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Does the Border make the difference

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Introduction

The gendered nature of Irish Society, North and South, is very much a taken for granted reality. Connell (1987) has argued that although we think of gender as a property of individuals, it is necessary to go beyond this and to see the social landscape as being more or less 'gendered' in the sense that its practises and structures are more or less mapped by gender. He suggested that gender divisions were a fundamental feature of the capitalist system ('arguably as fundamental as class divisions') and that 'capitalism is run by and mainly to the advantage of men' (Connell, 1987:104). The concept of patriarchy is useful to describe this phenomenon 'in the limited sense of a short hand for describing male dominance' (Pollert, 1996: 655). It has been defined by Walby (1990) as 'a system of social structures in which men dominate oppress and exploit women'. It also has an ideological reality in the sense that women's position is seen as 'natural, inevitable or what women want' rather than being due to 'the active subordination of women going on here and now' (Connell, 1987:215). Not surprisingly the use of the concept as an overarching framework for understanding variation in women's position North and South is likely to provoke resistance. Equally it is recognised that the identification of North and South as states may be seen as problematic and we recognise the difficulties implicit in doing this (see O'Dowd, 1991 and Rottman, 1996).

It is argued that the patriarchal nature of both States is reflected firstly in the fact that to varying degrees they are both male breadwinner states in the sense that they are organised on the presumed existence of a male breadwinner and a financially dependent wife. Secondly, most women in both

states are in a limited range of occupational positions, and at the lower levels. It is suggested that by locating the similarities and differences in women's paid employment, North and South in this context we can get an insight into the 'implicit gender contract underpinning social and economic organisation' which, to varying degrees, exists across Europe (Bulletin on Women and Employment in the E.U., 1996, 9:1)

It will be shown that married women, particularly older married women in the North have a higher level of participation in paid employment than their counterparts in the South, and it will be suggested that this can be explained in terms of historical factors related to the demand for women's labour in occupations which were not affected by the marriage bar. It will be shown that more women are working part-time in the North and that more women are involved in low paid work there. It will be suggested that these patterns reflect the low levels of male wages; the de-regulatory processes operating in the labour market and the creation of part-time opportunities by the state. It will be suggested that these patterns can also usefully be located in the context of taxation arrangements; benefit systems and facilities as regards the care of children and generally reconciling work and family life. In this context the North emerges as a modified male breadwinner state insofar as it combines contradictory elements, such as individual taxation with means tested benefits and little or no childcare provision (The Bulletin on Women and Employment in the E.U., 1996, 9) On the other hand the South emerges as a strong male breadwinner state with married women's lower levels of participation in paid employment co-existing in a context where there is, effectively, household based taxation and benefits, as well as little state funded child care. In both cases there is the presumption of a male breadwinner and a dependent wife (Lewis, 1992 and 1993). In this respect it is argued that they differ from those E.U. countries where the assumption is that all adults of working age will be in paid work; where taxation and benefits are more individualised; where child care is provided by the State, and where there is a less firm line between public and private responsibility. Scandinavian governments have consciously decided to move towards such a dual breadwinner model, with the state being committed to a heavy social service burden, partly to service family needs, but also partly to allow women, like men, to choose paid work (Crompton, 1995).

On the other hand it will be shown that women in the South, reflecting their higher levels of education, make up a higher proportion of those in the professional services (Whelan et al, 1996; Breen and Heath, 1996). However, women in the South, despite their occupancy of such positions of 'prestige', are less likely than those in the North to occupy positions of 'authority' (Savage, 1992) i.e. positions at the upper echelons of administrative and managerial occupations. This may well reflect the prioritising of religion rather than gender as the ultimate criterion of acceptability in the North and/or the limited efficacy of equality monitoring.

It will be shown that both North and South, as indeed across the E.U., women are disproportionately represented in low paid, part-time work; they are overwhelmingly concentrated into a narrow range of 'semi-domesticated areas' (Mann, 1986:45) and that they are overwhelmingly excluded from positions of administrative or managerial power. It is suggested that these trends reflect what Mann (1986) has referred to as neo-patriarchal nature of the society- what Walby (1990) has called public patriarchy. Some of these gendered practises and processes will be described here, although a detailed exploration of them lies beyond the scope of this paper. What evidence we have suggests that they exist in other European countries- their impact being reduced by political philosophies and collective bargaining arrangements which stress individualisation and the protection of the low paid (Norris, 1987; Whitehouse, 1992; Rubery and Fagan, 1993).

Structures however are not monolithic. Thus particular parts of the State apparatus pursue conflicting policies (Mann, 1993; O'Connell and Rottman, 1992). This is most obvious as regards the tension between the State's endorsement of the rhetoric of equality and degendered citizenship and the continuing support for the male breadwinner framework both North and South. There is a further tension between the creation of employment for women consequent on the expansion of the State apparatus, North and South, and the state's support for the male breadwinner model. Equally there is a tension between this model and the demands of the labour market for cheap flexible female labour.

