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"THE SOCIAL PROBLEM OF MEN":

DELIVERABLE 12: POLICY OPTION PAPER I: NATIONAL OPTIONS AND PRIORITIES

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EU FP5 Thematic Network: The Social Problem and Societal Problematisation of Men and Masculinities

POLICY OPTION PAPERS I:
National Options and Priorities

Contents

Introduction

In March 2000, the European Research Network on Men in Europe project entitled "The Social Problem and Societal Problematisation of Men and Masculinities" (HPSE-CT-1999-0008) was initiated. The project, planned for three years (2000–2003), is funded by the Research Directorate of the European Commission under its Framework 5 Programme.

The overall aim of the Research Network is to develop empirical, theoretical and policy outcomes on the gendering of men and masculinities. The Research Network has focused on two closely related gendered questions:
   • first, the specific, gendered social problem of men and certain masculinities; and,
   • second, the more general, gendered societal problematisation of men and certain masculinities.

This work is primarily contextualised in terms of welfare responses to social problems and inequalities. It also has direct relevance to policy outcomes in relation to changing family structures; and work configurations within the labour market, the home and wider European society.

These Policy Option Papers address key policy options, issues and priorities in relation to men, with special emphasis on the four main policy areas:
   • **men's relations to home and work,**
   • **the social exclusion of some men,**
   • **men's violences,**
   • **men's health.**

The structure of the Policy Option Papers is as follows:
I. Policy Option Paper I: National Options and Priorities
II. Policy Option Paper II: EU, European and Transnational Options and Priorities

I. Policy Option Paper I: National Options and Priorities is organised as follows:
I. 1. The National Policy Context and the Four Policy Areas at the National Level
I. 2. Individual National Reports on the Ten Network Countries
Part I. 1. can thus be combined with each of the ten national reports.

II. Policy Option Paper II: EU, European and Transnational Options and Priorities is organised as follows:
II. 1. Men's Gendered Practices;
II. 2. The Research Context and Changing Forms of Masculinities;
II. 3. Transnational Perspectives;
II. 4. The European Context.
II. 5. The Changing Policy Context and the Changing Forms of Masculinities;

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I. Policy Option Paper I: National Options and Priorities

I. 1. The National Policy Context and the Four Policy Areas at the National Level

The National Contexts of Policy Options

Men and masculinities are understood as set within changing policy contexts. There have been huge historical changes in forms of masculinity and men's practices. Yet there are also stubborn persistences in some aspects of men and masculinity. Perhaps the most obvious of these is men's domination of the use of violence, and of most hierarchical positions. To understand the national policy context involves considering the relevance of 'the social problem of men' within organisational and governmental policy formation, in national, regional and indeed EU institutions. Changing gender relations both constitute governments and provide tasks for governments to deal with. Governments can be seen as both part of the problem and part of the solution. It is necessary to analyse and change the place of men within the gender structure of governmental and other policy-making organisations. There is also a need to develop policy options on men, including best practices and policies on men. Addressing policy around men and masculinities is an important and urgent matter. We now introduce the four main policy areas.

Men's Relations to Home and Work

Recurring themes include men's occupational, working and wage advantages over women, gender segregation at work, many men's close associations with paid work, men in nontraditional occupations. There has been a general lack of attention to men as managers, policy-makers, owners and other power holders. In many countries there are twin problems of the unemployment of some or many men in certain social categories, and yet work-overload and long working hours for other men. These can especially be a problem for young men and young fathers; they can affect both working class and middle class men as, for example, during economic recession. Work organisations are becoming more time-hungry and less secure and predictable. Time utilisation emerges as a fundamental issue of creating difference in everyday negotiations between men and women.

Another recurring theme is men's benefit from avoidance of domestic responsibilities, and the absence of fathers. In some cases this tradition of men's avoidance of childcare and domestic responsibilities is very recent indeed and still continues for the majority of men. In some cases it is being reinforced through new family ideologies within transformation processes. In many countries there is a general continuation of traditional 'solutions' in domestic arrangements, but growing recognition of the micro-politics of fatherhood, domestic responsibilities, and home-work reconciliation at least for some men. In many countries there are also counter and conflictual tendencies. On the one hand, there is an increasing emphasis on home, caring, relations. This may be connected to "family values", a political right wing or a gender equal status perspective. It is not surprising if there may be a degree of cultural uncertainty on men's place in the home and as fathers and a growing recognition of ambivalence, even when there is a strong familism. There is

also in some countries a growing interest in the reconciliation of work and home; and growing variety of ways of approaching this. Given the considerable difference that still exists between men's and women's earnings, it is not surprising that it is the woman who stays at home after the birth of a child. Since she is usually the person with the lower income, a couple does not need to be wholehearted advocates of traditional domestic ideology to opt for the traditional solution. Evidence from Nordic countries shows that parental leave which is left to negotiations between men and women, are mostly taken up by women, although most people, men especially, say they want a more balanced situation. Men and indeed fathers are clearly not an homogenous group. Men's unemployment can have clear and diverse effects on men's life in families.

Many research studies have noted how there have been contradictions between the ideas men profess and the way men actually live. The fact that men and women living together do not always give the same assessment of their relationship in general and the distribution of tasks between them in particular has become a much discussed topic in methodology. The paradoxical ways in which gender conflicts on the distribution of housework may be negotiated may be illustrated from German research: while in the early 1980's women living with men were generally more likely that men to claim that they did more of the work, some studies in the 1990's have shown the opposite.

The Social Exclusion of Men
This has been one of the most difficult area to pre-define, but in some ways one of the most interesting. Social exclusion often figures in the research literature in different ways, such as, unemployment, ethnicity, homosexuality, homelessness, social isolation, poor education, poverty. The social exclusion of certain men links with unemployment of certain categories of men (such as less educated, rural, ethnic minority, young, older), men's isolation within and separation from families, and associated social and health problems. These are clear issues throughout all countries. They are especially important in the Baltic, Central and East European countries with post-socialist transformations of work and welfare with dire consequences for many men. Even in Nordic countries, which are relatively egalitarian with a relatively strong social security system, new forms of problems have emerged. In the last decade, new forms of marginalisation have developed, with shifts from traditional industry to more postindustrialised society. Globalising processes may create new forms of work and marginalisation. Some men find it difficult to accommodate to these changes in the labour market and changed family structure. Instead of going into the care sector or getting more education, some young men become marginalised from work and family life. Working class men are considered the most vulnerable. There is a lack of attention to men engaged in creating and reproducing social exclusions, for example, around racism, and the intersections of different social divisions and social exclusions.

Men's Violences
The recurring theme here is the widespread nature of the problem of men's violences to women, children and other men, and in particular the growing public awareness of men's violence against women. Men are overrepresented among those who use violence, especially heavy violence. This violence is also age-related. The life course variation in violence with a more violence-prone youth phase has been connected to increasing exposure to commercial violence and to other social phenomena, but these connections have not been well mapped.

Violence against women by known men is becoming recognised as a major social problem in most of the countries. The range of abusive behaviours perpetrated on victims include direct physical violence, isolation and control of movements, and abuse through the control of money. There has been a large amount of feminist research on women's experiences of violence from men, and the policy and practical consequences of that violence, including that by state and welfare agencies, as well as some national representative surveys of women's experiences of violence, as in Finland. There has for some years been a considerable research literature on prison and clinical populations of violent men. There is now the recent development of some research in the UK and elsewhere on the accounts and understandings of such violence to women by men living in the community, men's engagement with criminal justice and welfare agencies, and the evaluation of men's programmes intervening with such men. The gendered study of men's violence to women is thus a growing focus of funded research, as is professional intervention.

Child abuse, including physical abuse, sexual abuse and child neglect, is now also being recognised as a prominent social problem in many countries. Both the gendered nature of these problems and an appreciation of how service responses are themselves gendered are beginning to receive more critical attention, both in terms of perpetrators and victims/survivors. There has been a strong concern with the intersection of sexuality and violence in Italy and the UK: This is likely to be an area of growing concern elsewhere. There is some research on men's sexual abuse of children but this is still an underdeveloped research focus in most countries. In some countries sexual abuse cases remain largely hidden, as is men's sexual violence to men. There has also been some highlighting of those men who have received violence from women. Men's violences to ethnic minorities, migrants, people of colour, gay men and older people are being highlighted more, but still very unexplored.

