

# Women in Law and Society

## Preface

**Prof. Dr. Ingeborg Schwenzer, LL.M., Chairperson of the group of experts**

The first projects of the National Research Program 35 "Women in Law and Society: Paths towards Equality" started in 1993. Meanwhile, all research projects have been finished. The backdrop for the program was the recognition that, although gender equality has been inscribed into the federal constitution since 1981, inequalities between women and men in Switzerland have not disappeared and will not be eliminated through legal means alone. Gender equality is a complex issue, and must be addressed on several levels at once. What can or should be the contribution of science? To be efficient, gender equality politics depends firstly on a solid database on the situation of women and men in Switzerland. Secondly, there is the need for a systematic examination of theoretical foundations: how is equality understood, and what are the practical consequences of different concepts? We are far away from a consensus regarding the aims of gender equality. The path towards it is therefore all the more difficult. Thirdly, the identification of obstacles and resistance against the implementation of gender equality is accordingly an important task for research. From these foundations, concrete measures can and should eventually be evaluated and further elaborated.

In addition to these goals which are orientated towards practical and political implementation, the NFP 35 also addresses demands within science itself. The lack of gender equality is also visible in the spectacular under-representation of women within science and in the related exclusion of certain research questions and perspectives. The NFP 35 represents an important stimulation for gender research, which is marginalised in Switzerland. Universities and polytechnics will benefit from the results of the program. Last but not least, the projects also offered qualification opportunities to young researchers and contributed therefore to the constitution of a research potential for gender studies in Switzerland

The present third and last information bulletin of the NFP 35 offers a brief overview of the results of the 23 research projects, as well as publication references and contact addresses of the research team for those who are interested in discussing the issues further.

Prof. Dr. Ingeborg Schwenzer, LL.M., Chairperson of the group of experts

## National Research Program 35: An Overview

**Prof. Dr. Thanh-Huyen Ballmer-Cao, Program director**

Some fifty researchers, working on 24 projects, focused on the issue of gender relations during the past four years. Their research is structured around three central axes, which also constitute the goals of the National Research Program 35 (NFP/PNR35).

Our first goal is to analyze the *different conceptions of equality* that have shaped gender relations in the past and present time. It is important to consider the origin and the

evolution of concepts of equality, from a social, legal, philosophical, or religious angle. The second goal of the NFP/PNR35 is to reveal the *obstacles* to the concretisation of equality. It is crucial to identify in which domains and especially why equality politics doesn't attain its ends. The third goal of the program is to locate *available and possible* paths towards gender equality.

These vast aims obviously extend beyond the limited focus of the Program. The research projects nevertheless provide important explanations regarding these issues. The research findings are presented in around 10 000 pages. It is at once difficult and risky to "synthesize" them. Therefore, some central contributions will be focused on instead.

- With regard to the first research axis, the social construction of gender and of gender relations has been confirmed. Several projects demonstrate that masculinity, femininity and gender relations are not natural facts but constructed representations. This construction is rendered seemingly "natural" through sexualisation. The process is continuously readapted to the gender hierarchy and to the specific needs of societies.

Gendered representations are solidly anchored. They penetrate all social sub-systems such as law, economy, education, family, etc. They are at the same time confirmed by institutions, in particular churches, courts, firms, schools, etc. A process of mutual validation results. For example, gender differences are reflected in the labor market through job segregation. The firms' organizational structures reinforce this segregation through the sexualisation of jobs and the naturalization of professional qualities. Finally, employees legitimize this discourse and these practices, with women and especially men defending "their" territories.

Despite being established and self-enforcing, representations are subject to change. In modern societies, where individual identity appears to become more "negotiable", sexual representations start to become more flexible. This is the case in certain domains of politics or the economy, where integration starts to become a practice without however upsetting the gender hierarchy. This process of transformation is neither new nor final. Historical studies show that the evolution of gender relations is precisely marked by discontinuities. Frequent setbacks render the very idea of definite gains illusory.

- The detection of obstacles to equality, which is the second research axis of NFP/PNR35, proves to be more difficult than expected. While gender inequalities are often evident, sophisticated analyses are needed to identify obstacles and especially the causal chain that leads to these obstacles.

To start with, the field is highly fragmented. In particular, several models of equality exist. The ideas of formal equality and material equality differ both with respect to postulates and to argumentation or conclusions. Codification dynamics contribute to the plurality of the models. For example, opinions on the regulation of gender relations are subject to change: the prohibition of night-work for women or co-education, for example, are considered sometimes as progress and sometimes as obstacles. The perception of inequalities constitutes another example of fragmentation: Not only do sensibilities regarding inequalities vary according to social space but they also decrease with proximity or intimacy. In other words, sensibilities decrease when relations become more personal.

An effort to uncover and to "contextualise" is needed to grasp the obstacles. Let us mention some contributions of NFP/PNR35.

Some forms of progress are not really a progress at all, such as the feminisation of certain professions, for example. The high visibility of the new arrival of women pastors in the clergy acts as a magnifying glass, which amplifies and exaggerates the success of a minority. The failure of the majority, as well as those symptoms which accompany this feminisation are neglected, such as a loss in prestige, a salary drop, precariousness, etc.

Reconstructing the causal chain of inequalities demands in particular a distrust of convenient explanations. For example, the analysis of employment and other activities shows that women's professional investment is not subordinated to family charges. This does not mean, however, that the combination of family with employment has little importance to professional engagement. On the contrary, the problem of reconciling family with work needs to be solved previously and then continuously managed by those women who wish to work. Consequently, the "entry ticket" does not offer life-long access to the labor market, and does not at all offer a base for career promotion in the work domain.

Another difficulty of the effort of unveiling is that situations are asymmetrical. Men and women draw very different benefits from the same situation, for example, from voluntary work in the social domain. They also react differently to those members of the opposite gender who enter their professional "bastions". Of course, the same factors rarely have identical effects on both genders. For instance, marriage decreases salary for women but increases salary for men.

- The third research axis, which aims to identify available and possible paths towards gender equality, does not offer any "ready-made" solutions. On the one hand, the public debate constitutes a crucial element, which any policy should take into account. On the other hand, the variety of concepts of equality or the fact that social constructions of gender mutually reinforce each other and adapt, underlines the complexity of the issue of gender equality and the lacunae in our knowledge. Nevertheless, a great number of projects of NFP/PNR35 have formulated concrete propositions regarding the specific domains that they deal with, including law, economy, education, family, etc.

The projects indicate the need for actions, since gender equality between has been recognized as a norm within Swiss society. But beyond this guiding principle, the projects also raise problems that underlie the implementation of gender equality. For example, the fact that the diversity of women's situations as a group renders global measures difficult or the cleavage between the individual and the collective level, which constitutes an important legal obstacle to affirmative action.

Of course, the advances regarding women's issues and equality cannot only be attributed to equality politics. This would be a reductionist view of an infinitely complex reality, where very often external factors turn out to be at least as determining. For instance, the destandardisation of employment tends to "feminise" work, by rendering the male norm of life-long full-time work more flexible. The reason for this lies more with the need for flexibility on the part of an economy in a restructuration phase, than with gender equality. Beyond the risk of a back-lash, "crises" sometimes fragilise the status quo and can therefore be beneficial to women.

These results raise a series of questions: will the gender equality in the future increasingly result from "external" motives? Will a global politics of equality still be possible, given the increasing individualization of inequalities? If not, should we satisfy ourselves with partial measures? If yes, would the notions of "losses" and "gains" still make sense? These questions demand further analysis. While NFP/PNR35 represents an important impulse to research on women and on gender relations in Switzerland, it also

demonstrates that it is only the beginning of a long task of reflection for the scientific community.

## **Quotas and gender equality**

**Kathrin Arioli**

The main research questions of the project on “Quotas and Gender Equality“ can be summarised as follows: What model of equality or of equalisation is used to determine quotas? Are some models incompatible? What legal and non-legal obstacles do quotas encounter? How should quota measures be designed to become effective means for achieving real gender equality?

