

Invitation

To

**Dialogue:
Beyond**

**Gender
(In)equality**

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SHORTCOMINGS IN LEGAL EQUALITY

Pārsla Eglīte
(Latvia)

Latvia can be truly proud of the fact that it has never hesitated in recognizing and legislating gender equality. Women were given the right to vote as soon as the independent Latvian state was established in 1918, and several women were elected to the country's constitutional convention in 1920. Beginning in 1919, the period of mandatory education which applied to boys from the age of 6 to 16 was also extended to girls, thus offering them opportunities for further education and professional work. Latvia's women took active advantage of these opportunities in the succeeding decades.

Upon re-establishing independence on 4 May 1990, Latvia joined the United Nations convention on the elimination of all forms of discrimination against women. In keeping with the requirements of the convention, Latvia modernized the section of its 1937 civil code which deals with family and marriage issues, specifying that both parties to a marriage have equal rights within the resulting family. The law on social security which was adopted in November 1995, furthermore, specifies that child-care allowances can be awarded to "persons who are rearing a child younger than three years of age" — i.e., the "person" can be the mother or the father, according to choices made within the family. Amendments to the country's labour code which were approved on 14 March 1996 specify that there can be no limitations or advantages on the basis of gender or age in job hiring procedures.

All would be well, were it not for the fact that women bear children, an ability which has been granted them by nature and which many people believe to be their main purpose in life. When this ability is carried out, of course, a woman's opportunities to be active in other spheres of life are circumscribed to a greater or lesser extent. In countries which recognize gender equality, the right of families to choose the number of children they wish to have, and the need for the state to regenerate its population, mothers receive guarantees that they will be able to return to their jobs after a

certain period of maternity leave, and they receive at least partial compensation for lost income, as well as expenditures that are associated with providing for the child. Naturally, this compensation is only partial in nature, because parents bring children into the world more for their own joy and support in old age than in the interests of the state and nation. Still, state support for families must be at such a level that it reflects the state's support for the creation of new generations and does not force women to choose between having children and putting food on the table.

Latvia implemented a system of family support payments in 1991, but now, in the mid 1990s, these payments by no means ensure women's equality in income, in needs satisfaction and in the enabling of public activity in any sphere.

For example, **maternity support** can be received by women for 56 days before the birth of a child and 56 days afterward. The support payment is equal to 100% of the salary which the woman received before her pregnancy, but since the beginning of 1997, this payment has been available only to those women who have paid the social tax (i.e., who have been employed) for at least the previous six months. This means that women who have just been graduated from high school (usually at the age of 18) or university (22-23) cannot receive support from the state in order to start a family, this despite the fact that these women may be at the best age for childbearing, that their husbands may want to start a family and that the husbands may be working and paying the social tax. The potential mother must first go to work herself and, in effect, pay into the state treasury the support payment which she will later receive. Why couldn't the support payment be drawn from funds contributed by fathers, bachelors and unmarried women? The fact is that even though the social tax is primarily meant to accumulate pension capital, no one in Latvia will get back the entire amount which he or she contributed to the system; some money can be used for other purposes. Of course, women can choose to go to work at the age of 15 so as to have fulfilled the social tax obligations by the time they are ready to start a family. But how many employers are there who are prepared to hire a young girl with nine years of education and no professional skills? If there are such employers, then what are the jobs that they are offering, and

what is the salary that the young women can expect to be paid?

This situation also hinders the ability of young professional women to find work. Employers understand that if women are discouraged from having children before they begin their professional lives, there is every likelihood that they will do so after having paid the social tax for six months. Latvian law mandates that employers must preserve the jobs of women who go on maternity and child-care leave for three years, and many employers feel that in that case it is better just to hire someone who will not be having a child.

When a child comes into the world in Latvia, the mother receives a **birth subsidy**. The sum is usually sufficient to provide for the first needs of the newborn, especially if the child is not the first in the family and some things are left over from the previous child or children.