Men's Health
The major recurring theme here is men's relatively low life expectancy, poor health, accidents, suicide, morbidity. Some studies see traditional masculinity as hazardous to health. Men suffer and die more and at a younger age from cardiovascular diseases, cancer, respiratory diseases, accidents and violence than women. Socio-economic factors, qualifications, social status, life style, diet, smoking and drinking, hereditary factors, as well as occupational hazards, can all be important for morbidity and mortality. Gender differences in health arise from how certain work done by men are hazardous occupations. Evidence suggests that generally men neglect their health and that for some men at least their 'masculinity' is characterised by risk taking, especially for younger men (in terms of smoking, alcohol and drug taking, unsafe sexual practices, road accidents, lack of awareness of risk), an ignorance of their bodies, and a reluctance to seek medical intervention for suspected health problems. There has been relatively little academic work on men's health and men's health practices from a gendered perspective in many countries.

Interrelations between Policy Areas
There are many important interrelations between the various aspects of men's positions and

experiences, and their impacts on women, children and other men. There are strong interconnections between the four main policy areas. This applies to both men's power and domination in each theme area, and between some men's unemployment, social exclusion and ill health. Men dominate key institutions, such as government, politics, management, trade unions, churches, sport; yet some men suffer considerable marginalisation as evidenced in higher rates of suicide, psychiatric illness and alcoholism than women.

I. 2.1 POLICY OPTION PAPER: ESTONIA

Voldemar Kolga

i) Equality of women and men before the law is guaranteed by the Estonia Constitution first sentence of Art. 12 of which stipulates that "Everybody is equal before the law", however some important concepts as direct discrimination, harrasment, equal treatment of men and women are still absent in the Estonian law.

ii) There is no special commission to promotion and implication gender equality principles. The complainer should gather burden of proof, however it is not easy task. The Estonian legislation is imperfect and with many gaps concerning gender equality issues. The current legislation does not linked to men´s social problems (early deaths, unemployment, health, high rate divorces, drug use, violent behavior, etc.), however hopefully new Gender Equality Act would promote to solving these men´s social problems. The special attention is needed to turn to the intersection of gender and ethnicity, e.g. to the Russian-speaking minority problems in Estonia.

iii) It is needed to analyse conformity of Estonian legislation with international standards of gender equality and .guarantee availability of official gender-sensitive statistic.

1. HOME AND WORK

(i) The Estonian *Wages Act* stipulates that *it is prohibited to increase or reduce wages on the grounds of an employee's sex*, nationality, colour, race, native language, social origin, social status, previous activities, religion, or attitude towards the duty to serve in the armed forces. *Wages Act provides the principle of equal pay for the same work or for work of equal value and prohibits discrimination on grounds of sex with regard to all aspects and conditions of remuneration.* However, the principle of equal pay does not exclude discrimination of access to different jobs in the labour market.

ii) According to the new Holiday Act, a father of the new-born child will be entitled to additional right for child-care leave for 14 calendar days during a mother's pregnancy and maternity leave. The holiday pay for father's additional child care leave is paid from the state budget. The new amendment is a significant new right for fathers and clearly acknowledges that both men and women have family responsibilities.

iii) Task of policy makers is to create basis for introducing equal wages act into real life what needs working out special tools, for instance, to teach men to distribute better work-related and family duties.

2. SOCIAL EXCLUSION

(i) The issue of social exclusion is not reflected in Estonian laws. No differentiation on account of gender is made in these laws, for instance, there are no such concepts as direct discrimination, harrasment, equal treatment of men and women.

ii) Policy makers should pay more attention to the intersections of gender and nationality, for instance there is higher rate of unempoyment among Russian-speaking minority men than Estonian men.

iii) The issues of sexual minorities are acknowledged already in Estonia, however there is no legal acts concerning these questions. For instance, nudists claimed to have official beach in this summer.

3. VIOLENCES

(i)   The *Code of Criminal Procedure* stipulates that justice in criminal matters is administered according to the principle of **equality of persons** before the courts regardless of the persons' origin, social status, financial situation, race, nationality, **gender**, education, language, attitude towards religion, field and type of activity, place of residence and other circumstances.

ii) The first reliable family violence survey (Pettai, 2002) showed that family violence is common in many families and this survey has raised a lot of attention to domestic violence. However, issues of domestic violence are not directly reflected in state politics. Yet. This year the first time trafficking of women has been acknowledged in society thanks to the International Conference.

iii) Policy makers should turn attention to the interrelationships between gender, unemployment and nationality. So, there are relatively more criminals among Russian-speaking men than Estonians which probably comes from higher unemployment and adaptation difficulties to the new politico-economical situation. This connection is under-spoken in political circles.

iv) It is urgent need to take measures to prevent men's violence against women and children, for instance, by establishing men 's crises centres, however this question is out of state policy. In Estonia NGO may rather organize men' s centre than state institution, but foreign know-how is needed.

4. HEALTH

i) National health programme for children and youth until 2005, within which national action plans will be worked out for the prevention and improvement of children's mental health, school food, school health care, school environment, children's injuries and activity of physical exercise; programme for the prevention of alcoholism and drug-use for 1997-2007, national development plan for the prevention of HIV/AIDS and other sexually transmitted diseases until 2001. However, these programs does not rfer directly to gender, to men.

ii) Health problem of men, especially shorter life-expectancy in comparison with women and high suicide rate has received a lot of attention in society, however no legal documents deal exclusively with men's health and psychological well-beings problems.

iii) Before legal acts should happen changes in gender awareness, for instance, some Estonian PM's during the second reading of Gender Equality Act connected men's health problems with women's dominant status in education and health care institutions and requested protection from women power. It is needed to recognize the connection between poor health and some forms of masculinities, e.g. patriarchy system in society.

For further information see
Kolga, Voldemar (2001) *Estonia National Report on Law and Policy Addressing Men's Practices: Workpackage 3*. EU FP5 Thematic Network: The Social Problem and Societal Problematisation of Men and Masculinities. Available at: www.cromenet.org

I. 2. 2. POLICY OPTION PAPER: FINLAND

Jeff Hearn and Emmi Lattu

HOME AND WORK

(i) Despite the progress towards gender equality, employment in Finland can still be characterised by a significant wage gap and as heavily sex-segregated. These issues needs to be fully addressed by government and employers. This can include implementing in full current official policies to influence pupils and students to choose untypical disciplines in their studies; and attempts to make workplace cultures comfortable to the gender which is underrepresented. Men occupy the great majority of management positions, and other positions of power. This needs to be addressed in terms of transformations of management and leadership in companies and other employment.

ii) National legal and governmental policy is framed and characterised by a complex formal mixture of statements favouring gender equality in principle (The Finnish Act on Equality Between Men and Women operative from 1987), and statements using gender-neutrality as the major form of governmental communication. This means that there are relatively few explicit governmental statements on or about men.

iii) An exception to the generally gender-neutral pattern in which men are named is compulsory conscription into the army. Compulsory military service (voluntary for women) as a part of Finnish defence policy belongs to the line of Ministry of Defence. This compulsory conscription for men is a rare example of discrimination against men. Some ecclesiastical law is still outside the equality law. This needs to be changed.

iv) Equality objectives set in the Programme of the present Government include the implementation of the mainstreaming principle in state administration; the implementation of the principle of equal pay in working life; the development of more flexible family leaves in co-operation with labour market organisations. There is strong interest in extension of the reconciliation of home and work, for men and women.

v) There is a strongly pro-fatherhood policy and ideology. This needs to be look more critically at the use of violence by fathers, especially against women. There is a lack of consideration of how different aspects of men's practices might connect with each other, for example, home, fatherhood and violence, and violence and work.

vi) There has been a variety of extra-governmental political activity around men of varying gender political persuasions. Since 1986 there has been the Subcommittee on Men's Issues, a subcommittee of the Council for Equality between Women and Men. This has produced a publication which sets out ways in which gender equality can be developed to men's advantage. Consideration of how men might assist the promotion of gender equality in ways that assist women is rare.

2. SOCIAL EXCLUSION

(i)   There is a governmental commitment to prevent poverty and social exclusion. This is implemented in numerous projects carried out by different ministries, STAKES and other organisations and associations. The interconnections between poverty and social exclusion with other themes, such as violence or poor health, should be addressed more and in a more fully gendered way. For example, homeless in Finland are mainly men and this gendered pattern also relates to poverty, poor health, substance use and so on.

(ii)   Action against alcoholism and drugs would disproportionately assist men. Many state and non-state organisations implement several programmes against misuse of alcohol and drugs. The monopoly of alcohol distribution will be eliminated in due course in order to harmonize with EU laws. This will bring new challenges to alcohol prevention.

