Great achievements - small changes?
On the situation of women in Switzerland

Report by the Federal Commission for Women's Issues
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Preface

At the 4th Swiss Women’s Congress during the International Women’s Year 1975 women demanded the creation of a federal commission for women’s issues. On 28th January 1976 the Federal Council (government) established the Federal Commission for Women’s Issues as a consultative commission to the Federal Council and the Departments for all questions relating to the position of women in Switzerland. The Commission comprises twenty members drawn from the women’s organizations, the social partners and science. It is the only federal commission constituted with gender parity. Since then the balance has shifted to the disadvantage of the men. Apparently their interest in office has not been overwhelming.

Over the past twenty years the Commission has compiled a series of fundamental reports on the situation of women. It has developed concepts and models for the equality of women and men and taken a stand for the position of women in innumerable hearings. As consultative committee to the Federal Council it has also acted direct on occasion, although the Federal Council had not specifically asked for advice, and attempted by its commitment and persistent deliberations to achieve an improvement in the position of women.

The Women’s Commission will soon be twenty years old. This is sufficient incentive to publish a report on the development with respect to women’s policies and the efforts to realize equality in Switzerland. This ‘stock taking’ is also expedient with a view to the Fourth World Conference on Women in Beijing which will be held in September 1995. An action platform – Action for Equality, Development and Peace – will be approved there as a final act. Switzerland will also be represented with a delegation. This can also be considered an anniversary for the First United Nations World Conference on Women was staged in 1975 and the UNO declared the years from 1975 to 1985 as the World Decade for Women.

The Federal Commission for Women’s Issues aims to present the most important developments with respect to women and equality in Switzerland in the present report. A deliberate appeal was made to woman authors from the various language regions and original contributions obtained in German, French and Italian. The situation of women, in legal and factual respects, is set out in fourteen central subject areas (position of legislation: 1st January 1995). Statistical data are presented where available and the current position in the discussion plotted. More extensive chapters include a special historical profile. Differences between the (language) regions are defined as far as possible. Positioning on a Europe-comparative scale is attempted at various points. Naturally, in-depth treatment of the numerous themes is not possible within the bounds of the present work. For this reason a bibliography of more extensive works is given at the end of each chapter. The cross-references in the various chapters should also provide an incentive to read on. An index of topics facilitates the location of information on specific subjects.

In the introductory commentary, the Women’s Commission reviews its position. It ascertainment a series of important changes towards equality of the sexes over the past twenty
years. Despite many positive developments in a wide range of sectors, however, the con-
tinued economic, social and political disadvantaging of women is striking. To contribute
to the improvement of the position of women remains a standing order for and challenge to
the Federal Commission for Women’s Issues.

This report appeals to anyone who deals with women and questions of equality pro-
fessionally in administration, politics, science and research, in organizations, institutions
and media. But it is also addressed to all readers who are interested in the subject. Conse-
quently the aim was to facilitate access to the subject for a broad reading public by a clear,
understandable and readable form.

The report is published in German, French, Italian and English. For the first time an
English version has been compiled as well, with a view to the Fourth World Conference on
Women at Beijing. This was made possible by significant financial aid from the Coordina-
tion Commission for the Presence of Switzerland Abroad. We are particularly grateful for
this support. In view of the international circulation, Swiss characteristics have been ex-
plained briefly where necessary and possible.

The Women’s Commission expresses its most sincere thanks to the authors for their con-
tributions. We should like to emphasize our special thanks to the project leader, Ms.
Liliane Studer. She headed and coordinated this extensive project with great competence.
Our thanks also include Katharina Belser, Elisabeth Keller and Verena Laedrach-Feller
from the Women’s Commission secretariat who have devoted so much conceptual and edi-
ting work to the project. Similarly we should like to thank all the numerous women special-
ists who put their specialized knowledge at the service of the authors for their contribu-
tions. Without their readiness to cooperate, without this networking, the work could not
have been produced in its present form. We also thank the translators Ms. Romana Caimani-
Pedrina, Ms. Chantal Froehlich and Ms. Jacqueline Gartmann and Ms. Marianne Diethelm
for the graphics and layout.

The Women’s Commission hopes that the Report will accentuate the insight of wom-
en and men, particularly women and men politicians, for women’s political issues in all
sectors. It expects the report to provide the impulse to concrete action and thus to contrib-
ute to all those steps in women’s politics, which are essential to achieve the objective of
equal opportunities for women and men, being taken at last.

Berne, December 1994
Federal Commission for Women’s Issues
The President:

Judith Stamm
Women’s issues concern everyone

“There are no exclusively women’s issues but only issues concerning the whole of society. The so-called women’s question is not separate from other questions, it permeates all social issues fundamentally. Consequently sector-specific solutions are not viable as it is not merely a question of changing the status of the woman but of a new conception of life for both sexes. If we nevertheless speak of women’s issues this implies issues which concern women more strongly or otherwise than men.”

This is the Federal Commission for Women’s Issues’ definition of the concept of women’s issues in its A-Z lexicon From Abuse to Tenderness: Facts on the Emancipation of Women and Men. This means that women’s issues, concern women and men, girls and boys equally. They concern people both as individuals in their personal lifestyle and as members of the society in which they live. Women’s issues are also inseparably linked with the question of social justice and democracy and can only be approached in this context. Women’s issues are always coloured by the current background of overall social developments.

In the past twenty years there have been increasingly rapid structural and technical changes in the economic sector. The consequence has been changed demands on the knowledge, skills and mobility of the workforce. In education the increased demands actuated the expansion of the secondary schools and universities, of vocational further training and adult education. The transformation was noticeable in other social sectors as well. Traditional reference systems such as social status, religious community or national culture changed or lost their meaning. Traditional bonds such as relations, marriage and family lost their stability. They were replaced by a variety of new forms of living and value orientations. Released from these bonds the men, and increasingly the women as well, saw themselves confronted with the freedom and compulsion to define an individual lifestyle. A successful school career, as highly qualified vocational training as possible and the readiness for life-long learning became increasingly important for the assurance of existence.

Many women profited from the expansion of education in the seventies. It permitted them broad access to vocational training and higher education, to interesting professional careers and to science. The shortage of personnel with specialized qualifications which
lasted until the late eighties opened doors to women which had previously been closed. The generally improved educational and occupational opportunities changed the life and work patterns of many women. Today women are penetrating all sectors of social life with increasing self-confidence and increasingly as a matter of course.

However, it is impossible to draw the line in any socially important sector and say that equal opportunities for women and men have been realized. Taken as a whole, the disadvantaging of women continues, even if their individual life situations differ significantly and if they perceive their disadvantaging quite differently. Society is still far from achieving the fundamental principle formulated by the Federal Commission for Women’s Issues on the equality of women and men in 1981, namely “Women and men can develop as individuals and define their lives in accordance with their abilities and inclinations”.

Women’s policy objectives which have long been formulated have not been achieved to date. Numerous demands which were made earlier re-emerge regularly with an up-to-date formulation but the same content. Anyone who studies the history of the women’s movement and the women’s organizations will be surprised to ascertain repeatedly how many of the current demands had already been formulated, clearly and comprehensively, long ago.

Women’s policy successes obviously have to be won in numerous tiny and tiniest steps. It almost seems that there are always the same themes and postulates in women’s policies which have to be formulated again and again and are constantly repeated without the shortcomings disclosed ever being taken up and actually settled. At the same time more and more efforts are required to prevent that even a purely formal equal treatment of women and men, exclusively oriented to the traditional life and vocational biography of men, does not generate new discriminations.

More formal equality before the law, continued economic, social and political inequality

Important changes in the status of women in society have been achieved in recent years, above all in the legal sector. Central features which should be emphasized are the approval on 7th February 1971 by the all male (!) electorate of the introduction of voting and election rights for women at national level, the resolution by popular vote on 14th June 1981 for the integration of the equal opportunities for women and men in article 4, paragraph 2 of the Federal Constitution and the new marriage law which came into force 1st January 1988 and is founded on the principle of the equality of the sexes and the equal value of paid vocational work and (unpaid) work on behalf of the members of the family.

The 1976 Federal Council decision to constitute a federal commission for women’s issues as an extra-parliamentary federal commission marked the start of a process in Switzerland which had started earlier in other European countries. The state recognized the fact of the discrimination of women and began to develop and implement measures for the elimination of the discriminations. The creation of equal opportunities offices as specialist

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instances at federal, cantonal and communal level is an expression of political will to re-
duce or eliminate the discrepancy between the constitutional prohibition under article 4,
paragraph 2 of the Federal Constitution and the reality of social inequality and injustice
between men and women. However, changes extending beyond the legal and institutional
aspects can be ascertained.

Women are committing themselves in a wide variety of sectors, contributing to soci-
ety and assuming responsibility. They have now assumed more duties and obligations in
working life and in the public and political sectors. Their school and vocational qualifications
are better today than previously. More and more women want to stay at work even if
they have small children.

Women have gained strength and self-confidence through the women’s movement.
The awareness that women are variously disadvantaged in society, that they frequently
work more than men but that their achievements at work, in the family and in public are
undervalued has become widespread among women of all ages and educational levels.
Women from all kinds of organizations and sectors are increasingly working together on
specialized issues, formulating common demands and realizing important networking and
basis work.

There has been considerable movement within Swiss women’s politics in recent
years. Despite positive developments in the most widely differing sectors, however, the
economic, social and political inequity of the sexes has not been eliminated. The discrim-
ination and disadvantaging of women, their multiple burden and their under-representa-
tion in policy-making positions and processes remain facts.

Thus women are still highly under-represented in politics, whereas men are crassly
over-represented in the governments and parliaments at all levels. For a number of reasons
—although there are now significantly more women’s candidacies — women’s chances of be-
ing elected to political positions are still much poorer. Even twenty years after the introduc-
tion of voting and election rights for women, Switzerland is still a long way from a genuine
equal-rights participation of women in the political policy-making processes and positions.

There has been a shocking lack of change particularly in the sex-hierarchic division of
labour (paid work for men, unpaid caring and housework for women as well as the gener-
ally more poorly paid occupational work).

Despite considerable progress and despite their great commitment in their working life
women usually get stuck in the middle positions. Discriminations, such as wage discrimi-
nation or the material under-valuation of traditionally women’s professions concern all
women, irrespective of their lifestyles and whether they have children to look after or not.

Women who are both employed and have to look after children have particularly seri-
ous burdens to bear. Whereas the whole of society profits from the ‘child benefits’ the ‘child
burdens’ remain a personal matter for the mothers (and fathers).

The demands at the workplace make no account for those who do not enjoy family
work but just do it. The categorical non-taking into consideration of the work which is
done, for the most part by women, in the families entails a series of direct, but above all in-
direct, forms of discrimination against women.

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In social insurance law the under-valuation of the work, mostly performed by women, has serious effects for women. Rearing children and caring for sick, disabled or elderly persons—fundamental social work—is largely disregarded as the social insurance system is based on the principle of occupational activity. If family work on behalf of children or relatives is taken into account at all, at most it actuates claims to minimum insurance benefits. There is no equal-value consideration of paid occupational work and (unpaid) work in favour of members of the family or third persons.

Further, women still receive a lower average wage than men and consequently also receive lower insurance benefits. Couples who have agreed that each works half time or have switched roles (woman goes out to work, man is househusband) and unmarried couples with children are at a massive disadvantage.

Women’s assumption of new roles and the transformation of their self-understanding has not actuated any comparable development on the part of the men, either individually or socially. Whereas women increasingly relieve men in earning and assuming official functions, men still only make a marginal contribution to the care of the children and housework. It is a fact that the number of young people who want an equal-value partnership where both partners share the earning and family work is rising. Nevertheless, the ‘new fathers’ who look after kids and kitchen and who enable their partner to take a paid job by themselves reducing their professional commitment are still—at least statistically—negligible.

There is a great discrepancy between ideals and real experience. The reasons for this are numerous. They are partly founded in the lack of readiness of the men to assume new duties and commitments and partly in the social, labour market and family policies which today not only do not promote equal-opportunities lifestyle models for women and men but impede them massively if not prevent them all together.

In the past few years, awareness that women suffer from men’s violence in all life situations has become more widespread: men’s violence against women occurs in widely differing forms and in many places. It occurs in the home but also in public or semi-public areas such as at the workplace. The various forms of violence against the female sex indicate that the violence problem complex is not primarily a question of particularities or the failure of one individual: the interrelation of violence and maleness extends far beyond its occurrences in the attacks on individual women. Men’s violence against women is an expression of the power relationship between the sexes. The dissemination and ‘ordinariness’ of this violence are only possible because there is such a power differential between the sexes in our society. But the violence exercised by men against women and children is also an effective means of maintaining and consolidating this power differential: Violence also serves as a means of preventing women from questioning the current sex relationship and opposing their discrimination. Politics in favour of women must take all these factors into account.
Women and equal status policy objectives and tasks for the future

The general objective of women’s and equality politics can be formulated succinctly: it comprises the equal status of women and men in all sectors of society. Today an extensive consensus of opinion seems to have been achieved with respect to this objective.

The position is quite different when it is a question of achieving not a general objective but a precisely defined step towards it. The objective of the women’s equality politics is a violence-free relationship between the sexes in which the present (paid and unpaid) work is shared fairly between women and men. This means a redistribution of the economic, social and political influence and positions between the sexes. Such a concretely formulated objective encounters resistance, generates irritation and leads to conflict.

It is patent that one of the key factors is the question of who does what work in a society and under what conditions. This is linked with the question of under what outline conditions socially necessary and purposeful work like, among others, looking after children, caring for the sick, disabled or elderly relations.

Consequently equality demands are very comprehensively directed to social and family policies (maternity insurance, parental leave, children’s allowances, caring bonus in social insurance system, childcare outside the family, block times in schools and kindergartens etc.), labour market policy (family-friendly work arrangements etc.) and other political sectors.

The realization of the equal status of women and men is a comprehensive, long-term cross-sectional commitment taking in various political subsectors. An active equality policy must develop target-specific measures in all sectors. These measures can only be effective if the individual elements are combined.

An important contribution to the realization of the equal status of women and men must be made by family politics. In future these must be oriented to social reality. That means they must take into account the pronounced change in family structures and forms, including the aspect of working women, in the development of family-policy measures and must not exhaust themselves in verbal acknowledgements of the equal value of various forms of family and living. Hand in hand with the promotion of the interests of children, the equal status of women and men must become an essential focus of emphasis in family politics. Equal status promotion measures are urgently required to continue the breakdown of gender-specific allocation of labour within the families and to increase the integration of the fathers in the family commitments.

Thus conditions must at last be created to permit mothers and fathers to live individu- al family models or forms of co-habitation without incurring vocational and financial disadvantages. Today’s children are tomorrow’s active citizens. To safeguard the future of society favourable conditions for life with children must be created. Consequently allusions to the budget deficits of state and communities are beside the point.

Increased attention must also be paid to education and upbringing in future. From the earliest age, girls and boys absorb the (gender-specific) expectations that their environ-

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ment has of them. They register how adults behave, how they arrange their lives as woman or man, what they think and feel, but also above all, how they act. This constitutes a responsibility, not only for all fathers and mothers, but for all men and women.

One-sided gender-specific role allocations are still transmitted at school in various ways. The gender problem seemed to be automatically solved with the establishment of co-education. But the effective problem goes deeper, the grounds are more complex and the approach must be more differentiated.

The mass media (particularly press, television, video, film) are acquiring an ever more important position in everyday life. The ways and means by which the media present the roles of women and men to women and men is also gaining in socio-political significance.

Higher priority must be attributed to the further development of social handling of violence within the gender relationship. Increasing emphasis on male violence against women and girls must not lead to its 'normalization'. Violence against women is in fact a social problem but violence is always a concrete act for which individuals must be made responsible. The perpetrators opt for violence when they think they are entitled to do so; when they think that they can enforce demands, which they and their peers consider their due, by violence. There will be a continued urgent need for political action in future in this respect.

The formal equal status of women and men in politics was realized with the introduction of voting and election rights for women. But now further efforts are necessary so that women can at last contribute to politics in proportion to their share of the population. Parity representation of the sexes is not a marginal problem but a fundamental question of justice and democracy in our society. Concrete measures to increase the women's ratio in politics are essential.

This problem must also be seen in its comprehensive context: women will only be found in politics as frequently as men when the outline conditions for paid work, and living together have changed. The political under-representation of women cannot be solved either by a change of consciousness or by isolated measures in the political sector alone. It requires both a heightened democratic consciousness as also target-specific measures in all social sectors to distribute power, influence, life opportunities and work more fairly between the sexes.

The equal opportunities instances at the three levels, federal, cantonal and communal, play an important role in the implementation of the constitutionally guaranteed equal status. Commitment to women's issues at superordinated level alone is not sufficient. There are significant points of approach for action within the competence of the cantons and communities. Their fields of work concern such important sectors for women as e.g. school and cultural policy, counselling and education offers, childcare, local employment initiatives, town planning and traffic policy measures. Women's policy activities at communal or regional level are therefore essential as they can establish equal status on a broader basis and consequently the life situation and interests of the women can become subjects for daily action as a matter of course.

The creation of other equality instances is necessary. As these offices have a comprehensive task schedule they must be sufficiently staffed and have a sound material basis. Decision-taking competence and implementation competence are essential.
A purely formal equal treatment is not sufficient to eliminate the discrimination of women. For a legal equality with a one-sided orientation to male standards does not touch the gender-specific division of labour in any respect whatever. Equality policy must aim at the entire structure of the inequity between the sexes in public and private sectors. It must insist on an anti-discrimination policy and the establishment of equity.

It is becoming progressively clear that the effective establishment of equality between the sexes is not a linear process which continues under its own momentum once it has been set in motion. On the contrary! Equality policy is only committed policy in favour of women as long as it retains its emancipatory standards and tenets and is not falsified to 'equal but worse off'.

The Federal Commission for Women's Issues is decisively resisting the emergent trend: in revisions of the law the forces which are committed to a purely formal equal treatment of the sexes seem to be gaining ground. The postulate of the equal rights of the sexes is misused to reduce existing protection mechanisms for women without providing for measures to realize and assure effective equality. Instead of realizing the comprehensive equal rights for women guaranteed by the constitution since 1981 efforts are made to achieve purely formal equal treatment.

A merely formal equal treatment of the sexes which is one-sidedly oriented to the male norms means that women, de facto, in view of their unequal initial position, still have poorer chances than men. This contradicts the meaning and purpose of Article 4, paragraph 2 of the Federal Constitution which integrates the principle of factual equal status of women and men in society. Factual equal status means that the equality between the sexes is not only postulated and formally prescribed at legal level but that it is firmly established in social reality.

It is still a long way to the effective equal status of the sexes.
Equal Rights for Women and Men – Institutional Equal Opportunities Policy

The equal opportunities article in the federal constitution (art. 4, paragraph 2 FC)

History

Between 1919 and 1921 there was cantonal voting on voting and election rights for women in the cantons of Neuchâtel, Geneva, City of Baslé, Zurich, Glarus and St. Gall. All these motions, like the earlier one for the participation of women in communal politics in the Canton of Berne, were rejected by the majority of the men. A petition for women’s voting rights, submitted in 1929 in support of two motions before the National Council (parliament) demanding votes for women, had no political effect. In 1959, the first federal vote on voting and election rights for women was rejected by a large majority. However, in 1959/60, the male electorate in the cantons of Vaud, Geneva and Neuchâtel breached the united front of the opponents and approved voting and election rights for women at cantonal level. During the sixties, the men approved the women’s vote in several cantons. The equal rights issue received new impetus in 1968 when Switzerland planned to subscribe, with reservations, to the European Convention of Human Rights (ECHR), which foresees voting and election rights for women. Finally, in 1971, the male voters at last accepted voting and election rights for women at federal level.

In 1975, the International International Women’s Year, a resolution for the launch of an equal rights initiative (a people’s right in Switzerland whereby a constitutional change decided by popular vote can be initiated by the collection of 100,000 signatures) was passed at a national women’s congress in Berne. The constitutional initiative Equal Rights for Men and Women was submitted in late 1975. It demanded equal rights and obligations for men and women, right to the same wages for equivalent work, and the right to equal treatment and equal opportunities in education, schooling and professional training and also in employment and at work. In a transitional provision the initiative demanded the realization of equal rights within five years of acceptance of the initiative. The initiative’s claims for equal wages and the transitional provision met with the strongest resistance. In
its 1979 message, the Federal Council (government) recommended that the initiative be rejected and put forward a counterproposal. This adopted the central issues of the initiative but did not foresee a transitional provision. The Federal Council counterproposal was passed by parliament in 1980. In order not to jeopardize it, the initiative committee retracted their initiative under heavy pressure from the conservative parties and employer organizations. On 14th June 1981, the new art. 4, paragraph 2 of the Federal Constitution, was accepted by the people with 60% of the votes.

An important step forwards

The new art. 4, paragraph 2 of the Federal Constitution is worded “Men and women have equal rights. The law is responsible for equal treatment, above all in the family, education and at work. Men and women are entitled to the same wage for equivalent work”. Instead of the previous general principle of equal rights, the new paragraph 2 now establishes the basis for equal rights of man and woman. It applies to the federation, the cantons and the communities. Formulated positively, sentence 1 expresses a principle of equal rights, formulated negatively, the prohibition of discrimination. Parliament, as the legislative body, is called upon to ensure the equal rights of women and men before the law by the issue of new regulations. Sentence 1 is an immediately applicable norm. It comprises a ban on both direct and indirect discrimination.

Sentence 2, according to both theory and jurisdiction, constitutes a legislation mandate. It imposes positive obligations to act on the legislative bodies of the federal government, cantons and communities. Its objective is not merely formal equal treatment but rather implies the postulate of the realization of factual equality. As long as the legislative body does not become active, there is no means of obliging it to fulfil its duties. Sentence 2 leaves open which measures must be taken to put equality in concrete terms. However, it is clear from the materials (Federal Council message; minutes of the parliamentary debate, legislation programme, equal wage report etc.) that legal and factual equality must be realized. Thus, measures must be taken at law level to establish factual equality.

Sentence 3 comprises the equal wage principle. This is not only applicable to the relationship between citizens and state, but also has immediate effect for the legal relationships between private individuals. The equal wage sentence is directly applicable, i.e. it confers the court-enforceable right to the same wage for equivalent work on women and men. The direct applicability of sentence 3 does not, however, exclude implementation provisions at federal level. The term equivalent work is more comprehensive than the term equal work (cf. Work Appraisal and Wage Discrimination of Women [Arbeitsbewertung und Lohndiskriminierung von Frauen], published by the Federal Office for the Equality of Women and Men 1991, cf. chapter ‘Equal pay for women and men’, p. 138).
On the way to effective equal opportunities

The interpretation of the constitutional principle "equal rights for men and women" and the discussion of the ways and means by which effective equality of opportunities can be achieved has led to progressive problem awareness since the passing of art. 4, paragraph 2 FC. There are two salient tendencies in the Federal Council message of 1979. On the one hand equal opportunities are stressed as a focal issue, on the other the difference of gender alone should no longer justify different treatment. Thus, at this juncture, it was a question of a defensive attitude with respect to equal treatment of the sexes: Equal treatment implied eliminating disadvantages. Exceptions are only justified where a biological or rarely applied and repeatedly questioned functional difference does not permit equal treatment. However, the demands for equal treatment cannot solely concern the elimination of deficits. The central point is the effective equalization of women and their equal opportunities.

In the 1986 legislation programme, the Federal Council took a significant step forward towards an 'offensive' understanding of equal opportunities in that it no longer dealt with the inequity of rights but defined the factual equality of status as the objective of art. 4, paragraph 2 of the Federal Constitution and legitimized positive measures. The demand for equal treatment of the sexes includes the effective equalization of women and men, which not only comprises equal opportunities but effectively assumes them as prerequisite. Consequently, incisive promotion measures, which constitute an unrenounceable element of a comprehensive equal opportunities policy, are called for.

In the final report of the Federal Department of Justice and Police (EJPD) working group on the extent and reasons for the inequity of wages, various measures were proposed for the realization and implementation of art. 4, paragraph 2 of the Federal Constitution. The first demand was that court enforcement of equal wages be significantly facilitated. To date Swiss courts have only pronounced on some 15 cases of unequal wages (cf. chapter 'Equal pay for women and men', p. 138). Significant in this respect are the structural, economic and also psychological difficulties entailed for many women in taking their case to court. Secondly, it should be possible to enforce the constitutional right to implementation of equal wage not only before the courts. This implies that a major responsibility will devolve on the social partners. Thirdly, a comprehensive equal opportunities policy is essential to eliminate wage differentials. Simultaneously, art. 4, paragraph 2 of the Federal Constitution must be concretized with respect to forms of discrimination, contents of prohibitions and the facilitated implementation of the ban on discrimination. Promotion measures which are not restricted to a legal sector are also necessary to improve application of the equal opportunities article. A law basis is imperative.

Federal Court jurisdiction

In the first relevant case before the Federal Court (highest court in Switzerland), in 1887, the first Swiss woman lawyer Emilie Kempin-Spyri was informed that her interpretation that art. 4 of the Federal Constitution postulates the full equality of the sexes before
the law was as new as it was daring. 36 years later this attitude was dissipated by the admission of women to the bar thanks to the changed understanding of the judges. In 1977 the first equal wage court case entailed a decisive U-turn. The legal basis was established by the ILO-conventions 100 and 111, which had already been obligatory for the public services in conjunction with art. 4, paragraph 1 of the Federal Constitution. Women teachers were allowed that there were no serious and pertinent grounds against equal wages for women and men. Since the passing of art. 4, paragraph 2 of the Federal Constitution there has been a considerable change in jurisdiction. The Federal Court pronounced in 45 cases between June 1981 and June 1993, 26 in answer to suits brought by women, 19 in answer to suits brought by men. These concerned first and last equal wages, civic rights, conditions of admission to corporations and schools, the ban on working on Sundays and a wide range of questions of social insurance law (social security, disability insurance, children's allowance, maternity leave, '2nd column' etc. (cf. chapter 'Social Insurance', p. 149).

According to Federal Court jurisdiction, gender-specific unequal treatment is now only permissible if it can be based on biological (pregnancy, maternity) or functional (division of labour) grounds. In 1982, the Federal Court ascertained that, fundamentally, belonging to a sex no longer constitutes a legally significant aspect, women and men shall essentially be deemed equal throughout the legal order and this at all levels (federation, cantons, communities). In a first pronouncement with respect to the widower’s pension it was expressly stated that by invocation of functional, i.e. above all division of labour, grounds, traditional role awareness may not be assumed relevant. The traditional views on the roles of the sexes are no longer legally significant and must not be cemented. Rather, women and men must fundamentally be treated equally in all respects regardless of social conditions or concepts. However gratifying and fundamentally correct this view may be, its influence has also had negative repercussions for women. It ignores the still effectively unequal position of women in society and in practice has only led to new burdens for women without contributing to more equality of opportunities in social reality. According to Margrith Bigler-Eggenberger, the first woman federal court judge, on the occasion of the fifth anniversary of the Federal Office for Equal Rights of Women and Men in 1993: “Exaggerating somewhat, jurisdiction over the past 13 years has contributed to the fact that we women just have to pay for the improvements, or shall we say, alleviations won by men under the banner of equal opportunities.”

The Federal Commission for Women’s Issues

History

In the promulgation of the report The Position of the Woman in Family and Society [Die Stellung der Frau in Familie und Gesellschaft,] by Thomas Held and René Levy, which appeared in 1974, and at the Women’s Congress in 1975 the introduction of a body for women’s issues was called for from various quarters. On 28th January 1976 the Federal Council appointed the Federal Commission for Women’s Issues [Eidgenössische Kom-
mission für Frauenfragen] (also referred to below as the Commission or Women's Commission) as consultative organ for all questions concerning the position of women in Switzerland. This permanent, extra-parliamentary commission comprises representatives of the major women's associations, the social partners and science with due consideration of the various language regions, creeds and parties.

The Commission expresses an opinion on Federal Council bills affecting the position of women, it deals with work specially commissioned by the Federal Council or the Federal Departments (government ministries), it compiles its own recommendations or motions to the Federal Council or the Federal Departments for measures with respect to the position of women in Switzerland and observes their development; it follows up the measures taken and reports regularly to the Federal Department of the Interior. Administratively, the Commission is answerable to the Federal Department of the Interior and runs its own secretariat through the Federal Office for Culture (three members of staff making up 150 job percent together).

Tasks

The principal activities of the Federal Commission for Women's Issues comprise: appraisal of legislation projects and parliamentary motions, applications to the authorities of all kinds, but also expressing of opinions on questions concerning the position of women, and, on request, counselling to the Federal Council. Further aspects are impulses to the public administration, associations and organizations, companies, media and the public by surveys, publications and recommendations.

Focal points of the work

After the people's vote of 14th June 1981 the Federal Commission for Women's Issues compiled a model to facilitate the steps towards effective equality of women and men with clear objectives. The significant feature was the principle that equal rights do not imply equalization but the partnership of women and men in which both can contribute their values and the relevant behaviour patterns. Women and men share all roles in a society and this according to their own personality, aptitudes and inclinations. Thus, for the Federal Commission for Women's Issues equal opportunities means not only formal equality of the sexes but also implies the reciprocal opening of the, previously, women's or men's world, to the other sex. The established principle of individual development should extend to all sectors of life; to education and training, work and profession, living together, public and cultural life, social security and the taxation system.

The Federal Commission for Women's Issues has covered a wide range of subjects and sectors in the course of its work. Between 1979 and 1984 four interim reports were published on the position of women in Switzerland. They dealt with society and economy, biographies and role norms; law and women's politics. In 1987, as a logical continuation of these four interim reports, the report Women and Men: Facts, Perspectives, Utopias

*Equal Rights for Women and Men – Institutional Equal Opportunities Policy*
[Frauen und Männer: Fakten, Perspektiven, Utopien] which deals with the prerequisites, conditions and consequences of equal rights for women and men on the one hand and with current problems on the other appeared in 1987.

In 1981 the Federal Commission for Women’s Issues published facts on the emancipation of women and men under the title Abuse to Tenderness [Auszelaugt bis Zärtlichkeit] as a kind of reference work. This pursued two objectives, firstly the discussion of the equal rights article should be rendered more objectively, secondly, the accumulated knowledge could be processed and put forward for political use.

One of the central themes was (and is) the work situation of women and how they are hit by unemployment. In October 1976, the Women’s Commission published its first report The Consequences of the Recession for Women [Die Folgen der Rezession für die Frauen] drawing attention to the more prolonged and more serious consequences of the recession for women. In this report the Commission demanded immediate measures to improve the situation of women on the labour market as also more differentiated statistics, specific information, creation of counselling and support units and provision of funds to facilitate the return to work. Similar demands were also made in the promulgation of the revisions of the unemployment insurance. At a plenary meeting in 1993 the Federal Commission for Women’s Issues discussed the question of unemployment for women with experts and published the papers in the periodical W-Women’s Questions [F-Frauenfragen] which appears three times a year.

The Federal Commission for Women’s Issues has repeatedly been concerned with the subject of women and politics. Take a seat, Madam. The Political Representation of Women in Switzerland [Nehmen Sie Platz, Madame. Die politische Repräsentation der Frauen in der Schweiz] was published in 1990. This report is an in-depth study of the problem of the under-representation of women in politics. In June 1994, with a view to the federal elections in 1995, the Commission published the brochure Women for Parliament! A guideline for Parties, Women’s Organizations and Media. [Frauen ins Parlament! Ein Leitfaden für Parteien, Frauenorganisationen und Medien].

The report Legal Effects of the New Marriage Law [Juristische Auswirkungen des neuen Eherechtes] appeared in 1991 and a short version in 1992. The expectations of many women and men with respect to realization of the equality of the sexes had been aroused with the introduction of the new marriage law. The report made it clear that the previous implementation practice entails various problems and can have negative effects for women. The Commission also published a comprehensive report on childcare outside the family in autumn 1992. The relevant guideline Who then? Where then? How then? [Wer denn? Wo denn? Wie denn?] aims to provide information, facts and arguments for a better range of child-care facilities.

Moreover, the Federal Commission for Women’s Issues also published a series of other reports: A report on the national council postulate on violence against women in Switzerland (1982), a survey of the position of inequities in federal law including proposals for their elimination (1983), a report on the special protection prescriptions for working women in Switzerland (1985) and one on the effects of new technologies on women’s workplaces in the office and administration sector (1988).

After conclusion of the Third United Nations World Women’s Conference in Nairobi in July 1985, the Federal Commission for Women’s Issues developed recommendations for the Swiss follow-up work which were largely included in the final report of the Swiss delegation. On the incentive of the Commission the Federal Council appointed an inter-departmental working group to examine the application of the Nairobi strategy document within the federal administration and to compile the relevant proposals to the Federal Council. In 1988, the Working Group passed a final report with recommendations for the implementation of the Nairobi results, undertook a survey of the measures conducted in 1981 and took part in the Swiss preparations for the Fourth United Nations World Women’s Conference in Beijing in 1995.

The opinions in postulate procedure are an important feature of the Federal Commission for Women’s Issues work. Central topics in recent years have been the revision of the labour law, the marriage and divorce law, Criminal Code and the new equal opportunities law. The Commission drafted a model of a staff office for the equality of women and men as a recommendation. The periodical W-Women’s Questions publishes the replies to the postulates passed at the Women’s Commission plenary meetings as well as the papers presented at the annual Equal Opportunities Congresses.

The Documentary Office for Women’s Issues [Dokumentationsstelle für Frauenfragen] was opened in 1979. On the one hand it works for the Federal Commission for Women’s Issues on the other for the Federal Office for the Equality of Women and Men. The Documentary Office is a public library with text books on women’s and equality issues and periodicals. Further, a large number of unpublished texts may be obtained from the Documentary Office.

The Swiss equal opportunities offices and cantonal commissions at government level

In Switzerland, equal opportunities offices have been established not only at government level, there are also a few semi-private or privately organized offices in associations, trade unions, church and private enterprise etc. Various universities, e.g. those in Berne and Zurich, also have offices for women’s issues. At the same time a series of Swiss companies and administrations have committed themselves, in the wake of the initiative Deeds not Words [Taten statt Worte] to conduct an active equal opportunities policy in their en-
The state equal opportunities offices currently in operation differ on the one hand due to their official nature and on the other due to the various levels (federation, canton, community).

Federal level

There are two offices at federal level, namely the Staff Office for Women's Issues [Stabstelle für Frauenfragen] in the Personnel Office (since 1981) and the Federal Office for the Equality of Women and Men (also referred to as the Equal Opportunities Office) which has been in operation since 1988. The latter promotes the equality of women and men in all sectors of life and commits itself to the elimination of any form of direct and indirect discrimination. The tasks of the Office include the preparation of federal edicts and measures promoting and establishing the equal opportunities of women and men, it works with the cantonal and communal offices and organizations pursuing similar objectives, and provides counselling for individuals and authorities. It issues recommendations and compiles or commissions expert opinions, compiles programmes and measures for the promotion of the equal opportunities of women and men in conjunction with interested parties and does the relevant PR work. It further reports regularly on its work, the realization of the legislation programme 'Equal Rights for Men and Women' and on the position of the effective equality of women and men in Switzerland. In addition the office organizes conferences and exhibitions, awards the children and youth media prize Die rote Zora etc. The federal office acts as a model for many of the equal opportunities offices which were established later.

The Federal Office for the Equality of Women and Men publications are an important form of approaching various subjects, developing programmes and political strategies, making use of research results and doing sensitization work. One point of emphasis is "Woman and Work". These publications have included Women's Demand for the Promotion of Women [Frauenforderung nach Frauenförderung], a guideline for equal opportunities for women and men at work (1989), May it be a Woman [Darf's auch eine Frau sein], a survey of sex-specific formulation of situations vacant advertisements (1991), Work Appraisal and Wage Discrimination of Women [Arbeitsbewertung und Lohndiskriminierung von Frauen] a study on the same wage for equivalent work (1992), Men and Women have the Right to the Same Wage for Equivalent Work [Mann und Frau haben Anspruch auf gleichen Lohn für gleichwertige Arbeit] a directive for the realization of the right to equal wage (1992), "We Can Climb Trees On Our Own Too" ["Auf Bäume klettern können wir auch ganz alleine"], a report on the situation of women and girls in the Swiss youth associations (1992), Sexual Harassment at Work; What Women Don't Talk About [Sexuelle Belästigung am Arbeitsplatz] Worüber Frauen schweigen] (1993) and the manual Women Refugees in Switzerland [Frauenflüchtlinge in der Schweiz](1993).

The Swiss Conference of Equal Opportunities' Officers convenes twice a year. It is the amalgamation of all public Swiss equal opportunities offices. The conference backs, on a nation-wide basis, opinions on equal opportunities policy, actions, projects and PR work for equal opportunities before the law and effective equality of women and men. It
serves as a source of information and a forum for the exchange of experience of the equal opportunities member offices and also for the coordination, planning and realization of joint actions. It organizes further training facilities and supports new offices. In addition the offices from the French and Italian-speaking parts of Switzerland, hold a meeting twice a year, the Conférence latine.

Cantonal level

The Republic and Canton Jura Office for the Feminine Condition [Bureau de la Condition féminine de la République et Canton du Jura] opened on 5th March 1979, the very first equal opportunities office in Switzerland. The constitution of the newly created canton prescribed the creation of this office. Article 44 of the cantonal constitution reads: “L’Etat institue le Bureau de la condition féminine dont les tâches sont notamment: a) améliorer la condition féminine; b) favoriser l’accès de la femme à tous les degrés de responsabilité; c) éliminer les discriminations dont elle peut faire l’object.” After 1981 there were various parliamentary motions at all levels (federation, cantons, communities) for the creation of equal opportunities offices on the Jura model to implement the legal and effective equality of women and men (see overview table next double page).

There are now fourteen equal opportunities offices at cantonal level. The legal bases of these offices differ considerably. They are founded either on provisions in the cantonal constitution, on an executive decree or a legislative decision. As a rule they are directly answerable to a member of the executive or are positioned as an office within a directorate. According to the cantonal structure, the offices are incorporated in the various directorates. Their principal tasks include participation in legislative procedures, cooperation with other offices and organizations, counselling to individuals and authorities, the compilation and obtaining of expert opinions, the furthering of equality within and outside the administration. In addition there is also public relations work, documentation and reporting. Generally a discrepancy can be observed between tasks and competence. As a rule the equal opportunities offices have a wide range of tasks which is hardly surprising in view of the cross-sectional function of the equal opportunities complex. In contrast the offices have only restricted financial and personnel resources and have few competences. Thus only very few of the equal opportunities offices have the right to view files. However, they do have the right to cooperate with administrative offices, they may demand information, express their opinion, file applications, demand fees and dispose, in some cases, of a budget of their own. All cantonal equal opportunities offices work both within the administration and outside it. Most cantons have an equality commission which supports the offices in their work, provides counselling and establishes contact with the women’s organizations. A cantonal equal opportunities office was rejected in Solothurn in 1993. In the Canton of Aargau an office with internal and external functions is in preparation, its opening is scheduled for mid 1995. Just as there was decided to principally open up an office in the Canton of Lucerne.
Equal Opportunities
Offices at Federal, Cantonal and Communal Levels.
(position June 1994)

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Equal Rights for Women and Men – Institutional Equal Opportunities Policy
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Communal offices

To date there are four equal opportunities offices in operation at community level. These are in the towns Zurich, Winterthur and Lausanne and in the municipal administration of Zurich. With the exception of the Office for the Equal Opportunities of Women and Men of the town of Zurich all these offices operate within the administration. In Berne the town equal opportunities office was agreed on by the City Council (executive) in 1993, yet the necessary credit has not been anchored in the budget until today.

Advancement of women in the administration

The Staff Office for Women’s Issues of the Federal Office of Personnel [Stabstelle für Frauenfragen des Eidgenössischen Personalamtes (EPA)] was founded in 1981 with an administration-internal mandate and is thus responsible for the improvement of the position of women within the federal administration. The Staff Office for Women’s Issues is active in various fields. Objectives include encouragement of the promotion of women to the higher salary classes, realization of part-time work, as far as possible, at all levels and improvement of education and training. Career planning and the compatibility of job and family should also be supported. In December 1991, the Federal Council issued directives on the improvement of the representation and professional position of the female staff among the women and men employed in the federal administration, whereby all staff offices are committed to the realization of equal opportunities in their own sector.

The directives integrate various principles and demands: they commit those responsible; at all levels, to see to it that women are appropriately represented in the various administration fields of activity and at all levels of the Department and Federal Chancellery. Namely, suitable measures shall be taken to reduce the under-representation of women in higher functions and salary classes. The directives include guidelines on advertisement of vacancies, elections and promotions, election procedures, job appraisals, training and part-time employment.

The Federal Chancellery, the General Secretariats and the Federal Offices are bound, individually, to compile a four-year promotion programme for the interpretation and implementation of the directives. These programmes cover all the measures and projects serving the advancement of women and the assuring of equal opportunities for both sexes in the civil service. They include, namely, the sectors engagement, promotion, grant of training positions, further training and promotion of part-time employment. Further, regular reports must be made on compliance with the programmes, impediments to realization and the reasons for these and also on additional measures. Progress in the implementation of the measures differs according to Department and Federal Office. The Federal Department of the Interior elaborated its own rulings (14th June 1993). Certain Federal Offices have already compiled concrete programmes for their sector (e.g. The Federal Office for Environment, Forest and Landscape [Bundesamt für Umwelt, Wald und Landschaft BUWAL]) whereas other offices have not even started their work.
The Staff Office for Women's Issues compiled a concept, complementary to the directives, as a parallel offer for those responsible for training. The objective is the compilation, implementation, accompaniment and evaluation of equal opportunities programmes in the general federal administration. An umbrella congress is held annually for all the individual and group delegates providing fundamental knowledge and practice-relevant information and aids to the promotion of women. Simultaneously the Staff Office for Women’s Issues operates an instrument and contact pool to further the exchange of information between the federal offices. Back-up is provided for groups charged with the advancement of women in a federal office. They should be enabled to realize their projects and to plan and implement their projects thoroughly. Individual delegates should be networked in inter-departmental groups. Management staff and persons responsible for personnel and training are informed regularly and incorporated in the process.

The Federal Office for Personnel compiles a training programme for women and men in the civil services which offers special courses for women (e.g. action strategies in day to day work, coping with stress, utilization of conflicts, professional stocktaking and career development). At the same time the Federation is planning, together with the community of Berne and a third partner, to open a joint day nursery after the Canton of Berne refused its support.

The advancement of women within the civil service is also in progress at cantonal and communal level. Whereas the cantonal equal opportunities offices generally have internal and external duties, four of the five communal equal opportunities offices are restricted to the promotion of women within the civil service.

Quotas

Gender quotas are not new in Swiss law. There are guidelines at federal level for the constitution, methods and control of extra-parliamentary committees. They foresee that the proportion of women in these commissions should amount to at least 30 percent and that, long-term, the objective should be parity representation of the sexes, (cf. chapter 'The slow penetration of parliaments and governments by women', p. 43). At the same time there are various forms of quota at cantonal and at federal level for the representation of linguistic minorities. Art. 107 of the Federal Constitution foresees that in the election of members of the Federal Court all the official languages of the country should, as far as possible, be represented. In the cantons Berne, Fribourg and Valais, a certain number of government seats are bindingly reserved for the linguistic minority. During the 1991 winter session, the federal parliament was in favour of a higher ratio in the next academic generation.

Gender quotas constitute a means to balance the statistically demonstrable under-representation of women in the employment world, politics and society. Their aim is to break through the structurally determined discrimination of women in traditional constructs. Quotas are therefore a compensatory measure and justified for a transitional period.

A survey of parliamentary motions on quotas and target figures conducted in 1992 shows clearly that there are quota demands of this kind at all political levels. However,
these demands have encountered and still encounter a great deal of scepticism. The two people's initiatives launched by women's organizations demanding a concrete setting of quotas launched to date both failed at the collection of signatures stage. These are the Federal Council 2000 and the PdA initiative Women and Men, the latter demands a maximum quota of 60% of one sex in the federal authorities. Signatures are currently being collected for the federal initiative For Fair Representation of Women in the Federal Authorities [Für eine gerechte Vertretung der Frauen in den Bundesbehörden] (initiative 3rd March) which foresees gender quotas for the Federal Council, parliament and Federal Court (deadline of collection 21st March 1995).

The motions for quotas submitted and dealt with to date at federal level have always been clearly rejected. Most motions and decrees with quotas at cantonal and communal level concern the constitution of committees. Thanks to the new Aid to Victims of Criminal Acts law, it is now essential, throughout Switzerland, that, on demand, at least one woman be represented in a court trying criminal acts against morality. Just as quotas for the promotion of the new generation of academics were anchored at federal level. Motions demanding an increase in the proportion of women in the cantonal or communal parliaments or governments have to date, with one exception, always been unsuccessful: a motion was passed in the Berne Municipal Council (communal parliament) in 1991 demanding that at most sixty percent of one sex be represented on the Municipal Council. Provided the City Council approves, people will vote for the first time on a quota proposal in mid 1995. The universities of Basel and Geneva have comprehensive concepts to raise the proportion of women on the teaching staff. Both universities have anchored objectives which aim to progressively occupy full-time positions (lecturers, assistants) with more women. The fixed objectives are embedded in further accompanying measures, are regularly controlled and, when necessary redefined (cf. chapter 'Higher education/universities', p. 106).

The Federal Law on Equal Opportunities for Women and Men

History

The second sentence of the equal opportunities article in the Federal Constitution incorporates a legislation mandate. On the basis of the postulate in the National Council during the autumn session 1985, calling for the anchoring of legal norms with respect to equal wages, the Federal Department of Justice and Police [Eidgenössisches Justiz- und Polizeidepartement (EJPD)] established a working group to examine the inequality of the wages of women and men in Switzerland. In the final report Equality of Wage for Men and Women [Lohngleichheit für Mann und Frau], end 1988, measures were proposed for the realization of equal wages and simultaneously the foundation laid for the subsequent equal opportunities law. The EJPD draft included measures in four sectors. Facilitation of procedure (facilitation of incumbency of proof, associative right to sue, improved dismissal from employment protection), a general prohibition of discrimination in view of sex (for
public and private law employment relationships), promotion measures and federal financial aid as well as extensions of competence for the Federal Office for the Equality of Women and Men (enquiry competence, up-grading as independent office).

In a comprehensive postulate procedure the draft met with a fundamentally positive echo. Only few of the addressees of the postulate expressed a negative opinion. Thus, twenty cantons and all the major parties were in favour of the draft whereas the women's organizations made more extensive demands. The discussion with respect to Switzerland joining the European Economic Area EEA supported the demands of the law which complies, at European level, with the directives and directive drafts of the European Union (EU, formerly EU) as also jurisdiction of the Court of Europe.

The draft law

The objective of the law is the furthering of effective equal opportunities for women and men (art. 1). The state is bound to actively implement art. 4, paragraph 2 of the Federal Constitution and to realize equal opportunities. Fundamentally, the law applies for all public and private law relationships (art. 2). Primarily it is restricted to the occupational sector. Article 3 comprises a general ban on discrimination which prohibits gender-linked disadvantaging in advertising for employment vacancies, engagement, allocation of duties, arrangement of conditions of work, remuneration, training and further training, promotion and dismissal. Paragraph 3 of art. 3 further ensures that measures for the realization of effective equality do not constitute discrimination.

Whoever is the victim of discrimination has various legal rights for cessation, elimination, ascertainment and compensation (art. 4). However, no penal sanctions are foreseen. Article 5 regulates the incumbency of proof. Discrimination is supposed if the person concerned can present this credibly. This formulation is very close to that of the EU (formerly EC) directive for incumbency of proof. It is one of the significant features of the improvements for court implementation of equal opportunities.

The new right of petition and complaint in article 6 is a central element. It is applicable for organizations of national and regional importance which statutorily further the equality of women and men or safeguard the interests of working women. The outcome of the proceedings will probably affect a large number of working relationships. Besides the individual suit of the employee as an individual, certain organizations will be granted the right to sue in their own name to establish the existence of a case of discrimination. Experience in other countries has shown that such suits and complaints are an efficient means for the collective implementation of discrimination-free workplaces.

The employers, both male and female, must ensure that there is no sexual harassment of women or men at work and that the victims of sexual harassment do not incur any further disadvantages. If the measures necessary under the circumstances have not been taken, claims according to art. 4 may be pressed (art. 7). Sexual harassment is prohibited as a particularly humiliating form of sexually-related discrimination. Under the current law, sexual harassment at the workplace already constitutes, a violation of personal rights and a breach of the employment contract (cf. chapter 'Sexual harassment at the workplace','
p. 143 and p. 189). Article 7 of the draft law does not imply an innovation, but is to be wel-
comed as a special norm in the equality law in view of the frequency and the seriousness of
this form of discrimination.

Articles 8 and 9 regulate the proceedings in the event of discriminatory refusal to em-
ploy and in the event of discriminatory dismissal. Article 10 foresees better protection in the
event of harassment dismissals. Notice by the employer can be contested if it is given due to
the employee’s having asserted her rights. This provision contains two restrictions against
the equal wage report: on the one hand notice as revenge is contestable but not void. It must
therefore be declared void before court. On the other hand, in comparison with the draft in
the potulate procedure the Federal Council has considerably curtailed the protection period.
Protection against dismissal is only to be applied for the duration of the in-house complaint
proceedings, the arbitration and objection proceedings and the following six months. Fur-
ther facilitations of the procedural channels are the introduction of the cantonal arbitration
instances (art. 11) and the applicability of article 343 of the Swiss Code of Obligations in all
cases of discrimination irrespective of the amount contested (art. 12). Article 13 regulates
legal protection in the case of employment conditions pursuant to public law.

The government may grant financial assistance to public or private institutions con-
ducting programmes for the promotion of equal opportunities for women and men (art. 14)
but it may also conduct its own programmes promoting internal or external further train-
ing, improve the representation of the sexes in the various professions, functions and at
management levels, improve the compatibility of professional and family duties and sup-
port work organizations and infrastructures promoting equality at the workplace. The fed-
eral government may also grant financial aid to private institutions. These funds should be
utilized for counselling and information of women at work and the furthering of the return
to work of people who had interrupted their professional career in favour of duties within
the family (art. 15).