Once the birth subsidy is paid, however, the state becomes much more reticent in supporting the new family. **Monthly family allowances** for a single child are currently sufficient to pay for no more than the hot and cold water bill. For most residents in Latvia, the water bill is calculated on the basis of how many people live in a housing unit, not on actual consumption, and a newborn child is counted as a person in this process from the very first day. Since August 1996, the family allowance for a second child has been 1.2 times larger than for the first child, while the payment for a third and fourth child is 1.6 times larger. That isn't saying much, however: the additional money is approximately sufficient to cover the cost of waste disposal in urban areas. It is telling that only slightly more than one-third of Latvian families have two children, while only 11.2% of families have three or more (1996 data). According to surveys conducted by demographic specialists in 1992, 1994 and 1995¹, the failure of families to have more children has nothing to do with changes in values engendered by the country's socio-political transformation, nor with a lack of desire to have more children; rather, families in Latvia have taken a hard look at the financial realities which are involved in the raising of a child.

Table 1

Composition of Households in Latvia by Level of Income, %, 1996*

	Average	Deciles				
		I	II	...	IX	X
Monthly income per member of household, USD	88.8	41.0	57.9	...	133.6	192.4
Income as % of crisis subsistence minimum	98.6	45.6	64.4	...	148.5	213.8
Household members, %						
employed	31.9	20.9	26.2	...	42.9	52.9
self-employed	0.9	0.6	0.7	...	1.2	2.1
farmers	3.9	4.9	4.6	...	3.6	2.4
retired	26.8	13.5	22.1	...	28.2	21.1
students	1.5	1.0	1.6	...	1.4	1.7
living on social allowances	1.8	4.3	2.1	...	1.2	1.1
unemployed (on allowance)	1.0	1.9	1.5	...	0.6	0.3
dependents	26.7	39.8	32.8	...	18.4	16.5
others (unemployed without allowance, etc.)	5.5	13.1	8.4	...	2.5	1.9
Dependents per 1 earner	0.73	1.51	1.04	...	0.38	0.29

* Household survey data / Latvian Statistics, Riga, 1997, p. 8, 28

Table 2

Women's Estimation of Their Well-being by Type of Their Household, 1996, %*

Estimation	Types of household									Average	
	single	a couple without children	single with children	single with children and parents	a couple with one child	a couple with several children	a couple with children and grand-parents	two couples	non-married, living with parents or other relatives	females	males
code	1	2	11-16	41-45	21	22-25	31-34		30-1,4,8		
1+2 Good on the whole, no problems	16.3	20.0	4.3	7.3	21.4	10.9	13.0	18.3	14.4	14.6	17.0
3 Life is all right if one economizes	20.9	30.0	23.4	14.6	27.2	26.1	39.8	36.6	32.5	30.4	35.8
4 Often feel lack of money	51.2	37.5	29.8	56.1	33.0	43.5	34.3	25.5	39.8	38.8	29.5
5 We've gone into debt	11.6	10.0	42.6	19.5	16.5	19.6	13.0	7.5	12.0	15.1	14.8
No answer	-	2.5	-	2.4	1.9	-	-	2.2	1.2	1.1	2.8
Number of interviewed	43.0	40.0	47.0	41.0	103.0	92.0	108.0	93.0	249.0	816.0	176.0
Average age, years	38.4	35.0	35.4	33.3	27.2	31.2	32.3	41.2	26.7	31.5	30.5

* Survey "Your will to be active" carried out by Latvian women studies and information centre and the Institute of Economics of the Academy of Sciences of Latvia in 1995/1996.

According to ongoing research of household budgets which is conducted by the State Statistical Committee, in families where there is more than one dependent for each wage earner, the average income per household member is 1.5 to 2 times lower than the crisis survival minimum in Latvia, and 3 to 4 times lower than income in families without dependants (Table 1). Furthermore, it is not only the sustenance of the child which parents must keep in mind. The state does provide free medical care for children, but an increasing number of schools (and not only private ones) are charging for their services.

Because there are virtually no families in which the mother is not present, but there are quite a few families where the husband and father is absent (approximately 15% of all families), women are fully justified in having a lower opinion of their own material situation than do men; this is particularly true in families with only one wage earner (Table 2). Single-parent families are not alone in this problem, however. Nearly two-thirds of two-parent families with more than one child live in ongoing financial straits and mounting debt. A difficult situation is also faced by many women who live alone, because not all women can find work, while in those branches of the economy where the largest number of women work — education, health care and culture — salaries are below average.²