The goal of the project was to present foreign research results in various disciplines to a broad Swiss public, to stimulate Swiss research projects in different fields, as well as scientific debates in Switzerland. This goal was to be achieved by an international conference on „Quotas and Gender Equality“ and the allocation of smaller research tasks.

The three-day international conference on „Quotas and Equality“ took place from 30 March to 1 April 1995 at the ETH Zurich. The following speakers were invited: Tom Campbell, Faye Crosby, Jonathan Leonard, Andrea Maihofer, Heide Pfarr, Ute Sacksofsky, Hege Skjeie, and Eliane Vogel-Polsky. The presentations clearly revealed how deeply the debate on the legitimisation as well as the legitimacy of quotas is marked by the societal, political, economic, and cultural context of various states.

The domains in which quotas are introduced, as well as their success, depend on the characteristics of political decision processes, on the degree of social homogeneity of a state, on the perception of discrimination in society, and on the organisation of democratic participation.

The research tasks were allocated to Sidonia Blöttler and Birgit Christensen, Christa Tobler, Tomas Poledna, Denise Buser and Ruth Voggensperger, and Regula Mader. Four contributions in particular deal with quotas in the political domain. These include, on the one hand, theoretical papers on the issue of constitutionality, and on the other hand, applied research on several concrete quota models. One contribution focused on moral and legal debates and included new innovative considerations as well as theorisations of assimilation. Another contribution outlined various legal theories regarding gender equality and its relation to quotas. It examined furthermore the interpretation of equality of rights between the genders as expressed in the jurisdiction of the Federal high court.

Although these contributions fill some of the research lacunae, numerous questions remain unanswered; for example, the implementation, the economic benefits and the costs of quota.

## **Collective Employment Contracts: (Wo)Men’s Business**

**Beat Baumann, Tobias Bauer, Bettina Nyffeler, Stefan Spycher**

Our research team investigated 69 of the largest collective employment contracts (GAV) that were effective in 1993, in order to examine the relevance of the GAV - the most important instrument of the social partnership - to the politics of gender equality. The study shows contradictions in the collective employment contracts with regard to equality issues. On the one hand, they reflect the discrimination of women in the labour force. On the other hand, the contracts also contain a potential for enhancing equal opportunities. Regulations on maternity leave, for instance, apply to 96 percent of the women covered by the GAV: The average claim amounts to twelve weeks and substantially exceeds the legal minimum - particularly during the initial employment years. Provisions are made in five GAV's for a seven to twelve months period of unpaid parental leave. Where such regulations concern mothers exclusively, however, they are problematic, reinforcing a gendered role division. In addition, the collective employment contracts partially fill the legal gap in the regulation of paid leave of absence for the purpose of caring for sick children. Nearly one quarter of the contracts covering one third of all individuals concerned by the GAV include such a claim. This amounts to two to five days per year.

Explicit wage discrimination against women has become rare in the large collective employment contracts since the equal rights act went into effect in 1981. Of the 69 largest collective employment contracts - representing 1.24 million (or 88 percent) of all employees covered by the GAV - two still have lower wage schedules for women than for men. Two qualifications limit this research result: First, substantially more wage discrimination exists in the smaller comprehensive employment contracts. Second, direct discrimination has been frequently replaced by covert discrimination. For instance, the wage categories "woman" and "man" were replaced by "light work" and "heavy work". On the whole, one out of six GAV wage categories still discriminates against women.

#### *Discrimination against part-time employment*

In contrast to men, who are mostly employed full-time, over 50 percent of all women work part-time - especially those with children. One out of three collective employment contracts excludes at least partially the possibility of part-time work. In addition, part-time employment is clearly placed at a disadvantage regarding overtime pay regulations. Merely three contracts include extra pay for overtime when the part-time schedule is exceeded. Six collective employment contracts - covering 16 percent of all women in the GAV - include special arrangements to promote women. Meanwhile, the language of the contracts is predominantly male-biased. Three-fifths of the examined GAV's consistently exclude women through their entirely male-centred discourse.

#### *A social partnership that respects the principle of equality*

The research group suggests models of regulations that make collective employment contracts efficient instruments for the implementation of policies on gender equality. A first step toward avoiding direct and indirect discrimination in the future must be to include all employees of GAV-governed enterprises into the comprehensive employment contracts, regardless of their work sector and employment conditions. An improved wage transparency furthermore facilitates the elimination of gender differences with respect to wages. The combination of work and family is central to gender equality. Therefore, this issue should command more attention in employment policies. This could be achieved easier, if equal opportunity committees were prescribed by the GAV.

## **The attribution of roles in the disablement insurance**

## **Katerina Baumann and Margareta Lauterburg**

The disablement insurance is - similar to the old age and surviving dependants pension scheme - a public insurance, which covers not only those who are gainfully employed but also those who aren't. According to Federal legislation and the law on disablement insurance, men and women, those who are gainfully employed and those who aren't, should be treated equally under similar circumstances. However, figures show a one-sided distribution of resources: disabled men receive allocations more often than disabled women. They also receive full allocations more often than disabled women. Regarding the professional measures, we observe an unequal treatment, which disadvantages women. Aid is not distributed in an egalitarian manner either: disabled women receive fewer and less expensive aid.

We explored the following research questions:

- ï Is the principle of the equivalence between gainful employment and housework and childcare practised by the first instance courts? Do first instance courts erode the principle of equality of the constitution and the law?
- ï Do adjustments of first instance courts really lead to a moderate improvement of the position of women? Is there resistance against legal measures toward gender equality?
- ï Do value judgements with reference to gender influence the insured women's allocations? Do preconceptions about gender roles block the fair distribution of social security resources and the enforcement of equalising concerns?
- ï Given the findings regarding these questions, which measures would actually improve women's position in the disablement insurance?

We analysed the evolution and the current situation of the disablement insurance on the basis of decrees, directives, and jurisdiction. The study was based on available statistical data. Legal practice on the cantonal level was studied with regard to specific questions. The statistical data testified to the efficiency of legal adjustments. On the basis of the analysis, we propose measures for a more egalitarian distribution of social security resources between men and women in all domains of the disablement insurance.

The constitutional principle of equality is already insufficiently translated into the law. Profoundly unequal treatments of the gainfully employed and insured members who work in the domestic sphere are designed into the law itself and in particular into the concept of disability. Legal ordinances and instructions further increase the erosion of the principle of equality.

Adjustments towards gender equality in legislation, ordinances, and instructions have become effective only to a limited extent. Sometimes, legal measures have even led to a deterioration of resource distribution. „Equality friendly“ judgements are only hesitantly translated into action. Instead of leading to a more egalitarian distribution, changes displace discriminating argumentation to another level. Latitude of judgement is usually interpreted in the sense of a traditional understanding of roles. As a result, women are refused resources. Specific measures to the advantage of insured members have led to measurable improvements of the distribution of resources in those domains where the discretion of the disablement insurance agencies had been restricted.

## **Gender Equality and Divorce Laws: An Empirical Study of Six Courts of First Instance**

## **Monika Binkert and Kurt Wyss**

The study examines whether and how concepts of gender equality influence divorce court decisions, and what practical effects the divorce settlements have on the economic situation of the divorcing parties. To answer the research question, nearly 800 divorce cases from six courts of first instance were selected and analysed (quantitative part of the study). Additionally, judges and attorneys who practice at these courts were interviewed (qualitative part of the study).

