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Dilemmas in the Danish approach to gender equality
Gender equality without gender quota

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Department of Law

**DILEMMAS IN THE DANISH APPROACH TO GENDER EQUALITY
GENDER EQUALITY WITHOUT GENDER QUOTA**

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Legal Struggles and Political Mobilization around Gender Quotas

This paper is part of a case study series stemming from a project, "Gender quotas in Europe: Towards European Parity Citizenship?" funded by the European University Institute Research Council and Jean Monnet Life Long Learning Programme under the scientific coordination of Professors Ruth Rubio-Marín and Eléonore Lépinard. Gender quotas are part of a global trend to improve women's representation in decision-making bodies. In the past decade they have often been extended in terms of the numbers to be reached (40 or 50% instead of 30%), and in terms of the social field they should apply to (from politics to the economy to the administration). The aim of the project is to assess and analyse this global trend in the European context, comparing the adoption (or resistance to) gender quotas in 13 European countries in the fields of electoral politics, corporate boards and public bodies.

The case-studies in this series consider the legal struggles and political mobilization around Gender Quotas in Austria, Belgium, Denmark, France, Germany, Italy, Norway, Poland, Portugal, Slovenia, Spain, Sweden, and the U.K. They were presented and discussed in earlier versions at a workshop held in September 2014 at the EUI. Based on the workshop method, all working papers have reflected on similar aspects raised by their country case, concerning: 1) domestic/national preconditions and processes of adoption of gender quotas; 2) transnational factors; 3) legal and constitutional challenges raised by gender quotas in both the political and economic spheres; and 4) new frontiers in the field.

The working papers will be also made available on the blog of the workshop, where additional information on the experts and country information sheets can be found, and new developments can be shared: <https://blogs.eui.eu/genderquotas>.

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Abstract

The paper addresses the dilemmas, contradictions and paradoxes in the Danish approach to gender quotas and gender equality and discusses the intersections of citizenship, democracy and gender justice. Gender research understands gender quota as a means to achieve equal rights, gender equality and gender parity. Gender theory has conceptualized gender parity as one step towards achieving gender justice in all arenas of social, political and economic life. The Danish cases illustrate that context matters and question gender quota as a universal strategy to achieve gender equality. The empirical focus of the paper is placed on three arenas: 1) gender quota in political governance; 2) gender quota in parental leave policies; and 3) gender quota in economic governance. The paper is primarily concerned with analyses of Danish discourses and policies in relation to the three policy areas and only to a limited extent addresses the impact of these policies and their implications for lived practice. One issue concerns the paradox of the relatively high female representation in politics without the adoption of gender quotas. A second issue concerns the gap between gender equality policies. Denmark lacks behind the other Scandinavian countries' discourses and policies about gender quota but in practice the picture is much more complex. A third issue concerns the European perspective. In relation to women's labour market participation and gender parity in politics Denmark is ahead of other European countries but lacks behind in relation to equal representation on corporate boards.

Keywords

Political representation, gender quota, leave policies, economic boards, discourses

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Introduction

The paper addresses the dilemmas, contradictions and paradoxes in the Danish approach to gender quotas and gender equality. Gender equality policies influence power relations in relation to citizenship, democracy and governance¹. The empirical focus of the paper is on three different arenas for gender parity, which have inspired Danish debates about gender quota: 1) gender quota in political governance; 2) gender quota in paternal leave policies; and 3) gender quota in economic governance. The paper is primarily concerned with analyses of Danish discourses and policies in relation to the three policy areas and only to a limited extent addresses the impact of these policies and their implications for lived practice.²

The Danish approach to gender parity on the three arenas raises theoretical, normative and analytical issues. On the analytical level one issue concerns the contradiction between legal and voluntary gender quota and the practice of gender equality in politics. Denmark has never adopted national legislation regulating gender quota in politics and has no voluntary gender quota in political parties. In practice women have, however, made up almost 40 per cent of members of Parliament in the last five elections. It is a paradox that the relatively high female representation since 1998 has been reached without gender quotas. Furthermore the previous momentum for gender equality policies has vanished during this period. This case illustrates that context matters and it questions gender quotas as a universal strategy to achieve equal representation. It also questions equal representation as the main road towards the vision of gender equality policies.

A second issue concerns the gap between gender equality policies, discourses and practices in different arenas. In terms of discourses and policies about gender quota Denmark lacks behind the other Scandinavian countries (Borchorst and Freidenvall 2012). In terms of practice studies show that the picture is diverse in the three arenas. This concerns especially the effects of the lack of national legislation on parental leave reserved for fathers, the so-called 'daddy quota', an entitlement to individualized, non-transferable parental leave for fathers and the effects of leave entitlements in collective agreements for lived citizenship (Bloksgaard 2014).

