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A Comparative Approach on the Relevance of National Gender Equality Legal Frameworks in Israel, Portugal, and Slovakia to Improve Equality at the Institutional Level

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Abstract

In the last decades, women's participation in Higher Education has increased in most Western countries, even if the well-known phenomena of horizontal and vertical segregation still persist (O'Connor, 2017). The reasons for the persistence of these phenomena have been widely studied (Ridgeway, 2011; Pearce, Wald, & Ballakrishnen, 2014; Rhode, 2016), highlighting the importance of defining and implementing affirmative actions to improve women's situation in Higher Education. In this context, the European Union (EU) has placed the topic of gender equality (GE) in Higher Education with high relevance in the political agenda. As a result, several research projects have been approved to design and implement Gender Equality Plans (GEPs) in Higher Education Institutions (HEIs).

This paper reflects the design and implementation process of GEPs in a group of countries integrating an international project⁸. Based on data analysis of national legal documents, this paper examines the macro factors that can contribute to improving GE at the institutional level. The empirical analysis is based on a qualitative approach sustained on the analysis of national legal documents related to the economic, political, and social domains of Portugal, Slovakia, and Israel. The comparative analysis among the countries reveals that there are relevant actions already in place in national legal frameworks that can be seen as positive to design and implement GEP in HEIs.

Keywords: Gender Equality, Gender Equality Plans, Higher Education Institutions, Power-decision, Women

Introduction

Gender equality (GE) is one of the 17 Sustainable Development Goals (SDGs) of the United Nations' Agenda, and its importance is widely acknowledged. In addition to being considered as a right and a fundamental principle in the great majority of the countries, some studies have shown that there are also economic benefits that come from it, strengthening the argument that it can improve the economy, boost job creation, and reduce poverty (EIGE, 2017). It is argued that the promotion of GE can help overcome demographic challenges such as those currently faced by the EU, and that it may be associated with countries' innovation and competitiveness in a global economy (EIGE, 2019).

In this context, promoting equality between women and men emerges as an essential strategy when the goal is to build better, fairer, more cohesive and/or more developed societies. However, in practice, progress regarding GE is slow and often marked by advances and setbacks. Women tend to remain at a disadvantage in multiple domains, namely in academia and research, where inequalities persist even when it is acknowledged that only through the promotion of an egalitarian culture will HEIs be able to fulfil their full potential (EIGE, 2017b; Irish Higher Education Authority, 2019).

The main objectives of this article are to study the impact of national public policies that promote positive GE actions in institutional practices and to analyse, in a comparative perspective, the gender gap in academia and research. The work carried out focuses on three countries—Portugal, Slovakia, and Israel—that are part of a transnational research-action project, whose overall objective is to design and implement GEPs in HEIs. Empirical analysis is based on public

⁸ Due to anonymity and personal data protection, the name of the Project as well as the funding organisation(s) shall not be revealed.

data collected from such institutions as the World Economic Forum (WEF) and the European Institute for Gender Equality (EIGE), among others. In addition, this more quantitative approach is crossed with qualitative information referring to the positive action measures implemented in each country that integrates this transnational project, and the composition of the management bodies of the three HEIs in the three countries selected for analysis.

The paper starts with a brief theoretical framework, followed by the discussion of the methods and data used, and the presentation of the project along with some data analysis to characterise the three countries that are the object of study [e.g., Human Development (HDI) and GE (Global Gender Gap Index-GGGI, Gender Equality Index-GEI)]. Then, the authors try to identify the in/existence of policies promoting GE positive actions in the national context of each of these countries and explore, from a theoretical point of view, their hypothetical impact on the outcomes/outputs of the countries. Women's position in the three HEIs that are the object of study and the composition of their decision-making bodies are also analysed from a gender perspective. Finally, a reflexive synthesis is presented, followed by the main conclusions of the study as well as some suggestions for future research.

Theoretical Framework

Gender is a fundamental principle for organising social relations in virtually all spheres of social life, and it plays an integral part in institutional processes (Mackay et al., 2010). The feminist institutionalist perspective states that gender not only “operates at the level of the subjective/interpersonal” but it “is also a feature of institutions and social structures, and a part of the symbolic realm of meaning-making, within which individual actors are ‘nested’” (Mackay et al. 2010, p. 580). This approach enables us to focus on formal and informal institutions, to better understand the structures and the dynamics that underlie institutional processes of change and power, and—in this way—improve our knowledge about the mechanisms through which internal and external factors can impact gender in/equality, such as national public policies that aim to promote positive GE actions in institutional practices.

In higher education, gender inequality is usually analysed based on the composition of the student and staff population. The subjects studied by women and men along with gender composition in each academic rank are two indicators of the well-known phenomena of horizontal and vertical segregation (Carvalho et al., 2018). While vertical segregation is defined as the tendency to find women concentrated in clerical and low-level management, horizontal segregation applies to fe/male-dominated subject areas in organisations (Reskin and Roos, 1990).

