

Copyright is owned by the Author of the thesis. Permission is given for a copy to be downloaded by an individual for the purpose of research and private study only. The thesis may not be reproduced elsewhere without the permission of the Author.

**THE SIGNIFICANCE OF GENDER AND SEXUALITY: A STUDY OF
DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITIES POLICY
IN THE STATE SECTOR.**

A thesis presented in partial fulfilment of the
requirements for the degree of Master of Social Work
at Massey University.

ANTHEA RAVEN.

1991.

....as long as it is unsafe for two women to stroll arm-in-arm along a sunny daylight beach: as long as there is loathing, fear and disgust and embarrassment, there will never be freedom for any of us. But we will not go away, and we will certainly not lie down and die and be trampled over, not any more. For we demand the right to love and rejoice in that love, with dignity and grace and pride.

We will never go away. Never. Never. Never. For we are your technicians, waitresses, doctors, cashiers, mental workers, teachers, potters, dentist, cabin crew, shop-keepers, lecturers, nurses, bus drivers, secretaries, drain layers, florists, undertakers, telephonists, DJs, paperhangers, carpenters, hairdressers, mothers, fathers, uncles, aunties, brothers, sisters, daughters, sons. We are truly everywhere and we will never, ever go away.

Ngahuia Te Awekotuku. Transcription of unwritten opening speech, National Lesbian and Gay Conference, Auckland, Easter 1989, " Dykes & Queers: Facts, Fairytales and Fictions " in Mana Wahine Maori (1991) New Zealand Womens Press Ltd., Auckland.

A C K N O W L E D G E M E N T S .

No piece of work can be solely attributed to efforts of one person. This study is no exception. There are many people who have contributed in various ways to the final presentation. The lesbian social workers in the Department of Social Welfare are perhaps those who have made the most significant contribution. However, there are members of the lesbian community and personal friends who have also given considerable support. Mary. R., and Kathryn. R., were part of my ethics group and pilot study. They gave energy and attention to the development of the questionnaire and concepts. Thank you also to Mary. N., who gave valuable criticism and support. My supervisors, Celia Briar and Mary Nash have been challenging and provided personal as well as academic guidance.

An acknowledgement also goes to the Department of Social Welfare who provided the financial support and encouragement to undertake my masterate studies.

Not least in the process have been those who have shared my personal life and endured my absences, both physical and psychological for some considerable periods of time. The sacrifice on their part has not been forgotten. The deaths of my maternal grandmother and both my parents over the past three years are also losses that have been woven into my efforts to complete this study. My life is intrinsically linked to theirs and while they did not have the benefit of a formal education and neither would they have understood the significance of the study, they nevertheless would have recognised the achievement. I thank them for the opportunities, visions, courage and strength of character, they always gave me.

A B S T R A C T

The purposes of this study are twofold. The first is to look at the experiences of lesbian social workers in order to describe the themes and patterns characteristic of discrimination within the context of their professional and employment status in the state sector. The second is to examine whether the policy of Equal Employment Opportunities for women in the Department Of Social Welfare adequately addresses discrimination against lesbians, and the extent to which the needs of lesbians can be met within the existing framework of the policy.

It has been proposed in this study that discrimination against lesbians in the workplace is a real and tangible source of oppression termed 'heterosexism'. Lesbian social workers' employment experiences indicate that these are qualitatively different from those of heterosexual women. Analysis of these experiences relies upon an understanding of the historical social, sexual and economic dynamic of male power over women. Heterosexuality has been emphasised as the only acceptable sexuality and therefore, an institutionalised form of control over all women's lives. One of the consequences of this control is the denial of the existence of lesbianism. This is because lesbianism represents an independent and alternative lifestyle and family structure. While this threatens the traditional male defined nuclear family relations it also challenges the view that women should be treated as economically dependent upon a man.