(iii)   Gay men and sexualities. In 1997, Parliament decided to demand that the government take legal measures in order to eliminate the juridical disadvantages that partners of the same sex face. Recent law reform in 2002 on same-sex marriage is to be welcomed. Other areas of social and economic life, for example, recruitment to employment, need to be reviewed to ensure full citizens' rights for gay men and non-heterosexual people, and to reduce the pervasive power of heteronormativity. The denial of adoption for partners of same sex needs to be changed. It has been proved that the parents of same sex can provide as safe and positive circumstances for growing up as heterosexual parents.

   iv)   Ethnic minorities/immigrants/racism. Legal reform from 1995 formally prohibits all discrimination based on sex, age, origin, language, religion, opinion, health, disability or any other personal reason. Another significant reform was the constitutional reform in the same year, which guarantees ethnic minorities, such as Romans and Sami people, a right to maintain and develop their own language and culture. The indigenous Sami people have their own administrative organ *Saamelaiskäräjät* which does not belong to the state administration. However, *Saamelaiskäräjät* have pointed out that several discriminatory practices persist. *Romaniasiainneuvottelukunta* (The Council for Roman issues) is linked to the Ministry of Social Affairs and Health; it aims to promote Romans' equal possibilities to participate in society's activities, and their economic, social and cultural living conditions. Main immigrant groups in Finland are Russians and Estonians. Despite the laws prohibiting discrimination, immigrants and ethnic minorities are generally lower positions especially in the labour market.

   v)   A new welcome post of minority ombudsman was established in 2001. Ombudsman's tasks are to promote good ethnic relations, follow up and ameliorate the position and rights of ethnic minorities, report, take initiatives and inform on these issues. In addition, ombudsman together with other authorities controls the equal treatment of people

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independent of one's ethnic background.

    vi) The challenges faced by men with disabilities appear to be an underdeveloped arena of policy development.

(vii)   Policy attention to the place of men in *producing* social exclusion needs to be developed.

VIOLENCES

(i)   Generally speaking Finnish legislation, including laws on sexual violence, tends to be gender-neutral. Genders are usually not mentioned explicitly, though there is a growing policy interest in violence against women. There is an urgent need to gender violence in intervention policy and practice, as men are the overwhelming majority of perpetrators of violence, despite some relative increases in the number of convictions of women.

(ii)   The Programme for the Prevention of Prostitution and Violence against Women 1998-2002 was launched by the Ministry of Social Affairs and Health as a part of the government Plan of Action for the Promotion of Gender Equality. This should continue. The Swedish model that criminalises the buying of sexual services and thus focuses on men clients is to be recommended.

(iii)   There are a few men's anti-violence programmes. While they can be a positive approach to men's violence to women, their evaluation is necessary, as there are a range of possible approaches and methodologies. At the same time, it must be guaranteed that men's violence to women is treated as a crime, with court trials and sentencing, and victims of sexual and/or physical violence are offered pertinent professional help within the police and justice system, and in social and health sector, including shelter homes.

(iv)   With the increasing number of foreigners living in Finland, violence against immigrant women and men needs to be paid attention to. Immigrant women especially are often double victims: victims of violence as women and in the position of immigrants.

(v)   Men have much to gain from reducing men's violence in terms of their own safety. This is especially so for young men, minority ethnic men, gay men.

4. HEALTH

(i)   In May 2001 the Council of State decided on national health programme. It formulates the guidelines for health policy for the next 15 years and the focus is more on promoting health. It is based on the World Health Organisation's project "Health for all" and national "Health for all year 2000". Health 2015 sees health more as a process than a static state. It aims to examine health from the different point of view of the life span and to identify critical phases of life in order to help people to get over these. One of its kind of core objectives is that young adult men's violent and accidental mortality would be reduced 30% of the level of the end of 1990's. Reduction of men's suicide is a priority.

(ii)   *Väestöliitto* (The Family Federation of Finland) is the central organisation for organisations specialised on family issues. Besides member organisations, it has units for population research, genetics screening clinics, family clinics, childlessness clinics, and sexual health clinics. The latter also has an open door clinic for young people who need help with issues related to sex, contraception, pregnancy etc., and a counselling service for young men.

(iii)   Health promotion and awareness raising in relation to STDs, HIV/AIDS and reproductive health is continuously important with rapidly increasing STDs figures in some regions in part related to tourism, travel and prostitution.

(iv)   Linkages between men's health and traditional masculine lifestyle should be addressed. This includes more attention to men's health practices and getting men to take their health seriously, avoid risk and accidents, reduce alcohol consumption, and so on.

For further information see
Hearn, Jeff, Lattu, Emmi and Tallberg, Teemu (2001) *Finland National Report on Law and Policy Addressing Men's Practices: Workpackage 3*. EU FP5 Thematic Network: The Social Problem and Societal Problematisation of Men and Masculinities. Available at: www.cromenet.org

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I. 2. 3 POLICY OPTION PAPER: Germany

Ursula Müller

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1. HOME AND WORK

    i) In 1958, a first law on equal rights of women and men in the FRG came into practice. It abolished, among other things, the right of the husband to decide as the last instance about any issues of marital life, if the partners could not find a consensus. As well, the right of the husband to cancel his wife's working contract without notice was abolished. But it took time until 1977 to give marital law again a push towards equality. Until 1977, a wife could not take up employment without her husband's approval, and she had to prove that "her" housework was properly done and not in danger in case she would take up work. Since 1977, husband and wife are said to divide home and paid work among each other in mutual consensus. In subsequent changes, the right of the women to maintain her name, the right of the couple to choose freely one of the names as the family name, the right to construct a double name, etc. were introduced. Attempt of the Green Party to make participation in housework compulsory for husbands has not been successful; yet it prompted a lot of public and parliamentary debates.

    The first west-German legislation on parental leave was a law on maternal leave in 1979, permitting the mother to stay home half a year after birth without loosing her job. In 1986, this possibility was extended: fathers, too, were entitled to take this leave, and the leave itself was extended to ten months, later to 12 months; and for the first time an amount of money was paid to those who were regarded as needy (the level of payment was more or less adequate to the lowest female employees' wages, as critics pointed to). Since then, parental leave has been successively extended to three years, whereas the guarantee to return to a workplace adequate to the one that was occupied before the leave has been weekend.

  (ii) In January 2001, the law on part-time work and limited working contracts became effective. The law aims at promoting part-time work for all employees, framing the conditions for limited working contracts, and preventing discrimination of workers in part-time and limited contracts. A general flexibilization strategy of employment conditions is combined here with definitions of minimum standards to secure employees' rights and security. The employer has to facilitate part-time work to all employees, even in leading positions, by announcing any vacancy as being shareable, in case this working place is appropriate for being shared. In case an employee expresses the wish to extend or reduce his or her working time, the employer has to negotiate with him or her, targeting at a consensus.

Referring to the limitation of work contracts, the law permits limited contracts without a special practical reason (which would be the regular condition for limitation) up to two years. This is important, seen from a parental leave's view, as employers may more easily hire substitutes for men or women on parental leave, or give work to a mother or father on parental leave who wants to combine parental leave with some work, as it has been permitted by parental leave legislation in the 90ties.

The law was publicly launched as a contribution to the reconciliation of family and work and was passed at the same time as a further step to gender equality. Whatever may be debated about that, it is true that for the first time in German history both genders and, at least on principle, employees in positions of all kinds and levels have the right to claim for a change of their working time schedule.

Yet, although there have been campaigns to motivate fathers to spend more time with their families, fathers in Germany are still very reluctant to take parental leave. Therefore, a guideline similar to Swedish regulations, enforcing parents to divide parental leave among them, otherwise the full amount of leaving time will not be allowed, could be an important step.

But politics will not be successful when adressing men as fathers alone. It is also necessare to change work-place cultures. Although much of lip service is paid to family-friendly working-time schedules, often the implicit assumption seems to be that it will be claimed for by mothers only. Therefore, policies should be designed addressing the problem of traditional masculunities in power positions, hindering other forms of masculinity (for instance overt fatherliness) to develop inside the firms.