The Federal Office for the Equality of Women and Men obtains a law basis and is struc-
turally up-graded (art. 16). It will be redefined as an independent office or own service. In
contrast, the draft law does not grant enquiry competence to the Equality Office although
the majority of the postulate opinions would have welcomed this extension of competence.

Severe opposition

The draft law met with opposition at the deliberations of the National Council law
commission. Disputed features were the discrimination ban, the facilitation of incumben-
cy of proof, the right to file objection and to sue of the associations, the provisions on sex-
ual harassment and the protection against dismissal. Certain aspects of the draft passed by
the law commission have been watered down. The incumbency of proof facilitations are
restricted to wage discrimination, the general ban on discrimination and the provision on
sexual harassment have been weakened compared to the Federal Council proposal. In the
parliamentary debate before the National Council during the spring session 1994, the draft

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was passed with the law commission modifications. The Council of Cantons, on the other hand, largely held to proposed of the Federal Council. The result of the parliamentary debate is still open end 1994, as the time of its coming into force has not been fixed yet.

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Political and Social Engagement of Women

Thanh-Huyen Balmier-Cao
Katharina Belser
Elisabeth Keller

The slow penetration of parliament and governments by women

Switzerland was the second last country in Europe to introduce the women’s vote and active and passive election rights for women; this was in 1971. Only the men from Liechtenstein took even longer to grant women their political rights.

Switzerland is a federal state comprising 26 sovereign cantons on whom it confers, in consequence of the federal state structure, considerable political liberty of decision and autonomy in administration (e.g. in the education and health sectors). The people elect not only their representatives to parliament (legislative authority) but they can also vote on motions. The governments of the cantons and communities are elected direct, by the people; the national government (Federal Council) is elected by parliament (the two chambers: National Council and Council of Cantons). Amendments to the Federal Constitution must be approved by the people and the cantons. Federal laws are subject to the optional referendum (50,000 members of the electorate may demand a people’s vote with their signature). The women and men of the electorate also have the possibility, by means of a people’s initiative (100,000), of demanding amendments to the Constitution. There are similar provisions for people’s rights at cantonal level.

On the basis of this political system, the introduction of voting and election rights for women at federal level required the approval of the, till then, exclusively male electorate and of the majority of the cantons and therefore could not be resolved either by parliament or by government as in an indirect democracy. The necessary prerequisites to make it feasible for women to be elected to parliament or government at national level were not fulfilled until 1971. The eligibility of women at cantonal level was realized in part before 1971 but in part only later (cf. chapter ‘Equal Rights for Women and Men’, p. 25, and ‘From women’s liberation to womanpower’, p. 61).

There is no doubt that the Swiss political system plays a major role in the development of women’s representation in politics. As a result of the direct (male) democracy it prevented women from taking part longer than elsewhere. Since then, on a European comparison of women’s representation in parliament and government, Switzerland is around the
centre of the scale (cf. Table 1). But as progress in most of the other countries is also slow Switzerland has been able to catch up to a certain extent.

Although the women’s ratio in politics at federal; cantonal and communal level has improved in recent years, men are still crassly over-represented and women, in contrast, overwhelmingly under-represented.

Table 1
Proportion of women in parliament and government in various European countries

<table>
<thead>
<tr>
<th>Country (election year)</th>
<th>Parliament</th>
<th>Government</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
<td>Women</td>
</tr>
<tr>
<td>Austria (94)</td>
<td>183</td>
<td>46</td>
</tr>
<tr>
<td>Belgium (94)</td>
<td>212</td>
<td>19</td>
</tr>
<tr>
<td>Denmark (94)</td>
<td>179</td>
<td>59</td>
</tr>
<tr>
<td>Germany (94)</td>
<td>672</td>
<td>177</td>
</tr>
<tr>
<td>Finland (91)</td>
<td>200</td>
<td>79</td>
</tr>
<tr>
<td>France (92)</td>
<td>577</td>
<td>35</td>
</tr>
<tr>
<td>Greece (93)</td>
<td>300</td>
<td>17</td>
</tr>
<tr>
<td>Great Britain (92)</td>
<td>651</td>
<td>60</td>
</tr>
<tr>
<td>Holland (94)</td>
<td>150</td>
<td>49</td>
</tr>
<tr>
<td>Ireland (92)</td>
<td>166</td>
<td>20</td>
</tr>
<tr>
<td>Italy (94)</td>
<td>630</td>
<td>93</td>
</tr>
<tr>
<td>Liechtenstein (93)</td>
<td>25</td>
<td>1</td>
</tr>
<tr>
<td>Luxembourg (92)</td>
<td>60</td>
<td>8</td>
</tr>
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<td>Norway (93)</td>
<td>165</td>
<td>64</td>
</tr>
<tr>
<td>Portugal (91)</td>
<td>230</td>
<td>18</td>
</tr>
<tr>
<td>Spain (93)</td>
<td>350</td>
<td>56</td>
</tr>
<tr>
<td>Sweden (91)</td>
<td>349</td>
<td>117</td>
</tr>
<tr>
<td>Switzerland (91)</td>
<td>200</td>
<td>35</td>
</tr>
</tbody>
</table>

Total 5299 953 18.0% 366 63 17.2%

Women’s representation in the legislative authorities

Federation

Women are under-represented in the federal parliament. Their proportion in the greater chamber, the National Council, was only 17.5% in 1994 (35 of 200 seats) and in the smaller chamber, the Council of Cantons merely 10.9% (5 of 46). The women’s ratio has risen only minimally in recent years: in the National Council from 11% in 1983 to 14.5% in 1987 and 17.5% in 1991. In the Council of Cantons the proportion was 6.5% in 1983, 10.9% in 1987 and 8.7% in 1991 (cf. Table 2).
Table 2
Women's representation
in Federal Parliament
1971–1991

<table>
<thead>
<tr>
<th>National Council</th>
<th>0</th>
<th>10</th>
<th>20</th>
<th>30</th>
<th>40</th>
<th>50</th>
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<td>Election years</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1971</td>
<td>5.0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1975</td>
<td>7.5%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1979</td>
<td>10.5%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1983</td>
<td>11.0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1987</td>
<td>14.5%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1991</td>
<td>17.5%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Council of Canton</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Election years</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1971</td>
<td>2.5%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1975</td>
<td>0.0%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1979</td>
<td>6.5%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1983</td>
<td>6.5%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1987</td>
<td>10.9%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1991</td>
<td>8.7%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The women's ratio in the greater chamber has risen by an average of 3 percentage points at every election. The differences between the cantons are considerable. Whereas, after the 1991 elections, the three cantons with the highest population (Zurich, Berne, Vaud) put up more than half of the women national councillors (members of parliament), half the cantons did not send a single woman to the Federal Assembly, that is to either the National Council or the Council of Cantons.

Cantons

The pattern in the cantons is similar to that at federal level. Over the past twenty years, women's representation in the cantonal parliaments was similar to that in the National Council. In the meantime, with a proportion of 21% they have not only overtaken their sisters in the federal parliament but also the women in most of the regional parliaments in the EU member countries. Currently, only three cantons have a women's ratio of over 30% (Geneva, Solothurn and Aargau). Only Glarus has under 10% women in the cantonal parliament, namely 7.5% (cf. Table 3).

Communities

Women are better represented in the communal parliaments, or to be more precise in the towns. Already in 1991 the proportion of women was 5% higher than at cantonal and federal level, an advance which has been maintained until the present date. Women's representation in the communal legislative authorities amounted to an average of 22.5% in 1990, in the cities with 100,000 and more inhabitants the figure was 29.3%.
Table 3  
Women’s representation,  
in the cantonal parliaments

<table>
<thead>
<tr>
<th>Cantons</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geneva</td>
<td>36.0%</td>
</tr>
<tr>
<td>Solothurn</td>
<td>34.7%</td>
</tr>
<tr>
<td>Aarau</td>
<td>31.5%</td>
</tr>
<tr>
<td>Basel-City</td>
<td>29.2%</td>
</tr>
<tr>
<td>Neuchâtel</td>
<td>27.8%</td>
</tr>
<tr>
<td>Basel-Land</td>
<td>25.6%</td>
</tr>
<tr>
<td>Bern</td>
<td>25.5%</td>
</tr>
<tr>
<td>Lucerne</td>
<td>24.7%</td>
</tr>
<tr>
<td>Zurich</td>
<td>23.3%</td>
</tr>
<tr>
<td>Nidwalden</td>
<td>21.7%</td>
</tr>
<tr>
<td>Vaud</td>
<td>20.5%</td>
</tr>
<tr>
<td>Obwalden</td>
<td>20.0%</td>
</tr>
<tr>
<td>Zug</td>
<td>18.8%</td>
</tr>
<tr>
<td>Schaffhausen</td>
<td>17.5%</td>
</tr>
<tr>
<td>Fribourg</td>
<td>16.2%</td>
</tr>
<tr>
<td>Thurgau</td>
<td>16.2%</td>
</tr>
<tr>
<td>Appenzell AR</td>
<td>15.9%</td>
</tr>
<tr>
<td>Graubünden</td>
<td>15.0%</td>
</tr>
<tr>
<td>Ticino</td>
<td>14.4%</td>
</tr>
<tr>
<td>Jura</td>
<td>13.3%</td>
</tr>
<tr>
<td>St.Gallen</td>
<td>13.3%</td>
</tr>
<tr>
<td>Uri</td>
<td>12.5%</td>
</tr>
<tr>
<td>Appenzell IR</td>
<td>12.3%</td>
</tr>
<tr>
<td>Schwyz</td>
<td>12.0%</td>
</tr>
<tr>
<td>Valais</td>
<td>10.8%</td>
</tr>
<tr>
<td>Glarus</td>
<td>7.5%</td>
</tr>
<tr>
<td>Total</td>
<td>21.3%</td>
</tr>
</tbody>
</table>

Women in the executive authorities

Federation

To date only two women have been elected to the federal government. The first woman Federal Councillor (member of government – minister) held office as head of the Federal Department of Justice and Police [Eidg. Justiz- und Polizeidepartement] from 1984-1989. There has again been a woman member of the seven-person national government since 1st April 1993. She heads the Federal Department of the Interior [Eidg. Departement des Innern].

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The proportion of women in the cantonal governments rose very late and only slowly. The first woman cantonal councillor (member of the cantonal parliament) was not elected in the Canton of Zurich until 1983. Although the number of cantonal councillors doubled between 1992 and 1994, today only 16 of 166 members of the 26 cantonal governments are women implying a proportion of 9.6%. There is one woman councillor in each of the cantons of Zurich, Solothurn, Basel-City, Fribourg, Lucerne, Obwalden, Schwyz, Aargau, Jura, Geneva, Basel-Land and Zug; the cantons of Berne and Appenzell Ausserrhoden have two women councillors each.

Communities

There are no comprehensive data available on women’s representation in the political organs at community level. According to a poll of the communal executive authorities conducted in 1988, the average women’s ratio for the whole of Switzerland was 8.4% but the differences from one canton to another were considerable. Thus, in Canton Appenzell Ausserrhoden there were no women at all, whereas in Canton Geneva the proportion was 18.4%.

Overall the proportion of women on the urban executive authorities is higher than in the rural communities. According to statistics published by the Swiss City Association [Schweizerischer Städteverband] the proportion of women in 1990, on an average for 129 towns, was 11.5%. The highest proportion of women (14.8%) is to be found in the executive authorities of the larger towns (50,000 and more inhabitants). A positive development has been recorded recently in certain cities: since 1993 the city of Berne has been governed by a majority of women and in the city of Zurich there are three women city councillors against six men.

Extra-parliamentary commissions, authorities and federal representation

In the extra-parliamentary commissions at federal level the proportion of women at the beginning of 1993 was 16% (482 of 3,063 members in 255 commissions), in 1989 there were only 8%. Consequently the women’s ratio has quadrupled since the first poll in 1978.

The minimum rate of 30%, as targeted in the new guidelines for the constitution, working procedure and control of extra-parliamentary commissions, which came into force on 1st April 1992, has therefore not been achieved. Parity representation in the commissions – the long-term guideline objective – is still far off. However, the position differs considerably according to department. The commissions in the Department of the Interior [Departement des Inneren] have most women with 25% in the consultative bodies. The Department of Justice and Police [Justiz- und Polizeidepartement] and the Department for Foreign Affairs [Departement für auswärtige Angelegenheiten]. The commissions in the Department of Finance [Finanzdepartement] have the lowest women’s ratio. The proportion is marginally higher in the Department of Transport and Energy [Verkehrs- und Energiedepartement] and the Military Department [Militärdepartement].
Women’s election chances

There are two fundamental handicaps for women. On the one hand women-candidates are under represented, and on the other their chances of actually being elected are not as good as those of the men.

It is a fact that the ratio of women candidates for the National Council has risen steadily at every election since 1971. But this did not entail a relevantly higher proportion of seats for women (1979: 18% candidacies/10% elected; 1983 23%/10%; 1987 28%/13%, 1991: 32.6%/17.5%). In 1991 only one in 24 of the 834 women candidates managed to win a seat in the National Council – in contrast one man in eleven of the 1,727 candidates obtained a seat. Consequently, the women’s chances of being elected were not even half as good.

The chances of women being elected differed considerably according to party. Among the Christian Democrats People’s Party [Christlichdemokratische Volkspartei (CVP)] and the Conservative Democrats [Freisinnig-Demokratische Partei (FDP)] men’s chances were not only twice but three times as good. In the Social Democratic Party [Sozialdemokratische Partei (SPS)] the chances of being elected were also lower for women. Only on the lists of the Green Party [Grünen] and Green Alternative Party [Grünalternativen] were the women’s chances better than the men’s.

There are various reasons for the lower election chances of women at national level. The initial position for women is weaker because, on the whole, they also occupy lower positions in their professional life and are not as well represented in the economic interests associations. They have poorer chances as in view of family commitments, which most of them have assumed, they are significantly less free for a political career. And their conditions are not as good as they can hardly invoke ideals or a tradition as a model in establishing their political profile.

Effects of the political system on the election chances of women

The election system plays an important role. Basically, Switzerland has a suitable election system to pave the way to the institutions for women. Most of the cantons elect their representatives to the National Council and the Cantonal Parliaments by the proportional election system. With this election system it is further possible to enter the same candidate twice on the ballot list (cumulation). A further possibility is preferential voting. This means that an individual list of candidates from various parties can be compiled on the blank ballot paper or a party list can be amended accordingly. Cumulation and preferential listing simultaneously are admissible.

A study (Ballmer-Cao 1992) compared the election lists in the cantons of Berne and Zurich over the past three legislative periods and ascertained that the SP women candidates were the winners thanks to this procedure. In contrast to the other candidates they obtained a better ranking in the election results than on the original election lists. But in the case of the other three Federal Council parties (CVP, FDP and SVP) the same election procedure was responsible for the women sliding to the bottom of the results table.
This election procedure includes both chances and risks for women candidates. Further, it can only be applied in proportionate election proceedings and not in majority proceedings (thus for the Council of Cantons and in part for government council elections).

The pronouncedly federalist structure in Switzerland may imply an advantage but also a disadvantage for women’s participation. Thus, for example, the Cantonal Appenzell Innerrhoden was able to resist the introduction of cantonal voting and election rights for women until 1990. Women only obtained the vote on the basis of a Federal Court (highest court in Switzerland) decision, after it had been rejected by the popular assembly three times. On the other hand the federalist structure is responsible for a multiplication of political mandates: all the cantonal parliaments together comprise some 3,000 seats corresponding to about one half of all the mandates in the regional legislative authorities of the European Union. As a rule a large number of mandates facilitates access to politics for a previously unrepresented grouping.

Women’s representation in the parties

At first the political distribution of the women elected to the federal parliament as from 1971 was balanced: three women each were elected to the federal council in 1971 from the CVP, FDP and SPS. In the following years there was a slight increase in the proportion of women in the CVP and the FDP or it stagnated or even decreased. The first woman National Councillor (member of parliament) from the Swiss People’s Party [Schweizerische Volkspartei] (SVP) was not elected until 1987. In contrast the proportion of women in the socialist-alternative wing rose continually. Today the SPS delegates as many women to the greater chamber as the CVP, FDP and SVP together. SPS and the Green Party [Grüne Partei] (GPS) won just one third of the seats in the 1991 elections but they returned almost two thirds of all the women National Councillors. The GPS is the first party to obtain a women’s majority (8 of 14 seats) in the 1991 elections to the National Council. The right-wing parties (Freedom Party [Freiheitspartei FDP], formerly the Auto Party [Auto Partei]; the Federal Democratic Union [Eidgenössisch-Demokratische Union EDU; Swiss Democrats [Schweizer Demokraten SD]; League of the People of the Ticino [Lega dei Ticinesi]), however, have never had a woman member of the National Council.

This discloses an interesting trend: whereas in the first few years after the introduction of voting and election rights for women there were approximately the same number of women representatives in the federal and cantonal parliaments from the ranks of the FDP, CVP and SPS, in the parliaments of the cities the proportion of FDP women was actually clearly higher than that of the SPS and CVP women representatives. Both the first woman president of the National Council and the first woman president of the Council of Cantons were Christian Democrats and the first woman Federal Councillor (member of government – minister) was from the FDP conservative party. This balance did not last long for since the end of the seventies the representation of these two parties is, on the whole, regressive. At the beginning of the eighties FDP and CVP occupied approximately half of the National Council seats and returned about three fifths of the women. Today they hold about
40% of the seats in the National Council but return only some 25% of the women members. The same trend is apparent in the cities and cantons. There as well the proportion of conservative and Christian democrat women members is decreasing. On the other hand there is a growth in the women’s ratio of the left, that is the SPS and in recent years the Green Party.

Advancement of women and the parties

Women have remained a minority, not only as holders of office but also as members of the parties. Women frequently engage in voluntary work for the community. To date, however, the majority has not done so in the parties (cf. chapter ‘Wide-ranging commitment of women in extra-parliamentary organizations’, p. 53).

The parties are therefore increasingly concerned with measures for the advancement of women. The measures implemented to date differ considerably according to party and canton. As the parties in Switzerland generally have a federalist structure, the cantonal parties enjoy a high degree of autonomy, The measures taken include e.g. analyses on the position of women in the party, compiling of a women’s election manual, women-specific training facilities for women candidates with public speaking and media training, implementation of a women’s election committee, women-friendly list planning and creation of internal structures. There is now a post for women’s issues in the SPS, CVP and FDP (each max. 50% jobs).

One of the most promising, but also most controversial measures is the quota ruling (cf. chapter ‘Equal Rights for Women and Men’, p. 25). The GPS – currently represented by a majority of women in the National Council introduced a 50% quota ruling for all bodies and election lists already in 1987. In 1986 the SPS approved a 5-point Programme for the Realization of the Equality Principle which foresaw a minimum of one third for both sexes in all party commissions. This quota was declared binding for the party as a whole and also for the cantonal parties and sections i.e. for proportional election lists and for party delegates as well. Since then the ratio has been raised to 40%. As the first conservative party, the CVP introduced a one-third quota (described as proportional ruling) in 1991 for all committees at federal level. In view of the non-binding character the ruling has not yet been fully adopted by the cantonal parties. Whether it is applied in the election lists also depends on the effective handling by the cantonal parties. The Swiss FDP recommended a list quota of 30-60% (described as target quota) to its cantonal parties in 1993; this recommendation applies exclusively to the election lists and not to the party committees.

Quotas are being demanded increasingly not only within the parties but also for the constitution of political committees at federal, cantonal or municipal level (cf. chapter ‘Equal Rights for Women and Men’, p. 25). The first parliamentary bill demanding parity representation of the sexes in the commissions was launched in the Canton of Basel-Land in 1986. The quota regulations which are now operative in about half the cantons range from “appropriate” to “parity”. Most quota regulations are either rejected, postponed or have not yet been dealt with.
Another measure to raise the proportion of women is the introduction of women’s lists. Election lists separated according to sex (a women’s list and a men’s list) were first used in Canton Zurich for the National Council elections in 1975. In 1987 this practice was copied in six cantons and in eight in 1991. Experience to date has shown that whether the women’s lists are successful or not depends on the accompanying circumstances. In view of the election procedure and the very different initial positions of the women and male-candidates they are by no means bound to be successful. Six of the ten women’s lists for the National Council elections of 1991 were a success. Five women were elected on the SPS lists, two on the GPS lists and one on the alternative Green Party list (Women-Power-Politics [Frauen macht Politik FratP]). The other four women’s lists, one of them an FDP women’s list, did not stand a chance.

Participation at voting and elections

Since the introduction of votes for women some 52% of the Swiss electorate are women. However, as the proportion of women who participate at voting and elections is usually lower than that of men, the results of elections and voting are still largely male dominated.

At the last National Council elections, according to the VOX analysis 52% of the male electorate and 41% of the women made use of their election rights, implying a difference of eleven percentage points. The difference between election participation behaviour of women and men in Switzerland has narrowed somewhat in recent years. In the first ten years after the introduction of votes for women it amounted to an average of sixteen percentage points; in the second decade it was still twelve. However, this approach of the sexes is less a consequence of progressive mobilization of women but rather due to the increasing election abstinence of the men. Whereas men’s election participation has decreased, women’s participation, after a brief rise, has remained steady.

The voting position is similar. Apart from two exceptions in 1985, more men than women voted at every popular voting. 1977-1983 the voting participation of men was on average eleven percentage points higher than that of women, 1984-1991 the difference was some ten percentage points and at the people’s votes in 1991-1992 it was still an average of eight percentage points.

This pronounced difference in participation of women and men voters is a Swiss idiosyncrasy. In most other countries the women voters go to the voting stations almost as often as the male voters.

Voting behaviour

Among the factors influencing the voting decision, age and level of education play a more important role than gender. However, the question of women’s political influence is frequently raised and is perfectly justified. The arguments are familiar which claim that the right-wing parties came to power in Europe thanks to the women and that in the eighties and nineties American women supported the democrats and French women the left.
wing. The influence of women acquires a particular importance in a plebiscitary democracy as we have in Switzerland.

In fact, the differences in voting behaviour between women and men are small. The regular surveys on voting behaviour have, however, shown that on certain issues women were outvoted by the men. This occurred, for example, in the people's initiatives on atomic energy in 1984 and 1990 and in 1993 on the initiatives against the purchase of military aircraft and against the construction of further military exercise facilities. If women had been the sole voters on these issues all four would have been approved! Women are usually more critical than men on energy, military and environment questions. Consequently, the men were responsible for the rejection of these motions. Such results are, in part, possible because, as mentioned, the voting participation of the men is, as a rule, clearly higher. To date there are only two cases which prove that the reverse is also possible, that is, that the men may be outvoted. Namely: In 1977 the '12 week solution' initiative was rejected by the people with 52% although just 53% of the men had voted in favour. Despite the lower participation the 57% women's votes against tipped the scales.

In 1985, with a virtually identical voting participation as the men, the women approved the new marriage law with 61% votes in favour whereas the men just rejected it (52% votes against). The result was a majority in favour of 55%.

Thus, with enhanced mobilization of women it is perfectly possible for women to put an end to the male reign in the voting booth. If there is a certain difference between the majority opinion of the men and that of the women, and if a relatively close vote is to be expected, then there is a good chance that the women can decide the issue in their favour with high voting participation.

The women's organizations and the political decision makers should pay more attention to this feature. Political opinion formation and above all, the trip to the polling station, is generally underestimated as a means of conducting effective women's politics. But these features certainly have their place between the spectacular women's movement actions and the discreet work of the women in parliament.

Facit

In the mid nineties there are still far too many men in the political decision-making positions. Equality is not, it is true, alone a question of political representation. But in Switzerland, perhaps due to the late introduction of votes for women, representation is a central feature of the equality issue. The opinion that women politicize differently due to their distinct life and every-day experience is frequently behind the will to co-determination. Until women are represented in the decision-making instances proportionate to their percentage of the population Swiss women will attempt, at all events, with persistence, commitment, imagination and humour to refuel discussion of the demand for equal opportunities and to work for a breakthrough.

The impulses for effective changes usually come from the left and the alternative parties. They were the first to introduce the quota ruling for party management and the election lists. Their women and men candidates have stood for election in various places on
separate women's and men's lists. However, there has been increasingly vigorous participation by the women from the conservative groupings in the initiatives and actions for equal participation rights for women and men. Thus the popular initiative National Council 2000 [Nationalrat 2000] (which did not obtain sufficient signatures) was launched by the non-socialist and confessional women's organizations. The initiative for Fair Representation of Women in the Federal Authorities [Für eine gerechte Vertretung der Frauen in den Bundesbehörden] (initiative of 3rd March) is receiving widespread support from both the non-socialist and socialist groupings. Not to mention various media-impact actions as, for example, the women's strike on 14th June 1991 where several hundred thousand women of all political inclinations participated (cf. chapter 'From women's liberation to womanpower', p. 61).

The conservative Federal Council (government) parties, in particular, have an important role to play in the improvement of women's representation in politics. The non-socialists hold the majority of seats in parliament — but their women's ratio is far lower than that of the left and the alternative parties. Thus, in the first place, it is the conservative parties who must raise the number of women candidates. Simultaneously, women from all parties require better election chances due to top positions on the election lists and better support during the election campaigns.

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Barbara Kopp

Wide-ranging commitment of women in extra-parliamentary organizations

There is no record anywhere of the innumerable hours of voluntary work done by women in parishes, in professional associations, in consumer and environment associations, in the peace or ban nuclear power [AKW] movements. As long as Swiss women did not have the vote at cantonal and federal levels, religious and charitable women's organizations were among the few places where middle class women could be socially and charitably active and could commit themselves politically (besides the professional associations e.g. Women Teachers' Associations and Votes for Women Associations which were explicitly oriented to this single objective). This is where the first women politicians who

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were elected at the end of the sixties and in the early seventies at communal, cantonal or federal level acquired their political know-how and established their circle of voters. Here they had learned to appear in public and to take action. For a long time women's organizations and associations were also places where women could learn. At that time there was not the broad range of facilities for adult learning we have today. Further education for women was one of the central tasks of the two confessional umbrella associations namely, the Swiss Catholic Women's Union [Schweizerischer Katholischer Frauenbund (SFK)] and the Evangelical Women's Union of Switzerland [Evangelischer Frauenbund der Schweiz (EFS)] as also the Union of Swiss Women's Organizations [Bund Schweizerischer Frauenorganisationen (BSF)]. Since their foundation they have offered their members lectures, conferences and courses, published brochures and periodicals and expressed opinions on voting and draft laws.

Since the seventies the range of the organizations has expanded and new movements have arisen in which numerous women are engaged. In most of the mixed-sex environment groupings they did the famous-notorious basis work, they set up ecology forums and advisory boards, they engaged themselves for a fair banana trade and founded the Third World shops. Or they engaged themselves in the anti-nuclear power movement. The Women for Peace movement developed from 1977 in loosely linked regional groups which engaged and engages itself with street actions, church services or petitions against war, armaments production, and the export of arms. The New Women's Movement [Neue Frauenbewegung] set milestones. It introduced a new political style and new themes (such as violence against women in the family and at the workplace, sexuality etc.) and began to question the traditional understanding of roles. (cf. chapter ‘From women’s liberation to womanpower’, p. 61). The previous associations or groups, whether traditional organizations or professional associations, ecology or peace groups could not avoid the influence of the New Women's Movement. The developments, difficulties and objectives of socially oriented commitment (in contrast to party-political parliamentary commitment) will be outlined in more detail taking the consumer organizations and the trade unions as examples.

Consumers: keeping an eye on the manufacturers

In Switzerland when the large, conservative and traditional women's associations founded the Swiss-French Consumer Organization [Fédération romande de consommatrices] (1959) and the Consumer Forum [Konsumentinnenforum] (1961) in the German-speaking part of Switzerland it was considered a provocation. The Swiss-Italian Consumer's Association [Associazione consumatrici della Svizzera italiana] in the Ticino followed in 1974. The precursors of the consumer organizations were economic groups of women's associations which provided budget counselling and actively supported the rights of working women. Derived from the traditional work for women's issues they adopted feminine names as a matter of course and men could only become passive members. The objective of the independent sister-organizations was — and still is — to strengthen the position of consumers towards manufacturers and dealers. The pioneers of the Women's Consumer
Forum for German-Speaking Switzerland [Konsumentinnenforum der Deutschschweiz (KF)] also considered themselves as representatives of the weak and disadvantaged. Thanks to their privileged social position they could afford the time and expense of honorary commitment. They came from the conservative middle classes, were single and had completed a professional training, or their husbands earned well.

Initially there was some scoffing at these self-appointed protectors of 'women consumers' and the whole was taken for a fad which would soon disappear. Nevertheless they put across their criticism of the flood of products and advertising of the 'economic miracle' with impressive information conventions, surveys and protest campaigns, with enormous enthusiasm and a very small budget. They pleaded for free pricing, implemented compulsory price and goods declarations and were the first to combat the mountains of refuse, polluted water and animal factories. To inform their consumers, the three sister organizations founded their own, advertising-free newspapers, where they published joint consumer goods tests as well as articles on a wide range of subjects.

After the passing of voting and election rights for women at federal level the consumers were reinforced by women who consciously wanted to engage themselves in women's structures providing them with opportunities for development which were still not available in the male-dominated parties years later. When the women of the New Women's Movement joined in, this entailed a change of generation. Young women and mothers with small children began to commit themselves and brought environment issues, Third World aspects and a new self-understanding into the internal discussion in all parts of the country. The claim for advocacy remained whereas the charitable-social aspect of the traditional women's public work receded into the background. In recent years, internal discussion has repeatedly centred on whether the feminine form Women's Consumer Forum should be changed to no longer exclude men. This provokes head shaking among the colleagues who were ridiculed as 'protectors of women consumers' and who had to fight for votes for women. Why give up the few privileges women have before equal opportunities have really come about? In the Ticino a change of name was rejected by a very slim majority in late 1994.

Women trade unionists: against internal resistance at first

In contrast to the women consumer organizations, the women's groups in the trade unions were not rooted in the traditional women's organizations. In 1890, women workers formed the Swiss Women Workers Association [Schweizerischer Arbeiterinnenverband] because they felt they were poorly represented by the middle class women's associations, long before women in the trade unions formed their own women's groups. But the Women Workers' Association, with only 1000 members, had no effect. The Sales, Trade, Transport and Food Trade Union [Gewerkschaft Verkauf, Handel, Transport, Lebensmittel (VHTL)] was the first union to found an independent women's commission in 1946 whereas in other trade unions such as the Swiss Association of Public Services Personnel [Schweizerischer Verband des Personals öffentlicher Dienste (VPOD)] women's struc-
tures were only created under pressure from the New Women’s Movement. The bold and eloquent women activists ruffled feelings everywhere in the trade unions. The reaction of the traditional trade union women was at first shocked and defensive, the old established male trade unionists either did not take the declared feminists seriously or tried to brow-beat them.

Women’s politics in mixed-sex structures always require a double strategy. The activists from the women’s movement first had to assert themselves against the might of the trade union men and win widespread support from the women trade unionists before they could even make a public issue of their political work. Thus the VPOD organized women’s training courses for trade union members where they learned how to speak better at meetings, how to lobby and how to assert themselves. The VPOD Women’s Commission had hardly been founded in 1979, when its competence was questioned. Should it deal exclusively with women’s issues or could it express an opinion on other trade union questions?

The experiences of the women’s commissions in all the trade unions were always the same: the trade union colleagues were glad to relegate the women’s issues to the women’s commissions so that they did not have to bother about them. Women trade unionists are usually soon ready to help the trade unionists to impose their interests, in contrast male solidarity — not to mention active support — on women’s policy issues is negligible. In conflicts of interest within the trade union, the differences between the sexes goes far deeper than the differences between the language regions. Thus, for example in the VHTL the women were in favour of a reduction in working hours, namely for the 40-hour week, as besides their paid work they have the additional burden of household, children and husband. The women’s commission distributed pamphlets and conducted street actions but within their own trade union they came up against a lack of understanding from their colleagues in the transport sector.

The quotas are new, the demands old

Already at the turn of the century the women trade unionists demanded the same wage for the same work and social insurance irrespective of sex or marital status. Little has changed, the demands are still valid. On average women still earn one third less than men and work mostly at the lower wage and hierarchy levels. The social insurances still do not take housework and bringing up children into account. In contrast, within the trade unions things have started to change in the constitution of the bodies. Since 1990 the Swiss Trades Union Association [Schweizerischer Gewerkschaftsbund (SGB)], the umbrella association of the trade unions, guarantees a quota regulation of 40% women among the secretaries. The various trade unions have followed and are following its example gradually.

A problem which faces the trade unions in general, also applies for the women’s structures: there is a discrepancy between the active women functionaries and the basis which must not be under-estimated. Besides, the proportion of women in the trade unions is still low, although there has been an increase in the number of women members of the trade unions in recent years. The Swiss Women’s Strike in 1991, organized by the SGB and the
demonstration organized by the VPOD after the trade unionist Christiane Brunner was not elected as Federal Councillor have also contributed to the political awareness of women. In 1980, the proportion of women in the VPOD was still 18%, ten years later it was 23.5%. Only in the past four years there has been a sharp rise in the proportion of women which has mounted to 29.3%. In the SGB, however, there has been a continuous, though very slow, rise in the proportion of women members. For a long time it was a steady 10%, with the New Women’s Movement it rose to 12% in 1975. Today it is just 15%. Women have become an important growth group for the trade unions. This compels them to acquire more profile in women’s politics if they want to survive. A few days after the women’s strike in 1991, the VPOD upgraded equal opportunities for women and men to the principal issue on its programme. However, three years later, in the recession, there is a danger that women’s issues could again be marginalized. Instead of the content of trade union women’s demands being discussed they are again, increasingly, being fended off with a reference to the difficult economic situation.

Bibliography
The Women’s Movement

Astrid Deuber-Mankowsky

Others in the ‘other sex’ – philosophical excursion on feminism

Anyone who takes an interest in feminist writing discovers that feminism has never been a firm and finite theory but, from the outset, a project of social criticism which not only questions firmly-established opinions on ‘man’ and ‘woman’ but also repeatedly reflects its own assumptions. This applies for all European countries and so feminist theory has remained to date, perhaps more than any other political theory, reliant on exchange with other countries. There is also no specifically Swiss feminist theory, discussion in this country is influenced by the French, Italian, US-American and, particularly in the German-speaking part, German discussions.

Buried tradition

200 years ago, Olympe de Gouges advised women to “Rally under the banners of philosophy” in her “Statement of the Rights of Women and Women Citizens” [Erklärung der Rechte der Frau und Bürgerin]. She was executed for this in Paris 4.11.1793. 1

“35 years later the St. Simonist Claire Démarg wrote in her shrewd manifesto The Law of my Future [Das Gesetz meiner Zukunft] “The emancipated woman will no longer sell her body to the man, she will owe her social position and her existence solely to her own capabilities and enterprise.” But how will she be able to do that, Démarg goes on to ask, if she devotes a large part of her life to bringing up children and looking after the household? This anticipates the focal point of discussion in the New Women’s Movement about housework and reproduction work conducted under the slogan “Personal is political”. 2

Both texts, Olympe de Gouges’ and Claire Démarg’s manifesto, like so many feminist writings were forgotten. Their knowledge was neither implemented nor used and did not found a tradition of feminine intellectualty.

At the beginning of the seventies the activists of the New Women’s Movement began to break through the circuit of forgetfulness. They discovered Simone de Beauvoir’s classic The Other Sex (1949), discussed Betty Friedan’s The Feminine Mystique (1963, German 1970) and overlooked the radicalism of the Swiss writer Iris von Roten whose comprehensive work Women in the Pen [Frauen im Laufgitter] 1958 (re-issued 1991) had already put forward a clear feminist analysis of social conditions. Women created the necessary infrastructure to be able to build more on the traces of a feminine past and to create


3 Irigary Liebe, Speculum. Spiegel des anderen Geschlechts, Frankfurt a.M., 1980. The original appeared already in 1974. Most German-speaking readers could not follow the move to essentialism of the sexes which Irigary made in the original version of Ethics of Sexual Difference [Ethik der sexualen Differenz] in the German translation appeared in Frankfurt a.M. -1991. The arguments which Irigary formulated in the Ethics of Sexual Difference were, however, taken up in Italy. They establish the philosophical basis for the ‘Affidamento’ concept which was presented to the women of the Milan book shop in the volume How feminine liberty is generalised. [Wie weibliche Freiheit, entsteht. Eine neue politische Prazis] (Berlin 1988).
their own feminine public. They founded women’s publishing firms, feminist theory periodicals – examples worth mentioning are *Contributions to Feminist Theory and Practice [beiträge zur feministischen theorie und praxis], Feminist Studies [Feministischen Studien], Feminist Questions [Questions féministes], signs or The Woman Philosopher [Die Philosopher] and the Swiss-German theory magazine *Olympe* since June 1994 – institutionalized, as far as possible women’s and gender studies at the universities, joined forces in associations such as the Association of Feminist Science (in) Switzerland [Veren feministische Wissenschaft Schweiz], organized congresses and symposiums, prompted the translation of important feminist publications from other countries and founded libraries and archives.

With this infrastructure they not only provided the material, prerequisites for the search for traces of feminism in the historic perspective and thus the possibility of building up a feminist tradition but, which is equally important, they also created the material conditions to generate a discussion of the philosophical foundations of feminism. Over the past 25 years the fact that, for the first time, together – and not as lone militants in a purely male dominated history – women were able to inform themselves on the contents, objectives; common features and differences, on advantages and disadvantages of theoretic positions and – in the best sense – to argue about them, soon lead to the differentiation of a wide range of feminist approaches and positions.

What is ‘The Woman’? Does ‘The Woman’ exist?

One of the first to transmit the demands of the autonomous women’s movement into theory and to make dealing with the theory on what is ‘personal’ the starting point for radical criticism of western thinking was the French psychoanalyst and philosopher Luce Irigaray. In the continuation of the politics of the autonomous women’s movement she founded the principle of the sexual difference. 3 What, she asked, would happen if women, who to date have always been described as object, and mirror of phallocratic thinking, would themselves become subjects and start to speak? It would have to be an ‘other’, namely a ‘feminine speaking’, they were agreed on that and it would have to have a subversive effect on power-oriented phallocratic thinking.

Whereas women philosophers and literature specialists theorized feminin experience in the perspectives opened by Irigaray while beginning to question the character and the nature of feminine experience critically, sociologists and educationalists addressed their criticism to other points of the autonomous women’s movement creed. If for the sociologists Veronika Bennholdt-Thomsen, Maria Mies and Claudia von Werlhof, who were dedicated to Third World issues, the women’s movement was too rigidly orientated to the First World and too little committed to solidarity with the women of the Third World, Christina Thürmer-Rohr criticized women’s persistence in the victim role. The Bielinfeld sociologists developed eco-feminism, Christina Thürmer-Rohr formulated the ‘complicity thesis’ where she simultaneously called on the women to dissociate themselves from their victim-identification and to utilize the available scope for action. Above all, however, she questioned one of the most important principles of the autonomous

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women's movement. Thürmer-Rohr counterbalanced the slogan "All women are equal", which had helped the women's movement of the seventies to a large proportion of its mobilization strength transcending all national and social differences, with "You are only equal as victims. Admit differences, criticism and self-criticism, grow out of the feminine social character you were brought up to."

With her criticism of the equality principle. Thürmer-Rohr anticipated what was going to concern feminist theory in the nineties, namely the question of how the experience that women not only represent the "other sex" (Simone de Beauvoir) but also that they differ from one another, can be theorized. This question is the core of the current racism discussion within the women's movement. It is also one of the angle-points of the 'feminist deconstructivism' imported from the USA. However, whether the provocative thesis of the US-American literature specialist Judith Butler, that the difference of the sexes serves exclusively for the reproduction of power and the reproduction of heterosexuality and that feminists should consequently drop the term 'woman', represents the last word remains to be seen. The discussion is in progress, the outcome open.

Elisabeth Joris

From women's liberation to womanpower

Votes for women, abortion and equal opportunities

In 1968 unrest among students, both men and women, reached its peak in the cities of western Europe. The youth revolts in Zurich were no exception. The Zurich Votes for Women Association [Frauenstimmeverein Zürich] planned the celebration of its 75 year jubilee in the municipal theatre without taking what was going on into account. But women from the new left protest movement commandeered the microphone and transformed the event into a provocative discussion. They regarded the struggle for the women's vote merely as a secondary issue. Their fundamental criticism focused on the division of labour according to sex, inferior education and lower wages for women, male double morals, the authoritarian attitude of fathers, dependency of housewives and the exploitation of women as sex objects in advertising. Subsequently they pressed their demands for autonomous kindergartens in media-impact actions and they committed themselves to sexuality free from all family strictures and demanded honest information on contraception and the legalization of abortion.

Despite the demarcation between the traditional women's associations and the new demands and modes of action, the initial public contacts between older women actively committed to the Votes for Women movement and the younger active women of the new movement commenced as early as 1969 for the Federal Council (government) had decided, and that precisely in 1968, to subscribe to the European Convention of Human Rights (ECHR) with reserve i.e. although women had neither the right to vote nor election rights. On 1st March 1969, the Bern and Zurich sections of the Swiss Votes for Women Association [Schweizerischer Verband für Frauenrechte] called for a 'March on Berne'. Women

8 In summer/autumn 1993, the editors of the Frankfurter Rundschau launched a discussion of Judith Butler's theses in their paper. The American discussion, which was also highly controversial was documented in the volume: Benhabib/Seys/Butler, Judith/Corinelle Drucilla/Fraser Nancy, The argument about Difference – Der Streit um Differenz. Feminismus und Postmoderne in der Gegenwart, Frankfurt a.M. 1993.
from both the old and the newly awakened women's movements demonstrated side by side. It was another two years before the male voters granted Swiss women voting and election rights; not until 1971.

In 1971, feminists in Zurich opened the first autonomous women's project in Switzerland – the Information Centre by Women for Women [Informationsstelle von Frauen für Frauen INFRA] which passed on the addresses of open-minded women doctors and male doctors to women in search of help, but which also provided counselling on questions concerning divorce and drew attention to opportunities for further education.

The women made their own oppression, solely on account of their sex, the pivot of their policy under the motto "Personal is Political". They chose their name, the Women's Liberation Movement [Frauenbefreiungsbewegung FBB] in conscious association with the liberation movements in the Third World and the American Women's Lib. They rejected any kind of rigid organizational form and operated in specific-theme working groups and self-help groups devoid of hierarchic structures. The Zurich example was followed by the founding of FBBs and women's counselling units in other Swiss cities.

Feminists discussed patriarchal social structures, the oppression of women and right of self-determination over the own body for nights on end. As in France, Italy and the Federal Republic of Germany, the question of the legalization of abortion became a central issue in the arguments of the New Women's Movement, in the context of self-determination for women.

It is all the more astonishing that abortion did not figure on the agenda at the Swiss Women's Congress of the traditional women's associations in The International Women's Year, held in Berne in 1975 under the motto "Partnership". The various new women's groups which, in the meantime, had already grown into a broadspread movement, met to hold an alternative congress and confronted the official congress with the issue of abortion. Despite vigorous protest from the Roman Catholic women, the majority of the congress participants voted to support the 'Fristenlösung' or twelve-week solution. After this was rejected by a small majority in the people's vote in autumn 1977, the question of redefining jurisdiction on abortion receded into the background but has remained a focal issue of the women's movement until today – backed up by the Swiss Association to Legalize Abortion [Schweizerischer Verein für einen straflosen Schwangerschaftsabbruch SVSS] and by the widely supported group Motherhood without Compulsion [Mutterschaft ohne Zwang MOZ] (cf. Chapter 'Abortion', p. 86).

Two resolutions passed at the 1975 Women's Congress created the basis for cooperation between the new and the traditional women's movements, namely the demand for a federal instance for questions relating to women and the launching of an *Initiative for Equal Rights for Men and Women*. The signatures for the initiative, which was launched in the name of the Women's Congress, were collected, to a great extent, by the younger women. But after the initiative was retracted in favour of a watered-down government counter-proposal, the traditional women's associations committed themselves intensely to the incorporation of a basis for equal rights for men and women in the constitution. On 14th July 1981, the equal rights article (Article 4, paragraph 2 of the Federal Constitution) was passed by popular vote (cf. chapter 'The equal opportunities article', p. 25).
In its reports, the Federal Commission for Women’s Issues [Eidgenössische Kommission für Frauenfragen], established by the Federal Council already in 1976 as an extra-parliamentary commission, examined in detail issues which were first voiced publicly by the new women’s movement.

**Autonomy and critique of patriarchy**

However, this integration of the New Women’s Movement at institutional level reflects only one aspect of the movement. For the New Women’s Movement progressively saw itself as a ‘feminist’ movement in the sense of a critique of male dominance. Autonomy not only implies independence of state institutions but also of all mixed institutions (i.e. those comprising both women and men). Besides the right to abortion as an expression of self-determination, actively experienced sexuality became a focal issue. Under the influence of Alice Schwarzer’s book *The Small Difference with Big Consequences* [Der kleine Unterschied und seine grossen Folgen] (1975), not available in English] and works by American, French and Italian women authors, heterosexual relationships and penetration in particular, were seriously questioned.

The questioning of private sexual relationships led to tensions within the new women’s movement between heterosexual and homosexual women. For the lesbian movement, a women-identified sexuality implied challenging the prevailing conditions in a world of advertising, work and culture dominated by extreme norms of heterosexual and sex-hierarchical relations. The women representing this approach considered sexual relations with men as treason in the feminist struggle. Lesbians particularly committed themselves to the campaign for autonomous facilities and structures. In 1974 the FBB Zurich together with the Homosexual Women’s Group [Homosexuelle Frauengruppe HFG] moved into the first autonomous centre for women in Switzerland. In the following years centres for women, women’s pubs and social facilities were won – sometimes by illegal squatting – in other cities (Berne, Basel and Geneva) and later in smaller towns as well. These served primarily to strengthen the women’s own, women-identified, network of relationships.

The search for the forgotten traces of women’s own history and culture was committed to the same idea and not only based on feminine powerlessness. This led both to the reinterpretation of the witch as a wise woman as also to the new interpretation of archaeological finds as evidence of an ancient matriarchal culture.

In local and inter-regional groups, women made an issue of the relation between housework and paid work, the position of the single parent, natural birth and, under the influence of the international anti-nuclear power movement the relationship to nature and the environment. Feminists received important impulses from *Gyn/Ecology* (1981), by the US American Mary Daly, which denounces the violent exploitation of nature and women by men. Parts of the women’s movement confronted the division of the world into two with feminine spirituality – re-activated in dance and ritual – as expression of holistic life experience; instead of patriarchy-moulded hierarchies, women practised reciprocal affection and bonding without submission.

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The effect of feminist projects

One of the best known projects initiated and conducted by the autonomous women's movement is the Women's Shelter movement. At the end of the seventies Associations for the Protection of Battered Women [Vereine zum Schutz misshandelter Frauen] were founded in various towns (Zurich, Berne, Basel) in the German-speaking part of Switzerland which opened shelters for battered wives on the English model in the eighties (in Zurich already in 1979)(cf. chapter 'Battered women/women's shelters', p. 185). Another aspect of the campaign against violence was the helplines for rape victims also established in the eighties. (cf. chapter 'Rape/helplines', p. 186). These projects were actively and financially supported by the traditional women's associations who, in part, also contributed to their development (e.g. in Berne).

The range of the women's movement is evidenced by the many autonomous projects – though they received far less attention – which consolidated to form an effective feminist subculture network: counselling and services operations, women's health centres, self-defence groups, women's workshops, women's cultural weeks and many others. The projects, as such, became independent and the FBB as the movement's association eventually disappeared from the scene in the eighties.

Local women's groups from the traditional charitable women's associations to the new women's initiatives absorbed the impulses. They organized discussion circles, reading groups, women-specific lectures, women's city tours or cultural events, set up childminding services as a self-help offer and committed themselves to women's issues in the community.

During the seventies, feminists also founded newspaper projects to disseminate news from the women's movement, which they still do today. The Women's Journal [Fraue-Zitung] FRAZ, founded in Zurich in 1975, was both an independent project and a forum for the various New Women's Movement work groups. Since the eighties, the FRAZ has provided a good insight into the central themes of the feminist discussion. Another important publication organ of the women's movement is Emancipation [Emanzipation]. Originally conceived as the OFRA (see below) newspaper and sponsored and moulded by the latter, it has been run by an independent editorial collective since 1994. The often headstrong paper of the lesbian movement Lesbian Front [Lesbenfront] was replaced by Woman without a Heart [Frau ohne Herz] which appears irregularly. The first number of the Feminist Notebooks on Politics [Feministische Arbeitsshefte zur Politik] which aim to document Swiss discussion in the women's movement appeared in June 1994 under the name Olympe. Olympe will be issued twice a year. Only a few numbers appeared of the various Feminist-produced papers in the French-speaking part of Switzerland. The magazine Swiss Women [femmes suisses], founded in 1912, has served them as a platform in close cooperation with the traditional women's associations. Besides these publications there have been numerous short-lived papers over the past two decades, including Forwards Women [donnavanti], published in the Ticino. Many of the specific-orientation women's groups have/had their own publications.
Already in the first half of the seventies, women from the New Left criticized the over accentuation, in their opinion, of the self-experience of the New Women’s Movement. They solidarized with women in the Third World, exposed the poor working conditions of the working women, demanded the establishment of public day nurseries and genuine maternal protection. The women in the Swiss Progressive Organizations [Progressiven Organisationen der Schweiz POCH] also felt committed to this line. In 1977 they founded the Independent Organization for Women’s Interests [Organisation für die Sache der Frau OFRA] (in contrast to the FBB with hierarchical structures and a national secretariat). The launch of a people’s initiative for genuine protection of motherhood [Volksinitiative für einen echten Mutterschutz] demanded closer cooperation between women from the autonomous women’s movement, the trade unions and left wing parties. However, the demand, going beyond pregnancy leave, for an additional nine-month parental leave for mother or father was rejected by a high majority in the people’s vote of 1984 due to the implicit questioning of the conventional roles of the sexes. During the second half of the eighties, OFRA was increasingly concerned with the theme of violence against women which moved them to increased public criticism of the patriarchal power positions. OFRA has gained in weight in internal-politics during the past ten years by the clear-cut attitude expressed in public opinions.