Another factor which keeps many families from having additional children is that in addition to low salaries, families must also deal with the fact that **child care allowances** are very stingy. The sum of this payment has not changed for five years: until the child reached 18 months of age, the payment is 12 lats (approximately 20 USD) a month, and for the next 18 months it is 7.5 lats a month. This payment remains the same irrespective of the number of children in the family, and even in the first 18 months of the child's life, it is nearly three times smaller than the country's unemployment support payment. This tiny sum of support not only illustrates the government's attitude toward child-rearing, it is also too small to afford a nanny or a child-care facility for their offspring. Moreover, people who receive the child care allowance (since 1996 it has been available to the mother or the father) are not permitted to work full-time. Because relatively few employers have part-time jobs available, families are faced with a choice: they can either

pay a nanny from the same salary which must cover all expenditures for the sustenance of the family (in addition to the aforementioned family allowances, families receive an income tax discount of 11.5 lats per dependent, but otherwise they are on their own) and forfeit the child rearing payment, or

Table 3

Pre-primary Enrollment Rate, 1996, % of Age Group

Countries	0-2 years	3-7 years
England	2%	60%
Sweden	39%	73%
Finland	21%	54%
Portugal	13%	49%
Austria	3%	75%
Netherlands	9%	71%
Italy	6%	87%
Ireland	2%	56%
France	23%	99%
Spain	2%	84%
Greece	3%	69%
East Germany	50%	100%
West Germany	2%	77%
Denmark	50%	82%
Belgium	30%	93%
Latvia	0.5%	40%

The newspaper "Izglītība un Kultūra" ("Education and Culture"), February 27th, 1997

one of the two parents can quit his or her job. For many families the latter option is the only one available, because in the present-day economy many grandmothers are still working and cannot afford to leave their jobs lest they put their pensions at risk, and there are virtually no **child-care facilities** for

infants — such facilities are available only for 0.5% of all children up to 3 years of age, which is a smaller percentage than in any country in the European Union, where the percentage ranges from 2 to 50% (Table 3).

If a mother or father chooses to take child care leave, the state pays the social tax for the individual for the first 18 months of the child's life, but calculates the tax on the basis of the country's minimum monthly wage. This has a deleterious effect on the pension which the individual will receive later. If after the initial 18 months one of the parents continues to stay at home with the child, the social tax payment is no longer made. If the parent chooses to return to work, but the job is no longer available because the company has gone bust, the parent can receive unemployment support for nine months, but, unlike other individuals, only at 70%, not 90% of the minimum monthly wage. This means that women, most of whom choose to stay at home with their infants during the first year, have limited income opportunities, limited rights to work, and limited choice in terms of selecting a profession. As a result of this, the employment level of women in Latvia is lower than that among men, especially in those age groups in which children are most often born (Table 4). Accordingly, women have smaller opportunities to increase or supplement their skills, to obtain managing and better-paid positions, and to work toward receiving as large a pension as men can expect to get. The result, in effect, is that discrimination in the labour market is waged not against women (which would be against the law), but against mothers, who are forced to choose between carrying out their sacred obligation to have children and going to work in order to ensure a pension. This is not even an equal choice: raising a child, in cold financial terms, is much less advantageous than working at a professional job.

Both in their actions and their opinions, Latvia's women have expressed opposition to the idea that they must choose between a career and a family.³ Approximately one-half of women say in surveys that family and work are equally important, and even in those types of family where this view receives less support, there are more respondents who feel that the two things are equal than there are people who say that the family is more important than work (Table 5).