International experience shows that progress on GE is neither linear nor automatically guaranteed. It occurs slowly and entails distinctive contours in each country as demonstrated by the results of the indicators discussed in this paper, usually seen as representative of gender in/equality (European Commission, 2016, EIGE, 2017b; WEF, 2017). In academia and research, the situation is similar, and the disadvantage of women in this area is neither an unknown phenomenon nor an outdated problem. In 1999, a report from the European Commission (EC) stated that “there are not enough women in research in Europe” (Commission of the European Communities, 2000, p. 17) and the resulting hypothetical losses (for women, for research, for society and for the interests of the European Union) led to the adoption of a number of initiatives aimed at correcting existing imbalances (such as the ‘Women and Science’ action plan). The importance of GE in higher education was thus recognised by the EU and placed on the political agenda (Commission of the European Communities, 1999, 2000).

Gender inequality has been decreasing among students (Tight, 2012), and—as shown in Appendix 1 where the compilation of ‘SHE Figures 2015’ data is presented—the participation of women is evidenced not only in early degrees of training but also in post-graduation and PhD studies. In fact, women comprise the majority of PhD graduates in Portugal and almost the majority in the other countries (European Commission, 2016). The proportion of women in the research groups is generally lower, but still, Portugal is the country with the highest proportion of women in this group, both in economy, in general, and in higher education (45% and 49.1% respectively) (Appendix 1). In fact, this high proportion of female researchers in Portugal, compared to other European countries, has been used to argue that it is not necessary to establish gender balance in research as a political objective (ERAC, 2018, p. 19). However, as noted in the European Research Area (ERA) report itself, gender balance in research is only one of the objectives of the ‘institutional change approach’. The balance in the number of researchers is important, but it is equally important to ensure both the balance in decision-making processes and bodies and to integrate the gender dimension in research (ERAC, 2018).

Today, GE is considered one of the top six priorities of the ERA (European Commission, 2019) and the promotion of a GE culture is a key requirement for HEIs to maximise their potential; this is done through “delivering innovative teaching and learning”, “attracting and retaining talented staff” and/or “maximising creativity and diversity of thought in research” (Irish Higher Education Authority, 2019, p. 3). Even so, progress is difficult, and, between 2014 and 2016, “the share of women in the highest-level research positions (Grade A) in higher education increased [only] by 1 % per year” in the UE-28 (European Commission, 2019, p. 9). Also, the underrepresentation of women in the category of professor persists as a problem that transcends most countries, even in those that are usually considered more equal such as Nordic countries (Hearn, 2017; Irish Higher Education Authority, 2019). Bearing this in mind, several steps have been taken at the European, national, and/or institutional level “[to] foster scientific excellence by fully utilising gender diversity and equality and avoiding an indefensible waste of talent” (European Commission, 2019, p. 9). The ERA measures aim to respond to a threefold challenge: to achieve a gender balance in research teams, a gender balance in decision-making, and to reinforce the gender dimension in research (ERAC, 2018; European Commission, 2019). Therefore, we are faced with an institutional approach based on three different and complementary objectives. It is recognised, however, that the first objective is the one that has received more attention, and which has led to the implementation of more initiatives at the national level:

More and more countries are engaged in improving transparency in recruitment and promotion and include such initiatives in their NAPs [National Action Plans]. However, the analysis of NAPs points to a divide between various Member States in terms of the development of gender objectives. Significant efforts have been made to include a gender dimension in research at EU level and across ERA countries. This has resulted in a higher number of publications that incorporate a gender dimension, although the overall level of integration remains low (European Commission, 2019, p. 9).

According to one of the latest reports from the EC on the ERA, advancement on GE in HEIs is in progress and there has been a growing adoption of “gender equality plans and related policies [...] at national or EU level to enact institutional change” (European Commission, 2019, p. 9). However, the impact of the measures adopted seems to be felt at a very slow and diversified

way (Hearn, 2017; European Commission, 2019; Irish Higher Education Authority, 2019). GE in HEIs is influenced by external and internal factors, with the reasons for the persistence of inequality being widely studied (Acker, 1990; Kanter 1993; Ridgeway, 2011; Pearce, Wald, & Ballakrishnen, 2014; Bartlett, Rhode & Grossman, 2016). Strategies to combat gender inequalities are diverse and often vary depending on the perspective in which they fit. In the context of this analysis, feminist institutionalist approaches are very important (Acker, 1990; Mackay, Kenny, & Chappell, 2010).

Women in Higher Education

In the specific context of HEIs, some literature argues that women's achievements and empowerment can be ignored or devalued by institutional practices (Husu, 2000; Diogo, Carvalho, & Breda, 2019). Regarding recruitment and promotion systems, Husu (2000), for example, argues that 'cumulative disadvantage' can help to understand the persistence of inequalities in HEIs. In addition, the author points out that "the practice of filling professorships by invitation rather than by open competition as one that discriminates against women" (Husu, 2000, p. 221). Also, Diogo, Carvalho and Breda (2019) found evidence that nomination processes can (negatively) influence women's access to institutional decision-making bodies.