In the Ticino, the only organized women’s structure is the Organization for Women’s Rights [Organizzazione per i diritti della donna]. It was founded as an independent women’s group in 1986 and has been a section of OFRA since 1987.

The Radical Feminists [Radikalfeministinnen] also considered themselves a political movement. They exposed the oppression of women both as discrimination in comparison to men, e.g., in the fields of education or paid work, but also as violence on the part of men in their political analysis of the patriarchy.

The attempt to establish Women’s Councils [Weiberräte], initiated in the mid-eighties to network various activities of the autonomous women’s movement in order to develop possibilities for a feminist policy from them, was later taken up again as a strategy by the group Women-Power-Politics [Frauen Macht Politik FraP!] in Zurich and by various autonomous women’s lists, with more success. Many felt that work in the traditional political bodies was harassing without bringing a great deal for women.

The extra-parliamentary resistance of the group Antigena against reproduction technology and population policy was a factor of socio-political importance until the mid-nineties. The women in the National Feminist Organisation against Gene and Reproduction Technology [Nationale Feministische Organisation gegen Gen- und Reproduktions- technologie NOGERETE] (cf. chapter ‘Position in the debate on genetic engineering and reproduction technology’, p. 88) also engaged themselves with international networking on this issue.

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'No helmet for us'

Since 1975 the 8th March has been recognized as International Women's Day in Switzerland and as well. The slogans of the national scale demonstrations of the following years evidence both the development of the New Women's Movement and its internal conflicts. The massive demonstration in Berne on 6th March 1981 remains unforgotten. 3,000 to 4,000 women demonstrated with the slogan "No helmet for us" against the Federal Council intention to integrate women in national defence. In 1992, for the first time, the national demonstration which had lost in attraction during the eighties was dropped in favour of a wealth of decentralized actions in which, to date, women from the traditional women's associations and new local women's groups have participated everywhere. A demonstration was held again in Aarau in 1994 under the motto "Women, demand your rights".

The question of compulsory military service for women was originally taken up by the Union of Swiss Women's Organizations [Bund Schweizerischer Frauenorganisationen BSF]. After the introduction of voting and election rights for women in 1971, the BSF soon showed that it was ready to assume new tasks. Numerous member organizations did not share this attitude resulting in various tensions in the BSF. The Swiss Association for Women's Rights [Schweizerischer Verband für Frauenrechte] (previously Union of the Votes for Women Associations [Verband der Frauenstimmenrechtsvereine]). The social-democratic women's groups who re-activated their women's structures and felt themselves increasingly emphatically committed to a feminist policy kept their distance from the BSF.

The new orientation was echoed in the content of the social-democratic women's Red Book and in the previous votes for women militants' paper The Woman Citizen, [Die Staatsbürgerin]. Both publications, like femmes.suisses] won profile and were able to increase the number of readers in contrast to the BSF Schweizerisches Frauenblatt which, after various attempts to re-orient was taken over privately and eventually closed down.

Since the eighties the green groupings (Green Party [Grüne Partei], Green Union [Grünes Bündnis]; Free List [Freie Liste] etc.) with their over 50% women's membership represent an emphatically women's, peace and environment political line. Women and power, non-violence and peace policy are themes which have also been taken up by the Evangelical and Catholic Women's Union [Evangelischer und Katholischer Frauenbund] repeatedly highlighted in the joint monthly Steps into the Open [Schritte ins Offene] founded in 1971. Their Christian principles are evidenced by their commitment on behalf of women refugees, Third World organizations and better environment conditions. On this basis, there is frequent cooperation with feminist women's projects and with Women for Peace who - shocked by increasing atomic armament in Europe - have been actively supporting non-violence, the breaking down of patriarchal power structures and a fairer distribution of the goods of this world since 1980.

Women in the charitable organizations have been devoting themselves more and more frequently to the specific threat to women of violence and poverty. The Paulus Academy [Paulus Akademie] and the Academy of the Evangelical Church [Akademie der evangelischen Kirche] at Boldern have firmly established a wide range of feminist educational themes in their offer since the end of the seventies. Both these institutions contributed sig-

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nificantly to the flowering of feminist theology with its emphasis on the spirituality of women, the holistic affirmation of life and the rejection of patriarchal church hierarchies and creeds. Since the eighties, the traditional women’s organizations have been repeatedly concerned with violence against women and poverty, either in the form of support and the establishment of specific counselling facilities, or by exerting public influence with own surveys or wide ranging petitions such as that launched by the Schweizerisches Frauenblatt in 1983 against brutal films. Since 1983, more and more organizations, headed by the Swiss Association for Women’s Rights [Schweizer Verband für Frauenrechte] have demanded that rape in marriage be anchored in the law as an offence. In 1992, together with Caritas and the Women’s Information Centre [Fraueninformationszentrum (FIZ)] the Catholic Women’s Union demanded specific protection measures against international procurement (cf. chapter ‘Sex tourism – procurement’, p. 192).

The Evangelic Women’s Union broke new ground with the establishment of the Brahmsjof in the city of Zurich, an exemplary housing development with a specific accommodation offer and integrated day nursery to cover the needs of the lone mother (1991). To combat the poverty of lone mothers and to take the new forms of living into account, the Union of Swiss Women’s Organizations [Bund Schweizerischer Frauenorganisationen (BSF)] engaged itself, with the Catholic Women’s Union [Katholischer Frauenbund] and other organizations in support of the child rearing credit in pension law. Cooperation with women politicians was essential for success in questions concerning the revision of criminal, divorce and pension law.

Already in 1979, non-socialist women politicians called for the 10th revision of the old age and surviving dependants’ insurance to improve the position of women. Thanks to the concerted procedure of the social-democratic and non-socialist exponents in parliament and heavy pressure from the women’s groups in the non-socialist parties the women’s interests were taken into account with the proposal for a child rearing bonus and splitting of pensions. (cf. chapter ‘Social Insurance’, p. 149). Influence in the non-socialist parties remained unsteady however.

Based on article 4, paragraph 2

By staging strikes in 1979 and 1980 secondary schoolgirls in Bienne achieved the abolishment of compulsory domestic science for girls as from 1982. In answer to pressure from women, school subjects for girls and boys were harmonized and the preferential treatment of boys in mixed classes was questioned critically.

Above all women in the trade unions, whose women’s structures have been re-activated and expanded since 1975, are engaging themselves for higher wages and pensions, better part-time conditions, retention of the lower pension age and the prohibition of night work for women and against sexual harassment at work (cf. chapter ‘Wide-ranging commitment of women in extra-parliamentary organizations’, p. 53). In the French-speaking part of Switzerland, many members of the FBB (in French MLF Mouvement de libération des femmes) were also trade union women.

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In the hospital movement (from 1986) women in the caring professions remonstrated for the first time, with trade union support, enthusiastically and with surprising actions against gender-hierarchical wages and allocation of work in the health sector. Feminists who fundamentally distrusted a male-dominated trade union engaged (and engage) themselves in the new, autonomous Swiss Women’s Trade Union [Frauengewerkschaft Schweiz (FGS)], founded in 1988, which although established on a national plane is active primarily in the German-speaking part of Switzerland. The Women’s Trade Union emphasizes in its forum that its point of departure is the women’s biographies, i.e. the whole life of the women must be taken into account. Paid and unpaid women’s work is the basis. The central demand for economic independence derives from it. Consequently the FGS sets its priorities differently to the traditional (male) trade unions and demands massive shortening of hours and distribution of paid work to all, equal distribution of house and family work between women and men, a guaranteed minimum income. The FGS intervenes in Switzerland’s European and foreign policy, in economic policy, in development policy and demands a clear refusal of technologies and developments which disregard ecological principles and are merely profit-oriented.

The gender-specific view

The women scientists grouped in the Association of Feminist Science [Verein Feministische Wissenschaft] demand an increase in the number of university chairs for women, women and gender-specific curricula and an appropriate share of research funds. Regular congresses of feminist philosophers, historians, psychologists, art critics, natural scientists, geographers, jurists and, recently, economists serve both the networking and the fundamental confrontation with the gender category in research and science, in theory and in practice (cf. chapter ‘Higher education/universities’, p. 106).

The objective of Sappho, the women’s research association, is the acquisition of financial means to upgrade the history and culture of lesbian women. The deliberate association of feminist cognition and the women’s and lesbian movements was the objective of the summer universities (early nineties) organized by the Cassandra [Kassandra] education centre.

The holiday, training and course hotel Monte Vuala in Walenstadtberg has been open to women since May 1993. It conducts both weekend courses with guest speakers and holds a regular programme. Women are always welcome as hotel guests.

Women artists have long demanded their share of financial support and more room to work (cf. chapter ‘Women as exponents of culture and art’, p. 113). Women architects and planners view buildings which are hostile to women and invite violence e.g. underpasses and district planning with an increasingly sharp eye (cf. chapter ‘Area planning – architecture’, p. 197). The Women’s Council for Foreign Affairs [Frauenrat für Aussenpolitik FrAu] critically analyses the effects of Swiss economic policy on the economic and legal position of women in other regions of the world and is one of the few women’s groups (among others in conjunction with the Women’s Trade Union) in the debate on Europe in Switzerland.
Sexism and racism

Sexism as gender-specific form of violence against women and girls has been taken up repeatedly in the debates and campaigns against pornography, prostitution, rape, sexual abuse of children and sexual harassment at work. New feminist projects to protect women against sexual violence were created in many of the larger communities, within a very short time, in the best tradition of the women for women consulting facilities, frequently in cooperation with women emigrants and refugees (cf. chapter ‘Abuse; rape, exploitation, harassment’, p. 179). Although most of these projects, as counselling facilities, were also supported by the confessionally backed women’s organizations they have to struggle against enormous financial difficulties leaving neither room nor energy for theoretic debate.

Equality instead of difference

The complicity thesis of the Berlin Professor, Christina Thürmer-Rohr (1987) increased readiness to extend the perspective beyond the close confines of own feminist culture to the forms of women-specific oppression in the exploited continents to face co-responsibility as a member of the white, western world and confront the racist issue. The difference and equality debate by the French philosophers (Luce Irigaray, Hélène Cixous) and the Milan feminists (Luise Muraro, Lia Cigarini, Milan Women’s Book Shop/Libreria delle donne di Milano) was, indeed, taken up in the eighties and strengthened resistance to the pressure to conform and the will for autonomy and networking, but remained without significant influence on practical implementation in the sense of a ‘policy of difference’ (cf. chapter ‘Others in the ‘other sex’, p. 59).

14th June 1991:
nation-wide women’s strike

The impetus for the strike came from trade union women watch workers from the Vallée de Joux who were no longer prepared to accept lower wages. The secretary general of the Swiss Metal and Watch Workers Trade Union [Schweizerischer Metall- und Uhrenarbeiter-Verein] SMUV, Christiane Brunner, supported by the increasingly confident trade union women, eventually moved the Swiss Trades Union Association SGB to call the nation-wide strike of women on the tenth anniversary of the anchoring of equal opportunities in the constitution. The slogan “If woman wants, everything stops” [Wenn Frau will, steht alles still] printed on buttons, handouts, stickers and posters was taken up by the different women’s groups and a wide variety of actions and forms of strike were planned. The reactions of the women’s organizations differed. Most of them supported the plan, either expressly or tacitly, others did not take a clear stand, only the BSF expressed its disapproval publicly. On the morning of the 14th June nobody really knew what was going to happen. The day was overwhelming: some half a million women – young and old, working women and housewives, schoolgirls and pensioners, organized and non-organized – expressed their
dissatisfaction with the intolerable conditions, lustily and vociferously. The elation received a dousing in the same year. Only the Geneva socialist women’s list headed by Christiane Brunner scored a clear success in the federal parliament elections. However, the fact that solidarity can mobilize women to action transcending all party and ideological barriers was shown on 10th December 1992 when more than 10,000 women (and some men) demonstrated against mass rape in the war in ex-Yugoslavia.

The (non)election of a woman Federal Councillor

On 3rd March 1993, finally, a majority of the members of the federal parliament believed they could ride roughshod over the women’s claims. Instead of the official social democrat candidate, Christiane Brunner, they elected a man to the Federal Council. Many women were caught up in the storm of indignation in the following weeks. They demonstrated, scolded and debated, appointed a ‘sun cabinet’ and stood firm. Seven days later, under the pressure from the women, the social democrat did not accept his election and the united Federal Assembly (both chambers of the parliament) nominated, not Christiane Brunner, but her ‘twin sister’, the trade union secretary Ruth Dreifuss, as Federal Councillor (member of government – minister).

Since then women are no longer satisfied so easily. For the next elections the CVP [Christian People’s Party] also wants a woman as Federal Councillor and the non-socialist women are threatening to stop working for the party. Quotas are no longer a taboo for either party. In the regional elections in 1993 and 1994 in various places (cantonal elections in Solothurn, Aargau, Valais, Appenzell Ausserrhoden, communal elections in Berne, Zurich, Winterthur and various Zurich communities and others) women toppled men from their seats (cf. chapter ‘The slow penetration of parliament and governments by women’, p. 43).

In retrospect, similar patterns of collective action are apparent despite the variety and their subject-specific transformation of the women’s movement. The resistance started to form after the first large scale demonstration on the Bundesplatz (in front of parliament buildings) in 1969 culminating in the maddest week of the women’s movement in March 1993, always against the massive violation of minimum demands for co-determination and thus for the dignity of women. That this form of political protest will continue to be important in future was also shown by the protest of thousands of women of every age on the Bundesplatz, in early June 1994, against the proposed raising of the retirement age for women from 62 to 64 years. The principal speech was held, as at the first major protest demonstration of Swiss women in 1969, by the intrepid Zurich politician Emilie Lieberherr.

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The Women’s Movement
Families –
Forms of Living

Ruth Hungerbühler Savary

Development and changes in forms of living

At first glance the family appears to be a timeless construct, a fixed dimension, an integral part of human existence. But if we take a look at history, or other cultures, it is clear how differently the biological relationship between parents and children is socially constituted. ‘Family’ generally implies two parents with one or more common children living under one roof. This ideal type of family represented and represents in Switzerland only one variation of a real family. The term ‘family’ was hardly used until towards the end of the 18th century.

In pre-industrial times the extended family was predominant. On the one hand this implied a family with numerous other persons (farm hands and dairy maids in farming families, servants, governnesses etc. in the rich, aristocratic families). On the other they were families with many rifts and breaks in their relationships (the first wife had perhaps died on the birth of the first child; one or more children were possibly working as extra hands in another family). The family-relationships were primarily characterized by the communal household, the communal enterprise.

From the pre-industrial
large family to the ideal of the
bourgeois (small) family

The changes in family structures as private forms of living together must be seen in the context of the change in predominant social economy. The extended family as a production unit corresponded to the pre-industrial society where the majority of the population was engaged in agriculture. The middle class, small family where the woman as housewife and mother was responsible for the background work and thus provided the infrastructure so that the man could exercise his profession and the children could go to school corresponded to the industrial society with the diversifying labour system. The guarantee of an intimate, private sphere became necessary to compensate for the gradual de-personalization of relationships in the public sector (work and politics). This change was accompanied by growing intimacy and emotionalization of family relationships. The middle-class small family asserted itself as a norm and ideal but never corresponded to reality among the lower classes as these families were dependent on the earnings of the married woman (cf. middle-class family legislation conceptualizing the man as breadwinner of the family and the woman as housewife without other employment, chapter ‘The effects of marriage in general’, p. 81).
The new family structures are characterized by more variety, lower permanency, and progressive independence of the individual members of the family, the latter principally due to the increased (at least part-time) employment of married women at all social levels. In the reduced permanency and enhanced mobility, the new forms of family not only comply with the needs of the modern individual for independence and self-determination but are in turn expressions of the new demands of the economy, since the technological revolution, for flexibility and mobility of the workforce. The social demand for equal opportunities for women and expansion of the labour-market requirement profile for flexibility and mobility of women contradict the division of work and role allocation within the family, which largely follow the middle-class small family model in that responsibility for household and childcare is mainly allocated to the women.

The variety and fragility of the new family forms correspond to the individualization process of modern societies and the relevant life philosophies. The autonomous ego and its needs are increasingly the gauge of individual action. Traditional forms of belonging have been torn apart (religious, class-specific, relational, regional), relevant commitments are questioned. Personal biographies can be defined more and more individually today which would not have been possible on such a scale in the pre-industrial society. In a nutshell, during the course of the past century the personal biography has developed from the preset biography (pre-industrial society) over the norm(al) biography (middle-class society) to the chosen biography. The variety of the new family forms is the total of these chosen biographies.

Family is not only harmony, mutual support and love. During the mid-seventies, for the first time in the course of the New Women’s Movement the subject of violence towards women and children within the family was taken up and discussed in public. Battered women, rape in marriage, sexual abuse were no longer taboo, the family as peaceful nucleus of the state increasingly proved to be a private sphere where violence is exercised – by husband against wife and father against children, particularly the daughters (cf. chapters ‘Violence against Women’, p. 179, ‘Sexual exploitation in childhood and youth’, p. 188, ‘Battered women/women’s shelters’, p. 185).

The new forms of family living

Binding terms for the new forms are not yet established. The new terms, partly adopted from family-social research, partly from colloquial speech overlap in part. The following have become common: singles (people living alone), single parents (one parent with one or more children), cohabiting or consensual couples (unmarried couples living together), continuation families (families who after separation/divorce constitute a ‘small family’ with new partners and possibly children from previous marriages or relationships and possibly other persons forming a nuclear family). Other terms for the new family forms derived from family-social research include: split-families (families whose parents – usually for professional reasons – have different domiciles or living-apart-together or commuter marriages (families or marriages living-apart-together) in different households, post-marriage separation-marriages/families (families who still spend a considerable part of
their ‘family’ life together even after separation/divorce). The qualitative change in the new family is apparent in this complexity of terms: the family links are on the one hand more fragile on the other, due to separations/divorces they are no longer so strictly understood (cf. Burkart/Kohli and Ley, in: Fleiner-Gerster et al.).

**Demographic changes**

The most striking demographic changes over the past hundred years are the massive drop in the birth rate and the increased life expectancy. Whereas there were still 228 births to 1,000 inhabitants at the beginning of the century, in 1990 there were only 127. Smaller families and a higher proportion of people living alone and married couples living alone are the consequence. As in other countries, the divorce rate has soared in recent decades: in 1920 the probability of divorce was 8.9%, in 1989 this rose to 32.4% (Federal Office for Statistics, in: Fleiner-Gerster et al.).

Large families are becoming more and more rare. According to social-science forecasts the average number of children per woman is still falling. The forecast for women born in 1950 is 1.5, for those born in 1955, 1.4 and for those born in 1960, 1.3 per woman (Fux). The proportion of women who remain childless is 18%, for those born between 1951 and 1955, compared to 11%, for the 1936 to 1945 age group (Sommer/Höpffinger). The number of children wanted is regularly above the effective number of children. A clear majority of women consider the 2-child family ideal (Fux).

The average number of persons in a private household has dropped from 4.2 (1920) to 2.3 (1990). Whereas in 1920, 93.4% of all persons living in private households lived in a family, in 1980 the figure was 66.4% (for this calculation ‘family’ implies at least a nuclear family i.e. at least one ascending or descending relationship). This decrease is due to the massive increase in couples and singles living alone. The following tables provide information on the various forms between 1930 and 1990:
Table 1
Private households according to type, Switzerland 1930–1980

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>One-person households</td>
<td>8.5%</td>
<td>14.2%</td>
<td>19.7%</td>
<td>29.0%</td>
</tr>
<tr>
<td>Other non-family households</td>
<td>6.4%</td>
<td>7.1%</td>
<td>5.9%</td>
<td>4.4%</td>
</tr>
<tr>
<td>Married couples, no children</td>
<td>12.5%</td>
<td>19.1%</td>
<td>21.2%</td>
<td>22.8%</td>
</tr>
<tr>
<td>Married couples, with children</td>
<td>34.1%</td>
<td>35.8%</td>
<td>38.3%</td>
<td>34.5%</td>
</tr>
<tr>
<td>Nuclear family* with relatives</td>
<td>7.8%</td>
<td>7.0%</td>
<td>4.5%</td>
<td>2.3%</td>
</tr>
<tr>
<td>Nuclear family* with others</td>
<td>19.4%</td>
<td>10.5%</td>
<td>5.5%</td>
<td>2.1%</td>
</tr>
<tr>
<td>Nuclear family* with relatives and others</td>
<td>3.7%</td>
<td>1.7%</td>
<td>0.6%</td>
<td>0.2%</td>
</tr>
<tr>
<td>Single person with parent (father or mother)</td>
<td>7.6%</td>
<td>4.6%</td>
<td>4.3%</td>
<td>4.7%</td>
</tr>
<tr>
<td>Total</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

* Nuclear family implies a married couple or an ascending/descending relationship.

Source Table 1: Swiss Annual Statistics Record 1984, p. 50/51.

Table 2
Private households according to household type, Switzerland 1990

<table>
<thead>
<tr>
<th>Total private households</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single person households</td>
<td>32.4%</td>
</tr>
<tr>
<td>(Married) couple households, no children</td>
<td>26.6%</td>
</tr>
<tr>
<td>Married couples with children</td>
<td>32.4%</td>
</tr>
<tr>
<td>Single parent with children</td>
<td>5.1%</td>
</tr>
<tr>
<td>Single person with parent</td>
<td>0.2%</td>
</tr>
<tr>
<td>Non-family households with relatives</td>
<td>0.8%</td>
</tr>
<tr>
<td>Non-family households with others</td>
<td>2.5%</td>
</tr>
</tbody>
</table>


In urban areas the proportion of single households in the overall households amounts to almost 50% (in 1990, 46% of all private households in the city of Berne were single households).

Population distribution in the new forms of family living mentioned cannot be established by social-statistical methods. A view of the present data position follows.

Living alone
Reasons for living alone differ according to age group. Among the older people, widowhood is a major factor (in association with increased life expectancy), among the younger, those who live alone for a period between leaving the family home and starting marriage or cohabitation. In the middle age groups, divorce is the major reason for living alone. There is an over-proportional number of women living alone, for women are in the majority among the widowed and fewer widows remarry than widowers (Sommer/Höpflinger).
A certain number of women living alone choose this lifestyle deliberately. There are no precise figures available but it can be assumed that the proportion is rising.

Cohabiting or consensual couples

Whereas twenty years ago cohabitation could still be pursued by law (which seldom happened), had a socially negative value and was an exception, today it is standard practice that young couples cohabit before marriage.

An increasing, though all over lower, proportion of cohabiting couples do not marry even when children arrive (6% according to a Zurich survey in 1986, cf. Sommer/Höpfli-ger). Only a minority of the population (15%) still rate cohabitation of unmarried couples negatively (Fux). Long-term cohabitation is still rather rare. In most cases cohabitation lasts less than five years.

Communes

The proportion of communes among all private households is estimated at about 1% (Wyss). Conceived as an alternative to the middle-class small families in the sixties and seventies, the commune never progressed beyond a temporary form of living (principal young people undergoing training). Besides the non-family or mixed-family 'commune by choice', in the past twenty years other collective forms have emerged in the social-therapeutic sector (e.g. communal residence for ex-drug users).

Same-sex partnerships

A certain proportion of the population (there are no statistics available) lives in same-sex partnerships. Two women or two men live together as a couple in a form of cohabitation. As same sex partners cannot marry, they cannot change this status.

Single parents

In 1990, single parents accounted for 13.6% of all households with children (1980: approx. 12%), the majority of the single parents are women (85%). Single mothers frequently live below the poverty threshold (Caritas Switzerland).

Continuation families

Continuation families are not disclosed by statistics as, outwardly, they may look like nuclear families. The increasing frequency of continuation families in various constellations responds to the rise in the divorce rate. Simultaneously, in recent years there has been a progressive trend towards a less radical separation of parents. Even if the parents have separated or divorced, they increasingly tend to share the responsibility for the care of the children (Ley, in: Fleiner-Gerster et al.).

Recent research into the situation of the continuation families concludes that these are under heavy pressure to conform to the direct-line nuclear family. 'Acting as if' they were a 'normal' nuclear family is often a prime goal (Borer/Ley. 1992).

Family allocation of work and roles

As in other comparable countries, the number of working women has increased sharply in the last few decades (cf. chapter 'Work - Profession', p. 129). Employment for women is dependent on marital status, duration of marriage or age and number of children.
However, the proportion of married working women never sinks below 30%, even if there are three under-age children in the household (cf. Lüscher, in: Fleiner-Gerster et al.). In 1990 the proportion of non-employed housewives of employable age compared to the overall population amounted to 18% (cf. national census 1990). The participation of women in earning the family income has therefore increased. In contrast this does not seem to have entailed a relevant increase in male participation in housework and family work (cf. Hoffmann-Nowotny/Höpflinger), although the younger generation, above all, is in favour of family role sharing on a partner basis. In 1993 only 20% of the 18-39 year olds advocated the traditional division (he works, she looks after the house and children). Advocacy of the traditional role model is also dependent on educational level: 81% of low education groups were in favour compared to 46% of those with higher education (cf. Höpflinger).

Family and age

The demographic changes in recent decades have had a marked influence on the age structure of the population and on the family situation of old people. The average life expectancy of Swiss women and men has risen sharply. Whereas in the decade 1940-1950 the average life expectancy for men was 64.1 and for women 68.3 years, today, in the nineties the expectancy is 74.0 for men and 80.9 for women (cf. chapter 'Life expectancy/causes of death', p. 163). The increase in life expectancy and the simultaneous decrease in the birth rate is changing the population age structure. The proportion of people of 65 and over in the overall population was 10.2% in 1960. According to the 1990 census it is now 14.4% although the immigration of mainly young foreigners has increased. An even sharper rise in the number of old people is expected for the coming years. The proportion of the population who are 64 and over in the year 2040 has been calculated at 20.8 to 28.2% (Sommer/Höpflinger). The number of old people who have no children of their own is rising.

Rising life expectancy also implies a rise in the need for support and care of the elderly. The more pluralistic the forms of family living, the more fragile the relationships between the generations (Lüscher/Schultheis), which can influence the guarantee of family support and care for elderly relations in future. The great majority of support and care services for old people are provided by women (primarily daughters and daughters-in-law). In this context, the increasing employment of women (including married women) influences the inter-generation family help. This results, above all, in a multiple burden on the women concerned.

The individualization of the forms of family living effects the elderly in another respect. Today it has become the norm that elderly people remain in their own homes for as long as possible. In 1980, 84% of those over 65 lived in their own homes. The tendency to live with own children is regressive, in 1980 4.3% still did so (cf. Lalive d'Epinay, in: Fleiner-Gerster et al.). Simultaneously there has been a massive rise in institutional care requirements for old people. In Switzerland today it is expected that the personnel requirements for long-term women and men patients will more than double.
Family policies

Family policies constitute a diffuse and controversial sector of society and social science policies. Depending on the political orientation, relationship to this political sector differs considerably. Christian-conservative circles would like to understand family policies as political efforts in the interests of conservation of the (traditional) family, liberal and non-socialist circles rather consider them as social policy for cases of hardship, whereas the left-wing – particularly since the New Women’s Movement – values a differentiation between women’s politics on the one hand and social politics on the other. Assuming a broad interpretation of the term family policies, these include all regulations which directly or indirectly effect the family lifestyle of the population. This ranges from financial regulations (family benefits, tax advantages) to regulation of working hours (which effect the division of work within the family), wage policy (the continued significantly lower women’s wages encourage the in-family priority of male jobs) to home building policy. At the beginning of the eighties, there was an initial move towards understanding family policies in this comprehensive context (cf. Federal Office for Social Insurance BSV Report 1982), including family policies which are not only orientated to the traditional small family but which take the new forms of family living into account.

The initial steps towards family policies in Switzerland go back to the 19th century. Both the prohibition of child labour and the labour law rulings to protect working women (extended lunch break for married women, free Saturday afternoon, employment ban after parturition, entitlement to breast feeding breaks) but also the introduction of compulsory domestic science teaching can be considered as family policies measures.

Today family policies are largely regulated at cantonal level. They apply to the family benefit decrees (exception: agriculture at government level with additional cantonal regulations in certain cantons), tax legislation and cantonal social assistance benefits. There is no federal regulation for maternity insurance (cf. chapter ‘Social Insurance’, p. 149). Same sex partnerships are largely disadvantaged by the family policies measures.

Family benefits

The majority of the cantonal laws foresee family benefits only for working men and women. Nine cantons grant family benefits for certain self-employed persons in non-agricultural occupations, eleven cantons for farmers and three cantons grant family benefits for those not working.

The claim to family benefit is proportional to working hours. In most cantons the husband, in the first place, is entitled to the family benefit. In certain cantons the parent with the higher recorded income is entitled to draw the family benefit.

Child benefits (all cantons), education benefits (in some cantons these replace the child benefit after attaining a specific age, usually 16) and birth benefits are paid as family benefit.

In most cantons the child benefit is some Sfr. 150.– per child and month, the minimum is Sfr. 120.–, the maximum Sfr. 280.–. A good half of all cantons pay a higher rate for the second or third and subsequent children. The rates may also differ according to the age of the children. Educational benefits are higher than the child benefits (between Sfr. 150.– and Sfr. 280.–), about half the cantons grant birth benefits between Sfr. 500.– and 1,200.–.
Various cantons also pay income support to low-earning families. Usually the contributions correspond to the difference between the calculable income and subsistence level. The contributions are usually paid one to two years after the birth of the child. (cf. Bundesamt für Sozialversicherung 1993).

Tax relief

"Swiss taxation laws are based on the principle that the income and assets of a family constitute one economic unit." (Inter-cantonal Commission for Tax Informing [Internationale Kommission für Steueraufklärung], 1993) This principle of family or household taxation applies for the federal direct tax and for the cantonal and communal taxes”. In consequence of the progressive structure of the income taxation tariffs, family taxation can entail unjustified increases in the tax burden. Here, the law intervenes with various corrective measures. However in this case (e.g. for the direct federal taxes and a large part of the cantonal taxes) the marital status is taken into account in the first place rather than the higher family expenditure effectively incurred. Depending on the canton, the corrective measures foresee various possibilities. Namely, on the one hand fixed deductions may be made (for married persons, per child and per person supported or percentage deductions from the income or tax amount). Costs of third party childcare, however, cannot be deducted in most cantons. Nor are the effective costs of the child taken into account in calculating the net income.

About one half of the cantons apply a dual tariff. In this case the tax burden for married couples is lower than for single persons. A further corrective method is taxation according to consumer units, where the taxable income is divided by the number of consumer units. In this case the taxable income is divided by the number of persons who must live on it. The total income is taxed according to the lower rate which would apply for the part-income. In the ‘splitting procedure’ (1994 in four cantons) the total income of the married couple is taxed at the rate for half the total income. In the case of the second-earner splitting, the total income for the determination of the significant tax rate is reduced by the amount of the lower income (1994 in two cantons).

All cantons apply one or more, or a mixed form, of these corrective measures for family taxation.

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Family and the law

The changes in social conditions and attitudes have led to a phased amendment of family law in the broadest sense. One significant principle hereby was the implementation of the equality of women and men before the law.

Marriage law

The Swiss marriage law in force until 1987 originated from the year 1907. In time it corresponded less and less to the changing social conditions and attitudes. After years of revision work, on 5th October 1984, the Swiss Federal Assembly passed the new provisions on the effects of marriage in general and on property law. After a referendum had been initiated against this revision, the Swiss people had to vote on it, on 22nd September 1985. The amended law was approved and came into force on 1st January 1988.

The effects of marriage in general

The old marriage law (art. 160 ff Swiss Code of Civil Law ZGB) was characterized by the precedence of the husband. The only marriage model was that with the working husband and the wife looking after the household. This was particularly marked in the following provisions:

- The husband was the head of the community. He alone determined the conjugal dwelling and represented the conjugal community towards third parties. He had, in fact, to care for "wife and children" in due manner but was alone free to decide how to do so.

- In contrast the wife was bound to run the household and could only engage in paid work with the approval of the husband.

- On marriage the woman lost her previous civil status and was obliged to assume the name and citizenship of the husband.

Objective of the revision of Swiss marriage law was to implement the equality of woman and man in marriage. Partnership took the place of the patriarchal principle as the new marriage ideal. This was expressed, primarily, in the following new provisions:

- The spouses determine the family dwelling together (art. 162 ZGB). They are together responsible for the maintenance of the family (art. 163 ZGB). Employment outside the home and looking after household and children are fundamentally of equivalent value (art.
163, paragraph 2 ZGB). The husband and wife represent the conjugal community towards third parties together (art. 166 ZGB).

Admittedly the name of wife may only be adopted as the family name in exceptional cases (art. 30, paragraph 2 ZGB) but the wife may place her previous name before the family name (art. 160, paragraph 2 ZGB). The wife retains the citizenship of her place of origin but also assumes that of the husband's place of origin (art. 161 ZGB). By this means, the precepts by which most couples in Switzerland were already living were anchored in the law. This complied with the transformed consciousness of women.

Marriage property law

Until 1987 the marital system of communion of property was applicable (art. 178ff. ZGB). This marital system of property implied the precedence of the husband and tutelage of the wife:

The husband administered and enjoyed not only his own estate but the assets brought in to the marriage by the wife (fortune at the time of marriage, inheritances and gifts). Money and other fungible items of the woman's assets brought into the marriage actually became his own property. The income from the assets brought in by the wife became the property of the husband. Solely the administration and enjoyment of the separate property (her earnings) remained the property of the wife. On termination of the marriage by divorce or death the wife or her heirs were only entitled to 1/3 of the conjugal assets.

With the revision of the marriage law this inequity between women and men was eliminated:

According to the new regular system of participation of acquired property, the wife and the husband each administer and enjoy their acquired property and their own property themselves (art. 201, paragraph 1 ZGB). On termination of the marriage by divorce or death the wife/husband or their heirs shall each be entitled to one half of the assets (art. 215 ZGB).

Law of inheritance

Simultaneous to the revision of the marriage law, the Swiss law of inheritance was amended with respect to the inheritance portion of the surviving wife/surviving husband. The old legal ruling was based on the vertical principle of inheritance which favoured children or other blood relations. The new ruling embodies the concept of mutual partnership even beyond the death of one of the spouses.

According to the law of inheritance in force until 1987, the surviving wife/surviving husband, besides direct descendants, received proprietorship of 1/4 of the estate or the usufruct of one half. Even if she/he had to share with parentela heirs or grandparents' stock, she/he received only one third and one half respectively of the inheritance and merely the usufruct of the remainder.
Under the new ruling the surviving wife/surviving husband if she/he must share with
descendants of the parental stock receives possession of 3/4 of the inheritance/estate, in all
other cases she/he receives possession of the whole estate.

Child law

The amended child law (origins and effects of the child relationship) came into force
on 1st January 1976. This eliminated the difference between legitimacy and illegitimacy.
The position of the woman as mother was significantly improved. During marriage
the parents exercise parental authority jointly (art. 297 paragraph 1 ZGB). The previous
provision that in the event of disagreement the decision of the father is decisive was
dropped. However, until the marriage law was revised there was a certain contradiction
(cf. above) between this provision and the provisions of the old marriage law whereby the
man was the head of the family and as such holder of the domestic control of property. For
the husband, however, this domestic control of property also meant that he was liable for
damage e.g. caused by under-age children due to insufficient supervision. With the revision
of the marriage law both wife and husband have the same obligations and rights in this
respect.

According to previous law, unmarried mothers only obtained parental control after
the express transfer of the same by the tutelage authorities. The new law stipulates that, if
the parents are unmarried, the mother shall exercise the parental authority.

Law of civil rights

Various amendments to the law of civil rights came into force simultaneous to the new
child law on 1st January 1978. Until this time, the legitimately born child of a Swiss moth-
er and a foreign father only acquired Swiss citizenship if it could not acquire another na-
tionality on birth. From 1978, the children of a Swiss mother and her foreign husband ac-
quired Swiss citizenship by birth if the mother was Swiss by parentage and the parents
lived in Switzerland at the time of birth. Complete equality was only obtained with the fur-
ther amendments to the law of civil rights which came into force on 1st July 1985 and 1st

Before 1992, the foreign wife of a Swiss citizen automatically obtained Swiss citizen-
ship on marriage whereas this was not the case for the foreign husband of a Swiss citizen.
Since 1992 women and men are in the same position. Foreign women and men no longer
obtain Swiss citizenship automatically on marriage to a Swiss man or woman; foreign
wives or husbands of Swiss citizens simply have the possibility of facilitated naturaliza-
tion (art. 27 and 28 Law of Civic Rights BüG).

Divorce law

The currently applicable Swiss divorce law dates from 1907. A commission of experts
has been dealing with the revision of this divorce law since the end of the seventies.
Even if today there is a higher proportion of married women with children who are working, the majority of married couples follow the traditional allocation of roles, i.e. the husbands works while the wife looks after home and children, at least as long as the children are relatively small (cf. chapter 'Development and changes in forms of living', p. 73). The return to work frequently takes the form of part-time work for these women. The consequence is that these women often have a provision for old age which is grossly inferior to their husbands’ (cf. chapter 'Social Insurance', p. 149). To set off this inequity the commission draft for the new divorce law foresees the splitting of the provision for old age acquired during marriage.

According to present law, maintenance of parental authority by both parents after divorce is not possible. According to the Commission of Experts draft the joint parental authority may be retained after divorce if both parents apply for this and if it is deemed in the best interests of the child. In such cases the parents must also regulate the care of the child and the maintenance payments.

The question of maintenance after marriage depends on the attribution of guilt pursuant to present law (art. 151 paragraph 1 and art. 152 ZGB). The draft foresees that the question of guilt shall only be considered in cases. At the present juncture (mid 1994) to what extent the preliminary draft will be amended and when the bill will be passed by parliament is still open.

Cohabitation

There is no law with respect to cohabitation. As late as 1945, the Federal Court pronounced that the cantons were free to penalize sexual relationships similar to marriage, this in the event of their constituting a public nuisance (Federal Court [highest court in Switzerland] Decision BGE 71 IV 500). Since then jurisdiction has taken the social change with respect to marriage-like relationships, which has taken place in recent decades, into account. Thus, for example, court decisions to settle disputes between cohabiting parties on termination of cohabitation do not apply the provisions of marriage law but the provisions for the termination of a private partnership (BGE 108 II 206). Under tax law the taxation of married couples is compared to the taxation of cohabiting couples.

Today living together without a marriage certificate is a widely accepted form of family living. There is a certain, if restricted, legal protection. There still are considerable disadvantages in comparison to marriage. The child of a cohabiting pair is considered illegitimate. Only the mother is entitled to parental authority. There is no possibility for mother and father to exercise parental authority jointly. Cohabiting partners also have no mutual inheritance rights. The cohabiting partners may, indeed, designate one another as legatees in a will but the compulsory portions of the male and female legal heirs must be taken into account in such a legacy. Whereas the wife or husband does not have to pay any inheritance tax in certain cantons and in others the tax rate is very low, cohabiting partners are deemed third parties and must pay rather high inheritance taxes in the case of death.

In Switzerland, same-sex partners cannot marry. Nor is there any recognition of a same-sex marriage contracted in another country. The joint adoption of a child is not pos-
sible. This is restricted to married couples (art. 264 a ZGB). Same sex partners cannot, in contrast to partners who are not of the same sex, eliminate the problems described (civil rights, inheritance rights etc.) by marriage.

The same-sex partnership is still not widely accepted. It will take some time before this becomes an accepted form of living together according to the law and obtains due protection.

Ruth Mascarin

Reproduction

Pregnancy and birth

In 1991, 86,200 children were live-born in Switzerland, 78% of them of Swiss nationality. Some 99% of the children were born at hospitals or birth clinics; only some 1% were born out of hospital, for the most part in the home. During the eighties there were, often vehement, controversies on the pros and cons of home births. A National Fund study confirmed the high safety level of home births in the Canton of Zurich. The principal statement of this study is “With state-of-the-art midwifery, a house birth today, under the conditions encountered in the Canton of Zurich, does not entail a higher risk for mother and child than birth at a hospital. Prerequisite is naturally efficient cooperation with the clinics.” (Voegeli)

‘Birth homes’ as a complement to the obstetric programmes in hospital or at home, present a further alternative for women in the German-speaking part of Switzerland (Zurich, Wald/ZH, Muttenz/BL, Möschiwil/BE, Lenzburg/AG, St. Gall). The birth home becomes an encounter centre for an exchange of experience and cooperation between expectant parents, midwives, birth preparation assistants, men and women doctors.

Contraception

Contraception is considered to be the woman’s domain. There are various products available on the market: hormonal contraceptives (the pill, three-month injection) must be medically prescribed, the health funds do not assume the costs. Only gynaecologists, are allowed to insert intra-uterine coils. Today condoms are available at many outlets (dispensers, department stores, chemists), Femidom (condom for women) and diaphragms are available from chemists. Immunological contraceptives (so-called pregnancy vaccination) are not utilized in Switzerland. Progressive women’s and development organizations are involved in a worldwide campaign to stop research on immunological contraceptives.

Sterilization is carried out on women and men if requested. In the case of couples, the approval of both is usually required. Although the operation is much simpler for the man, more operations are conducted on women. There are no legal regulations on sterilization but conditions do differ from canton to canton. The sterilization of the mentally deficient and psychiatric patients is controversial.
In the course of the New Women’s Movement various projects have been developed providing counselling for women in family planning, pregnancy, birth and contraception (cf. chapters 'From women’s liberation to womanpower', p. 61, ‘Women – Body – Health – Sickness’, p. 163).

Abortion

Pursuant to art. 118-121 of the Swiss Penal Code (StGB) of 1942 abortion constitutes an offence both for the pregnant woman and for the person undertaking the abortion (statutory limitation for the pregnant woman is two years). Abortion does not constitute an offence, if the pregnant woman has given her approval in writing and if she would, by continuing the pregnancy to full term, endanger her life or be otherwise at great risk or if her health were to be permanently seriously impaired. The intervention must be conducted by a registered female or male doctor and a second female or male doctor must confirm that the pregnant women is in fact in such danger prior to the intervention.

In Switzerland as well, one consequence of women’s decade long struggle for pregnancy by choice and the legalization of abortion (cf. chapter 'From women’s liberation to womanpower', p. 61) resulted in a major rift between legal provisions and reality. In 1977 the people’s initiative to legalize abortion (12-week solution initiative) was rejected by a 51.2% majority, in 1987 the federal parliament also rejected the proposal for a federalist solution.

Medically speaking, intervention six to twelve weeks after the last menstruation is a minor matter entailing no significant risk. The intervention is carried out in state and private clinics and, in some cases, in private practices. The aspiration or curettage method is used. From the medical standpoint there is no need for a full anaesthetic, a local anaesthetic is quite sufficient.

The implementation provisions with respect to the StGB are in the competence of the cantons. In the liberal cantons (thirteen) the experts proceed on the basis of the WHO definition of health, where health is described as physical, psychic and social well-being. In these cantons there are sufficient experts so that the women can choose.

In the less liberal cantons (four) a narrower definition of health is adopted when compiling an expert opinion. These cantons stipulate compulsory counselling or the compulsory intervention of the male or female cantonal medical officer.

A considerable number of cantons (nine) have such strict rules for the conduct of a legal abortion that termination is extremely difficult or de facto impossible.

Three cantons have no prescribed procedure for the treatment of a possible application for abortion and thus contradict federal law which, since 1981, prescribes that the cantons create counselling facilities for pregnant women. In the liberal cantons there is a good network of such counselling facilities on a state and private basis.

As a result of the differing interpretation of the StGB a certain amount of “gynaecological tourism” developed in Switzerland, though this has declined considerably in recent years.

In 1993, 92.3% of all abortions were conducted in the thirteen liberal cantons where 70.4% of the female population reside (legal abortions have compulsory cover by the
health funds). The above only applies for pregnancies until the 12th week. After the 12th week an abortion may only be carried out subject to much stricter medical indications even in the liberal cantons. Termination is usually only conducted in the case of strictly medical indication. This includes interruption of pregnancy due to genetic or chromosomal defects in the foetus. A further factor which must be mentioned is that illegal abortions with grave complications and mortalities have disappeared completely since 1970.

Statistical records of abortions are not kept in all cantons; in particular there are none in Canton Zurich where, as in the Canton Valais, there is no obligation to report. Consequently, the figures shown must be taken as provisional as they comprise an uncertainty factor. If in 1970, 16,150 abortions were carried out on women resident in Switzerland (including an estimated 8,000 abortions in Zurich) the figure rose to 17,800 (Zurich: 8,000) in 1980. By 1985 there were only 14,450 abortions assessed (Zurich: 6,000) and for 1993 a provisional 12,440 (Zurich 4,000). Whereby such a marked trend in Zurich seems somewhat unlikely and an attempt is being made to re-assess development on a basis of cross references with other cantons. The tendency can be ascertained that the number of Swiss women having abortions has more or less stagnated or dropped marginally since 1988 whereas the proportion of foreign women covered in these figures is clearly rising. In the case of foreign women and in particular applicants for political asylum something could be achieved by early information and counselling with a view to reducing the number of abortions.

A parliamentary initiative was submitted to federal parliament in 1994 demanding revision of the abortion regulations according to the following principles: “1. Legalization of abortion during the initial months of pregnancy (12-week solution). 2. After lapse of this term, termination should only be permissible when, according to medical expertise, the life of the pregnant woman be endangered or there be danger of a serious impairment of the physical or psychic health and this could not be avoided by other reasonable means.” The initiative is supported by various women’s organizations namely Union of Swiss Women’s Organizations [Bund Schweizerischer Frauenorganisationen BSF], Swiss Charitable Women’s Association [Schweizerischer Gemeinnütziger Frauenverein SGF, OFRA] Swiss Association of Family Planning Consultants [Association suisse des conseiléres en planning familial] ASCPF, Swiss Association for Legal Abortion [Schweizerischer Verein für einen straflosen Schwangerschaftsabbruch SVSS], Swiss Association for the Right to Abortion and Contraception [Schweizerische Gesellschaft für das Recht auf Abtreibung und Verhütung SGRA] who argue that the differential between law and reality is growing and that the international trend is towards relaxation of the abortion laws. Most European countries Most European countries recognize a 12-week solution and it has been shown that the number of abortions is largely independent of the laws. Decisive for the reduction of the number of unwanted pregnancies is rather sexual information, access to contraceptives and social security.

The claim to legalize abortion of an unwanted pregnancy in the early stages has become even more urgent with increasing acceptance of gene-technology prenatal diagnostics and the readiness to interrupt unwanted pregnancies on eugenic grounds (cf. chapter ‘Position in the debate on genetic engineering and reproduction technology’, p. 88).
Medication like the "pill for after" (Tetragynon) may be prescribed by the female or male doctor but they are by no means used for regular contraception. The preparation must be taken no later than 72 hours after the last sexual intercourse.

Since the eighties, there has been controversial discussion about the preparation RU 486 (Mifepristone) with which a medicamentously induced abortion without curettage (if it works) can be initiated. Numerous undesired side effects are possible. The abortion pill RU 486 is not available in Switzerland.

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Florianne Koechlin
Position in the debate on genetic engineering and reproduction technology

Bioethics Convention

The so-called Bioethics Convention plays an important role in the present debate on reproduction and genetic engineering in the human sector. This is currently under discussion in the Council of Europe and, when it has been passed, it will be significant for Switzerland as well, if Switzerland becomes a signatory to the convention. The objective of the Bioethics Convention is to establish ethic guidelines for the extremely rapid developments in reproduction technologies, genetic engineering and organ transplantation. However, according to the critics, the Convention does not imply much more than a definition of the status quo. What is technically feasible today will be ethically legitimised by the Convention. When a draft for the Bioethics Convention became public in spring 1994, German feminists sounded the alarm with respect to the gene archives in Essen. An international initiative was soon formed which severely criticised the Convention particularly on account of its inherent eugenic orientation. The consequence was that parliamentary assembly of Council of Europe the European Parliament, after turbulent discussion, referred the Convention back to the Steering Committee for revision in October 1994. Three paragraphs, in particular, aroused indignation:

- Tests on incapacitated persons are admissible. Normally, agreement to medical intervention should also be obtained in the case of incapacitated persons. In exceptional cases, however, such interventions and experiments on incapacitated persons are also admissible even if they, or their families, are not agreed.
- Embryo research is admissible until the 14th day.
- Gene tests for the prediction of hereditary diseases and for scientific research are admissible. It should also be possible to pass on test results to certain instances "outside the health sector".
The debate on this convention throws a harsh light on the current social debate. It highlights the following features:

The present times are characterized by a rapid trend towards the elimination of taboos in social values. It is again admissible to think aloud about experiments on incapacitated persons and gene manipulation of embryos is no longer taboo. Molecular biology and reproductive technology daily create new facts which question our concept of the individual and the basic principles of human existence.

The call for ethics commissions and ethic guidelines probably derives from a certain helplessness. On the one hand there is a boom in the so-called bioethics commissions who are detailed to provide justification, in their role as “experts groups”, for developments which have already taken place. The Bioethics Convention appears to be one of the most crass and most far reaching attempts in this direction. On the other hand the International Initiative by committed feminists and critical men, who brought the Bioethics Convention to the public attention in spring 1994, has met with great success. It highlights a conflict between cost-benefit ethics and the ethics of human dignity.

The feminist movement is no longer the powerful force it was ten years ago. Only small groups are continuing to work persistently on this theme, but they are few. With the International Initiative, for the first time as far as is known, it has again been possible to exert widespread influence. In Switzerland two feminist groups are working in this field, namely Antigena and NOGERETE (National Feminist Organisation against Gene and Reproduction Technology [Nationale Feministische Organisation gegen Gene- und Reproduktions-Technologie]). NOGERETE works on various subjects in close conjunction with the Basel Appeal Against Genetic Engineering [Basler Appell gegen Genteknologie] which is also increasingly concerned with human genetic themes. New coalitions with disabled and church organizations are in formation.

A few historical key facts

In 1974, a good twenty years ago, the childrens' hospital in Lucerne announced that pregnant women could from then on be examined to see whether they would bear a child with the Trisomy 21 syndrome. In the event of a positive result an abortion could be effected on the spot. This marked the beginning of prenatal diagnostics in Switzerland. Today prenatal diagnostication is widespread and so is in-vitro fertilisation (IVF). Both establish the prerequisite to make eugenic selection of ‘valuable’ and ‘non-valuable’ life and also gene manipulation of the embryo possible.