A third issue concerns the ambivalent role of European integration for gender quota. Denmark has been far ahead of other European countries regarding women's participation on the labour market and gender parity in politics, yet the country lacks behind many European countries in relation to equal representation in corporate boards (Gender in Research and Innovation, EC 2012). Despite the acknowledged need for action gender quotas in boards of corporations have recently been rejected by the government who has opted for a voluntary strategy. Scholars have emphasised that it is unlikely that the voluntary agreements will have any significant effects on an arena dominated by the business sector; this is confirmed by Danish experiences with voluntary measures and self-regulation (see below).

On the theoretical and normative level the paper raises issues about the intersections of citizenship, democracy and gender justice. From this perspective gender parity is perceived as one dimension of gender justice next to redistribution and recognition (Fraser 2013: 164-167). Gender theory has presented diverse arguments for gender quota: justice, resources and women's interests. Gender quota can be understood as a means to achieve gender parity and gender justice in all arenas of social,

¹ Carol Bacchi (2012) has discussed the theoretical issues for and against quotas focusing on equality, representation, citizenship and rights.

² See also [http://www.europarl.europa.eu/RegData/etudes/note/join/2011/453213/IPOL-FEMM_NT\(2011\)453213_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/note/join/2011/453213/IPOL-FEMM_NT(2011)453213_EN.pdf).

political and economic life. The belief in gender theory and research has been that gender quota would and should be a means to achieve equal rights, gender equality and gender justice.³

Feminist theories about gender equality and gender justice have previously focused mainly on the national level.⁴ The paper is inspired by Nancy Fraser's transnational approach to participatory democracy and social justice (2011). We agree with Fraser's argument that in the contemporary global constellation there is a need for a paradigmatic shift in the democratic theory towards a post-Westphalian democratic justice. One implication of the reframing of justice is that democratic processes must be applied on the transnational level determining the 'who', the 'how' and the 'what' to be included for democratic considerations. In this conceptualization of justice, participatory parity is the third dimension of justice, the political dimension, which 'sets the procedures for staging and resolving contests in both economic and cultural dimension: it tells us not only who can claim redistribution and recognition, but also how such claims are to be mooted and adjusted' (Fraser 2013: 193-200).

Fraser and other scholars have proposed that democracy should be redesigned from a transnational perspective, because today there is a global community of fate which requires transnational democratic governance based on legitimacy and transparency (189-208). The paper adds a European dimension to this argument. We propose that demands for transnational gender parity and gender justice should and could be applied to the European contexts, which already have a close economic and political integration and cooperation (Rolandsen Agustín and Siim 2014). Arguably the four freedoms, i.e. the movements of capital, goods, labour and services, have tied the European countries together in close communities of fate, which makes it important to control the economy through democratic means based upon legitimacy and transparency. The economic and financial crisis has exacerbated this need for transnational democratic governance in order to achieve gender justice.

Setting the stage: the Danish approach to gender equality

Nordic gender research has previously characterized the Danish equality policy as the most bottom-up approach compared to the other Nordic countries where gender equality policies have to a larger extent been initiated 'from above' (Bergqvist et al. 1999). The Danish tradition for mobilizing social actors from below dates back to at the beginning of the 20th century. Alliances between social movements and social partners and women were important for the adoption of women's right to vote and for equal pay, and social reform movements were also crucial for the Danish tradition for extended public responsibilities for childcare (Fiig and Siim 2012). Danish democracy and political culture have been characterized by a combination of a preference for civil society solutions with a strong individualism in family and social policies (Borchorst and Siim 2008). Denmark has a majoritarian democracy where the Parliament has the main legal and political power compared to the executive and judiciary, and the constitutional court is not influential.

Since the Second World War the Social Democratic Party has been a strong supporter of both class and gender equality. During the 1970s and 1980s there was a relatively high degree of consensus about gender equality policies across the Left/Right divide, and alliances among women across the political parties played an important role for adoption of gender equality policies (Bergqvist 1999). Since the 1990s there has, however, been a growing resistance to gender parity, especially to gender

³ Recently a new discourse and rhetoric of profitability of gender equality within a range of institutions from business to higher education has become prominent in many arenas, for example that quotas are not only beneficial for women's rights but also for industry, for society, and for men. Freidenvall, Dahlerup and Skjeie (2006: 67-70) have summarized the different arguments for and against gender quotas in politics used in the Nordic debates.

⁴ See the report from the FEMM Committee: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REP+ORT+A7-2014-0073+0+DOC+XML+V0/EN>.

quota, coming from both women and men in liberal, conservative and populist parties based upon strong beliefs in the liberal principles of individual citizens' 'free choice'.