Table 4

Economic Activity in Latvia by Gender and Age, Nov. 1995, % of the Group*

Age, years		Employed		of which on a secondary job		Job seekers		Economically inactive**		of which					
										no need		discouraged		other reasons	
		m	f	m	f	m	f	m	f	m	f	m	f		
														(5.4)	(9.1)
Total	15-69	61.5	48.8	4.9	4.0	15.1	10.7	23.1	40.0	1.9	3.8	1.6	2.5	17.5	31.4
of which	15-19	21.7	11.9	0.6	0.5	14.1	11.6	64.0	75.9	2.4	2.3	0.7	0.4	58.2	72.1
	20-24	65.0	46.0	3.2	0.2	22.4	14.9	11.7	38.2	1.5	3.6	1.1	0.5	8.3	31.5
	25-29	74.5	60.6	5.8	2.5	18.8	14.0	6.5	24.5	0.8	3.4	1.1	1.1	2.7	18.5
	30-34	80.0	69.0	8.4	6.1	15.4	13.4	4.1	16.9	0.3	2.4	0.8	1.9	2.4	10.6
	35-39	78.8	74.4	6.0	8.3	13.8	12.5	7.0	12.4	0.2	1.4	1.4	2.4	3.4	8.2
	40-44	75.2	76.1	7.2	5.7	16.1	10.4	8.4	13.2	0.5	2.3	1.4	2.4	4.3	5.7
	45-49	75.1	78.1	5.6	7.0	14.7	12.3	10.2	9.6	0.3	1.5	1.9	2.4	6.8	4.6
	50-54	70.9	66.4	5.9	5.8	16.2	10.7	12.8	22.5	1.1	1.8	2.1	2.9	7.6	13.1
	55-59	62.8	24.8	5.5	2.3	12.1	7.7	25.1	67.1	2.8	6.1	2.0	5.9	16.7	52.6
	60-64	22.5	12.5	1.6	0.6	11.9	5.6	65.5	81.8	7.8	7.5	2.9	3.6	50.0	66.0
	65-69	18.8	9.6	1.5	0.1	3.5	3.9	77.5	86.3	8.4	10.0	3.7	3.8	63.0	69.6
at age	20-59	73.1	61.8	5.9	5.2	16.3	12.0	10.3	25.7	0.9	2.8	1.4	2.4	6.2	18.2

* Labour force in Latvia. - Statistical bulletin /Central Statistical Bureau of Latvia, Riga, 1996, p.58, 159, 181, 217, 229.

** Without those seeking a job, but not ready to take on

Table 5

The Share of Women Fully Agreed to Offered Views by Types of Household, %*

Estimation	Types of household									Average	
	single	a couple without children	single with children	single with children and parents	a couple with one child	a couple with several children	a couple with children and parents	two couples	non-married, living with parents or other relatives	f	m
code	1	2	11-16	41-45	21	22-25	31-34		30-1,4,8		
1. Family is more important than work	27.9	12.5	29.8	24.4	37.9	42.4	38.0	30.1	29.7	32.1	34.7
2. Family and work are equally important	51.2	47.5	63.8	58.5	53.4	44.6	50.9	48.4	49.0	50.6	42.6
3. Neither work nor family are of the most importance	2.3	2.5	-	2.4	2.9	4.3	2.8	1.1	4.8	3.2	4.0
4. Work is more important than family	4.7	7.5	2.1	2.4	-	-	-	4.3	2.4	2.1	8.0
5. The warmth of family life doesn't depend on mother's employment	37.2	32.5	42.6	43.9	38.8	37.0	38.0	32.3	26.1	33.9	18.2
6. Women can get satisfaction in house-keeping no less than at professional work	18.6	27.5	10.6	19.5	26.2	22.8	20.4	30.1	19.3	21.8	25.6
7. Employment is the main precondition for women's independence	74.4	52.5	74.5	75.6	59.2	60.9	69.4	66.7	56.2	62.9	35.2
8. Both wife and husband should be responsible for family's income and house work	81.4	82.5	80.9	87.8	87.4	83.7	88.9	82.8	82.3	84.2	68.2
9. No woman can be satisfied having no children	30.2	65.0	76.6	70.7	67.0	73.9	75.0	74.2	64.7	67.6	64.8

Forced to choose, more and more Latvian women are taking the economically more favourable option. The fertility rate for Latvian women has declined over the last 10 years from 2.15 children in 1986 to 1.25 in 1995⁴. Families in Latvia are not guaranteed the ability to educate and raise their children, and in those families where the parents are unemployed or where only one parent is a wage earner, there is not even a guarantee of adequate nutrition. This means that when women overcome their natural choice (Table 5) and decide not to have children, they are making that decision on the basis of fear about the future of the children. The need to do this suggests a lack of responsibility on the part of the government, because these changes will affect not only families, but also the nation and the population of the state. It is high time that the state increase its support for families with children and that it eliminate all inequalities in the ability of mothers to have a professional career.

NOTES

1. Zariņa, I. (1994). Vēlamais ģimenes modelis Latvijas iedzīvotāju skatījumā. In *LZA Vēstis*, Part. A, 5.6., pp. 1-10; Eglīte, P. (1995). Family Policy During the Transition Period in Latvia. In *Humanities and Social Sciences*, 2(7), pp. 28-47. Latvia, LU Riga; *Ģimene un dzimstība Latvijā* (1996). Riga, LU Demogrāfijas centrs.
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