Swiss resistance

Swiss resistance from feminist circles began to form in 1984. After the first Finnrage Congress in Bonn (1984), where over 2000 women met from all over the world, the feminist group Antigena made its first public appearance in Switzerland calling for a ban on prenatal diagnostication. NOGERETE was founded in 1987. The first resistance conference was held in Basel in 1988 and gave rise to the Basel Appeal Against Genetic Engineering. The SAG (Swiss Working Group Genetic Engineering [Schweizerische Arbeitsgruppe Gen-
technologie]) has been active since 1987 as an umbrella organization for numerous environmental, Third World and agricultural organizations, though almost exclusively in the non-human sector.

Developments in the law sector

In 1988 the Greater Council (parliament) of the Canton St. Gall issued a law on intervention in human reproduction which would only permit artificial insemination and gamete transfer and this exclusively with gonocytes from the married couple. The utilization of gonocytes from third persons, the storage of and research on gonocytes and fertilized oocytes was prohibited. In 1990, the Greater Council of the City of Basel prohibited all modern reproduction methods with the exception of homologous insemination. This decision was approved by the people six months later with a high majority. The Federal Court (highest court in Switzerland) has approved the objections against both these laws on the grounds that personal liberty was inadmissibly restricted by these laws.

In May 1992, the constitutional article “against the abuse of reproduction and genetic engineering technology” was approved by the people and cantons. This article of the constitution permits both pre-natal diagnosis and in-vitro fertilization. Only surrogate motherhood and idioplasma therapy are prohibited. Feminist circles consider that this constitutional article fundamentally establishes a basis for all current technologies and may thus even provide the necessary legitimation for new technologies. Consequently, in 1993 a conservative initiative committee launched and submitted a people's initiative For Human Dignity in Reproduction [Für eine menschenwürdige Fortpflanzung]. The initiative demands that insemination outside the woman’s body and the use of gonocytes from third persons for artificial insemination should be prohibited. Finally, in spring 1994 it became public that a Bioethics Convention was on the agenda of the Council of Europe which would, at a later juncture, be valid for Switzerland. As mentioned at the outset, the Convention was referred back to the Steering Committee.

Manifesto on the protection of human dignity

In Switzerland the Basel Appeal Against Genetic Engineering and NOGERETE are participating in the international protest initiative against the Bioethics Convention. Parallel to this, a manifesto has been compiled whose content aims to be the “lowest common denominator” for future resistance. The objective was to establish a few positions which could receive widespread acceptance. In the discussion of this manifesto it became clear that defining limits is very difficult today, and also how great the uncertainty is when new facts are emerging virtually daily. Thus it appears all the more necessary to compile certain orientation aids for future critical action. Some of the demands of the manifesto, which may be taken as the current, common position of the opponents, can be detailed in brief:

- The patenting of human organs, tissue, cells and genes is prohibited.
- Every diagnostic and therapeutic intervention on the human patient (independent of majority, psychic, mental or physical incapacity) requires his/her active and informed agreement.

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The transplantation of human organs, tissue and cells is only permissible subject to the active and informed agreement of the donor.

Idioplasma therapy, that is the alteration of human gonocytes, spermatozoa, fertilized gonocytes and embryos and somatic gene therapy is prohibited without exception.

Research on embryos is prohibited.

The embryo in the womb together with the mother constitute a single unit. The decision on the welfare of this unit is the exclusive prerogative of the woman.

The manifesto makes no mention of pre-natal diagnosis – this subject has been discussed in-depth but there is no consensus of opinion (yet?). Pregnancy and birth have been increasingly medicalized, technicalized and pathologized in the past decades. They are no longer regarded as primarily living and natural processes but progressively as aspects of the mastery and control of nature and the woman. This explains the attitude of the opponents.

The advocates of reproductive technologies emphasize that the range of examinations available gives pregnant women a certain security with respect to the unborn child which allows them to concentrate on the pregnancy and birth. There are various facilities offering genetic counselling in human medicine. However, many women experience the possibility of examination as a compulsion to undergo an examination. They feel under enormous pressure. Today, if they do not have an examination and bear a disabled child, they are already reproached that it is irresponsible to bear a disabled child and that prenatal examination and possible abortion are less costly than the support of the disabled. But if women abort a defective foetus, they must cope with the reproach of acting egoistically and eugenically.

Prenatal diagnosis (and in vitro fertilization) establish the basis for new eugenics. It is only with the advent of these technologies that it is possible to differentiate between 'valuable' and 'non-valuable' life on a broad scale (according to which – and above all whose – criteria is still imprecise) and to abort a 'non-valuable' (imperfect embryo. This is "abstract renaissance eugenics" (Ulrich Beck). It approaches silently and individually and consequently will be able to assert itself on a broad front if we cannot intervene and provoke discussion.

The consequence of such considerations is that some critics reject prenatal diagnostics as a whole and demand that they be banned. Others advocate that women refuse such interventions and boycott them. A third stream is markedly critical towards prenatal diagnostics but leaves it to the individual woman whether she wants to use these technologies or not.

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Elisabeth Keller

Child Care

The development of child well-being and mother love

Historically, the recognition of childhood as an independent life phase is a relatively new development. Until well into the 18th century children were considered as small adults. Children lived and worked as adults and did not have any life distinct from adulthood. The gender-specific orientation of the education of girls and boys also spread with the emergence of pedagogy as a new science.

The structuration of the mother-child relationship and the father-child relationship is dependent on time and culture developments. The propagation of the particular maternal responsibility for the child started only in the 18th century and ran parallel to the ‘education’ of the woman as wife, housewife and mother. The mother became the person primarily responsible for the upbringing of the children whereas the authoritative power (over children and wife) was allocated to the father. Bringing up the child was defined as an increasingly demanding task. The duties of the mother were continually extended with respect to content and time expended.

The intensive psychological and pedagogical care of small children is a modern invention. For a long time early childhood was the focal point of development psychology, whereas subsequent life phases were classed as insignificant in human development. This concept of early childhood as the formative, and therefore decisive, phase for the psychic development of an individual placed a hardly supportable burden on the mothers.

In recent years the importance of the mother-child relationship in infancy for the well-being and development of the child has been relativated by numerous studies. Infants require reliable life-worlds in which they are socially embedded and nurtured but not relationships that are reduced to a single reference-person. Small children also benefit from a mother who has an identity-creating role in the outside world. Surveys have shown that the daughters of working mothers have higher self-esteem than the daughters of women who do not do paid work.

Having children – consequences for women and men

The consequences of having children differ considerably for women and men. Even if there are now many young people and young adults who want an equal partnership where both woman and man undertake bread-winning and family work, in practice the situation
is quite different. The ‘new fathers’ who look after kids and kitchen and who also allow their partners to earn by their own reduced professional commitment are – statistically – virtually negligible.

It has always been, and still is, the women who assume/ed the principal responsibility for bringing up the children – independent of whether and to what extent they engage in paid work (cf. chapter ‘Work – Profession’, p. 129): and they also do the lion’s share of the work. Consequently it is above all the women who are affected by the lack of external day-care facilities.

Childcare outside the family – supply and demand

It is difficult to obtain reliable data on day-care places as no Swiss statistics have been kept in this respect to date. In the cantons as well there are no complete data in most cases and even at community level there are often none available. Although the federal foster-care decree of 1977 prescribes an obligation to report for day-care arrangements and requires authorization for day-care homes, not all places available are reported to the authorities. The regulation of reporting and authorization obligations and supervisory procedures for institutions and day-care families vary from one canton to another.

In its report on childcare outside the family, published in 1992, the Federal Commission for Women’s Issues ascertained from the surveys it had commissioned that the number of childcare places available is absolutely insufficient. There is a particular lack of childcare places for babies and schoolchildren. But there are not enough places even for small children of 3 to 6. The offer is so restricted, that not even all lone parents or parents who are both obliged to work full-time to maintain the family have a chance of finding a place for their child. Parents who want to share working and childcare as partners have even less chance as many of the childcare places are reserved for ‘emergencies’ (lone parents, social and economic need, educational deficit).

The childcare places available vary considerably according to region and canton. As a rule, the offer is better structured in the towns than in the rural areas. On the other hand, in the country there are, in part, childcare possibilities which are difficult to establish in the towns e.g. school dinners or joint transport. In 1990, there were all in all some 21,000-25,000 childcare places in crèches, day nurseries, day-care schools and with child minders. That means a maximum of so many children could have been cared for all day at the same time. However, as many children only spend a part of the week or a part of the day in the childcare facilities, in effect, many more children utilize such facilities:

There are no surveys for the whole of Switzerland on how many children need a childcare place and what form of childcare the parents prefer. Only the most urgent needs can be assessed from the statistical data available. In Switzerland, in 1990, there were 550,100 children of pre-school age (0-6 years) and 608,000 school-age children (7-15 years). In the same year the number of places available was some 21,000-25,000. At least 650,000 children under 15 have a working mother. If all these children had to rely on a childcare vacan-
According to the 1991 Sw i s s Workforce Census (SAKE) 42% of the families where the mother does paid work full-time and 52% of the families where the mother works part-time organize the childcare within the family. If all the children of these families were to receive a day-care place there would still be a queue of 13 children for each day-care place. Irrespective of the data taken as a basis to compute the needs, all calculations show clearly that not even one tenth of the requirement can be covered. Furthermore, as a rule the calculations tend to under-estimate rather than over-estimate the need as it is an established fact that many women do not take on paid work because they cannot find a satisfactory childcare solution for their children.

Forms of care

In Switzerland there are various childcare structures, which tend to have different names from one region to another. However certain specific types of institutions are hidden behind this ‘variety’: crèches/day nurseries 7 day-care homes, day-care families/day-care minders, public or private kindergartens, school dinners, day schools, block times, play groups.

Crèches/Day nurseries/
Day-care homes

Historically, crèches and day nurseries are the oldest childcare institutions. Their image has suffered, and still does, from the fact that formerly only socially-disadvantaged children were cared for in crèches and day nurseries—often under poor conditions. The acceptance criteria usually used, which are at least understandable in view of the shortage of facilities, also contribute to the ‘emergency image’ which will be difficult to eliminate.

Crèches usually provide full day-care with food on five week days without weekends. Some crèches accept babies from eight weeks; the upper limit is usually starting-school age. However, some 10% of the children in crèches are already school age. In most crèches acceptance of the children depends on various criteria (lone parents, financial need, domicile etc.).

The majority of the crèches are charitably sponsored (women’s associations, foundations) followed by crèches in municipal enterprises, company crèches and church-sponsored crèches. Company crèches are usually only available to the children of employees. There are also crèches which are primarily destined for foreign children. A large proportion of the crèches are members of the Swiss Crèche Association (SKV/ACS) which has issued guidelines on equipment and personnel and established a training college for infant childcare specialists.

The parent contributions for the crèche places vary considerably. By no means all crèches have an income-based sliding scale and there is a marked difference in tariffs. The parent contributions are often so high that the socially acceptable upper limit is reached or exceeded (cf. chapter ‘Being a woman: poverty risk’, p. 146). There are significant differ-
ences in public subsidizing of the crèches. According to a Swiss Crèche Association member poll conducted in 1992 about one third of the crèches are not subsidized at all. A further third receives a maximum of 10% of the budget. A bare quarter of the crèches receive subsidies amounting to 40-80% of the budget.

Day nurseries or homes offer the children comprehensive care from morning till evening. There are day nurseries for children of pre-school and school age. Their conditions (acceptance criteria, personnel, sponsors, parent contributions) are similar to those for the crèches. In some places there are part-time childcare facilities for school children (homework assistance, leisure activities).

Day-care families/
Child minders

In the day-care 'mother' model – there are hardly any day-care 'fathers' – the child minder looks after one or more children during the day in her own home. Day-care places are arranged through the intermediary of the foster-care authorities, by child-minder associations or informally by advertisement and word of mouth. In 1991, some 90 child-minder associations in almost all cantons mediate some 4,000 children to 2,600 child minders. In 1993, collective accident and third-party liability insurance for day-care facilities insured some 5,000 children 3,000 child minders and 105 associations so that it can be assumed that the number of children in day-care is rising. The cantonal or the regional instances – there is no overview for the whole of Switzerland – are the intermediaries for arranging foster care, places. There is no indication of how many child minders work without the intermediary of a child-minder association and without a contract. In the French-speaking part of Switzerland there are the family crèches [crèches familiales]. The maternal assistants [assistantes maternelles] are engaged by the crèche and look after one to three children at home. Every week they and the children meet for a few hours with other child minders and their charges in communal facilities. The earnings of a day-care mother are extremely modest. The hourly rate varies between 80 centimes and 6 francs; meals are usually compensated at 3 to 7 francs.

Public kindergartens

The public kindergarten is generally considered as part of the school system although attendance is voluntary. There are kindergartens in all cantons although in consequence of the federalist structure of the Swiss school system they are differently organized in each canton. The opening hours in the German and French-speaking parts of Switzerland do not imply any great relief for the parents (mornings mostly between 9 and 11, maximum twice a week afternoons from 2-4 maximum 16-20 hours a week). In many places competence for the kindergartens is the exclusive prerogative of the communities, so that the offer may even differ within the cantons (one or two years' attendance). This entails pronounced social inequalities for the children and parents concerned.
There are also inequalities with respect to employment and working conditions and the salaries of the kindergarten teachers – another consequence of the differing competence structures. Only joint competence and responsibility of communities and cantons for the kindergartens (offer, financing, mobility, teaching plans) can ensure the necessary levelling out between low and high-budget communities in a canton. And only so can socially equal opportunities be provided for children from different communities. However, at this juncture it appears difficult to reverse previous communalization.

Only the canton Ticino has a well developed kindergarten network admitting children already from the age of three (65% of the three-year olds and 99% of the four-year olds attended the kindergarten in 1990/1991), and care is offered, in most places, from 8.30-15.45.

Trials are in progress with day-care kindergartens and other models e.g. block times. Their chances of establishing themselves as standard models have dropped due to cuts in public spending.

Private kindergartens

There have always been private kindergartens as well as the public institutions. A new feature which emerged in the sixties and seventies was the so-called experimental kindergarten founded by parent initiative. Private kindergartens are generally relatively expensive for the parents as they usually have to operate without subsidization. Some of these institutions call on parent participation. It is not known how many kindergartens there are. Whole-day care is rather the exception.

School dinners

School dinners are not a new invention. Particularly in rural areas it used to be customary to provide a meal for children during the lunch break in or near the school. The school-dinners arrangements which have developed in recent years, particularly in the towns, are backed by parents (associations). Other sponsors are school authorities, women’s associations, churches or day-care nurseries. Organization, time covered, facilities and supervision (parent participation, teachers, nursery personnel, specially employed staff) differ considerably. Some school-dinner arrangements receive subsidies others are financed exclusively by parent contributions and donations. Consequently it is not surprising that many school-dinner arrangements soon have to close down as the financial, facilities and personnel factors are unsatisfactory and imply a permanent exploitation of the women who organize the system.

Day schools

Hardly any other form of education and care meets with such strong resistance as the day school. After a few free elementary schools were founded in the seventies, organized on a day-school basis, the first public day school was opened in Switzerland in 1980. Many day schools have had pilot-project status for years. Parents and interests association
have long been concerned with setting up more day schools but their introduction is
repeatedly rejected on the grounds that the costs are too high.

One reason for continued widespread scepticism with respect to day schools is that
this model breaks down the artificial differentiation between ‘education’, ‘childcare’, ‘look-
ing after’ and teaching’. Teaching and leisure go together; learning in class cannot be sep-
parated from learning out of class. For the children, the constant changing between family
home, school, nursery or other care-systems is eliminated. Day school critics consider this
hostile to the family.

There were 16 day schools at the end of 1993 and two more are scheduled to open in
1995. Day schools are hit hard by the massive increases in tariffs for day-care arrange-
ments.

Block times

To date only few cantons provide block times. In most cantons the starting times for
kindergartens and schools are so different that there is a continuous to-ing and fro-ing for
families with several children. In contrast, block times are a matter of course in the Canton
Ticino both for kindergartens and schools.

The introduction of block times, above all in the German-speaking part of Switze-
rand is a tedious business. Until all the impediments have been overcome, for the time be-
ing there is hardly anything which could be referred to as ‘block times’.

Play groups

Play groups are a relatively new form of childcare which has arisen largely on the in-
ititive of parents or mothers. There are play groups for children from 3 to 4 years old; the
upper limit is kindergarten age. As play groups can only be attended once or twice a week
for 2 or 3 hours they do not entail any relief for working parents. The borders between the
various care services and private kindergartens overlap as there are no uniform criteria.

Childcare within
and outside the family,
kindergarten
and school system

The range of childcare arrangements available in Switzerland is still relatively unde-
veloped and there is a great need to catch up compared to other European countries.
Childcare outside the family for pre-school and school-age children cannot be separa-
ted from the other framework conditions for children and parents. But here again Switzer-
land lags behind (introduction of maternity insurance, creation of paid parental leave for
mother and father, children’s benefits in a realistic relationship to the effective costs of
children and granted independent of employment or degree of employment; recognition of
child-rearing work in the social security system; taking the effective costs of children into
account in taxation and tax deduction of non-family childcare costs as professional or
training-linked expenses etc. (cf. chapter 'Families – Forms of Living', p. 73, chapter 'Work – Profession', p. 129, and chapter 'Social Insurance', p. 149). Also significant for mothers and fathers in paid work are the regulations concerning the care of sick children. In Switzerland a working mother or working father does have the possibility of looking after a sick child with continued commitment to payment of salary by the employer until a reasonable substitute care relationship can be found. According to valid regulations and practice this should not last longer than one to two days. There is no satisfactory legal ruling.

Increased husband participation in childcare and rearing can only be achieved by specific measures, above all on the labour market, in social, family and education policy. These measures include solutions with respect to structure and organization of the public kindergarten and school system. Block times, school dinners and overlap times would be a great help to mothers (and fathers) in paid work. As late as 1991, in a poll conducted by the Conference of Directors of Education [ministers of the cantonal governments] (EDK) 11 cantons stated that they did not offer any care measures on a school-organizational plane, in most other cantons activities in this respect were restricted to the consideration of possible measures. There is an urgent need for action in this respect.

A further urgent postulate is the improvement of training and further training possibilities and working conditions for those engaged in childcare. Even if there has been increasing professionalization of the educational professions, the training and further training possibilities are still very limited. Working conditions and wages are in no proportion to the importance and varied demands of these occupations. As traditionally, typically women’s vocations – childcare in crèches and nurseries is 92% staffed by women – they are drastically undervalued today (cf. chapter ‘Careers’, p. 134).

Looking forward

In Switzerland, the realization that children can profit from childcare outside the own family is spreading only gradually (Germán and French-speaking parts). Even small children already require relationships, within a clear framework, with other children and with other adults. The increase in small families, the growing number of only children as well as the child-hostile road traffic and living conditions make regular and binding relationships to the outside world increasingly important for the child itself. Children are dependent on free-room to be able to play with other children; they need child-suitable surroundings to discover, to learn social and emotion capabilities and to develop their independence and creativity (cf. chapter ‘Area planning – architecture’, p. 197).

According to the United Nations Charter of Children’s Rights the signatory countries must support the parents appropriately in the education of their children and see to the expansion of childcare institutions. The ratification of this charter by Switzerland should provide the impetus to recognize childcare and upbringing as a public duty and to see to the availability of arrangements (creation of more childcare places, forms of kindergarten and school more in line with the times, maternity insurance etc.).
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Education – Science – Research

Linda Mantovani Vögeli

The position of equality in schools

The Swiss education system has been expanded and differentiated this century, particularly during the past fifty years. After a two-stage elementary school covering the compulsory nine years’ schooling, there are further optional school offers such as trade schools, intermediate schools, diploma schools with special admittance criteria and then, still based on the first stage of the post-compulsory educational institutions, an increasingly differentiated network of higher technical schools and universities.

Although not very detailed, the chart on page 103 characterizes the Swiss school system as precisely as possible. For it is an important feature of the Swiss school landscape that it does not comprise one, but 26 school systems. The school structures already vary considerably according to canton, but the essence of the selection timing and criteria, the training and further training of the teaching staff are differently scheduled and structured as well. For girls, this federalism means considerable inertia in the implementation of the uncontested demand for equality. Already in 1972 the Conference of the Swiss Directors of Education [Schweizerische Konferenz der kantonalen Erziehungsdirektoren (EDK)] (ministers of the cantonal governments) issued the first recommendations to the cantons to introduce the same number of handshake classes and to create differentiation possibilities at secondary level so that girls who wanted to, could take subjects like geometry etc. In 1986 the Federal Court confirmed that compulsory handshake and home economics for girls was not correct. Yet according to a 1991 EDK survey only 12 cantons had implemented the same curriculum for girls and boys in all subjects (cf. Swiss Conference of Cantonal Directors of Education).

In October 1993, the EDK passed the Recommendations for the Equality of Women and Men in the educational system which included the following points:

Women and men shall have equal access to school, occupational and training processes
Objectives and contents of the educational processes are the same for both sexes
The objective is a well-balanced ratio of the sexes at all levels of the teaching professions and teaching administration
The lives and working worlds of both sexes shall be dealt with in teaching and in teaching aids
Equality of the sexes in forms of communication and linguistic usage shall be observed.
Integration of equality of the sexes as compulsory subject in training and further training for men and women teachers

Formal equality is essential but not sufficient

A quick glance at the above shows how important compliance with the EDK recommendations is. The Swiss educational statistics confirm an important development for the equality of women: over the past forty years the differential in educational status between women and men has shrunk significantly but, for the last ten years, a constant and not to be under-estimated residue of inequality has persisted. Today it is proven that girls do something better than boys in elementary school. But already in vocational training women are not rewarded for their achievements. They are found in fewer sectors and in shorter training courses and a constant proportion of women still do not learn a job. This lag in the secondary level II is reflected in the subsequent tertiary educational level by a massive under-representation, at its worst now in the future-oriented higher professional training (1992: 24.1% women). What is more there is a clear differentiation in all post-compulsory education between 'women's domains' and 'men's domains'. 90% of the women are found in the services sector and within it in the serving, caring and teaching occupations. All other sectors, particularly those in technology and the higher colleges leading to management-level function are predominantly reserved for men (cf. Federal Office of Statistics).

In the teaching sector as well, the labour market breakdown is very much gender-specific. Today there is a majority of women teaching in the kindergartens and lower primary classes, however, the higher the level, the fewer women are to be found. Only 3% of the chairs at the universities throughout Switzerland are occupied by women. A central feature with respect to the equality of the sexes is manifest in these statistical facts: formal equality – permitting access to education and the same curricula – is a necessary but by no means sufficient step to eliminate the many forms of discrimination against women.

The criticism deploring the disadvantaging of girls at school was heard already at the beginning of the seventies. In 1980 the British pedagogues Dale Spender and Elisabeth Sarah published their reader Learning to Lose. This publication was the prelude to a gender-specific analysis of school reality in many European countries. The co-education debate simultaneously acquired a new dimension. Today the perspective is concentrated more on the reality differential of girls and boys within the co-educational school. Feminist researchers disclosed the manifold discrimination of women and girls in the teaching aids, subject plans, language; inter-actions and ideas of many headmistresses and headmasters.

Unfortunately, at this juncture there are no comprehensive studies available for Switzerland providing viable statements for the whole country. As ascertained in the 1992 report of the Swiss Conference of Cantonal Directors of Education, Swiss gender research has, to date, hardly profited from the established research fund channels. Consequently, Swiss surveys have naturally been on a small scale and aspect-linked rather than comprehensive and it is necessary to have recourse to far broader research achievements of other countries.
Learning content: male world focus

Teaching is a very complex procedure where many features are in progress concurrently. But whatever level is analysed, the girls are always disadvantaged. The curricula setting out what is to be learned are oriented to a male world. The world of girls and women is not considered, nor do they appear as independent actors. The teaching aids still draw a largely stereotype picture of women and men. Whether at reading practice or vulgar fractions – the children simultaneously learn to which role a woman is entitled and to which role a man is entitled. The range which this opens to the girl is very limited and hardly motivating. School books publishers and educational politicians like to emphasize that the claim to equality will be taken into account in new productions. In fact we are in the paradoxical situation that there have really been some improvements in the teaching aids for the women-dominated lower classes but that as they grow older children are confronted with increasingly paternalistic school books.
An OECD survey of books on mathematics, for example, testifies to just how comprehensive the male-dominated and male-oriented book structure is. In all the countries surveyed, including Switzerland, the application exercises, the 'sums', are mainly taken from the life and interest sectors of the boys, the girls' world of experience is seldom taken into account. What is interesting in this survey is that girls in all countries subjectively find tasks taken from the world of boys, clearly more difficult than the boys. Summarising, today's curricula, teaching aids and exercise material offer the children a world where girls are hardly addressed, where few or no female figures are presented who could have a model character and, as they are not addressed, are obliged to considerable abstraction. At the same time girls and boys learn that women are just not important in this world (cf. Mantovani Vögei).

The girls do not get enough

It has frequently been proved that boys are questioned markedly more often and draw more attention to themselves. Even if they are in a numerical minority the boys almost always claim two thirds of the attention. A study of concrete answering at school disclosed the following informative results: the teachers were informed and knew that answers would be counted. They also indubitably tried to call on girls and boys. Even so the girl-participation was at the most 40%. It was also interesting that after these studies the boys went off protesting loudly. Although they had had more time than the girls they felt disadvantaged. Boys are so used to receiving more attention that they only consider a ratio of 2:1 as fair.

Further to this impressive disadvantaging of girls at school there is another difference in the quality of the interactions. Both women and men teachers tend to support the children differently according to sex. A broadspread survey in Germany emphasized the differences: if girls have trouble with a problem they are usually helped to solve it, if a boy has difficulties the problem is usually re-explained to him and he is encouraged to solve it himself. There is a further differential in distribution of praise and criticism. Boys are mainly reproved for disciplinary problems. But for girls, 90% of the reproaches are connected with their achievements. Boys are usually praised for their achievements. In contrast, girls' achievements are usually commented on when these are poor whereas they are praised for good behaviour and good presentation (cf. Enders-Dragässer/Fuchs).

Two worlds in one school

Teaching children together does not raise the barrier between the two worlds of girls and boys. Until the beginning of adolescence the children usually keep to same-sex groups, and this both at play and in class, in pair or group work. In interactions in the whole class, the boys usually dominate. They lay down the rules of the game and see that they are observed – frequently rather aggressively. This situation implies a further dilemma for the girls. They can intervene and display a competitive behaviour like the boys – and risk being penalized for this by the other boys and girls, and frequently by the teachers, for being
unfeminine. Or they can keep quiet, comply and be considered feminine. Certainly, not all girls keep quiet and in every class there are boys who try to keep out of this competition. But the empirical data speak a clear language. Not all, but a majority of girls are disadvantaged by the behaviour of teachers and boys. And, not all, but a majority of the boys receive preferential treatment and demand this privilege as a matter of course.

Studies on violence in schools show clearly how many boys try to assert their ascendancy over the girls; the boys box, hit and fight, pull hair, bar the way, force into corners and far more. But all too often the boys’ violence against girls is passed off as sex-neutral scrapping. One study, unique to date, shows the disturbingly serious effect of boys’ violence against girls. In seven secondary school classes interviews were conducted by the thinking aloud method to find out what goes through girls’ and boys’ heads during classes. The result is impressive. When girls think of boys, half their thoughts are centred on physical and sexual violence. This is set against only 10% such statements by the boys. The figures do not disclose how often the girls are actually hit by the boys but they do show how often the girls are concerned by the violence emanating from the boys (cf. Barz).

A sobering fact

According to our Federal Constitution, the task of the schools for over one hundred years was to train the boys to be men with very specific characteristics and the girls to be women with complementary characteristics. It fulfilled this task and still does so. During lessons out-moded gender-specific role allocations are anchored in the heads and hearts of the next generation by the school structures, curricula, teaching aids and the interactions taking place. Even now, in the last decade of our century these gender images, transmitted subly and massively every day in the school, are establishing two sex-differentiated characters. On the one hand, in the course of their school career the children develop a massive differential in interests-profile and on the other our school furthers the acquisition of discomforting gender-specific developments in self-confidence and self-consciousness as well as in the relationship to others.

Bibliography


Sтефάніе Брандер

Higher education/
universities

Switzerland is one of the countries were the differential in standard of education between women and men is rather large. Today, of the population between 25 and 64, some 500,000 men but only a good 200,000 women have a higher education or higher professional diploma. On an international comparison women in the university-graduate group are still under-represented.

Higher professional training

In the non-university, tertiary sector (higher professional colleges, higher technical colleges etc.) the proportion of women students is barely one quarter. In particular in the technical sector, with only 3%, there is a crass under-representation of women. But even in the commercial and administration group, where the number of working women is predominant, the proportion of students is only 24%. In contrast, professional training in the social, pedagogical and health sectors is mainly attended by women. Current political efforts to up-value the tertiary education sector (creation of trade 'Matura' [A levels] and higher trade colleges) threaten to emphasize the 'typically male' and the 'typically female' training courses rather than to eliminate them, as they already have an orientation bias to professional training in the trades-technical and the economic and administrative sectors.

Universities, higher education institutes

Although Switzerland was once a pioneer in student places for women – in 1867 the University of Zurich was the first European university, besides Paris, to admit a Russian woman medical student to the regular course – the proportion of women students rose only very slowly. At the beginning of the seventies the proportion was only 25% – a figure which had already been attained once, in 1906, when Switzerland was a favourite location for foreign women students.

Taken as whole, women have caught up considerably in the higher education sector during the past twenty years whereby there are marked regional and subject-specific differences. Almost every second 'Matura' diploma is awarded to a woman, the proportion of women students has risen to 40%. But women are still seriously disadvantaged in the access to student places, in the German-speaking part of Switzerland more than in the French-speaking or Italian-speaking parts. In Geneva the proportion of women students has been over 50% since 1980, whereas at the Institute of Technology in Zurich and the St. Gall Graduate School the proportion is barely 20%.

This divergence is reflected in the number of graduations. The chances for a man in the French-speaking part of Switzerland to win a university degree or diploma are three times as high as for a woman in the German-speaking part.
In their choice of subject, women still orient themselves to the traditional role expectations. Every second student chooses a subject in Arts or the social sciences, that is, in subjects which are not in heavy demand on the labour market. It is more difficult for women to find a job after graduation than for their male colleagues, and they earn less. Thus women graduates working full-time earn only the average salary of men with a secondary stage II diploma (post-compulsory education).

Medicine ranks second in the women’s choice of subject (particularly veterinary medicine where the percentage of women students has risen to 60% meantime) and law comes third. Law has clearly become more attractive to women, the proportion of women students has more than doubled in the past twenty years. It is also notable that women are showing increasing interest in the engineering sciences. The proportion of women students in these subjects is still, in fact, low (18%) but it has trebled since 1972. In the mathematical sciences the proportion of women has doubled over the same period (25%) whereas in computer sciences it has dropped by half since the subject was introduced in 1978 (7%).

Women still break off their studies more frequently than men and do not graduate as often. Whereas today every third degree or diploma is awarded to a woman, the proportion of doctorates drops to one quarter. It is striking that women, even in the subjects where they win the majority of degrees and diplomas, present a thesis notably less frequently than men. This phenomenon is particularly marked in the Arts and social sciences. The major collapse occurs at the highest qualification level in the academic career. Of all the inaugural dissertations written in the past ten years in the German-speaking part of Switzerland, only just 6% were by women.

There is still a gross under-representation of women on the teaching staff of the universities and higher colleges. For every one hundred male professors in Switzerland there are only four women professors. Women are noticeably better represented at the universities in the French-speaking part of Switzerland (which is partly due to the fact that the inaugural dissertation procedure is unknown in the French-speaking part of Switzerland), and only at the Graduate School in St. Gall are the male professors entirely on their own.

The proportion of women professors throughout Switzerland has, effectively, doubled, in the past ten years but if the development continues at the same pace it will be decades, or more realistically, centuries, before equality of men and women is realized at this level.

Demand for advancement of women...

Since the mid-eighties there has been a loud call for equality measures in the university sector as well. Women students, assistants, scientists and politicians demanded that the responsible university authorities compile women’s advancement plans and create jobs for women’s delegates. With a view to the ‘Horizon 1995’ the Swiss Scientific Council recommended to the universities to make their next generation more woman-friendly and set objectives in the form of target values for the increase in the proportion of women in the next generation academics (assistants, candidates for doctorates) and in the teaching staff.
In the meantime progress in the efforts to achieve equality in the university and scientific sector within the institutions varies. At the University of Geneva, targets for raising the proportion of women on the teaching staff and a right of appeal for rejected women candidates for university chairs were already anchored in the university law in 1991. Further, a woman professor was also appointed as women’s delegate as women’s delegate who was called on to develop a women’s studies programme. To date Geneva is the only Swiss university where the advancement of women is regulated legally.

In 1990 the University of Basel resolved, by way of self-commitment, to raise the proportion of women at all levels to 25% by the year 2005. At the University of Berne, in 1991, a department for the advancement of women was established and commissioned to draw up equality measures and counselling duties and with the promotion of women’s research.

Central delegates for women work part-time at the University of Zurich and the two Federal Institutes of Technology in Zurich and Lausanne as well as the Graduate school of Commerce and Economics in St. Gall. There are also honorary women’s commissions in operation at all the universities. On the initiative of the University of Berne, the Conference of Women’s Delegates at Swiss Universities [Konferenz der Frauenbeauftragten an Schweizer Hochschulen (KOFRAH)] was established for the nation-wide networking and reciprocal support of the women’s delegates.

At federal government level the university policy strategy for the advancement of women has gained a foothold in two programmes. Since 1991, the Swiss National Fund for the Promotion of Scientific Research [Schweizerischer Nationalfonds zur Förderung der wissenschaftlichen Forschung] awards special scholarships for women returning to work in medicine and the natural sciences (Marie Heim-Vögtlin Programme). And within the framework of the government special measures for promotion of the next academic generation, newly created jobs were linked with a women’s quota (30%) which – contrary to the fears of many universities – has not only been complied with but in part exceeded.

These initial successes are, however, overshadowed by the current economic development. The will to implement the advancement of women as a management task has been and will be thwarted by the budget cuts of the cantons and governments, which are hitting the universities and research funding hard. Planned jobs for women’s delegates have fallen victim to the job freeze (the department for advancement of women at the University of Berne is still the only women’s facility at a Swiss university which is adequately staffed and equipped), positions for women assistants have been dropped and competition for research scholarships is becoming progressively tougher. Further important measures such as e.g. improvement of the childcare situation at the universities cannot be realized on the required scale. Women’s delegates are encountering increasing difficulties in their work particularly with respect to the financial consequences of promotion plans or concretely defined quota regulations.
Women’s research, gender studies

Research in a wide range of disciplines covering women’s issues has repeatedly drawn attention to a deficit in content in research and in the communication of knowledge at the universities. To date women, female working and life worlds and their derivative modes of thinking and acting have hardly figured as research relevant factors in the various sectors to date. At the Swiss universities awareness that the category ‘gender’ plays an important role for an up-to-date determination of knowledge and for research is developing only slowly. In comparison with other countries – e.g. Germany, where professorships and scholarships focused on women’s research, special graduate fellowship and women’s doctorate candidate programmes have been established, or with the USA, where women’s studies or gender studies have long been academically institutionalized – Swiss universities and research arrangements lag behind enormously. A first step towards Europe-compatibility with respect to women’s research was taken with the national research-programme launched in 1993 (NFP 35) Women in Law and Society – Roads to Equality [Frauen in Recht und Gesellschaft – Wege zur Gleichstellung], for which there are now only modest funds available.

Since the beginning of the eighties, the Association of Feminist Science [Verein Feministische Wissenschaft] has been active in the promotion and institutionalization of feminist research in Switzerland. Thanks to the initiative of committed women students, assistants and some lecturers the subjects and results of women’s studies have increasingly found their way into university teaching. However, continuity is not assured as the institutional anchoring and assurance of women’s research or gender studies at the universities and in the National Fund is still outstanding. Special research scholarships and study programmes with qualified teaching staff in permanent jobs (chairs of women’s research, inter-disciplinary projects) are urgently required to set up and expand women’s research at the universities in Switzerland.

The Conference of Women’s Delegates at Swiss Universities [Konferenz der Frauenbeauftragten an Schweizer Hochschulen] (KOFRAH) has committed itself to have women’s research or gender studies included in the three-year plan for the period 1996-1999 of the Swiss Universities Conference [Schweizerische Hochschulkonferenz]. In the report currently under review the establishment and expansion of women’s research is cited as an interdisciplinary theme of national importance” which is worthy of promotion.

Bibliography

Christine Goll

Further training: 
women learn differently 
and different subjects

The further training behaviour of the population can be described in a nutshell. Anyone who has learned to learn goes on learning. In Switzerland it is a fact, as shown in a representative poll by the Federal Office of Statistics conducted in 1993, that 40% of the adults undertake further training annually, but not all population groups are equally represented among these two million people. So much is sure, training offers in the vocational (further) qualification sector are primarily designed for young, already qualified, Swiss men. Workers undergo further training twice as often as those who do not work. Women, unskilled workers and foreigners learn differently and different subjects. They have access to recognized further training facilities less frequently, can attend courses during working hours less frequently and their employers pay for their further training less frequently.

Women are disadvantaged in professional and in-house further training. A study conducted by the Federal Office of Education and Science (Bundesamt für Bildung und Wissenschaft) and the Federal Office for Industry, Trade and Labour (Bundesamt für Industrie, Gewerbe und Arbeit (BIGA)) disclosed that working women attended further training facilities almost as often as working men. However they attended the courses more often in their leisure time whereas men are more frequently able to continue their training during working hours. It is more seldom for employers to contribute to the costs of further education for women and they motivate women employees to take courses less than male employees. Women and men also differ with respect to the subjects of the further training courses. Whereas management and leadership courses were in the foreground for men, women tended to choose general education courses in natural sciences, medicine and languages (cf. Calonder Gerster).

Further training is particularly important during critical phases of the economy. Flexibility and the readiness to learn something new are called for on the labour markets at such a time. But the will to learn and further training efforts do not lead out of unemployment in every case, as so many of those concerned expect it to. Adult education is an expanding market but the offers are not transparent and hardly available in the marginal regions. It is difficult to classify the numerous private educational institutions and their material use – for example in the form of a recognized diploma or certificate – is controversial.

Fundamentally, the educational statistics indicate an emergency situation, particularly in the adult education sector. Despite the education euphoria of the seventies, education is not a matter of course for everyone in Switzerland. For adults with no or poor elementary education the possibilities of catching up are restricted. The chasm between skilled and unskilled workers on the labour market is widening.
For more and more people, professional careers are not target-oriented and progress is not linear. The educational biographies and opportunities for training depend both on social and regional origin and on gender. Women are over-represented on short training courses, they learn and work within a much narrower spectrum of occupations than men and training possibilities for women returning to work are in short supply. The greatest losses in the educational system are foreign girls. For them the disadvantaging due to social origin, gender and language and cultural backgrounds all overlap.

The fact that educational deficits can hardly be made up by the adult depends largely on three significant factors: facilities, time and money. Precisely for the unskilled, and there are a lot of women among them, there are few facilities to catch up on basic occupational training. But without a completed basic training the doors to higher-qualified further training remain, for the most part, closed. Those interested in further training are often thwarted by the schedule conditions. Learning in the evenings and at weekends is often an excessive burden, particularly for women who have to cope with housework and childcare. Anyone who is reliant on an income can hardly afford further training. This brings us to the problem of the educational funding which is not solved by the Swiss scholarship system. 26 cantonal scholarship laws create great regional differences with varying eligibility provisions and discriminatory age limits which have a devastating effect, particularly for women.

There has been a sharp increase in the educational facilities offered for non-occupational teaching and learning since 1970. Although there is a lack of informative data, from experience it can be assumed that the majority of both those attending and those taking the courses are women. The subjects offered in this sector include, in particular, personality, parent and women’s training. In such further training courses the students acquire important experience but it is difficult for them to utilize this experience on the labour market. Job descriptions do often demand social competences but nevertheless women who acquire these skills privately in their rearing and care work, and improve them in numerous non-occupational further training courses, are not taken into account in relevant engagements as they do not have the basic training and/or professional experience.

The influence of negative school experience

The question of motivation is of central importance for the course of educational careers. Training and further training are influenced by school experience. Educational reluctance in many adults is evoked by a battered self-esteem and lack of possibilities of articulation and influence on the educational process. Current educational offers are still too little oriented to the concept of lifelong learning. In this context there is discussion of the issue of education vouchers which can be used at training and further training institutions and would therefore promote competition and with it coordination among those making the offers.
To satisfy the women’s needs, educational offers must increasingly take women’s life plans into consideration and be offered part-time, parallel to work as well as combined with childcare arrangements. In this connection attention must be drawn to the lack of a legally prescribed educational leave or a law basis for the integral promotion of adult education. The further training offensive (WBO) launched by the government in 1990 to promote new computer technologies and university and vocational further training gave rise to fears, already then, that in view of the biased distribution of credits for the various sectors, those most likely to profit would be an elite of already qualified professionals. The contributions to training measures for unskilled workers, women, foreign women and women returning to work, which were restricted from the outset, were again subjected to severe cuts in the course of the economy drive. These cuts impede the preliminary work and efforts already made on behalf of specifically women’s projects. Consequently a postulate for a “modular structure training, continuing and further training”, already approved, must be realized as soon as possible. The demands made foresee, in particular, that family and care work shall be counted as work experience for the subsequent taking of the apprenticeship grade pursuant to art. 41 of the professional training law, and this for admittance to vocational and higher technical examinations and to technical colleges.

Women-friendly further training must aim at the linking of specialized and personality-oriented curricula, take educational motivation into account as a central element and must be financially assured. Adult education must expand competence to act in all social sectors, encourage personal development and permit occupational perspectives. At the same time it must be possible to utilize qualifications, acquired by life experience, in paid work. This would open up new occupational perspectives for women thanks to their experience in the unpaid, but socially vital work.

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In 1991, Bettina Eichin the sculptor, asked provocatively “Women are crassly under-represented in politics, science and business – why should it be otherwise on the cultural scene?” And she also found that “(...) the culturally creative artists are neither innovative nor progressive but reactive and lag behind social developments and emancipation movements” (Passagen).

“Today, the debate on the repression of women in the male-dominated world of the theatre, as held in the eighties, is in fact over. It was certainly very important to spotlight the patriarchal structures and the male evaluation criteria in the theatre first. The injustices are still present today. But a great deal has changed”, says Veronica Sellier, dramatic producer and president of Women in the Theatre [Frauen im Theater (FiT)] in an interview, in Emancipation [Emanzipation] in 1993.

Various, sometimes contradictory, tendencies have characterized the developments concerning the presence of women in the various branches of art and culture over the past ten years. Every art form has its own, specific conditions which also present differing problems to women. Nevertheless, parallel changes can be ascertained in various branches.

One fact is uncontested: the New Women’s Movement generated in the early seventies, triggered off a widespread upheaval and a new orientation. In a 1992 interview, Irène Schweizer was asked “Why did women only start to play freely improvised music at the end of the seventies?” She answered “The women’s movement was at its strongest in the mid-seventies. Naturally, this strength also had repercussions on the music scene”. This strength also influenced literature, art and the theatre etc. The number of women working creatively increased. The women developed an own self-consciousness, beyond the demarcation from men and male norms, and frequently focused their work on women-specific themes and problems.

One of the questions discussed was that of a ‘feminine aesthetic’: are there specifically feminine forms of creativity? What are these like? How do they differ from the masculine forms? In 1983, the feminist literature expert Sigrid Weigel created the image of the “bifocal look” of the woman who must always have one eye on her situation as a woman while the other may be fixed on the future, utopias etc. Drawing on the French post-structuralists (Luce Irigaray, Hélène Cixous) characteristics like subjectivity, poly-logic, ambiguity, processuality, language scepticism, openness etc. were ascribed to ‘feminine texts’
in contrast to 'masculine' approaches like linearity and causality. In practice it was soon apparent that such definitions were hardly apt. They rapidly deteriorate into clichés, restrict and carry a risk of a biological interpretation.

Women join forces

Several feminist-oriented women's groupings appeared in various sectors of art and culture during the eighties:

The Framamu (Women Make Music[Frauen machen Musik]) which grouped women rock and jazz musicians in Zurich already in 1979 can be taken as a precursor. They have a music room where sessions are held regularly, organize concerts and for nine years they have been staging a women's music week attended by up to a hundred women. In the field of serious music, the Women's Music Forum [Frauenmusikforum] was founded in 1982. In the European Year of Music the musicians performed works by Swiss women composers and published the documentation *Swiss Contemporary Women Composers* [Schweizer Komponistinnen der Gegenwart]. A documentary and sheet music archives was opened in Berne in 1987 and in 1992 the women's music festival *Tip of the Iceberg* [Spitze des Eisbergs] was organized. The women's school of music Serpent for rock and experimental music was founded in Zurich, in 1993.

The group CH Film Women [CH-Filmfrauen] was founded in the German-speaking part of Switzerland as a forum for exchange and networking. It was concerned with the revision of the film law and with women featuring on panels and was able to obtain a seat for women on the Swiss Film Makers Association. The group is no longer active. The CUT association for women film specialists, which has been active since 1989, will issue a documentation of film and video making by Swiss women film makers in 1995. The renowned women's gala, attended by several hundred women from all film occupations at the 1993 Locarno Film Festival, brought publicity and networking among the film women. This will possibly develop into an umbrella association for all Swiss film women on the same lines as those in some European countries.

Actresses, women producers, dramatic producers, dramatists and theatre authors, particularly from the free theatre scene are organized in the association *Women in the Theatre* [Frauen im Theater (FiT)], founded in 1985. Women have better opportunities on the open scene than in the established institutions. The structures are less hierarchical and male dominated – but there is also less money to be earned. The FiT women have compiled statistics on the participation of women in theatre work as producers, authors etc. In 1992 they staged the *Ladies' Dramas* [Damen dramen] event where women authors read their plays. In 1994 they published a paper on the situation of women dramatists in Switzerland under the heading *Ladies' Dramas. Drama Ladies* [Damen dramen. Dramendamen].

The first literature festival *Exchange of Letters* [Schriftwechsel], where solely women writers read their works, was held in 1988 (in 1993 it was already staged for the fourth time). In 1990, Network of Women Writers [Netzwerk schreibender Frauen] was founded as a platform for information and discussion, but also to represent the women writers and
journalists in public. A bibliography of German-speaking Swiss women writers between 1700 and 1945 was published by a group of literature specialists in 1994.

The principal functions of all these different groupings and projects are the networking and discussions among the women, analysis and criticism of their current situation, working over the buried tradition, creation of the possibilities for production/performance/publication (according to branch), improvement of the financial situation of the artists (promotion and work grants, seats on sponsoring commissions etc.) and establishing a public profile.

Women are, of course, members of the mixed professional associations. The Swiss Writers Association [Schweizer SchriftstellerInnenverband (SSV)] and the Olten Group (Gruppe Olten (GO)), for example have some thirty percent women members. But these do not conduct a continuous women’s policy – the innovative discussions take place within the autonomous women’s organizations.

The sector painting/fine arts has a special position. Women artists have had their own organization since 1902, namely the Society of Swiss Women Painters, Sculptors and Artists (Gesellschaft Schweizerischer Malerinnen, Bildhauerinnen und Künstlerinnen GSMBK), since 1992 GSKB (Swiss Society of Women Artists) [Gesellschaft Schweizerischer Bildender Künstlerinnen]. It was founded in the French-speaking part of Switzerland because the GSMBK (Swiss Society of Painters, Sculptors and Interior Designers [Gesellschaft Schweizer MalerInnen, BildhauerInnen und ArchitektInnen] did not want to accept women members – a practice which did not change until 1972. A merger of the GSMBK and the GSBA failed because the male organization did not want to admit the textile artists direct to the GSMBK thus displaying a barefaced male disdain of a branch of art traditionally practised predominantly by women.

Special conditions applied in dance as well. The vast majority in the dance professions are women. Consequently the founding of a special women’s organization was not so urgent. Even so there are gender-related disadvantages for women. The majority of dancers are women but the choreographers, ballet directors etc. are predominantly men.

Integrated or marginalized

There is a striking difference in the statements of, on the one hand, women in the ‘traditional’ art forms e.g. literature or theatre and, on the other, those in the new domains like video or dance performance. It seems to be easier for women to find a footing in these new art forms which do not have a male-dominated tradition. “Dance performance is an opportunity for the emancipation of women in dance” says the dance performance artist Esther Maria Häusler. “For the performance breaks through the cliché of the soft, feminine woman.” And Erika Keil, a CUT woman, writes about video “All these examples mentioned are evidence of the variety of feminine access to this ‘new’ medium whose advantage is the shortness of its history. There are few forerunners and therefore formative ‘owners’. Its discovery is approximately contemporary to the political emancipation of women in Switzerland. That is where the recognition that women also work creatively starts. An upheaval and a new medium – what a chance!” (CUT)
The women active in art and culture have an ambivalent relationship to certain principles of the women’s movement. On the one hand they have consciously linked up in women’s organizations, on the other they hold back from the principle of a radical renunciation of the male-dominated world. They do not want to be called grumblers or be relegated to a women’s niche and rendered harmless – perhaps there is also a slight fear of making themselves unpopular if they are too aggressive and radical. Is this transformation to be understood as a “Leaving the tearful corner” (Veronica Sellier), as “Disposing of dangerous words like discrimination and sexism out of opportunism” as the writer Mariella Mehr criticises or as a concentration on the issue, independent of gender (Irène Schweizer: “I see myself first as a musician, then as a woman i.e. I do not want to be defined by my sex”).

At all events, these statements evidence that there is an uncertainty with respect to the place held by women in art: integrated? marginalized? outside? advancing? – The practice of a self-confident duality is most likely to be found among the musicians: a choice which is taken anew, in each case, between women’s and mixed projects.

A great deal has changed in a few years but there is no linear development in progress, the position of the woman is not clearly defined and not stable. Women artists move between progress and setbacks, and they react to these with differing strategies. The women in art and culture are still far from genuine equality. For example – as in politics, science and business – the higher the hierarchical step the fewer the number of women.

