy making process. Alternative discourse needs to stand alongside a more traditional liberal approach to policy making so that women are not marginalised from politics. Further interviews with women MEP's, MP's, and women in senior positions about the issues raised in this thesis would be interesting
however, access to women MEP's has been difficult and with such a thorny issue it is suspected that any comment would again be off the record.

Secondly, EO policy in its present state upholds, rather than challenges the roles of men, women, mothers and fathers in society and offers little to redress inequality between the sexes. Reconciliation policies, aimed at supporting women’s role as carers, has implications for women’s roles at home and at work. At home, they continue to be responsible for child care and elder care and at work, they are penalised for failing to conform to the male full time worker standard. This also has implications for childless women who are penalised twice over - for not being men, and also via ‘anticipatory discrimination’ whereby employers may discriminate against them as (potential) mothers despite their childless status.

Excluding men from child policies equal to those enjoyed by mothers continues to treat fathers as secondary parents. Men resent being treated as second class parents and second class to women in terms of EO policy which might fuel negative attitudes at work. Many men would like a viable opportunity to take time off work to raise their children. Interviewing fathers would be interesting in order to find out what it would take in terms of policy to encourage them to spend more time with their children.

An inclusive EO policy aimed at meeting the needs of all groups of workers would move away from a sex stereotyped (‘Mother as Carer’) policy. Also, an inclusive rather than divisive policy causes greater awareness and less resentment. The needs of non parents also need to be researched. This is crucial in a demographically changing society such as the UK.

As outlined in the introduction to this thesis, these issues may be seen as cyclical. The ultimate aim is to affect change to; professional practice; the organisational structure of legal and political (liberal) arenas; the organisational culture (inclusive rather than divisive EO policy); policy content and approach (end to homogeneity, end to women as carers); and to wider society (the creation of a climate in which men can care and do). This leads us back to square one: the need for change in attitude and approach in the legal and political arenas. For example, a more conciliatory and ‘pooling of ideas’
approach may be more acceptable if society is more receptive to women and men sharing the role of caring, brought about by an EO policy which supports women and men equally in this role. This thesis suggested that Box 1.1 (Chapter One) might contribute to this.

Box 1.1 Bringing About Change

- Change from a liberal approach to politics to an approach which incorporates all discourse;
- End to EO policy as divisive and aimed at women and move towards both men and women as carers;
- This changes the face of workplace and society;
- Feeds back into a change in political agenda, (less linear, singular, incorporates alternative discourse and the needs of others, not least because men can now appreciate alternative outlooks and experiences).

9.4 Beat out that Rhythm on a Drum: Thesis Conclusion

This thesis argues that, although the law might be used to bring about equality for women, it is not enough to simply extend to women the rights that are enjoyed by men. This is best summed up by Bryson (1999): “the gendered nature of its assumptions and principles must be systematically questioned, and women’s experiences and values asserted as a valid starting point. This can give rise to a new perspective, in which women are no longer seen as ‘special’ or ‘different’, for they are no longer measured against male the norm” (85).

The law as it stands cannot bring about equality. Women need to be central to politics. Politics needs to be open to alternative discourse and experiences. However, women should not wait for change to be handed to them on a plate. As American suffrage leader Elizabeth Candy Stanton once said:

“Put it down in capital letters:
SELF-DEVELOPMENT IS A HIGHER DUTY THAN SELF SACRIFICE”
Throughout history, women have had to organise their own liberation and it is no different now. Women must push for their own liberation; equality works best when women stand up for themselves and push their own agenda. Perhaps it is time for women to commune around a campfire in the woods and ‘find themselves’ as women. Women have to learn to express themselves and they have to move into the centre of politics and start setting the beat. It may mean putting up with resistance but it is worth fighting for one’s right to be oneself.

The comedienne Roseanne Barr succinctly argues: “Something women have got to learn is that nobody gives you power. You just take it” (Women’s Wit and Wisdom, 1991). So come on girls - Bang those bongos!

Box 9.3 Thesis Summary

\begin{quote}
\textit{Luck is not chance}
\textit{It's Toil}
\textit{Fortunes expensive smile}
\textit{Is earned.}
\end{quote}

\textit{Emily Dickinson, poet, (1830-1886)}
Postscript

For this thesis I used a mix of qualitative and quantitative research methods; questionnaires, interviews and a focus group. The methods used were as appropriate as possible to the research questions given the extreme difficulty in obtaining access to respondents on what was considered a sensitive subject. The interviews and focus group were very successful and drew out informative data. Two of the questionnaire surveys had response rates of about 30% and 40% respectively, which was satisfactory. Unfortunately, one questionnaire survey, the large organisation survey, had a low response rate, 10%.

Large organisation survey: In defence of the research

Due to the response rate it might be argued that there is a self selecting bias: the findings may not be representative of the total survey population. However, it could also be argued that this allowed the strongest opinions to rise to the top. For example, many of the respondents were passionate about the childless issue.

On the other hand, I did get responses from all categories of workers. Plus, there was a good spread of opinions: the respondents did not all say the same thing. For example, although the poor relationship of EO policy to childless workers was an important issue amongst the respondents, I was able to develop three theories as to why EO policy is ineffective: it fails childless workers, it fails parents and it fails in terms of sex (see Chapter 7).

Further, although one might question the generalizability of the survey because of the sample size, I would argue that the links and similarities between all research in this thesis demonstrates that the findings are not limited to the survey itself. For example, male employees preferring incremental change tied in with the male MEP voice of change at the lowest, least binding stages of policy making. Also, women employees felt their abilities were questioned in the large organisation survey as well as the focus group. Additionally, the importance of the discretion of the manager was an important issue for the focus group women as well as the large organisation employees. (These
links between the findings are made more fully in chapter 9.) Also, many of the issues have roots in previous research (see for example the literature review chapters).

It might be argued that by relying on survey data I have not been able to find out the reasons behind people's opinions, or have reduced the respondents' voices to consigned boxes. However, I would argue here that the quotes in the chapters demonstrate not only that the respondents were always given the opportunity of redress, but that they often took it. The quotes I have used in each of the empirical chapters is evidence of the richness of the data collected from the open ended questions used in the surveys.

*Hindsight: What I could have done better*

If I was starting this project now, I would try to secure interviews and focus groups with women in small, proactive organisations (i.e. examples of bottom up, grassroots groups) instead of investing time in large (private) organisations. However, in reality it is not possible to turn back the clock (if it were, we could go back to the Age of Queens, as discussed in Chapters 1 and 2, and then neither this thesis nor its postscript would be necessary!), and overall I am relatively satisfied with both the research methods and the findings of this thesis.
Diagram A.1  Where does EO policy break down?

EU Legislation
- Legislation implemented in weakest form
- Legislation undermined, delayed, or refused by national governments
- Non awareness
- Policy content: limited influence of women in the policy process

National Interpretation
- Apathy of employers
- Discretion of managers
- Fear of hostility
- Partial coverage
- Stigma

Company Policy
- Lack of advertising of policy
- Reconciliation policy aimed at women, upholds status quo
Appendix B

MEP European Union Equal Opportunity Policy For Women And Men At Work Questionnaire

SECTION 1

Sex:  
- Male □  Female □

Age:  
- 20-30 □  31-40 □  41-50 □  51-60 □  61+ □

Political Party:  
- Labour □  Conservative □
- Liberal Democrat □  Other (please specify) □

Years as MEP:  
______________________________

Do you have any children?  
- Yes □  No □

If yes, what are their ages?  
______________________________

SECTION 2

1) Politically, what are your key areas of interest?

2) Approximately, what percentage of your time do you spend on work at European level, at national level and at local level?

<table>
<thead>
<tr>
<th>European</th>
<th>National</th>
<th>Local</th>
<th>Total 100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>%</td>
<td>%</td>
<td>%</td>
<td></td>
</tr>
</tbody>
</table>

3) What do you consider to be the most important aspect of your job?

4) Please list the typical information sources you use to form proposals and to keep up to date on issues.