In fact, the dynamics associated with gender inequality are not static, they are always in processes of change, moving to new frontiers and/or acquiring new contours that may hinder their recognition and therefore their fight (Husu, 2013). In this sense, in designing and implementing GEPs, Research Performing Organisations (RPOs) should also consider what Husu (2013, p. 38) designates as 'non-events'. In the author's words, "[n]on-events are a powerful way to subtly discourage, sideline or exclude women from science" and they can manifest in multiple forms:

Failing to cite a relevant report from a female colleague (...) fail to invite or welcome them to important informal and formal networks; bypass them for awards, prizes or invitations; fail to give them merit advancing tasks such as representing the research group in public forums; not ask them to design or participate in scientific meetings, conferences, panels or as keynote speakers; or simply stay silent when it comes to career support, advice and mentoring. Even supposedly small non-events can send a powerful message, such as when a female postdoc publishes a high-profile article that generates no reaction from senior local colleagues, while her male counterpart's parallel article is celebrated with high-fives all round (Husu 2013, p. 38).

On a broader perspective, it may be important to underline Hearn's (2017) contribution, which, drawing from his professional experience at eight universities in the United Kingdom, Finland and Sweden, shows how global trends of neoliberal policies resonate in academia. In addition to engaging in management practices, neoliberalism transforms each person into a 'micro-production unit', contributing to increasingly discontinuous, unpredictable, and competitive working lives (Hearn, 2017, p. 33). According to the author's reflection, it is in this scenario, common to several countries, that patriarchy tends to assume new forms, less obvious and explicit, concealed in a rhetoric that praises and adopts 'gender neutral' as a rule and that penalises everyone:

Men still overwhelmingly dominate many disciplines, academic hierarchies, and managements. This becomes even more obvious when working transnationally, as it becomes evident that the same gender patterns are repeated across and between countries. (Hearn, 2017, p. 33)

We may face a doubly penalising situation for women. The persistence of the glass ceiling, which deprives them of access to the highest positions, seems to coexist with organisational changes—spurred by neoliberal capitalism and imbued with the logic of the market—and is particularly damaging to women (characterised, for example, by the increase of long hours of work, international mobility, competitiveness and/or precarious careers) (Hearn, 2017). As a matter of fact, the literature has been showing how working conditions in Portugal have been worsening for researchers in higher education (Carvalho & Diogo, 2018; 2018a). Data reveal that, out of the total researchers' population, the ones employed on a part-time basis in the higher education sector are not very significant either in Portugal or in Slovakia (3.5% and 9.9%, respectively) (Barroca et al. 2015). However precarious' working contracts of researchers in the higher education sector is more expressive in the two countries (16,7% in Portugal; 18.8% in Slovakia) (Barroca et al. 2015). In addition, Slovakia is the country of the project's consortium where the gender pay gap in the economic activity of 'Scientific research & development' is higher (around 20%; it is around 11.9% in Portugal) (Appendix 1). In the next section, the situation of the three HEIs included in this project will be analysed in the light of this theoretical and literature reviews.

Methods and Data

The International Project

This study is based on a transnational/international project, built on an action-research approach. The project's main aim is to support RPOs to design and implement GE plans. The strategy to achieve this goal is based on the involvement of key actors, called Transfer Agents (TAs), within each organisation who, together with the core consortium partners, transmit co-produced GE knowledge inside their institutions. This innovative approach is expected to ensure the promotion and sustainable institutionalisation of GEPs beyond the duration of the project.

With such a co-production of knowledge approach and by building communities of practice among RPOs in each participating region, support and mentorship structures will be established and will continue to work even after the project is finished. Regular inclusion and exchange with national and European stakeholders (policy makers, researchers, ministries, etc.) ensures spill-overs effects of the project's results to other RPOs and Research Funding Organisations (RFOs) in their respective countries as well as to other ministries in the whole ERA. Among one of many results, the project will produce policy papers based on this strategic stakeholder involvement including actual policy makers and relevant stakeholders in the policy paper production. With this approach, the project aims at closing the research-to-action gap—respectively the theory-to-practice gap. Thus, this project contributes to a structural change towards GE within the ERA by stimulating institutional cultural change towards gender equal work environments in RPOs and fostering the importance of the gender dimension, as well as inclusive research and innovation programmes in RFOs.

Although all of the institutions that make up this transnational project fall within the Higher Education and Science sector, they can be grouped into two subgroups: research-only institutions

(located in Germany and Slovenia) and research and teaching institutions (located in Portugal, Slovakia and Israel). This paper is focused on the last group. The data used in the analysis have been collected from international bodies such as the United Nations Development Program (UNDP) and the WEF and the European Institute for Gender Equality (EIGE). The data on the three institutions mentioned above, previously collected and compiled under the project, are also analysed (Working Package 4: Creating Gender Equal Decision-Making Processes and Bodies) (Carvalho, Breda, & Diogo, 2018). The choice of these three countries can be justified for several reasons: (i) they are included in the same sector of activity, as already mentioned; (ii) they are the three countries in the consortium where the levels of equality between women and men in power positions is lower (Carvalho et al., 2018); and (iii) according to ERAC (2018), none of the three countries had NAPS implemented (at the time the questionnaire was completed), and Portugal and Slovakia reported that “gender equality is not defined as a priority [...]” (ERAC, 2018, p. 19).