Promotion of women’s culture in figures

In 1992, the foundation Pro Helvetia Arts Council of Switzerland supported eleven German-speaking male authors with a total of Sfr. 330,000.– (an average of Sfr. 30,000.–) and six women authors with Sfr. 90,000.– (an average of Sfr. 15,000.–). Seven French-speaking authors received Sfr. 175,000.– (an average of Sfr. 25,000.–), two women received Sfr. 15,000.– each. In the Ticino one woman received Sfr. 6,000.– and four men a total of Sfr. 66,000.–. Three Romansch-speaking authors received together Sfr. 38,000.–, there was no woman amongst them. In 1994 things definitely looked better for women: in the German speaking-part of Switzerland eight women writers and four men received support, in the French-speaking part of Switzerland two women and four men, in the Ticino three authors and in the Romansch-speaking region three women writers. In the translation field, three women and one man received commissions.

The city of Berne furthered seven male authors with work-year grants and contribution grants in 1992. Various literature prizes were awarded to seven men and one woman.

In the plastic and graphic arts, in 1992, Berne supported three women artists and fifteen men. Works by two women artists and fourteen male artists were bought. During the eighties an annual average of 21.8% of the federal scholarships were awarded to women artists. In 1988, 45.8% of the candidates but only 17.8% of the winners were women. In 1991, 14% of the artists employed in Swiss museums were women, in art galleries the proportion was 20-27%.
In the music sector, in 1992 the city of Berne contributed performance funding for women or women’s music projects of Sfr. 11,500.-- whereas men received Sfr. 58,332.--. In the youth music sector all the funds went to male musicians. In jazz, one woman was supported with Sfr. 7,000.-- and four men with Sfr. 22,000.--. In 1992 Pro Helvetia commissioned two works from women musicians and six from men.

During the eighties, 10% of the federal film promotion contributions went to women film makers. With these the women produced 15% of the films. This means that women work on a smaller budget and they make more short features. A total of 64 female produced films and 339 male-produced films were supported. It is possible that this situation will change in future as an increasing number of women have seats on the various film panels. In 1993, ten of the twenty-four members of the Federal Film Commission are women, in the expertise committee four out of ten are women, and in the film award jury three out of five.

In 1988, only one of the fourteen plays staged at the Basel municipal theatre was by a woman. There was one woman among the eleven producers and of the three dramatic producers one was a woman. None of the ten plays staged at the Lucerne municipal theatre was by a woman, one woman and nine men were responsible for production and of the two dramatic producers one was a woman and one a man.

A great deal of the information about women in art and culture has been compiled by the – mostly unpaid – research work of women specialists in the relevant fields. There are virtually no official statistics or studies. The interest in disclosing and eliminating gender-specific injustices does not appear very urgent.

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Isabel Morf

Women in the media

Consideration of women in the media requires, on the one hand, a closer consideration of the women’s images in the media. On the other, it is just as important to examine the situation of women working for the media to highlight how difficult it is for women journalists and editors to present other women’s’ realities.

Women working for the media

There have been two studies in Switzerland recently providing information on the situation of journalists. In 1990 Angela Grosso Ciponte, on behalf of the Federal Office for the Equality of Women and Men questioned a large number of editor’s offices and print
media, radios and television about their women’s ratio, women’s advancement policy and the compatibility of family and profession for fixed-contract women journalists (cf. Grosso Ciponte). In 1994 the Swiss media magazine Plain Words [Klartext] conducted a poll among women who had completed the MAZ (Media Training Centre [Medien: Ausbildungs-Zentrum]) basic courses 1991 to 1993 on their current work situation (cf. Klartext 1/1994). The Klartext facit was the same for both enquiries “The media branch is no more open-minded with respect to the equal opportunities issue than other professional sectors”.

The outlook in the profession is not bad at the outset, on completion of training. The women’s proportion of MAZ graduates and of cub journalists at the editors offices covered was 48% or almost half. But later on equality is no longer assured. Grosso Ciponte discovered one third women in the editor’s offices. For those working full-time the figure was 29% for those working part-time it was 44%. Heads of sections were 29% women, at editor-in-chief level there were a paltry 18% of women.

The pattern for the MAZ graduates was: 53% of the men against 41% of the women were permanently employed. 17.8% of the men and 11.7% of the women held an executive position. Practically all the men in permanent employment were earning a wage in compliance with the Collective Labour Contract GLV standards but only two thirds of the women. 61% of the men were earning over Sfr. 5,000.– monthly but only 27% of the women. Less than Sfr. 2,000.– was earned by 10.7% of the men and 32% of the women.

Grosso Ciponte’s survey produced some surprising results with respect to the distribution of sections. The lowest proportion of women was in culture, namely with only 11% women editors. had more women Even the sports staff had more women, namely 16%. The proportion of women in the business section was 20%, in the foreign editors’ offices 25%, 26% in the inland section and 28% for the local features. Most women were to be found in the lifestyle/consumer issues and society section, namely 40%. These results do not correspond to the section choices of the 1991-1993 graduates. They put culture first, followed by current events/inland and local/regional.

In answer to the question of whether they were satisfied with their current profession situation, three quarters of the male MAZ graduates answered yes; but for the women it was only about half. – Hardly surprising!

Women’s Topics

Of course, it is important that women-specific themes or the viewpoints of women are dealt with in the media. And it is only natural that women journalists try to introduce these themes. But this has the fatal consequence of a split between ‘women’s topics’ in contrast to ‘general topics’. The ‘women’s topics’ are thus marginalized and left to the women journalists. In a talk on women and women’s topics in the media (cf. F-Frauenfragen 2/90), the journalist Eva Wyss recounted that as the only woman on a team of four she had not wanted to take over the ‘women’s topics’. The man who said he would be ready to do so wrote only one women-specific article. Otherwise women no longer featured in the paper. So there was nothing else for it and she had to take up the issues of abortion, maternity pay and criminal law on sexual offences.

During a discussion, Rea Brändle, culture editor on the Zurich Tages-Anzeiger in the eighties, described the differentiation between women’s and general topics in literature re-
porting. "In-house, I never rivalized with my colleagues who wanted to review 'the latest Gunter Grass' for example or another book which was predestined as the book of the season. But I was one of the first in the German-speaking region to write a comprehensive article on Marlen Haushofer's work. It was not always smooth running. I was often reproached that I was only interested in women's literature and not concerned with anything else. That was naturally not true, I always read men's books as well but I let the others review them because they were so keen. And so it soon came to pass that I became the 'women's reviewer'. That was my dilemma. I do not think it right when a whole subject area is in the hands of one person. For example when women's topics were only dealt with in the paper if a certain woman editor saw to it. These themes should be taken as a matter of course in the media. This position has improved in recent years." 

Women journalists often find themselves in a quandary with women's topics. If they refuse to let themselves get pushed into the 'women's corner', women-specific subjects are not treated at all or only superficially. But if they take on the job they are tied to these—often low prestige—subjects and they may even be reproached for being one-sided. If there is only one woman in an editorial team she often has the function of a token woman who is responsible for the women's topics.

Approach to work
That the differing socialization of women and men also has an influence in their profession is not surprising. This has advantages and disadvantages. In a survey among journalists by Bettina Nyffeler, the question of the difference in working styles of women and men as journalists revealed the following "The interesting result of the survey is that women are agreed on two points. Almost without exception the women journalists say that they show more empathy for their discussion partners i.e. that they listen and observe more and that they quote the person interviewed more frequently in their articles than their male colleagues." (Nyffeler 1990). And the women journalists were also agreed: "I don't chase after news as much and am more interested in background; scoop fever leaves me cold." (ibid.) The women journalists rate their lower self-consciousness, lower conflic tolerance and less career-furthering work methods e.g. in the choice of topics as negative characteristics.

In the discussion already mentioned, Rea Brändle also spoke about the developments in this respect in literary reviewing. "In the magazine section a mechanism which I thought had been overcome has recently re-emerged. A literature 'pope' is again in vogue in the magazine sections, an instance who gives marks, who grades and positions literature. That means, the importance of a literary work is gauged by the number of lines in the review and the status of the person reviewing the book. At the same time, in-house, among the editors, the value of the members of staff is judged by the books they are given to discuss. This implies a continual up-valuing and devaluing. I call this male because I have observed that men are much more ready to go along with such hierarchical games. I am not interested in such questions of status."

Advancement of women
In her survey, Gross Ciponte asked editors about their measures to further women. The results were meagre: 33% of the editorial offices claimed that they further women. Concrete measures quoted were gender-neutral advertisements for situations vacant (62%), pos-
sibility of part-time work for management staff (20%), career planning (14%), courses for women going back to work (10%). The most effective measure, a quota regulation, was known in only two editorial offices.

Feminist women's press

The situation in the feminist papers is different (cf. chapter 'From women's liberation to womanpower', p. 61). In Switzerland there are five papers which have been appearing regularly for years: the *Womens' Paper* [Frauenteig] *FRAZ*, *Emancipation* [Emanzipation] and *Woman without a heart* [Frau ohne Herz] in the German-speaking part, *Swiss Women* [femmes suisses] in the French-speaking part and *Forwards Women* (donnavanti) in the Ticino (closed down 1990). They are all produced exclusively by women and handle their topics from a feminist viewpoint. The *Red Magazine* [rote Heft] and *Steps in the Open* [Schritte ins Offene] are also produced by women though they are not explicitly feminist. None of these has to cope with the above-mentioned problems. But with others: they are newspapers which have not quite mastered the move to professionalism. They are produced as a sideline, mostly not by professional journalists. They cannot pay any wages or fees, which logically often has an influence on the quality of the contributions and sometimes on the motivation of the makers. Their circulation is low: marketing and advertising only restrictedly possible, which makes it difficult for them to become known beyond a narrow circle. The only exception is the monthly *femmes suisses* which works professionally with customary market wage rates for the journalists.

Women's images in the media

Sexist representations of women have not yet disappeared from the media. But there are counter-developments, women journalists who try to transmit other women’s images in their work.

"Now I deliberately look for women"

The TV journalist, Irene Loebell described in an essay in 1990 the difficulty of letting women speak more in her features – and on the screen – and not portraying a purely male world. "In the world, where I move as a journalist – in internal politics – there are still far more men than women. I meet them as politicians and as civil servants, in companies, associations and organizations." (Loebell 1990). But also as experts or interview partners, the men are always there first. And there is a certain dual function in deliberately looking for women as interview partners for the woman is not only required as a specialist but also as a token woman.

But there is one sector, according to Irene Loebell, where women are not under-represented in the media. Women are called for when they can speak as victims or personally concerned, where a human touch is required.

The woman journalist who wants to further the presence of women in her media soon finds herself in a dilemma. If she lets the woman speak in the role of the "personally concerned" with an emotional argument, and if she chooses men as experts, she merely cements the conventional clichés: If she does not interview women, she is depicting a purely
man's world and if she explicitly seeks out women who e.g. speak as experts and give objective statements she is inevitably making these women into token women.

As long as the social conditions do not change, women journalists are bound to be caught by these trip wires.

To facilitate the search for women experts, four journalists compiled an index of addresses in 1990 which ran to an impressive 440 pages. It presents and comments 367 women-specific contacts, organizations and projects together with addresses and presents 1205 women experts in 25 subject sectors.

Depiction of violence against women in the media

Alberto Godenzi studied media reporting of violence against women for the 3rd European Council of Ministers on the Equality of Women and Men. Acts of violence against women often come under the heading 'sex and crime' i.e. the reports are doctored to sell well and for easy reading. This entails a distortion of reality. For example, the extreme violence exercised by foreigners is emphasized although in reality men exercise violence far more frequently against women they know. The causes of the violence are individualized with the result that power-focused, women-hostile behaviour tendencies are blanked out. Even today, the women concerned are portrayed as amoral or naive, the violence against them as a kind of legitimate means of coping with a problem. The women’s reality, their suffering under such violence, is hardly touched upon.

Barbara Bürer, the journalist, is attempting to re-align reporting on violence to centre on the women's perspectives. In 1991 she wrote a several-part series on violence against women where she let the women themselves recount how they had experienced the violence. When asked about her motivation she says: "I have attended many court cases and had to listen to how the perpetrator could explain in detail whereas the woman’s viewpoint was bracketed out completely. She was talked about as if she were a mere object." For Bürer the question arises of how to write about violence without voyeurism. She decided to lay the emphasis of her reporting on how the women cope with the violence, how the act of violence influenced their lives – a viewpoint which is usually completely ignored in daily reporting where novelty is the runner (cf. chapter 'Violence against Women', p. 179).

Women in advertising

Women have been analysing and criticising the sexist treatment of women in advertising already since the beginning of the seventies. Now in the mid-nineties the subject is just as topical. It is true, there has been an increasing trend in recent years to see naked men – but only in publicity for products connected with the male body – and women appear as successful career women and car dealers as well. But in by far the majority of advertising women-hostile styles are still the main instruments.

In connection with the 1987 international guidelines for publicity and advertising, women are mentioned in a single word in a proviso which says that publicity should refrain from every gender-linked discrimination. In 1993, the Swiss Commission for Fairness in Advertising approved principles for the avoidance of sex-discriminatory publicity. These principles are however, formulated very generally and incorrectly. An accompanying explanatory text states “Pillorying matters (…) including stereotype behaviour
patterns and sex-polarization in advertising as unfair because they are sex-discriminatory cannot be incorporated in these Principles.” – The housewife with her washing will stay with us.

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Equal language treatment (German, French, Italian)
Isabel Morf
Women want to be mentioned – demands for a gender-fair German language

The town of Wädenswil made the headlines in 1993. The town council had compiled new municipal regulations in which all designations of persons had been feminized. For example, the regulations spoke about women workers, women presidents, women tellers, [Arbeitnehmerinnen, Präsidentinnen, Stimmenzählerrinnen] etc. In a preamble it was explained that the men were always integrated [wo/men] in the female designation (so called Legal definition').

The modification of language as a consequence of the change in consciousness and the changed social position of women started during the seventies. One of the first adjustments to the new circumstances was the replacement of Fräulein [Miss] by Frau [Ms., Mrs.] as form of address for unmarried women and the creation of the personal pronoun frau instead of man [one] when referring to women. (In Switzerland this applies only for the written language for in the Swiss dialect ‘me’, the male ‘Mann’ is hardly heard). The discussion of the generic masculine arose, that is whether women were included in male language forms like die Kunden, die Teilnehmer etc.

The German linguist, Luise F. Pusch, who examined the system of the German language from the feminine perspective demonstrated that the purportedly gender-abstractional masculine sometimes does include the women (“Die Tagungsteilnehmer besammeln sich um acht Uhr” [The congress participants will assemble at eight o’clock]), and sometimes it does not (“Die Tagungsteilnehmer sind mit ihren Frauen eingeladen” [The congress participants are invited with their wives]). Further, it is a fact that a male person is automatically associated with a masculine (personal) designation. For these reasons language-conscious women started to consistently feminize personal designations when they referred to women, and to use pair forms (die Velofahrerinnen und Velofahrer) for mixed groups.

1 Legal definition: An explicit definition at the beginning of the text that the masculine form applies for both sexes.
During the eighties various guidelines were compiled for the avoidance of sexist language. In Switzerland women linguists published the Guidelines for a Non-Sexist Use of Language [Richtlinien für einen nicht sexistischen Sprachgebrauch] in 1990 and revised and expanded them in 1991 (Häberlin/Schmid/Wyss). The fundamental concept of treating women “in spoken and written texts as independent human beings of equal worth with equal rights” is discussed in sixteen principles and the techniques for doing so presented. The use of female personal designations, use of pair forms, possible short forms and economical forms are named, avoidance of sexist expressions, preference of certain syntactical structures etc.

These innovations were gradually adopted in the press. Except in situations-vacant advertisements where they were adopted relatively quickly, short forms met with resistance. But pair designations like Ministerinnen- und Ministerkonferenz are encountered more and more. However, a plum can sometimes be discovered even in advertising copy. In 1993 a furniture company advertised that “Unsere WohnberaterInnen unterstützen Sie gerne bei der Verwirklichung Ihrer Ideen” [Our women furnishings consultants will be glad to help you realize your ideas].

Although the mid-word upper case I, was not invented in Switzerland it is considered Swiss speciality as it first came into widespread use here – particularly in the newspaper TagesZeitung (WoZ). It is a short form, a designation for both women and men which is particularly suitable for plural forms in written texts e.g. SchülerInnen, PilotInnen etc. From the example of this mid-word-I it can be observed that the choice of the feminization technique is also a political issue. In a parliamentary interpellation the mid-word-I was described as a “neo-left language alternative”, and the resistance to feminization focused increasingly on this mid-word-I.

At the beginning the opponents attacked the whole issue. Linguists found the feminists’ reasoning unscientific and for the man on the street it was clear: “The women are also covered by the masculine designation. Anything else is a violation of language,” the main strategies of the opponents were minimization and ridicule. This has changed with the gradual adaptation process. If it was customary ten years ago for a woman to say Ich bin Jurist” (“I am a lawyer”) today this sentence simply rings false.

In September 1987 the WoZ took the pair designation a step further as an experiment in feminized an issue (virtually) throughout. “Liebe Leserinnen (men are naturally included)” stood in the editorial. The issue roused some violent controversy.

Despite everything, the feminization of the language is making progress. Since 1986 the Federal Council has been considering equal language treatment of the sexes in the laws. In 1989 a working group was set up which submitted a report in 1991 on the equal language treatment of women and men in the language of law and administration. It presented various techniques (pair forms, short forms, sex-neutralization, sexual abstraction, syntactic formulation) and recommended the application of the “creative solution”, namely the most suitable form is chosen from the various techniques for the concrete case. In June 1993 the Federal Council resolved that the principles of equal language treatment be implemented in the law and administration texts and it commissioned the federal chancellery language services to compile guidelines and recommendations for equal language treatment.
(For French and Italian the Federal Council resolution applies only to administration language.) The *Guidelines for Equal Language Treatment in German* ([Leitfäden zur sprachlichen Gleichbehandlung im Deutschen]) was submitted to a postulate procedure end 1994.

In autumn 1992, the Swiss Conference of Directors of Education (Schweizerischer Konferenz der kantonalen Erziehungsdirektoren (EDK)) (ministers of the cantonal governments) presented regulations for the equal language treatment of women and men. However, these lag far behind the proposals compiled by the government working group for a creative solution of the problem – they are restricted to a listing of the recommended and banned forms.

In the cantons there is also some movement with respect to equal language treatment in law and administration texts – with the usual hesitancy of a federalist system. A survey by the central language service of the federal chancellery in the German-speaking and mixed-language cantons and in some of the largest towns disclosed the following position in November 1993: the cantons Aargau, Appenzell-Ausserrhoden, Berne, Basel-Land, Basel-City, Graubünden, Obwalden, Solothurn and Schwyz had found a solution oriented to the federal proposals. Glarus, Lucerne and Schaffhausen had regulations in preparation. Fribourg and Valais gave no information. Nidwalden, Thurgau and Uri were satisfied with minimal solutions such as legal definitions or the EDK guidelines.

In four cantons there was no regulation and none was planned. These include the Canton of St. Gall which approved the advocate’s law in September 1993 by resolution of the cantonal council in a version which does not comply with the principles of equal language treatment. But even the Canton Zurich, which, in practice, knows a parallel existence of pat forms (for natural persons) and generic masculine (for legal entities) is one of the canton without a regulation. Some cantons deliberated over the term Landammann, could not take to Landamtsfrau, and therefore decided to retain it. It is comforting that in Swiss-German pronunciation the -mann becomes an unobtrusive, and at least acoustically neutral, -me.

In the larger towns in the German-speaking part of Switzerland which were covered by the survey the spectrum ranges from “common sense” in Uster (with no details of what that leads to) to the comprehensive and differentiated regulation in the City of Zurich. Sceptical texters are soothed in its *Regulation for Equal Language Treatment* ([Reglement für die sprachliche Gleichstellung]): “The relevant texts may be formulated as freely as previously in the consciousness that humanity comprises women and men who should be treated equally in the language and named equally.”

In autumn 1993 a vote was taken in Wädenswil on the feminized and controversial council regulations. It was rejected. A few months later re-formulated regulations integrating pair forms – corresponding to the very first draft submitted to parliament in 1993 – were accepted.

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Thérèse Moreau

Madame la cheffe – why not?
Feminization efforts in French

One cannot talk about the feminization of the language in French-speaking Switzerland without considering the development in the other French-speaking countries. The feminization of French started in the seventies in Quebec (French-speaking province of Canada). Then it looked as if France would follow this step when the Minister for Women, Yvette Roudy introduced a commission for the feminization of job names, titles and functions. The recommendations of this commission were published on 11th March 1986 in the journal officiel but failed to have any concrete effect. Nevertheless, this Canadian and French preparatory work was useful for the women in French-speaking Switzerland because it showed both the road to be taken and the errors to be avoided. Since 1982 the newspaper femmes suisses reports on the discussions concerning the equal-language treatment of women and men and questions male-biased language. Under the impression of the controversies in the French language area, a group of linguists from various cantons met to compile a dictionary for feminine job names, titles and functions (Masculine-Feminine dictionary of professions, titles and functions [Dictionnaire féminin-masculin des professions, titres et fonctions]).

The group decided on a systematic feminization according to the rules of French grammar, as a palliative to all those who resist any grammatical changes in the language. They decided to upvalue seldom used forms which are however linguistically correct. In this way, on the same lines as SuisseSe, the ending -esse is taken up again for words ending in -issa in Latin. Female designations comprising a masculine form with a feminine addition (femme médecin) do not fulfil the requirements of equal language treatment because women can only be made visible and audible in the language by the systematic utilization of genuine feminine forms. The feminization of the personal designations can only be seen as a step on the road to equal language treatment. Other steps are essential to eliminate sexism from the language:

- Nouns like celles et ceux, toutes et tous
- Adjectives and pronouns should agree with the nearest term instead of systematically taking the masculine form (les vendeurs et les vendeuses sont compétentes)
- Alphabetic order (femmes et hommes, frères et soeurs)
- Phenate forms (député-e-s) etc.

Today it can be ascertained that the feminization of the personal designations has been a matter of course although editors still receive letters pretending that a certain feminine form is ridiculous. Numerous reporters, both women and men, use feminine forms and in September 1990 the association of French-speaking journalists resolved in favour
of feminization. The Swiss-French Association of Career Consultants [Verband der Berufsbetreterinnen und Berufsbetreter (ARCOSP)] re-issued all its brochures and information sheets – in non-sexist language. The painting competition in the children’s paper Jakarta, as part of the campaign Jobs don’t have a Sex [Berufe haben kein Geschlecht] was able to arouse the awareness of thousands of children. The ARCOSP commission An Other Future [Eine andere Zukunft] decided to use some of these drawings for their card series to promote a non-sexist language. The same association decided to consistently employ non-sexist language in its newspaper. This helped to sensitize the readers and made it clear that it is possible to take women and men into account equally in language.

Anyone who actively supports a gender-correct language will have to expect considerable resistance. Many people fear that a non-sexist language is clumsy and unreadable. The influence of France, and above all the general over-valuation of the Académie française acts as a brake in the French-speaking part of Switzerland. Feminization is making slow progress. The Swiss-French are still too timid and still look on their French neighbours as the linguistic authority. A change in awareness is becoming noticeable, both in the administrative structures and among private individuals but this does not always have an effect in practice. Thus, for example, there was a public discussion on the subject at the University of Lausanne but it was not possible to formulate guidelines which would have been viable for all faculties.

There has been a Federal Council decision since June 1993 that in German, in both administrative texts and the wording of the law, the claims for equal language treatment should be met. Parliament resolved that this bill should be restricted to administrative texts in French and Italian. Thus a chance was clearly missed for the French-speaking part of Switzerland. Although well aware of the linguistic and cultural problems, the French speaking feminists were very disappointed that parliament chose a solution for French that differed from the German solution. For them it was incomprehensible that the women, feminists and linguists had not been heard first. The different treatment of French was defended with legal arguments. But it is an established fact that jurisdiction has always lagged behind and has even been sexist when it came to a question of women’s issues and language problems. The argument that the masculine form also includes women suddenly did not apply at all, when women wanted to deduce their right to vote by this logic.

With this decision Switzerland is taking a step away from Europe. For the Council of Europe recommends the adoption of a New Language (in French nouveau langage, see Recommendation No R [90] 4 of the Comité des Ministères aux Etats Membres sur l’élimination du sexisme dans le langage et exposé des motifs, Strasbourg, 6th June 1990, EG [90] 3) so that optimum social and cultural conditions are created for the realization of equality. Belgium has already realized this principle. Since 1988 all official texts there have been edited with a view to a non-sexist language. In the name of his government, the Belgian prime minister announced, on 8th March 1991, a revision of the constitution, which is currently in progress. This will eliminate the male language and will permit access of the women of the royal family to the succession and to the office of senator. What is feasible and French in Belgium should be equally so in the French-speaking part of Switzerland. In

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identically, the Canton Jura introduced guidelines for the feminization and non-sexist language of texts in law, legislation and administration on 6th December 1994.

And something else: in Portugal, in Quebec, in the USA and elsewhere Human Rights (Droits de l'Homme) are officially called Personal Rights (Droits de la Personne). It is time that this was also the case in Switzerland at cantonal and at federal level. The news re-minds us often enough that women are also the victims of injustice, war, arbitrariness and violence.

bibliography

Frances Cleis
Notes on a directress wanted. On the feminization debate in Italian-speaking Switzerland

Until 1991, and the report published by the federal chancellery Equal Language treatment of Women and Men [Sprachliche Gleichbehandlung von Frau und Mann – unità tra donna e uomo nel linguaggio normativo e amministrativo] no one in the Ticino, the Italian-speaking canton of Switzerland, had anything to do with the feminine forms in language and feminine usage officially and no one did anything about it: The only exception was Prof. Ottavio Lurati in the article which appeared in The 1985 Almanac [Il Almanacco 1985] under the title Ms. Federal Councillor Kopp! [Il consigliere federale Signora oppo?!] where the author reasoned strongly in favour of the feminine terms consigliera (woman Federal Councillor [member of government – minister] and avvocata (woman solicitor) and in the text by Anna Maria Gadient Feminism and Language [Femminismo e lingua] which appeared in the same publication.

To think of oneself as a woman, to define, name and be named as a woman, became extremely important in Italy in the early seventies with publication of Luisa Murano's translations of the philosopher Luce Irigaray. The questions in this context were discussed enthusiastically in Italy. But only with the appearance of Alma Sabatini's slim volume Sexism in the Italian Language [Sessismo nella lingua italiana] and the associated Guidelines for a Non-Sexist Use of the Italian Language [Raccomandazioni per un uso non sessista della lingua italiana], published by the Executive Committee of the Ministerial Council in Rome, did the violent controversy spread as far as the Ticino.

For the Italian language problems in the Ticino are of a quite different kind. The predominant concern there is about the infiltration of foreign expressions into the Italian language, the loss of the dialect, bi-lingual and foreign-language trends, the language of the young people and the question of whether German and French should be taught in the primary schools.
1991, the Cantonal Council convened a cantonal commission (comprised entirely of men and civil servants) to deal with the federal recommendations – which had come like a bolt from the blue – whose task was, in conjunction with the delegate for women’s issues, to compile proposals for the equal language treatment of women and men in the administrative sector.

In the same year (1991) the cantonal commission submitted General Rules [Regole generali] which were accepted by the state chancellery. These comprise a short index listing all offices and professions both in the feminine and in the masculine form and indications to avoid sexist use of language with alternative suggestions and practical examples. In compiling these Regole the commission followed the recommendations of the above mentioned work by Sabatini. Thus it is recommended that the suffix -essa, which has negative connotation, as also uomo and uomini as the collective term for individual and for man and woman be avoided, on the other hand un/una (one m/f) should be introduced instead of un (as the latter is understood as exclusively representing the male sex). And finally it is a question of the introduction of the grammatically unproblematic but unfamiliar feminine forms like ambasciatrice (ambassador), direttrice (woman director), deputata (woman member of parliament), procuratrice (woman prosecuting attorney), consigliera (woman councillor), avvocata (woman solicitor), ingegnera (woman engineer) ispettrice (woman inspector), sindaca (woman mayor) etc.

In practice the situation is quite different. That women want to make themselves visible in language is still, at the beginning of the nineties, tacitly glossed over, wilfully ignored or belittled as too exotic. The press and the electronic media continue to use the male forms for professions exercised by women (“L’avvocato Carla del Ponte è sempre sulla crestà dell’cronaca come procuratore pubblico... The barrister Carla del Ponte is always in the head lines as prosecuting attorney ...”) and in new legislation and official regulations the explicit naming of women and men in the pair form is omitted. The rejection of the claim for the equal language treatment is the rule, the relevant formulation regulations are as unnecessary bureaucratic red tape. Pair forms are only found in the situations vacant (largely due to the federal provisions in this respect) but here only when jobs are to be filled at the lower rungs of the corporate hierarchy – a directress has never been advertised for to date.

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Work – Profession

Lynn Blattmann
The term work

Work is a centrally determinant factor in all our lives, even if work has a different meaning for women and men in Switzerland (and not only here). Originally work was understood, according to Düden, as “heavy, physical effort, toil, drudgery” but in the course of the past two hundred years the implication of the term has changed to such an extent that today ‘work’ simply means paid occupation. A consequence of this change of meaning for the whole concept of work, its restriction to work as paid work, is that the numerous unpaid activities of women are often no longer considered as work, even by the women themselves.

Women work hard and get little from it

In the work sector the consequences of the ‘small difference’ between the sexes is still very noticeable and have by no means been overcome today. Earning money is primarily men’s business whereas the lion’s share of unpaid work is still women’s work. The question of who does what work in a society is neither unimportant nor a marginal problem, which will quasi automatically solve itself in the course of the movement for equality. The results of equal opportunities are nowhere as meagre as when it comes to the redistribution of work between the sexes.

The influence of gender-specific division of labour is enormous, because whether one’s own work strength will be invested in paid or unpaid work is decisive. Whereas considerable efforts have been made during the last hundred years to permit women access to paid work, the effort on the male side towards increased participation in house and family work has been minimal. Concretely, this means that women have been doing more and more paid work whereas male participation in unpaid work has risen only marginally. However, without a redistribution of the unpaid work to cover both sexes the rise in women’s paid work entails an increased double burden for women.

It is undisputed that unpaid work on a significant scale is essential for every society but that this work should primarily be left to women is increasingly irreconcilable with serious intention of equal opportunities for both sexes. Today, according to the estimates available, the men in the Canton Zurich do only half as much socially necessary voluntary work as the women (Blattmann/Meier). On the other hand men earn double the income and own one and a half times as much.
Men also undertake work that is not directly paid in money. Primarily they do this in the field of voluntary association and political work. But it soon becomes clear that such unpaid men’s work is linked with social prestige and various influential possibilities.

The middle-class family ideal and its consequences

The division of labour between the sexes, as described; reflects the traditional middle-class family with a father and husband who is the breadwinner of the family and a mother and wife who is responsible for the reproduction and rearing work (cf. chapter ‘Families – Forms of Living’, p. 73). If the aim is to be equal opportunities for women and men on the labour market, then a simultaneous redistribution of work in the private and family sphere is essential. For more than a hundred years, the middle-class family ideal prevalent in Switzerland cemented the division of labour according to the sexes and with it the labour market, the pay-gap and the career prospects for women and men.

This model of division of labour between the sexes which still characterizes social structures today, disadvantages all women who do not live in traditional middle-class family structures. Only women who scarcely have professional ambitions and who live all their life after marriage with their husbands, the fathers of the children, (and he with them) profit from these structures. For all other women – the divorced, the unmarried and the single parents – this system of the breadwinner marriage, where the husband’s wage is at the same time family wage, has considerable disadvantages. In recent years the number of these ‘other’ women has increased progressively, the families have changed. New forms of living increasingly question the basis on which the traditional division of labour is founded.

Despite these developments the working world is still rigidly oriented to the long outmoded image of the family. The main losers are the growing group of single mothers and older women who live without a partner. According to the inland revenue statistics for 1987 it is clear that in the Canton Zurich almost two thirds of the women not living with a husband do not have Sfr. 30,000.— net income annually, or these women have less than Sfr. 2,500.— a month at their disposal (Blattmann/Meier). In other words: today women are just a husband away from poverty. The recent recession accentuates these disadvantages for women drastically and shows once more the shady side of the division of labour between the sexes (cf. chapter ‘Being a woman: poverty risk’, p. 146).

Recession and crisis in paid work

There are signs of considerable change in the work sector in the coming years. Recently, there has been repeated talk of a ‘work society crisis’. However, this does not imply the urgently necessary redistribution of work discussed above. It rather implies that paid work is continually decreasing and the numbers who are out-of-work will rise. On the other hand unpaid work due to the rising number of the elderly and the shortage of public
funds, is increasing. But, if nothing is done to change the distribution of work between the sexes the situation where the additional unpaid work is done by women will remain.

Labour market

The distribution of paid work is regulated by the labour market. It is distributed according to demand in the form of more or fewer jobs. Today there are rather fewer jobs which makes the competition for these fiercer. A job implies a full-time position, a 100% employment. This is the norm and social security is oriented to it. Thus everything from children’s benefit over old age pensions to unemployment insurance is linked to this norm. Interruptions in paid work, family phases or part-time jobs constitute deviants from the norm and are consequently sanctioned with reduced social security (cf. chapter ‘Social Insurance’, p. 149). The labour market is tailored to a male biography, a fact which presents considerable difficulties for women when the economy is booming, but which multiplies in times of crisis.

Gender-specific labour market

The breakdown of the workforce according to the professional position discloses several differences between the sexes clearly. In the group of employees without management functions 62% are women, among men there are 43%. If the work force is broken down according to sex and professional status, further clear differences are disclosed. Men make up 70% of the self-employed, 82% of the employees with director ranking and 71% of the employees with management functions. Expressed from a different angle, nearly three quarters of the working women are employees without management functions, in contrast to only half the male workforce. Male employees with management functions are twice as frequent (35%) as women (16%). This under-representation of women in responsible positions cannot be attributed solely to women holding more part-time positions. If only the full-time employees are taken the breakdown is 44% men against 26% women (cf. Federal Office of Statistics). This crass disparity between the sexes shows that the familiar pattern of division of labour and power is carried over unchanged into paid work.

Another interesting feature is the analysis of the working situation if there are children in the household. Men with small children at home more frequently have a responsible professional position than men without children; for the women the position is reversed: children appear to imply an impediment to a professional career for women (cf. Federal Office for Statistics).

Part-time work

The more numerous part-time jobs which have been created in recent years are not well secured and mostly restricted to the lower echelons without chance of promotion. Many of these jobs have, particularly since the beginning of the nineties, proved to be in-
secure economy-boom jobs to tempt women on to the labour market. More than half of all the women in Switzerland are engaged in part-time work at the beginning of the nineties, whereas barely 10% of the men have a part-time job. It is not primarily the women with family commitments who look for part-time jobs, only about one third of the working women are mothers. The higher proportion of women with part-time paid work is thus linked to the biased division of the housework between the sexes. Further, women’s wages are lower than men’s wages. Besides the redistribution of the housework fairly for both sexes, women and men must have the same access to higher ranking jobs on the labour market, which guarantee them an assured existence in a part-time employment.

Working quotas

In recent years figures have been published repeatedly showing that the proportion of working women, taken against the women able to work, has been increasing steadily. The impression was given that it was only a matter of time until both sexes did the same amount of paid work with equal opportunities. But this picture is deceiving. In Switzerland today the percentage of working women is hardly higher than it was 100 years ago. After an up-swing until 1910 there was a crush regression lasting for thirty years.

Since then there has been a more or less marked increase in women’s paid work in most European countries. A comparison with other West European countries shows that there are not more working women than in the poorer countries. Rather, the fundamental social-state pattern and the social values of the states on the quality and quantity of women’s work outside the home is decisive. Only the trend to egalitarian work relationships, as in Sweden and Denmark, creates a significantly higher proportion of women doing paid work. Similarly, the example of Sweden shows that expensive and sound outline conditions (e.g. childcare arrangements) alone – despite the high quota of working women – does not entail equality of the sexes as long as women do not insist on the redistribution of housework and the ‘women’s and men’s jobs’ (cf. chapter ‘Careers’, p. 134).

Co-working members
of the family

Co-working members of the family in agriculture or in trade are mostly women who work in the family business, accounting for 72% in this category. This is a low-profile activity which takes place in the background and is reminiscent of the house and rearing work of women in many respects. This work is largely a women’s phenomenon. Women are in the majority alone in this category of co-working members of the family, in a category with certain specific characteristics: There is usually a lack of concretely defined conditions of labour, if at all a verbal contract is concluded. Members of the family often work for a very low wage or none at all (Federal Office for Statistics). The low wage or lack of remuneration for members of the family has serious effects on the calculation of the social insurances (cf. chapter ‘Social Insurance’, p. 149). Again, in the event of di-
voice, women who have been working in the family business without a wage suffer numerous disadvantages.

Lack of work-unemployment

The percentage of women affected by unemployment is higher than that for men. In April 1994, there are some 4.7% unemployed men against 5.2% unemployed women. There are two distinct reasons for this development. Firstly, there is the gender-segregation on the labour market. 70% of the working women are engaged in the services sector, particularly in trade, banks, insurances, sales, health sector, education and teaching and in the civil service. During the recession of the nineties this sector is also hit by the reduction of jobs: In the office jobs women suffer over-proportionally with 62%. The second reason for the higher unemployment figures for women is to be found in the higher incidence of part-time work. Part-time jobs are among the first which are rationalized-out in a crisis. The third reason to be named is that women are dismissed more quickly than men on the grounds that they are ‘second income’ earners or that, as employees with care commitments, they are not flexible enough on today’s labour market.

The reality of recent years shows that women may lose their paid employment but this does not signify that they are out of work. On the contrary: when women become unemployed they often do more unpaid work. In contrast, unemployed men may effectively become out of work, when there would be a great deal of socially necessary but unpaid work to be done. The gender-segregation of labour prevents the men from participating in the unpaid work.

If it is said that women can merely ‘lose their job’, which is not so bad, this implies the traditional image of the women as housewife and mother – and in every crisis that has fatal repercussions on women’s employment. The reserve – i.e. women – must be brought back to the stove. Every recession in this century has treated women like seasonal workers in their own country.

If the situation for women who are out of work is to be improved the federal and cantonal job-creation measures must be extended to sectors for which women have the necessary know-how. Concretely, women are demanding measures in the services sector. However, it is still primarily the male-dominated sectors like building and the metal and machine industry which benefit from job-creation measures. To alter the much stronger disadvantage of women by unemployment it is essential that the WORK FATE [pun: in German the hyphen changes ‘work-less’ to ‘work fate’] in the non-employment sector which would, in the first place, concern men who would have to do their share of socially necessary but unpaid work.

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Marie-Thérèse Sautebin

Careers

Choice of job: the gender differences remain

The average level of education of girls has risen in recent years and the girls have already overtaken the boys with respect to school results. Nevertheless, the choice of training or further education and thus the choice of occupation is still largely determined by the stereotype roles of the sexes (Figure 1).

Figure 1
The top 10 job choices of women and men 1990–1991

<table>
<thead>
<tr>
<th>Women</th>
<th>0%</th>
<th>5%</th>
<th>10%</th>
<th>15%</th>
<th>20%</th>
<th>25%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chemist's assistant</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dental assistant</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Doctor's assistant</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Auxiliary nurse</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hairdresser</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nurse</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office worker</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial diploma</td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sales assistant</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial employee</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

| Men                     |    |    |     |     |     |     |
| Electronics technician  |    |    |     |     |     |     |
| Mechanic                |    |    |     |     |     |     |
| Farmer                  |    |    |     |     |     |     |
| Draughtsman in structural engineering | | | | | | |
| Salesman                |    |    |     |     |     |     |
| Motor mechanic          |    |    |     |     |     |     |
| Commercial diploma     |    |    |     |     |     |     |
| Carpenter              |    |    |     |     |     |     |
| Electrical technician  |    |    |     |     |     |     |
| Commercial employee    |    |    |     |     |     |     |

The Federal Office of Statistics [BfS] attempts to explain why the segregation persists: “It can be assumed that the young people have already significantly absorbed this orientation differential: a process which leads to a self-restriction on the part of the girls prevent-
ing them from following career or occupational objectives which diverge all too strongly from their expectations for the future. According to this hypothesis the young women undertake a realistic self-appraisal before choosing their occupation and make a choice which promises a largely problem-free integration and a normal working life (…).” (Federal Office of Statistics). Potential or factual maternity continues to influence the occupational career choices even if young women today make a much more decided choice in favour of a working life than their mothers' generation did.

Access to the world
of paid work: work activities,
under-employment,
unemployment

More women are doing paid work today than in the seventies but they still have a series of specific hurdles to take and discriminations to overcome in the course of their working life. Access to a paid job is still via the labour market where occupational sectors and jobs are still largely segregated according to the sexes. The branches and occupations where women are in the majority (health, teaching, office) are set against those which are almost exclusively occupied by men (technology, industry, trade) as shown in Figure 2.

Figure 2
Gender-specific work
in a breakdown of professions
according to sector, 1991

<table>
<thead>
<tr>
<th>Occupation</th>
<th>20%</th>
<th>40%</th>
<th>60%</th>
<th>80%</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personal services¹</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office occupations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Others</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Goods services²</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agriculture and</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>animal husbandry</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technical occupations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade and industry</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Men</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

¹ health care, teaching, media, art, spiritual welfare
² sales, transport, post, law & order, guest and hotel industry, cleaning, hygiene

Source: Federal Office of Statistics 1993

According to Federal Office of Statistics surveys the following activity sectors are typically feminine: health (80% women), hotels and catering (79% women), cleaning, hygiene and body care (70% women), textile industry (66% women) and sales (60% women). The office jobs with a ratio of 55% women are mixed-type. Virtually exclusively in male hands are building (2% women), machine and metal industries and the timber processing industry (5% women each), mining industry (6% women). The following sectors have a somewhat higher women’s ratio: chemical and food industries (10% and 13%
women respectively), security and law and order services, transport and technical occupations (13% women each), science (20% women) as also services, marketing and art occupations (each 26% women).

But even in the occupations where women and men are practically equally balanced as, for example, the office jobs, they are not really mixed: women and men do not hold the same positions, do not have equal-value training and do not have the same access to management positions (cf. chapter 'The position of equality in schools', p. 101).

The horizontal segregation of the world of work constitutes a major impediment on the way to vocational equal opportunities and has a decisive effect on the occupational careers of both sexes.

The repeatedly proven fact that paid work does not have the same status for women as for men has a comparative influence. For women it is not a matter of course to go to work for the whole of their life. Whereas by far the majority of men (9 out of 10) are employed full-time without interruption, women mostly have interruptions in their careers and/or work part-time. This means that part-time work – particularly if it is a case of a minimum employment – together with so-called atypical work forms and the unprotected working conditions leads to a marginalization of women on the labour market. "Women find themselves in an employment-related situation without protection some four times as often as men." (Federal Office of Statistics).

The vocational careers of women continue to be influenced by the structural outline conditions of a pronouncedly sex-differentiated, hierarchical-structured labour market. In addition there are the family risks (which must be coped with individually) and the economic risks. Flexibility and lack of protection characterize the overall paid-work activities of women and influence the individual careers.

This situation – the discriminatory forms of employment and the quantitative and qualitative under-employment of women – has been accentuated by the 1992/93 economic crisis. Unequal treatment and discrimination is rising sharply. The euphoric period around 1990, which was characterized by a lack of skilled workers, actuated a temporary wave of sympathy for women (media reports, internal promotion measures in companies and the civil service, women's part in the government further training offensive). Engagement and advancement of women was now to be encouraged.

The rapid rise in unemployment figures also affects the reservoir of the women's workforce. Increasingly more women are out of work. But in contrast to the crises of 1975 and 1982 the women do not just go back to the stove, they keep looking for work. The women have changed their behaviour, paid employment has become more a matter of course for a large proportion of women even if they still withdraw more rapidly than men. On the other hand, the economic necessity for women to work has risen. More women must see to their own upkeep (single and divorced women) or assure the family income if the partner no longer has a regular or sufficient income due to unemployment, bankruptcy or wage cuts. For this reason women will return to work increasingly frequently due to sudden necessity and the process will not be as gentle and gradual as previously.
The influence of the family

Occupational activity and return to work are part of life for most women. A survey of the occupational careers of (not single) women in the early eighties differentiated between four typical biography patterns: 26% of the women gave up their paid work for good when they founded a family, 20% had a double burden, 30% changed several times between paid work and family commitments and 24% interrupted their paid work for a prolonged period and then returned to work (Borkowsky et al.). Today, ten years later, when the occupational activities of women have increased, the pattern of women’s careers presents a different picture. Firstly, there are fewer women engaged exclusively in housework and the number of changers has risen (Calonder Gérster). Secondly, the three-phase model (work-interruption-return) is less widespread, whereas more women work without interruption part-time and flexibly (Messant Laurent). Flexible working hours and various forms of atypical working hours are widespread today primarily among women who wish to combine work and family. Previously, in contrast; these women tended to interrupt their work once or several times. Thirdly, with respect to women’s careers, today the number of women who change between extensive and minimum part-time hours according to individual needs or the conditions on the labour market is increasing.

Summarizing, it can be said that “the interruptions in working are decreasing in favour of a continuous career for women” (Messant-Laurent).

But hardly anything has changed with respect to the division of labour within the family. It is still the women who do by far most of the work in the family and have to see how they can cope with family and job. The serious shortcomings in family politics, in the care facilities for children and the elderly and in the employment politics contribute significantly to this retention of the stereotype roles of the sexes. State employers and private companies are seldom prepared to introduce concrete improvements for the family (cf. also chapter ‘Family policies’, p. 79, ‘Childcare outside the family’, p. 94, chapter ‘Labour market’, p. 131, chapter ‘Social Insurance’, p. 149). Whether a woman opts in favour of changing between family and job or takes on both depends primarily on the social and political environment.

A paradoxical development

The rising participation of women in working life and the simultaneous continuity of marked discrimination of women is a striking paradox which is typical of our times. Women have made good quantitatively over the past 15 years but without any qualitative improvement in their situation. With the changes described with respect to the situation of women on the labour market and the individual and social coping with vocational and family careers Switzerland is rapidly falling in line with the prevalent tendencies in Europe.

Granted, under pressure from the women’s organizations and the women’s movement as also from certain political and economic circles, women’s promotion programmes with numerous measures to breakdown the most patent discriminations have been compiled in many places, and even implemented in part (e.g. the initiative Deeds not Words [Taten
stalt-Worte). However they could not achieve any significant narrowing of the rift between male and female work. This is shown particularly clearly by the fact that these programmes which were created when the economy was booming and there was a shortage of labour, soon came under pressure when the labour market shrank and with the desolate position of the public finances. Again, the campaigns and publications of the equal opportunities offices on choice of occupation, criteria for work appraisal, on the increased engagement and promotion of women in public administration and private enterprise can only reach a restricted number of women (cf. chapter 'The Federal Law on Equal Opportunities for Women and Men', p. 38).

Bibliography


Claudia Kaufmann

Equal pay for women and men

Legal basis

Article 4, paragraph 2 of the Federal Constitution 'equal rights for men and women' which has been in force since approved in the popular vote of 14th June 1981, guarantees in its third sentence “Men and women are entitled to an equal wage for equivalent work”. This precept of equal pay presents a directly applicable right for all working women, and men, irrespective of whether an employment relationship under public or private law be concerned. With this direct effect, even in the relationship between individuals, atypical in constitutional law, the electorate wanted to take the importance of equal pay into account with a breakthrough permitting possible court enforcement of the right. Previously it was only possible for employees under public law (i.e. civil servants) to obtain court enforcement of their right to equal pay in comparison to their colleagues with the backing of the binding equal pay provisions of the ILO conventions.

The precept of equal pay guarantees not only an equal wage for equal work but also for equal value work, an extension which is most significant in practice. The concept of equal value work not only goes beyond that of equal work but also beyond that of work of the same kind. This means that the criterion equal value covers a comparison between work of different types, whereby comparison by an objectively definable gauge must be possible. In the concrete case the question is always: how similar must two jobs be to qualify as being of equal value – or more pointedly: how different can two activities be to be considered of equal value?
Various appraisal methods to ascertain wage discrimination

At international level, in all the countries for which statistics are available, women receive lower wages than men. The pay differential is on average 30-40 percent and there is no sign of it decreasing. The question of how high the pay differential expressed as a percentage is in Switzerland cannot be answered sufficiently precisely from the current data resources. Various studies in this respect choose differing comparative groups, methods and explanatory factors and consequently arrive at different results, but all show that in Switzerland women are not as well paid as men and that there is still a significant pay differential here. Taken for the whole of the women and men in the workforce at the beginning of the nineties, a man earns an average of Sfr. 4,620.– monthly whereas a woman only earns Sfr. 3,319.–. It is striking that the average differential of some 30 percent in the various branches is hardly subject to significant fluctuations or deviations. Even if this gender-specific wage differential according to the annual BIGA (Federal Office for Industry, Trade and Labour [Bundesamt für Industrie, Gewerbe und Arbeit]) wage survey cannot be equated with the discrimination rate, it is an important indicator for this problem complex.

This is supported by various wage surveys, particularly by a study which has been conducted regularly in recent years on Swiss management salaries and the occupational situation of new graduates from the Swiss universities. These disclose a trend that the discrepancy in salaries of men with the same level of education is all the more marked, the more time and effort the women have invested in their education. A comparison of upper echelon salaries in over 300 Swiss companies showed that in 1993, with an average wage of 120,000 Swiss francs there was a wage gap of over 30,000 francs against the women. This demonstrates that women in management positions still earn considerably less than their male colleagues.

Despite proven wage discrimination only few equal wage court cases

Since the equal wage precept has come into force there have not been 20 cases of women pressing their claims for equal pay in court. Even if additional disputes have been settled out of court or by court settlement, the low number of wage cases is striking. Salient features in the analysis of the various cases are:
- The majority of the wage cases concerned employees of cantonal administrations who benefit from a significantly better dismissal protection than their colleagues in private enterprise. Consequently, it is hardly surprising that the few claims with respect to private law employment relationships were all filed only after the employment relationship had been terminated.
- In most cases the legal dispute concerned occupational activities which are for the most part exercised by women and therefore represent traditional ‘women’s work’. The occupations of nurse, handwork teacher, domestic science teacher, kindergarten teacher and sec-
retary were claimed to be under-valued and under-paid in comparison to the reference occupations exercised by men.