5) As an MEP in what ways do you think that you can influence policy?
SECTION 3
1) Which one of the following definitions of Equal Opportunity Policy for women and men do you prefer (please tick):

☐ Policies that protect women from discrimination in the work force
☐ Policies that allow women to reconcile family and labour market
☐ Policies that allow men and women to compete equally in all aspects of work
☐ Other (please specify)

2) Which one of the following statements do you agree with more (please tick):

☐ Mothers of young children should be enabled to continue to work by being offered more child care facilities and services
☐ Mothers of young children should be given financial help to enable them to stay at home

3) What are the reasons why women hold positions of responsibility in the workplace less often than men. Please indicate the order of your choices, with 1 being the most important and 6 the least important:

☐ Women are not as interested in a career as men
☐ Women are less competitive than men
☐ Women have less time because of domestic responsibilities
☐ The work environment is dominated by men who don't have enough confidence in women
☐ Women don't always have the required skills to hold positions of responsibility
☐ Structural disadvantages in the workplace prevent women from competing on an even footing with men, e.g. old boys networking
☐ Other (Please specify)

4a) How efficiently, on a scale of 1-5, with 1 being the lowest and 5 being the highest, do you think that current European Union legislation deals with equality between men and women (please circle):
4b) Please explain why you think this.

5a) Do you think that current European Union Equal Opportunity Policy regarding men and women, is strong enough as it is (please tick):

☐ Yes  ☐ No

5b) If no, what issues do you think are the most important for improving European Union Equal Opportunity Policy between women and men. Please indicate the order of your choices, with 1 being the most important and 6 the least important:

☐ Improved child care facilities
☐ Changes to the workplace, e.g. harmonisation of school and work hours
☐ Paternal services and benefits, e.g. leave, sick child days
☐ Better awareness of equality issues and available support services
☐ Targets for women’s promotions and training opportunities
☐ More tightly enforced penalties for sexual discrimination and harassment
☐ Other (please specify)

6) Do you think that it is important to have women MEP’s?

☐ Yes  ☐ No

6b) Why do you think this?
7) What, if any, do you think are the main advantages and disadvantages of Equal Opportunity Policy for women and men for the following:

<table>
<thead>
<tr>
<th></th>
<th>Advantages</th>
<th>Disadvantages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Workplace environment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Business</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Society</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Men</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Children</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

8) What, if any, parts of the legislative procedure do you think propose the biggest challenge to European Union Equal Opportunity Policy between women and men at work. Please indicate the order of your choices with 1 being the most important and 6 the least important.

- [ ] Policy content does not deal with the right issues to tackle inequality
- [ ] The ability of National governments to reduce the implementation of policy to the minimum standards is too strong
- [ ] The power of the European Union to enforce legislation is insufficient to counter non-compliance
- [ ] Policy can be undermined by law enforcers such as tribunals, the courts, the police
- [ ] Policy is not implemented effectively at the business/ employer level
☐ The take up of equality opportunities by employees is too low
☐ Other (please specify)
☐ The legislative process is fine as it is

The researcher would like to thank you for your time and co-operation.
Appendix C

The Impact of Equal Opportunity Policy on Paid and Unpaid Work Performed by Women and Men in the UK

Please tick the box that you agree with the most.

Equal Pay Act

1 The Equal Pay Act has increased the number of women in the work force.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?

2 The Equal Pay Act has reduced gender segregation in the labour market.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?

3 On a scale of 1 to 5, with 1 being the lowest and 5 being the highest, how successful do you think the Equal Pay Act has been in equalising wages between men and women?

1 2 3 4 5

Why do you think this?

4 The Equal Pay Act has increased the importance of a woman’s wage to the family income.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

214
Why do you think this?

5 The Equal Pay Act has had an impact on the distribution of unpaid work between couples who are both employed.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?

6 What recommendations, if any, would you make to improve the success of the Equal Pay Act?

Minimum Wage

1 The Introduction of the Minimum Wage will increase the number of women in the work force.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?

2 The Minimum Wage has reduced gender segregation in the labour market.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?
3 On a scale of 1 to 5, with 1 being the lowest and 5 being the highest, how successful do you think the Minimum Wage is in equalising wages between men and women?

| 1 | 2 | 3 | 4 | 5 |

Why do you think this?

4 The Minimum Wage increases the importance of a woman's wage to the family income.

| Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree |

Why do you think this?

5 The Minimum Wage impacts on the distribution of unpaid work between couples who are both employed.

| Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree |

Why do you think this?

6 What recommendations, if any, would you make to improve the success of the Minimum Wage?

7 What, if any, are the main differences between the likely success of the Minimum Wage compared to that of the Equal Pay Act in equalising women's and men's pay?
Sex Discrimination Act

1 The Sex Discrimination Act (SDA) has reduced occupational segregation by sex.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?

2 The SDA has improved women's access to training and promotions.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?

3 The SDA has improved the chances of women breaking through the glass ceiling.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?

4 The SDA has had an impact on the distribution of unpaid labour between couples who are both employed.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?
5 On a scale of 1 to 5, with 1 being the lowest and 5 being the highest, how successful do you think the SDA has been in eliminating discrimination between women and men from the work place?

| 1 | 2 | 3 | 4 | 5 |

Why do you think this?

6 What recommendations, if any would you make to improve the success of the SDA?

Employment Rights Act

1 Maternity provision, as covered by the Employment Rights Act (ERA), has been successful in protecting the position of pregnant women and women returning to work following child birth in the work place.

| Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree |

Why do you think this?

2 ERA maternity provision has improved the quality of jobs open to women returning to work following child birth.

| Strongly Agree | Agree | Neutral | Disagree | Strongly Disagree |

Why do you think this?
3 ERA maternity provision has improved women’s access to training and promotions for pregnant women and women returning to work following maternity leave.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?

4 ERA maternity provision has encouraged a shift in the attitudes of employers to pregnant women and women returning to work following childbirth.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?

5 Do you think that maternity provision has had any impact on childless working women, and if so, what?

6 Maternity provision has impacted on the distribution of child care between couples with children.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?

7 What recommendations, if any, would you make to improve the success of maternity provision?
**Paternity Leave**

1 Paternity Leave legislation will affect the balance of women and men in the labour market.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?

2 Paternity Leave will have an impact on men in the labour market.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?

3 Taking Paternity Leave will have an adverse affect on the careers of working fathers.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?

4 Paternity Leave will affect the distribution of child care between couples with children.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?
5 What improvements, if any, would you make to improve the success of Paternity Leave?

Legislating Equal Opportunity Policy

1 On a scale of 1 to 5, with 1 being the lowest and 5 being the highest, how important has National Equal Opportunity Legislation, (Equal Pay Act, Sexual Discrimination Act, Employment Rights Act, etc.), been in achieving equality between women and men in the labour market.

1 2 3 4 5

Why do you think this?

2 On a scale of 1 to 5, with 1 being the lowest and 5 being the highest, how important has the impact of European Union legislation been on the body of Equal Opportunity legislation at national level.

1 2 3 4 5

Why do you think this?

3 Equal Opportunity Policy oriented to women, (NB, policy that supports the reconciliation of work and family for women while leaving intact the ‘traditional’ male lifestyle), can have a detrimental affect on the labour market activities of women.

<table>
<thead>
<tr>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
</table>

Why do you think this?

4 Equal Opportunity Policy oriented to women with children can have a detrimental impact on the labour market activities of women without children
Why do you think this?

5 Equal Opportunity Policy oriented to women has implications for the division of eldercare between women and men in society

Why do you think this?

6 The assumption of the homogeneity of women as a category at both European Union and national levels casts as irrelevant the presence of equality legislation for many groups of women.

Why do you think this?

7 More women in political decision making positions will lead to a more effective approach to Equal Opportunity Policy between women and men.

Why do you think this?

The researcher would like to thank you for your time and co-operation.
Appendix D

European Legislation And Its Effect On UK Women's Working Opportunities

1 What is the name of the company that you represent?

2 What industry is it associated with?

3 How long have you been a member of Opportunity 2000?

4 Please would you tick the Equal opportunity measures that are offered by your company to it’s employees?

☐ Flexi hours  ☐ Career break schemes
☐ Extended maternity leave  ☐ Targets for women’s promotions
☐ Extended paternity leave  ☐ Women’s training programmes
☐ Leave for care of dependants  ☐ EO training programmes
☐ Sick-child days  ☐ Policy statement on EO
☐ Work based crèches/ nurseries  ☐ Company sexual harassment policy
☐ Job-sharing schemes  ☐ Others (Please Specify) .................

