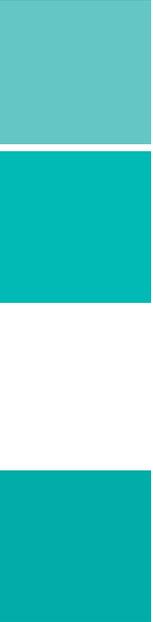


Towards a Vision

for a Gender Equal Society



THE EQUALITY AUTHORITY
AN tÚDARÁS COMHIONANNAIS



Towards a Vision for a Gender Equal Society

Foreword

Towards a Vision of a Gender Equal Society seeks to establish a framework within which our society could elaborate a vision of gender equality. It sets out such a framework and identifies the key areas requiring change within this framework. In doing so it acknowledges progress made while equally acknowledging the distance our society must travel if gender equality is to be achieved. As such, integral to our vision of what a gender equal society would look like is a vision for the mechanisms that are required to achieve such a society and how these will need to evolve.

Towards a Vision of a Gender Equal Society is a position prepared by the Equality Authority as part of our contribution to the preparation of a National Action Plan for Women. It is a position that shapes and guides our own contribution to gender equality. Our hope is that a consensus for change will be mobilised and given direction. The urgent need for such change cannot be denied.



Niall Crowley
Chief Executive
Equality Authority

Contents

| | |
|--------------------------------------|----|
| Introduction | 4 |
| The Vision of a Gender Equal Ireland | 5 |
| The Need for a Vision | 6 |
| A Framework for this Vision | 7 |
| Realising the Vision | 15 |
| Conclusion | 20 |

Introduction

The National Action Plan for Women provides a valuable opportunity to establish a shared vision of a gender equal Ireland. It will allow us to renew our commitment to the empowerment of women and to ensure that all people benefit from this gender equal society. Such a vision will provide clear direction for change. It will allow measurement of progress towards our goals. It will mobilise the leadership and public commitment necessary for the achievement of this progress.

In making this submission the Equality Authority draws on its experience as a body established under the Employment Equality Act 1998 to promote equality of opportunity and to work towards the elimination of discrimination in employment and in matters to which the Equal Status Act 2000 applies.

This equality legislation covers nine grounds – gender, marital status, family status, age, disability, sexual orientation, race, religion and membership of the Traveller community. The Equality Authority has argued for the extension of these grounds to include socio-economic status, criminal conviction, trade union membership and political opinion. Women are present across all of these grounds with different identities, experiences and situations from which a diversity of needs and aspirations emerge. The vision of a gender equal Ireland must have a relevance across this diversity.

In 2000, the first full year of the operation of the Equality Authority 3,214 queries were received under the Employment Equality Act 1998, the majority of which related to gender issues. Furthermore, employment equality claims under the gender ground constituted over 50% of the cases taken by the Equality Authority. Among the prominent issues were pregnancy related discrimination involving dismissal, working conditions and promotion, equal pay and sexual harassment. Notwithstanding the fact that gender discrimination has been covered by legislation for over twenty years, and therefore there is more practice in addressing gender issues, it is clear that gender inequality persists in the workplace.

The legislation has up to now resulted in a focus on gender equality outcomes in the labour market. The Equal Status Act 2000 broadens the scope of the legislative protection into the provision of goods, services and facilities, therefore substantially expanding the areas for the generation of gender equality outcomes. The introduction of the Equal Status Act 2000 is an acknowledgment of the necessity to address inequalities in spheres other than the workplace and offers a potential to address all the dimensions of inequality. The number of gender related enquiries and claims under the Equal Status Act 2000 is small at this stage. However, this is a very new area thus the use of this legislation to generate gender equality outcomes will take time. There are already a significant number of claims made by women covering accessing to registered clubs.

The Vision of a Gender Equal Ireland

The Beijing Declaration provides valuable commitments from which to elaborate the vision of a gender equal Ireland. It establishes a shared conviction that:-

“Women’s empowerment and their full participation on the basis of equality in all spheres of society, including participation in the decision making process and access to power, are fundamental for the achievement of equality, development and peace”.