The study demonstrates that the handling of the respective divorce settlements depends substantially on the prevailing conceptions of equality within the individual courts. The individual judges and attorneys make different use of the latitudes of interpretation offered within the divorce law, depending on the conceptions of gender and gender equality that they favour. Three conceptually different interpretations can be located among the examined courts, although each conception in its own way eventually results in discrimination against divorced women. The first interpretation, termed "traditionalism," connects to the conception of the wage-earning husband prevailing in former marriage law. As a result, the wife is disciplined, first, by coercing her into consenting with the divorce proceedings and second, by blaming her for the dissolution of the marriage. In contrast, the second interpretation - termed "formal-egalitarian" - emphasizes a formally equal treatment across gender. The effect of this notion is to force the divorced wife into paid labour, while neglecting to acknowledge her previous child care and domestic labour efforts. The third interpretation, termed "compensatory", attempts to achieve actual equality for both divorcing parties. However, such efforts run the risk of locking the woman into the role of mother and housewife.

The conceptions of gender relations that permeate divorce settlements are all the more important as they will have a direct impact on the economic position of the divorcees - another important finding of the study. Summarising the statistical analysis, two results emerge: First, the majority of divorced husbands find themselves in far better economic circumstances compared to their ex-wives. Second, far more women than men face great financial difficulties immediately after the dissolution of the marriage. On the basis of the usual legal method for calculating the minimum cost of living, the following emerges: In 33 percent of all divorce cases, the financial resources available immediately after the divorce are insufficient to cover the minimal costs of living for women and their children. For men, in contrast, this is true for nearly 16 percent of the divorce cases.

The evaluation of the various courts shows that the statistically demonstrated unequal treatment across gender in economic terms is most pronounced in those courts, which interpret divorce legislation in a traditionalistic or in a formal-egalitarian manner.

## **The Conceptualisation of Difference: Political Theory and the Idea of Equality**

### **Ariane Bürgin**

My research focuses on the process of "bourgeois reorganisation of equality and difference" in society. This process could be described as follows: equality and difference have always represented key principles for the structuring of the social order. In the public space of feudal and absolutist political systems, both principles are

connected. Difference is the principle of vertical social stratification. Equality is the principle of horizontal equality between members of groups and social strata, where, in absolutist states, this meant full equality of all subjects before the absolute power of the sovereign. In bourgeois egalitarian thought, the political space is conceptualised - at least in principle - as a domain without relations of subordination and without differences.

The question that I want to raise is: What are the effects of this modern shift in equality and difference for the concept of gender difference? My work intends to contribute to debates on equality and difference in the sense that I will seek to elaborate my research questions in terms of modern political philosophy tradition, long neglected by feminist theory in the German literature. At the same time I adopt insights from debates around the category of "gender", in that I work with the premise that gender cannot be defined as a prediscursive given.

The analysis of Hobbes's absolutist and Rousseau's democratic political theory indicates that the categories "woman", "gender", and "gender difference", are closely connected with the respective political models in which they are incorporated. Hobbes conceptualises gender difference in terms of gradual diversity, and, on the whole, offers little elaboration of the concept. I argue that this should be interpreted in the light of the subordinated position of gender difference in the absolutist state, based on the difference between sovereign and subjects. In contrast, Rousseau conceptualises the political domain as free from any asymmetrical relations of subordination. For him, society is no longer structured by the difference between sovereign and subjects, but by gender difference. Indeed, the task which Hobbes attributes to the sovereign - guaranteeing peace and unity - is, for Rousseau, incumbent on women. Thus, the equalisation of the political domain results in a revalorisation of gender difference as a politically constitutive function. Linked to this is Rousseau's conception of gender difference as a fundamental opposition. Similar to Hobbes, it seems important to Rousseau to secure the difference which gives shape and structure to the state by making it absolute. The standard critical ideology reading of Rousseau's conception of gender difference as a strategy of legitimisation of male domination therefore proves to be an unsatisfactory interpretation which underestimates the central function of gender difference in his political design.

## **Egalitarian Role Division of Part-Time Employed Parents**

**Margret Bürgisser**

### *Project outline*

The aim of the study on egalitarian role division of parenting was to examine the experiences of married and unmarried parents, who both are employed part-time and share household and child care tasks. Twenty-eight Swiss-German couples with workloads of between 50 and 70 percent of full-time employment were interviewed. They were questioned on the characteristics of their arrangements, as well as the social preconditions of the role division. Consideration was given on the one hand to a longitudinal perspective (biographical factors, socio-cultural background, and motives, which led to the chosen model, etc.). On the other hand, the organisation of professional and family-related day-to-day activities of the respective couples was investigated within the framework of a situational analysis. It was furthermore examined how the couples concretely divide the different roles, and what advantages

and disadvantages they perceive in an egalitarian role model. The realisation and interpretation of the study was carried out according to the standards of qualitative social research.

### *Results*

The majority of the couples within this study are employed in social, pedagogic, therapeutic, journalistic, or artistic professions. This indicates that skilled part-time employment is mostly concentrated in certain employment sectors. Men were also working in unconventional technical professions. It is not unusual for the interviewed persons to be equipped with multiple qualifications and to have reached their current occupation after acquiring training in one or two other fields.

The reasons for choosing an egalitarian division of labour are manifold: Women mainly aim to combine professional and family life in a satisfactory manner. They desire challenging work but they are neither willing to dispense with children, nor to become dependent on extra-familial child care. In addition, the women in the study demand active child care participation from their partners. For the men, the priority is to play an active role in fathering. Furthermore, they acknowledge their partner's desire for activities outside of the home. Frequently, however, they are also sceptical about the social norm of full-time employment.

According to the study, the majority of the couples are satisfied or very satisfied with the arranged role division. Although the egalitarian division of labour demands a substantial organisational effort, the couples view the combination of work and family as enriching. Conflicts concerning household chores frequently occur, although the total household workload is only marginally higher for women than for men. The continuous presence of the mother *and* the father in the children's everyday life is particularly valued. Lack of institutional support (social security, law, school, etc.) as well as prejudices and restrictions connected with part-time employment emerge as the disadvantages. Reservations toward an egalitarian role division among parents can also be felt within the social network. The study suggests that the interviewed couples highly value their individual autonomy, as well as parenthood and their relationship to each other. Autonomy and solidarity are both of great importance in this domestic interplay.

## **Christian Traditions: Source or Barrier to Gender Equality?**

**Roland J. Campiche, Claude Bovay, Martine Haag**

The ambivalence of religion with regard to debates on equality is remarkable. Indeed, in the past, Christian traditions have produced forms of resistance against changes in women's social status as well as contributed to women's religious and social emancipation. For example, certain nineteenth century religious currents contributed to the legitimization of new values. This ambivalence has become even more pronounced in the contemporary context. The diversity in modes of appropriation of religion has been stimulated by the shattering of confessional boundaries in a context of social and cultural mobility and by the intensification of pluralism within religious traditions. These developments in particular are at the origin of a conservative and liberal bipolarization of collective and individual status and identities.

The role of religion in processes of legitimization and implementation of gender equality has been analysed on the basis of a study of three different fields:

- The evolution of the discourse of religious organisations on the liberalisation of abortion since 1950.
- The decision on and the consequences of women's entry into the clergy, as well as its consequences.
- The interaction between changes in social status and roles, and the construction of a religious identity.

The value of equality, central to modernity, has been taken up by religious discourse. This incorporation in both doctrine and religious organisation mirrors prevailing social and cultural pluralism. However, on the level of representations, conservative positions remain more visible because of their radicalism. This type of discourse is more efficient than liberal attitudes, as positions towards abortion demonstrate. Similarly the measures taken within Protestantism, such as the introduction of quotas on different organisational levels or women's access to all functions within the clergy since the 1970s, do not lead to the standardisation of status and roles. Thus, women pastors tend to work in part-time positions in order to combine their double roles of women and mothers. As a result, religion represents for women pastors, more than for their male counterparts, a resource regarding their relation to modernity - a new dimension of the ambivalence mentioned earlier. This resource allows them to reconcile the unreconcilable, e.g., the double social expectations of combining femininity/motherhood and performance. The stereotype that "religion is a woman's domain" is therewith, paradoxically, consolidated.