5 How does your company promote awareness of these equal opportunity measures to it’s employees? (Please tick the appropriate boxes)

☐ Newsletters  ☐ Notice boards
☐ Team briefings  ☐ Staff handbooks
☐ Internal web sites  ☐ Codes of practice
☐ Annual reports  ☐ Other (Please specify) .................
☐ Meetings
6 How effective, on a scale of 1-5, with 1 being the lowest and 5 being the highest, do you think your Equal Opportunity Policy is? (Please tick)

1 □ 2 □ 3 □ 4 □ 5 □

7 Why do you think this?

8 What do you consider to be the main advantages of Equal Opportunity Policy between women and men for business and the workplace?

9 How often do you update your Equal Opportunity Policy?

10 What influences you to update your Equal Opportunity Policy?

□ European Union  □ Internal policy
□ National government  □ Other (please specify) ..................
□ Opportunity 2000

11 Have European Union directives had any impact on your Equal Opportunity Policy?

Yes □  No □

12 If yes, please specify.

13 What potential impact do you think future directives regarding equal opportunities between women and men will have on your business?

Would you be interested in furthering your involvement with this European study regarding the impact of Equal Opportunity Policy on companies and employees? This would involve a short interview with the possibility of further questionnaires.

Yes □  No □
Appendix E

Store Follow Up.

Store Name: ________________________________

Hello
This is Carly Dugmore calling from Loughborough University.

In April of this year, I sent a package of equal opportunity questionnaires to your store and I am just telephoning to check that you received them.
Yes ______

No ______

Have you received any completed questionnaires?
Yes ______
No ______

Thank you for your time and co-operation.
Appendix F

Equal Opportunity Policy And Its Effect On UK Working Opportunities:
What you really think of Equal Opportunity

I am looking at peoples attitudes towards Equal Opportunity Policy as part of my PhD.
I would be grateful if you could spare 10-15 minutes to fill in this questionnaire.
It is strictly confidential and cannot be traced back to you. Thank you.

1 Are these equal opportunity measures available where you work (please tick)?:

<table>
<thead>
<tr>
<th>Measure</th>
<th>Yes □</th>
<th>No □</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy statements on equal opportunity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Harassment and Bullying Policy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Penalties for discrimination/ harassment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equal opportunity training programmes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equal Opportunities Action plans</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Extended maternity leave</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paternity leave</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Career break schemes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Job sharing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Targets for women’s promotions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Women’s training programmes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Work hours compatible with school hours</td>
<td>Yes □</td>
<td>No □</td>
</tr>
<tr>
<td>Work based crèche/ nurseries</td>
<td>Yes □</td>
<td>No □</td>
</tr>
<tr>
<td>Holiday schemes for kids Flexi Hours</td>
<td>Yes □</td>
<td>No □</td>
</tr>
<tr>
<td>Sick-child days</td>
<td>Yes □</td>
<td>No □</td>
</tr>
<tr>
<td>Leave for care of sick/ elderly relatives</td>
<td>Yes □</td>
<td>No □</td>
</tr>
<tr>
<td>Compassionate leave for other reasons</td>
<td>Yes □</td>
<td>No □</td>
</tr>
<tr>
<td>Equal Opportunities Committee</td>
<td>Yes □</td>
<td>No □</td>
</tr>
<tr>
<td>Harassment Committee</td>
<td>Yes □</td>
<td>No □</td>
</tr>
</tbody>
</table>

Others (please specify)

2 How does your employer publicise equal opportunity policy?

- Newsletters
- Team briefings
- Internal web sites
- Annual reports
- Meetings
- Notice boards
- Staff handbooks
- Codes of practice
- Other (Please specify) 
- Do not know
3a) Have you ever used any of the equal opportunity measures on offer at your current place of work?
   Yes □    No □ (If no, please go to question 3d)

If yes,
b) Which measure(s) have you used?

c) How helpful did you find it/ them to be? Please answer for each policy you have used.

If no,
d) Are there any particular reasons why you have not used any equal opportunity policies? Please state your reasons.

4 Are there any equal opportunity measures you might use in the future? Which ones and why?

5 How do you think that equal opportunity policy in your workplace could be improved?

6 What equal opportunity measure(s), if any, would you like to see introduced by your employers?

7 In your opinion, do work place equal opportunities benefit;
a) Women with children Yes□ No□
b) Women without children Yes□ No□

c) Please give reasons for your answers

8 Are there any ways in which equal opportunity policy might disadvantage:

a) Women with children Yes□ No□
b) Women without children Yes□ No□

c) Please give reasons for your answers

9 In your opinion, do workplace equal opportunities benefit:

a) Men with children Yes□ No□
b) Men without children Yes□ No□

c) Please give reasons for your answers

10 Are there any ways in which equal opportunity policy might disadvantage:

a) Men with children Yes□ No□
b) Men without children Yes□ No□

Confidential 228
c) Please give reasons for your answers

11a) Do you know of any laws regarding equal opportunities?

Yes ☐ No ☐

b) If yes, which ones do you know about (please list)?

c) How effective do you think they are? Please give reasons for your answer.

12a) Do you think Equal Opportunity Policy in the workplace is a good thing?

Yes ☐ No ☐

b) Please give reasons for your answer.
Section 2
Please tick the number from the list 1-5 below that corresponds most closely to your opinion. For example, if you strongly agree with a statement you should tick box number 1. If you strongly disagree with a statement you should tick box number 5. There is no right or wrong answer, it is your opinion that counts.

1. Women are less committed at work once they have a family

2. Equal Opportunity Policy prevents people from getting ahead on merit

3. Fathers of young children should work fewer hours in order to raise their children

4. Racial harassment should result in the sack

5. At the end of the day, the workload of parents who take time off work to be with their children falls on others

6. Employers are often put off hiring young women in case they become pregnant

7. Women should not expect the workplace to change just because they want to work

8. Concessions to allow fathers to spend more time with their families should be incorporated into any equality policy

9. No one can take care of their children as well as their mother

10. Tasks should be allocated to fit in with the abilities and needs of the disabled people working in that particular job/section
11 It is important for a mother to reduce her employment hours during her child’s formative years.
12 Managers are reluctant to promote women of child bearing years in case they become pregnant.
13 Access for disabled people should be provided in all buildings.
14 Women should ignore smutty banter if they want to get ahead in a job.
15 It is hard for women to be 100% reliable if they are responsible for little children.
16 Ethnic minority workers might dress differently to white workers but it has no influence on the quality of their work.
17 The way the labour market is set up makes it easier for women to care for children than for men to do so.
18 Parents are treated more favourably in terms of flexible hours and leave than childless employees.
19 Bosses pay women less because they don’t expect them to stay in their jobs as long as men.
20 If a worker takes breaks during the day to practice their religion extra work falls on the employees around him/her.
1. Gender: Female □ Male □

2. Age: Under 20 □ 21-30 □ 31-40 □ 41-50 □ 51-60 □ 60+ □

3. Racial Group: As based on the categories used in the 2001 Census
   - White:
     - British □ Irish □ White Other, please specify ..........
   - Black or Black British:
     - Caribbean □ African □ Black Other, please specify ..........
   - Asian or Asian British:
     - Indian □ Pakistani □ Bangladeshi □
     - Chinese □ Asian Other, please specify ..........
   - Mixed Parentage:
     - White and Black Caribbean □ White and Black African □
     - White and Asian □ Other, please specify ..........
   - Other Ethnic Background, please specify ..........
   - Racial group not known □

4. Marital Status: Single □ Married □ Living with Partner □ Separated/divorced □
   - Does your partner work: Yes, part time □ Yes, full time □ No □