Characterisation of the Countries under Study According to the Human Development Index, the Global Gender Gap Index, and the Gender Equality Index

The three countries are classified by the UNDP as having a “very high human development” level (UNDP, 2018, p. 22). According to Table 1, considering the results for 2017, Israel is the country with the highest ranking in the Human Development Index (HDI) (22nd position), followed by Slovakia (38th), and by Portugal (42nd). The three countries are part of the ERA, but in terms of innovation, while Slovakia and Portugal are classified by the EC as ‘moderate innovators’, Israel is considered a ‘strong innovator’. It is therefore expected that Israel will have more GE initiatives than Slovakia and Portugal⁹ (ERAC, 2018).

⁹ Germany, Slovenia, and Austria are also classified as ‘strong innovators’.

Table 1: Characterisation of Israel, Slovakia, and Portugal (HDI, GGGI, GEI)

Source	Indicators	Israel	Slovakia	Portugal
UNDP (2018)	Human Development Index (HDI 2017 ranking)	22	38	42
	Life expectancy at birth	82,7	77	81,4
	Expected Years of schooling	15,9	15	16,3
	Mean Years of schooling	13	12,5	9,2
	Gross National Income (GNI per capita)	32,711	29,467	27,315
WEF (2018)	Global Gender Gap Index (GGGI 2015 ranking)	46	83	37
	Economic Participation and Opportunity	66	83	44
	Educational attainment	1	1	82
	Health and Survival	97	1	54
	Political Empowerment	48	91	46
EIGE (2017)	Gender Equality Index (GEI 2015 score)	-	52,4	56
	Knowledge (score)*	-	60	54,8
	Power (score)*	-	23,1	33,9

* The indicators that enter into the composition of each subdomain are presented in Appendix 2.

In terms of GE, the results of the index proposed by the World Economic Forum—Global Gender Gap Index (GGGI) (WEF, 2018)—indicates that Portugal is the country that, in a comparative perspective and despite its position in HDI, presents the best results (37th place in the ranking, as displayed in Table 1).

As Portugal and Slovakia are members of the European Union, the Gender Equality Index (GEI) (EIGE, 2017b)—the index developed by the EIGE—will be briefly highlighted. Considering the ‘knowledge’ domain, the results of the countries that integrate this international project consortium are below the European average, which is 63.4%. Slovakia is, however, the one that is the most balanced in this area, but, curiously, it is also the country where imbalances are most pronounced in the domain of ‘power’. Portugal's performance in terms of ‘power’ is also below the European average (48.5%), as is the case for Slovakia (Germany and Slovenia outperform it).

Despite the limitations inherent in the measurement systems that have been reported in recent years (see, for example, Buss, 2015), the results of the GEI and the GGGI seem, in this case, to reinforce each other. Comparing the three countries based on the GGGI rankings, Slovakia and Israel score the highest position on the ‘educational attainment’ indicator, which is representative of the levels of equality in education. However, in these two countries, the results of indicators such as ‘economic participation and opportunity’ evidence the persistence, perhaps paradoxical, of strong imbalances between women and men in the labour market. Slovakia is also the country with the least positive results in terms of ‘political empowerment’. This means that the good results of Slovakia and Israel in the field of education/knowledge are not, in a comparative perspective, reflected in improvements in the power domain/dimension. These findings reinforce the argument

that measures to facilitate women’s access to the labour market may not be effective when it comes to accessing “powerful and desirable positions” (Mandel & Semyonov, 2006, p. 1910).

Discussion of Findings

Considering the characterisation of the countries evidenced previously, the authors examine whether the in/existence of policies that promote positive actions to improve women’s situation in the labour market, namely women’s participation in decision-making and leadership positions, influence the results of the countries on GE, and, later on, in institutional practices. Table 2 summarises the GE affirmative actions adopted in the consortium countries of this international project.

Table 2: Summary of GE Affirmative Actions in the National Framework

	Country / Equal Opportunities Law	Germany (DE)	Israel (ISR)	Portugal (PT)	Slovakia (SVK)	Slovenia (SL)
Economic dimension: Legal framework to promote women's integration in institutions top decisions	Women’s quota on supervisory boards in private companies	√	X	√	X	√
	Women’s quota on supervisory boards in public institutions	√	√	√	X	√
Political dimension: Legal framework to promote women's participation in political decision- making processes	Women’s quota on political parties	X	X	√	X	√
	Other initiatives to promote women’s participation in politics	√	√	X	X	√
Social dimension: Working hours, maternity protection, and parental leave	Maternity protection	√	√	√	√	√
	Parental Leave	√	√	√	√	√
	Working day/week	No more than 48 hours per week/ 10 hours	No more than 45 hours per week/ 8 hours/ 10 hours	40 hours week / working day - 8 hours	40 hours a week	40 hours week / working day - 10 hours

		maximum day	maximum day			
	Law protection to give support to family	√	√	√	√	√

Source: Carvalho et al. (2018, pp. 10, 14, 16).