## **Atypical forms of work of women in Switzerland**

### **Working women and types of employment**

#### **Christine Dellsperger**

This research starts from the hypothesis that atypical forms of employment are an obstacle to the reduction of gender inequalities in the labour market. Atypical work is defined here as all forms of employment that do not fall into the category of fixed-term full-time salaried employment. Women are more likely than men to be engaged in these forms of work and the trend is increasing. The study examines whether atypical employment has proved to be more insecure than "normal" work during the recent economic recession, and to what extent it blocks the professional promotion of women. With respect to the second issue, the analysis is restricted to fixed-term, salaried, part-time jobs, which are the most common atypical form of employment.

The research is based on the statistical analysis of data from the Swiss labour force survey (SAKE/ESPA), and, secondarily, on other sources. The results are representative for Switzerland. The evolution of types of employment is studied for the period from 1991 to 1993, in part with the help of a longitudinal analysis.

Between 1991 and 1993, the proportion of women employed in so-called atypical jobs has increased, with two out of three women involved, as against only three men out of ten. Although this evolution does not imply directly that women's jobs have become less secure, there is a tendency for certain categories of work to become more vulnerable. This includes insecurity in some unqualified jobs for self-employed workers and an increase in jobs involving only a few hours a week (salaried or self-employed) as well as salaried jobs with variable working hours. Permanent part-time employment is increasing at the expense of full-time work but does not seem to be more at risk with regard to

unemployment. As far as salaries and social security are concerned, however, it should be noted that the high number of jobs with only a few weekly working hours imply vulnerable situations or, at the very least, a strong economic dependence for the women involved.

In Switzerland, part-time work corresponds largely to women's demands and only rarely suggests under-employment. It originates mainly in the gender division of labour within couples. Women who work part-time are professionally at a disadvantage, compared to women employed full-time. This is revealed through the analysis of the respondents' hierarchic position, their qualifications and their involvement in further training. Part-time employment is mostly concentrated in particular economic activities and professions. It tends to perpetuate or even increase gender segregation. The possibilities of employment involving only a few hours weekly are particularly limited, while there is little difference in this respect between 50 percent or higher part-time employment and full-time positions for women.

## **An Economic Analysis of the Causes of Wage Differences Between Men and Women in Switzerland**

**Yves Flückiger, Zeba Ahmad**

The main aim of this study was to analyse the origin of wage differences between women and men. The research - covering the period from 1991 to 1994 - was mainly based on the ESPA survey (Swiss survey on the working population). It also used the data from a pilot study on wages that was carried out in Geneva in 1991. Our research revealed that in 1994, the average salary was approximately 27% higher for men than for women. This inequality has thus slightly increased during recent years, because it was not higher than 25% in 1991. In the same year, the wage gap was only 20% in Geneva.

The study examined the factors that influence salary levels, in order to measure the discriminatory component of the observed wage differences. It was found that every added year of education leads to an average salary increase of more than 7%. It was also found that the number of years spent in the labour market considerably influences salary levels. Nevertheless, it seems that employers do differentiate by gender. While one additional year of work experience increases women's wages by 2.8%, men's salaries increase by 3.6%. Another interesting finding is that, controlling for other factors, married men receive higher salaries than single men while being married tends to work in the opposite way for women.

Persons who work part-time are at a disadvantage. This is particularly true for men whose wage rate per hour decreases by more than 3% if they work part-time. For women, this figure is about 1%. Finally, one's hierarchic position also strongly influences wage levels, but this influence is quite gender-specific. A man who is promoted to senior management earns on average 33% more than his lower-level colleagues. Women in similar positions receive a salary increase of 23%.

Amongst the determinants of wage levels, we found that in Geneva as well as in Switzerland as a whole, the discriminatory behaviour of employers explains approximately 40% of the overall gap between men and women. Generally, the State is a less discriminatory employer than the private sector. Gender discrimination explains "only"

25% of the wage differences in the public sector, compared to more than 40% in the private sector.

When gender segregation is taken into account in the analysis of wage differences, it appears that in the private sector, gender discrimination in connection with promotion practices explains about one third of the total wage gap. Another third is the result of discrimination within the different hierarchic positions, where salaries are unfairly differentiated according to gender. The last third is caused by the fact that men are offered more possibilities for promotion because of better individual qualifications for a career.

However, gender segregation linked to the type of profession or the work domain does not seem to cause the wage difference between men and women. In other words, wage discrimination happens within (rather than between) different professions and work domains. Women thus seem to make a "rational" choice when seeking employment in certain sectors, which offer them higher salaries than they could expect within male-dominated domains.

## **Male Dominance and Violence Against Women Within the Family In Switzerland**

**Lucienne Gillioz, Jacqueline De Puy, Véronique Ducret**

This research studies relations of domination and violence against women within families in Switzerland. The study is constructed around two main research axes:

- a quantitative survey on a representative sample of 1500 women aged 20 to 60 years and living with their partner. These women were interviewed by phone, using a structured questionnaire.
- a qualitative survey, probing the women's point of view, based on thirty in-depth interviews with female victims of violence.

### *Main results*

The study starts with outlining the inequalities that exist within families in Switzerland. It reveals that the majority of the couples in the study follow a traditional model of division of (paid and domestic) labour which assigns a lower status to women and results in their economic dependence.

The research then calculates - for the first time in Switzerland - the frequency of three forms of violence against women within the family: physical, sexual, and psychological violence. It is shown that violence is not unusual and involves a great number of women: one out of five women declares having suffered from physical or sexual violence in the course of their lives, and four out of ten women declare having experienced psychological violence. In addition, this violence is not limited to certain categories of the population but cuts across social cleavages.

The study brings to the fore the family factors that increase violence, the most important being the man's dominance of family interactions. It also demonstrates the consequences of violence for the women involved: a decrease in health, anxiety, fatigue, feelings of sadness, lower self-esteem, and increased consumption of psychopharmacological drugs.

The qualitative survey revealed the existence of less visible and more subtle forms of domination and violence. It also deepened the analysis of family contexts that are marked by violence. The strategies that women use when confronted by their partner's aggression were described. The second part of the study gives voice to the women's own narratives.

## **Monetary valuation of non-market work of households**

**Luisella Goldschmidt-Clermont, Elisabetta Pagnossin-Aligisakis, Chokoufeh Samii-Etemad**

This study tested, on a limited number of households in the Geneva area, the feasibility of a new valuation method of unpaid household work. The purpose was exclusively methodological: *to explore* a new measurement of household's non-market production compatible with national accounting practice.

Taking as a starting point the volume of goods and services produced by households (number and type of meals prepared, number of children taken care of, cleaning of dwelling, do-it-yourself-activities, etc.), the valuation method imputes to this production the value (price) of similar goods and services available on the market. Intermediate consumption expenditures and capital amortisation are then deducted, in order to obtain the net value of household production. This value can then be related to the corresponding work time in order to calculate the hourly returns to unpaid labour.

Our methodological goal has been achieved for an important part of non-market household production. The study contains a unexpected but welcome result: contrary to prevalent wisdom in the field of national accounting, the interviewed households did not encounter major difficulties in assessing the volumes produced in various domestic activities.

Beyond this feasibility test, it will be necessary to further refine certain measurement methods and to obtain required, as yet unpublished data from statistical offices and professional organisations. Only then will it become possible to perform the measurements on a representative sample and to calculate the monetary value of unpaid domestic work.

## **Male Dominance and Violence Against Women Within the Family In Switzerland**

**Lucienne Gillioz, Jacqueline De Puy, Véronique Ducret**

This research studies relations of domination and violence against women within families in Switzerland. The study is constructed around two main research axes:

- a quantitative survey on a representative sample of 1500 women aged 20 to 60 years and living with their partner. These women were interviewed by phone, using a structured questionnaire.
- a qualitative survey, probing the women's point of view, based on thirty in-depth interviews with female victims of violence.