The Equality Authority’s vision of a gender equal society is reflective of this conviction. It is a vision of a society where

- there is equality between women and men in the economic, political, cultural and caring arenas.
- women have achieved equality of access, participation and outcome in all spheres of society both public and private.
- the diversity among women is acknowledged, valued and accommodated in policy and institutional practice.

The realisation of this vision will require a strategic combination of enhanced equality legislation, equality institutions, gender mainstreaming, targeting, participation, agenda setting and monitoring.

The Need for a Vision

Women experience inequality in a wide range of areas. There can be no doubt that change is necessary. The systemic and structural nature of these inequalities is established in the Platform for Action which states:-

“Throughout their entire life cycle, women’s daily existence and long term aspirations are restricted by decision making attitudes, unjust social and economic structures, and a lack of resources in most countries that prevent their full and equal participation”.

Current inequalities are evident in the political, the economic, the caring and the cultural arenas. They include

- under representation of women in the Dáil, on local authorities, on state boards and in the judiciary
- the persistent and significant gender pay gap, over-representation of women among low paid workers and among those living in poverty and under-representation of women as employers and as property holders (including farms) and under representation of women at management level in the business world and in the public sector
- the unequal and inequitable sharing of caring responsibilities, and the low levels of take-up by men of family friendly working arrangements
- the ongoing use of negative images of women in cultural, commercial and education materials.

Inequality is caused by many factors in society and is manifest in many different ways in society. Sophisticated responses are necessary, responses that address the various elements of the economic, political, cultural and human interaction systems and structures that we have established as a society. As such, in seeking to establish our vision of a gender equal society we need to do so around a framework that incorporates these different systems and structures.

A Framework for this Vision

Recent work done by the National Economic and Social Forum, with the support of the Equality Studies Centre in UCD, provides us with a valuable framework of equality objectives which could usefully serve in devising and setting out this vision of a gender equal society in some further detail. The framework consists of four equality objectives:-

- 1. Redistribution**
This objective is concerned with the economic sphere and the equal distribution of resources.
- 2. Representation**
This objective is concerned with the political sphere and the generation of capacity, access and systems to secure equal representation and participation in decision making.
- 3. Recognition**
This objective is concerned with the cultural sphere and with equality in facilitating an exploration and affirmation of all identities.
- 4. Respect**
This objective is concerned with the caring and emotional sphere and with generating the opportunities for all to develop their full emotional potential and allowing people to support each other and care for each other, particularly when vulnerable.

These four objectives can be addressed in their own right. They are also interlinked with each objective, shaping and informing approaches under the other objectives. They have a capacity to embrace the twelve critical areas of concern set out in the Platform for Action and to give a strategic framework for a shared vision of a gender equal society.

In exploring each of these objectives for the gender equal society this submission establishes the linkage of the objective to the Platform for Action, sets out current issues of gender inequality in this area, establishes a coherence between this objective and commitments made in the Platform for Action, and finally, sets out key elements suggested by this objective for the vision of a gender equal society.

(I) REDISTRIBUTION – ACHIEVING ECONOMIC EQUALITY

The Platform for Action emphasises this economic dimension of the gender equal society. Five out of twelve critical areas of concern in the Platform for Action relate directly to this objective – women and poverty, education and training of women, women and health, women and the economy and women and the environment. The first action agreed for the Platform for Action commits Government to

“Review and modify, with the full and equal participation of women, macro-economic and social policies with a view to achieving the objectives of the Platform for Action”.

This redistribution objective focuses attention on current issues of poverty, in the workplace, at home, in economic development and in the provision of services.

Women are more likely to be poor. Women are more likely to be raising children alone and are more likely to be in part-time work and/or low paid work. The situation of Traveller women, women with disabilities, lesbians, older women and refugee women further emphasise this situation of poverty.