The present Social Democrat-headed Government has an ambivalent position on gender equality and gender quotas. Denmark changed government after the election of 2011 when a minority government of Social Democrats, Social Liberals and Socialist People's Party entered office (the latter left the Government again in the spring of 2014). There were high expectations for a more pro-active gender equality policy compared to the discourse presented by the previous Liberal-Conservative Government supported by the Danish People's Party with an emphasis on gender equality as a means to economic growth, voluntary measures, and ethnic minorities. The visions and policies in the Government's foundational policy document in relation to two crucial policy areas, paternity leave for fathers and gender quotas in the boards of corporations, were promising.

The Government Platform document from October 2011, '*A Denmark that stands together*', includes a section about equality and diversity. Here two of the proposals directly address gender quotas in relation to childbirth and within corporations. The document proposes a leave period with up to three months reserved for fathers – the so-called 'daddy quota'. It also proposes to start a dialogue with the business sector in order to increase the number of women on the boards of listed corporations and assess the need for adopting gender quota. Both proposals about gender quotas were, however, later withdrawn. Instead of gender quotas in corporations an alternative softer strategy to increase women's participation in public and private boards was adopted.

The next three sections analyse the Danish approach to gender equality and gender quota by looking, in more detail, at debates, proposals and policies for gender equality in three selected arenas: 1) gender quota in representative politics, 2) gender quota in parental leave schemes, and 3) gender quota in corporate boards. The focus is on the institutional logic, the main arguments set forward as well as the social actors involved for each of the three arenas.

The first arena: the Danish approach to gender quota in politics

The first arena for Danish debates about gender quota relates to equal representation in politics⁵. Gender parity in politics has been a major political goal, but compared to the other Scandinavian countries, Denmark represents an exception, since the country has not adopted any national legislation about gender quota in politics. Two political parties, the Social Democrats and the Socialist People's Party did adopt voluntary gender quotas but only for short periods. Both parties abolished these quotas again at party congresses in 1996 (Christensen 1999: 78).

In the Danish debate about gender equality in politics there was consensus about the goal of equal representation but disagreement on whether gender quota would be the appropriate strategy. Despite the lack of binding legislation on gender quota women have in the last five elections made up more than 37 per cent of the elected members of Parliament⁶. At the latest election in 2011 the percentage rose to 39.1 per cent. Gender parity in politics can be said to be relatively successful. Today three out of eight party leaders are women and; there is a Left-Right divide, since women tend to dominate the leadership on the Left and men tend to dominate the leadership on the Right. In 2011 the Social Democrat Helle Thorning Schmidt became the country's first female Prime Minister.

In the political arena, the debate for and against gender quota was primarily a debate within the two political parties, who had adopted party quota, the Social Democrats (1983-1996) and the Socialist

⁵ Since 2000 the law has formally ensured equal representation on public boards, commissions, etc through regulations on nominations (one candidate of each gender) and obligation to report to the Minister of Gender Equality regarding the balanced gender composition. However exemptions are allowed on the basis of 'objective justification' and sanctions are weak.

⁶ <http://www.ft.dk/folketinget/oplysningen/folketingsmedlemmer/kvindeprocenten.aspx>.

People's Party (1977-1996) (see Christensen 1999: 78). Both the Social Democrats and the Socialist People's Party abolished gender quota at their party congresses in 1996, but the process was somewhat different. In the Social Democratic Party there was opposition to gender quota from male members, while the opposition to gender quotas in the Socialist People's Party was particularly strong among young women arguing that quotas were no longer needed (Christensen 1999: 81). The main arguments in both parties were that equal representation should and could be reached by voluntary democratic means through a mobilization of women and men within and outside the parties to get them to vote for female candidates through the electoral system⁷.

The second arena: Debates about parental leave schemes

The second arena is parental leave policies, which has been a controversial political issue across the Right/Left divide during the last 15 years. Today the 52 weeks of the paid leave period includes a guaranteed period of protection of 4 weeks before the birth and reserves 14 weeks after the birth for mothers and for fathers a period of 14 days within 14 weeks after birth. The parents can decide how they want to share the rest of the 32 weeks of the paid leave period⁸.