Yet, with Germany being a country with still relatively large discrepancies between men's and women's earnings, some more things have to be done. The load, but also the power of a traditional family earner income is still put on and/or given mostly to men, thus unenabling many couples to try out non-traditional arrangements. Therefore, regulations reinforcing gender equality in gainful employment are strongly needed to provide more equal share of the genders and to widen the space for choices. To the disappointment of many, the red-green government has postponed an according legislation process to the year 2003; until then, German econom has time to deliberately install equality enhancing measures. Some of the big German employers, like some banks and airlines have reinforced their efforts for gender mainstreaming and diversity policies; but there are severe doubts if this will change the picture as a whole. As investigations show that German elites tend to become more and more self-referential and narrow in their selection processes, two scenarios for the future are possible: a more diverse working-life with a gender ans ethnic plurality of accepted leading personnel, or a continuation of the traditional hegemonic assumptions and structures, with German economy being led by

elites whose assumptions of the world are very restricted and traditional, espcially with respect to gender relations.

In the newly elected government, gender issues, until now, seem to be more or less cloaked under the headline "family". This bears the risk to re-allocate family questions and reconcilations problems again on the women's side. Ont he other hand, it has to be said that government has now actively adressed the problem of gendered violence. A first survey on violence against women, that has been marked as missing for a long time, is now under way; at the time, a first pilot study on violence against men has started. This bears the chance to provide more insights into the violent potential of asymmetric gender relations, and intto the potential of change.

2. SOCIAL EXCLUSION

(i)   Until 1969, living together in a same-sex partnership was punishable (§175 StGB), although, in reality, there had not been any cases of prosecution in the late 60's. In 1969, punishability was replaced by "moral indecency", which was maintained until 1984. Since then, in German public more offensive ways of "coming out" have become common.

The new law on same-sex relationships is divided into two parts; the first part does not deserve the agreement with the chamber of the Laender. This part of the law is valid since the 1st August 2001, and includes the possibility for same-sex couples to get registered officially as a life community. They may also decide for only one name, they are mutually responsible for each other in matters of everyday life; in some respects, if one partner brought a child from a former relationship into the same-sex partnership, the other partner has the right of care (for instance, taking the child to the doctor, attending parents' assemblies in school). Besides that, the health insurance of one partner may as well serve the second, in case this person has no shelter on her or his own respect, and also a newly introduced compulsory insurance for old age, covering prospective costs for intensive care. The second part of the law deserves the agreement of the Laender and has been rejected by their chamber in the first attempt. Now a negotiation committee has taken up it's work to find a compromise. This part includes regulations on taxes, on employment in the public service, and on social security in general.

In the meantime, the debate has broadened and become a discussion of a modern understanding of "family", especially with the presence of children. This is induced because the law on adoption does not include in it's wording any discrimination of any type of living together at all, but in practice is discriminating against non-married and same-sex partnerships.

Since 1ˢᵗ September 2001, the law regulating the renting of flats and houses has been extended to same-sex partnerships the rights sheltering marriages; for instance, if one partner dies who holds the contract, the other one has the right to stay in the flat.

This development was accompanied by a lively public debate, mostly in absolute favour of changes to equal rights. That relevant parts of the public would be in favour of liberalisation, even brought the conservative chancellor candidate into probles because he initially had announced to take the kaw back and save the institution of family from misuse by homosexuals. Yet, the conservative majority in the chamber of the Laender is barring parts of the law to proceed further.

Referring to same-sex relationships, the German development thus promises that same-sex orientations will not be a criteria of social exclusion in the future. This is not the case for other criteria; one very important one is immigration and migration.

Referring to migration, government has put a law on the way that promised, though critized in some points, to address some of the crucial points of migration: Germany would accept to be an immigration country; immigration into Germany would be restricted to maximal annual figures; migrants coming to or already living in Germany should have compulsory German language courses; spouses when separated from their partners should receive a right to stay of their own after a rather short period of marriage (this was an important point for women's groups, because that had long campaigned to draw attention to the rightless situation of migrant women living in abusive partnerships, but being forced to stay because there was a period of 4 years before they received their own rright to stay.)

This law had to pass the chamber of the Laender and received a contradictory voting; pro and contra votings balanced each other out, and the Land Brandenburg voted un-animously: pro by the president of ministers, contra by his substitute. The conservative opposítion succeeded just recently (December 2002) at the Constituional Court: the court ruled that the mode pf passing the law through the chamber of the Laender had not been correct.

Therefore, after a courageous start to pay more and better attention to migration, the legal process was stopped and has to start anew.

3. VIOLENCES

(i)   Since September 1994, sexual harassment has been introduced an a legal issue into German law. The law is named "act on the protection of employees" (Beschaeftigtenschutzgesetz) and concentrates on three main points:
If an employee feels sexually harassed, he or she has the right to complain to the

employer.The employer has to react immediately to clear up the case, to prevent further harassment, and to sanction the prospective harasser, with a range of sanctions from reproving to dismissal. The employer is further obliged to take measures preventing sexual harassment at all.The harassed person shall not suffer from any disadvantage or discrimination because of his or her complaint.

The law also prescribes extensive training of persons with responsibility for personnel (for instance, personnel managers, members of workers' councils, equal opportunities officers).

(ii)   Since November 2000, a law is valid banning violence by educating persons against children, including parents. Violence is banned as a means for education. Physical punishment, mental cruelty, and humiliation of all kinds are forbidden.

(iii)   Since 2002, a law is valid to shelter people in intimate relationships from violence against each other, by directing that the violent partner has to leave the home they live in jointly, even if he or she is the owner of that home. The law also works preventively and with punishment referring to contact unwanted by the victim. The non-accepted types of behaviour include prosecution by phone, and behaviour as "stalking" in cases where relationships only exist in the mind of the prosecutor. A further important aspect is that the law - being part of a government's action plan to fight violence against women, released in December 1999 - claims for networking of all institutions that are in charge of handling violence against women in some respect, like police, social work authorities, health organizations, churches, NGO's, women's shelters, counselling agencies, perpetrator counselling to prevent further violence, and the like.

To make this law effective, a collaboration with the "Laender" is necessary because, for instance, the rules governing police behaviour have to be changed as a consequence of this law. This process is not yet finished; some Laender implement the law reluctantly.

(iv)   In 1997, after long debates, legislation declared rape in marriage as an official crime. "Official crime" (Offizialdelikt) means that as soon as authorities learn about a case of rape in marriage, prosecution is taken up immediately and promptly, and the raped wife cannot stop this process. This was a widely debated point, as many conservative members of parliament held the opinion that the wife should have the opportunity to stop the charge in order to facilitate reconciliation and continuation of the marriage. The supporters of the law, among them a coalition of female members of parliament across party borders, argued that given a gender and power hierarchy in marriage, the danger of pressure exerted on the women by her violent husband

would be too obvious. The law as a whole was made possible along the argument that there was a severe discrimination of married women compared to women in non-married partnerships: whereas the latter were sheltered by law in the case of being raped by their partner, in married partnerships rape simply was pretended to be non-existent, as sexual intercourse is said to be a core element of marriage. Indeed, in former versions of the marriage law, wives were obliged to give sexual access to their husbands even against their will.

Many of the laws presented above have been publicly debated in a certain pattern of arguments. Rather often, the more left-wing and green side argued in favour of the victims, for instance the prospective beaten-up or harassed women, whereas the more right-wing side argued with respect to possible abuse, predominantly false accuses who may put irreparable damages on the falsely accused person. For instance, in one of the parliament debates on the law banning violence in intimate relations, a Christian-democrat speaker referred to the "known fact" that in partner-related cases of violence normally a lot of emotions prevail that make it very likely that both partners will lie to authorities (German Parliament 8.3.2001).

In sum, in the last five years a remarkable change has to be stated for German politics addressing gendered violences. This process should be continuously evaluated in order to find out which resistances develop, and to draw conclusions for further action.

In general, issues of gendered violence have been taken more serious by politics and research in the last years. A problematic issue is still remaining, referring to the media. Here, it seems that men who kill their female partners when they want to leave or actually have left the relationship, or divorced fathers who kill their children when taking them for some according to custody agreement, are in a way "normal"; their "desperation" makes the killing appear as a regrettable, but understandable and, in a way, expectable action. The close association of being male and being violent, respectively, using violence as a means to solve problems, is nowhere challenged, except in feminist discourse and some men's movements statements, some research on masculinity, and so more regionally restricted campaigns. Political strategies towards this women-hostile, dangerous and non-responsible petrifaction of gendered violence should be taken into consideration (for instance, ethic codes for the media referring to gender questions, etc.).