5. Have you got children: Yes □ No □
   - If yes, how old are they: Pre school □ School age □ Over 18 □

6. Do you have a disability: Yes □ No □

7. What is your job group:
   - □ □ □ □ □ □ □

8. How many hours are you normally employed per week, please specify ..................
Appendix G  MEP Survey Results

Box G.1 Profile Summary

<table>
<thead>
<tr>
<th></th>
<th>Female (%)</th>
<th>Male (%)</th>
<th>All (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td>21.7</td>
<td>78.3</td>
<td>100</td>
</tr>
<tr>
<td><strong>Party</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Labour</td>
<td>60.0</td>
<td>47.2</td>
<td>50.0</td>
</tr>
<tr>
<td>Conservative</td>
<td>10.0</td>
<td>47.2</td>
<td>39.1</td>
</tr>
<tr>
<td>Liberal Democrat</td>
<td>20.0</td>
<td>2.8</td>
<td>6.5</td>
</tr>
<tr>
<td>Other</td>
<td>0</td>
<td>2.8</td>
<td>4.3</td>
</tr>
<tr>
<td><strong>Years as MEP</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First mandate</td>
<td>37.5</td>
<td>51.5</td>
<td>48.8</td>
</tr>
<tr>
<td>5-10 years</td>
<td>62.5</td>
<td>21.2</td>
<td>29.3</td>
</tr>
<tr>
<td>11-15 years</td>
<td>0</td>
<td>12.1</td>
<td>9.8</td>
</tr>
<tr>
<td>16-20 years</td>
<td>0</td>
<td>15.2</td>
<td>12.2</td>
</tr>
<tr>
<td><strong>Age</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20-30 years</td>
<td>0</td>
<td>5.4</td>
<td>4.3</td>
</tr>
<tr>
<td>31-40 years</td>
<td>11.1</td>
<td>8.1</td>
<td>8.7</td>
</tr>
<tr>
<td>41-50 years</td>
<td>22.2</td>
<td>21.6</td>
<td>21.7</td>
</tr>
<tr>
<td>51-60 years</td>
<td>55.6</td>
<td>40.5</td>
<td>43.5</td>
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<tr>
<td>61+ years</td>
<td>11.1</td>
<td>24.3</td>
<td>21.7</td>
</tr>
<tr>
<td><strong>Children</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>40.0</td>
<td>88.1</td>
<td>63.1</td>
</tr>
<tr>
<td>No</td>
<td>60.0</td>
<td>13.9</td>
<td>36.9</td>
</tr>
<tr>
<td><strong>Children Under 18</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>10.0</td>
<td>29.3</td>
<td>19.7</td>
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<tr>
<td>No</td>
<td>90.0</td>
<td>70.7</td>
<td>80.3</td>
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</tbody>
</table>
Chart G.1 Committees of the European Parliament

(i) Parliamentary Term 1994-1999

<table>
<thead>
<tr>
<th>Committee</th>
<th>Chair woman</th>
<th>Members</th>
<th>Women</th>
<th>Women (%)</th>
</tr>
</thead>
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<tr>
<td>Women's Rights</td>
<td>Yes</td>
<td>40</td>
<td>34</td>
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<tr>
<td>Culture, Youth, Education and the Media</td>
<td>No</td>
<td>40</td>
<td>20</td>
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</tr>
<tr>
<td>Environment, Public Health and Consumer Protection</td>
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<td>50</td>
<td>20</td>
<td>40.0</td>
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<tr>
<td>Civil Liberties and Internal Affairs</td>
<td>Yes</td>
<td>34</td>
<td>12</td>
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<tr>
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<td>60</td>
<td>17</td>
<td>28.3</td>
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<tr>
<td>Employment and Social Affairs</td>
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<td>45</td>
<td>12</td>
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<td>Legal Affairs and Citizens Rights</td>
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</tr>
<tr>
<td>Research, Technological Development and Energy</td>
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<td>31</td>
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<td>Regional Policy</td>
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<td>44</td>
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<td>Petitions</td>
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<td>30</td>
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<td>23.3</td>
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<td>Development and Cooperation</td>
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<td>38</td>
<td>8</td>
<td>21.1</td>
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<tr>
<td>External Economic Relations</td>
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<td>25</td>
<td>5</td>
<td>20.0</td>
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<td>65</td>
<td>13</td>
<td>20.0</td>
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<td>Budgets</td>
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<td>40</td>
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<td>20.0</td>
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<td>46</td>
<td>9</td>
<td>19.6</td>
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<td>Fisheries</td>
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<td>5</td>
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<td>Institutional Affairs</td>
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<td>Rules of Procedure, the Verification of Credentials and Immunities</td>
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<td>Transport and Tourism</td>
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<td>40</td>
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<tr>
<td>Total</td>
<td></td>
<td>774</td>
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Source: http://www.db-decision.de/FactSheets/AlteEP-Com_E.html
Date: 09.12.1999
(ii) Parliamentary Term 1999-2004

<table>
<thead>
<tr>
<th>Committee</th>
<th>Chair woman</th>
<th>Members</th>
<th>Women</th>
<th>Women (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women's Rights and Equal Opportunities</td>
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<td>34</td>
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<td>42.9</td>
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<td>21</td>
<td>38.0</td>
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<td>Petitions</td>
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<td>30</td>
<td>9</td>
<td>30.0</td>
</tr>
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<td>Citizens Freedoms and Right, Justice and Home Affairs</td>
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<td>43</td>
<td>12</td>
<td>27.9</td>
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<tr>
<td>Economic and Monetary Affairs</td>
<td>Yes</td>
<td>45</td>
<td>12</td>
<td>26.7</td>
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<td>Development and Cooperation</td>
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Source: http://www.db-decision.de/FactSheets/AlteEP-Com_E.html
Date: 09.12.1999
Pie G.1 Time working at EU, National and Local levels

(i) All
- EU: 60.6%
- National: 15.1%
- Local: 24.3%

(ii) Women
- EU: 58.7%
- National: 14.2%
- Local: 27.1%

(iii) Men
- EU: 62.7%
- National: 16.0%
- Local: 21.3%

Pie G.2 Important aspects of MEP's job

(i) All
- Serving constituents: 5.4%
- Establishing links between constituency and EU: 14.3%
- Explaining EU to constituents: 2.3%
- Listening to needs of local area: 5.4%
- Influencing legislation: 3.6%
- Committee work: 42.9%
- Protecting British interests: 16.7%
- Watchdog over commission: 10.7%

(ii) Women
- Serving constituents: 8.3%
- Establishing links between constituency and EU: 16.7%
- Explaining EU to constituents: 16.7%
- Listening to needs of local area: 16.7%
- Influencing legislation: 33.3%
- Committee work: 16.7%
- Protecting British interests: 8.3%
- Watchdog over commission: 46.5%

(iii) Men
- Serving constituents: 7.0%
- Establishing links between constituency and EU: 12.5%
- Explaining EU to constituents: 11.6%
- Listening to needs of local area: 11.6%
- Influencing legislation: 11.6%
- Committee work: 4.7%
- Protecting British interests: 11.6%
- Watchdog over commission: 4.7%
Pie G.3 Information sources used by MEP's

(i) All

- EU: 24.5%
- Government: 8.5%
- Tory Party: 5.7%
- Local authority: 5.7%
- NGO's: 5.7%
- TU: 3.8%
- Lobbyists: 4.7%
- Voluntary: 3.3%
- Constituents: 9.4%
- Media: 0.9%
- Internet: 20.8%
- Constituents: 10.4%

(ii) Women

- EU: 26.7%
- Government: 13.3%
- Tory Party: 3.3%
- Local authority: 6.7%
- NGO's: 6.7%
- TU: 3.3%
- Lobbyists: 10.0%
- Voluntary: 6.7%
- Constituents: 6.7%

(iii) Men

- EU: 19.7%
- Government: 7.9%
- Tory Party: 5.3%
- Local authority: 10.5%
- NGO's: 3.9%
- TU: 3.9%
- Lobbyists: 6.6%
- Voluntary: 14.5%
- Constituents: 7.6%

Pie G.4 Information sources used by MEP's (by category)

(i) All

- Interest Groups: 15.8%
- Personal: 1.1%
- Studies: 8.4%
- People: 7.4%
- Organisations: 67.4%

(ii) Women

- Interest Groups: 17.2%
- Personal: 3.4%
- Studies: 13.8%
- People: 6.9%
- Organisations: 58.6%