- By far the majority of the women pressing charges conducted their case successfully and were found to be in the right by the courts. Nevertheless, for all the women bringing charges the legal procedure implied an enormous strain, and besides bearing the financial risk it also implied pronounced psychic stress. The court proceedings, some lasting several years, often exploiting all instances to the full up to Federal Court level, the enormous difficulty of the onus of proof which falls one-sidedly on the woman petitioner, constitute concrete barriers for most working women to pressing their right to equal pay themselves.

- Lack of transparency in wages, fear of pressure at the workplace and of dismissal as well as enormous court case risk are the most important factual barriers for court enforcement of equal pay. Another factor is that when women engage themselves for higher wages they immediately become competitors for their male colleagues, expose themselves and are looked on as women’s rights militants. The necessary public voicing of a controversial, socio-politically explosive subject demands a self-assurance and self-understanding of the woman, which requires intensive confrontation with her woman’s role in the world of work, family and society.

Relevant factors in wage discrimination

As implied at the outset, the greatest difficulty in the implementation of the precept of equal pay is the assessment of the equal value of two kinds of work, namely in the determination and subsequently in the appraisal of the evaluation criteria.

Gender-related wage discrimination is primarily found in segregated activities, that is at workplaces which are exclusively or predominantly occupied by women, particularly in the industrial sector. Frequently this concerns the unskilled and semi-skilled working women where there is an above-average proportion of foreign women.

In qualified work it is less the workplaces and individual operations which are gender-specifically organized and pose the question of equal value, but the frequently poor remuneration which concerns the entire women-specific occupation, training for it and the relevant evaluation. These typically women’s occupations (in the first line teaching, social and care-oriented) have a common factor: the disdain for and under-valuation of women is apparent in the lower wage level jobs, however different they may be. In the work evaluation leading to wage discrimination one element is that work which is traditionally done by men is rated higher but then the same elements in typically women’s work are often ignored. Thus, for example the criterion of physical effort, frequently a relevant factor in work done by men, is a wage promoting element, sometimes a very weighty one. In contrast the same criterion is frequently under-rated at so-called women’s workplaces, for example the women at supermarket checkouts, or not even taken into account even if the physical effort is ergonomically medically proven.

Finally, another factor which may lead to direct or indirect wage discrimination, marital status disadvantages. Either in the form of obvious discrimination as with the pay rise
for married men customary in the bank sector here in Switzerland until recently, or concealed with the grant of marital-status-linked benefits in the civil service (household allowance, location allowance etc.) which, formally, both sexes would be entitled to draw, but which factually disadvantage women. Behind these marital-status-linked disadvantages there are always the same traditional role images and role allocations which also lead to direct gender discriminations.

Equal wage must not be exclusively a court matter

In future, the court channels must not be the only way of enforcing equal pay. This implies a major responsibility for the social partners. Above all in the negotiation of collective labour agreements but also in the conclusion of individual employment contracts and in the determination of salaries for civil servants the constitutional precept of equal wage should be taken into account more. For its part, the Federal Council (governent) provides an instrument which it should apply more effectively in future: in the course of the declaration of the generally binding nature for collective labour agreements it should examine the implementation of equal wages as a prerequisite.

Wage disadvantages for women are the pool for the discriminations and impediments which women have to put up with on the labour market as a whole. Fewer chances of further training, segregated world of work, reduced chances of promotion, lack of part-time work in responsible positions, double and triple burdens such as disadvantages in training and further training finally contribute, directly or indirectly, to women very often being disadvantaged with respect to salary. To really be able to realize equal wages a comprehensive equal opportunities policy is required and not just equal pay measures.

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Corinne Panchaud.

Legal provisions in employment

Protective provisions and international conventions

On an international comparison, Switzerland is one of the countries which has introduced only minimum protective provisions. Of the, to date, 23 international conventions specially concerning women - in the work process, only 10 have been ratified by Switzerland. Thus, Switzerland has not ratified a single International Labour Organisation (ILO
with its headquarters in Geneva) convention demanding motherhood protection and the protection of breast-feeding mothers and aiming to largely eliminate gender-related discrimination. After withdrawal from the ILO convention No. 89, at the end of February 1992, which was the basis for the prohibition of night work for women in Switzerland, the convention no. 171 of 1990 which aims to improve conditions for all women who work at night, has not yet been signed and ratified.

The Swiss Code of Obligations (OR), the Labour Law (ArG) and the pertinent decrees include special protective-provisions for women (position: end 1994). They are restricted to protecting the ability of women to give birth and take consideration of the special role of the woman who has to run a household with a family, but without effectively taking the problem of the double and triple burden of the working woman and the compatibility of family/job in hand or solving it.

These protective provisions include on the one hand the definition of work impermissible for women (Ordinance 1 to the ArG, General Ordinance, arts. 66 and 67). The list includes activities which could have a negative influence on the health of women in general and expectant mothers in particular. On the other hand the previously applicable provisions include a prohibition of employment for 8 weeks after giving birth (it is permissible to go back to work after 6 weeks with a medical certificate [ArG art. 35, paragraph 2]) without guarantee of continued wage payment for the whole period, the right of mothers to the time to breast feed their babies (ArG art. 35, paragraph 3), protection against dismissal throughout pregnancy and 16 weeks after giving birth (OR art. 336c). There is further the recommendation that in the determination of the working hours and breaks the particular situation of a woman who must look after “a household with family” and only to call on her to do overtime and, in the industrial sector, manual labour with her agreement (ArG art. 36, paragraphs 1 and 2). Since 1945 the women in Switzerland have been waiting for the introduction of effective maternity protection (cf. chapter 'Maternity – a particular dark chapter of social insurance', p. 156).

Ban on night work

Various international conventions dealing with night work for women have succeeded one another over the years. Each constituted a further step towards liberalization of the originally established protective provisions. The latest ILO convention in this context (No. 171, 1990) aims at a general improvement of the protective provisions for women and men doing night work and is based on the principle of equality or equal treatment of both sexes. This last-named convention has not yet been ratified by Switzerland. Nevertheless, the current ban on night work for women will be annulled under the revision of the Labour Law which is not yet – end 1994 – complete. The reasoning behind this annulment of the ban on night work is the general development in industrial work, the economic outline conditions and the competitiveness of Switzerland as a location and incompatibility of the ban with the precept of equal opportunities and equal rights which was integrated in the Federal Constitution as art. 4, paragraph 2.

The draft revised Labour Law, however, does not foresee any provisions for a substantial improvement of night-workers. On the contrary, the conditions for women will be adjusted to the poorer conditions for male night workers. Various women's organizations
and groups, among them the Federal Commission for Women’s Issues, criticise that the draft includes a one-sided annulment of the previous special protective provisions for women night and Sunday workers and demand effective protection for all working women and men with family commitments, thus for the women and men with double or triple burden. The Swiss Trade Unions Association [Schweizerischer Gewerkschaftsbund] for its part, expresses concern but supports the draft for a revised Labour Law – despite unanimous rejection by its Women’s Commission.

Sexual harassment at the workplace

In recent years the subject of sexual harassment at the workplace has gradually been made an issue. Women’s groups, particularly in trade union circles, demand that a stop be put to this form of violence at the workplace (cf. chapter ‘Sexual harassment at the workplace’, p. 189). The women’s secretariat of the International League of Free Trade Unions [Internationaler Bund freier Gewerkschaften] defines sexual harassment as “attempted sexual approach of all kinds in the form of gestures and utterances, every unwanted physical contact, explicitly sexual deprecatory allusions or sexist comments, made repeatedly by someone at the place of work and considered offensive by the person to whom they are addressed and in consequence of which the latter feels threatened, degraded or molested, or which influence their work performance or create an unpleasant or intimidating atmosphere”.

In 1993 a first comprehensive survey of the extent and effects of sexual harassment at the workplace in Switzerland was published by the Federal Office for the Equality of Women and Men [Eidgenössisches Büro für die Gleichstellung von Frau und Mann] and the Geneva Office for the Equality of Rights between Men and Women [Bureau de l’égalité des droits entre homme et femme de Genève]. According to this survey 6 out of 10 women are subjected to sexual harassment at their workplace. Earlier studies in Germany ascertained that every fourth woman is concerned by sexual harassment (Bode/Plogstedt).

Sexual harassment is an expression of the power relationship between men and women in general and in particular at the workplace.

In 1994, there is no express regulation in Swiss legislation for the sanctioning of sexual harassment at the workplace in the Labour Law. Nevertheless, the person concerned already has the possibility of taking the harasser or employer to court. Thus the revised Swiss Penal Code (StGB) contains an article – art. 198, paragraph 2 – which explicitly mentions the term ‘sexually harassed’ [sexuell belästigt] but there is no definition of sexual harassment in the law. Those concerned may invoke two other articles of the StGB, namely art. 193, paragraph 1 penalizes with imprisonment anyone who incites a woman or a man to engage in or suffer a sexual act by exploitation of an employment relationship or otherwise founded dependency. Art. 198, paragraph 2 imposes a fine on anyone who grossly, verbally molests a woman or man sexually whereby penalization shall follow on application of the victim.

The Code of Civil Law (ZGB) contains provisions (art. 28 ff.) which are generally concerned with the protection of the personality of the individual. Although sexual harassment is not expressly mentioned, it constitutes an inadmissible violation of the personality. And pursuant to art. 328 of the Swiss Code of Obligations (OR) the employer must respect and protect the personality of the employee and assure the maintenance of moral decency.
The ongoing revision of the Labour Law and Equality Law as submitted to parliament by the Federal Council foresees law regulations. Article 6 of the Labour Law speaks of "personal integrity" and not of sexual harassment. Various women's organizations demand the explicit integration of the term 'sexual harassment' in the revised Labour Law. The effects of sexual harassment on the working women, their health and their capacity to work are uncontested today. This is a challenge to the employers, the trade unions, the cantonal and federal authorities.

Unprotected working relationships

Part-time work/temporary work/work-on-call

The poorly protected, or unprotected, work relationships include regular part-time work (TZA), work-on-call, capacity-oriented variable working hours (KAPOVAZ), auxiliary work, temporary work and homework (cf. below). According to reports and recommendations by the Organization for Economic Cooperation and Development (OECD) the introduction and promotion of all forms of part-time work are one of the most important instruments to render the workforce more flexible and therefore for the de-regularization of working conditions and consequently recommended to the economies for the rapid adjustment to the modified outline conditions. Objective of this flexibilization strategy is a marked lowering of costs for the utilization of human resources, defined in economics theory as 'variable capital'.

The extent of part-time work in Switzerland and how far it concerns women is disclosed impressively in the 1991 Swiss Workforce Census [Schweizerische Arbeitskräfte Erhebung SAKE]. It shows that 82% of all part-time workers are women, 40% of these work less than 25, and 12% less than 6 hours a week. To date, the rights of the part-time employed have been poorly protected. The regulation of the part-time work relationship normally derives from the full-time employment which, for example in the case of overtime, may entail a disadvantaging of the part-time employee as the overtime regulations are oriented to the conventional working hours. The income is usually low. Later on, part-time work has a negative influence on the old age/disability pensions (AHV/IV). The collective labour contracts mostly guarantee a better protection of full-time employees. The part-time employees must make do with the continuation of payment pursuant to the Swiss Code of Obligations. Insurance for occupational accidents is, it is true, compulsory but part-time employees are only covered for non-occupational accidents if they work for more than 12 hours weekly. A minimum benefit is not guaranteed in this case. The insurance obligation for the occupational welfare applies only as from a minimum income (1994: Sfr. 22,560. – p.a.).

The unemployment insurance is compulsory for all employed workers but a series of provisions entail an indirect discrimination of women as the unemployment insurance and income support law [Bundesgesetz über die obligatorische Arbeitslosenversicherung und die Insolvenzentschädigung] (AVIG) is solely oriented to the male 'average employee' who
works full-time and has a continuous job record. A female or male employee is entitled to benefit only in the event of loss of two full working days in two weeks (=16 hours)\(^6\). In the current debate on the future regulation of unemployment insurance, full entitlement to claim of all working women is not taken as the departing point. The Federal Office for Industry, Trade and Labour (Bundesamt für Industrie, Gewerbe und Arbeit (BIGA)) wants, in future, to take the income of the husband into account for the calculation of the future benefits to unemployed married women who are entitled to claim. It is argued that married women are 'second earners' and thus less reliant on full unemployment compensation than others. Vice versa, the income of the wife is also to be taken into account in calculating the compensation for the unemployed husband. This measure is planned in view of the rise in unemployment in Switzerland and the consequent increased cost for the insurance (cf. chapter 'Social Insurance', p. 149). Analogous to the 10th AHV revision, women’s demands include taking into account of rearing and caring time in the unemployment insurance.

Part-time employees do not have the same entitlement to children’s and family benefits as the full-time employed. In practice “the employees with irregular or low-hour employment are mostly excluded” (Kilchenmann). In the event of sickness, accident or pregnancy those who are irregularly employed (work-on-call, KAPOVAZ) have no entitlement to continuation of wage payments, the same applies, independent of the number of hours worked, for work relationships which are restricted to three months (= temporary work). Settlement of a possible claim by the hourly wage is widespread.

In this context, attention should also be drawn to the frequent lack of overtime regulation for part-time employees. Although the same conditions should apply for the whole workforce, that is 25% extra for overtime worked beyond customary working hours, in the case of part-time work the full-time employment is taken as a gauge and not the effective workload of the part-time employee. “In the event of irregular employment no overtime is paid on principle.” (Kilchenmann)

Homework
In 1905, 90% of the homeworkers were engaged in the textiles, clothing and watch sectors. In 1988 it was only 33%. Parallel to this a new, more modern, form of homework has developed with clerical, technical, artistic and scientific activities. Here again, the majority are women. However, these homeworkers are not protected by the home labour law and were not covered by the 1991 SAKE survey.

Trade union demands

The Code of Obligations and the Labour Law provide minimum regulation of labour conditions in Switzerland. Further working conditions are agreed in the scope of collective labour agreements. Consequently the importance of collective representation of the workers’ interests cannot be dismissed. For various reasons, however, it is difficult to organize women in trade unions. The trade unions, in turn, have disregarded the position of the part-time workers for too long. Within the ILO the trade unions demand that part-time work be a voluntary choice and that return to a full-time engagement be possible at any time and that the working conditions be legally defined with a minimum number of hours

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a week. Work on call or similar variable work forms should be eliminated and part-time work may only account for a precisely determined proportion of the jobs available. Part-time work should provide no excuse for discrimination with respect to wage, working relationship, promotion and social benefits.

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Christine Goll

Being a woman: poverty risk

Depending on the poverty threshold, 10 to 25% of the population in Switzerland live in poverty. The cleft between poor and rich and between women and men is increasing, not only in Switzerland and Europe, but worldwide. There are various reasons for poverty: the most important include educational background, the situation on the labour market and the social security system cover. In most cases there is an accrual of poverty factors which means that those concerned are under a multiple strain.

The cantonal and communal poverty studies published to date, compiled in answer to parliamentary motions, all conclude that single parents are among the population groups most threatened and suffering from poverty. According to the 1990 census, every seventh family with children in Switzerland is a one-parent family. In 1980 it was every eighth, in 1970 every tenth. One reason for this development is the higher incidence of divorce in the past twenty years: today, every third marriage ends in divorce. However, the term single divorce family does not disclose that in nine out of ten cases these are ‘lone mother families’. Single parents are mostly under-privileged and supported in hardly any sector – or at most by social assistance. The ‘normal family’ has not been the norm for a long time (and in fact never was) but the one-sided glorification of this norm is one of the principal causes for the discrimination of other forms of living (cf. chapter ‘Families – Forms of Living’. p. 73).

Women’s poverty is based on three inter-related sectors, namely education, work (both paid job and unpaid women’s work) and social security.
Paid work does not mean subsistence

Equal opportunities in the Swiss educational system are prescribed on paper but reality is far from achieving the objective. So women, poorly or untrained, remain stuck on the lower rungs of their occupation or take 'dead end' jobs. For the most part they learn occupations in the office, sales, personal care and nursing vocational groups (cf. chapter 'Careers', p. 134).

Training has an influence on later paid work. A high proportion of women work in low-wage jobs. Consequently work does not always mean assured subsistence. Today, typically women's workplaces are the first to be rationalized out. Women's incomes are generally up to one third less than those for men. Women meet with difficulties in promotion or when returning to work.

The Swiss social insurance system is linked to paid work and built up on the breadwinner principle. Consequently more and more women are falling through the mesh of the social insurance network (cf. chapter 'Social Insurance', p. 149).

Losers in hard times

Educational deficits, unequal chances on the labour market and disadvantages in the social insurances are poverty traps. This is accentuated by insufficient framework conditions, for example in the sector of childcare outside the home. In the current economic crisis the position is aggravated for women. They are the first to be down-graded or dismissed. Despite the rise in women's unemployment there is never a lack of women’s work. Cuts in public spending lead to reductions in the services sector namely in the education, social and health sectors (for example home care [Spitex] and childcare). Precisely in difficult times, need and the necessity for specific help is more pronounced particularly in these sectors. So women not only lose their jobs first, but they also have to set off the shortcomings as a result of the crisis by unpaid work in private. The greater the shortage of paid work, the higher the proportion of unpaid, socially essential women’s work. The continuing lack of effective instruments for the implementation of equality for women and men make the reality of work and life even more difficult for women who are among the losers in times of crisis.

Poverty factor number one is, however, the gender-hierarchical division of labour in our society which reserves the public sectors for men particularly, in decision-making economy and politics and relegates the private sector to the women (cf. chapter 'Labour market', p. 131).

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Social Insurance

Overview of social insurance branches

Risks and insurances

The objective of social insurance is to alleviate the consequences of certain occurrences which could concern all or many people. These risks are maternity, sickness, accident, unemployment, disability, old age, death and surviving dependants. To further this objective the insurances pay financial benefits (e.g. daily allowances or pensions) and make material contributions (e.g. wheel chairs and re-training).

The Swiss social insurance system is split into various insurance branches which developed gradually. The military insurance (MV) was created first and the latest branch is the occupational welfare (BV). The development is not yet complete: the next to be introduced will be the maternity insurance (MSV).

The various branches are regulated in ten differently structured laws and innumerable ordinances and directives. The consequence of this variety is lack of transparency in social insurance. In the individual case, who is entitled to claim what can often only be ascertained after intensive research.

The circle of individuals insured is not identical in all branches of social insurance. Under the Old Age and Surviving Dependents’ Insurance [Alters- und Hinterlassenenversicherung (AHV)], for example, both the working and the non-employed population are insured. In contrast the BV only covers the members of the workforce earning at least SFr. 23,280.– p.a. Differences in the persons insured also ensue due to the existence of compulsory categories (accident insurance for the employed) and voluntary categories (sickness daily benefit insurance).

Paid employment and housework, rearing and care in social insurance

Important branches of social insurance are exclusively employment-linked. Fundamentally, only individuals who are engaged in paid work can claim under these branches of insurance. This applies for the accident insurance [Unfallversicherung (UV)], the BV and the unemployment insurance [Arbeitslosenversicherung (ALV)]. Most of the unpaid work done by women serving members of their families or third persons is disregarded by this insurance; at most there are derivative claims depending on the existence of a mar-
riage. Anyone who raises children or looks after the sick has no claim to UV pensions, does not build up pension fund entitlements and in the event of unemployment is, on principle, not entitled to an AIY daily benefit.

Some branches of social insurance take the child raising and care work into account as well as the paid employment. This applies for the AHV, the IV (disability insurance), the health insurance [Krankenversicherung(KV)], the supplementary social benefit [Ergänzungslastung (EL)], the employment compensation decree [Erwerbsersatzordnung (EO)] and, in part, the MV.

However; in all social insurances women, as a social group, do not fare as well as men: On the one hand this results from the fact that the claims of the women doing unpaid work are defined more restrictively. For example, in the daily benefit paid by the IV during occupational integration, the unpaid working women have to rely on the minimum rate; in contrast the employed are entitled to a daily allowance between the minimum and maximum rates. Insured persons who are active in the home have no claim to a car, in contrast to those who are employed.

On the other hand the poorer position of women results from their discrimination as workers. Women earn on average a third less than men. This has a direct effect on the insurance benefits.

Working women also fare worse under the social insurances as they are often employed part-time. Part-time work has a negative influence on the amount of the benefits. Although they are usually paid in association with socially necessary caring, part-time work may also have the effect that there is no entitlement to a claim. Whoever works for more than one employer is not compulsorily covered against non-occupational accidents [Nichtberufsfall (NBU)] if none of the part-time totals amounts to at least 12 hours a week. In the event of an accident during leisure time only the health insurance benefits are payable; the loss of wage is not compensated.

The social insurance system is largely based on the nuclear family with gender-specific allocation of roles. Anyone who does not organize their life on this model is confronted with various disadvantages in social insurance. The primary disadvantage of an exchange of roles is that the dependency risk of the surviving, not occupationally active man, is not insured (AHV, BV). In the event of cohabitation, both partners are confronted with this disadvantage. Similar problems arise if the partners share housework and paid work.

In a society on the Swiss model where the work is distributed according to a sexual hierarchy (paid work for the men, unpaid and under-paid work for the women) the inequality of treatment of the sexes is reflected in the social insurance benefits. The poverty studies and the figures of those drawing income support and social benefits speak for themselves. It is the women, in the first place who suffer from poverty and are reliant on social welfare and income support.

Social Insurance

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Disadvantages of women in social insurance

A comprehensive presentation of the effects of the current system, differentiated according to marital and occupational status and degree or existence of caring commitments, could not be made within the limits of this article. This contribution does not aim to be complete but presents various pieces of the puzzle which can be put together to provide an overall picture of the disadvantages involved.

The disadvantages of women in social insurance can be broken down roughly into two groups:

Under the heading of direct discrimination (see below) disadvantages are presented whereby men and women are treated differently according to the law without there being any material reasons for this (in the AHV only men actuate a dependency pension for widows; AHV fatherless-orphan pensions are calculated according to the income of both parents, motherless-orphans, however, only according to the mother's income).

Under the heading of indirect discrimination (see below) legal norms are presented which are formulated equally for men and women but, in view of the sex-hierarchical allocation of roles, have a more negative effect for women. For women, the coordination-deduction of Sfr. 23,280.– (since 1st January 1995) often means that, due to their part-time work, they are not BV insured. Men who work regularly, full-time, feel the effect of this limitation much less.

Direct discrimination

Old age and surviving dependants' insurance

Married women have no right to an old-age pension of their own. They lose their old age pension as soon as the man reaches 65. Today half of the pension is, in part, paid direct but the claim is still the husband's.

The contribution payments of married women contribute to build up the pension only insofar as the husband's income does not actuate the maximum pension. Contribution gaps on the part of the husband cannot be set off by the contributions of the wife. This is particularly bitter if the wife has always been employed or if she was the breadwinner. The couple receives only a reduced pension if the husband's contributions were not paid uninterruptedly.

With their contributions to the AHV, men can actuate married-couple pensions, widow's pensions (in the event for the divorced wife), orphans' allowances, additional pensions for the (possibly divorced) wife and derivative, single old age pensions for widows over 62 years of age. In contrast, women with their contributions (in the same amount) actuate only their own, restricted entitlement to old age pension and motherless-orphans' allowance. Thus the contributions made by men constitute a greater value than the contributions paid by women who, in part, make solidarity payments to the whole body of insured persons.
As in the AHV/IV married men actuate more benefits in the compulsory BV than married women: there are no widower’s pensions in the BV either.

A married, or about to be married, insured woman who gives up working could have can have the saved capital paid out until 31.12.1994. The cash payment impedes or prevents the woman from building up her own provision for old age independent of the husband. There was no analogous rule for men.

**Accident insurance**

In contrast to the AHV and IV, under the UV both widows and widowers have a claim to surviving dependant’s pensions if the wife/husband has died due to an accident. This applies for the widowers at all events when they must provide for orphans who are entitled to a pension or if they are disabled. The widow also receives the pension when the children are above-age or if she is over 45. Contrary to the widower, the widow is entitled to a single settlement if she does not fulfil the provisions for a pension. Consequently a married, insured working man actuates more benefits with the same contributions than a married working woman.

**Health insurance**

Since 1993 the principle of equal premiums for men and women has been applicable in the KV. However, this was founded first on the uncertain basis of an urgent federal decision. Equal premiums in the basic insurance will be introduced into legislation in 1996 thanks to the total revision of the Health Insurance Law [KVG].

Thus, today no direct discrimination of women can be established either in the nursing or in the daily benefit insurance. The disadvantages for women under the health insurance are dependent on the lack of a genuine daily benefit insurance, with the non-working or part-time work status, with the shortcomings in contractual assurance for women and with the lack of or insufficient cover for motherhood. The position is similar for the AIV.

**Indirect discrimination**

**Old age and surviving dependants’ insurance**

The average annual income is up-valued for the computation of the pension entitlement, to take inflation and the consequent devaluation of the earlier income into account. Today this is computed by an all-in procedure (i.e. addition of all the annual incomes, then multiplication of the sum by the significant up-valuation factor used for the computation of pension entitlements). The all-in up-valuation favours the men and women with a high income and the employed whose salary curve has risen in the course of their professional career. As women are typically low earners and have horizontal salary careers they are disadvantaged by the all-in up-valuation method. If, instead of this, a special income up-valuation was taken for each year, a simple process with EDP, this disadvantage could be done away with.

**Disability insurance**

In the case of disability, the law foresees, in the first place, integration in the work process as the objective both for men and for women so that the insured person can remain economically independent despite his or her disability. In practice, women benefit clearly less from
work-process integration measures. This is associated with the fact that they are expected to take on lower qualified work which does not require any re-training. Sometimes paid work is declared to be too much for the woman and her “integration in the domestic duties sector” is aimed at. In this way expense can be saved at the cost of the women. Despite equal rights for women and men the traditional allocation of roles leads to factual inequality.

Disabled housewives receive only a half (minimum) daily allowance if they can still look after the household to 50% during the work-process integration. Disabled workers, with 50% work capacity during their integration are entitled to the full daily allowance.

Occupational providence

Only workers can build up a ‘second column’ of the AHV/IV (Old Age, Surviving Dependents’ and Disability Welfare). Further, only workers with an income above a certain minimum are covered by the compulsory BV. Married women who did not have a paid job do at least have a derivative claim in that they are entitled to a widow’s pension on the death of their husband.

In the case of divorce, the lack of a ‘second column’ has a devastating effect: setting off of the welfare expectancy between woman and man is not provided for. The divorced man retains his expectancy of future BV benefits. The divorced wife mostly has to build up her provision for old age anew and she often does not have the means to do so. To a restricted extent the expectancy can be set off in the course of alimony payments. Such payments, however, are dependent on the court making the man responsible for the failure of the marriage. However, the question of guilt is an irrelevant criterion for setting off welfare expectancy.

As women change their jobs more frequently than men and they are often excluded from the BV due to caring commitments, they suffer losses on the old age capital more frequently because in these cases the full employer contributions do not have to be paid out. The change of job also entails that in the additional-to-compulsory part of the BV, they more frequently have to buy themselves in and at the same time put up with new provisos due to health risks.

Unemployment insurance

Only those who are ready and in a position to accept reasonable work are entitled to claim under the AIV. Until recently women had to prove the existence of caring facilities for small children. This practice has never been adopted for men. According to a directive issued by the BIGA (Federal Office for Industry, Trade and Labour [Bundesamt für Industrie, Gewerbe und Arbeit]) in summer 1993, such rulings must be strictly applied for both mothers and fathers. The future will show whether, under this equality measure, fathers will now also be personally penalized with the withdrawal of daily allowances for the lack of childcare places outside the family by contesting their entitlement to insurance benefits.

Anyone who wishes to draw benefit must prove at least six contribution months within a term of two years i.e. must have been employed. A voluntary continuation of the AHV (e.g. in the event of period abroad, sickness, studies, maternity) is not possible. For socio-political reasons the law foresees an exception: persons who are not able to work on certain grounds enjoy reduced insurance cover. These include e.g. persons who after the death
of the wife/husband or after divorce are obliged to pursue an occupation but who cannot find a job. The prerequisite is a case of financial need. However, the insurance cover only lasts for a minimum period.

Fundamentally, the daily allowance is a uniform 80% of the maximum insurable wage. An urgent federal decree of March 1993 reduced the rate for some of those insured to 70%, including those insured persons who have no claim to children’s allowances. The cantonal family allowance regulations frequently grant the fathers (in breach of the constitution!) a prior ranking entitlement to children’s allowances. Consequently the reduction of the daily allowance from 80% to 70% concerns women more frequently than men.

Accident insurance

Part-time workers whose working hours for one employer do not amount to 12 or more hours a week are only insured for occupational accidents but not for non-occupational accidents (NBU). The limit of 12 hours a week is very questionable as it considerably narrows the insurance cover of part-time workers. Workers with several employers who achieve a total of over 12 hours a week are unjustifiably disadvantaged. These workers are mostly women (e.g. stand ins, cleaners with various employers).

In the event of unemployment there is the possibility of continuing the UV protection. This only applies, however, if the unemployed person was previously NBU compulsorily insured. Women who did not work for any employer for at least 12 hours a week and who were therefore not subject to the compulsory NBU insurance can consequently not continue the UV insurance in the event of unemployment. If they have an accident they must make do with the KV benefits (i.e. no daily allowance, pensions, integrity compensation, dependants' benefits).

The accident insurance contributes to home care insofar as this is assumed by medical personnel. There is a legal entitlement to such contributions. If the home care is assumed by non-professionals there is no entitlement to care contributions. Home care is predominantly undertaken by women i.e. by wives, partners, mothers, sisters and daughters. Frequently they have to give up or restrict their paid work due to their care commitments. In such cases compensation is possible as the insurance deems appropriate. Consequently a court examination of the case is excluded.

Health insurance

New insurance provisos may be made when changing from one health insurance company to another insofar as the person making the change has no claim to freedom of capital movements. New reserves must also be expected when the insurance cover is raised. Further, changing health insurance company also entails loss of the year-of-admittance bonus and must therefore frequently be bought with increased premiums. In view of life situations like giving up or interrupting work, divorce and returning to work, women are more frequently confronted with a change of health insurance company and adjustment of the extent of cover in the daily allowance insurance. The result is that women suffer more from the negative consequences of changing company and adjusting cover than men. Today there is no freedom of movement between paid work and rearing and caring.

The lack of an effective daily benefit insurance effects women particularly severely as their labour-law entitlement to continuation of salary factually does not extend as far as a
man's (more frequent changes of jobs and less extensive employment contracts with shorter continuation of salary entitlements, less comprehensive collective labour contract protection in typically women's occupations). Consequently, women have to conclude individual daily allowance insurances. They have to pay the premiums themselves, in contrast to the men where, according to the collective labour contract, it is usually the employer who meets the costs. Further there is no legal entitlement to contraction of a daily allowance insurance. Interruptions in paid work entail a reduction of the amount of the daily allowance. In the event of return to work it must be raised again. This is linked with the possibility of new reserves and increased premiums.

Disadvantages from
the interrelation
of the social insurances

Problem
A certain occurrence may actuate benefits in several branches of insurance. If e.g an accident entails permanent impairment of health so that the ability to undertake employment of the insured person is affected, benefits under the IV, the UV and BV come into question. The IV, UV and BV must make up 90% of the insured wage in the event of disability due to accident. To prevent over-compensation BV and possibly UV may curtail their benefits; the IV must pay its full benefit.

The concepts of the various branches of insurance differ. The IV compensates e.g. both the loss of wage and that in the household sector, the UV only the loss of wage. Such incompatibilities make the coordination law a real treasure trove of disadvantages. The legislators' lack of consideration for the life contexts of women contributes to the generation of such disadvantages.

Disability insurance and old age and surviving dependants' insurance
Disability often entails a drop in income. Consequently the disabled frequently suffer disadvantages in the computation of AHV pension. The reduced ability to work is partly taken into account. Income for the years where there is a claim to IV pension are, under certain circumstances, bracketed out of the computation of the AHV pension so that the average annual income is not reduced. If there has been no IV entitlement, thus in the event of under 40% disability, no correction is made. Women are granted such a low degree of disability more frequently than men. Consequently they benefit less from the correction of reduced annual income in the computation of the AHV pension.

Disability insurance and occupational providence
As the BV, in contrast to the IV, does not recognize quarter pensions, insured persons with between 40 and 50% disability receive only the IV pension. Women are particularly concerned by this incoherence between IV and BV as they are more frequently classed as having a minimum degree of disability.

Health insurance and old age and surviving dependants' insurance
On reaching retirement age the KV daily allowance is reduced to two francs as it is assumed that the AHV pension covers subsistence requirements. For women who, for economic rea-
sons, are obliged to continue working after reaching the pension age this has a negative effect. In their case the old age pension obviously is not sufficient to assure subsistence.

**Accident insurance and old age and surviving dependants’ insurance**

If a woman of over 62 who is still working is disabled by an accident, the accident insurance may set off the AHV pension against its benefits. The supplementary pension from the UV becomes very small in the low-income groups or may cease altogether.

**Unemployment insurance and old age and surviving dependants’ insurance/occupational providence**

Women AHV pensioners have no right to the AIV daily allowance if they lose their jobs.

In the event of unemployment before reaching pension age there is a negative influence on the amount of the AHV pension because after exhausting the full AIV daily benefit claims only minimum AHV/IV contributions are paid or interruptions may even occur. This concerns, in the first line women who had not been employed, but had to start working after divorce for economic reasons, cannot find a job and are only entitled to the AIV daily allowance for a minimum period. In the event of unemployment the BV can also no longer be accrued. Women feel this more than men as they suffer over-proportionally from unemployment.

**Disability insurance and accident insurance**

In the case of part-time women workers who are disabled due to an accident the IV pension is taken into account in full in the calculation of the excess benefit. Correctly, only that part of the IV should be taken into account which covers the loss in the wage sector. For women working part-time with care commitments the UV pension entitlement is often very low or even non-existent.

**Maternity – a particularly dark chapter of social insurance**

Social insurance covers, in the first place, risks which could concern men. The feminine life components are largely blanked out in determining the insurance requirement. This is shown particularly crassly in the ‘maternity risk’.

Since 1945 the federal government has the competence to regulate the MSV by law. Today, Switzerland is still the only European country which has not sufficiently regulated the consequences of maternity. The current legal provisions are scattered among various laws and not correlated.

The labour law includes a ban on employment for eight weeks after the birth (protection of health provision). However, there is no obligation for the employer to continue wage payments during this ban (cf. chapter ‘Protective provisions and international conventions’, p. 141).

According to the Swiss Code of Obligations (OR) the employer may not dismiss a woman – on completion of the trial period – during pregnancy nor in the 16 weeks following the birth. The OR also regulates, besides the protection against notice, the principle of continued payment. In the event of sickness, accident, fulfilment of legal duties as also pregnancy and giving birth the woman’s wage must be paid for three weeks during the first year and thereafter for an appropriately longer time even if the woman is prevented from...
working. Maternity does not entitle to any additional continuation of wage although it constitutes an additional ‘risk’ which concerns women exclusively. Consequently if a woman has already received continuation of wage during maternity she has no more entitlement in the same year in the event of sickness or accident.

It has been possible to obtain a more generous entitlement to continuation of wage in some collective labour agreements and employment regulations under public law. The state, for example, pays maternity leave of four months after three years of service. Between 8 and 16 weeks’ leave is relatively common.

Women may contract a daily benefit insurance with a health insurance (individually or collectively via the employer). The duration of benefit for these daily benefit insurances is 10 weeks in the event of maternity. As only working women can claim loss of wage they are in effect the only ones who can contract a maternity allowance. The housewife’s daily allowance insurances which pay a daily benefit of approx. 30 francs even without loss of wage, exclude this benefit in the case of maternity.

Several cantons pay maternity assistance with a view to helping mothers in precarious financial circumstances to look after their children. The prerequisites for such help are not uniform. The common feature is that they are social benefits and not insurance benefits and therefore of a social welfare character.

Achievements

Old age and surviving dependants’ insurance

The alternative calculation model developed by the federal court brought a certain improvement in women’s own claims to AHV pensions in 1975. Now, for married women, the contribution years before marriage, and for divorced women, the contribution years before and after marriage are taken as significant if these result in a higher pension claim than taking the whole of the contribution years. This alternative takes into account that often no, or a reduced, income is earned during the years of marriage.

If the husband has gaps in his contribution continuity, the married couple pension – calculated on the basis of the contribution years of the husband and the income earned by both during these years – may be lower than the single pension of the wife. In such cases, since 1973, the married couple pension is made up to the amount of the single pension of the wife. In other words, the wife must share her single pension with her husband.

Since 1994 divorced women may demand that child-rearing credits are taken into account in the calculation of the AHV and IV pensions for the years with child-rearing commitments. However, any possible EL [supplementary income] may be curtailed if the AHV/IV pensions are raised. This can be a tax disadvantage because ‘1st column’ pensions are liable to taxation whereas EL are tax free. Remarriage entails the cancellation of such fictitious income.
Disability insurance

The mixed method for the classification of disability in favour of part-time working women with family commitments has been utilized since 1976. However, practice showed that this method entailed considerable disadvantages. Namely, it often resulted in the claims of women with a double burden being lower than when the assessment was only gauged to disability in the paid work sector. The method was therefore improved as from 1993.

The supplementary benefit claim was improved in favour of women who are active in the domestic sector in 1989 and 1993. New, for example, is the entitlement to a stairlift as in the case of workers.

Occupational providence

Previously the BV could refuse payment of benefits, if either the MV or the UV were paying a widow’s pension. Since 1992, the BV will no longer be refused but only curtailed in such a case.

The possibility of splitting future pension entitlements on divorce was integrated in the freedom of capital movements law which came into force on 1.1.1995. The splitting of expectancies is, however, still dependent on culpability. Further, the courts may make this division but they are not obliged to do so.

The freedom of capital movements law cancels the paying out of the capital to women on marriage or when they stop work.

Accident insurance

The sole ‘improvement’ in the UV deals with a discrimination via equal treatment. Until end 1992 women paid lower premiums for the non-occupational accident insurance which was in line with their lower accident risk. Under the pretext of equal treatment women had to put up with a 60% increase in NBU premiums; in contrast, the men’s premiums were lowered.

Health insurance

On the basis of an urgent federal resolution, equal premiums for men and women were introduced in 1993, this both in the individual and in the collective insurance. With the coming into force of the totally revised Health Insurance Law this principle of equal premiums beyond basic insurance will be dropped again.

Military insurance

The amendment of the MV which came into force per 1994, brought a novel equal treatment ruling. The daily allowance of housewives and househusbands as also for sons
and daughters who work in the family business are set according to the wage which an outsider would be paid for the same work. The insured earnings are determined in the same way for the calculation of the MV disability pension.

Foreseeable developments

Old age and surviving dependants' insurance

The social time expended by women in housework, child rearing and care is not taken into account in current social insurance law. Women who accept interruptions in their careers or take part-time work in favour of child raising or care commitments must consequently put up with a lower pension. A certain correction of this shortcoming is made, it is true, in favour of women who are or were married (cf. alternative calculation, p. 157). However the alternative calculation brings only a certain correction of the pension loss and it does not cover women living in a non-marriage partnership, lone mothers or those who look after members of the family.

Consequently rearing and caring ‘credits’—an old women’s movement postulate—as also the splitting of incomes were provided for within the framework of the 10th revision of the Old age and surviving dependants’ insurance. In the case of married couples with care commitments, half the income of both is credited to each partner. The credits would also be split. This issue was countered by the conservative parties first with the ‘uniform pension’ model. Then the parliament linked the introduction of credits and splitting income to the raising of the retirement age for women. Consequently the referendum was taken against the entire 10th revision of the Old age and surviving dependants’ insurance. Thus the introduction of the urgently needed improvements is once again uncertain.

The discussions on splitting income, rearing and caring ‘credits’ and on the uniform pension also apply to the IV.

Occupational providence

The draft for a new divorce law contains a provision foreseeing the settlement of welfare expectancy irrespective of culpability. The compulsory setting of welfare claims on divorce will probably be endangered by opposition from the men.

Unemployment insurance

The draft revision of 1993 foresees that the insured person is exempt from the obligation to prove completion of contribution periods for the time when she/he was engaged in rearing and caring work. The entitlement to unemployment daily allowance after caring periods shall therefore exist for a minimum period independent of previous work liable to payment of contributions.
Health insurance

The subjection of the additional insurance to private insurance law, which was decided in the total revision of the health insurance, will imply a step backwards with respect to equality of premiums. The trend will be to make additional insurance unaffordable for women. The federal councillors have decided on extension of the maternity entitlement to 16 weeks.

Maternity insurance

Plans to set up an MSV have at last become somewhat more concrete after the rejection of the maternity initiative (wage replacement, parental leave) and a revision of the KV (16 week benefit) at the popular votes of 1984 and 1987. The project entered the hearings phase in 1994. At least there are signs of improvement for working women. It is incomprehensible from the equality-politics standpoint that social insurances are still conceived to-day which do not take women's work in the family into account whereas in other branches of insurance attempts are being made to alleviate these shortcomings.

Women’s demands

General

The examples quoted in the chapter ‘Disadvantages of women in social insurances’ (p. 151) make it clear that social security for women is still far from satisfactory. This can only be changed, if the – long known – gaps in the social insurance system can be closed at last. Prerequisite is that the course of action be no longer determined according to male-norm biography but that the women’s life contexts are also taken into account.

Major problems like the lack of freedom of transfer between family and paid work in the KV and the lack of provision (and continuation!) of provident protection during caring phases are otherwise not considered, let alone solved. The assumption of socially necessary work, in conjunction with part-time employment or interruption of the working career, must no longer entail insufficient protection under social insurance law.

Consequently one fundamental claim aims at the equal division of the unpaid work between men and women. Social security for old age, accident, disability etc. must be improved in the event of rearing and caring work

- either by measures in the various branches of insurance (e.g. BV, UV, AIV)
- or by setting up a non-occupational insurance against all risks.

The women’s demands listed below are politically particularly topical or cases where the defence of what has already been achieved against the reduction tendencies is important. The list is not conclusive.
Old age and surviving dependants’ insurance

- Splitting of income and rearing/caring credits
- Surviving dependants’ pensions for all persons with caring commitments who have reduced or given up their paid work, graded according to age or chances of re-integration in the work process with generous transition period for the phasing out of the current system

Disability insurance

- Splitting of income and rearing/caring credits
- For part-time insured with caring commitments orient to the higher degree of disability in each case (occupational, income settlement), cumulate claims or always pay maximum pension
- Improved training for disabled girls and women
- Motor vehicles for insured in domestic sector without formulation of additional criteria
- Compensate care services and chauffeuring by women in the family

Occupational providence

- Splitting income during and after the marriage
- Wage percentile (or no) wage deduction

Unemployment insurance

- Treat rearing and caring work analogously to military service as contribution time to permit longer entitlement to daily allowance and no possibility of blank days
- Higher daily allowance rates (over 80 or 70% of the insured wage) for lower incomes
- Daily allowance entitlement also for incomes below 500 francs

Accident insurance

- Compulsory insurance of the non-employed against accidents with benefits on a par with UV
- No loss of the surviving dependant’s claim in the event of breach of commitments towards the children

Health insurance

- Assure equal premiums in the additional insurance
- Prescribe range of benefits in the additional insurance (incl. maternity risk)
- Eliminate per capita premium system in favour of income-independent financing
- Introduce compulsory daily benefit
- Adjustment of scope of benefit to that of the UV
Maternity insurance

- Introduction of the MSV
- Wage indemnity for the employed and daily benefit for non-employed mothers
- Parental leave with job guarantee
- Financing by public means as MV

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Women – Body – Health – Sickness

Comments on the contradiction of being healthy and a woman

State of health

Life expectancy/ causes of death

The average life expectancy for women in Switzerland is 7 years higher than for men and the trend is still rising. In other European countries the life expectancy of women is between 8.5 and 4.8 years higher than for men (Meier). In 1990 women had an average life expectancy at birth of 80.9 years, men an expectancy of 74.0 years. The trend is rising, more rapidly for women than for men.

The reasons for the higher life expectancy of women have still not been explained satisfactorily. The higher infant mortality of boys which has long been recognized is only a part explanation. It is probably more significant that the death risk for adult men is higher than for women in all the principle causes-of-death groups. Many men die before retirement age due to accidents, violence, suicide but also from the civilisation diseases such as heart, circulatory, lung and alcohol induced disorders and increasingly AIDS. The gender differences are particularly marked in the circulatory diseases. Deaths from this cause in the 40-69 year old male group are three to four times as frequent as for women in the same age group. New research by the Federal Office of Public Health (FOPH) shows that in 1993, HIV infection in men between 25 and 44 was the second most common cause of death after the ‘accident’ category. Among women of the same age, AIDS follows cancer and suicide in third place. According to the FOPH estimate AIDS could become the most frequent cause of death among men and the second most frequent cause of death among women in the age group 25 to 44 if there are no incisive developments in treatment possibilities.

Morbidity

The Federal Office of Statistics confirms that the data resources for the description of the state of health of the Swiss population are problematic and complicated by the fact that pregnancy is treated as an illness. Informative data has been acquired more recently by questionnaires concerning the subjective state of health. In Switzerland, in 1989, 2,100 individuals from five cantons were questioned on their subjective state of health in the
course of the Intercantonal Health Indicator Project. 15% of the women said they did not feel particularly well (compared to only 9% of the men). This difference is particularly striking in the 35-49 age group where 4% of the men but 15% of the women said they did not feel particularly well, or even felt ill.

If women have to assess their psychic state of health the pattern is similar to that for the physical state. Women feel weak and over-strained significantly more frequently than men. On the medical side as well, a psychiatric diagnosis is made twice as frequently for women as for men. This applies particularly in the field of endocrine disturbances (depression) and for certain role-specific personality disturbances such as dependent or hysterical personality.

Figures on dependency illnesses are not very informative with respect to addiction behaviour. In Switzerland, as well, alcoholism is more frequent among men and this does not change in the lower age groups (according to the Federal Office of Statistics, 9% of the women claim to drink alcohol once or twice daily, whereas for men it is 26%). In a 1987 survey, 39% of the men claimed to be smokers against 27% of the women. In the 15-24 and the 25-34 age groups there is virtually no longer any noticeable difference.

In contrast it is striking that more women swallow pills. In a 1987 trend poll, 27% of the women said they had taken a medical product during the previous day, for men the figure was only 18%. The most frequent are stimulants followed by soporifics and tranquillisers. According to the SOMIPOPS survey at the beginning of the eighties (cf. Federal Commission for Women’s Issues) 4.9% of the women said they use pain killers daily or several times a week compared to 2.9% of the men. It is interesting that in view of increasing criticism of medication with habit-forming tranquillisers these have been prescribed less whereas the prescription of neuroleptica has increased during the same period.

Eating disturbances also occur more frequently in women than in men. Although there are no concrete data available it can be stated that anorexia and bulimarexia have increased alarmingly among young women in recent years and the trend is still rising. Teachers say that they suspect that at least one if not several girls to a class have serious eating disorders. Recently eating disorders have been diagnosed increasingly frequently among young men though the proportion of male sufferers is still only about 10%. (The reasons behind eating disorders will be considered below).

Handicap

The term handicap does not refer to a state of health but to a disturbance or restriction of functionality. Chronic handicaps are measured by whether every day activities like seeing, hearing, dressing, moving about the home, eating without help, climbing stairs etc. can be carried out easily or only with difficulty. In the SOMIPOPS study women as a whole quote more chronic handicaps than men (28.9% to 22.8%) but these handicaps only concern mobility and the locomotive apparatus. There are no noticeable differences in seeing and hearing handicaps. Weiss confirms these results and further points out that no precise statements can be made on the extent and frequency of handicaps and disability among the Swiss population. It can only be said that chronic handicaps rise sharply with increasing age.
Women and medicine

‘Illness Woman’

If the man is taken as the social norm in general this applies in much accentuated form in medicine. As illustration, attention is drawn to the survey (quoted after Meier) which asked about the healthy person, the healthy man and the healthy women. The answers showed that the image of the healthy man corresponded to that of the healthy individual whereas the image of the healthy woman corresponded to that of the sick man.

How, we must ask, can a woman both be healthy and be a woman? The contradiction appears insoluble. The woman adjusts to the image of what is expected of her and is dependent, subservient, emotional, she risks being ill. But if she rebels against these imputations, if she is active, assertive, self-confident she jeopardizes her femininity. The impossibility of experiencing, femininity, fitness for life and health is disclosed by the fact that most women behave as they are expected to but that this behaviour has debilitating effects for them. But women who resist fulfilling the role expected of them can easily get caught between the two fronts, which does not improve the state of their health.

Women suffer more frequently from headaches and migraine, backache and disc problems, circulatory disorders and nervousness, restlessness and sensitivity to the weather, sleeplessness and angst – complaints which Pross summarized under the term “women’s syndrome” as early as in 1975. The women’s syndrome can be taken as an expression of the fundamentally conflict fraught life-situation of women.

Women and men in medical professions

Women enjoy a long tradition as practitioners, as subjective helpers, in healing. Originally the art of healing was in their hands particularly in the birth sector and the treatment of women and children’s diseases. At the time of the witch burnings, the women’s healing tradition, an oral tradition, was practically completely lost. The trained doctor took the place of the healing woman in a role characterized by objectivity, sobriety, assertiveness and authority. The characteristics which were attributed to women after 1800 – emotionality, empathy, nurturance, devotion – all served to establish women in the medical auxiliary professions. The first university-trained women doctors did not appear until the second half of the 19th century.

The gender distribution is still clear today: 90% of those employed in the medical auxiliary professions are women. In 1991 7.5% of the persons trained in a health profession (nursing, medical-technical and medical-therapeutic professions) were men. The highest proportion of men, namely 27%, is found in psychiatric nursing. There are 10% men in the medical-technical radiology assistants, 9% in the medical laboratory technicians. The lowest proportion of men is among the midwives (0%), children’s nurses and in nutritional counselling, where it sank from 3% in 1989 and 1990 to 0% in 1991.
The position is reversed among the doctors. According to the 1990 Swiss Medical Association (FMH) statistics (quoted after the Federal Office of Statistics) 22% of the active members of the professional organization are women, but only 14% of the doctors with their own practices are women. The FMH statistics also show that the practising women doctors are on average younger than their colleagues.