There is strong evidence to suggest that gender is a significant determinant of employment opportunities. Thus, there is a clear basis for recognising women as a

target group for special attention under an Equal Employment Opportunities policy. However, this study challenges the assumption that the needs of all women can be adequately addressed within the context of a hetero-relational model. For example, it is argued here that the underlying criteria for access to employment opportunities is based on conformity to traditional gender roles and stereotypes. This reinforces women's economic dependency on a man and a male controlled labour market. The view that women's equality should depend on their social, sexual and economic relations with men is therefore questioned. In contrast it is argued that lesbians should be able to benefit from their social, sexual and economic independence from a man and that any measure of their employment position in relation to men is a measure for all women. The radical potential for Equal Employment Opportunities policy for all women may well depend upon the inclusion of lesbians and their legal protection from discrimination.

TABLE OF CONTENTS

Introduction		
Chapter One	Equal Employment Opportunities	20
Chapter Two	Social Work Or Social Control ? Accounting For Lesbians.	36
Chapter Three	Constructing Women's Sexuality With Economics.	62
Chapter Four	Gender Defined Employment Opportunities: Undermining Women's Economic Independence.	92
Chapter Five	Methodology	115
Chapter Six	Workplace Dynamics And The Impact On Lesbians.	141
Chapter Seven	Discrimination: A Persistent Condition Of Employment.	166
Chapter Eight	Formalised Procedures And Discrimination.	192
Chapter Nine	Getting It Straight ? Lesbians And Equal Employment Opportunities.	219
Appendix One		239
Appendix Two		241
Appendix Three		243
Appendix Four		244
Bibliography.		250

I N T R O D U C T I O N .

This study seeks to provide a radical feminist interpretation of one aspect of women's inequality. It focuses on the institutionalisation of heterosexuality and hetero-relations which underlie the state's policy on Equal Employment Opportunities (E E O), for women. The research explores the workplace experiences of lesbians, as women who do not conform to traditional sex and sexual roles. The occupational and employment context of the research is social work within the Department of Social Welfare (D S W).

As part of the state sector the D S W is required by law under the State Sector Act 1989 to implement an E E O policy which includes an affirmative action programme for women. It therefore provides an ideal opportunity for identifying some of the issues raised as a concern for equal treatment for lesbians. At the same time the Department's services in the distribution of welfare benefits and income support, and in particular its statutory responsibility for social services in the care and protection of children, youth justice, and the allocation of funding to community based services, reflect the political, social and economic priorities of the state. According to feminist analysis these services have all been applied within the hetero-relational context of women's traditional role and therefore highlight some of the different forms of treatment lesbians might be expected to experience.

In broad terms the aim of an E E O policy is to address the arbitrary and biased perceptions towards women that have been traditionally applied in the workplace. This includes sexist and sex role stereotypes along with practices such as sexual harassment. As part of affirmative action for women the main focus is to mediate between the needs of the workplace and the responsibilities many women have for children and domestic duties within the nuclear family household. E E O provisions have included child care facilities, the flexibility of the eight hour working day, and the creation of part time and job share positions. There has also been a re-definition of the merit criteria so that some of the experiences women have gained doing voluntary community work while they have also cared for children and a home go some way towards their skills.

While some lesbians have similar responsibilities for children to heterosexual women's, the concerns which underlie E E O are presented predominantly as concerns which reflect women's traditional and stereotyped roles as mothers, wives and housewives. The underlying assumption is that all women have a commitment to these maintaining these roles and more implicitly, that they have a commitment to the standard model of the family which involves their emotional, sexual bonding with men and with their economic dependency upon a man.

I have argued that the justification for E E O policy generally, and the assumptions which have guided its practical implementation, have effectively defined and confined the goal of equality of opportunity for women according to their social, emotional, economic and sexual relations with men. As a outcome of this, women's position in paid employment exemplifies what has been termed the institutionalisation of hetero-relations.

(Raymond,1986) Thus, lesbians as women who fall outside the categories that are assigned to their 'sex' are neither protected against discrimination in the work place, nor adequately catered for within a programme which attempts to compensate women for lost opportunities.