(iii) Men

- Interest Groups: 15.2%
- Personal: 6.1%
- Studies: 71.2%
- People: 7.6%
- Organisations: 6.1%
Pie G.5 MEP's Influence on EU policy

(i) All

- Public Forum: 7.8%
- Proposals: 2.6%
- Networking: 15.6%
- Committee Work: 15.6%
- Power of Vote: 5.2%
- Amendments: 7.8%
- Watchdog: 14.3%
- National Impact: 29.9%

(ii) Women

- Public Forum: 6.7%
- Proposals: 13.3%
- Networking: 13.3%
- Committee Work: 6.7%
- Power of Vote: 33.3%
- Amendments: 6.7%
- Watchdog: 6.7%
- National Impact: 33.3%

(iii) Men

- Public Forum: 8.1%
- Proposals: 16.1%
- Networking: 16.1%
- Committee Work: 4.8%
- Power of Vote: 17.7%
- Amendments: 8.1%
- Watchdog: 14.5%
- National Impact: 29.0%

Pie G.6 Defining EU EO policy

(i) All

- Policies that protect women from workplace discrimination: 18.6%
- Other: 2.3%
- Policies that allow women to reconcile family and work: 74.4%
- Policies that allow women and men to compete equally in all aspects of work:

(ii) Women

- Policies that protect women from workplace discrimination: 11.1%
- Other: 11.1%
- Policies that allow women to reconcile family and work: 77.8%

(iii) Men

- Policies that protect women from workplace discrimination: 20.7%
- Other: 2.9%
- Policies that allow women to reconcile family and work: 73.5%
Pie G.7  Role of EU in supporting mothers

(i) All

- Mothers of young children should be enabled to continue to work by being offered more child care facilities and services
- Mothers of young children should be given financial help to enable them to stay at home

(ii) Women

(iii) Men

G.8  Reasons women hold positions of responsibility less often than men

(i) All

- Lack interest
- Lack competition
- Domestic
- Men's attitudes
- Lack skills
- Structural

(ii) Women

(iii) Men

239
Pie G9  Efficiency of EU EO policy

(i) All

(ii) Women

(iii) Men

Pie G.10  Is EU EO policy strong enough?

(i) All

(ii) Women

(iii) Men
Pie G.11 Reasons why EU EO policy is ineffective

(i) All

- Undermined/ lack of enforcement at national and local level: 30.0%
- Limited approach to issues: 30.0%
- Not strong enough: 10.0%
- Undermined by attitudes/ male culture: 10.0%

(ii) Women

- Limited approach to issues: 50.0%
- Not strong enough: 25.0%
- Undermined by attitudes/ male culture: 25.0%

(iii) Men

- Limited approach to issues: 33.3%
- Not strong enough: 33.3%
- Undermined by attitudes/ male culture: 16.7%

Pie G.12 Issues for improving EU EO policy

(i) All

- Child care facilities: 23.8%
- Workplace changes: 14.3%
- Paternal issues: 14.3%
- Awareness and support services: 9.5%
- Targets for promotions and training: 14.3%
- Penalties for harassment and discrimination: 28.6%

(ii) Women

- Child care facilities: 28.6%
- Workplace changes: 14.3%
- Paternal issues: 14.3%
- Awareness and support services: 28.6%
- Targets for promotions and training: 28.6%
- Penalties for harassment and discrimination: 28.6%

(iii) Men

- Child care facilities: 21.4%
- Workplace changes: 21.4%
- Paternal issues: 7.1%
- Awareness and support services: 7.1%
- Targets for promotions and training: 14.3%
- Penalties for harassment and discrimination: 28.6%
Pie G.13 The importance of women MEP's

(i) All

- Representation: 15.6%
- Unique view: 21.9%
- Critical mass: 3.1%
- Reflect society: 53.1%
- Other: 6.3%

(ii) Women

- Unique view: 16.7%
- Critical mass: 16.7%
- Other: 16.7%
- Reflect society: 50.0%

(iii) Men

- Unique view: 24.0%
- Critical mass: 8.0%
- Other: 12.0%
- Reflect society: 56.0%
Pie G.14  Impact of EU EO policy on women

(iii) Impact (by all)

Disadvantages 26.3%
Advantages 73.7%

(i) Advantages (by all)

Horizon 7.1%
Pay equality 14.3%
Skills 7.1%
Treatment 7.1%
Respect 7.1%
Discrimination 7.1%
Opportunities 50.1%

(iii) Disadvantages

Pressure 20.0%
Backlash 20.0%
Ability questioned 20.0%
Competition 40.0%
Pie G.15 Impact of EU EO policy on men

(i) Impact (by all)

Disadvantages 45.5%
Advantages 54.5%

(ii) Advantages (by all)

Mettle 16.7%
Education 16.7%
Nicer workplace 16.7%
Equality 33.3%

(iii) Disadvantages (by all)

Jealousy 20.0%
Behaviour 20.0%
Adaptation 20.0%
Overlooked 20.0%
Competition 20.0%
Pie G.16 Impact of EU EO policy on workplace environment

(i) Impact (by all)

- Disadvantages 42.9%
- Advantages 57.1%

(ii) Advantages (by all)

- Balance 25.0%
- Moral climate 12.5%
- Behaviour 12.5%
- Friendlier 37.5%

(iii) Disadvantages (by all)

- Competition 16.7%
- Incompetence 16.7%
- Tensions 50.0%
- Favouritism 16.7%
Pie G.17  Impact of EU EO policy on business

(i) Impact (by all)

Disadvantages 28.6%
Advantages 71.4%

(ii) Advantages (by all)

Feminise 20.0%
Competition 10.0%
Resources 30.0%
Potential 10.0%
Balance 20.0%
Glass ceiling 10.0%

(iii) Disadvantages (by all)

Over regulation 50.0%
Cost 25.0%
Jealousy 25.0%
Pie G.18  Impact of EU EO policy on society

(i) Impact (by all)

Disadvantages 38.5%
Advantages 61.5%

(ii) Advantages (by all)

Fairer society 12.5%
Participation 12.5%
Less machismo 12.5%
Understand women 12.5%
Better relations 12.5%
Skill availability 25.0%
Independence 12.5%

(iii) Disadvantages (by all)

Women do it all 20.0%
Upsets traditionalists 20.0%
Family strains 20.0%
Children suffer 20.0%
Competition 20.0%
Pie G.19 Impact of EU EO policy on children

(i) Impact (by all)

Disadvantages 42.9%
Advantages 57.1%

(ii) Advantages (by all)

Better child care 12.5%
Shared parenting 25.0%
Role models 37.5%
Less stereotyping 12.5%
Better world 12.5%

(iii) Disadvantages (by all)

Neglected children 16.7%
Boys unsure of roles 16.7%
Competition 16.7%
Deprived of mums 50.0%

Pie G.20 Overall impact of EU EO policy

(by all)

Disadvantages 36.5%
Advantages 63.5%
Pie G.21 Challenges to EU EO policy

(i) All

- Legislative process is fine: 12.1%
- Take up by employees: 15.2%
- Business/employer level: 21.2%
- EU powers of enforcement: 27.3%
- Discretion at national level: 15.2%
- Policy Content: 9.1%

(ii) Women

- Legislative process is fine: 10.0%
- EU powers of enforcement: 50.0%
- Discretion at national level: 30.0%

(iii) Men

- Legislative process is fine: 13.0%
- Take up by employees: 17.4%
- Business/employer level: 30.4%
- EU powers of enforcement: 17.4%
- Discretion at national level: 8.7%
- Policy Content: 13.0%
Appendix H

Policy Observer Survey Results

Equal Pay Act

Pie H.1

EPA has increased the number of women in the labour market

Pie H.2

EPA has reduced gender segregation in the labour market

Pie H.3

Success of EPA in equalising men's and women's wages: 1, the lowest score, 5, the highest score

Pie H.4

EPA has impacted on the distribution of paid and unpaid work between couples who are both employed
National Minimum Wage

Introduction of the NMW will increase the number of women in the labour market

NMW will reduce gender segregation in the labour market

Success of NMW in equalising men's and women's wages: 1, the lowest, 5, the highest
Sex Discrimination Act

Pie H.8
SDA has reduced gender segregation in the labour market

Pie H.9
SDA has improved women's access to training and promotions

Pie H.10
SDA has improved women's chances of breaking through the glass ceiling

Pie H.11
Success of SDA in eliminating workplace discrimination between women and men: 1, the lowest, 5, the highest
**Employment Rights Act**

**Pie H.12**

ERA successfully protects the position of pregnant women/ women returning to work following maternity leave.