The Irish workplace exhibits significant gender segregation. Women are concentrated in particular occupations in the labour market and only have a limited presence in other occupations. Women are significantly under represented in positions of authority in the private and public sectors. A significant gender pay gap persists. Sexual harassment, pregnancy related discrimination and bullying in the workplace continue to be major problems. Women migrant workers can experience harsh working conditions. Refugee women, Traveller women and women with disabilities experience significant barriers in their search for employment. Lesbian women avoid some areas of the labour market for fear of what would happen once they are identified as lesbians.

The focus on the home raises issues of the experience of poverty by households headed by women. The question of income distribution within the home between women and men is also relevant.

Economic development strategies can all too often be assumed to be gender neutral. This is problematic. Challenges are evident in the under-representation of women as entrepreneurs, in the low level of women identified as farm owners, in inequalities of access to productive resources, and in the under-representation of women as leaders in the business world.

Education, health and accommodation services are highlighted in the Platform for Action. These can raise issues for all women such as the concentration of girls and boys in some subject areas of education, access for women to services on the basis of being a dependent rather than in their own right, and access to quality health services. These also raise issues for specific groups of women, such as the educational issues experienced by women with disabilities and Traveller women, health issues experienced by Traveller women, lesbians and refugee women and accommodation issues experienced by Traveller women.

These are issues that find expression in the Platform for Action in commitments that point to key dimensions of the vision of a gender equal society. These include commitments to “restructure and target the allocation of public expenditures to promote women’s economic opportunities and equal access to productive resources and to address the basic social, educational and health needs of women, particularly those living in poverty”, to the “creation of an educational and social environment, in which women and men, girls and boys are treated equally and encouraged to achieve their full potential”, to “develop goals and time frames, where appropriate for improving women’s health”, to “eliminate occupational segregation especially by promoting the equal participation of women in highly skilled jobs and senior management positions” and to “develop a strategy for change to eliminate all obstacles to women’s full and equal participation in sustainable development and equal access to and control over resources”.

As such, in achieving economic equality, the vision of a gender equal society should include:-

- anti-poverty strategies that target initiatives and resources on particular groups of women such as older women, women head of households, women who are full time carers, women who are balancing work and caring responsibilities, Traveller women, refugee women, women with disabilities and lesbians
- a restructured workplace and labour market policies that accommodate the multiple roles played by women and men, in particular caring roles, and that allow for more fluidity between different forms of employment and between paid work and fulfilling other responsibilities
- a labour market that reflects equality between men and women in positions of authority, that affords real choices across the full range of occupations to all men and women, and that has no gender pay gap
- equality of access to, participation in, and outcome from training, in particular special skills training and training to meet the specific needs of women.

- workplaces that are free from sexual harassment, discrimination, pregnancy related discrimination and bullying
- economic development strategies that achieve outcomes of equality for women as entrepreneurs and full access for women to productive resources
- the organisation of economic activity and taxation and social welfare policies in a manner that achieves economic independence for women
- gender sensitive service provision that addresses the specific needs of women, in particular reproductive needs, that addresses the needs of specific groups of women, that achieves equality of outcome for women and that provides access for women in their own right.

(2) REPRESENTATION – ACHIEVING POLITICAL EQUALITY

The Platform for Action identifies the importance of the political dimension of the gender equal society in establishing ‘women in power and decision making’ as a critical area of concern. It states that:

“Women’s equal participation in decision making is not only a demand for simple justice or democracy but can also be seen as a necessary condition for women’s interests to be taken into account. Without the active participation of women’s perspective at all levels of decision making, the goals of equality, development and peace cannot be achieved”.

This representation objective focuses attention on current issues of representation, participation and capacity.

Women are significantly under-represented across all political institutions. The organisation of political life, whether it be the political parties themselves or the institutions of representative democracy, present serious difficulties of access. They are not organised in a manner that accommodates the multiple roles women are currently required to play.

The participation of women at Board level in the public and private sector also reflects inequality as does participation by women in the judiciary. The focus on participation must also look to institutions of participatory democracy including our model of social

partnership. In these institutions there is an important, direct and named participation of women's interests. However, further progress could be made in terms of the participation of the full diversity of women's interests and in terms of the accessibility to women of the various organisations involved in these institutions at local, regional and national level.