Gynaecology/ gyniatries

Until not long ago the World Health Organisation WHO definition of health, describing it as "the state of complete physical, mental and social well-being" was unquestioned. Recently this static and rigid concept of health has been criticised increasingly frequently as it is oriented to the male life-context. Determinant for such a health concept are consistent physical performance and mental stability. Normal fluctuations in condition are out of place. The consequence is that the aspect of the female life cycle which deviates from the male is considered abnormal and pathological (cf. Olbricht).

Consequently, researchers sought more flexible definitions. The authors of the SALUTE research project (Mussmann et al.) considered health "as a balance actively established by the organism which counters potentially debilitating influences by physical, mental and social resources" (p. 14). Such a definition sees the person as an individual capable of action, striving for the best possible balance in consideration of his life conditions.

The adoption of a more open definition of health could help to prevent the changes, in themselves normal, which are observed in women (but also in men) from being classed as suspectedly pathological or pathological findings. As an example Schüssler/Bode mention the myoma or benign fibroids in the uterus which are found in women over forty so frequently that they can be called normal status. In changes in connection with the physical development of women it is taken into consideration far too little that these are completely normal — for women — and that women develop amazing regeneration and healing faculties. However, in a male-dominated gynaecology such changes are considered, and treated, as pathological. Consequently women are treated with hormones in every phase of their development whether it is to actuate, postpone or 'correct' menstruation, for contraception, actuation or retention of a pregnancy, for the treatment of various complaints such as the pre-menstrual syndrome (a term which is only 20 years old in this form) or the menarche depressions.

Numerous operations are also undertaken on the female organs. To mention only a few: hysterectomy (removal of the uterus), operative correction of the uterus and the supposedly prophylactic removal of the ovaries. Studies in Germany disclosed that up to 50% of these interventions would have been avoidable (Ärzte-Zeitung, December 1986), the paper 'Eltern' estimates that there were urgent grounds in only some 20 percent of all interventions (Eltern II/1989). That the position is probably hardly otherwise in Switzerland is apparent from the fact that assistant doctors must carry out at least fifty hysterectomies during their training (in Germany the figure is thirty).
An interesting development pattern can be followed in the Ticino. In 1984 attention was drawn to the fact that the frequency of hysterectomies in the Canton Ticino was twice as high as that of a comparable region (and a third lower than that in the Canton Berne). A comprehensive information campaign led to the marked decrease (-26%) in operation frequency between 1984 and 1986. In the Canton Berne, where there were no comparative measures, there was no change.

Another factor is that the operation rate among 45-54 year old women doctors in Switzerland, 1988/89 was 10% whereas in the comparative group of Swiss women the level was some 25%. In the 55-64 age group of women doctors the rate rose to 15%, whereas the figure in the comparative group was fairly stable (Domenighetti).

Interesting, but hardly surprising, is the thesis which was put forward in the 'Journal of Medicine' in 1985, that the gender of the gynaecologist plays a decisive role in the indication. It is assumed that women gynaecologists conduct only half as many hysterectomies as their male colleagues.

A development in recent years which must be followed carefully and critically is concealed behind the term 'child gynaecology. This implies routine examination and control of the genitals of girls from birth. Any deviations from the norm can therefore be treated early. The reproach is made that child gynaecology aims at the normality of little girls at the earliest age. The question of the point of the sex-neutral term is raised if only little girls are treated and little boys do not constitute a target group. Another negative impression on reading the specialized literature on child gynaecology is that it is restricted to female sexuality and the two functions of reproduction and sexual satisfaction of the man and thus to heterosexual relationships (cf. Schüssler/Bode).

Women and psychic illness

Psychiatric diagnoses are made twice as frequently for women as for men (SOMICPOPS study) and – not insignificant – psychic disturbances are expected more in women. Studies have confirmed that practising doctors (less in the case of women doctors) classify the patient, on the basis of written anamneses, as more ill if the patient is supposedly a woman and more healthy if the patient is supposedly a man. Meier quotes another study where women and men with identical unspecific symptoms were sent for medical treatment. Without exception psychosomatic symptoms were diagnosed for the women and somatic symptoms for the men. The recommended therapeutic measures were relevantly more time consuming for women than for men. Such mechanisms cannot be unimportant with respect to the difference in medical costs for women and men. A more precise survey in Switzerland could also be worthwhile.
How women handle health and sickness

General attitude to health

Women do rate their health as restricted or poor more frequently than men, but such a statement is not identical with the notion that women are the sick sex. Five particular gender-specific differences are established with respect to perception of and dealing with health disturbances:

- "Women notice health disturbances sooner than men"
- Women articulate health disturbances differently
- Women and men name health disturbances differently
- Women and men deal with health disturbances differently
- The health care system reacts differently to women's health disturbances." (Meier, p. 20)

It is frequently pointed out that women behave more healthily but this cannot be proved and literature in this respect cannot provide assured information. It must be assumed that women do have a considerable knowledge of healthy living and healthy nutrition but whether they put this into practice is open. Women's high consumption of medication and the increase in addictive complaints (eating disorders, smoking, alcohol) point in the opposite direction.

Women's health centres

Towards the end of the seventies, in various Swiss cities, women made an issue of the fact that women cannot expect adequate treatment of their bodies, the changes connected with them and the needs deriving from them in male-dominated medicine. Women's health centres were founded in the cities of Berne, Geneva, Basel, and Zurich as women's movement projects and designed to comply with the claims of feminist medicine. The Women's Outpatients [Frauenamb] in Zurich defined the following points as principle of feminist therapy: women's bias; equal status for women as patients and counsellors/doctors/therapists; helping women to self-responsibility and self-réalization.

The development of a women's health centre can be described in brief taking the Frauenambi in Zurich as a model. For years the INFRA Information and Counselling Office for Women [Informations- und Beratungsstelle für Frauen] made do with passing on addresses and information to women. In 1978 a project group for a Frauenambi was formed with the intention of taking women's health into their own hands. Since 1982 two women doctors and six to eight other women from medical auxiliary professions have been working at the Frauenambi in Zurich. If, at the outset, there was a marked aim that there should be no difference between the doctors and the laywomen, there was an upheaval in 1987 entailing internal re-grouping amounting to a professionalization. "The women doctors and two to three women in the team took over the gynaecological examinations and treatments. The women with therapy training concentrated on the various physiotherapies and non-health scheme reimbursable counselling." (Regula Waldner, Frauenambi-team).
At the Frauenambi Zurich gynaecological counselling is a priority and abortions are also carried out. In other women's health centres the emphasis is on alternative medicines and no gynaecological examinations are undertaken (cf. chapter 'From women's liberation to womanpower', p. 61).

Resistance to the woman's role.

On the one hand, women in the seventies demanded the right of self-determination over their own bodies and criticised male-dominated medicine/gynaecology. On the other, also since the seventies, there has been an increase in disorders among women (drug and medication dependencies, eating disturbances) closely connected with their role as woman and frequently disclosing self-destructive behaviour. This can be demonstrated by the example of anorexia.

Anorexics refuse every form of eating, they literally starve themselves without being aware of what they are doing. Studies have shown that the loss of weight is fatal in 5-10% of all cases (Wolf). They are often young, attractive, intelligent women who have all the prerequisites for success - to the outsider. The complaint hides severe mental suffering. Recent research indicates that many anorexic women were sexually exploited in childhood or as young girls (cf. chapter 'Sexual exploitation in childhood and youth', p. 188). Although a clear increase in this severe illness has been established in Switzerland as well, there is still a lack of detailed research on the causes, development and therapy possibilities.

Whereas in the seventies a difficult mother-daughter relationship and a massive revolt against being a woman were diagnosed as the principle causes of anorexia, today the approach to explanation is more differentiated. Anorexics, like other addicts, recognize the contradictory demands on them as women in a patriarchal-structured society and their sickness can be seen as a refusal to conform to its role claims. The form of revolt chosen is a sickness which can be fatal for the sufferers. They disassociate themselves from their ill-fated bodies. The revolt of the body also indicates fear of their own sexuality which anorexics experience very intensely but which, in a society where woman are hardly allowed a sexuality of their own, is familiar to many women.

Therapies for anorexics have brought little success to date. It seems that the women concerned keep finding new forms for their addiction to protect themselves from the demands of an outside world where they do not want to be integrated. Bulimarexics (a combination of bulimia and anorexia) have found a way of eating, of 'bingeing' and still maintaining their ideal weight. They fluctuate between adjustment to the social demands and the desire for an individual way of life. The conflict is fought out through their bodies.

Eating disturbances must also be seen as a revolt against the numerous ideals of beauty. In her comprehensive presentation of The Beauty Myth [Mythos Schönheit] Naomi Wolf shows that women in the industrialized countries of the West can hardly develop a feeling for their own body; that it is constantly made clear, in the most subtle fashion, that they are not beautiful enough. That a woman could be happy with her own body is never considered. Thus, proportionally, far more women say that they are over-weight although
in fact the proportion of men who are overweight is higher. (Some 250,000 Swiss women are members of Weight Watchers but there are only a few Swiss men. Precise figures are not available.)

Right to own sexuality

Anyone studying the specific illnesses of women soon ascertains that sickness, body and sexuality are closely connected. Women have to cope with numerous crises in their lives which are connected with physical developments and female sexuality (puberty, menstruation, possibility of pregnancy, menopause). In the early days of the women's movement in the seventies it made an issue of the self-determined sexuality of the woman, and emphasized, loudly and clearly, that women have sexual needs which are not dependent on men and that they want to determine their lust and desires themselves. Numerous women discovered that sexuality with other women is much more pleasant and more satisfying for them.

These discussions were determinant in the women's movement in the seventies and early eighties as well. "Heterosexuality is not a must" was one claim that was raised at several 8th March demonstrations. In clear words the customary heterosexual penetration was rejected as being not very pleasurable for women and women were encouraged to express their desires or to disregard sexual relationships with men. Women rediscovered natural methods of contraception. In self-help groups they discovered their own bodies, learnt how to deal with the speculum, and sought alternatives to the chemical treatment of abdominal complaints.

Books such as Verena Stefan's Sloughing Skins [Häutungen] (1975) or Anja Meulenberg's The Shame is Over [Die Scham ist vorbei (1978)] in the German part of Switzerland, Carla Lonzi's The clitoral woman and the vaginal woman and other works [La donna clitoridea e la donna vaginale e altri scritti] (1971) in the Italian part of Switzerland and Benoîte Groult's Ainsi soit elle (1975) in the French part of Switzerland were decisive for innumerable women in generating a new self-esteem and helping them to accept their own body with all its contradictions. Today these books are hardly read by young women. They are well informed, they know how to use a condom, they ask about the pill and they know what to do to protect themselves from transmission of the AIDS virus. But fears about the first sexual intercourse are still considerable – and the expectations high. Even today young women are not very familiar with the needs of their own bodies and they are reluctant to make demands on their partner.

Women and sports –
an excursion

"Women have in fact achieved the breakthrough in the male domain of sports, but they have largely missed the chance of autonomously determining the structures of sports organization and developing an understanding of sports that is oriented to their own needs. However, a certain independence of women in organized sport has not been lost. The majority of sports activities are still exercised separately, according to sex. Women's teams'
are taken for granted in team sports, gymnastic groups, solo gymnastics, rowing regattas etc." (Palzkill et al.) Women's studies and sports research hardly came into contact until recently, although equality in sport is far from being achieved. There are fewer disciplines for women and consequently fewer competitive events, there are different competitive rules for women and men and the achievement standards for women are lower. Although today women participate at the Olympics and world championships they still have to overcome considerable resistance if they want to practise a traditionally male sport (e.g. football or ice hockey).

The theme of women in sport has also been taken up in Switzerland since the beginning of the nineties. The Swiss National Sports Association has had a delegate for women for several years, who has encountered less resistance since November 1993. The mission of the women's delegate is defined as: advancement of women in all sectors, assistance for women in the associations, building up a women's network within the association.

80 member associations are organized in the Swiss National Sports Association, four of them have a woman president; in contrast the majority of the association secretariats are run by women. The Swiss Executive Committee comprises 16 members, five of these are women. The ratio is appreciably better in the Swiss Gymnastics Association whose executive committee comprises an equal number of men and women thanks to a quota ruling. The office of president is held alternately by a woman or a man. This ruling is the outcome of the merger of the two associations (women's and men's associations). The demand of the women's delegate's points in the same direction — the introduction of a one third quota ruling in all bodies.

An important element of the duties of the women's delegate's is to motivate women to accept official functions and to create offers for women where women can realize their potential together. At training level, an introductory course for women trainers in competitive sport was conducted for the first time.

The advancement of women is no longer a foreign concept at the sports college in Magglingen. Since 1983 there has been a working group comprising four women and one man to promote the equality of women and men, one particular objective is the conduct of a situation analysis at the sports college and the compilation of proposals for improvements. Equality in the wage sector and in employment conditions will be studied first. At the same time the need for a day nursery at the college is being considered. The group foresees other projects such as the organization of debates, lectures and book circles on the subject of 'women and sport' in the broadest sense.

Within the framework of the European Sports Commission, where Switzerland is represented, recommendations have been put forward for equal treatment of women and men in sport and their implementation in Switzerland is planned. However, these efforts are still in the initial phase.

Training colleges, trainers and sports psychologists are increasingly confronted with another problem complex in women's sports, namely with anorexic athletes, particularly in the endurance sports. A massive increase can be ascertained — or the illness is becoming more apparent. Since the death of the US American gymnast Christy Henrich (she died of anorexia at 24, in summer 1994) an issue is being made of the illness, if somewhat hesi-
tantly at first. For as long as anorexic or bulimic athletes put up top performances, no one is interested in their psychic illness and the trainers hold fast to their assurances that they are well. However, as the doctor Ursula Imhof assures, precisely sport offers anorexics and bulimics a suitable environment because they do not stand out here. Intensive hunger pangs and feminine curves can be suppressed in sports. Athletes with eating disorders meet the sports demands well: they are ascetic and hard on themselves, they have an iron will.

Looking ahead

Until today, the whole complex of women’s health has been dealt with principally in gynaecology and obstetrics. Women’s health implied the health of the mothers and carers for the family. Far too little attention was paid to the central importance of women-specific aspects in other health sectors. Research into these aspects for example in cardiac-circulatory disorders, disturbances in the locomotive apparatus etc. require a specific approach oriented to the lifestyle of women from various population groups and varying ages. For the compilation of prevention models it is important that these women-specific aspects are sufficiently emphasized.

There is a National Fund project in progress (1994) which is following up such questions. The focal point is the compilation of a women’s health report setting out the women-specific data which are already available and listing the problems posed in this respect. A second objective of the project is to permit networking among the researchers and practitioners to permit optimum implementation of the specific knowledge in each case. A third objective will be the integration of women-specific health research and the relevant problems in training and further training. Initial results of this project under the leadership of Dr. Elisabeth Zemp, where research results from the USA and Switzerland will be taken up and expanded on, should be available in 1996.

At the Institute for Social and Preventative Medicine of the University of Berne three women researchers are working on a women-specific addiction prevention project. In an initial phase of the eighteen-month project, information on the women-specific prevention and therapy offer in Switzerland in the addiction sector will be collected. In a second phase the causes of addictive behaviour among women will be compiled and subsequently, in the third phase, provide scientific accompaniment to a concrete preventive-care project.

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Criminality and imprisonment

A few data on women’s criminality

Women commit far fewer criminal offences in comparison to men. In 1993, 82% of the crimes investigated by the police were perpetrated by men (Police Criminal Statistics 1993). The proportion of women committed for imprisonment and detention is also low. According to the 1993 imprisonment statistics of the Federal Office for Statistics the figure was only 8%. 1982 it was still 4%.

In 1992, half of the women liable to penalty were between 20 and 30 years old on admission. Consequently the age of women on admission is lower than that of men. Only 4% of all women committed to prison were over 50 (men: 8%). Women accounted for 7% of the total number of persons committed whereby the percentage of Swiss and foreigners is the same.2

Women’s criminality plays a subordinate role, not only due to the lower incidence in comparison to male criminality. The crimes committed by women also show a different structure. Women commit less severe offences and acts of violence are seldom. The number of grievous bodily harm and homicide offences is extremely low among women. They fulfil the prerequisites for conditional imprisonment (possible for sentences up to 18 months) more frequently than men and recidivism is significantly lower. Both low crime rates of women in Switzerland and the women-specific offence structure correspond to the Europe-wide average.

Whereas earlier, attempts to explain the causes of women’s criminality were based on the supposed biologically conditioned gender differences, more recent approaches start from the gender-specific socialization and the differing social positions of women and men (cf. chapter ‘Women – Body – Health – Sickness’, p. 163). Various surveys indicate that women become criminal for other reasons and in other ways than men. The explanation approaches for women’s criminality, oriented to the women-specific viewpoint of feminine life contexts and their social, economic and their socio-political conditions, are particularly significant for the accommodation and treatment of women in detention. Women-specific research as also more women-oriented practice are only in the initial phase.

1 The imprisonment and detention statistics do not cover remand homes for juveniles, persons remanded in custody as also persons detained according to the provisions of civil law (social detention).

2 Comparative data for 1993 have not been published.
Imprisonment of women in Switzerland

There are two penal institutions for women who have incurred a sentence, namely the institutions at Hindelbank, Canton Berne (women’s prison since 1896, extended in the sixties) and the Prison de la Tuilière in Lonay, Canton Vaud, which was opened in 1992 as the first women’s detention centre for the French-speaking part of Switzerland. Shorter terms for women are usually enforced in district and regional prisons. In 1993 there were an average of 99 women detained in Hindelbank and 32 in Lonay.

The buildings and infrastructure at Hindelbank women’s prison are outdated. Although a complete renovation was decided on in the eighties, current plans have been restricted to a part-renovation due to costs. Cuts include long overdue infrastructure measures for group detention, which was introduced at the beginning of the eighties in place of imprisonment oriented to locking up, solitary confinement and punishment, though without at the same time making the relevant construction-technical alterations.

In view of the small number of women liable for detention in the Swiss prison system the logical, centralized solution for women entails a series of disadvantages for those concerned. These include, for example, the great geographical distance from the families, particularly the children, or to possible training and workplaces outside the institution.

Reform movement in the seventies – rethinking in the nineties?

The active movement of the seventies for reform in prisons and psychiatric institutions generated by inmates, their families, outsiders and professionals in the justice, psychiatry and medicine sectors was also concerned with the situation of women in detention. The reform movement in Germany generated particularly strong impulses with respect to the detention of women in Switzerland.

After the death of an inmate in her cell in 1977, the women detained at Hindelbank sent a petition to the President of the Federation demanding improvements and relaxation of severity in detention for women. These demands focused on ‘open cells’, increased contact possibilities among the inmates and to the outside world, elimination of the reward and pressure system, extension of the educational and entertainment facilities as also calling on a confidential woman or male doctor. Subsequently the Federal Commission for Women’s Issues dealt with the situation of women liable to detention in Switzerland and supported the demands for reform by the inmates in their Detention of Women in Switzerland [Strafvollzug an Frauen in der Schweiz]. Several of the measures proposed by the Commission and others have since been realized in Hindelbank, others are still outstanding.

Also in the seventies in various parliamentary bills, in extra-parliamentary motions and by cantonal initiatives from three cantons an amendment of the General Provisions of Prisons
the Penal Code [Allgemeine Bestimmungen des Strafgesetzbuches] was demanded. After years of preparatory work the mixed committee of experts (though only few women were represented) appointed by the Federal Department of Justice and Police submitted a report on the amendment of the General Section and the Third Book of the Penal Code and on a Federal Law on Justice for Young Criminal Offenders [Bundesgesetz über die Jugendstrafrechtspflege] as also a draft law, which entered the hearings phase in 1993.

The concern for a liberalization of imprisonment and penal detention expressed in the draft law comes at a time when the concept of more humane detention and resocialization is already threatening to fade into the background. Thus it is to be feared that isolated cases, when men on detention leave or parole have committed grave crimes such as murder, rape or grievous bodily harm will further worsen the social-political climate for long overdue reforms. There is a danger that on the basis of the undifferentiated perception of the population, the already problematic orientation to male norms and views in the prison system due to the preponderance of men imprisoned will be accentuated and the urgently needed improvements for women in detention will not be realized.

Improvements for women in detention must be carried out above all in the following sectors: consistent taking into account of women-specific concerns in all the imprisonment and penal installations where women or girls are detained; expansion of educational and training facilities; taking into account of the particularly difficult situation for women with children working and living-out arrangements; more generous contact, visiting and parole regulations; creation of alternatives to detention; training of staff with respect to women-specific problems and needs. The current institutions are unsuitable for and overtaxed with the care of the massively increased proportion of women with addictions as they have neither the means nor the installations to handle the medical and other problems of these women properly.

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Violence against Women

Claire Magnin
Liliane Studer

Abuse, rape, exploitation, harassment – men’s violence against women knows no bounds

Violence against women was hardly talked about until the mid-seventies. 20 years ago, it was the women from the autonomous women’s movement who first spoke publicly about wives and girlfriends being abused by their husbands or lovers. Publications like Erin Pizzey’s Scream Quietly (1976) [Schrei leise] or Sarah Haffner’s Violence in Marriage and what Women can do about it [Gewalt in der Ehe und was Frauen dagegen tun können] (1976) triggered off a real movement. For many women it seemed as if their eyes had suddenly been opened, that they had often seen women with a black eye or an arm in plaster and not really been able to believe the explanations (“I fell downstairs”). A great deal had to be considered and interpreted in a new light. Violence against women came into the open, the offenders were accused, the victims promised help. But the longer women dealt with the problem complex of violence, the more different forms of violence against women came to light: rape, sexual exploitation of children (above all girls), sexual aggression during therapy, sexual harassment at the workplace. Similarly, if not as intensively, prostitution, pornography and sexist advertising were denounced as forms of violence against women. It seemed as if women had set a movement in motion and that no end was to be seen.

The beginnings

In Switzerland Marianne Pletscher’s book, first published in 1977, Going away is not so easy [Weggehen ist nicht so einfach] a compendium of interviews with battered women, was a major impetus. The reports made it shockingly clear how men use violence against women as a matter of course, if they think it is the only way of asserting themselves. Besides this, the book also showed how very much women feel that the violent behaviour of the man is somehow their fault. And a third aspect was confirmed, namely violence towards women is not confined to the lower classes. The feminists of the late seventies saw men’s violence towards women as a form of exercise of power within the patriarchal structures. At the demonstration in Basel, on 8th March 1977, a group of women from the Zürich women’s movement demonstrated for the first time in public against acts of violence.
towards women. Since then the subject of violence has featured regularly at the women's demonstrations (1978-1980, 1982, 1987-1989). Violence against women was also a theme at various 1st May parades – though often marginalized by the organizers.

It is not uninteresting to consider the circumstances under which the issue of Violence against Women was first taken up in March 1977. Voting on the '12-week solution' initiative was scheduled for the following May and the controversial campaign was in full swing. The women from the autonomous women's movement (FBB, MLF) took an active part in this campaign from the outset. They had collected signatures in favour of legalizing abortion, they formed self-help groups, opened contraception advice offices and staged actions criticising doctors (e.g. a group of FBB women 'stormed' the women's clinic in Geneva). They took up the American self-help concept and created publicity for the actions in other countries to propagate abortions by non-doctors, demanded the right to self-determination ('my belly is mine') and poured scathing criticism on the hypocrisy of the patriarchal society and the oppression of women by the medical profession and justice (cf. chapter 'From women's liberation to womanpower', p. 61). The campaigns against violence towards women were generated direct from the campaigns to legalize abortion and they contained the same elements: highlighting of the patriarchal powerplay and criticism of the indifference of society to violence in the family. In a further step, representatives of the autonomous women's movement demanded effective protection for women exposed to violence.

Various forms of violence

In the second half of the seventies associations were founded, first in Zurich later in Berne, for the protection of battered women and their children with the clear objective of, on the one hand, opening refuges for the women concerned and, on the other, of informing the public of the extent of the violence suffered by women. Violence in marriage and marriage-like relationships should be kept private no longer. The relevant associations were founded in numerous Swiss towns and women's refuges were opened (cf. chapter 'Battered women/women's shelters', p. 185). In some towns intensive cooperation with women of various political colours was possible from the outset. Thus for example, in the Association for the Protection of Battered Women Berne, several representatives of the non-socialist women's movement were very active; they engaged themselves in the Berne Women's Refuge during the project phase and contributed significantly to the positive course of negotiations with the civic authorities for the subsidization of the women's refuge (opened 1980).

The debate within the women's movement on male violence towards women was not restricted to violence in marriage. A rough division was made in the differentiation between direct personal violence (battering, rape, physical abuse etc.) and structural violence (disadvantaging of women in education and on the labour market, unequal wage for work of equal value etc.). Violence was interpreted as the expression of the power relationship between the sexes. "Beyond that it is an instrument of discipline with which women can be forced to suffer acts they do not want or to otherwise behave in a way which does
not correspond to their own wishes or needs. The various forms of violence prevent the ‘powerless’ woman from taking her life in her own hands and thus backup the oppression and power position of the men.” (Cantonal Women’s Commission Berne).

Don’t resign, fight together

The confrontation with the various forms of violence entailed an increased awareness on the part of many women and women’s organizations. They recognized that men’s violence against women can be discovered in ever new fields. If, at the beginning of the violence campaign, it was primarily a question of abuse in marriage or marriage-like relationships which drew the attention of committed women, this was soon followed by the field of sexual violence, first rape then sexual exploitation of girls. Analogous to the associations for the protection of battered women, associations were soon established in various Swiss towns to open information and advice offices for women who had been raped, where women could obtain competent help from women (cf. chapter ‘Rape/helplines’, p. 186). The impetus to the confrontation with sexual exploitation of girls also came from the women’s refuge movement. The ‘children’s women’ (women specially engaged to work with the children in the crisis centre) saw themselves increasingly confronted with girls (and occasionally boys) who unmistakably showed that not only their mothers had been physically and sexually abused by the fathers, but that the fathers had also abused their children, particularly the daughters (cf. chapter ‘Sexual exploitation in childhood and youth’, p. 188).

Shocked by the effective extent of male-violence against women, attentive to veiled admissions by women, women listened more closely when other women talked about their experiences, experiences at the workplace, in therapy, on training courses. And the exercise of violence which slowly rose to the surface exceeded the worst forebodings. Women were exposed to possible acts of male-violence in all sectors of life whether at school or at work, at the doctor’s or in the nursing home. And in order not to despair in face of the facts, women declared war on the varied forms of violence. On the one hand an issue was made of the phenomenon of the whole range of violence against women, on the other campaigns were conducted against the various forms.

For several years the women’s movement was virtually alone in its campaigns against violence towards women apart from some local cooperation with various women’s organizations in individual projects. The trade union movement (where women constitute action groups at local and national level in the form of women’s commissions), for example, hardly mentioned the subject. Only in 1987 was sexual harassment taken up as a subject on the women’s conference of the Swiss association of the Public Services Personnel (VPOD). An actual campaign was launched by the VPOD two years later in 1989. It is understandable that the trade unions did not deal with the problem in view of their primary orientation to paid work. It was the campaign against sexual harassment at the workplace which led to an association between the autonomous women’s movements, the party and the trade union women. In Geneva, for example, the Committee against Sexual Harassment comprised women of all political leanings and autonomous women (cf. chapter ‘Sexual harassment at the workplace’, p. 189).
Cooperation is extended

Towards the end of the eighties the issue of men's violence against women was discussed at various levels right up to the Federal Council. There is a prehistory to this development beginning already in 1980, when a postulate was submitted to the National Council asking that the Federal Council "have a report compiled on the abuse of women and violence against them in our country". The report, *Violence against Women in Switzerland (Gewalt an Frauen in der Schweiz)* compiled by the Federal Commission for Women's Issues appeared in 1982. The statistical sector which had been called for could not be compiled as "the data are scarce and hardly comparative". The proposal that an in-depth study for the whole of Switzerland, supported by the National Fund, be made was not taken up. Only since the beginning of the nineties has the National Fund been supporting isolated research projects on the subject of violence towards women.

As far as finances are concerned, the position is also somewhat better than in 1980. Public subsidies are granted for the establishment and running of women's refuges, this is the case in 13 towns to date. The counselling centres for girls and women rape victims in Geneva, Berne and Zurich receive contributions permitting professionalization of the work at these offices and have won in stature. But, in one sense, public funds also imply public recognition of the problem complex of violence against women and the necessity of condemning this violence, of developing prevention possibilities and providing effective help for the victims. Thus the projects developed by women are recognized as 'social institutions'. This also entails disadvantages for the projects and the women who staff them, particularly when the whole responsibility can be relegated now that there is a women's refuge (crisis centre etc.). It is all the more important to continue the political discussions and to emphasize that the objective is a society which is free from violence against women and girls.

Here, the equality offices in particular make an important contribution to the violence debate. They conduct surveys or participate in them (Berne: Violence Report, Geneva: Report on Sexual Harassment), they supported or organized wide-reaching travelling exhibitions on the sexual abuse of girls (No) Safe Place [(K)ein sicherer Ort](Neuchâtel, Geneva, Berne etc.) or organized relevant specialized congresses (Geneva 1989). A nation-wide prevention campaign by the women's centres was conducted with some success in 1990.

Attention should also be drawn to the demonstration against violence towards women in Zurich in 1989, the tour in French-speaking Switzerland of the play *Mouths Unsown (Bouches décousues)* on sexual exploitation, the introduction of a permanent consultative committee on violence towards women by the Geneva equal rights office, the conduct of numerous self-defence courses for women etc. The authorities and politicians are also increasingly obliged to deal with the subject. Every application for support triggers off a debate in the relevant cantonal or communal parliament which is reported on in the press. This increases the public 'presence' of the subject.

*Violence against Women*
Development at federal level

The support facilities like women's refuges, telephone helplines and advice centres for sexually exploited women and children together with the isolated court cases against sexual harassment have made the range of the problem and the necessity for prevention clear. Further, the theoretical considerations of the staff of the relevant institutions have influenced the work of the practitioners in the social sector and have led to new approaches. Research has also taken up the subject, the number of relevant publications is increasing.

The following concrete developments can be recorded at federal level. In January 1991, in the course of the revision of the penal law for sexual offences, the national council (parliament) and the council of cantons (smaller chamber of parliament - representatives of the cantons) resolved that rape in marriage should, on application, constitute a punishable offence (cf. chapter 'The new sexual penal law', p. 195). The report Battered Children in Switzerland [Kindesmisshandlung in der Schweiz] compiled by a working group under the auspices of the Federal Department of the Interior was presented to the public in summer 1992. The law on aid to victims came into effect at the beginning of 1993 (cf. chapter 'Aid to Victims Law', p. 194). Further, various bills were presented in parliament with a view to raising the statutory limitation of two years for sexual exploitation and in the case of the equal rights law emphatic demands for a sexual harassment article are being made by women both in and outside parliament.

At European level, the Federal Council (government) signed, in 1991, the final declaration of the European Council of Ministers in Brussels on Sexual and Physical Violence Against Women. In 1993 a Swiss delegation participated at the Third European Council of Ministers on Equal Opportunities for Women and Men in Rome where a declaration and resolution on violence against women was passed. All these initiatives and steps forward show that violence against women is being made an issue in parliament as well and that a wide range of women, in and outside parliament are working together.

Changes in the awareness of violence

For two decades already, the women's movement has been trying to change social awareness of male violence against women and children by its concrete work and simultaneously by theoretical analyses. But prejudices and myths about the victims of violence can only be reduced very slowly and gradually. Today there is more awareness of the problem of the structural inequity between women and men. But feminists are still battling against age old assumptions that women are masochistic and enjoy violence or take it as a matter of course, or that they provoke rape themselves. The image of violent men has also not been sufficiently corrected. They are still pictured as exceptionally sex driven and sadistic and not as the average men which they usually are.

Since the beginning of the widespread violence debates within the women's movement, demands have been voiced repeatedly that men must come to terms with their role as offenders. Recently, this question has again become desperately urgent in connection with
the raping in the war in Ex-Yugoslavia. The focal question for women, of why men, firstly, claim a power position and, secondly, maintain this by the most brutal violence is obviously of no interest to the majority of men. For the most part it is women who discuss Alberto Godenzi’s records of conversations about sexual violence. It is for the most part women who raise the question of whether men here in Switzerland could be just as brutal as their sexual counterparts in war situations. None of this seems to shock men. Only in isolated cases have men set up aid facilities for violent men. There is far more fuss about ‘Men are battered too’ which aims to turn the discussion on the causes of violence and the sexual relationship upside down. Violence by men against women has not become a public issue for men although women have been engaged in publicity work for almost twenty years.

And who talks about the offenders?

It is therefore not surprising that there have hardly been any profound changes which would allow women a fundamental right to a life without violence. There is neither a legal ruling providing women with effective protection against violence (or at least guaranteeing rapid and reliable help, financial support, protection at the workplace, respect for the dignity of women etc.), nor have the social structures so changed that women are less frequently victims of violence. Women as victims of violence have only become a topic in recent months since the Federal Council raised the problem of internal security. Whereby this is by no means a question of the various forms of violence to which women are exposed in private, but the subject is the far rarer one of women who are raped by a stranger in the forest or murdered by a criminal on parole. However, these discussions distract attention from the daily violence of men against women.

The media, for their part, have taken up the subject of violence towards women increasingly and, in part, contributed to accentuating public awareness with differentiated reports and broadcasts. On the other hand, television, for example, has not changed the tenor of its programmes. Advertising continues to transmit a sexist image of women. In current reporting the subject of violence towards women and children is often played down and marginalized or it is built up to a particularly scandalous case, and the depiction of violence towards women in whodunnits and thrillers is increasing. The spread of trade in pornography and the increasing abuse of children for pornographic products is also shocking (cf. chapter ‘Women in the media’, p. 117).

Economy measures threaten what has already been achieved

Nevertheless, the campaigns against male violence towards women have had a few notable effects. The darkest side of the every day life of women and girls has been brought to light. Publicity work and practical help were linked, a theoretic analysis of the social phenomenon and its individual influences was conducted, and cooperation between various political movements has developed gradually.
On the concrete level certain improvements in penal law were achieved, the Aid to Victims Law was introduced, institutions adapted to the needs of women were created, though their number is still absolutely insufficient.

These few steps of progress were won when the economy was booming. In view of the economic position at that time they must be rated as meagre and they have not been able to change anything fundamental. Today – considering the economic crisis and the rigorous cuts in public spending – even these little steps ahead are endangered.

1994, the Year of the Family, could have been grasped as a chance to take the subject of violence against women and children, which is for the most part played out in the family, as the centre of focus and to support the relevant institutions. This chance was missed.

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Christa Hanetseder
Battered women/women’s shelters

Physical, psychic and sexualized violence against women is a reality in Switzerland; a fact which is documented by the statistics from the women’s shelters. Some 800 women with as many children sought refuge in one of the 14 shelters in 1992, 750 women had to be turned away – due to lack of room. The trend is rising.


During the pioneer phase (until about 1984) the teams tried to implement comprehensive democratic, hierarchy-free working structures (“everyone does everything”). For the users at the beginning, the (implicit) ideal and hope was that thanks to the experienced help and solidarity they would leave the women’s shelter as ‘emancipated’ women with a political awareness. These demands would be continually reflected, modified and differentiated by the concrete experience in the political and institutional constructional work, the
counselling practice and above all by the encounter with the women concerned. This means that today, every shelter has a markedly idiosyncratic structure of its own e.g. in the sponsorship, in the regulation of professional and laywomen’s help, in sectional and functional breakdowns, in the extent of autonomy of the users etc. Recently several shelters (Basel, St. Gall, Geneva, Zurich, Bienna) have set up external counselling offices with the emphasis on prevention, after-care, groundwork or emergency accommodation (Berne, Locarno).

A common feature of all shelters is a high degree of professionalization and institutionalization. They continue to pursue the political objective of changing patriarchal structures and consequently the pre-conditions for the abuse of women. In this respect, however, the results are frequently sobering, as repeatedly shown at the nation-wide encounter, the 1992 international women’s congress in Zurich and the umbrella organization formed in 1987 to which all shelters except Olten and Chur, are affiliated.

Many women’s shelters must today mourn for (previous) residents who have been murdered by their abusers and the teams themselves have also been threatened repeatedly.

Economic and political developments (recession, unemployment, stricter refugee legislation, war in Bosnia etc.) accentuate the problems, for example in looking for work or homes. Migrants are seeking protection more frequently which has actuated the discussion of racism and cultural prejudice, particularly on the part of the teams and led to the resolve that migrants should be increasingly integrated in the teams.

If the competent work of the women’s shelter’s is largely acknowledged today, their financial survival is by no means assured. There are still significant differences from one canton to the other. In December 1993 a motion was brought in the National Council (parliament) that the Federal Council (government) should support the women’s shelters appropriately.

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Véronique Ducret

Rape/helplines

Whereas at the end of the seventies, associations were founded within the framework of the New Women’s Movement, above all for the protection of battered wives and to deal with the problem of violence in marriage, during the eighties women joined forces to provide concrete help to women who had been raped and by public work to make an issue of rape as a further form of violence against women. In 1994 there are nine telephone advice and information centres for women and girls who have been the victims of sexual violence. One of these is in western Switzerland (Geneva) and one in the Upper Valais (Brig)
which also offers help to battered women. The German-speaking cantons Zurich, Basel, Bern, Lucerne, Schaffhausen and St. Gall together have seven advisory facilities, two also deal with other forms of violence towards women (Lucerne and St. Gall). Three others specialize in handling sexual exploitation of school age children (Zurich, Vaud, Geneva), two of these are open to male clients (Vaud and Geneva). These advisory services were founded between 1980 and 1990. They are private-basis institutions and some receive subsidies which cover a significant part of their budget (Zurich, Berne, Basel, Geneva).

The advisory centres are primarily open to women who have suffered sexual violence, but also to specialists and other advisory facilities who are confronted with the problems of sexual violence. The range includes individual counselling (information, psychological counselling, legal information, accompaniment to the doctor’s or to the police) and groups (self-help groups, self-defence courses). The advisory centres also do publicity work with the emphasis on promotion of awareness, prevention and information for which seminars are organized, publications brought out and campaigns conducted.

There are no representative statistics, either at cantonal or federal level, on the number of women who are the victims of sexual violence. The police statistics cover the number of charges brought annually. These in no way reflect the full extent of the sexual violence perpetrated against women for firstly, only few women go to the police and secondly, certain forms of violence are not pursued under criminal law. The staff of the advisory centres for raped women criticise that courts pronounce all too often in favour of the offender. The helplines record a mounting number of women seeking help.

On the one hand the advisory centres and their sponsors have won enhanced recognition in public, in the political bodies and in the social institutions by their work and have changed the attitude with respect to violence against women. On the other, due to the institutionalization of aid and the consequent professionalization they run the risk that the original objective of the New Women’s Movement as it was formulated at the end of the seventies be lost. At the time this was clearly a question of doing away with the patriarchy so that violence against women could at last be eliminated. To counteract this development there is a national coordination of rape helplines pursuing the feminist debate on sexual violence and launching joint actions from time to time.

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Anet Engel
Liliane Studer

Sexual exploitation in childhood and youth

The sexual exploitation of girls and boys was long veiled in silence and the subject repressed. However, in the eighties it became increasingly clear that sexual exploitation is a grave problem. Surveys in the USA and western Europe have disclosed that far more girls and boys are concerned than had been previously supposed. Although there are no precise figures for Switzerland it must be assumed, here as well, that approximately every fourth woman and every eighth man are concerned.

The women victims were the first to make an issue of sexual exploitation. They joined together in self-help groups and later broached the public. At about the same time the women’s project teams (women’s crisis centres, counselling for rape victims) were increasingly confronted with sexual violence in childhood. This was the impetus for the formation of specialized professional groups, counselling projects and LIMITA, the Swiss prevention association (founded 1990) with regional groups in the cantons Aargau, Basel, Bernè, St. Gall and Zurich.

In its information sheet LIMITA describes 'sexual exploitation' in the following words. "Sexual exploitation implies that an adult misuses his/her power and abuses the inexperience, confidence and dependency of a child to satisfy his/her own sexual needs. The obligation to secrecy which condemns the child to silence, defencelessness and helplessness is a central feature." The term 'sexual abuse' is common but specialist groups object to it because it evokes sexual use.

If twice as many girls as boys are concerned by sexual exploitation then the offenders are for the most part men. In some 90% of the cases the offender is a familiar person, he is the father, step father, mother’s friend, uncle, brother, friend of the family, grandfather, neighbour. The offenders are usually socially unobtrusive. The prevention offer, differentiated for boys and girls, concentrates on the children trusting their own feelings. It is important for a child to know that it has the right to say no, for example, if it does not like being touched. It can also be decisive that it confides in the reference persons. Girls (and women) have a tendency to interpret the experience of violence as their own failure and they often have a guilt feeling. The connections between exploitation in childhood and addictions later on (anorexia, drug dependency) are not insignificant (cf. chapter ‘Women – Body – Health – Sickness’, p. 163). Boys tend to act out the violence experience externally. Sometime they later become offenders themselves.

Further to LIMITA, the prevention association, there are two counselling centres in Switzerland – Castagna in Zurich since 1991, the advice office for girls in Berne since 1994 (the latter is associated with the information and counselling office for women and girls who have been raped) – which have specialized in cases of sexual exploitation of girls. In Zurich a shelter for girls was opened up at the end of 1994 where sexually exploited girls and women between the age of 14 and 21 can find rest, protection, care and counselling. Similar projects are planned but in many places there is currently either a lack of
funding or of readiness to authorize public spending for such projects. Women and girls find help at the counselling facilities for rape victims (cf. chapter 'Rape/helplines', p. 186).

The travelling exhibition (No) Safe Place. Against the sexual exploitation of girls. [(K)ein sicherer Ort. Gegen sexuelle Ausbeutung von Mädchen] has been on the road in the German and French-speaking parts of Switzerland providing important information and networking groundwork. By mid-1994 it had already been in three towns in French-speaking Switzerland and in 14 towns in German-speaking Switzerland. Visits to other towns are planned.

Bibliography


Véronique Ducret

Sexual harassment at the workplace

Since the end of the eighties, sexual harassment at the workplace has been discussed by various groups and panels in Switzerland (committees against sexual harassment at the workplace, equal opportunities offices, parliaments, trade unions, companies). As a first task it was urgently necessary to compile a definition of sexual harassment as a basis for the campaign against this form of male exercise of sexual violence against women.

A definition which is broadly accepted today covers the following points: sexual harassment implies every physical, verbal or non-verbal act with sexual connotations which occurs against the will of an individual. These are behaviour patterns denigrating women and putting them in a position of subordination. Sextist harassment is usually covered by the term sexual harassment as it represent a form of disdain for and humiliation of women.

In western Switzerland (Geneva and Lausanne) members of the women’s groups and trade unions founded committees with the objective of helping women who were the victims of sexual harassment at the workplace, and to accentuate awareness of sexual harassment as a social phenomenon and to act against it. These groups largely contributed to the spreading of the discussions and the fact that the problem was taken up by other instances.

A study was published in 1993 (cf. Ducret/Fehlmann), commissioned by the Federal Office for the Equality of Women and Men and the Geneva equality office in which the extent of this form of sexual violence towards women in the Canton Geneva was comprehensively analysed for the first time. In the polls conducted, 59% of the women said they had been sexually harassed at the workplace. The study reproduces the detailed results of the poll and follows up with a series of proposals to counteract sexual harassment.

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Cantonal equal opportunities offices started various actions in this respect (awareness campaigns in companies, draft law, public information, studies etc.). The trade unions also conducted information campaigns, some earlier, among their members and working women and men in general (seminars, discussion events, brochures etc.). Thus, for example the VPÖD, Association of Public Services Personnel [Verband des Personals öffentlicher Dienste] conducted a campaign in 1989 which met with a considerable echo in the German-speaking part of Switzerland.

Many trade unions have incorporated provisions on sexual harassment in their collective contracts. These articles are generally restricted to fundamental declarations and do not set out what course is to be taken in the event of a case of sexual harassment at the workplace. Only the GBI, the Building and Industrial Workers Trade Union [Gewerkschaft Bau und Industrie], has compiled an internal ruling for its personnel prohibiting sexual harassment and setting out the procedure in the event of a claim. Some large enterprises have also compiled internal regulations but these are often vague on procedure with respect to those concerned and generally do not provide any protection against reprisals for the victims or witnesses. Other enterprises have made do with issuing a fundamental declaration that sexual harassment is prohibited. Articles on the subject have appeared in various in-house publications.

The public administrations have recognized the problem and consider it more and more their duty to draw up laws and regulations on sexual harassment. In contrast, most political parties have hardly taken a position on the subject.

The actions and measures mentioned certainly represent progress but to date they have not achieved anything at law level. No special provision with respect to sexual harassment is foreseen in the labour law although the part-revision was in progress in 1994. In the deliberations on the equal opportunities law, also in 1994, it became clear that not all parties aim at legal rulings in this respect (cf. chapter 'The Federal Law on Equal Opportunities for Women and Men', p. 38). In conclusion, the new provisions which have been introduced with the amendment of the penal law for sexual offences, in fact, restrict the competence of the cantonal inspectorates which, to date, had the possibility of conducting investigations in the enterprises (cf. chapter 'The new sexual penal law', p. 195).

Bibliography

Prostitution – sex tourism – procurement

Prostitution

According to a study conducted by the Federal Office of Public Health, between 200,000 and 280,000 men visited a prostitute at least once in 1988. This corresponds to 10 to 15 percent of the male population between 20 and 64 years old. Sexual intercourse on a trade basis takes place some 3 million times a year in Switzerland, an estimated every sixth time without a condom. In other words: 500,000 times a year a man risks infecting himself and others with AIDS. Nevertheless prostitutes, not the men, are considered a risk group. The clients come from all strata of society, they are married, divorced, single, often fathers of families with good jobs.

Prostitution is legal in Switzerland but there are provisions restricting it, and in some cantons (Ticino) it is prohibited. In the larger Swiss cities there are areas where soliciting is legal, mostly outside the centres in non-residential areas. In contrast, prostitutes are not allowed to operate in certain areas. The prohibited-zone regulations stipulate where this is the case and how women who contravene the regulation should be fined. Clients are not pursued. There is no law prohibiting the demand for prostitution. Women who solicit on the streets within the permitted zones must register with the vice squad: The police look on this as a protection measure for the women, but according to the advisory office Xenia, in Berne, this registration is a stumbling block for women if they want to give up prostitution.

The social and financial situation of the prostitutes is bad. They are exposed to severe social discriminations which often force them to remain anonymous and lead a double life. They cannot evidence a regular work relationship and are therefore obliged to rent expensive flats. The tax authorities often rate them, as self-employed, too high and many prostitutes are in debt due to tax and social security back payments. A prostitute is hardly in a position to insure herself against illness or accident and she cannot conclude a loss of wage, insurance as a self-employed person. Nor can the prostitute insure herself against unemployment or join a pension fund.

Even if women who engage in professional prostitution have decided “to sell sexual services, they are usually aware that despite the voluntary aspect they are actually being exploited” (working group ‘Prostitution and AIDS’). Professional prostitutes are further frequently in a rigid dependency situation with pimps who oblige them to hand over their earnings and/or force them to engage in prostitution. Alcohol, pill and pronounced consumer addiction are widespread among prostitutes. In contrast professional women do not engage in any risk of sexually transmitted diseases. They refused unprotected intercourse even before AIDS and today clients who refuse to use condoms are generally rejected by prostitutes who work professionally.

Since 1993 there have been two counselling centres for prostitutes in Switzerland: the advisory office Xenia in Berne since 1988 and the advisory office Aspasie in Geneva since 1983. The Horizont project in Basel offered counselling for professional prostitutes in
1986 but was soon closed down. These three projects were developed by women who consider themselves part of the New Women’s Movement. In Zurich the City Mission [Stadtmission] is attempting to set up counselling facilities for prostitutes.

Drug acquisition soliciting

Drug acquisition soliciting differs from conventional prostitution because it arises as a consequence of drug dependency. The drug users who engage in prostitution usually work on the streets which are broken down into the legal and illegal zones. Drug acquisition soliciting usually takes place outside the legal zones. The woman gets into the man’s car and is consequently completely at his mercy. The risk when drug soliciting of being raped, mistreated, cheated and robbed is exceptionally high. The women’s dependency is extremely pronounced. They need money to get drugs. The clients who go to them know this and exploit it. They insist on intercourse without condoms and consciously expose themselves to infection with the AIDS virus and – they are perfectly normal men – they pass it on. Drug users engaging in prostitution are outside the law on more than one count (drug use, illegal prostitution) so they are reluctant to bring charges against violent clients as they would have to expect a charge themselves. The clients know how to exploit this aspect as well.

Drug users who go on the streets are on the lowest rung both among the prostites and among the fixers. For the professional women they represent competition, because they undercut prices, and they are despised, because they will do anything, because they are unprofessional. At the end of 1991 the Lilac Bus in Zurich, the contact point for drug dependent women in the Zurich Seefeld area was closed down after only two and a half years although the project had provided a high degree of protection for drug users who were on the streets. No comparable project has opened since. Demands insist on women-specific counselling where the women are to be found and that the women should have a place where soliciting drug users can recover from the streets. There has been an association in Berne since the beginning of the nineties Contact Point for Soliciting Drug Users [Anlaufstelle für sich prostitutierende Drogenkonsumentinnen] with a similar objective. During the pilot phase the facilities, similar to the Lilac Bus, are only provided at weekends.

In Zurich, the Alchemilla Association [Verein Alchemilla] which is active in the drug sector is preparing a project ‘accommodation for drug-using, and soliciting women’. A house has already been found but there is a lack of funds. Nevertheless the women want to open the Casa Mascara in July 1994.