Recent debates illustrate that binding legislation about parental leave periods reserved for fathers is still a controversial political issue across the Right/Left divide. In 2012 the Government appointed a Committee with participation of members of all concerned parties to examine the effects of the proposal for an earmarked period of up to 12 weeks of the leave reserved for fathers, including the economic consequences.⁹ However, in September 2013 the government decided to withdraw their own proposal to adopt a period of up to 12 weeks reserved for the father as in other Nordic countries even before the publication of the Committee report. The Minister of Employment claimed that it was still Government policy that it would be positive for the children and the families if men would take up more of the leave period. At the same time, she argued that it would not be right for the government to decide how the parents choose to share the leave¹⁰. In addition she pointed to the problem for some workers in the private sector who would experience a decrease of their wages if the proposal was adopted, since not all private sector workers, in contrast to public sector workers, are entitled to full wage compensation during paternity leave. The government claims that the goal is still to motivate fathers to increase their share of the parental leave periods, because it is positive for children, for fathers and for gender equality; however, no new policies and strategies in order to achieve these goals have been presented. Members of the appointed Committee publicly expressed their disappointment. One strong voice was the vice-Chairman of LO, the Danish Confederation of Trade Unions, Lizette Risgaard who stated that: "The Report shows that there is an equality challenge, which needs solutions: Men only take up 7.5 per cent of the total leave period. And the positive development of men's use of paternity leave has stopped". LO was in favour of the proposal, and in April 2013 they

⁷ Freidenvall, Dahlerup and Skjeie (2012: 68) find that you can find arguments that women can do without quotas in most countries but it has greater value in the Nordic countries because of the historical increase in women's representation. We add that this argument is especially strong in the Danish political culture where women's representation has increased since 1996 without the use of quotas.

⁸ For a historical overview and comparison of parental leave policies in Denmark and Sweden, see Borchorst and Freidenvall 2012. In 1991 fathers became entitled to two weeks after the birth. The Social Democrat-led government introduced an extra two week paternity leave earmarked for fathers in 1997 but this was abolished again in 2002 by the new Liberal-Conservative coalition Government (Borchorst and Freidenvall 2012). The Social Democrats tried to argue for an extra period of up to 10 weeks reserved for fathers at the elections in 2001, which the party lost. The proposal was met with resistance from the opposition, which claimed that this reform was too expensive (Borchorst and Freidenvall 2012: 42).

⁹ http://forside.kvinfo.dk/tema/barsel-og-ligestilling/aktuelle_situation.

¹⁰ <http://bm.dk/da/Aktuelt/Pressemeddelelser/Arkiv/2013/09/Regeringen%20oeremaerker%20ikke%20barsel%20til%20maend.aspx>.

published a survey showing that 2/3 of Danish men were positive towards the proposal to reserve 12 weeks paternity leave for fathers.¹¹

The main arguments for and against longer periods reserved for fathers are mainly normative and political and not economic. Arguments in favour include ensuring: a) an equal right of the father to have reserved leave period to spend with the children; b) a means to create greater gender equality and a more equal share of childcare responsibilities in the family; c) a means to create equality on the labour market by increasing women's participation (wages and promotion); and d) the children's right to the father's presence while they are babies. The arguments against adopting longer reserved leave periods for fathers through legislation focus mainly on 'free choice', i.e. the family's right to decide for themselves how they will divide/share the leave period. This has both a liberal version stressing the 'free choice' of the individual and a social-democrat version, which refers to the practical problems that individual families may face, for example the loss of income for some families, and the reduction in women's parental leave period, which is a concern for some women.

So how has the government decision to back down on their own policy proposal been explained by scholars and commentators? Many commentators were surprised of the change of government policy on this issue and it has been difficult to explain what exactly happened. The Government is a minority government, but the Red-Green Alliance, the support party for the government, was ready to back the proposal. It is no surprise that the Liberal and Conservative opposition resisted the proposal. This time the argument was not primarily an economic argument (i.e., that the reform was too expensive) but a normative argument about the right of the families themselves to decide about the distribution of the leave period. Apart from the resistance from the Liberal and Conservative opposition, the government might have been concerned by the lack of popular support for the proposal. The fear of losing voters may have been part of the explanation for abandoning the proposal as it became a discursive struggle opposing 'free choice' arguments to arguments stressing government imposition and force. Some commentators also refer to disagreements within the government coalition and the governing parties between members of the Social Democrats and the Socialist People's Party, on the one side, and members of the Social Liberal Party, on the other. The spokesman on gender equality for the Social Democrats, Rasmus Horn Langhoff, called the decision to abandon the father quotas 'an incredible shame' and the Socialist People's Party was in favour of the quota but, according to the spokeswoman on gender equality, Özlem Cekic, they lost the internal battle of the government and the proposal was consequently withdrawn.

From an institutional perspective, path-dependency and resistance to top-down gender strategies can contribute to the explanation. From a democratic perspective it is worth noticing that continuing discursive struggles and disagreements still exist between social actors about the framing of the issue of gender quota, especially in relation to parental leave policies. From a more dynamic perspective a 'window of opportunity' to change leave policies did exist in both 2001 and 2013 but it was not used. The failure has been explained by the 'free choice' discourse, which combines liberal values with individualism (Eydal and Rostgaard 2014). One position framed extended leave period within an 'equal rights' frame as part of a 'right of fathers'. The other position framed the issue as a question of 'the autonomy of families' against the state trying 'to force fathers/families' to adopt a specific leave practice. Scholars point to the lack of popular support for the proposal ('the fear of the voters' as one factor), since surveys have generally not shown support for men getting longer leave entitlements, if it was at the expense of women (Eydal and Rostgaard 2014). In addition, the mobilization among women's organizations was not strong.