A wide ranging network of women's organisations has grown up over past decades. These reflect a significant capacity for the participation of women's interests in decision making as well as a significant commitment to building this capacity to participate among the full diversity of women. Further progress could be made in building and resourcing such organisations in particular among refugee women, lesbians, women migrant workers, older women and women with disabilities.

These are issues that find expression in commitments in the Platform for Action that point to key dimensions of the vision of a gender equal society. These include commitments to "establishing the goal of gender balance in governmental bodies and committees, as well as in public administrative entities, and in the judiciary", to "take positive action to build a critical mass of women leaders, executives and managers in strategic decision making positions", to take measures to "encourage political parties to integrate women in elective and non-elective public positions in the same proportion and at the same levels as men", and to "encourage efforts by non-governmental organisations, trade unions and the private sector to achieve equality between women and men in their ranks".

As such, in achieving political equality, the vision of a gender equal society should include:-

- equal participation by men and women in all structures and organisations that have decision making, norm setting and resource allocation powers
- equal participation by men and women in political life and the organisation of political life to facilitate this
- empowered and resourced women's organisations that can effectively articulate and bring forward women's interests and the interests of specific groups of women
- equal participation by men and women in the judiciary
- participation by women's organisations in the institutions of participative democracy at local, regional and national level and equal participation by men and women across all organisations involved in these.

(3) RESPECT – ACHIEVING AFFECTIVE EQUALITY

The Platform for Action identifies the importance of the affective dimension of the gender equal society across a number of the critical areas of concern. These include Women and the Economy, Women and Health, Women and Poverty and Violence Against Women. The Platform for Action makes a number of statements on caring responsibilities including a commitment to

“Encourage men to share equally in childcare and household work and to provide their share of financial support for their families even if they do not live with them”.

This respect objective focuses attention on current issues of caring responsibilities, infrastructure for caring, and on violence against women.

Women are disproportionately bearing the burden of combining paid employment, family responsibilities and community participation. Women undertake most of the responsibility for caring work and work in the home. This is a causal factor in the lower labour market participation rates of women. It is predominately women who avail of family friendly workplace arrangements where these are available.

Economic activity and political activity, as noted above, are not widely organised in a manner that accommodates the multiple roles currently played by women at work, in the community and at home. The caring infrastructure for children, older people and people with disabilities is underdeveloped.

Violence against women is the antithesis of any attempt to achieve affective equality. It is a widespread phenomenon that has received significant attention. However there remains much to be done to meet the needs of women experiencing violence, to make this violence socially unacceptable and to eradicate it.

These are issues that find expression in the Platform for Action in commitments that point to key dimensions of the vision of a gender equal society. These include commitments to “adjust employment policies to facilitate the restructuring of work patterns in order to promote the sharing of family responsibilities”, to “provide affordable support services, such as high quality, flexible and affordable child-care services, that take into account the needs of working men and women” and to “develop programmes and procedures to eliminate sexual harassment and other forms of violence against women in all educational institutions, workplaces and elsewhere”.

As such, in achieving affective equality, the vision of a gender equal society should include:-

- an equal sharing of caring work and family responsibilities between men and women
- an accessible, appropriate and affordable caring infrastructure to meet the needs of childcare, care of older people and care of people with disabilities
- adequate and accessible leave systems to allow parental responsibilities to be met including maternity/paternity and parental leave arrangements which are paid
- a requirement across the political, economic and social arenas to reasonably accommodate people with caring responsibilities
- effective and accessible resources for women who experience violence, to challenge and change men's behaviour in this regard and to provide leadership that ensures such violence is socially unacceptable.

(4) RECOGNITION – ACHIEVING CULTURAL EQUALITY

The Platform for Action identifies the importance of the cultural dimension of the gender equal society in establishing 'Women and the Media' as a critical area of concern and in its focus on the diversity of women. In its focus on women and the media the Platform for Action states that

“The continued projection of negative and degrading images of women in media communications – electronic, print, visual and audio – must be changed”.

This recognition objective focuses attention on current issues of stereotypes and negative imagery, visibility and diversity of identity.