4. HEALTH

(i)   Still today, abortion in Germany is forbidden (§218 StGB). There were no exceptions during the first decades of the Federal Republic; with the women's movement, abortion became one of the core issues of women's liberation. Many German women travelled to the Netherlands where laws were liberal and methods human. Big campaigns and

demonstrations finally led, together with the change from a conservative to a social-democratic government, to a liberation of the law. In 1976, four exceptions from punishability were defined: medical, eugenic, criminological, and social. The "social indication" covered rather broadly life situations which would make the continuation of the pregnancy hazardous for the pregnant. A compulsory counselling was introduced; each pregnant woman had to present a certificate that she had been counselled; the decision to have or have not an abortion was left with the women. (Before that change of law, the Bundestag had passed a formulated exception with a rather simple solution only stating that any abortion will not be punished within the first three months of pregnancy. This solution was abolished by the constitutional court of the FRG). But even then, processes remain difficult. Especially the catholic church exerts a lot of pressure on politicians and public discourse. This led to the consequence that in the "Laender" with a prevailing Christian-democratic orientation, women face a lot of difficulties, if not the impossibility to receive an abortion under safe and social-security covered conditions. The conservative policy to encourage pregnant women to have the child ant let it become adopted afterwards has not been a success; the annual figures of adoption are decreasing. Today, public debates have ceased, but a very unequal distribution of abortion support is still a challenge.

Men's health still is an underdeveloped area in German politics; this is the case referring to men's well-being as well as to men's risky health practices. Although some pore comprehensive approaches now have been made in research, more effort should be developed hear referring to both aspects.

5. GENERAL RECOMMENDATIONS

Germany has not yet established a stable structure for gender awareness; a "gender watch" evaluation that, based on some internationally comparable criteria, could give an annual or bi-annual information about the current state of gender relations in Germany would be very helpful. Some criteria of the CROME reports not only on Germany, but also on the other member countries of CROME could provide a basis that could be developed further.

A prototype of such a system could be a strategic device to collect a lot of scattered information on men and gender relations, and help to provide a more comprehensive picture. It would give politics a chance to recognise "at one glance" the state of gender relations, provide a basis for further action, and may provide a serious ground for legitimacy, and to differentiate empirically valid arguments about the state of gender relations from those which merely try to influence discourses of traditional power. There is also necessity to support gender-collaborative research on gender questions.

For further information see

Müller, Ursula (2001) *UK National Report on Law and Policy Addressing Men's Practices: Workpackage 3*. EU FP5 Thematic Network: The Social Problem and Societal Problematisation of Men and Masculinities. Available at: www.cromenet.org

I. 2. 4 POLICY OPTION PAPER: IRELAND

Professor Harry Ferguson

i) In general, the overall nature of men's experience in Ireland is contradictory. Men in general still dominate key institutions, such as the government and politics more broadly, management positions in public service, health and social services, trade unions, the churches, and sport. Men have a monopoly on the use of violence, in both public and private spheres. Yet some men suffer considerable marginalisation as evidenced by such things as higher rates of suicide, psychiatric illness and alcoholism than women. Men are also frequently the victims of violence by men. Men also make up the majority of the prison population, most of whom are extremely poor/disadvantaged, are more often the long-term unemployed, and experience on average almost six years lower life expectancy than women. In general the quality of statistical information on men in Ireland is mixed. While the state has pursued aspects of a gender equality strategy since the emergence of second-wave feminism in the mid-1970s, while there are exceptions, the impact of such policies are not being routinely evaluated through the production of official statistics on men and women's experiences of such things as family responsibilities, work, violence, leisure and health. Research studies, some of which are sponsored by governments departments, have begun to address this gap in knowledge, but progress is slow and this urgently needs to change.

1. HOME AND WORK

(i)   The 'family' in Irish law is the kinship group based on marriage, and the only legitimate 'father' is the married father. Despite the fact that 26% of all births in Ireland are now outside of marriage, unmarried fathers are not acknowledged as fathers under the Irish Constitution (whereas the mother is given automatic rights by virtue of being a mother). Unmarried fathers have to apply to the courts for guardianship of their children. The Irish State has come under increased pressure in recent years to give fathers equal rights as mothers to be a parent to their child. Yet there is little sign that this has led to a more explicit gendering of men in terms of legal reform and fatherhood needs be more actively addressed as a policy issue.

ii) Irish fathers have no statutory entitlement to paternity leave. Following the implementation of the recent EU directive, they are entitled to 14 weeks parental leave in the first five years of the child's life, which is unpaid and not surprisingly vastly under used. During 2001 mothers have been granted an extension of paid maternity leave, from 14 to 18 weeks, and unpaid from 4 to eight weeks, while fathers in Ireland are about to gain paid statutory rights to attend two ante-natal classes and to be at the birth of their child. Such gender differences in how public policy is constituted around parenting demonstrates how the provider model and the ideal of the 'good working man' continue to dominate constructions of masculinity in Ireland. Unless and until fathers are given paid parental leave men's involvement in child care will fail to develop in the manner it needs to and increasing numbers of men want it to and will remain secondary to women's.

2. SOCIAL EXCLUSION

Despite economic growth, levels of poverty and social disadvantage remain significant. Concepts of social exclusion in Ireland have broadened to take account of not only poverty, but educational disadvantage, racism, homophobia and drug misuse. As increasing numbers of refugees and economic migrants have entered the country since the mid-1990s, the shift to a multicultural society is bringing to the surface latent Irish racism and has led to violent attacks on many men and women of colour, but for which no official figures are available. This, again, needs to change. There is limited gendering of men in relation to social exclusion, the most significant being in relation to the vulnerability of men who are socially disadvantaged and long-term unemployed. Since 1994 the Department of Social, Community and Family Affairs has been funding men's groups in socially disadvantaged areas. While there is no single model of 'menswork' going on in such groups in Ireland, the most common orientation appears to be personal development, as a support for men who feel excluded and are struggling to find a role for themselves. Evaluations of these programme suggest that they have significant benefits to socially excluded men and need to be developed.

3. VIOLENCE

Given that the central organising ideology which dictates how men are governed in Ireland is the provider model and the hard-working 'good family man', when evidence emerges that not all men are in fact 'good', a deficit in governance and services arises. Minimal attempts have been made to develop intervention programmes with men who are violent to their partners, while only a fraction of men who are sex offenders are actively worked with towards rehabilitation/stopping their offending. Masculinity politics with respect to violence are becoming more complex, with increasing pressure to recognise male victims of women's domestic violence. A clear strategy is required for working with men's violence, which includes resources for establishing treatment programmes, both in prisons and in the community. Services for victims of child abuse also need to be developed, for male, as well as female, victims. Intervention programmes also need to be developed which focus on the needs of vulnerable fathers, that is those men who are not abusive to their children or partners but in need of support and therapeutic help to develop their capacities as carers.

4. HEALTH

Men fare worse than women in terms of avoidable illnesses, accidents, and premature death. Greater risk taking behaviour is evident for men in terms of drinking and driving and not always using a seatbelt. The suicide rate among men has trebled over the past 25 years, with the highest increases in the 15-24 year old age group, but has remained constant for women. At 7.1:1, Ireland has the highest gender ratio of 15-24 year old suicides in the 46 countries covered by the World Health Organisation (WHO). The health of men is just beginning to be recognised as a health promotion issue, in the context of

growing awareness of generally poor outcomes in health for men compared with women and generally lower resource allocation to men's health. The Irish government published a new health strategy in 2001 which included for the first time a specific section on men's health. This was a very brief statement, which needs to be developed in terms of actual policies and practices which can lead to the improvement of men's health. Health is still tending to be conceptualised in physical terms, with a neglect of psychological well-being. While increases in male suicide, especially by young men, are increasingly the focus of public concern, there has been little attempt to develop gender specific policies and programmes which can help men to cope with their vulnerability and despair. This urgently needs to be rectified.

For further information see

Ferguson, Harry (2001) *Ireland National Report on Law and Policy Addressing Men's Practices: Workpackage 3*. EU FP5 Thematic Network: The Social Problem and Societal Problematisation of Men and Masculinities. Available at: www.cromenet.org

POLICY OPTION PAPER: ITALY

Carmine Ventimiglia

1. HOME AND WORK

This Paper notes with approval the advances in providing a formal framework for increasing men's child care functions within the home as set out in the Legislative Decree of 26 March 2001, n. 151. The decree institutes a national standard for the provision of both paternity and parental leaves.

SOCIAL EXCLUSION

The Paper notes recent steps taken by the government to increase the possibilities for positive state interventions against poverty in Italy. Nevertheless, this Paper urges the government to address the following barriers currently limiting the possibilities for such interventions:-

i) Few financial measures which combat poverty are specifically targeted at that issue. Many are measures aimed at broader objectives which only indirectly contribute to the challenging of poverty. More concerted anti-poverty measures are required.

ii) Similarly measures against poverty on the whole suffer from insufficient co-ordination between them. So, the response to poverty needs to be not only more concerted but also more coherent.