A final point worth noticing refers to the different policy fields: The path-dependency against state intervention in the family contrasts with the strong path-dependent tradition for government intervention in other areas of family life, i.e. in relation to childcare policies. The main difference

¹¹ http://www.lo.dk/Nyheder/Nyhedsarkiv/2013/09/OeremaerketBarsel_LRI.aspx.

between the two issues lies in the framing: child care policies are mainly supported by pedagogical arguments and beliefs about what is best for the individual child, whereas the case of parental leave policies are mainly characterized by concerns for gender equality. From a democratic perspective, it is important to emphasize that enabling factors do exist on the Left in relation to gender equality policies within the Socialist People's Party, the Red-Green Alliance, the trade unions and women's organizations, especially in relation to the daddy quota. This contrasts with disagreement among feminists and social actors on the Left about the importance of gender quota in relation to governance of economic boards.

The third arena: Proposals for gender quotas in economic boards

The third area, which is currently debated, is gender quota in economic boards, inspired both by the Norwegian gender quotas in corporate boards and the proposal for a Directive from the European Commission. Gender parity on the boards of private and public corporations was already mentioned as one of the proposals in the 2011 Government Platform. After resistance from the business sector the government abandoned the idea of gender quotas in corporations. Instead it presented a soft law which obliges large public and private companies to adopt goals and policies in order to increase women's participation in boards. This law was adopted in Parliament in December 2012 and labelled the 'Danish model'. It is illustrative for the Danish political culture that the four centre-right oppositional parties voted against this law¹².

The former liberal-conservative government introduced a 'Charter for more Women in Management' in 2008. The Charter was based on voluntary processes and self-regulation to enhance the number of women in management positions through explicit strategies, goals, human resource policies, and mentoring initiatives. No sanctions were included in the Charter and it has been criticised for lack of visible results. In 2011 another voluntary measure, 'Operation Chain Reaction on Recommendations for more Women on Boards', followed; the Minister appointed ambassadors for more women in management and companies committed themselves to making targeted efforts in terms of recruitment. Thus, some corporations have already adopted goals and strategies to improve the number of women in the boards, and some have adopted gender quotas voluntarily (Bloksgaard 2014).

The current government, which was then in opposition, criticised the voluntary measures and proposed, on several occasions, a 40 per cent quota for women on boards, inspired by the Norwegian model and EU debates. This proposal was, as mentioned above, dropped in 2012 and replaced by a law which obliges the 1.100 largest public and private companies to set up goals for gender equality on boards and present policies to stimulate the participation of women in economic governance, including plans for recruitment in order to address the levels below top management. No sanctions were envisaged. The law came into force on April 1, 2013; even though the centre-right wing parties applauded the abandonment of the quota strategy, they still rejected the law, favouring voluntary measures and criticizing the administrative and economic burden placed on companies. The strategies of the former and the current government are largely the same when it comes to the measures proposed; the difference resides in whether companies are forced to implement these or can sign up for them voluntarily.

In the economic arena the political process, arguments and social actors were somewhat different than on the other two arenas. Here the resistance against gender quota in corporations came also primarily from the liberal opposition, but private corporations played a key role. The business sector claims that the proposal about public regulations of industry must be perceived as a legal intervention in 'the right as employers to decide'. These arguments against gender quotas are predominantly framed within a legal discourse rather than a normative one. Here the main argument is against government

¹² <http://forside.kvinfo.dk/tema/kvinder-og-bestyrelser/danmark>.

intervention in the private sector of the economy. In addition there are economic arguments, for example that government intervention will be harmful for the companies' efficiency and profitability to adopt gender quota, since the pool of competent women to choose from is still not large enough, and that the costs will affect job growth and competitiveness. To some extent the same arguments are used to criticize the soft, non-quota law from 2012. Most parties agree on the need to make use of all resources and talents, and the potentials in terms of enhanced competitiveness as a consequence of greater gender balance. In spite of this both the former and the current government prioritize cooperation and dialogue with the business sector; either by making the measures voluntary and respecting the companies' right to decide for themselves in the phase of implementation in the case of the former liberal-conservative government; or in the process of preparing the law proposal which in the end resulted in obligatory measures which were, nevertheless, softer than quotas and therefore more acceptable to companies, in the case of the current social-democratic led government.