Negative images of women in cultural, commercial and educational materials has long been recognised as denigrating and objectifying women. Oppressive and negative images of women that are widespread can lead to internalised forms of oppression.

Negative imagery and stereotypes contribute to a form of invisibility. False imagery means the reality of women's lives is not communicated. Invisibility is also an issue where the

contribution of women to an area of activity is not acknowledged or recorded. A further dimension to invisibility can be the unequal representation of women and men in literature, the arts or the media.

Recognition is a key issue when the diversity of women is considered. Different identities, experiences and situations of Traveller women, lesbians, refugee women, Black and other minority ethnic women, women with disabilities, older women or working class women can be denied. There can be a failure to give value to this difference and to tease out the practical implications of this difference for policies, procedures and practices. This failure can be a direct causal factor for exclusion.

These are issues that find expression in the Platform for Action in commitments that point to key dimensions of the vision of a gender equal society. These include commitments to encourage relevant bodies “to increase the number of programmes for and by women to see to it that women’s needs and concerns are properly addressed”, for national and international media systems to develop “regulatory mechanisms, including voluntary ones, that promote balanced and diverse portrayals of women by the media” and for Governments to “promote the concept that the sexist stereotypes displayed in the media are gender discriminatory, degrading in nature and offensive”.

As such, in achieving cultural equality, the vision of a gender equal society should include:-

- imagery of women reflecting the reality of women’s lives and aspirations
- the contribution of women and men being equally visible
- education and training systems actively countering gender stereotyping and promoting and informing gender equality
- clear agendas for change being identified and implemented for and with women from minority groups to accommodate their diversity.

Realising the Vision

Two of the critical areas of concern in the Platform for Action relate to the means by which a gender equal society can be achieved. These are “institutional mechanisms for the advancement of women” and “Human Rights of Women”. These include three strategic objectives to

- “Create or strengthen national machineries and other governmental bodies”.
- “Integrate gender perspectives in legislation, public policies, programmes and projects”.
- “Generate and disseminate gender-disaggregated data and information for planning and evaluation”.

Recent work by the National Economic and Social Forum establishes the concept of a strategic framework for action on equality. This includes equality legislation, equality institutions, mainstreaming, targeting, participation, agenda setting and monitoring. It is suggested that this framework be included as part of the vision for a gender equal society and that it be developed as follows:

(i) Equality Legislation

Legislation is an important foundation for the creation and maintenance of a gender equal society. Rights based in legislation are a prerequisite for such a society. Such rights will evolve over time. This evolution will take as its starting point our current equality legislation – the Employment Equality Act 1998 and the Equal Status Act 2000.

In a gender equal society such legislation will encompass positive duties to promote and realise equality alongside prohibitions on discrimination. Positive duties to promote and realise equality will ensure that gender imbalances are monitored and addressed if and when they become apparent. This would focus on the economic, political, cultural and affective arenas.

The prohibition on discrimination will evolve to a unified definition of discrimination which incorporates all elements of discrimination and which focuses on the causes and effects of discrimination. This will replace the current division between direct and indirect discrimination. It will move away from the reliance on a comparator, which has been problematic where a comparator is not available or where a comparator is equally ill served. It will embrace the concept of the need to accommodate characteristics specific to the individual such as caring responsibilities.

Equality legislation will prohibit statute based discrimination and will further require the balanced appointment of women and men to state boards. Positive duties and prohibitions on discrimination would apply to the private and the public sector. The focus on the public sector would encompass functions (including powers and duties), service provision and employment roles.

(ii) Equality Institutions

The effective implementation of rights requires institutions to enforce and implement these rights. The Equality Authority is the relevant institution in this instance. Its role includes building a consciousness of rights and obligations, enforcing positive duties where these exist and prohibitions on discrimination, and innovating and promoting effective equality strategies.

The powers and roles of the Equality Authority will evolve over time as society moves towards gender equality. In a gender equal society it will have a central role in establishing standards against which discrimination can be measured. It will set and monitor standards in the promotion of equality and duties associated with this task. It will have powers to review any legislative proposal and to report on this review.