### *Main results*

The study starts with outlining the inequalities that exist within families in Switzerland. It reveals that the majority of the couples in the study follow a traditional model of division of (paid and domestic) labour which assigns a lower status to women and results in their economic dependence.

The research then calculates - for the first time in Switzerland - the frequency of three forms of violence against women within the family: physical, sexual, and psychological violence. It is shown that violence is not unusual and involves a great number of women: one out of five women declares having suffered from physical or sexual violence in the course of their lives, and four out of ten women declare having experienced psychological violence. In addition, this violence is not limited to certain categories of the population but cuts across social cleavages.

The study brings to the fore the family factors that increase violence, the most important being the man's dominance of family interactions. It also demonstrates the consequences of violence for the women involved: a decrease in health, anxiety, fatigue, feelings of sadness, lower self-esteem, and increased consumption of psychopharmacological drugs.

The qualitative survey revealed the existence of less visible and more subtle forms of domination and violence. It also deepened the analysis of family contexts that are marked by violence. The strategies that women use when confronted by their partner's aggression were described. The second part of the study gives voice to the women's own narratives.

## **Constructing Equality: Women and Men on the Job**

**Viviane Gonik, Malik von Allmen, Benoit Bastard, Laura Cardia-Vonèche**

This research focuses on inequalities within companies. What are the barriers that prevent women from acceding to male-dominated jobs and ranks? What measures might prevent the reproduction of these inequalities?

Three Geneva companies were studied: one in the food sector, one in electronics, and one in communication. Various approaches, which usually remain separated, were combined: the sociology of work, of organisation and of the family as well as ergonomics. The methods used included interviews with management and personnel, surveys of staff by questionnaire, and ergonomic observations.

The research shows that gender inequalities do not result from "natural" gender differences. Representations of gender differences vary from one firm to another, contradict each other, and are unstable. Therefore, they can be considered as social constructs whose only function is to legitimize the present division of labour between men and women. This is done by exaggerating certain aspects of a task - for instance carrying heavy loads or precision work - while ignoring others, particularly responsibility and autonomy. These representations are a function of the state of technology and the labour market for a particular company at a certain moment in time. When women (or men) penetrate into domains which were previously reserved for the other sex, gender roles are readjusted. There is a general consensus regarding these representations - whether they naturalise gender differences, or minimise them -, which transcends divisions between sectors and hierarchical levels.

The analysis of the relations between work and private life demonstrates that women's career investments are not subordinated to their family responsibilities, despite the notably different constraints that they face. Women, like men, develop various strategies for combining work and domestic arrangements. These strategies depend on their personal history, professional arrangements, hierarchic level, and the dominant conceptions within the company regarding the relations between private and professional life.

To transform the situation of men and women at work, it is necessary to change facts, not mentalities. Therefore, companies could play a crucial role in the reduction of gender inequalities.

## **Coeducation and Gender Equality**

**Elisabeth Grünewald-Huber, Anita Brauchli-Bakker, Christina Schumacher**

The goal of the project was to improve knowledge of the gender-specific attitudes and interactions of male and female students in coeducational classrooms compared with all-male and all-female classes. The results of the project, intended as a contribution to the debate on coeducation, should lead to effective and pedagogic measures toward equal opportunities across gender in schools.

The project consisted of an empirical, cross-sectional study of 18-year-old male and female students in six school classes (two coeducated, two all-male and two all-female) from a vocational school and a Gymnasium in Bern. The research tools were experimental and semi-standardized.

In a first phase, the students were shown textual material that contained situational dilemmas describing imagined gender interactions. The students' responses to these stimuli were evaluated with regard to (1) their symmetrical or complementary style of interaction (promotion or inhibition of gender equality), (2) their range of action (resources and restrictions), and (3) the underlying value-orientations (practical-pragmatic, materialistic, innovative, oriented toward relations or options, etc.). Gender bias and coeducational effects were examined. In a second phase, various aspects of actual interactions within the coeducational and single-sex classes were observed by way of role-play: symmetrical and complementary styles of interaction, shares of game resources, etc. The evaluation was carried out through quantitative and qualitative-hermeneutic analysis and compared between the subsamples according to the variables of gender, type of schoolclass, and school type.

### *Important results of phase 1 and phase 2*

(1) In no way has gender equality been achieved; only a few students took on a position that approximated gender equality.

(1) Female students in the coeducational and single-sex classes as well as at the Gymnasium were closer to gender equality and responded with fewer role stereotypes compared to male students in the single-sex classes and to the vocational schools.

(1) Male students displayed more practical-pragmatic orientations, female students more normative attitudes.

(1) Female students proved to be more oriented to community and occupation, male students more individual and leisure oriented.

- (2) Role playing was more symmetrical in the vocational school and in the all-female classroom compared to the Gymnasium and the all-male classrooms; the coeducational classes occupied an intermediary position.
- (2) In the coeducational classes male students had clearly more influence over the game and more success than female students.
- (2) Compared to all-female classes female students in the coeducational classes withheld participation more frequently and occupied less often leading role. The reverse was the case among the male students.
- (2) The danger of single-sex education is a gender-specific self-dynamic: "untrammelled" complementary behaviour among men, self-hadicapping through excessive demand for symmetry among women.
- (1&2) The coeducational form of instruction promoted gender equality among male students; among femae studentsm it partially hindered gender equality, with equalizing as well as polarizing effects.
- (1&2) Discrepancies between attitude and actual behaviour were higher at the Gymnasium and among male students than at the vocational school and among female students.
- (1&2) Female students believed themselves more gender equal than the data actually showed.

A short-term point of view shows that coeducation has multifaceted disadvantages for female students. On a long-term basis, it represents the smaller evil since the female students - provided they receive the necessary support - can learn here to defend themselves against the domineering strategies uses by men.

## **Transport Service Provisions: Unpaid Picking Up and Dropping Off of Persons**

### **Verena Häberli**

Many people do not run their errands (school, leisure activities, etc.) on their own. This is partially because of taxing traffic conditions and partially because of comfort and time considerations. Therefore these people become dependent on the willingness of relatives and acquaintances to drop them off somewhere, or to pick them up. Although it has become impossible to imagine everyday life without this form of mobility, this subject has received little attention. The present work examines the traffic behaviour of the service providers of these free transports. The research is based on established methodology of transport analysis, which employs the term "service" for "dropping off and picking up".

The research is based on a survey in two differently structured areas - Maur, a village near Zurich, and Zurich's District 8. The latter is much more densely populated, far better served by the public transport system and serves more diversified uses. In contrast, Maur has more traditional and larger households and the population is far more motorised.

In Zurich's District 8, picking up and dropping off people takes place mostly in the vicinity of the home, which is not at all possible in Maur due to its geographical conditions. This does not mean, however, that the inhabitants of Maur spend more time on transport services due to the greater distances. Rather than walking or utilising the public transport system - as the inhabitants of Zurich do - the Maur population takes the car. They justify their behaviour above all in terms of poor traffic conditions.

But the survey has also revealed similarities. In both communities, in particular homemakers or part-time workers provide transport services. Given the current division of labour, women are disproportionately more often engaged in this activity. It is astonishing that the provision of this service remains mostly unacknowledged. In general, transporting people to and from leisure activities is very important. If providing transport assistance is the sole motive for leaving home, children are the main beneficiaries (school and leisure). If leaving home is motivated by another main reason (e.g. shopping, work, leisure activity) and the provision of a service is secondary, mostly adults profit. The survey reveals that about one-third of the services were necessary because the beneficiaries would not have been able to help themselves.