Table 2 illustrates the divergences between the various countries in terms of affirmative actions in their national framework, with Slovakia and Israel showing the least positive GE actions to date. A quick look shows that no legislative initiatives to promote affirmative actions have been identified in Slovakia, either in the economic or political spheres. Compared with the other countries, Israel stands out by not adopting measures that aim to increase the share of women in “supervisory boards in private companies” and in “political parties”. Of the three countries, Portugal seems to be the country that has made more efforts to improve the situation of women in this domain. These data, crossed with the GGGI and GEI results previously analysed, seem to suggest that the lack of legislative initiatives to promote equality in access to decision-making may help to explain the high levels of inequality in power domains (considering, especially, the results of Slovakia and Israel).

GE Affirmative Actions in the National Framework

The GE situation of Israel, Portugal and Slovakia on the economic, political, and social domains will be explained in more detail in this section. In Israel, concerning the economic dimension, there are some gender equality-oriented legislation, ruling, and government decisions, which are aimed at promoting meaningful and balanced presence of women in the public sphere. Regarding the legal framework to promote women’s participation in political decisions, an intense debate that has taken place in recent years led political parties to implement various active measures to enhance women’s representation in politics. It should be highlighted that, at the national level, there has been an attempt to adopt a women’s quota to political parties; parties would be financed during election in accordance with their compliance with the women’s quota. The amendment has not yet been accepted in the Parliament. At the municipal level, the law that defines the elections' financing establishes financial bonuses to be given to parties where women are assigned in feasible/electable places. Parties where at least one third of their candidates are women will receive an additional 15% of their pre-defined-by-law election budget. This applied at the municipal elections on October 2018. When it comes to the social dimension, Israel is one of the leading Western countries regarding prenatal diagnosis (since 1954) and, for instance, several kinds of prenatal medical examinations are offered routinely (subsidised by the national health care system) to every pregnant woman and in every pregnancy, and even before pregnancy, encouraged by the medical, religious, and governmental institutions. Maternity leave lengths are 15 weeks or 17 weeks (in case of twins, when the mother can choose to take up to 7 weeks before the expected date of giving birth). Maternity leave is also granted in case of adopting a child under the age of 10. Amendments made in 2017 to the law established that a spouse of a woman who gave birth can divide the maternity and parental leave period for a minimum period of one week, and not three weeks as the law mandated previously. Furthermore, the Amendment establishes that

a man whose wife is independently employed and who is entitled to a maternity allowance will be entitled to split the maternity and parental leave period, similar to the entitlement of a spouse whose wife is a salaried worker. Since 1954, the legislation stipulates that rights of seniority at work cannot be harmed by absence from work for maternity leave.

In Portugal, several measures have been taken in recent years to improve the situation of women. In the economic domain, in 2018 it was established that all public sector companies should have at least one third (33.3%) of women in their administrative and supervisory bodies. In listed companies, this proportion cannot be lower than 20% after the first elective general assembly on 1 January 2018, and one third (33.3%) from January 2020 onwards. In the political field, following efforts in this domain, namely as an amendment to the 2006 organic law on the parity in Collegiate Bodies representing political power, a Parity Law was approved in March 2019 which defined that all lists presented for local, legislative, and European elections must guarantee a minimum representation of 40% for each sex. Concerning the social dimension, the Portuguese Law 120/2015 has introduced important changes to the father's compulsory parental leave, from 10 to 15 working days, consecutive or interpolated, adding new rules to the Labour Code which dictates that the father must take the leave within 30 days following the child's birth, 5 of which can be enjoyed consecutively immediately after the birth, corresponding to the payment of a parent allowance. Both parents have the right to the initial parental leave of 120 (ca. 7 weeks), 150 (ca. 21 weeks) or even 180 consecutive days (ca. 25 weeks) if the mother and the father each exclusively take at least 30 consecutive days, or two periods of 15 consecutive days, after the mother's compulsory enjoyment period of six weeks. In the case of multiple births, a period of 30 days for each twin is added in addition to the first. More recently, Law 90/2019 of 4th September reinforces parenting protection by adding that the parental leave may be taken simultaneously by both parents between the 120 and the 180 days. Therefore, at the most, father and mother can enjoy 15 days' leave together. Also, if both parents work in the same company (with fewer than 10 employees), the simultaneous use of the initial parental leave depends on the employer.