**Pie H.13**

ERA has improved the quality of jobs open to women returning to work following Maternity leave.

**Pie H.14**

ERA has improved access to training/ promotions for pregnant women/ women returning to work following maternity leave.

**Pie H.15**

ERA has encouraged a shift in the attitude of employers towards pregnant women/ women returning to work following maternity leave.
**Paternal Leave**

Pie H.16

Paternal leave will affect the balance of women and men in the labour market

Pie H.17

Paternal leave will have an impact on men in the labour market

Pie H.18

Paternal leave will have an adverse effect on the careers of working fathers

Pie H.19

Paternal leave will affect the distribution of child care between couples with children
Legislating EO Policy

Pie H.20
Importance of EO policy in achieving workplace equality between women and men: 1, the lowest score, 5, the highest

Pie H.21
How important has the impact of EU legislation been on EO policy at national level: 1, the lowest, 5, the highest

Pie H.22
EO policy oriented towards women can have a detrimental affect on the labour market activities of women

Pie H.23
EO policy aimed at women with children can have a detrimental impact on women without children

Pie H.24
More women in political decision making positions will lead to a more effective approach to EO policy between women and men
Appendix I

Policy Observer Study:
Recommendations for the Improvement of UK EO legislation

Recommendations to improve the success of the EPA
Numerous recommendations were put forward by the respondents for the improvement of the EPA. Notably, nobody suggested that the Act did not need to be improved. Several suggestions were made around the nature of the EPA. It was suggested that instead of two separate Acts, issues of equal pay and sex discrimination should come under the same heading so that women do not fall through the gaps in each law as they do at present.

Instead of being protective it was felt there should be some positive, proactive clauses in the Act so that legal victories benefit all workers and not just the individual. There should be a complete overhaul of the concepts of ‘value’ of different jobs where women’s work is assessed against men’s.

A number of changes were also suggested which were likely to increase women’s success when taking a case under the legislation. In general, it was felt that the law should make it easier for people to bring cases to court and protect them more effectively. It was felt that the burden of proof should be shifted to make the employer prove their innocence rather than the complainant prove their employers guilt, which is as it stands at present. There should be faster recourse to tribunals and to tribunal decisions. There should also be specialist training for tribunal members and financial support, such as legal aid, for people taking cases under the legislation.

Suggestions were also put forward for changes at the company and employer level. The general issue here was that employers have too much discretion when it comes to equality law, and that they need to be accountable to some sort of overseeing body. In this way, it should be mandatory for companies to conduct pay audits and report pay policy reviews in their annual accounts. Public bodies should be monitored for compliance with the Act.
Significantly, it was felt that the EPA can only work as part of a full compliment of equal opportunities: gender segregation in the market is due to a whole myriad of discrimination and bigotry that cannot be tackled by any single Act in isolation.

**Recommendations to improve the success of National Minimum wage**

The most common suggestion put forward by the respondents to increase the success of the NMW was to increase it's rate to a meaningful amount. It was felt that it should be set at a higher level by reviewing its level with reference to 'a living wage' and consultation with the Trade Union Congress. Also, it should be indexed to the average median wage, as per the poverty line, so as to remove politics from the equation and the rate should be raised automatically each year.

It was felt that enforcement procedures should be strengthened so that employers cannot get round it by for example reducing the hours of workers to keep their pay the same. The government should ensure a more effective implementation through policing of companies. A penalty should be created for abuse of the legislation.

**Recommendations to improve the success of the SDA**

As with the EPA many respondents felt that the EOC recommendations for a combined single act covering both sex discrimination and equal pay should be implemented. Other improvements recommended were a reversal of the burden of proof (now achieved), the inclusion of the right to take a class action and group cases under the legislation and a higher compensation limit. Also, it was felt that trained specialist tribunals should oversee discrimination hearings.

At the employer level, there needs to be safeguard's to ensure the proper and fair treatment of individuals who remain with the employers involved in the case. There should also be a proactive advocacy of policies to eliminate the need to use legislation.

**Recommendations for ERA and Maternity Provision**

The recommendations for improving the success of the maternity provision revolved around better pay, longer periods of leave and pay, longer periods of right to reinstatement, and more flexible arrangements generally, with both parents having the
right to return to part time work or reduced hours. Other member states in the EU were held up as examples of better and more successful provision. Paternity provision was seen as being required as a standard provision too.

**Recommendations to improve the success of Paternal Leave**

Firstly, at the time of the survey Paternity Leave remained to be introduced in the UK. However, it was recommended that to improve it’s success it must be paid, with the rate of pay a decent one. The problem of paying for Paternity Leave remains a contentious one, especially when companies start talking about profit margins. Yet it was felt that getting the government to pay for it will go equally as well:

“We’ve got to look at taxes for child care, some sort of tax incentive for companies.”

“Looking after someone else’s children is a responsible job and it shouldn’t be a low paid job. It should be given recognition like in other European Union countries.”

“Some of it can come down from companies, they could subsidise it. We need to change from the way we work, shorter term contracts, flexible hours of working.”

Also, leave should be flexible and extended to one year, reserving some months for fathers only. There should be a ‘daddy quota’ as in Norway and Sweden. Also, both parents should have the right to work reduced hours on return to paid work. There should be information in the workplace to allay fears of negative effects.
## Appendix J Large Organisation Survey Results
### Box J.1 Profile Summary

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<th>Female (%)</th>
<th>Male (%)</th>
<th>All (%)</th>
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Graph J.1 Awareness of national laws regarding EO

Pie J.1 Naming EO policy

(i) All

- At least 1 specifically: 20.8%
- A general area: 35.0%
- Cannot name at all: 44.2%

(ii) Women

- At least 1 specifically: 24.1%
- A general area: 35.2%
- Cannot name at all: 40.7%

(iii) Men

- At least 1 specifically: 18.2%
- A general area: 34.8%
- Cannot name at all: 47.0%
Pie J.2 Awareness of specific EO policy

(i) All

- 1.6% EPA
- 4.0% RRA
- 20.0% SDA
- 30.4% DDA
- 16.0% SENDA
- 28.0%

(ii) Mothers

- 11.8% EPA
- 23.5% RRA
- 41.2% SDA
- 28.6% DDA
- 23.8%

(iii) Fathers

- 14.3% EPA
- 3.6% RRA
- 28.6% SDA
- 28.6% DDA
- 14.3%

(iv) Childless women

- 4.8% EPA
- 14.3% RRA
- 23.8% SDA
- 23.8% DDA
- 33.3%

(v) Childless men

- 14.3% EPA
- 14.3% RRA
- 21.4% SDA
- 21.4% DDA
- 28.6%
Pie J.3 Awareness of general EO policy

(i) All

(ii) Mothers

(iii) Fathers

(iv) Childless women

(v) Childless men

Gender
Race
Disability
Employment law
Equal Pay
EO law
Chart J.1 Availability of EO policy at workplace

(i) EO policies AVAILABLE at the organisation
% of respondents who DO NOT think they are available

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<th>Policy statement</th>
<th>Mothers</th>
<th>Childless women</th>
<th>Fathers</th>
<th>Childless men</th>
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<td>Harassment and bullying policy</td>
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<td>Penalties for discrimination/ harassment</td>
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(ii) EO policies NOT AVAILABLE at workplace

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<tr>
<th></th>
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<td>Career breaks</td>
<td>20.8</td>
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<td>25.0</td>
<td>38.3</td>
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<td>Job share</td>
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<td>47.9</td>
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<td>53.2</td>
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<td>Women’s training</td>
<td>15.1</td>
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<td>women’s promotions</td>
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<td>18.8</td>
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Chart J.2 Publicising EO policy at the workplace