VIOLENCE

This paper notes with approval legislative steps taken towards developing a stronger legal framework for challenging violences to women and children in the home, as represented by the Legislative Decree of 4 April 2002, n. 154. The decree provides a legal frame for the provision, in certain circumstances, of a range of limits being placed on abusive behaviour. Those limits include, as well as other measures, the following provisions: exclusion of the abuser from the home; exclusion of the abuser from the environs of those abused; forcing a legally excluded abuser to make financial provision for those abused.

For further information see
Ventimiglia, Carmine (2001) *Italy National Report on Law and Policy Addressing Men's*

Practices: Workpackage 3. EU FP5 Thematic Network: The Social Problem and Societal Problematisation of Men and Masculinities. Available at: www.cromenet.org

Work in Progress

11.05.10

UK

I. 2. 6 POLICY OPTION PAPER: LATVIA

Irina Novikova

1. HOME AND WORK

The currently acting Family Code does not reflect the issue of gender and follows a typical breadwinner model. Family policies still target a traditional family model with children, however, in the environment with diversified public visions of family institution. The model of a husband-breadwinner's family, however, is implicitly reconstructed in family politics and legislation targeted at women as childbearers and major childcarers. The issue is providing anti-discrimination and equality in private sector legislation.

Law on Housing does not contain any anti-discrimination wording, and the only way to deal with private discrimination is to refer to Article 78 of the Criminal Law criminalizing direct or indirect limitations of a person's rights. There is no clear concepts and no clear definition of what is harassment in relation to gender discrimination. The State Civil Service Law does not contain any direct equality and anti-discrimination clauses, and only gives references to the Labour Code (Labour Code Article 7, Article 29)

On 20 June, 2001, the parliament adopted a new Labour Law containing a number of important anti-discrimination clauses. Article 7 enshrines the principle of equal rights and the prohibition of discrimination on the basis of gender and other grounds. Article 29 enshrines the prohibition of differential treatment based on gender "in creating a labour contract, during the operation of a labour contract, in particular in promoting an employee, determining working conditions, pay for work or professional training, as well as ending a labour contract." If the employee indicates conditions that may serve as the basis for direct or indirect discrimination, the burden of proof shifts and the employer must demonstrate that differential treatment is based on objective circumstances. Indirect discrimination is said to exist if ostensibly neutral conditions, criteria or practices create disadvantageous circumstances for a large majority of one gender. The new law forbids job advertisements aimed at only one gender or setting age restrictions. Article 33 holds that "during a job interview questions that are unrelated to fulfilling the work are impermissible, as are questions that are directly or indirectly discriminatory, such as those regarding pregnancy, family or marriage conditions." Article 60 creates the responsibility for employers to set equal wages for men and women for the same work. The law will enter into force on 1 June 2002.

However, the issue of legal responsibility is not effected in public consciousness to the

level that in cases of the law violation the ground of gender women could sue their employees in court. This also addresses us to the two wider issues: closed public policies (UNDP Report 2001) and entry into the global structures of labour market – issues of accountability and transparency.

Labour Code incudes an article on a parental leave for both parents. However, the article does not have any operative value in the society with low gender consciousness. The problem is that gender-equality rhetorics is accepted from top to down in government and in business whereas gender equality instruments such as, for example, gender-sensitive budget or such gender mainstreaming instrument as an obligatory gender literacy for legislators and civil servants would be extremely helpful for gender researchers and activists. The scope and detail of indicators in social statistics should be extended to provide a more complete picture on the true condition of different groups in society. Policy initiatives on home and work should be built upon gender-specified social statistics. This reflects a wider issue of a low level of integration of gender-sensitive programs in education and research.

It is necessary to reconsider the decreased state investment in social services

Conduct policy research on liberalization measures that support gender equality

Increase representation of gender equality advocates in national and international trade discussions

Promote capacity development for consistent application of a gender perspective in labour and family policy-making in all areas relevant to globalization

Develop systematic monitoring of equity impacts upon labour and family.

2. SOCIAL EXCLUSION

Labour code does not include the prohibition of discrimination on sexual ground in employment, and this contradicts the 2000 Council Directive on Equal Treatment.

The draft paper on Conceptual Framework of Solving the Problems with Poverty (2001) does not contain any statements as to men-specific and women-specific poverty patterns. It is only stated that women are 58% of the unemployed although the figure reflects the registered unemployed people, thus, a number of unregistered unemployed remains beyond any gendered statistics and analysis in terms of ethnicity, region, age, sexuality.

3. VIOLENCES

All new initiatives and strategies issued by The Ministry of Welfare mention the issue of violence, and not violences. A special attention is given to family violence as women-specific, the question is also what are forms of violence in society beyond family in which

there might be specific men-specific consequences. Violence is discussed in the documents as a problem of a impoverished, less educated family, or a single-parent family as risk factors. The family level, however, should not remain to be a politically convenient target of strategies and initiatives of the government. Such form of violence as rape is less discussed than family violence. However, there is no mainstream public discourse on new social models and value-systems of men, on understanding issues of men in terms of their class position, value crisis, sexuality, ethnicity.

The development of gender-sensitive legal consciousness of the population should be a priority of policies in different sectors of public progress, apart from bringing gender into legislation related to the issue of violences.

The adoption of the legislation should be promoted that is targeted against **sexual assault and sexual harassment**, against homophobic behaviour and attitudes linked with changing models of gender socialization and developing coordinated community responses.

Amendments to the anti-violence legislation should extend protection to men and women experiencing **gendered abuse in a range of domestic violent /abusive intimate relationships,** including **elder abuse** and **abuse by informal carers**.

Statistics regarding the gender of abusers has to be collected.

It is essential to create intolerance to abuse in all gender forms and working with all members of families where elder abuse is occurring is important, so as not to be isolationist, break down families or play one family member against the other.

There is a need to provide of counseling services, with medical practitioners, for abuse victims. The development of accessible, appropriate services should be encouraged for those men in particular, children and elderly, who are victims of violence. It is also important to develop preventive and treatment services for women and men who are at risk of, or have, perpetrated violence.

4. HEALTH

There are no legal documents or initiatives that are concerned with the issues of men's

health and there are no policies dealing with gender dyssemtries in health.

Policy initiatives in men's health should be related to transformations in our cultural visions of traditional forms of masculinity and men's practices and operationalisation of gender-integrated reproductive health programs.

A number of important men's health issues as gender issues are often not adequately covered in the training of health workers and calls for greater emphasis on how gendered men's health is in the education of health care workers, and in research.

There are particular issues for men which affect their health. These issues can arise from the process of socialisation to compete and dominate in social and political spheres which can foster violence. Increased attention to lifestyle changes is more important in improving the health of men than technological improvements in health care. All men in Latvia must have access to appropriate information and education about health. In particular, men need to be encouraged to make earlier, more appropriate use of primary health services.

To conclude:

Latvian legislation is in the early stages of focusing on gender issues. In 1999 a post was introduced at the Ministry of Welfare, with responsibility for gender equality to be included in internal social policies, and for providing information for policymakers on gender issues. In my view, the implementation of such post under the pressure of harmonization of the national laws with gender policies of the European Union was important for creating gender awareness at the ministerial level. However, it was not provided with sufficient mechanisms, instruments and adequate training for governmental representatives in the area of gender equality and gender mainstreaming. All these issues have been discuss as women's issues whereas problems of men were mainly viewed as the symptom of general emasculation, homophobia and social exclusion for different men's groups on the basis of their social, sexual, ethnic identification having become its ideological offspring.

In the case with the gender equality initiative the efficiency of its implementation would demand implementation of the related legislation in the Family Code, Civil Code, Labour Code, etc. Moreover, it would require the gender analysis and monitoring of its implementation, the adequately trained administrative level and awareness of its legal responsibility for the law implementation, the engaged and informed public level – all these factors are non-existent today. The identification of gender problems in Latvia has focused mainly on women's issues, and men's issues as part of the gender order and its transformations have been overshadowed, first, with the argument on "crisis with our men" in the early 1990s, secondly, with "men's responsibility for the nation-state in the EU-integration" after 1995.

On the other hand, the recommendations and documents of the European Union in the area of gender policies lack identification of problems for men and a focus on men-specific legislation, national as well as supranational. If a special attention is given, for example, to vulnerable groups of women as refugees and single parents, there is lack of consideration of vulnerable and socially excluded groups among men (in Latvia men would be also included in a vulnerable group of single parents). If trafficking is represented as women-specific, is there any space for discussing boys' and men's trafficking?