The exclusion of lesbians from equal opportunities has particular implications for all women because it ties the benefits and privileges that are received according to whether they conform to the traditional heterosexist roles and stereotypes. It also ensures that lesbians do not benefit by their independent economic, social and sexual status from a man. Although women are seen to be rewarded for conforming to the heterosexual gender roles and stereotypes it can be shown that the benefits and privileges they gain by this have not been seen to constitute any real form of power. For example, privileges may be little more than 'short term 'bribes in exchange for 'self discovery and collective power'.
(Bunch, 1979:26)

" The degree to which you receive those benefits depends on race, sex, class and how much you are prepared to play by [men's] rules. Through heterosexual privilege a woman is given a stake in behaving properly (or in the case of a lesbian of pretending to behave properly) and thus maintaining the system that perpetuates her own oppression." (Bunch, 1979:26)

The provisions under E E O policy might well be argued as giving women a 'stake' in upholding the traditional social sexual roles of women. It allows them to maintain their primary responsibilities for home and family while at the same time they are able to

participate in the workforce as 'working mothers'. This definition of the working woman has been significant as an ideology which protects the image of women as economically dependent upon a man. (Eisenstein, 1981 :212) Even though job share positions give women equal access to fringe benefits and employment protection there is also the tendency for less than full time employment to confine the female workforce to lower paid and status work. (Briar, 1986:388-9)

The analysis of this study attempts to conceptually link the control over women's sexuality with control over economically productive resources such as paid employment and opportunities.

Outline Of Chapters.

Chapter one briefly outlines the development of equal employment opportunities in the state sector and covers the research and background to the implementation of the policy within the D S W. The provisions of the policy in relation to women have then been set out including the extent to which lesbians have been accommodated within the programme.

The limitations of the policy have been identified in order to justify the research proposals set out in this chapter. These have been prefaced with some of the concerns established indicating discrimination against lesbians is a problem within paid employment.

Chapter two establishes the context within which the research itself has taken place. This has included examining some of the historical and current concerns

raised about social work and its interpretations and definition of women's social, sexual and economic role. Because social work is directly implicated in the implementation of state policies towards women, feminists have been critical of its function of control. For example, it has been argued that the state's priorities have not always been in the interests of women's psycho-social and economic independence. Instead the status of women has tended to be affirmed only when it can be measured against conformity to female stereotypes, role models, and their position as dependents within traditional, male defined, nuclear family structures. (Pascall, 1986., Tennant, 1986., Dale & Foster, 1986., Saville-Smith, 1987., Walby, 1990.)

Chapter two also examines some of the research and literature on lesbians in social work and in employment. Although these have tended to refer to experiences in countries such as Britain and the U S A there are similarities with Aotearoa in that neither of these countries has legal protection for lesbians. In addition it is clear that there are problems of discrimination encountered by lesbians within the social work. The points raised include the lack of recognition and support within the profession for lesbians; the lack of attention paid to the needs of lesbian clients; the low profile of lesbians in social work; limited research and education, and the impact of negative social attitudes.

Across a wider range of employment experiences both anecdotal evidence in lesbian and gay literature and research studies have established that there are some patterns of discrimination. Furthermore, there is a reasonable basis for accepting that discrimination against lesbians is more widespread than previous research has indicated. (Levine & Leonard, 1984) An

indicator which has relevance to this research, has shown that lesbians employed in occupations involving personal services with socially vulnerable groups of people such as children and youth may be at greater risk of discrimination because of the prejudice and fear that lesbians are morally and sexually dangerous people. (Egerton et al., 1987)

Chapter three outlines some of the theoretical concerns which make the link between sexuality and economics a possibility. For the purposes of this research discussion has been biased towards a social constructionist account of women's oppression. From a radical feminist perspective this has been a useful analytic tool because of its ability to account for the personal and political realities of lesbian experience without subsuming it to heterosexual, or biological explanations. Nevertheless the theoretical conclusions have been tentatively drawn. This is because there are many contradictions at this point which may not be entirely resolved.