(i) Methods USED at the workplace

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<td>50.0</td>
<td>41.7</td>
<td>38.3</td>
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(ii) Methods NOT USED at the workplace
% of respondents who think these methods are used

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<th>Fathers</th>
<th>Childless men</th>
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<td>Team briefings</td>
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<td>Annual reports</td>
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<td>Staff handbooks</td>
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<td>50.0</td>
<td>62.5</td>
<td>57.4</td>
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</tbody>
</table>

Pie J.4 Use of EO policy

(I) used EO (all)

(ii) Used (by sex)

(iii) Used (by group)
Pie J.5 Reasons not used EO policy

(i) All
- No need: 9.6%
- New to job: 1.8%
- Waste of time: 1.8%
- None for me: 3.5%
- Not aware of any: 0.9%
- Risk to career: 1.9%
- Unfair application: 60.6%

(ii) Women
- No need: 17.3%
- New to job: 1.9%
- Waste of time: 1.9%
- None for me: 5.8%
- Not aware of any: 73.1%

(iii) Men
- No need: 3.2%
- New to job: 1.6%
- Waste of time: 1.6%
- None for me: 87.2%

Pie J.6 Reasons not used EO policy (by category)

(i) No need
- Mothers: 22.8%
- Fathers: 33.7%
- Childless women: 18.5%
- Childless men: 25.0%

(ii) Waste of time
- Mothers: 50.0%
- Fathers: 50.0%
- Childless women: 45.5%
- Childless men: 18.2%

(iii) Not aware of any
- Mothers: 50.0%
- Fathers: 45.5%
- Childless women: 38.4%
- Childless men: 18.2%
Pie J.7  EO policies used

(i) All

- Disability at work: 13.9%
- Discussions with EO officer: 2.8%
- Flexi time: 2.8%
- Compassionate leave: 2.8%
- Haras/ bully: 5.6%
- Creche: 7.7%
- Red. hrs for school: 2.8%
- Training: 11.1%
- Job share: 22.2%
- Sick kid days: 19.4%
- Kids hols scheme: 3.8%
- Ext. mat leave: 3.8%
- Part time work: 3.8%

(ii) Women

- Disability at work: 5.6%
- Discussions with EO officer: 2.8%
- Flexi time: 2.8%
- Compassionate leave: 2.8%
- Haras/ bully: 7.7%
- Creche: 7.7%
- Red. hrs for school: 2.8%
- Training: 19.2%
- Job share: 26.9%
- Sick kid days: 3.8%
- Kids hols scheme: 3.8%
- Ext. mat leave: 3.8%
- Part time work: 3.8%

(iii) Men

- Disability at work: 2.8%
- Discussions with EO officer: 2.8%
- Flexi time: 2.8%
- Compassionate leave: 2.8%
- Haras/ bully: 3.8%
- Creche: 3.8%
- Red. hrs for school: 2.8%
- Training: 26.9%
- Job share: 50.0%
- Sick kid days: 19.2%
- Kids hols scheme: 19.2%
- Ext. mat leave: 19.2%
- Part time work: 19.2%

Pie J.8  EO policies used (by category)

(i) Women

- Child policies: 43.8%
- Training: 18.8%
- Atypical hours: 37.5%

(ii) Men

- Child policies: 16.7%
- Training: 83.3%

(iii) Mothers

- Child policies: 42.9%
- Training: 42.9%
- Atypical hours: 14.3%

(iv) Fathers

- Child policies: 20.0%
- Training: 80.0%

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Graph J.2 Future use of EO policy

Pie J.9 Future use of EO policy

(i) All

- All: 88.6%
- Women: 87.5%
- Men: 89.5%

(ii) Women

- Women's training progs.: 2.1%
- Personal development policies: 1.2%
- Sick child leave: 6.3%
- Harassment and bullying: 4.2%
- EO training: 2.1%
- Flexi time: 4.2%
- Career break: 1.2%
- Care leave: 6.3%
- Compassionate: 8.3%
- Elder care leave: 8.3%
- Child policies: 12.5%

(iii) Men

- Disability discrimination: 19.4%
- Job share: 2.8%
- Maternity: 13.9%
- Paternity: 11.1%
- Extended maternity leave: 13.9%
- Work/school hrs: 11.1%
- Compatability: 2.8%
- Women's promotion targets: 8.3%
- Kids holiday scheme: 8.3%
Pie J.10 Future use of EO policy (by category)

Graph J.3 Future use of EO policy (by category)

Graph J.4 Improvements to EO policy
(% preferring changes to delivery rather than introduction of new policy)
Pie J.11 Improvements to delivery of EO policy

(i) All

- Snr management commitment
- More funding
- Publicity
- Improve practice, not just lip service
- Fines if fail targets
- Clarity
- Universal
- Transparency
- Quotas
- Emphasis on other factors
- Better training
- Consideration for dads
- Consideration for men
- More emphasis on race
- More emphasis on disability
- Positive prom. of women
- Better harass. policy
- Implementation

(ii) Women

(iii) Men
Pie J.12 Reasons why EO policy a good thing

(i) All

- Removes prejudice: 26.3%
- Raises awareness: 4.2%
- Morally right: 11.0%
- Good practice: 25.4%
- Levels field: 10.2%
- Same opps for all: 1.7%
- Unions: 21.2%

(ii) Women

- Removes prejudice: 22.6%
- Morally right: 7.5%
- Same opps for all: 11.3%
- Unions: 26.4%

(iii) Men

- Removes prejudice: 29.2%
- Same opps for all: 10.8%
- Unions: 24.6%

Pie J.13 Effectiveness of EO policy

(i) All

- Interpretation: 3.8%
- Lack awareness: 26.9%
- Cumbersome: 23.1%
- Difficult: 10.2%
- Partial coverage: 7.7%
- Lack enforcement: 7.7%
- Poor practice: 19.2%
- Attitudes: 7.7%

(ii) Women

- Interpretation: 16.7%
- Poor practice: 41.7%
- Attitudes: 14.3%
- Unions: 8.3%

(iii) Men

- Interpretation: 14.3%
- Poor practice: 28.6%
- Attitudes: 14.3%
- Unions: 14.3%
Pie J.14 Perceived benefits of EO policy to women (by category)

(i) by all

- Good for all: 33.3%
- Equality: 16.7%

(ii) by women

- Good for all: 35.7%
- Child policies: 50.0%
- Equality: 14.3%

(iii) by men

- Good for all: 30.8%
- Child policies: 50.0%
- Equality: 19.2%

Pie J.15 Perceived benefits of EO policy to men (by category)

(i) by all

- Good for all: 37.0%
- Equality: 11.1%

(ii) by women

- Good for all: 54.5%
- Child policies: 51.9%

(iii) by men

- Good for all: 25.0%
- Equality: 18.8%
- Child policies: 56.3%
J.16 Perceived disadvantages of EO to women (by women)

(i) by mothers
- Doubt commitment: 7.7%
- Maternity policies: 30.8%
- Risk career if leave: 7.7%
- Childless, workload: 15.4%
- Childless, perks: 23.1%
- Resentment coworkers: 15.4%

(ii) by childless women
- Sick kids, no support: 22.2%
- Doubt merit: 11.1%
- Childless, choice: 22.2%
- Childless, workload: 22.2%
- Childless, perks: 22.2%

Pie J.17 Perceived disadvantages of EO policy to men (by men)

(i) by fathers
- 2nd class to women: 25.0%
- Resentment: 12.5%
- Loss FT work: 12.5%
- Men must cope: 12.5%
- Lose trad. power: 12.5%
- Childless, choice: 12.5%
- Childless, perks: 12.5%

(ii) by childless men
- 2nd class to women: 16.7%
- Resentment: 16.7%
- Paternity unpaid: 16.7%
- Excluded from child care: 16.7%
- Paternity is career risk: 16.7%
Pie J.18 Reasons why EO policy is not working

(i) EO not working for all groups (by all)

Sex 25.7%
Parents 25.1%
Childless workers 49.2%

(ii) EO not working for women (by all)

Sex 16.1%
Mothers 25.0%
Childless workers 58.9%

(iii) EO not working for men (by all)

Sex 34.2%
Fathers 26.3%
Childless workers 39.5%

Pie J.19 Effect of EO policy on childless women

(i) by women

Choice 25.9%
Workload 33.3%
Perks 40.7%

(ii) by mothers

Choice 10.0%
Workload 20.0%
Perks 70.0%

(iii) by childless women

Choice 35.3%
Workload 41.2%
Perks 23.5%

(iv) by men

Choice 30.0%
Workload 30.0%
Perks 40.0%
Pie J.20 Effect of Eo policy on childless men

(i) by men
Choice 25.0%
Perks 75.0%

(ii) by fathers
Choice 33.3%
Perks 66.7%

(iii) by childless men
Perks 100.0%

(iv) by women
Choice 18.2%
Perks 36.4%
Workload 45.5%
### Table J.1

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<tr>
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It is important for a mother to reduce her employment during her child's formative years.