Slovakia does not have its own regulations regarding GE on economic¹⁰ and political¹¹ contexts and only regulations of the EC are applied. However, equality between men and women is stated in the Constitution of the Slovak Republic, and prohibition of discrimination based on gender as well as the obligation of equal remuneration for men and women for the same work are parts of the Slovak Labour Code.

In order to progress in terms of GE in Slovakia, a national strategy for GE for the years 2009-2013 was prepared with the following National Action Plan for 2010-2013. A further strategy and action plan were drafted for 2014-2019. Considering the social dimension, the maternity leave in Slovakia is provided by the employer to the employee regarding childbirth and the care of the born child for a duration of 34 weeks (37 weeks for a single mother and 43 weeks for a woman who has given birth to 2 or more children). After the 34 weeks maternity leave of the mother, the father can stay at home with the child for an additional 28 weeks, or he can go for maternity leave earlier, but not sooner as 6 weeks after the day of the birth of the child which are mandatory for the mother. The parental leave is in place to deepen childcare until the day the child reaches three years of age (or until the day the child reaches six years of age, in a case of the long-

¹⁰ The exception is the Law on Equal Treatment in Certain Areas and Protection against Discrimination, which has brought a modification of the principle of equal treatment, whose adherence rests in prohibition of discrimination for any reason and additionally in avoiding of discrimination and taking precautionary measures.

¹¹ The exception is the Law on Equal Treatment in Certain Areas and Protection against Discrimination.

term adverse health condition of a child requiring special care). Collateral maternity leave for both parents has been possible since January 2019; this is in case the mother cares for the new-born child and the father for an older child that is younger than 3 years of age. In this context, we can confirm that, with regard to the legal framework to promote women's participation in economic and political decision-making processes, the three countries present quite different initiatives to promote women's participation in decision-making. However, concerning the social dimension, related with support to maternity and working hours, there is a high consistency between countries; all have support for maternity and parental leave, as well as support to family. The working hours are also quite similar between them. Notwithstanding, there are differences regarding the length and terms of appliance (i.e., conditions; working hours; parenthood leaves; medical treatment conceded to pregnant women and mothers, among others) (Carvalho et al., 2018).

The next section discusses the GE situation of Israel, Portugal and Slovakia in HEIs.

Gender Balance in Higher Education and in Decision-making Bodies

As shown in Appendix 1, vertical segregation is evidenced in all countries. Although in lower positions women make up more than 50% in Portugal, Slovakia, and Israel, in higher positions (Grade A), the highest proportion is 25% in Portugal, 23.7% in Slovakia, and only 15% in Israel. In the same way, the proportion of women that are heads of institutions in the higher education sector, as well as the proportion of women on boards, members and leaders is below 30% for Portugal, Slovakia, and Israel (based on the Israeli Council for Higher Education from 2015) (Appendix 1).

Another important viewpoint is based on the evolution of the proportion (%) of women researchers in higher education by field of science. According to the SHE Figures 2015 report, the percentage of women in the field of Engineering and Technology in Slovakia was 32% (European Commission, 2016). The majority of the Slovakian institution study programs are from this field. Portugal has 31% in the same field, which is significantly lower when compared to those achieved in more general categories, such as “proportion of women researchers in the higher education sector” (49.1%) and “proportion of women researchers” (45%). The majority of doctoral programs of the Portuguese institution are from the field of Engineering and Technology (15), Natural Sciences (6), and then Social Sciences (3) and Arts and Humanities (3), followed by Health Sciences (1) and Education (1). It corroborates that the scientific field is a very important aspect to consider when comparing the proportion of women in research groups in HEIs. These data reveal that despite the changes in the integration of women in higher education as students and also in the initial positions of their academic careers, the positions of power are still dominated by men, thus reinforcing our earlier findings.

With respect to institutional decision-making, an analysis of the existing decision-making bodies in selected HEIs in Portugal, Slovakia, and Israel, with gender-segregated data, is presented in this section. This information is important because it highlights the situation of women and men concerning gender equal decision-making, but it also raises awareness of (potential) inequalities in the participating institutions. The main conclusions of the in-depth analysis of the composition of these management bodies, elaborated in the context of the project, are also presented.

In each partner institution, information was collected on the following governance structures (Table 3):

- Governance bodies or decision-making committees: Bodies responsible for overseeing the activities, determining the future direction, and monitoring progress on strategic ambitions;
- Scientific and pedagogic bodies: Bodies responsible for the scientific and pedagogical decisions, and strategic and operational decisions;
- Management bodies: Bodies related with the operational running of the organisation;
- Advisory bodies: Bodies that provide advice to any of the previous bodies but without authority to take decisions.

Table 3: Gender Composition in Decision-Making Bodies

Bodies/ HEI	Governance bodies		Scientific & pedagogic bodies		Management bodies		Advisory bodies	
	Male	Female	Male	Female	Male	Female	Male	Female
Israel	76%	24%	49%	51%	64%	36%	44%	56%
Portugal	71%	29%	49%	51%	62,5%	37,5%	75%	25%
Slovakia	78%	22%	86%	14%	93%	7%	56%	44%

Source: Carvalho et al. (2018).