There are not policy projects at the governmental level and of integrated character that are directed at the structural change in social attitudes towards women's and men's issues, thus, treading the roads for legislative initiatives in the areas of family, work, health.

For further information see
Novikova, Irina (2001) *Latvia National Report on Law and Policy Addressing Men's Practices: Workpackage 3*. EU FP5 Thematic Network: The Social Problem and Societal Problematisation of Men and Masculinities.

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Work in Progress

11.05.10

UK

I. 2. 7 POLICY OPTION PAPER: NORWAY

Øystein Gullvåg Holter

INTRODUCTION

Difficulties balancing work and family needs, or "work/family stress", is now the main stress factor in working life, according to health and work environment studies. Many men as well as women experience a "time squeeze" (Torvatn & Molden 2001). Time use statistics show that many couples are trying to realise gender-equal, democratic standards in their personal lives. In 1980, men performed 34 percent of all household work in Norway, including caring for children. In 1990, the men's proportion had increased to 36 percent, mainly due to men using more time on care-giving tasks and other household tasks. In 2000, men's proportion had risen to 40 percent, mainly because women through the 1990s reduced their time use on household tasks (based on Vaage, O 2002).

There are many measures that can improve the situation. Two areas are discussed here – work/family and violence.

1. HOME AND WORK

Working life measures

i) Improve research on gender segregation, especially, the role of horizontal discrimination; create better monitoring and countermeasures. Estimate the costs of gender segregation in terms of loss of resources, reduced diversity and flexibility, and barriers to development.

ii) Reduce gender segregation by supporting women in traditionally masculine jobs and men in traditionally feminine jobs.

iii) Men have families too. Worklife units should actively encourage men who share responsibilities like caregiving tasks. Identify and help develop new work forms that fit the demands of gender-equal couples, enabling them to better combine work and caregiving tasks.

iv) Combine measures and policies to increase the proportion of women in leadership jobs with a wider agenda for modernising the organisation. Include gender-equality measures towards men.

v) The large, low-paid sectors that are almost "women-only" represent a huge weight, creating gender inequality in society at large. As long as they remain, other developments will be slowed down. This can be seen e. g. in the health, caring and socialisation sectors. Better gender balance and desegregation are keys to the new work forms that are needed. Creating a better system must be combined with a wage lift that makes a real difference for the women (and the low-paid men) involved.

Work and family – private life-oriented measures

vi) Increase fathers' parental leave period from one to three months by extending the parents' total leave period. The father's period in the parental leave has had much more positive impact than any other reform in the countries where it has been implemented - Sweden, Norway, and now Iceland.

vii) There is no evidence that the reform means more domestic violence. Instead qualitative studies indicate that it means reduced family conflict.

viii) The father's leave model names men as men, is clear and easy to understand, connects benefit to duty, and relates well to on-going changes among men. This model can be used in other areas too. Similar caregiving rights should be extended to later phases of parenting and to other caregiving groups. The "daddy's month" only reaches a specific family phase, mainly, the child's first year of life. Wider socialisation reforms are needed to create a gender-equal upbringing and education.

ix) Create a more uniform system with equal caregiving rights – today, the public sector and large companies often follow one set of rules, while the private sector and smaller companies follow another (or none). Ensure that fathers and mothers have equal rights.

x) Develop incentives for organisations to create more gender-balanced use of care-giving and reproduction-related rights, e g gender-balanced leave among parents when their children are ill. Ensure equal treatment of parents and other caregivers, men and women. Create statistics that show the performance of branches and organisations on such measures.

xi) Combat rising sick leave with programs encouraging employees to take needed rests, breaks, voluntary activities etc. including more days off from wage work, provided they do it in a planned, pro-active way, arranged together with the employer and other vital work contacts.

xii) Examine the factors that hinder two-job or dual career households, compared to one-and-a-half-job or one-job (breadwinner) households, and create measures that help gender-equal households. Counter the still-existing preference system (political, economic and cultural) that favours imbalanced household/gender contracts.

2. VIOLENCE

i) Bring men's domestic violence into the public in a new way, as a problem related to other dysfunctional dimensions of some masculinities, and especially, as a problem that can be

solved. Integrate this issue into other policies and measures.

ii) Develop more centres for men in crises, violence and other problems related to masculinity. Experience from such centres prove that men in crises are often motivated for change and personal development. Strengthen the cooperation between women's and men's shelters and improve research and evaluations in this area.

iii) Create openness and discussion of gender-related violence, and keep the nuances in the picture (men are hit too, etc). Today, we see a "acknowledge and be ashamed" tendency, but what is needed, is a "learning from violence" public debate, developed into campaigns in schools, work organisations, etc. Understanding how to avoid violence is not just morally right or a good for women. It is important for men and boys' own development and social competence in general, for organisations to work better, etc.

iv) Avoid picturing sometimes-violent men as batterers. Today, most of the information about men who use violence comes from a special section of men. It is easy to mistake these cases for violent men in general. Create better studies of "normal" men and women where violence occurs sometimes over the lifetime (usually, in the young adult phase) but not regularly.

v) Create better help and measures for boys and young men. Reduce the gender segregation in the schools. Stimulate non-segregating gender socialisation processes.

vi) Reduce the risk of violence or abuse of children in kindergartens and other relevant institutions not by excluding or targeting men but by creating problem awareness and solution-oriented work styles including better personnel measures and work conditions. Gender-balanced work groups is a key to further development.

vii) Most men and women are non-violent, although many men have been violent a few times in their life. These men have also often been targets of violence, mostly from other men. Bring men into the debate – learning from violence rather than denying it. "The violence stops here". Create a solution-oriented focus on how most men and women learn to avoid violence.

viii) Increase research on how men and women's forms of violence and aggression are related. Finance studies identifying "violence chains", especially, how violence among men "translates" into violence against women. Develop measures to break these chains. Isolate specific misogynistic violence.

ix) Use preventive measures mainly, but also, increase the relative penalty of harm to persons vs. other forms of crime. Focus on mobbing-related, discriminatory, "hate crimes" and similar acts of violence especially, and focus also on those who support these forms of violence.

x) Develop more effective measures against misogynistic or patriarchal violence that exists in some subcultures, building on improved dialogue and mobilising gender-equality oriented

women and men in these contexts, creating measures based on their experiences with solutions that work.

xi) Evaluate centres like "Alternatives to violence" with a view to developing peace and conflict resolution methods that can be more widely adopted. Help realise goals like a culture of peace and conflict-resolution by developing specifically violence-reducing professional practices, ethics etc.

xii) A child-oriented focus may be the most effective means to involve many men in anti-violence learning, with a good chance of mobilising men as well as women. It puts the emphasis on the long term as well as the personal costs of violence. This approach should be tried out especially.

xiii) Identify the main factors that reduce the chance of gender-based violence, and create policies that specifically address each (eg, as part of gender mainstreaming efforts). Develop sets of criteria for organisations etc. and plans for meeting them.

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For further information see
Holter, Øystein, Gullvåg (2001) *Norway National Report on Law and Policy Addressing Men's Practices: Workpackage 3*. EU FP5 Thematic Network: The Social Problem and Societal Problematisation of Men and Masculinities. Available at: www.cromenet.org

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I. 2. 8 POLICY OPTION PAPER: POLAND

Elzbieta H. Oleksy

1. HOME AND WORK

i) Polish labour law does not reflect the issue of gender in the definition of an employee (Art. 2 of the labour code). Infrequent references to it in legal norms are connected with and justified by objective differences, such as psycho-somatic constitution, anatomical build or maternity, that condition divergent social roles.

ii) Policy initiatives on home and work related problems should address the issue of gender more directly, especially in relation to domestic violence and sexual abuse of children.

iii) In 2001 Polish Parliament adopted a bill that makes it possible to share parental leave by both parents. To make this bill functional, there should be more attention paid to ways of promoting a greater involvement of men in nurturing.

iv) Policy makers should pay far more attention than heretofore to consciousness raising of men and women as regards the issue of sharing domestic responsibilities (including child-rearing) by both partners.

2. SOCIAL EXCLUSION

i) Except for a general anti-discrimination clause (Art. 32.2 of the Constitution of the Republic of Poland), the issue of social exclusion is not unequivocally reflected in Polish legislation, with the exception of national and ethnic minorities which are referred to directly (Art. 35 Clause 3.2 of the Constitution of the Republic of Poland). No differentiation on account of gender is made in these laws. This should be amended.

ii) Policy initiatives should pay more attention to the intersections of gender with age, ethnicity, sexuality and disability (including, for instance, learning disabilities – the problem that has only recently received some media attention).