During the first parliamentary debate on the law proposal in October 2012 the divide between government and centre-right wing opposition was clearly marked by the different framings of 'intervention' vs 'voluntary measures' (normatively and as a way to enhance the active participation of companies). The Liberal Party criticised the 'administrative burden' and 'massive bureaucracy' imposed by the law proposal and argued for qualifications-before-gender. Furthermore the spokesperson argued for additional measures, such as tax deductions for services like private child care and house cleaning, in order to enhance the structural possibilities for women to take up top management positions (in order to 'ease the burden for families where the woman *also* wants a top level position', our italics).¹³ Thus the problem is depicted as having three dimensions; women (freedom of choice and accepting their potential lack of ambitions, for instance), companies (patterns of recruitment), and structures (possibilities in terms of leave, child care, responsibilities in the household).¹⁴

The critique of the proposal for being overly bureaucratic rested mainly on the fact that a 0 per cent goal for female participation in boards would be accepted within the framework of the legal measure. In this regard the proposal would effectively not lead to results, which would differ substantively from the companies choosing not to participate in the voluntary measures implemented by the previous government. However the governing parties argued that the measure is also one of information (on company policy and awareness of gender equality) and that 'nobody wants to be unambitious' and publicly state to be uninterested in gender equality.

The debate still revolved largely around free choice vs. force and intervention and to such an extent that the spokesman for the Social Democrats claimed that "inflation has somehow hit the word 'force'. Every time someone wants something, every time someone proposes something, every time someone makes some kind of political statement, it is like you are accused of it being force, that it is horrible: 'Oh, how terrible! For God's sake, don't do anything', everything will somehow happen by itself". His expression of frustration to some extent reflects the general discourse where quota has almost become a taboo (when discussing actual implementation) and is met with strong resistance. During the debate the idea of force was articulated both in relation to women (i.e. not forcing them to become leaders against their wishes and free choice) and companies (i.e. not forcing them to recruit women against their will and preferences mainly for qualifications beyond gender).

What can explain the government's change of position from mandatory to voluntary gender quota in corporations? The resistance from the business sector seems to have been the main reason why the

¹³ Another opposition party, Liberal Alliance, argued for women's right to choose the life that she wants and women's capability of becoming top level managers 'if that's what they want'. The Liberal Party also referred to the 'strong women' on several occasions during the parliamentary debate.

¹⁴ Only the Red-Green Alliance introduced a democratic argument, which referred to the importance of having equal representation within the powerful sphere of top management where decisions affecting all citizens are made. The argument was subsequently supported by the Minister of Gender Equality during the debate.

government dropped the idea of gender quotas on boards and instead proposed the soft law without quota. Another factor may have been internal disagreements among the three parties of the government coalition combined with the resistance in the general public around gender equality issues since the 1990s. Finally there was a lack of mobilization and disagreement in women's organizations about the relative importance of gender quota compared to other gender issues like equal pay.¹⁵

The Danish approach to gender quota: Institutional logics, social actors and arguments

It is difficult to identify an institutional logic, which can explain the Danish approach to gender quota in all three arenas. Instead the analysis suggests that the institutional logic, the social actors involved and the main arguments are different in the three arenas. More qualitative gender research is needed to evaluate the implementation/non-implementation of gender parity in general and gender quotas in particular. The effects of adopting/not adopting gender quota in different policy areas are complex and difficult to examine. In addition it is a specific challenge to evaluate the effects of the non-implementation of gender quotas in particular arenas with many different social actors involved, for example in relation to parental leave schemes (Eydal and Rostgaard 2014).

Gender parity in political representation is the only arena where the voluntary Danish model has worked. Nordic gender research has since the 1990s addressed equal representation in politics (Bergqvist et al 1989; Dahlerup 2006) and has found that the voluntary Danish method has been relatively successful in terms of numbers. This model still works in political representation and in the Danish context there are no claims for gender quota in politics. As already mentioned, at the last election in 2011 women made up about 40 per cent of Parliament and gained a strong presence in the political elite with a female Prime Minister and a female Minister of the Economy¹⁶. The strong and successful female leaders of parties on the political Left and the political Right is an indication that women play an important role in the political elite.¹⁷

In the family arena fathers' entitlements to paternity and parental leave are dependent on occupational sectors, collective agreements, and local work places (Bloksgaard 2014). According to the Government's own estimations there is still a sharp gender division of the leave period, and in 2011 fathers only took 36 days leave, while women took 295 days.¹⁸ Recent data show that fathers took up 10.2% of the leave period in 2013 (Nordic Council of Ministers 2014). Studies emphasize, however, that in the Danish case the lack of binding legislation is combined with the adoption of paternity and parental leave entitlements in collective agreements negotiated directly by trade unions and employers (Eydal and Rostgaard 2014).