### Table J.2

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It is important for a mother to reduce her employment during her child's formative years.

### Table J.3

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<td>42.9%</td>
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Concessions allowing fathers to spend more time with their families should be incorporated into any policy concerning equality.
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Concessions allowing fathers to spend more time with their families should be incorporated into any policy concerning equality

<table>
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<tr>
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Table J.4

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Table J.5

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| 1.9% | 2.1%  | 1.4%  |

277
Table J.6

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Table J.7

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<td>21.8%</td>
<td>29.4%</td>
<td>26.9%</td>
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Table J.8

<table>
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<th>Neutral</th>
<th>Disagree</th>
<th>Strongly disagree</th>
</tr>
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<td>Sex</td>
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<td>Row %</td>
<td>Row %</td>
<td>Row %</td>
</tr>
<tr>
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<td>6.9%</td>
<td>32.7%</td>
<td>26.7%</td>
<td>25.7%</td>
</tr>
<tr>
<td>Men</td>
<td>8.4%</td>
<td>34.5%</td>
<td>32.8%</td>
<td>19.3%</td>
</tr>
</tbody>
</table>
Employers are often put off hiring young women in case they become pregnant.

Strongly agree | Agree | Neutral | Disagree | Strongly disagree
---|---|---|---|---
Women: | | | | |
Col % | 3.8% | 10.4% | 5.6% | 12.8%
Men: | | | | |
Col % | 5.0% | 14.6% | 3.8% | 19.8%

Table J.9

Managers are reluctant to promote women of child bearing years in case they become pregnant.

<table>
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<tr>
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</thead>
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<td>Agree</td>
</tr>
<tr>
<td>Row %</td>
<td>Row %</td>
<td>Row %</td>
</tr>
<tr>
<td>Women:</td>
<td>8.9%</td>
<td>21.8%</td>
</tr>
<tr>
<td>Men:</td>
<td>5.9%</td>
<td>26.1%</td>
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Table J.10

Bosses often pay women less because they do not expect them to stay in their jobs as long as men.

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<tr>
<td></td>
<td>Strongly agree</td>
<td>Agree</td>
</tr>
<tr>
<td>Row %</td>
<td>Row %</td>
<td>Row %</td>
</tr>
<tr>
<td>Women:</td>
<td>5.0%</td>
<td>19.8%</td>
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<tr>
<td>Men:</td>
<td>3.4%</td>
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Table J.11
Parents are treated more favourably in terms of flexible hours/leave

Table J.11

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<tr>
<td>Parents are treated</td>
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<td></td>
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<tr>
<td>more favourably in</td>
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<tr>
<td>terms of flexible</td>
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<tr>
<td>hours/leave</td>
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<td>22.9%</td>
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<tr>
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<td>34.0%</td>
<td>33.3%</td>
</tr>
<tr>
<td>Neutral</td>
<td>22.6%</td>
<td>25.0%</td>
</tr>
<tr>
<td>Disagree</td>
<td>30.2%</td>
<td>14.5%</td>
</tr>
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Table J.12

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<td>Col %</td>
<td>Col %</td>
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<tr>
<td>Parents are treated</td>
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<tr>
<td>more favourably in</td>
<td></td>
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<tr>
<td>terms of flexible</td>
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<td>hours/leave</td>
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</tr>
<tr>
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Table J.13

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<td>The workload of parents who take time off work to be with their children falls on others</td>
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<td>13.4%</td>
</tr>
<tr>
<td>Agree</td>
<td>39.6%</td>
<td>42.9%</td>
</tr>
<tr>
<td>Neutral</td>
<td>16.8%</td>
<td>21.0%</td>
</tr>
<tr>
<td>Disagree</td>
<td>23.8%</td>
<td>13.4%</td>
</tr>
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<td>No</td>
<td>Col %</td>
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<td>2.8%</td>
</tr>
<tr>
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<td>9.4%</td>
<td>16.7%</td>
</tr>
<tr>
<td>Neutral</td>
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<td>12.5%</td>
</tr>
<tr>
<td>Disagree</td>
<td>39.6%</td>
<td>35.4%</td>
</tr>
<tr>
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<td>Col %</td>
<td>Col %</td>
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<td>42.0%</td>
<td></td>
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<tr>
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<td>31.1%</td>
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<td>16.0%</td>
<td></td>
</tr>
<tr>
<td>Disagree</td>
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<td>9.2%</td>
<td></td>
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### Table J.16

<table>
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<th>Sex</th>
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<tr>
<td>Strongly agree</td>
<td>Agree</td>
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<tr>
<td>Row %</td>
<td>Row %</td>
</tr>
<tr>
<td>Sex</td>
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</tr>
<tr>
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<td>19.3%</td>
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### Table J.17

<table>
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<tr>
<td>Col %</td>
<td>Col %</td>
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</tr>
<tr>
<td>Men</td>
<td>47.2%</td>
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<tr>
<td>Neutral</td>
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<tr>
<td>Disagree</td>
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<tr>
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### Table J.16

<table>
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<th>Neutral</th>
<th>Disagree</th>
<th>Strongly disagree</th>
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<tbody>
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<td>Row %</td>
<td>Row %</td>
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<td>3.0%</td>
<td>1.0%</td>
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<td>37.8%</td>
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### Table J.17

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<th>Men</th>
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<td></td>
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<tr>
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### Table J.18

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<th>If a worker takes a break to practise their religion extra work falls on the employees around her/him</th>
<th>Strongly agree</th>
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<th>Neutral</th>
<th>Disagree</th>
<th>Strongly disagree</th>
</tr>
</thead>
<tbody>
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<td>Row %</td>
<td>Row %</td>
<td>Row %</td>
<td>Row %</td>
<td>Row %</td>
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<tr>
<td>Women</td>
<td>6.9%</td>
<td>18.8%</td>
<td>35.6%</td>
<td>28.7%</td>
<td>9.9%</td>
</tr>
<tr>
<td>Men</td>
<td>6.7%</td>
<td>20.2%</td>
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### Table J.19

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<th>Children</th>
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<th>Yes</th>
<th>No</th>
<th>Children</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
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<td></td>
<td>Col %</td>
<td>Col %</td>
<td>Col %</td>
<td>Col %</td>
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<td>Col %</td>
<td>Col %</td>
</tr>
<tr>
<td>If a worker takes a break to practise their religion extra work falls on the employees around her/him</td>
<td>Strongly agree</td>
<td>9.4%</td>
<td>5.6%</td>
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<td>18.8%</td>
<td>22.2%</td>
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<td>38.3%</td>
<td>29.8%</td>
<td>29.6%</td>
<td>6.4%</td>
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<td>34.7%</td>
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<td>29.6%</td>
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<tr>
<td></td>
<td>Disagree</td>
<td>28.3%</td>
<td>29.2%</td>
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<th>Yes</th>
<th>No</th>
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<th>No</th>
</tr>
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<td>Col %</td>
<td>Col %</td>
<td>Col %</td>
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<td>Col %</td>
<td>Col %</td>
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<td>1.9%</td>
<td>1.4%</td>
<td>1.4%</td>
<td>6.4%</td>
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<td></td>
<td></td>
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<td>2.1%</td>
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<td>Disagree</td>
<td>36.6%</td>
</tr>
<tr>
<td></td>
<td>Strongly disagree</td>
<td>31.7%</td>
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Diagram K.1 The Effect of EO policy on Childless Women
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