The argument for equal opportunities for lesbian and the use of radical feminist interpretations present one contradiction. The former reinforces individualism and the split between the public and private spheres and is difficult to extricate from its liberalist tendencies. In contrast radical feminism treats lesbianism as a social and political construct and seeks to extricate lesbianism from the realms of liberalism by providing political re-interpretations and constructions of lesbian experiences. (Kitzinger, 1987) Accordingly, some radical feminists have tended to reject liberalist and reformist policies as goals for social change because they do not challenge the structural basis of power

between men and women. (MacKinnon, 1983) A more pragmatic approach and one that might suggest there is some ground for conciliation, has relied on the view that the limitations of liberalist policies in themselves provide the potential basis for radical social change. (Eisenstein, 1981) Of equal consideration is the argument that women need to make a distinction between reformism and reform wherein the latter should not necessarily be seen as an end in itself, but one step towards achieving the goal of equality. (Bunch, 1987.)

Chapter three proposes several definitions. While historically, lesbianism has comprised different meanings at different periods of time it has been argued by some feminists that there is a connection between all forms of female bonding regardless of the contemporary labels. (Rich, 1981) What makes lesbianism significant today is its resistance to compulsory heterosexuality. Furthermore, it has also been recognised as being more than a role relationship, or merely an expression of sexual activity. It is strongly emphasised as an identity linked to a sense of community, history and culture. Even so, our understanding of lesbian community and culture may not yet be inclusive. For example, while it has been refuted that lesbianism is confined to a modern and Pakeha development, contemporary communities and cultural activities have tended to represent the lifestyle of only some lesbians.

The definition of heterosexism and the concept of lesbianism as a culture of resistance has been linked with two historical themes. One has been women's increasing economic independence and the other has been the existence of women who have formed bonds with other women and live what is now termed a lesbian lifestyle. Feminism has had some considerable influence over the

increasing possibilities of both economic and sexual autonomy. At the same time women have been subject to theories of female sexuality and encouraged to become sexually liberated only insofar as their relationships are conducted with men. Thus, historically there has been some effort to divert the course of liberation by conscripting women into heterosexuality and subjecting lesbianism to medical and legal controls in attempts to repress it. This is portrayed in the way that heterosexuality has become the basis for the legal rights, rewards and benefits accrued by women. In particular heterosexual marriage and its de facto equivalent has become the site of 'privilege'. It is a means by which control is maintained over access to resources, life chances and opportunities and therefore provides an understanding of how heterosexism operates as a form of oppression for lesbians. Heterosexism also establishes a conceptual link between other forms of oppression for women such as class, race, age and ability.

Chapter four examines the empirical evidence of women's employment status and further discusses the imperatives behind the state and labour market control over economic resources. It is argued in this chapter that the imperative behind this control has been to reinforce and maintain institutionalised hetero-relations and the male dominated, nuclear family along with women's economic dependency. The discussion identifies the impact this has had on Maori women. For example, their traditional status and role has been undermined by what is regarded as a clear direction on the part of the state to ensure a racially specific family form has superseded collective responsibility. This has overturned the social and economic relations between Maori men and Maori women.

As a further consequence Maori women have been denied aspects of their own culture which gave examples of independent and strong women and the honoured practice of loving one's own gender. These have almost been lost in the male translations of history and white colonisation. (Te Awekotuku, 1984, 1991)

Chapter four also examines the possibility that the position of women in paid employment has been constructed on the basis of their already socially devalued role. In addition it is argued that this role is a sexualised one which has become the basis of exchange for employment opportunities. For example, there is evidence to show that the criteria for skills are saturated with a sex bias against women. Their qualifications for employment also rely upon conformity to male standards of femininity, beauty, sexual attractiveness and heterosexuality. The heterosexual requirement for women has been clearly portrayed by the practice of sexual harassment in the workplace. Furthermore, standards of beauty in themselves have become what is termed a legitimate, or 'bona fide job qualification' which makes sexuality exempt from discrimination. Wolf, (1990) has termed this the 'Professional Beauty Qualification' which provides the exception to the rule of E E O and is widely institutionalised as a condition of women's hiring and promotion.