3. VIOLENCES

i) The problem of men's violences (especially domestic violence), albeit recently given relative attention in the Polish media, is not directly reflected in state politics. It

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constitutes, however, the core of activities of some social organisations, and is addressed chiefly to women and children. As for offences related to domestic violence, Polish law does not differentiate perpetrators according to their gender.

ii) Policy initiatives should pay more attention to the gendered aspect of domestic violence and of equally gendered nature of pornography and trafficking of women and children.

iii) There should be measures undertaken – and urgently – to prevent men's violences against women and children, for instance by counselling men in group intervention programmes, not only assisting the victims but also working with the perpetrators of domestic violence and other forms of violence in which men are perpetrators as well as victims.

4. HEALTH

i) No legal documents deal exclusively with problems of health, social welfare and suicides concerning men or on nation-wide initiatives and programmes in this area (they are mainly aimed at women and children). This should be amended.

ii) Policy initiatives should focus on the relationship between men's health issues and a life-style characteristic of traditional, and dominant in Poland, forms of masculinity (risk taking, abuse of alcohol and drugs, lack of awareness on health issues, etc.).

iii) Policy initiatives as regards the issue of health should recognise the relationship between poor health and other forms of social disadvantage such as class, age and gender.

For further information see
Oleksy, Elzbieta (2001) *Poland National Report on Law and Policy Addressing Men's Practices: Workpackage 3*. EU FP5 Thematic Network: The Social Problem and Societal Problematisation of Men and Masculinities. Available at: www.cromenet.org

I. 2. 9 POLICY OPTION PAPER: RUSSIAN FEDERATION

Janna Chernova

1. HOME AND WORK

i) The most gender issues in Russian Labour legislation concern with problem of women's rights of the employee (e.g. to keep the guarantees only for women during active period of their maternity (1,5 years), to regulate the system of women's promotion at work etc.).

ii) According to the new Labour legislation (KZOT) an employer (state or private) has liability for breakage pass of salary. This problem deal with brach of production with male workers (e.g defense production, pitmans, construction etc.). Meanwhile traditionally in Russia men seems as breadwinners, particularly in family with a standing wife and a young child. Also the serious problem is the most men work in hard, health-hazardous or dangerous job.

iii) From the point of view of formal jurisprudence the existing legislation is based on strict observance of the principle of equality spouses. The norms of the Family Code are mostly neutral concerning gender. Among them is the husband's right to divorce his wife if she is pregnant and within a year after the birth of a child as well as the husband's duty to support his wife (his former wife) during her pregnancy and within three years after the birth of a child. So, really, the Family legislation in Russian Federation is women' oriented. Fatherhood is the sphere of male discrimination, because, generally, after divorce a child abides with mother. Father not seems as competent parent from the state, court etc.

iv) The New Family Code to give right either of two parent to take paid leave for child-rearing, alimony from former wife/husband.

v) Policy makers should pay far more attention to problem of reproductive rights not only women, but men.

SOCIAL EXCLUSION

i) According to Article 19 point 3 of the Constitution of the Russian federation "Man and woman shall have equal rights and liberties and equal opportunities for their pursuit". The only sphere in which there are exclusions to the constitutional principle of gender equality is the constitutional norm dealing with military service. It still fixes only a man as the subject of relations caused by fulfillment of solder's duty. This inequality showed in the high level of death- rate, traumatism and informal relation between soldiers ("bullying

(dedovshina)”).

ii) Policy initiatives should pay far more attention to the issues of migration, ethnicity and disability(for instance, problems of migrant employment form former Soviet Union Republics, status of migrant so-called "face of Caucasian nationality (lico kavkazskoi nacional'nosti)").

1. VIOLENCE

i) The problem of men's violence consists of domestic and military service violence. The issues more active discuss in the Russian media, and rare in the state institution. The core initiators of discussion on the all level – is NGO "Soldiers mothers" and Crises Centers for Women and Men.

ii) In Russian Federation so far there is no law directed to defense women and children , but Gossudarstvennay Duma works on preparing the fist law about domestic violence.

iii) Policy makers should pay more attention the problem of trafficking of women and children, female and children prostitution, female and children pornography including Internet sites.
http://www.hel.fi/sosv/virasto/hallinto/index.htm

iv) The should be prepare program directed to prevent men's violence in family, military service.

2. HEALTH

i) No legal documents deal exclusively with problems of health, social welfare and suicide concerning only men or on nation-wide initiative and programmes in this area (they are mainly aimed at only women and children).

ii) Policy initiatives should focus on the relationship between men's health, men's hard, health-hazardous or dangerous work, elements of life-style typically men (abuse of alcohol and drugs, etc.)

For further information see

Chernova, Janna (2001) *Russia National Report on Law and Policy Addressing Men's Practices: Workpackage 3*. EU FP5 Thematic Network: The Social Problem and Societal Problematisation of Men and Masculinities. Available at: www.cromenet.org

I. 2. 10 POLICY OPTION PAPER: UNITED KINGDOM

Keith Pringle

1. HOME AND WORK

i) In legal enactments, there is a lack of explicit focus on men, especially in "hard policy" terms. This is compared to the greater explicit prominence given to the topic of men in some governmental consultative and more preliminary documentation. Where appropriate, legal enactments themselves need to acknowledge the issue of gender more explicitly. For instance, the particular problems associated predominantly (although not exclusively) with men in relation to issues such as "domestic violence" and child sexual abuse should be reflected in legal terminology e.g. by referring, where appropriate, to "fathers" rather than to "parents".

ii) There needs to be more consideration given to the issue of men's violences to both children and to women in the formulation of policies designed to promote the greater involvement of men in nuturing both as fathers and as professional care-givers. That is not to say that such promotion policies should be abandoned. There is a real need for them– but the issue of men's violences (and how to actively counter them) must be fully addressed in those policies.

2. SOCIAL EXCLUSION

i) Policy initiatives on social exclusion should pay far more explicit attention to issues of gender and indeed the intersections of gender disadvantage with other forms of social disadvantage such as age (relating to children as well as elders), ethnicity, sexuality, disability as well as class.

(ii) At the moment, anti-social exclusion policies focus predominantly on issues of employment. In line with (a) above, they should be broadened to much wider life experiences eg violence to women by men is deeply exclusionary in social terms. Likewise child sexual abuse for children.

3. VIOLENCES

i) **Although some considerable policy attention has been paid to the issue of "domestic violence", there needs to be a more explicit recognition in such policies of the predominantly gendered nature of such violence (ie it is largely committed by men against known women)**

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ii) Far more policy attention needs to be given to the similarly gendered violence involved in pornography, prostitution, child sexual abuse. The United Kingdom possesses more critical scholarly/academic material on these issues than anywhere else in Europe – this excellent scholarly resource should be drawn upon far more widely in governmental policy initiatives.

iii) Far more policy attention needs to be paid to the established close linkages between men's violences to partners/ex-partners and men's violences to children. Again, the United Kingdom possesses perhaps the best scholarly analysis of these issues in Europe – policy iniatives should capitalise upon this.

iv) There needs to be urgent policy recognition that a major avenue for prevention of men's violences in society lies within school education programmes for both boys and girls: in terms of educating boys/men not to use violence.

4. HEALTH

i) Although there is considerable explicit attention paid to the issue of men in governmental consultative and preliminary material, there is far less explicit attention in legal documentation itself. This needs to be rectified.

ii) Health initiatives must fully acknowledge the complex and important intersections between forms of social disadvantage such as gender, class, ethnicity, age, sexuality and disability.

iii) Where health policy initiatives do address the issue of men, they should explicitly acknowledge men as creators of health disadvantage (eg in terms of the huge health deficits caused to women and children from men's violences) as well as men as sufferers of health disadvantages.

iv) **Policy initiatives should recognise the complex and important linkages between health as a policy field and the other fields above. For instance, academic research has demonstrated the important connections between health problems which some men endure and broader, dominant forms of oppressive masculinity explored by critical analyses of men's practices.**

For further information see
Pringle, Keith, Alex Raynor and Jackie Millett (2001) *UK National Report on Law and Policy Addressing Men's Practices: Workpackage 3*. EU FP5 Thematic Network: The Social Problem and Societal Problematisation of Men and Masculinities. Available at: www.cromenet.org