Sex tourism – procurement

Although procurement is historically not a new phenomenon, the commerce with women between the ‘first’ and the ‘third’ worlds has grown considerably in importance since the beginning of the seventies. This is an extreme form of sexual, economic and cultural exploitation of women from the ‘Third World’ by the so-called white men of the industrial countries. This white slavery is caused on the one hand by the progressive deteri-
oration of the economic situation in ‘Third World’ countries and the consequent readiness of the women for migration or the obligation to do so to seek new survival strategies for themselves and their families. On the other hand the growing demand by men from the so-called ‘first world’ for ‘exotic’ women constitutes a further cause for this problem.

In Switzerland this traffic has become a flourishing business since the expansion of the tourism industry, more precisely, sex tourism in the ‘Third World’. The women are used in the hard competition of the tourist market as vehicles of publicity and as prostitutes.

Pursuant to article 8 of the decree for the restriction of the number of foreigners (BVO) people from ‘Third World’ countries cannot obtain a work permit in Switzerland. However, there are certain exceptions. In view of their sex, women from the ‘Third World’ can obtain a residence permit if they marry a Swiss and become ‘wives’. A second possibility is the so-called ‘artist’s permit’ which permits women from the ‘Third World’ to work for a maximum of eight months per calendar year as striptease dancers in Swiss night clubs. This work largely comprises selling champagne for at least Sfr: 10,000-- a month whereby animation is forbidden in the majority of the cantons. Due to the high agency and travelling costs which the dancers have to pay themselves, they are often heavily in debt. To settle their debts the dancers frequently have no other option but to earn the money by illegal prostitution. A third alternative for the women is to enter the country on a tourist visa and then seek illegal work, which is frequently only possible in the sex milieu.

Women from the ‘Third World’ can only engage in prostitution legally, if they have a Swiss passport or a residence permit which is no longer automatic on marriage since the civil rights law came into force in 1992: Neither the residence permit B, nor the artist’s permit, nor the tourist visa entitles the women to engage in prostitution.

It is this structural situation which renders the women dependent on the organized milieu or power-hungry husbands and leads to massive physical, psychic and sexual exploitation.

In the context of these difficult circumstances, development and women’s politics circles founded the FIZ association, Third World Women’s Information Centre [Fraueninformationszentrum Dritte Welt] in 1985. The FIZ is, on the one hand, the contact and counseling centre for women from ‘Third World’ countries and, on the other, it does publicity and political work on the theme of women’s migration and procurement.

The persistent publicity work of the FIZ and the rising tendency in recent years of drawing on women from eastern Europe for the sex business in Switzerland, has accentuated the discussion, both in public and at a political level.

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Jeanne DuBois.

Aid to Victims Law (OHG)

The Aid to Victims Law [Opferhilfegesetz (OHG)] which establishes a basis for a comprehensive victim policy came into force on 1st January 1993. Although the law was not primarily drawn up for women who are the victims of sexual attack, it does provide them with a better possibility of enforcing their rights if they have suffered an aggression against their psychic or sexual integrity. The OHG sets three points of emphasis to achieve a better position: counselling, care, improvement in court proceedings, compensation and damages.

Counselling and care

The cantons must establish counselling facilities providing round-the-clock medical, psychological, social, material and legal assistance. These tasks may be confided to already existing counselling centres. The woman concerned has a right to immediate help at the counselling centre of her choice (medical care, securing the home, help in seeking temporary accommodation, putting up the hospital deposit etc.). The immediate help is free of charge. Beyond this she may take advantage of long-term help such as therapeutic care, legal advice and accompaniment in penal proceedings. The costs for long-term help are assumed "insofar as this is relevant due to the financial circumstances of the victim" (art. 3; paragraph 4 OHG).

Improvement in preliminary investigations/ investigation proceedings and before court

The OHG has a procedural provision for the enforcement of material law which is directly applicable in all cantons independent of the specific procedural regulations.

The woman concerned is entitled to relief which she must, in part, demand as this is not granted automatically:

She can have herself accompanied by a person of confidence at the questioning; she can demand that she is questioned by someone of her own sex; she can refuse to answer questions impinging on her private sphere (for example on her previous sexual experience); she is only confronted with the offender at the interrogation if this is urgently demanded by the right of the accused to a legal hearing (some cantons go further; e.g. in Zürich confrontation against the will of the woman concerned is not permissible); she has more procedural rights in the investigative and court proceedings; she can press civil claims in the penal proceedings (compensation for damages and legal redress); she may be represented by an attorney whereby the costs are not assumed pursuant to the OHG but according to some cantonal regulations they are paid by the court treasury independent of her income; she may have the public excluded from the court proceedings.

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Women victims whose income, after the offence, does not exceed a certain limit have more rights in the financial respect. The same income limits have been adopted as applied for the AHV old age and surviving dependants’ pension supplementary benefits. According to the amount of the income of the woman, the cantonal aid to victims law replace the full damages she has suffered or, degressively, a part thereof (this in place of the offender). Independent of the income, the cantonal aid to victims office must pay the woman concerned legal redress for the wrong she has suffered, if she has suffered severely and if the circumstances justify it, which can be taken as a possible counterbalance to the rigid income-dependent damages system. If the cantonal aid to victims office makes payment it subsequently takes action against the offender for damages and legal redress.

For the implementation of these rights, however, the women victims need to put up a fight and have to staying power. Early experience shows that the innovations are not implemented everywhere or have not been integrated in the routine of the investigating and court instances – the enforcement of the law is the responsibility of the cantons. Unfortunately, the insistence on the new rights may still be found disturbing here and there. There are signs of differing treatment according to canton. It will take a few years until the improved protection has become a matter of course throughout Switzerland. Taking over the costs for the various immediate aid measures and the longer-term help as well as the compensation and redress benefits constitute a burden on the budgets. As the funds foreseen for the OHG are barely sufficient in recessive times, which the nineties are, it is essential to ensure that the law is not treated restrictively to the detriment of the victims.

Bibliography


Jeanne DuBois

The new sexual penal law

The revised provisions of the law with respect to sexual penal law, an element of the Swiss Code of Penal Law (StGB) came into force 1st October 1992 – almost 20 years after the first parliamentary bill “concerning moral criminal law”. Aspects in the forefront of
the, in part, vigorously contested revision included the protection of the sexual self-determination of adults and the undisturbed sexual development of young people (age of consent 16 years).

Interests worthy of protection in the sexual sphere are violated in the event of gross intervention in sexual self-determination such as rape, ravishment and sexual exploitation of children. The considerable reduction of the penalties for various offences, contested in vain by women's circles is not reconcilable with the improved protection of sexual self-determination.

What does the new sexual penal law bring for women?

- Rape/coercion to a sexual act (Arts. 189 and 190 StGB)

Rape and coercion are infringements of the sexual integrity of the woman. The criminal offences are not new but it is new that both offences are punishable if committed by the husband. This implies that the protection of social integrity also applies to marriage. However, in contrast to rape or coercion by a third party, rape within a marriage relationship is only pursued on application of the wife. The weakening of the general liability to punishment within a marriage relationship is a compromise, which was found in parliament after considerable deliberations. The resistance to better protection of women against sexual attack is crystallised principally in this question. Arguments of "abuse of the right of application of the woman in divorce proceedings" to "impossibility of presenting evidence" of rape in marriage were pulled out of the hat. The solution found in the law is still an inequity of treatment for married and unmarried women, but it is an initial step towards comprehensive protection for women against infringement of their sexual integrity.

- Pornography (art. 197 StGB)

New is the differentiation between hard and soft pornography. Indecent publications are no longer forbidden per se. It is a criminal offence to publish hard pornography implying publications depicting sexual acts with children, animals and human excrement or sexual violence. Other pornographic presentations are only pursued if they are shown to young people under 16 or to involuntary spectators of either sex.

With this revision the chance of introducing a further differentiation was missed, namely the liability to penalty for the publication of pornographic matter that is degrading to women. Such sexist representations are found in both hard and soft pornography. Women are reduced to chattels, are shown as objects and handled in a humiliating and degrading manner.

What are the implications of the new sexual penal law for girls?

- Sexual acts with children (art. 187 StGB)

A further change is the reduction of the statutory limitation for sexual acts with children to five years. To the amazement of specialists this aspect hardly gave rise to discussion in...
parliament; whereby the members of parliament took the position that the young person or woman must be protected from having to appear in court years after the offence committed against her. However de facto, the reduction of the statutory limitation has entailed a significant deterioration of protection for those concerned. If a child is abused the limitation might be reached while it is still a minor. Consequently the criticism is that the statutory limitation is far too short. The five years are calculated from the time of the last offence. But it is an established fact that many exploited children – particularly if the offender is someone near to them – can only start to come to grips with what they have suffered years after the offence and consequently the question of a criminal charge does not arise till much later. A motion before the National Council in December 1992 for the annulment of the statutory limitation was primarily dismissed by the Federal Council (government). Reference is made to legal finesses but which the courts will not necessarily follow in the opinion of the jurists. Efforts to abolish this meaningless norm must continue in the interests of the sexually exploited children.

Young love

The new sexual penal law brings a considerable improvement with respect to so-called ‘young love’ in that intercourse with a person under sixteen is not punishable if the difference in age is less than three years. A further improvement in the revised sexual penal law is that homosexual relationships are equated with heterosexual relationships.

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Sara Zerbe

Area planning – architecture

Women-specific aspects in the building sector have only become an issue recently. The awareness that an important contribution to the equality of women and men can also be made in the planning and architecture sector is gradually gaining ground. A great deal of groundwork will be necessary before this re-thinking can be implemented in holistic planning.

The situation today

Assuming a concept of violence that defines violence as all restrictions which prevent women from developing their psychic and physical possibilities to the full, the planned and built-up environment can also be interpreted as an expression of violence towards certain groups, e.g. women. Both the architecture (particularly ground plans) and civic struc-
tures (above all exterior public access areas) as also the breakdown of the utilization or functions such as living, working, caring, education and leisure may restrict or expand the possibilities of development of the individual.

Historically, the current area structure was developed primarily as a consequence of industrialization, as craft production was shifted away from the home economy on a large scale and spatially separated from it.

Further, the present day settlement structures are characterized by the automobile-oriented renovations and expansions of the sixties and seventies of this century which were long rated as a positive symbol for growth, prosperity, progress and liberty. After all, the spatial constructions reflect social values and structures. However, the possibility of benefiting from the existing settlement structures are unequally distributed and dependent on the specific roles and functions in society. The 'commuter highways' constitute a restriction to movement within the area above all for women, elderly people and children.

This development is one of the reasons for the current, in part hostile situations such as lack of security, acts of violence in public places, long distance to infrastructures (shopping facilities, meeting points etc.), dangers due to fast roads, air pollution, noise.

Women-friendly planning

For some years approaches are being developed, particularly by feminist architects and planners, towards women-friendly planning in architecture, town-planning and area planning and have in part been realized in model projects. One of the important demands is that the proportion of women in the planning instances be raised. Further, the following points should be taken into consideration in planning:

- plan openly and as understandably as possible for everyone
- inclusion of at least two women on the planning panels who are committed to women's issues (no token women)
- targeted representation of interests
- establish a relationship between planning and pattern of women's daily routine
- incorporate organizations with high women's ratio (those concerned) (cf. Planning is also a Women's Issue [Planung ist auch Fraensache])

Area planning

In this sector the demand for increased utilization blending, particularly in residential and employment areas, is in the foreground. This leads to enhanced vitality in the area and shorter paths between working and living. The demand for easy accessibility of infrastructure facilities is part of the same concept which pre-requires the relevant de-centralization of infrastructure concepts.

Town-planning

A central demand is related to the planning of public access areas, which should be as open to view as possible and have a clearly recognizable function. In general, safety in public
areas should be improved. This refers both to the avoidance of 'creepy', un-safe looking places as well as the reduction of areas conducive to acts of violence by eliminating blind alleys, dark house entrances etc.

Architecture

The ground plans, above all, are important in the architectural sector i.e. the rooms in homes should, as far as possible, be of similar size to allow maximum flexibility in utilization. In this context the demand is that "A Room of One's Own" should be available in the home for the housework alone.

Everyone must re-think

The call to 're-think' is addressed to everyone. Women have been challenged to win back their own room and to occupy room. They should also deal more with the problem of the built-up environment and take advantage of possibilities for active co-operation. Men are also concerned by existing area structures, they could also benefit from a 'town of short paths'.

Accentuated awareness of the specialists must be promoted. In this respect, confrontation with the social division of labour and role assignment and with the breakdown of function and utilization is urgently required. The studies must incorporate the effects of architecture and planning on the routine and development possibilities of women, the elderly and children. It must become a matter of course for women to be represented on planning commissions and architectural juries.

It is just as important to encourage confrontation with feminist town-planning during training. To a certain extent this is already the case at the universities with specific lectures, seminars and studies. Efforts must be made to integrate this theme in the training curricula and so, naturally, in planning.

Bibliography

Migrants

Immigration during the nineties: increasingly heterogeneous

If the migrations in the industrialized countries of north-Western Europe, particularly in Switzerland, after the Second World War are considered from a historical viewpoint, three major streams can be differentiated:

- Until the end of the sixties immigrants are principally younger men looking for work.
- With the stabilization policy (beginning of the seventies) the efforts for the families to follow are increased. Wives and children follow the immigrant fathers. New families are established. The couples have children. The immigrant women go to work. The children go to school in the host country. Today 1/6 of the school-age children originate from other countries.
- The number of applicants for political asylum has increased parallel to immigration and as a result of world affairs. However – possibly as a result of the more restrictive asylum policy in Europe – a reduction in the number of applicants in Western Europe of just 100,000 compared to 1992 (680,000) was expected for 1993 but did not occur (cf. table 3). On the other hand the number of applications for political asylum dropped in 1994.

Immigration of women to Switzerland can be roughly divided into three groups with, in part, different points of departure but many common features:

- women who immigrate to look for work themselves or who follow the husband or father who is seeking work;
- women seeking political asylum who obtain the status of refugees after a more or less protracted period in Switzerland, but who may still be refused a residence permit;
- illegal immigrants for whom there are, logically, no reliable data.

Since the beginning of the stabilisation policy with respect to foreign labour, the countries of origin and cultures from which the immigrants come have increased in number and have changed. The reasons leading to emigration and flight into exile have also changed. Until a few years ago a reliable distinction could be made: ‘immigration for economic reasons’ and ‘immigration for political reasons’. This differentiation no longer mirrors the reality of the mid-nineties. ‘Immigration for economic reasons’ may now comprise the following factors: search for a better position (‘trying his/her luck’), search for work to escape unemployment, enticement by dubious offers (cf. chapter ‘Sex tourism – procurement’, p. 192), flight from areas threatened by starvation and/or environment ca-
tastrophes. 'Immigration for political reasons' may imply: persecution for political or ideological reasons, infringement of human rights as well as religious persecution and flight from war areas as in the case of ex-Yugoslavia.

The terms 'economic' and 'political' have acquired a new dimension with the fall of the Berlin wall. The greater freedom of movement for the people in Eastern Europe, which used to be severely restricted entails new migration movements. Further, the number of countries of origin of the immigrants and refugees is rising continuously. The areas of origin have been expanded by non-western and non-Christian countries. Swiss migration policy has been oriented to the "three circles model" since 1991 which divides countries of origin into three categories as follows:

- The first, innermost circle is restricted to the EU and EEA countries.
- The second, middle circle covers the countries which belong to neither the EU nor the EEA but should nevertheless assume the function of traditional recruitment regions (e.g. USA, Canada, Australia, New Zealand). Further, the states which are classed as 'Safe Countries' are also included in this circle (currently e.g. Turkey).
- All other countries are in the third, outermost circle.

Economic and foreign policy considerations, observance of human rights and the criterion of belonging to an "in the broadest sense, cultural circle with European character" are significant for the Federal Council (government) (Federal Council Report 1991). The first circle is given preference in the grant of residence permits. In practice this breakdown implies that immigration is subjected to a stricter selection. Further, persons from countries where persecution of various kinds is proven, but which are still classed as 'Safe Countries' find it increasingly difficult to be recognized as applicants for political asylum. The results of this ruling are clearly reflected in the statistics.

Even if immigrant women and those seeking refugee status in Switzerland have often followed their husbands and seldom come of their own initiative, it is urgently essential that women-specific reasons for flight be taken into consideration when processing the application of the women. It is surprising to ascertain that more women than men have immigrated from Latin American countries. 80% of the refugees world-wide are women and children, but in Switzerland women refugees and applicants for asylum are in the minority compared to the men. In 1991 only one quarter of the applications for asylum were submitted by women. 44% of the refugees with a residence permit were women, some of them received their permits as wives. The reasons for women to apply for asylum often represent a combination of different causes: extreme economic difficulties, war, political oppression, persecution as women (cf. Federal Office for Equality of Women and Men [ Eidg. Büro für die Gleichstellung von Frau und Mann ] 1993). A few statistical data should show this more clearly.
Table 1
Permanent foreign resident population

Year's residents and permanently settled or holders of permits B and C according to nationality and sex from selected countries

<table>
<thead>
<tr>
<th>Country of origin</th>
<th>Women</th>
<th>Men</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>157,335</td>
<td>210,405</td>
<td>367,740</td>
</tr>
<tr>
<td>Spain</td>
<td>47,722</td>
<td>58,173</td>
<td>105,895</td>
</tr>
<tr>
<td>Portugal</td>
<td>57,174</td>
<td>63,951</td>
<td>121,125</td>
</tr>
<tr>
<td>Turkey</td>
<td>34,413</td>
<td>41,199</td>
<td>75,612</td>
</tr>
<tr>
<td>Greece</td>
<td>3,357</td>
<td>4,351</td>
<td>7,708</td>
</tr>
<tr>
<td>Ex-Yugoslavia</td>
<td>112,464</td>
<td>132,580</td>
<td>245,044</td>
</tr>
<tr>
<td>Poland</td>
<td>2,510</td>
<td>2,545</td>
<td>5,055</td>
</tr>
<tr>
<td>Romania</td>
<td>1,374</td>
<td>1,171</td>
<td>2,545</td>
</tr>
<tr>
<td>Ex-Czechoslovakia</td>
<td>2,541</td>
<td>2,809</td>
<td>5,350</td>
</tr>
<tr>
<td>Morocco</td>
<td>1,265</td>
<td>2,038</td>
<td>3,303</td>
</tr>
<tr>
<td>Tunisia</td>
<td>759</td>
<td>2,497</td>
<td>3,256</td>
</tr>
<tr>
<td>Zaire</td>
<td>931</td>
<td>1,419</td>
<td>2,350</td>
</tr>
<tr>
<td>Vietnam</td>
<td>3,416</td>
<td>3,855</td>
<td>7,271</td>
</tr>
<tr>
<td>Thailand</td>
<td>1,531</td>
<td>710</td>
<td>2,241</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>2,860</td>
<td>3,917</td>
<td>6,777</td>
</tr>
<tr>
<td>Japan</td>
<td>1,302</td>
<td>1,243</td>
<td>2,545</td>
</tr>
<tr>
<td>India</td>
<td>1,751</td>
<td>2,165</td>
<td>3,916</td>
</tr>
<tr>
<td>Philippines</td>
<td>1,704</td>
<td>890</td>
<td>2,594</td>
</tr>
<tr>
<td>Taiwan</td>
<td>259</td>
<td>160</td>
<td>419</td>
</tr>
<tr>
<td>Chile</td>
<td>2,050</td>
<td>2,409</td>
<td>4,459</td>
</tr>
<tr>
<td>Peru</td>
<td>847</td>
<td>718</td>
<td>1,565</td>
</tr>
<tr>
<td>Columbia</td>
<td>642</td>
<td>545</td>
<td>1,187</td>
</tr>
<tr>
<td>Mexico</td>
<td>339</td>
<td>305</td>
<td>644</td>
</tr>
<tr>
<td>Other countries</td>
<td>127,162</td>
<td>154,520</td>
<td>281,682</td>
</tr>
<tr>
<td>Total</td>
<td>565,708</td>
<td>694,575</td>
<td>1,260,283</td>
</tr>
</tbody>
</table>

N.B. Seasonal workers are not listed here as the proportion is very low in December. 71,829 seasonal workers (permit A) were engaged in August 1993; 16,848 of these were women.

N.B.: These data concern permits B (one year permit) and C (residence). They include families following on and transformations of permits. A comparison with the data from 1992 shows a decrease in immigration of 7,096 men and 2,641 women.

Table 2: Immigrations 1993

<table>
<thead>
<tr>
<th></th>
<th>0</th>
<th>5,000</th>
<th>10,000</th>
<th>15,000</th>
<th>20,000</th>
<th>25,000</th>
<th>30,000</th>
<th>35,000</th>
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<tr>
<td>Men with paid work</td>
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</tr>
</tbody>
</table>

Or in figures:

Total immigrations

<table>
<thead>
<tr>
<th></th>
<th>Men</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>117,636</td>
<td>59,111</td>
<td>58,525</td>
</tr>
</tbody>
</table>

with paid work

<table>
<thead>
<tr>
<th></th>
<th>Men</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>30,400</td>
<td>14,587</td>
<td></td>
</tr>
</tbody>
</table>

without paid work

<table>
<thead>
<tr>
<th></th>
<th>Men</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>28,711</td>
<td>43,938</td>
<td></td>
</tr>
</tbody>
</table>


Table 3: Applications for asylum according to sex and country of origin 1990 – 1993

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Men</td>
<td>Women</td>
<td>Men</td>
<td>Women</td>
<td>Men</td>
</tr>
<tr>
<td>Bosnia-Herz.</td>
<td>1</td>
<td>0</td>
<td>37</td>
<td>16</td>
</tr>
<tr>
<td>Resid. Yugosl.</td>
<td>3,446</td>
<td>2,210</td>
<td>9,117</td>
<td>4,874</td>
</tr>
<tr>
<td>Somalia</td>
<td>138</td>
<td>48</td>
<td>516</td>
<td>378</td>
</tr>
<tr>
<td>Albania</td>
<td>182</td>
<td>84</td>
<td>870</td>
<td>205</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>3,861</td>
<td>891</td>
<td>5,615</td>
<td>1,623</td>
</tr>
<tr>
<td>Turkey</td>
<td>5,391</td>
<td>1,687</td>
<td>2,977</td>
<td>1,084</td>
</tr>
<tr>
<td>Others</td>
<td>14,645</td>
<td>3,404</td>
<td>11,201</td>
<td>3,058</td>
</tr>
<tr>
<td>Total</td>
<td>27,664</td>
<td>8,324</td>
<td>30,333</td>
<td>11,238</td>
</tr>
</tbody>
</table>

In 1993 the number of applicants for asylum in Switzerland, from 120 countries, had risen by 38% in comparison to the previous year. Former Yugoslavia, Somalia and Albania are among the most important countries of origin. However, only 16,134 people were applying for political asylum in Switzerland in 1994, which means 34.8% less than in 1993. Thus in 1994 the number of applications for political asylum dropped to its lowest level since 1987. In 1994 4,124 applications came from Resid. Yugoslavia, 3,343 from Bosnia-Herzegovnia.

School education, professional training and social status are the most frequent variables determining the classification of women immigrants and women refugees. Generalisations and stereotype viewpoints must be avoided and the individual circumstances analysed to understand their position. After all, Swiss women are not classified and treated as a homogenous group. The following considerations can therefore only be generalized to a certain extent as they refer to certain groups of women for which data were collected. For many women there are no qualitative data available yet. However, by drawing on comparisons it is possible to understand the problems better and to find solutions for every person or group.

**Tradition, innovation, emancipation**

In consequence of the emigration the emancipation process for many women is more painful and more contradictory than in the country of origin. Three stages of emancipation can be distinguished:
- mental, with respect to ideas
- concrete, with respect to everyday experience
- political, with respect to participation.

At the mental emancipation level, emigration certainly leads to a liberation from century-old compulsions to which women from rural areas and with little education are subjected.

A modified allocation of roles within the family can be ascertained in everyday experience. This results partly from the higher workload (the immigrant woman frequently works outside the home as a consequence of emigration) and partly by the confrontation with different lifestyle models which are experienced in the industrialized host country. Increased financial independence is certainly one factor for the emancipation of women. Participation in social and political life is a further emancipation factor but this is relatively low. Nevertheless, the majority of Italian women in Switzerland (almost 80% according to the poll) would take part in voting and elections, if this were permissible (Allemann-Ghionda/Meyer-Sabino 1992).
Education and work: quantity and quality

The fact is that, not only in Switzerland, the proportion of married women immigrants who work is higher than that of the indigenous women. It is interesting to see how the occupational work has changed the lives of the immigrant women and their families both positively and negatively.

From the example of the Italian women it can be shown that with progressive improvement of the living conditions (permanent residence, better schooling, higher acceptance by the local population of a different language or culture group) the importance of the work outside the home changes. Economic reasons are no longer alone in the forefront, paid work means breaking out of isolation, personal commitment, autonomy and creativity – work becomes a positive aspect in life. Such a redefinition of work is possible for first generation women who, once they have solved the initial problems, can look for work which is as satisfying as possible. This applies all the more to second generation women. Schooling and professional training play an important role for young women who were born in Switzerland. Their schooling is usually inferior to that of Swiss women of the same age or of second generation men (Ackermann-Liebrich et al. 1992) but much better than that of first generation women.

For women who are waiting for a decision on their application for asylum or for whom the decision was positive the position is quite different. Some have good qualifications which they cannot use as they are only allowed to carry out inferior activities. Girl refugees frequently come to school with less basic preparation, women refugees have usually little chance of further training.

For all the women who do not (yet) participate in the rise in the emigration hierarchy, paid work, if it is available, is hard; unemployment can lead to a dead-end situation.

Cultural differences: ‘real’ or ‘constructed’ barriers?

Do immigrant women live in a different reality to Swiss women? And if there are differences, are they primarily dependent on cultural factors? Studies of Italian women living in Switzerland show how the importance of paid work changes for them, how their situation changes under certain circumstances and approaches that of the local women. This approach goes as far as taking over the ‘Three-Phase Model’ (Borkowsky et al. 1985), for example by first generation Italians, particularly if they belong to a lower to totally-uneducated level of society.

The need of immigrant women for further training is progressively similar to that of Swiss women with analogous schooling (cf. Calonder-Gerster 1990). Various circumstances and conditions, however, entail that many immigrant women, particularly if they do not have much schooling, do not learn the host language. The language barrier may be linked with what is considered a cultural barrier.
An in-depth analysis of relations between persons of different culture and ethnic traditions discloses that the genuine conflicts are often of a social and economic nature. This standpoint has concrete influences on the practical work. In work with immigrant women (education, counselling) activities should be emphasized which do not isolate individual ethnic groups but which help to promote contacts with one another and with the indigenous population. Recognising the particularities and cultural variety does not imply a celebration of the exotic or being indulgent towards the ‘deficits’ of people from another culture. Rather, specialists are trained for this task (teachers, psychologists, carers, doctors, lawyers etc.) who are in a position to do justice to the cultural variety. When several cultures are living together, which is progressively becoming the norm, all are challenged to develop more appropriate social skills. This applies both for the immigrant and the indigenous population. Various institutions are striving to implement concepts and offer the relevant help.

Bibliography


International Women's and Equality Politics

International relationships as traditionally male domain

The historic concept of the law of nations – jus gentium and international relationships sees the world as a community of sovereign, independent states. The defence of state territory and the regulation of hostilities – affairs traditionally attributed to the male role understanding – took the foreground.

The evolution in circumstances of life in this century has also entailed a change in the character of international relationships. The increasing mobility of the people and progressive economic and political independence gradually prompted the states to recognize that international problems require international solutions. International law was increasingly concerned with the relationship of the state to its population. The assurance of human dignity became a central objective of the international community of states.

Women have been (too) little concerned with these affairs to date. International relationships are often considered as something abstract having little connection with everyday life. However it is patent that women are, and always were, directly concerned by international politics: war, the international economic situation and migration are only a few indicators of trans-border phenomena which influence women daily.

The international law basis for equal opportunities politics

Prohibition of discrimination and equal opportunities in international law

Prohibitions of discrimination are a central feature of the international law conventions for the protection of human rights which have been established since the Second World War. The signatory countries undertake to guarantee human rights without distinction according to race, colour, gender, language, religion, political convictions, national or
social origin or other status. Furthermore, the conventions on economic and social rights expressly anchor the significant right of women to the same wage for equal value work.

The international prohibition of discrimination is of major importance for the situation of the woman but its effect is restricted from the outset; the objective is the equality of the women's status, who are disadvantaged in many sectors, with that of the men. The gauge is the (better) status of the man. From the nature of the concept, the prohibition of discrimination can hardly take the special needs, which women have in their women-specific social situation – for example as mothers – into account. The classical instruments of human rights are, as a rule, restricted to the formal equality between women and men before the law. The international bodies are only gradually beginning to recognize that effective equality of opportunities demands structural changes in society and thus positive state measures.

'People' and women: human rights and their implications for women

The international law catalogue of human rights and the two United Nations Human Rights Pacts of 1966, the European Convention of Human Rights of 1950 and the European Social Charta of 1961 anchor the civic, political, economic, social and cultural constitutional rights without differentiating between the sexes. They therefore provide important protection for women. The first generation human rights – the classic civil and political rights – are formulated more bindingly than the economic and social rights of the second generation and incorporate more effective control mechanisms both at European and at universal level. This influences, in particular, the legal protection of women, whose legal and social status is more co-determined by economic and social outline conditions, than that of men.

Besides the gender-neutral formulation, the human rights texts are tailored to the protective needs which a self-determining, individualistic – primarily male – person may have towards the state. The specific threat patterns concerning the human dignity of women in typically feminine life situations – such as greater family responsibility and economic dependence within the family – are hardly reflected. Further, the general human rights protection of the private sphere, where state interventions are only very restrictedly possible are set against the special need for protection of women whose dignity is threatened, particularly in the private sphere of the family. The private routine and its power relationships thus tend to be bracketed out from promises of human rights, a factor which is more significant for women than for men.

Switzerland was a party to the European Convention on Human Rights 1974 and the two UN Human Rights Pacts 1992. Consequently their provisions are viable law and enforceable by Swiss courts insofar as they are sufficiently concretely formulated for direct application. The other norms are addressed to the state authorities who must see to their practical implementation in national legislation and politics.

The move to join the European Social Charta failed in parliament a few years ago. However, today new efforts are in progress to promote the adherence of Switzerland.

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The UN Convention on the Elimination of All Forms of Discrimination against Women of 1979

This convention has concretized the human rights prohibition of discrimination in various life sectors. It binds the signatory states to measures in political, social, economic and cultural sectors to guarantee human rights and the basic liberties of women. Positive discrimination in favour of women is expressly permissible if it does not result in the application of different standards for the two sexes.

In particular, the signatory states should implement concrete measures to eliminate gender-related prejudice and role allocation and to recognize the joint responsibility of man and woman for the children. Further provisions define the prohibition of discrimination in national and international politics, in the acquisition and loss of citizenship, in education, on the labour market, in social security, in the health sector, in economic and cultural life and above all, at civil law level, in marriage and in the family. In the first place the conventionformulates obligations of the signatory states and in contrast to the general chartas on civic and political rights, allows women rights which are hardly directly-applicable, which they could invoke before national courts or international instances.

Switzerland did sign the convention but has not yet ratified it. Consequently, the convention is not binding in Switzerland. The Federal Council has indicated that the convention will be put before parliament for its approval during the 1992-1995 legislation period.

Human rights and women’s rights
UN control mechanisms:
danger of the marginalization
of women’s issues

Analogous to the states reporting system of the UN human rights pacts, the convention signatory states have a control mechanism against the discrimination of women, here the Commission for the Elimination of Discrimination Against Women (CEDAW) reports regularly and publicly on progress with the practical implementation of its obligations. Although the commission, comprising 23 independent experts, has no competence to pronounce on dilatory states, it often criticises the signatories publicly. Further, it expresses an opinion on the interpretation of the individual provisions of the convention in its General Recommendations. There is no individual complaint procedure, as recognised at least optionally under the Pact on Civic and Political Rights. CEDAW also has only very restricted personnel infrastructure and session times for its work.

The convention and its control mechanisms have indubitably given the international equal opportunities issue more concrete form and contributed to increased awareness in the signatory states. Problematic, however, is the marginalization within the UNO. As there is a specific charta on equal opportunities for women, the UN mechanisms of the general charta of human rights see too little cause to deal with women-specific issues. The same marginalization problem is apparent on the political plane as well (cf. chapter 'The UNO', p. 214).
Women and development: An example for the change of the international understanding of women’s roles

The central role of the woman in society and economy is only restrictedly recognized by the legal and financial order, both in the western, industrialized, states and in the development countries. Bearing and rearing children, the productive but unpaid work for the daily feeding and health care of the family and for the education of the children, the feminine social work is perceived fundamentally differently to the traditional male activities by politics, society and economy. For some time, particularly in the donor countries and international organizations, a rethinking process has been in progress with respect to the economic and social importance of traditional women’s work. In the course of the efforts for the efficient utilization of funds they have become increasingly aware that a stable, long-term development of society and economy is impossible without the active integration of women and their special needs.

Although definition of the role of the woman in the development is hardly uniform, nor is this feasible, the World Bank, the Organization for Economic Co-operation and Development OECD, the European Union EU for example and many other state development authorities and private organizations have integrated the advancement of women in their development political principles. Nevertheless measures in international economic politics, for example the World Bank structure adjustment programmes still do, in part, have a very negative effect on the social and economic status of women.

However, development cooperation programmes (including the Swiss one) are increasingly attempting to integrate women themselves and to promote them taking gender-specific allocation of roles into consideration. Unfortunately, the discussion of the role of women in economic life is hardly conducted with the same intensity in the ‘developed’ world.

Review of women’s and equality politics in the international organizations

At European level

The Council of Europe

The Council of Europe – virtually all the states of western and central Europe are now members – has dealt with subjects such as the legal and effective equality of opportunities for women in politics, family, work, education, social insurance, health and sports as also with the control of violence towards women, at various levels above all during the past ten years.

A committee for equal opportunities for women and men has been advising the Council of Ministers, the decisive organ of the Council of Europe on equality questions since 1979. Founded as the Comité sur la condition féminine (CAHFM), later renamed as the

International Women’s and Equality Politics

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Comité pour l'égalité entre les femmes et les hommes (CEEG), this committee comprising governmental experts from the member states has been upgraded to a steering committee (Comité directeur pour l'égalité entre les femmes et les hommes, CDEG) and integrated in the activities of the Council of Europe work on democracy, liberties and fundamental rights of the human individual. Effective equality is therefore not only a human rights issue but also a prerequisite for the development of 'true democracy'. The CDEG committee, in particular, examines the situation in the member states, stimulates international and national measures for the realization of effective equality, determines relevant political strategies and compiles the necessary legal texts.

Besides certain international law treaties, concerning equality questions among others, the Council of Ministers approved equal opportunities recommendations to the member states of the Council of Europe (Resolutions). The Council of Europe also published special studies and organized European colloquies and seminars. The Council of Ministers concerned itself several times with the improvement of women's representation in the secretariat of the Council of Europe. The Parliamentary Assembly of the Council of Europe also discussed equality issues several times and addressed recommendations to the Council of Ministers which were, in part, based on detailed studies.

Finally, in recent years the CDEG organized three Councils of Ministers on equal opportunities for women and men to handle topical questions. The conference in autumn 1993 dealt with strategies for the elimination of violence towards women in society focusing, in particular, on the role of the media. Other special Councils of Ministers dealt with equality questions in various sectors such as work and education.

Switzerland has full membership rights. However, Switzerland has only in part ratified the instruments of the Council of Europe, binding under international law, concerning equality questions. There are large gaps, precisely in the social sector (European Social Charter and Additional Protocols cf. chapter 'People' and women', p. 210).

The Conference for Security and Cooperation in Europe (CSCE)

The CSCE, which is attended by the countries of Western, Central and Eastern Europe and North America, dealt with the equality issue in the framework of their 'human dimension'. In particular the Moscow meeting of the conference on the human dimension of the CSCE in 1991 includes a series of political obligations of the member states on the non-discrimination and realization of effective equal opportunities in politics and economy and also for the social recognition of the contribution of women (point 40.1-40.13).

At non-government level, two Women's Conferences on Security and Cooperation in Europe attempted in 1990 and 1992 to create a greater hearing for women's issues within the CSCE mandate. The objective of these women's CSCEs was to integrate women's issues in the official process. However, this did not succeed with respect to statement and document of the CSCE summit in Helsinki 1992.

The European Union

Article 119 of the 1957 Treaty of Rome on the founding of a European Economic Community EEC already expressly foresaw the right to the same wage for work of equivalent value for women and men. The Treaties of Maastricht – in force since 1993 – added express permissibility of positive discrimination to this principle.
Only in the seventies, when social-political issues generally became a topic for the economic-issue oriented EEA, did the EC Council of Ministers deal with equality questions and has since issued various directives defining the principle of equal wage which are not immediately binding for the member states. These directives also prohibit indirect discrimination, that is formal equality but with differing effect for the two sexes. Further draft directives failed due to lack of unanimity of the Council of Ministers or are in preparation. The Court of Justice has examined national implementation of the directives in various cases and made signal pronouncements on equality questions. Numerous recommendations have also been issued to the member states by the Council of Ministers and the Commission.

Since 1981 a Consultative Committee for Equal Opportunities for Women and Men has been advising the EC Commission with respect to its decisions by assuring, in the first place, communication at national level. Furthermore, the Parliamentary Assembly of the Council of Europe, which has no legislative functions, has put forward proposals for measures.

The now third EC Commission action programme to promote equal opportunities (1991-1995) foresees pursuit of the directives policy but above all the focus on positive actions. The integration of women on the labour market, the promotion of their vocational training, a fairer division of family responsibility and the strengthening of the social position of the woman should take into consideration weaker economic periods and the European single market, where women, with their on average poorer occupational qualifications and less mobility, will probably be more disadvantaged than the men.

The EC Commission further resolved a community initiative in 1990 for the promotion of equal opportunities: with money from the EC Structural Fund, NOW (New Opportunities for Women) will support the founding of small enterprises by women and support their occupational training and integration in the labour market. The Network IRIS has been supporting occupational training projects for women since 1988 and the Programme of Local Employment Initiatives (LEI/ILE/LBI) has been providing starting funds for women who want to set up their own business.

In 1990 the European Women's Lobby (LEF) made it their objective to represent the interests of women in the decision-taking process within the EC. It comprises representatives from the national coordination offices of non-governmental women's organizations and representatives from the European women's organizations.

Event after the negative people's vote on Switzerland's joining the EEA, the EU standards will indubitably continue to influence Swiss politics in future. Progressive mobility and economic independence between Switzerland and the states of the European Union will contribute to this.

The UNO

The United Nations Women's Year and the World Conference on Women in Nairobi and Beijing

Women came into focus at the United Nations at the latest with the UN Women's Year in 1975. In the same year the UNO organized the first world conference on equal opportunities for women. The subsequent United Nations Décade for Women (1976-1985) led to the creation of two specific UN institutions for the advancement of women: UNIFEM (UN
Development Fund for Women) promoted innovative development activities particularly in rural areas in the Third World. INSTRAW (International Research and Training Institute for the Advancement of Women) supports the active participation of women in the economic, social and political sectors.

After the Copenhagen Conference in 1980, the Third World Conference on Women at Nairobi, in 1985, represented a milestone. The Nairobi Conference made an initial global appraisal of the results of the United Nations Decade for Women and established an important basis for international equality policy with its Future Strategies for the Advancement of Women. In the three chapters, equality, development and peace, this extensive paper analyses the impediments to equality, formulated strategies and proposed concrete measures for their implementation. The implementation of these strategies will be on the agenda of the Fourth World Conference on Women at Beijing in 1995. The central feature will be an action platform where the states can politically commit themselves to concrete steps.

The World Conferences on Women are primarily governmental conferences. Delegations from the UN member states are the principal participants, the non-governmental organizations (NGO) are admitted as observers. As in Nairobi, they will organize their own, parallel forum in Beijing.

Although not a member of the UNO, Switzerland has the same participant rights at the world conferences as the UN states. Subsequent to the conference at Nairobi a federal, inter-departmental work group in Switzerland compiled concrete recommendations for the implementation of strategies in the federal administration, in other federal institutions and in other public institutions. Since then the work group has been commissioned to report regularly on the practical implementation of these recommendations.

The UN Commission on the Status of Women
Since the founding of the UNO in 1946, the Committee on the Position of the Woman has dealt with equality-political questions at universal level. This has included preparation of the Convention on the Elimination of All Forms of Discrimination against Women (cf. chapter 'The UN Convention of 1979', p. 211). Since the World Conference at Nairobì the strategies resolved there and their practical implementation have been in the foreground. As the UN Economic and Social Council (ECOSOC) technical committee it reports to the latter on women's issues and proposes resolutions and actions for the advancement of women's rights in the political, economic, civic, social and cultural sectors. Despite its importance as regularly (annually) convening universal forum of discussion the committee, in contrast to the UN Commission on Human Rights (cf. chapter 'The UN human rights bodies', p. 216) has hardly been able to develop work methods permitting a more operational approach to concrete problems.

In recent years the subject of violence against women, which is hardly reflected in the UN Convention on Elimination of All Forms of Discrimination against Women, has also become important for the UN Commission. After all the Commission is the preparatory body for the World Conferences on Women and, at its last meetings, it concentrated on the relevant work for Beijing.

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The Commission has been meeting in New York since 1994 and comprises 45 state
delегations elected from ECOSOC on a four-year rota, with balanced representation of the
various world regions. The other UN states and Switzerland have observer status with the
right to speak. International non-governmental organizations are also admitted as observ-
ers and may also speak. The Commission is backed up by the UN Division for the Ad-
vancement of Women (Division de la promotion de la femme) as secretariat.

The UN human rights bodies

The UN Commission on Human Rights – also an Economic and Social Council technical
committee – is concerned with concrete infringements of human rights in the various
countries and with general questions on combating and preventing such infringements.
For this purpose it has developed with a notification procedure, with a sub-committee of
experts as also with special report mandates and work groups, work methods permitting it
a substantial discussion of human rights situations in various countries and of fundamen-
tal human rights problems. The UN Centre for Human Rights in Geneva provides the per-
sonnel structure for the secretariat.

Although the Commission on Human Rights and above all its sub-committee have
dealt with certain questions particularly important to women (for example the campaign
against modern forms of procurement or trade of human beings), for years the subject of
the equality of women and men had only a marginal place in their work partly due to the
parallel existence of the Commission on the Status of Women. Consequently, women-spe-
cific issues were largely excluded from or marginalized in the dynamics of the UN Human
Rights policy, which had developed despite many problems (cf. chapter 'Human rights and
women's rights UN control mechanisms: danger of the marginalization of women's
issues', p. 211). The UN World Conference on Human Rights in Vienna, June 1993, has
now made the equal rights and human rights of women one of the focal points of its state-
ment and its action programme. One feature it expressly emphasized is that the equal
rights and equal opportunities issues must be integrated in all UN activities. The Commis-
sion on Human Rights subsequently appointed a special reporter to report on the problem
of violence against women and to propose concrete actions – a first sign that the Commiss-
ion will deal more intensively with women-specific issues in future.

The UN Commission on Human Rights also comprises 45 national delegates chosen
from ECOSOC; the remaining UN states and Switzerland have observer status. Interna-
tional non-governmental organizations play an important role in universal human rights
and a very active part in the deliberations of the Commission on Human Rights.

The UN special organizations

The scope of some special organizations and bodies of the UN concerns equality ques-
tions. Naturally, all subject areas of these institutions are relevant for women, the follow-
ing overview lists only the most important. Some of them are also paying more attention to
the better representation of women within the institution itself.

The International Labour Organisation (ILO/IAO/OIT) has approved a series of conven-
tions on equal opportunities for women and on the protection of women at the workplace.
It discusses the subject at its annual conferences, publishes relevant reports and studies

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and approves an action plan to commit the member states to measures for equal opportu-
nities and equal rights of women at work.

- UNESCO, the United Nations Educational, Scientific and Cultural Organization has also
issued a convention against the discrimination of women in education, published numer-
ous reports and studies on this theme, conducted various programmes for the advancement
of women and supported relevant national projects.

- FAO, the Food and Agriculture Organization of the United Nations is responsible for inter-
national politics in the agricultural sector and also for specifically women's matters for
women play a central role in the agricultural production of food in the developing countries.

- WHO, the World Health Organization is also increasingly concerned with women-specific
subjects and supports relevant programmes and projects.

- The Bretton-Woods Institutions (World Bank, Monetary Fund) have accorded women a
special weight at least at administrative level. The World Bank has created a specific
Women and Development Division and introduced special delegates for certain regional
programmes.

- UNICEF, the UN Children's Fund is primarily concerned with studies of the equality prob-
lem and the particular role of childhood in the lack of equal opportunities between women
and men.

- UNHCR, the United Nations High Commissioner for Refugees has also made an issue of
the particular threats to and needs of women as refugees in recent years.

Here again, although Switzerland is not a member of UN, it is a member with equal
rights of all the special organizations and participates financially and politically in the ac-
tivities of virtually all the special bodies.

The OECD

- The Organization for Economic Co-operation and Development OECD/OCDE unites
western industrialized countries to promote an economic policy whose objective is the eco-
nomic growth and an enhancement in the standard of living of the member states, financial
stability and thus the promotion of economic development of all countries. Within the
framework of this objective the organization has also dealt with women's issues and pub-
lished various studies on certain specialized sectors (incl. 1984 on the integration of wom-
en in the economy of OECD countries and 1990 on single parent families).

The Development Assistance Committee (DAC) of the OECD has made the theme of
women and development one of its seven priorities. A DAC group of experts prepared the
DAC Guiding Principles to Aid Agencies for Supporting the Role of Women in Develop-
ment, approved in the eighties, and supervises the implementation of these principles in re-
ports.
And Swiss women? — concluding remarks

In view of the ever increasing mobility and economic inter-dependence and their, in part, negative effects on the situation of women, international politics should become an important issue for Swiss women, even when the importance of the relatively abstract debates in daily life is not always apparent. Both the state authorities and the private organizations must actively take part in international equality politics. At government level the most important for Switzerland will be the Council of Europe and the OECD, but the UNO as well — as far as possible for a non-member — and its special organizations.

At international level as well, equality politics must not be reduced to a sectorial problem and thus marginalized. The assurance of equality politics is not only a women’s issue but a human issue. Specific bodies, which engage themselves for equal opportunities for women are exceptionally important: but the integration of women and women’s themes in all sectors of international politics is just as central.

Women should be represented in all state and non-state Swiss delegations to international conferences and conventions in all sectors.

Although the international protection of human rights focuses on male-oriented threat-patterns, women must self-confidently interpret the open, abstract formulations in the various instruments of international law with a view to their own needs. Several general charters of human rights are already binding for Switzerland and in part directly enforceable by the Swiss courts; others have yet to be ratified by Switzerland.

It is urgent that Switzerland should adhere to the UN Convention on the Elimination of All Forms of Discrimination against Women. For Swiss women this convention, like the general international discussion of equality in general, would provide valuable legal and political arguments for national equality politics.

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The OECD


Authors

Cristina Allemani-Ghionda, 1949
Dr. phil., senior assistant at the Institute for Pedagogy of the University of Berne, Basel

Katerina Baumann, 1953
advocate/notary public, scientific assistant to the Federal Office for Equality of Women and Men, Berne

Katharina Beiser, 1953
psychologist, scientific assistant to the Documentary Office for Women’s Issues, Bütten/Berne

Lynn Blattmann, 1961
historian, Zurich

Stephanie Brander, 1955
lic. phil., head of the Department for the Advancement of Women of the University of Berne, Berne

Franca Cleis, 1940
teacher at the Chassos Commercial and Trade School, Ligorno

Astrid Deuber-Mankowsky, 1957
editor of the Wochenzeitung WOZ and publisher of the newspaper Die Philosophin, Zurich/Berlin

Jeanne DuBois, 1950
lic. iur. attorney-at-law, Zurich

Véronique Ducrot, 1955
psychologist FSP, researcher in social sciences, Geneva

Amer Engel, 1959
social worker HFS (Higher School of Social Work), member of the staff of the Berne Information and Counselling Centre for Raped Women and Girls, Berne

Doris Farmer, 1949
lic. iur. attorney-at-law, Zurich

Christine Goll, 1956
independent adult educator and BR journalist, National Councillor, Zurich

Christa Hansteener, 1955
Dr. phil., psychologist, lecturer, Zurich

Ruth Hungerbühler Savary, 1953
Dr. phil., editor cultural section Radio DRS 2 and free-lance sociologist, Vercio TI

Elisabeth Joris, 1946
lic. phil., historian, Zurich

Claudia Kaufmann, 1956
Dr. iur., formery head of the Federal Office for Equality of Women and Men, Dep. Secretary General of the Federal Department of the Interior EDI, Berne

Elizabeth Keller, 1955
political theorist, scientific secretary of the Federal Commission for Women’s Issues since 1990, Berne

Floriane Kroecklin, 1948
free-lance biologist in the field of genetics, Münchstein

Barbara Kopp, 1964
free-lance journalist, Zurich

Margaret Lauterburg, 1955
advocate, scientific assistant to the secretariat of the Cartel Commission, Berne

Mariza LeBéron, 1960
lic. phil., social worker / Women’s Information Centre FIZ, Berne

Regular Mader, 1962
advocate, legal expert Federal Office for Equality of Women and Men, Berne

Claire Magnin, 1948
Women’s Shelter Bienna and nurse, La Chaux-de-Fonds

Linda Mantovani Vogeli, 1955
lic. phil., head of the Equality Office of the City of Zurich since 1990, Zurich

Ruth Mascarin, 1945
Dr. med., doctor, Basel

Thérèse Moreau, 1943
Dr. phil., author, translator, editor, Pully

Isabel Morf, 1957
lic. phil., free-lance journalist, Zurich

Corinne Panchaud, 1956
dipl. social worker, trade union secretary, Basel

Marie-Thérèse Sautebin, 1947
broadcaster, graduate in educational science Geneva, Bienna

Erika Schlappl, 1959
advocate, formerly member of the Section for Human Rights, Federal Department of the Exterior EDA, thesis on questions of international human rights, Berne

Liliane Studer, 1951
lic. phil., Documentary Office for Women’s Issues, free-lance publicist, Berne

Sara Zerbe, 1965
residential planner HTL, district planner, Berne City Planning Office, Berne
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