Based on a rough estimate, it can be shown that transport-related "services" as part of domestic work rate approximately as high as "job-related" transports as part of paid work. The analysis of different surveys of traffic behaviour, however, reveals that these unpaid services are treated either inadequately or not at all when compared with other transport issues. Given current developments, it can be assumed that these services will play an increasing role in the future. Therefore, an adequate and consequent collection of data on transport "services" will need to be discussed within the framework of future transport studies. The present study provides a basis for this.

## **The Historic Origins of Gender Inequality in Switzerland from a Legal, Economic and Social Point of View**

**Anne-Lise Head-König, Liliane Mottu-Weber and Véronique Borgeat-Pignat**

This research focused on Switzerland from the end of the Middle Ages to the beginning of the twentieth Century. The goal was to study the discourse of elites as well as the social practices that have contributed to creating, maintaining or reinforcing the inequalities that women still face today. The authors have analysed cantonal and communal archives and taken into account both hand-written and printed sources, in order to uncover discriminatory as well as non-discriminatory situations in law, economics, education, and culture. To reflect Switzerland's geographic and cultural diversity, the study covered French-speaking and German-speaking areas, protestant and catholic regions, as well as urban and rural areas.

These analyses show that conjunctural fluctuations crucially determine the evolution of women's status in society – an evolution, which is characterised by sometimes spectacular advances and throwbacks. Depending on favourable or unfavourable economic and demographic conditions, women's participation in the public sphere, vocational training, school education, or the labour market ranged between active and marginal. During prosperous times, women's work was in demand and certain customs or laws were relaxed or even ignored. However, as soon as their activities were perceived as competition with men - following a decrease in the work offer or a labour surplus -, regulations to limit women's work were adopted. During these recessions, other factors of a cultural nature also intervened, such as a return to Roman law, or to certain Church principles. The study pointed out the ambiguity of measures for the protection of women - in the name of the "weakness" of their gender, an idea that was inherited from Roman Law-, of children and of the family. Indeed, this protection and the concession of certain advantages were all too often forced upon women at the cost of their legal rights and their economic and social position. Finally, the persistence of "ancestral" mentality traits has always been present in the background of any

conjunctural developments. These traits include mental images that confine women to their roles of wife and mother, or that blame them for the violence they fall victim to - the latter element resulting in judges pronouncing extremely strong penalties for women involved in sex offences. They also include social representations that underestimate or disparage women's specific qualities and qualifications and denounce their supposed lack of competence. Considering the lack of permanent gains in this domain, only a sustained policy, which takes into account all these aspects, could efficiently combat the discriminations that women still face.

## **Unequal Amongst Equals: Case Studies of Gender Segregation of the Labour Market**

**Bettina Heintz, Eva Nadai, Regula Fischer, Hannes Ummel**

This research project is based on three qualitative case studies in three different occupational fields (informatics, nursing, and insurance clerks), which vary in type and extent of gender segregation. The project combined two empirical methods: qualitative interviews and observation. This research design permits a dual comparison - one across gender, and one across different contexts. More precisely, it offers, firstly, the possibility to compare the experiences of men and women within occupations that are traditionally held by the opposite gender, and secondly to examine to what extent gender difference is dependent on the specific context; i.e. manifests itself differently and has different effects across occupational fields.

The study focused on two central questions: (1) Which are the informal and formal barriers that prevent women and men from choosing an occupation that is traditionally held by the opposite gender, or alternatively, which barriers lead to an abandonment of these occupations? (2) Are women and men confronted with similar problems or are there gender-specific differences? The insurance clerks serve as control cases in both research questions.

### *Results*

(1) Choosing a cross-gender occupation is a long-term process. For almost all of the male nurses and female computer specialists that were interviewed, the non-traditional occupation was their second profession. However, the main obstacles are different for men and women. Women are prevented from choosing a male occupation primarily by a lack of confidence in their own professional skills. For men, problems arise when a profession is labelled as female. In addition to the structural characteristics of predominantly female occupations (comparatively lower wages, fewer promotional prospects), an apparent fear of becoming "feminized" or "homosexualized" seems to be the primary reason why men hesitate to take up a female profession.

(2) Men in female occupations are not faced with the same barriers and exclusions as women in mostly male-dominated fields. In contrast to female computer specialists, who, despite a rhetoric of gender equality, remain professionally isolated, male nurses are fully integrated and are very well accepted by their female colleagues. Women seem to see their male colleagues less in terms of competitors, than in terms of a potential increase in prestige due to a "masculinization" of the profession.

(3) In non-traditional occupations, gender takes on a "master status", which colours all interactions and evaluations. This spill-over effect has disadvantages for women but

advantages for men. While women have to fight the nonprofessional associations of female gender roles, gender becomes a possible resource for men. Because of the close association between masculinity and professionalism, maleness is also in female-dominated occupations connected with objectivity, leadership ability, and competence.

(4) Women in male-dominated professions have to defend themselves against being forced into female niches, while men, in contrast, claim special male domains themselves. In the field of medical nursing, such domains include the use of sophisticated technical equipment, contact with doctors, and certain administrative tasks. This demarcation of male task domains is often also equivalent to a professional promotion.

Overall, gender differences are far more emphasized by men compared to women. This occurs when men represent the majority that is confronted by female 'intruders', as well as when they are part of a minority working in a traditionally female profession.

## **Coeducation in physics teaching**

**Walter Herzog, Peter Labudde, Charlotte Gerber, Enrico Violi and Markus P. Neuenschwander**

The research project '†Coeducation in physics teaching†<sup>a</sup> deals with gender equality and teaching the mathematical and natural sciences. Particularly physics and chemistry are amongst the least popular subjects for both genders. Gender differences in interest and performance are especially pronounced in physics teaching, and increase with age. Motivational processes supposedly cause this development. In the course of their schooling, girls have increasing doubts about their aptitude for the mathematical and natural sciences. They perceive the natural sciences as male domains.

The project focused on the following main research question: how to improve physics teaching in order to better exploit girls' previous experiences that refer to the physical environment, interest and learning processes, and to counteract stereotypical attributions concerning aptitudes. To this effect, an intervention program was carried out in the final years of high school. The didactic approach of this intervention aimed for gender-sensitive physics teaching.

The study involved four steps:

Step 1: The definition of gender-sensitive physics teaching

Step 2: The preparation of two teaching modules following the criteria of girls-friendly physics teaching by the members of the experimental group 1.

Step 3: Application of the teaching modules in three experimental groups:

ï Experimental group I: sensitise the teachers to the discrimination against girls in physics teaching (participation in two half-day sensitising workshops, interviews with the teachers), construction of teaching modules, testing the modules in class, supervision by the project team (observation of teaching) and the teachers themselves (mutual supervision).

ï Experimental group II: Sensitising, testing of the teaching modules that were elaborated by the members of the first experiment group, supervision.

ï Experimental group III: testing of the teaching modules without previous sensitising and without supervision.

i Control group: physics teaching using conventional didactic and methods of the same subject domains as the experiment groups, without sensitising and without supervision. Step 4: evaluation and recommendations based on the data analysis.

In total, 614 students from 31 Swiss-German '†gymnasium†<sup>a</sup> and '†seminar†<sup>a</sup> classes participated in the project, which were taught by 25 teachers. Demographic and personal data (gender, intelligence, school performance, interests, attitudes, etc.) were collected at the beginning and at the end of the intervention. The students' knowledge was tested after each teaching module was applied. So far, there are no definitive results because the evaluation has not yet been finalis

## **On the Benefit of Selflessness: Voluntary Work in the Social Domain**

**Beatrice Hess, Eva Nadai**

Voluntary work has an economic as well as a symbolic value, and its benefit is public as well as private. This research dealt with the private benefit of volunteering. Two questions were central: (1) What benefit can volunteers extol from their unpaid labour for society, i.e. which social and cultural resources can be acquired through volunteering? To what extent are these resources transferable to other sectors, such as politics or the labour market? (2) Are these benefits different for women compared to men?