The gender distribution in governance bodies or decision-making committees is distinct for each institution. At this level, all institutions have a singular or unipersonal body, meaning a body in which the decision is taken by a single person. The Universities in Portugal and Slovakia have a Rector and the college (institution in Israel) a President. The only institution which has a woman in these bodies is in Israel. In our view, this exceptional situation results from the fact that this institution is mainly constituted by female members and is focused on humanities. All the institutions have specific bodies which provide support to this unipersonal body. Universities—in Portugal and Slovakia—are also composed by the rectoral team and the vice-rector’s team respectively. In the case of the Portuguese and the Israeli institutions, the performance of the leader (Rector and Director) is supervised by a Board of Trustees. In nearly all these institutions, there is also a management body which is responsible for the administrative, asset, and financial (and, in some cases, human resources) management of the institution (e.g., Management Council or Board at the Portuguese institution). At this institution, and in the Slovakian University, different bodies have a highly relevant role in adopting and changing general acts as the Statute, namely the General Council, in the first case and the Academic Senate in the second. There are representatives of different groups of stakeholders (both internal and external) in all RPOs. Moreover, the General Council, at the Portuguese institution, it also elects the Rector.

The data show a tendency to an increased proportion of women in the scientific and pedagogic bodies when compared with the governance bodies (with the exception of the institution at Slovakia, and further on there are trends for gender balance at both the Portuguese and Israel HEIs), probably due to the tendency to associate the pedagogical issues with women. The management bodies are quite similar among institutions and, at this level, the presence of men

tends to be high in all institutions. The presence of men is also higher at the advisory boards at the Portuguese institution UAVR, unlike the Israel one (BBC).

In any case, there is a general trend for a higher presence of men when compared to women in all RPOs (Table 3). In fact, men predominantly occupy the decision-making bodies and there are only two exceptions where women represent more than 50% of decision-making bodies, both of them in Israel.

From National to Institutional Context: Reflexive Synthesis

The framework outlined in the previous subsections entails some important contributions. Firstly, it reaffirms that the increase in the proportion of women in higher education in recent decades, both as students and as researchers, has not been sufficient to suppress gender inequalities in any of the countries analysed. Secondly, the data presented also corroborate the idea that the gender distribution of positions of power in HEIs remains significantly unbalanced, clearly benefiting men. It is, therefore, fundamental to correct existing biases in this domain in order to achieve equality in HEIs, as acknowledged by ERA.

Regarding the power domain, perhaps the field in which the present study mostly contributes, it is necessary to synthesise two points that stand out from the comparative analysis of the three countries. Considering the results of the GGGI and the GEI, it is possible to conclude that: (i) Slovakia is the country with the highest levels of gender inequality in general terms; and (ii) Slovakia is also the country with the highest asymmetries between women and men in the power domain (see Table 1).

Given these results and reflecting on the contributions from Mackay et al. (2010) and Acker (1990), we sought to explore the impact of the national legal framework on GE in institutional practices. For this purpose, affirmative actions for GE in the national framework were collected in each of the countries and the data on the composition of the decision-making bodies of each HEI of this study were compiled and compared. The comparative analysis of this information makes it possible to affirm that Slovakia is the country with the least number of legislative measures promoting affirmative actions for GE (see Table 2) and all the actions identified are restricted to the social domain.

At the same time, it was perceived that the Slovakian institution is the one with the highest percentage of men in all decision-making bodies (Table 3). In our view, these results indicate that the absence of affirmative actions in the national context (especially in terms of the implementation of quotas in the economic and political spheres) is reflected in the institutional field, which helps to partly explain the high imbalances found. Thus, it is therefore expected that the national context and the legal framework of each country may influence in more or less positive ways the GEP that are going to be designed and implemented under the research-action project. However, considering the results of HEIs in Portugal and Israel, it should be stressed that the adoption of affirmative action for GE can help to correct imbalances, but this, *per se*, seems to be insufficient means to eliminate gender inequality.

Conclusion

In the last decades, the fight against gender inequalities in academia and research seems to have gained a new impetus. Under the ERA, the importance of GE has been recognised, placed on the political agenda, and established as a priority. Perhaps more than ever, a number of initiatives are in place to promote structural changes that can eradicate discrimination and inequality in HEIs.

The reflection presented here reinforces the results of previous studies. The analysed data, concerning the countries of the project, confirm not only that gender inequality still exists in academia and research, but also that the glass ceiling is a phenomenon that equally persists. In any case, the comparative analysis of the consortium countries reveals a general commitment to the GE theme, and it is possible to identify several actions developed in the legal context of each country that can be considered as positive, thus facilitating the design and implementation of the GEP in the HEIs. In fact, we found evidence that the adoption of affirmative national public policies seems to have the potential to positively influence the countries' GE outcomes, especially in relation to the power dimension. However, in Portugal, Israel, and Slovakia, such actions, *per se*, may not be sufficient to eliminate inequality, and more ambitious and concrete targets are not only necessary but also urgent. It should be noted that the data also confirms the presence of horizontal and vertical segregation on the decision-making level in these institutions; women tend to be more concentrated on areas or issues more associated with the feminine dimension—such as pedagogical issues—and in less powerful, prestigious, and influential bodies.