In chapter five the methodology for this research focuses on some of the priorities of feminist research. In particular it highlights the concerns raised by lesbian and gay male researchers. Some of the criticisms levelled at previous research on lesbians have included the tendency to assign lesbians to categories reflective of hetero-relations, or alternatively as co-categories alongside gay males. One of the criticisms levelled at

feminist research by lesbians has concerned the analytical separation of sex roles and the sexual division from the institution of heterosexuality. (Ferguson et al., 1982) There have been claims made that early research has been limited by the heterosexist debate on women. These limits are defined as marriage, family, heterosexist sex roles, and masculine / feminine divisions of labour. (Cavin 1985:176) It is clear that a heterosexist bias has affected previous research on lesbians at all levels. It has influenced the types of questions being asked, the methods being used and the interpretations and findings. As a consequence lesbian experiences were not entirely extricated from the pathological models of earlier explanations. Even at its best research has tended to concentrate on comparing lesbians with heterosexual women with the intention of dispelling the notion that lesbians were less well adjusted than heterosexual women. Lesbian researchers have suggested that methods of 'scientific inquiry' and objective measures should be discarded in favour of including the personal experiences of lesbians as a valid criteria for data. (Sang, 1978:84)

Feminist researchers generally, have argued for the same methodological approach on all women and it is significant that the radical feminist priorities have been justified as a basis for rejecting orthodox and traditional research methods. The personal experiences of lesbians and their political interpretations have thus formed the basic methodological tool for this research.

Chapters, six, seven and eight all deal with the presentation of the data of the research. Essentially these three chapters allow the experiences of lesbian social workers to be expressed in their own words. Some of the interpretations of these experiences have been

prefaced, or extended by the use of secondary sources of data in order to highlight characteristic patterns and themes of discrimination against lesbians.

Chapter six describes workplace dynamics and their impact on lesbians. It describes both the potential for and actual discrimination as effective forms of control over the visibility of lesbians. This chapter also highlights the compensatory strategies lesbians use in order to avoid discrimination. Forms of discrimination such as harassment and ostracisation and the daily survival in a predominantly heterosexist work environment are discussed in terms of the stressful impact they have on the working lives of lesbians. Notwithstanding the effect of these dynamics, most lesbians brought a special perspective to their jobs which enhanced their role as social workers.

Chapter seven describes the way in which non-institutional policies have been used to allow harassment, hostility and other unofficial actions to be taken by supervisors, managers, co-workers, clients and other professionals outside the Department. For instance, lesbians have not enjoyed the same freedom to socialise with co-workers at work based functions or through contacts outside the usual work hours, or to develop intimate relationships through their workplace associations. Their interactions with their co-workers, supervisors and managers have been characterised by negative reactions towards them as lesbians ranging from indifference to overt hostility. The development of lesbian networks is also impeded by various mechanisms which operated in the workplace and there were clear indications that differences between lesbians themselves served as a function of the 'divide and rule' strategy that could so easily become a focus for heterosexual

managers and co-workers for denying the validity of lesbian networks within the workplace.

This chapter highlights the concerns lesbian social workers have had in their contact with young female clients; their work with sexually abused children; their involvements in reports to the courts on custody disputes, and their roles in the development of E E O for women. On the basis of these experiences it has been possible to identify whether lesbian social workers were subject to detrimental conditions of employment.

Chapter eight examines ways in which formalised procedures often deny lesbian social workers access to employment opportunities such as being hired and promotion, complaints procedures, professional guidance and supervision, and other workplace rewards and benefits. At this level the use of direct forms of discrimination such as anti-lesbian attitudes have shown that there are limitations on employment opportunities for lesbians. In other instances such as access to leave provisions and other entitlements it has been possible to identify the heterosexism inherent within seemingly neutral workplace policies.

The final chapter shows that the research itself has had a role in raising the consciousness and awareness of lesbians to the various aspects of discrimination. As a consequence there has been the suggestion that this research could be used as a tool for workplace education and as a basis for developing policy on lesbians and E E O. These conclusions have been used to argue that lesbians are not afforded the same terms of employment as

their heterosexual counterparts and that they are subject to detrimental conditions of work because of their sexual identity status. Recommendations for change have been proposed with the view to including lesbians as a 'target' group with the Department's E E O policy. While this research itself has provided a basis for arguing that changes are necessary, the impetus may well need to come from women and in particular, lesbians themselves. Their initiatives could include strengthening networks and resources both within and out-side the D S W.