Methodologically, the study combined 25 qualitative interviews with a survey of 600 volunteers working for five social and socio-political organisations: the Red Cross, women's associations, a telephone helpline, an emergency shelter, a feminist project, and communal welfare authorities.

The benefit of volunteering depends, first, on the field of activity, second, on the volunteers' personal background, and third, on the social domain into which this benefit is transferred. The decisive factor is whether one is active in *basic work*, or in a honorary office (functioning within an appointed leadership position).

Individual careers in the volunteer sector are determined by a combination of personal situation (family and professional engagement), resources (social: networks; cultural: education; material resources, and time), nature of motivation, patterns of activity, and the context of the engagement (organisation, type of activity).

*Menial* tasks are often performed in isolation and without opportunities to co-operate with other volunteers. These activities lack responsibilities beyond the immediate task as well as social visibility. The potential increase in qualifications revolves above all around social competence and personal development. Honorary offices, in contrast, are embedded in a cooperative context. They guarantee a certain performance visibility, and offer a chance of developing organisational skills, knowledge of the field, and leadership qualities. Organisational benefits (training and development; professional certificates) are more likely to target volunteers engaged in *basic work*. However, they are of no value outside of the volunteer sector. Although honorary positions lack this type of benefits, they offer better structural opportunities to foster cultural and social resources.

The volunteer sector, just as the labour market, is segregated across gender: women are mostly active in the social domain; men in sports, professional associations, and politics. While women tend to perform *menial tasks*, men more frequently hold honorary offices.

Women who are not gainfully employed have fewer opportunities for acquiring the social and cultural resources that are necessary for appointments to honorary offices. Personal contacts influence access to volunteer work. Typically, volunteers recruit individuals from similar social backgrounds. Stereotypes about gender-specific interests and suitability co-determine who is assigned to which activity and additionally, what tasks are considered suitable by the volunteer. Such mechanisms contribute to the consolidation of the gendered division of labour within volunteer work. Here too, women are relegated to "inferior jobs."

Women acquire unequal social and cultural resources and unequal prestige. The qualifications and personal contacts that are acquired through volunteering are especially transferable into gainful employment, if there already exists a professional position (as high as possible). For most female volunteers, such a basis is lacking, while men, particularly those in honorary offices, often have a high educational and professional status. Ultimately, volunteer work has unequal "payoffs" for women and men.

## **Gender Identity Crisis? Psychological Indicators of Gender Equality Within Family and Work**

**Lisbeth Hurni, Karin Moser, Lea Haas**

The goal of this project was to study university students' expectations for the future and problem solving strategies with focus on personal and professional life, and to evaluate indicators of gender equality from a psychological perspective. The study aimed to obtain a representative picture of students on the basis of a multilevel approach of identity and to point out starting points for promoting gender equality.

A survey targeted a representative sample of Swiss-German students in the last part of their studies in the fields of physics, business administration, psychology, and German studies. The most important themes covered expectations for the future and problem solving strategies in the domains of work and family. The issues furthermore included the planning of a dissertation or post-graduate studies as well as evaluating the labour market. The students were asked to rate and justify professional career orientations. With regard to the private domain the status of single or partnership with or without children, and different types of division of labour between women and men could be judged. The respondents were asked to assess problems typically occurring after graduation in terms of their difficulty, and to elaborate problem solving strategies. Based on the results of the survey responses, interviews were conducted on selected themes.

There were few significant gender differences in many domains. Women and men equally orient their careers according to autonomy, creativity, professional accomplishment, commitment, and distinctly less according to stability. The importance of leadership skills is located in an intermediate position. Although evaluated differently by different disciplines, no gender difference exists in this respect. Only the professional orientation 'career challenge' is evaluated less positively by women, compared to men. With reference to private life, the majority of women and men prefer to imagine themselves in a partnership with children, with an equal dedication to professional work and family. Additionally, those models that enable participation in private and professional domains and that lead away from traditional role-divisions are positively evaluated. The majority of those surveyed presume to achieve their familial expectations, including children, only many years after the completion of their studies.

With regard to problem solving, women achieved qualitatively better results in tasks concerning the private sphere, while men scored better in tasks concerning professional domains. It is suggested that the evaluation of problem solving competency be seen as the central indicator concerning gender equality. The interviews revealed that both men and women notice more gender inequality in the professional sector than in day-to-day student life. No gender identity crisis is discernible at the end of their study years. However, a crisis could occur among the surveyed women and men, if their expectations for the future do not materialise. The promotion of gender equality should target the time segment prior to graduation and the initial years of professional life.

## **Measures for Gender Equality and the Promotion of Women in Leadership Positions. A Comparative Study of Economic and Political Elites in Switzerland.**

**Brigitte Liebig**

Fields of leadership are exponents of the gendered dimension of social inequality. To belong to the female gender explains the exclusion from powerful positions within all socially central areas. The study argues that the closure of these fields for women bases on the construction of differences between women and men, masculinity and femininity. The mechanisms of production, maintenance and reproduction of gender inequality within the professional and public sphere are produced on different social levels and in various shapes. Those mentioned within this study are structural and cultural forms of occupational segregation, gender specific patterns of recruitment and careers, various forms of discrimination within social interaction as well as structural requirements of careers which start from the construction of a conventional, so-called 'male' prototype of professional biography including traditional forms of the division of labour within the family.

Based on a survey of selected representants of economic and political elites in Switzerland the study proves the existence of most of these processes of gendering within both spheres. Differences between fields of work, personal attitudes, cultural and social resources, professional and/or political careers, actual conditions of leadership and private life situations of male and female leaders are obvious. Besides that the analysis shows that some of the impediments women face are to a greater extent present within the economic than the political field: Not only that women are less represented in senior management than in the highest legislative and executive bodies of politics, but they are also confronted with less favourable conditions for upward mobility and leadership. This is expressed by a higher degree of conservatism concerning gender equality and of women's discrimination within recruitment processes in economic elites; it is also indicated by the extend of problems female top managers meet integrating motherhood into their careers and the failure of promotion they experience within their way up. Beyond all differences, both - men and women - are extremely privileged concerning their social, educational or professional backgrounds and they quite often estimate the conflicts accruing from the demands of careers and leadership positions in the same way.

The study provides theoretical explanations for the differences and the similarities observed; it offers suggestions for the realization of gender equality in economic and political elites as well as for the promotion of women within economic and political

organizations in general. The recommendations stress the dialectic of structural and cultural measures for equalization.

## **Solidarity, Independence, Indigence: The Long Road toward Gender Equality in the AHV (1939-1980)**

**Christine Luchsinger**

In Switzerland, the AHV (old-age and surviving dependants pension scheme) was created after the second World War. More than any other social security system, it dedicated itself to the slogan "Away from Indigence!" Based on the solidarity principle, this service aimed to provide all pensioners with a (modest) subsistence. However, gender inequality within the AHV could not be eliminated, despite high ambitions and repeated revisions. What went wrong?

This research project traces the history of gender differences concerning the definition of solidarity and need. Despite numerous attempts in the past to question gendered standards in the AHV-laws, fundamental discussions did not take place until 1980. This work's central task is to closely examine the solidarity principle of the AHV. This principle is subdivided into a form of horizontal solidarity among equals, and a vertical solidarity with a distinctly hierarchical component. The hierarchical aspect primarily affected women. Regarding families or married couples, the insurance treated men as individual subjects, while their wives were placed under their "protection". The solidarity principle was expressed, on the one hand, through the supposed solidarity from husband to wife. On the other hand, it was translated into the solidarity of single persons toward the married, which relieved the husband from providing for his wife at home while charging the whole population with this responsibility.

In addition to emancipatory elements, the AHV thus expressed a perspective which presupposed a normative male biography, i.e. full-time life-long employment, while delegating reproductive work - not credited by the AHV - to women.