At this point, and in parallel with what was aforementioned, it should be referred that in addition to change at the institutional level, one should promote change at the individual level. In other words, it is important to reflect and to empower change regarding women's self-perception and self-esteem, enabling them to run for higher positions or research grants and, therefore, 'breaking' the glass ceiling. Change is absolutely required at the institutional level, but also individually in order to promote women and women's presence in more powerful decision-making positions.

The argument developed throughout this paper underlines that gender inequalities are not static and that the institutional changes of the last decades in HEIs—specially influenced by legal national frameworks and public policies—can trigger and/or camouflage (new) vectors of inequality that are particularly penalising for women. Projects such as the one this group of intuitions are involved in, are therefore particularly relevant; in addition to facilitating the monitoring and combating of gender inequality in its three most important forms (individuals, organisations, and knowledge) (Hearn & Husu, 2011), they are an instrument of action and change capable of helping identify better alternatives and new ways of working in HEIs, not only individually but also together/as a team.

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Appendix 1: Indicators of Gender Inequality in Higher Education

Indicators	Germany (DE)	Israel (IL)	Portugal (PT)	Slovakia (SK)	Slovenia (SI)
Proportion (%) of PhD graduates (2012)	45%	*52%	56%	49%	50%
Proportion of women researchers (2012)	26.8%	n.a.	45%	42.3%	35.8%
Proportion of women researchers in Higher Education sector (2012)	36.9%	*29%	49.1%	45.1%	41.7%
Part-time employment of researchers in the higher education sector out of total researcher population (2012)	32.2%	n.a.	3.5%	9.9%	4.1%
'Precarious' working contracts of researchers in the higher education sector out of total researcher population (2012)	19.3%	n.a.	16.7%	18.8%	9.4%
Gender pay gap (%) in the economic activity 'Scientific research & development' (2010)	19.3%	n.a.	11.9%	20.4%	16.3%
Proportion of RPOs that adopted gender equality plans (2013)	81%	n.a.	7%	4%	16%
Proportion of women academic staff (2013)	37.7%	43%**	49.2%	44.0%	37.9%
Grade A	17.3%	15%**	25.0%	23.7%	22.5%
Grade B	22.8%	27%**	39.5%	39.3%	34.6%
Grade C	28.8%	43%**	47.3%	49.3%	45.5%
Grade D	42.9%	53%**	53.3%	55.7%	52.6%
Glass Ceiling Index (2013)	1.34	2.32 [3]	1.75	1.82	1.64
Proportion of women heads of institutions in the higher education sector (2014)	16.5%	*9%-28% [1]	29.8%	13.9%	30.5%
Proportion of women heads of universities or assimilated institutions based on capacity to deliver PhDs (2014)	16.8%	n.a.	20%	14.3%	26.8%
Proportion of women on boards, members and leaders (2014)	25%	*0-39% [2].	21%	21%	32%
Women to men ratio of authorships (when acting as corresponding author) in all fields of science (2011–2013)	0.5	n.a.	0.7	0.6	0.6

Source: European Commission (2016); Carvalho et al. (2018).

*Source: Council for Higher Education/Planning & Budgeting Committee and Ministry of Science, Technology and Space (2015), *Promotion and Representation of Women in Higher Education Institutions – Committee report*, Jerusalem (in Hebrew):

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[%d7%99%d7%99%d7%a6%d7%95%d7%92-%d7%a0%d7%a9%d7%99%d7%9d.pdf](#)

[1] Presidents – 14%, Rectors – 28%, CEOs – 9% of universities and colleges in Israel in 2015

[2] Women rates in Israeli universities in different kind of nomination boards in 2011 (varies from 0% to 39%)

[3] Source: SHE figures 2018 (data regarding 2013)

**2014/2015

Appendix 2

Subdimension	Indicator	Simple indicators
Knowledge	Attainment and participation	Graduates of tertiary education (% , 15+ population) People participating in formal or non-formal education and training (% , 15+ population)
	Segregation	Tertiary students in the fields of education, health and welfare, humanities and art (tertiary students) (% , 15+ population)
Power	Political	Share of ministers (% W, M) Share of members of parliament (% W, M) Share of members of regional assemblies (% W, M)
	Economic	Share of members of boards in largest quoted companies, supervisory board or board of directors (% W, M) Share of board members of Central Bank (% W, M)
	Social	Share of board members of research funding organisations (% W, M) Share of board members in publically owned broadcasting organisations (% W, M) Share of members of highest decision-making body of the national Olympic sport organisations (% W, M)

Source: EIGE (2017)