Denmark has a segregated labour market with women employed predominantly in the public sector and men in the private sector. Bloksgaard has identified an increasing diversity of paternity leaves in the collective agreements, which means that access for Danish fathers (and mothers) to paid paternity

¹⁵ One example of this lack of mobilization is the role of the Women's Council, an umbrella organization, which is today the only large national women's organization. It must be consensus-oriented and cannot take position on controversial political issues. As a result they play an important role on the European level within the European Women's Lobby as well as on the international level within the UN focusing on mainstream issues like mainstreaming and violence against women.

¹⁶ In all of the eight political parties represented in Parliament about one third of the elected members are women. The Socialist People's Party and the Social Liberal Party both have more than 50 per cent women, while the Danish People's Party has the lowest percentage of women with only 32 per cent. The Social Democrats, however, has only 36 per cent.

¹⁷ On the Left the Social Democrats, the Socialist People's Party and the Red-Green Alliance all have female leaders. The previous Minister of Internal Affairs and Economy, Margrethe Vestager, was leader of the Social Liberal Party from 2007 to 2014 when she became EC Commissioner. On the Right Pia Kjærsgaard was initiator and leader of the Danish Peoples' Party until she stepped down in 2013.

¹⁸ <http://sm.dk/publikationer/redegorelse-perspektiv-og-handlingsplan-2014>.

leave depends on occupational sectors, branches and local workplaces (Bloksgaard 2013; 2014). This gives private employers a crucial role in negotiations of leave practice of Danish fathers compared to the other Nordic countries.¹⁹ A growing number of trade unions have adopted paternity and parental leave periods reserved for fathers as a part of the collective agreements, and this is perceived as an alternative strategy to stimulate fathers' paternity leave when legislation fails to do so.²⁰ Bloksgaard emphasises that the lack of legislation means that Danish fathers, contrary to mothers, must negotiate their leave at different levels, i.e., at workplace level with the employers and at home with their spouse (Ibid.). This results in increasing inequalities in the fathers' condition for paid paternity leave with a 'middle class bias' for fathers with paid leave entitlements in the collective agreements (Bloksgaard 2013; 2014; Eydal and Rostgaard 2014).

In the economic arena Norway has been the frontrunner in adoption of gender quotas in corporate boards (Skjeie and Teigen 2012). In Denmark only a slight increase in the number of women on the boards of private corporations has been identified: In 2009 women made up 18.9 per cent of the boards in all companies and 9.7 per cent of the boards of the largest Danish listed companies. In 2013 the share of women had risen slightly to 19.3 per cent and 12.8 per cent respectively.²¹ In 2014 14.7 per cent of the board members of listed companies were women.²² A survey carried out in 2011 by one of the largest trade unions showed that 49 per cent of their female members and 30 per cent of their male members supported quota legislation to enhance gender equality on company boards. This was a rise from the 22 per cent of female members and 10 per cent of male members who supported legal quota measures in 2009.²³

In this arena we find a large variety in the goals, strategies and practices that companies employ in order to stimulate the participation of women on the boards of the largest companies as well as between public and private corporations. Scholars have found that the business sector seems to be especially resistant to gender parity. It is thus remarkable that despite the binding Norwegian gender quotas data indicates that the number of women in the boards of private Danish and Norwegian corporations is similar, respectively 12.8 per cent in Denmark and 13 per cent in Norway (Skjeie and Teigen 2012: 56).

Reflections and perspectives: Intersectional and transnational challenges

Gender research has demonstrated that there are both similarities and differences between welfare and gender equality policies in the Nordic countries depending on the different policy arenas (Bergqvist 1999; Dahlerup 2002; Borchorst and Siim 2008; Borchorst and Freidenvall 2012; Siim and Stoltz 2015). Studies find however that in relation to gender quota in politics, parental leave and economic

¹⁹ Bloksgaard's analysis of fathers' leave practices in three different private sector workplaces show that these depend on entitlement to leave periods: on top of the two weeks available for fathers through legislation, IKEA ensures fathers the right to 6 weeks of paid paternity leave, two weeks negotiated in the collective agreements and four extra weeks with wages negotiated with the workplace. Bloksgaard found that most men make use of this leave (Bloksgaard 2014: 149-150). In the telecommunication company TELIA fathers have the right to an additional two weeks paternity leave and four weeks with wages and also 10 weeks with wages combining paternity leave and parental leave. Here more than half have taken all ten weeks. In the third company, a retail store, fathers have an additional two weeks paternity leave with wages and 6 weeks with wages in total. Here fathers only take up the two weeks paternity leave (Bloksgaard 2014).