In a historical cross-section through four decades, this research examines the arguments which were raised to justify the differential treatment of men and women, or of women with different marital status. The most significant conclusions are:

- The AHV has never achieved its goal to eliminate indigence. Indigence was considered more tolerable for women than for men (with exceptions).
- Economic motives played a decisive role in accepting emancipatory demands. Employers' associations realised this significantly sooner than workers' unions.
- The gender division regarding pension settlements can only be understood in close conjunction with the general welfare policies. These policies were significantly based on normative male biographies, especially in the 1960s.
- Into the 1960s, parliamentarians strongly advocated policies barring married women not only in the "child-bearing phase" but permanently from gainful employment, in the name of the protection of the family.
- Differences in argumentation can be ascertained between political bodies in which women were represented (AHV commission) and where this was not the case (parliament until 1971).
- For both lowerings of the retirement age for women, the patriarchal arguments proved decisive.

# **Normative Models of Equality and Justifications of Unequal Treatment of Men and Women**

**Patricia Roux, Valérie Perrin, Marianne Modak and Bernard Voutat**

The aim of the research is to analyse the different conceptions that couples have of equality in everyday life, and to explore how these conceptions are articulated with the division of roles in the domestic, educational, and professional sphere.

Four hundred married Swiss women and men aged 25 to 60 were surveyed by questionnaire. The study shows that regarding marital arrangements and the division of labour these individuals have very different criteria of justice in defining rights and duties associated with each gender. Parity, i.e. a strictly equal distribution, is one of these criteria; balancing out the contributions of each partner following the principle that women's domestic contribution compensates for the men's professional investment, is another. Approximately 40% of the sample have a more rigid conception of gender roles.

The concept of equality, so very present in the public debate, therefore remains generally vague and allows for multiple interpretations. This is even more striking when individual practices are examined. Indeed, the study shows that nothing much has changed in this respect, regardless of individuals' principles regarding the division of tasks and labour. Individual practices remain fundamentally unequal, even within those couples that agree with the principle of equality. The main reason for this gap between principle and reality is that, in everyday life, spouses mobilise numerous arguments for explaining their unequal situation. Lack of time, individual needs and interests, and the necessity to maintain conjugal or familial harmony, are all examples of arguments that legitimise inequality between spouses. This inequality is thus disconnected from its immediate meaning and becomes acceptable, or even just and functional in everyday life.

Another process, whereby men and women deny the issue of inequality when evaluating their personal situation, consists of social comparisons: Men think that they contribute more than other men, while women consider the meagre contribution of their spouses to family activities as an appreciable "extra" that their women friends have less, or lack entirely.

Thus, there is a considerable gap between the urgency of the public debate on equality and married couples' everyday life. This everyday life is constraining, because it forces individuals to accommodate inequalities in order to function. The entire social structure legitimises the foundations of a reality that is considered just and necessary, ranging from the lack of infrastructures that would facilitate family charges, to the generalisation of male full-time employment and of female part-time work. These foundations also lack acknowledgement of the social responsibilities assumed by women, and foster the difference in salaries which reinforce women's economic dependence. To transform everyday exchanges between men and women, this social macro-level should be targeted.

## **Changes in special protective legislation concerning women in Swiss labour law during the 20th. century**

## **Regina Wecker, Brigitte Studer, Gaby Sutter**

On 1 December 1996, the revised labour law was rejected by a clear majority of two thirds of the voters during a direct democracy vote. The debate on the reorganisation of labour conditions is, thus, re-opened again; revision efforts were resumed shortly after the vote.

The reason for the revision was that the labour law - and in particular its prohibition of night work for women in industry - was esteemed to be incompatible with the equality directive of the federal constitution (Art.4 BV). This incompatibility, however, triggered the revision of the entire law.

On the basis of this debate, the authors examine the history and the political context of this protective legislation, the consequences for the position of women in society in general, and women's situation on the labour market in particular. The theoretical framework postulates that gender and gender differences are not given 'facts' but constructs, which are produced through everyday acts, discourses, laws, and norms.

The international context was important for the historic origins of the protective measures concerning women. Indeed, the prohibition of night work immediately after the first World War - with other social policy objectives, such as the eight-hour day, paid maternity leave and equal wages for equal work -, was regarded as a means for securing social peace. In Switzerland, the connection between these measures was loose. In fact, only the prohibition of night work which already existed for the industrial factories, was extended to also include commerce. Both generalised, paid maternity leave and economic equality between men and women were evaded.

Clearly, the result was the confirmation of the status quo and not its transformation in 20th. century Switzerland. This is true for both the gender hierarchy, and the labour market structure. The female work force was defined as 'in need of protection', but at the same time also as clearly different from the male work force, and therewith, second-rank. The fact that women were defined through the family was central to the production and the maintenance of difference. In addition, women's inferior rights were legitimised by emphasising either that single women did not need to provide for a family, or that married women had „obligations“ toward their family. These different arguments allowed for contradictory constructs. On the one hand, the female work force was considered generally in need of special protection. On the other hand, there were only minimal labour rights related to maternity, while economically, maternity remained entirely unprotected. This discrepancy continued to exist after the creation of the 1964 labour law.

Both factors maintained the difference between men and women and defined women as deficient workers. This means that the prohibition of night work for women is not an effective policy toward equality. There are numerous connections between special protective laws concerning women, maternity, a discriminatory position on the labour market, and between definitions of male and female job qualifications and the social construction of gender. This demonstrates that the „equal treatment“ of women regarding night work cannot improve the position of women in the gender hierarchy. An enduring politics of equality needs to combine equality concerning labour law, economic equality, public health protection, and economic security with regard to maternity.

## **Die ExpertInnengruppe**

**Prof Dr. Ingeborg Schwenzer** (Präsidentin), Institut für Rechtswissenschaft, Universität Basel, Maiengasse 51, 4056 Basel, Tel. 061/267 25 00

**Prof. Dr. Gabrielle Antille**, Laboratoire d'économie appliquée, Université de Genève, 2 rue Dancet, 1211 Genève 4, Tel. 022/705 77 88

**Prof. Dr. Andreas Auer**, 3 rue Rudolf Tschumi, 1201 Genève, Tel. 022/705 85 31

**Prof. Dr. Pierre Bühler**, Faculté de théologie, Université de Neuchâtel, Faubourg de l'Hôpital 41, 2000 Neuchâtel, Tel. 032/724 30 40

**Dr. Laura Cardia-Vonèche**, Institut de médecine sociale et préventive, CMU, Rue Michel-Servet 1, 1211 Genève 4, Tel. 022/702 57 21

**Dr. Martine Chaponnière**, 16 rue de l'Hôtel-de-Ville, 1204 Genève, Tel. 022/310 69 79

**Prof. Dr. Heinz Hausheer**, Zivilistisches Seminar, Falkenplatz 9, 3012 Bern, Tel. 031/631 37 96

**Dr. Ursula Pia Jauch**, Philosophisches Seminar, Universität Zürich, Culmannstr. 1, 8006 Zürich, Tel. 01/257 28 55

**Dr. Claudia Kaufmann** (Bundesvertreterin), Generalsekretariat EDI, Inselgasse, 3003 Bern, Tel. 031/322 80 37

Referentin:

**Prof. Dr. Beatrix Mesmer**, Kutscherweg 28, 3047 Bremgarten, Tel. 031/301 63 38

Programm directors:

**Prof. Dr. Thanh-Huyen Ballmer-Cao**, Département de science politique, Université de Genève, Uni-Mail, Bd. Carl-Vogt 102, 1211 Genève 4, Tel. 022/705 83 61

**Dr. Eva Nadai**, Institut für Soziologie, Lerchenweg 36, 3000 Bern 9, Tel. 031/631 48 11

Office:

**Dr. Christian Mottas**, Schweizerischer Nationalfonds, Wildhainweg 20, 3001 Bern, Tel. 031/308 22 22