It will also have powers to secure easier and speedier relief from discrimination. This involves being able to take class actions, group cases or representative actions and the power to seek an injunction looking for various reliefs while determination of a claim is pending. The power to intervene as a third party in any proceedings in any court or tribunal hearing or adjudicative process involving law, policy or practice relating to the promotion of equality or the elimination of discrimination will also be available.

(iii) Mainstreaming

Gender mainstreaming requires clarity of gender equality objectives. It involves a capacity to assess the impact of a decision or policy on men and women, on gender equality and on stated gender equality objectives. It requires the participation of individuals and organisations representing women's interests and needs an adequate monitoring of outcomes. Gender mainstreaming has progressed under the National Development Plan with significant impetus from the gender mainstreaming unit in the Department of Justice, Equality and Law Reform.

Mainstreaming is the bedrock of a gender equal society. It ensures that women's as well as men's needs, interests, concerns, experiences and priorities are an integral dimension of the design, implementation, monitoring, follow-up and evaluation of policy and decision making. Gender mainstreaming and the use of gender impact assessments and equality reviews and action plans, provide important insights as to the most effective and suitable way of achieving the vision of a gender equal society. Gender impact assessments involve an examination of the differential gender impact of a policy or its implementation. Equality reviews are an examination of the policies, practices, procedures and perceptions impacting on equality within organisations. An action plan defines the goals and steps necessary to promote gender equality and better accommodate diversity within the organisation.

In moving towards a gender equal society, gender mainstreaming will be broadened beyond the National Development Plan. In a gender equal society mainstreaming would have a statutory basis and be sophisticated enough to take account of the diversity among women, there would be an investment of resources to deliver mainstreaming and an investment to ensure that the personnel capacity to mainstream is developed and maintained.

(iv) Targeting

The targeting of resources on groups experiencing inequality is an important accompaniment to mainstreaming. Positive action is a feature of the equality legislation and is allowed to assist integration into the workplace on gender, age (older workers), Traveller and disability grounds. It is allowed across the nine grounds in relation to the provision of goods, services and facilities to address disadvantage experienced by any of the groups covered by the legislation or to meet special needs.

In moving towards a gender equal society, targeting of resources on women and on specific groups of women will address any legacy of past discrimination, will meet needs and aspirations specific to women and to specific groups of women and will resource effective mainstreaming.

(v) Participation

Women's organisations play key roles in the pursuit of a gender equal society. They provide arenas where women can collectively identify and articulate their interests. They give voice to these interests in the negotiation of policy and service provision. They provide key supports and resources to women.

In a gender equal society these roles will continue to be important and adequate resources will be provided to ensure they are played effectively.

(vi) Agenda Setting

The National Action Plan for Women is an important exercise in agenda setting. Further work of a more detailed nature will establish clarity for the agenda for change for women from minority groups, in particular women migrant workers, women refugees, and working class women.

(vii) Monitoring

Targets are essential signals to the steps necessary for the creation of a gender equal society. Targets offer specific directions and goals to be achieved, and in turn allow measurement of progress. In a gender equal society targets will be set with women and women's interest groups and with representatives of the diversity among women, and monitored regularly. Targets in a gender equal society will trigger investment of resources, both in terms of resourcing positive action measures to achieve objectives and in terms of resources to reach the vision of a gender equal society.

Clearly the setting of targets will involve establishing effective and agreed gender equality indicators. The development of a core set of indicators under each of the objectives of redistribution, representation, recognition and respect will underpin all activity to realise the vision of a gender equal society.

Monitoring will also need to be a feature of the implementation of the National Action Plan for Women. A structure is required to assess progress, identify barriers and suggest new ways forward as appropriate. This developmental monitoring should enhance the impact of the Plan.

Conclusion

This submission does not seek to set out a comprehensive vision of a gender equal society. Rather it seeks to establish a framework within which such a vision could be elaborated and to identify the key themes within this framework. The Equality Authority looks forward to the successful completion of this process of preparing a National Action Plan for Women and is ready to contribute to its successful implementation.