²⁰ This is somewhat similar to the Danish flexicurity model, which refers to the model for negotiating collective agreements about wages and working conditions between social partners, combining a high degree of flexibility for employers with a high degree of security for workers.

²¹ <http://sm.dk/publikationer/redegorelse-perspektiv-og-handlingsplan-2014>.

²² <http://corporategovernance.dk/konsfordeling>.

²³ <http://www.e-pages.dk/hk/717/>.

governance there are more differences than similarities between the Nordic countries.²⁴ Gender equality has become part of the national self-understandings but in contrast to the other Nordic countries the Danish approach favours voluntary methods and has been opposed to strategies of binding gender quotas.

Some studies have pointed towards institutional factors, for example the different opportunity structures as one explanation of difference in the development of gender equality policies between Denmark, Norway and Sweden (Borchorst and Freidenvall 2012). Denmark has a Left/Right divide in gender equality policies, which has until recently been absent in Sweden and Norway. Another factor has been the late timing of the policies, for example the possibility of earmarking parental leave policies. In Denmark this was put on the political agenda by the Social Democrat-led Government relatively late in 2013 during an economic crisis, and this became an obstacle to expanding the total parental leave period (Ibid.).

Other studies have pointed to the differences in the countries' democratic traditions and political cultures as an explanation for the resistance to gender quotas adopted 'from above' and emphasize the key role of Danish voluntary civil society organizations in the struggle for equal rights (Christensen and Siim 2002). Research suggests that the bottom-up Danish model based on mobilization of social movements and respect for the independence of the social dialogue can be a strength as well as a weakness (Fiig and Siim 2012). It has proven to be an advantage when there is a strong mobilization of the women's movement and of social actors within and across the political parties pushing for gender equality policies as was the case in the 1970s and 1980s. And it has proven to be a weakness when social actors no longer push for gender equality 'from below'. In addition experience shows that the voluntary strategy towards gender parity can work in some policy arenas, for example electoral politics, but not in others. It has proven to be extremely difficult to translate the voluntary approach to gender equality from politics to the private business sector where power relations are different.

EU has played an important role in contemporary debates about gender parity and gender equality in political and economic governance. In the Danish case the voluntary model to stimulate the participation of women in corporations was explicitly presented as an alternative to the Directive proposed by the European Commission to adopt a binding law. From a perspective of power the lack of gender parity in both national and transnational economic and political governance can be perceived as one of the main problems for gender quality policies and gender justice in contemporary Europe. Arguably one arena for new possibilities to increase gender equality in Europe could be elite decision-making in relation to political and economic governance as well as academia. There is a growing attention to gender equality in economic corporations and in research and innovation at the national level across the EU countries as well as at the EU level, which can give a new momentum to strategies and policies for gender parity.

From this perspective it is remarkable that the support for gender quotas in the EP has gradually increased during the last 10 years from demands for gender quotas in politics to demands for gender quota in economic life (Pristed Nielsen and Rolandsen Agustín 2013). This is reflected for instance in the 2012 Report about Equality between Women and Men in EU, drafted by the Committee for Women's Rights and Gender Equality, which addresses equality in decision-making.²⁵ This report argues for gender parity in both political representation and in economic governance with reference to 'justice' arguments as well as to economic arguments: 'for the benefit of economic efficiency and in order to make use of women's talents'. In the economic arena the Commission's Directive proposes

²⁴ The Nordic countries have a long tradition for cooperation, for example via the Nordic Council, and for cooperation in international organizations, for example in the UN. Mutual Nordic inspirations through the feminist and trade union movements and national comparisons by political forces and government agencies have historically played an important role in the development of gender equality policies (Bergqvist et al. 1999; Borchorst and Siim 2008; Freidenvall, Dahlerup, and Skjeie 2012).

²⁵ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A7-2014-0073+0+DOC+XML+V0//DA>

that women should make up 40 per cent of the boards of corporations in 2020. The proposal was backed up by the EP and currently awaits Council's first reading position. One crucial question for the national Danish and European context is whether this Directive will ever be adopted in the face of resistance, and another is how it will be implemented in the member states.

The European integration process and the present economic and financial crisis represent common challenges in gender parity and gender justice across member states. It presents both potentials for advancements, which arguably need to be addressed not only at the national but also at the transnational arena. During the global economic and financial crisis politics and economics have become increasingly intertwined, and national political governance no longer seems to be effective. According to Nancy Fraser a global transformation of the economy is ongoing where markets tend to be dis-embedded from democracy and society (Fraser 2011: 230). From this perspective the current problems with political and economic governance, democracy and social justice also represent new opportunities to address these issues not only at the national but also at the transnational level. From a participatory democratic approach it can be argued that gender theory and research need to transcend the national frame and address gender parity and gender justice in the transnational political and economic arena.

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