The interpretation of these patterns is necessarily speculative. Sexton and O'Connell (1997) noted that in the South there was no clear consensus regarding the factors underlying even the growth in

women's participation in paid employment, or their differential importance. Hence the chapter is organised so as to allow the reader to reach his/her own conclusions. Thus, women's participation in paid employment North and South is first described and specific features highlighted. Then the weight of evidence in favour of various explanations is assessed, focusing first on those related to the labour market supply; then to labour market demand, and then to more broadly contextual explanations related to equality policy, collective bargaining and organisational factors - the latter group being seen as particularly important in explaining women's position, as opposed to their participation, in the labour market.

Women's participation in the labour force, North and South: An Overview

Participation Rates: All Women

The pattern of women's participation in the labour force was quite stable from partition until 1981 in the South. In 1926, 30% of all women in the South were economically active, as compared with just under 30% in 1981 (see Table 1). However from the mid 1980s the proportion of women who were economically active (using principal economic status) increased steadily in the South, reaching 33.4% in 1991, and 38.5% in 1996. Furthermore this measure as opposed to the I.L.O. one served to underestimate the proportion of women who were economically active By 1995 the proportion of women who were economically active in the South using the I.L.O. definition was just under 40%-reaching 41% in 1996 (Labour Force Survey, 1996 (1997)).

In the North, the pattern has been somewhat different. Thus the proportion of women who were economically active was slightly higher (36%) in 1926. The increase in the proportion of women who were economically active began earlier than in the South, and hence the increase in the 1980s was less dramatic - 42% of all women being economically active in the North by 1981, and 45% by 1991. Thus the proportion in the North was similar to the E.U. average, which was 45% in 1995 (Eurostat, 1997) while the proportion in the South, despite the dramatic increases in the 1980s, was below it even in 1996.

Labour Force Participation Rates: Married Women

The differences between North and South were more pronounced as regards the proportion of married women who were economically active. In the South, almost 6% of married women were economically active in 1926, compared with 15% in the North. Again this pattern remained fairly stable in the South until the early 1970s. In the North by comparison, it had reached 29% by 1971, while it remained much the same, at 7.5%, in the South (Durkan et al 1995). By 1981 participation had increased to just under 17% in the South and it continued to increase dramatically. In 1996, just under 37% of married women in the South were economically active as assessed on the basis of principal economic status (just under 41% of married women being economically active using the ILO definition: Labour Force Survey, 1996 (1997):29 and 55). In the North married women's participation increased dramatically in the 1970s, and by 1981 it had reached 41%; and by 1991, 49%. The E.O.C. figures (1995:13) show that just under 56% of married or cohabiting women were economically active in the North.

These overall trends conceal substantial age variation, both North and South. Using the I.L.O. definition of labour force participation, 63% of married women aged 25-34 years in the South were in the labour force in 1996 as compared with 25% of those aged 55-59 years (Labour Force Survey, 1996 (1997) :55). A virtually identical proportion of young women (20-34 years) were economically active in the North. On the other hand a much higher proportion (42%) of married women in the 55-59 year age group were economically active in the North.

Thus variation in the economic activity rates of married women North and South (E.O.C., 1995:13) reflect differences in the activity rates of the older cohorts and the longer tradition of paid employment for married women in the North. In this context then the key issue becomes one of explaining both the similarity in economic activity amongst the younger cohorts and the differences in the economic activity rates amongst the older cohorts.

Both North and South, equal pay legislation was introduced following membership of the European Community. It has been argued that at the E.U. level the Directive was driven by France who already had such legislation and did not wish to be economically disadvantaged on this account (McGauran, 1996). In any case the most significant single change in the wage differential in the North and South, followed the implementation of the Equal Pay Act in 1970 in the North, and 1975 in the South. In the North, women's earnings were 63% of men's earnings in 1973, and by 1980 they had increased to 75%. This change was across all occupations, and at all levels. In the South women's hourly earnings relative to men's amongst manual workers in the manufacturing area increased from just under 60% in 1973 to 69% in 1980 (Callan and Wren, 1994). The differential has remained relatively stable since then (Durkan et al 1995). The focus on hourly earnings underestimates the male/female differential since it is widely recognised that men are more likely to receive overtime and other additional payments.

Callan and Wren (1994) found that women's hourly earnings across all kinds of paid employment in the South was 80% of men's - half of that difference being explained by what they called 'productivity related characteristics'-mainly labour market experience. Women's hourly earnings relative to men's (at 85%) were slightly higher in the North. In Britain, women who worked full time earned 80% of men's hourly wage (E.O.C., 1996). The narrower pay gap in the North is due to the lower male wages.

Both the South and the North lack minimum wage agreements. Focusing on full-time women workers with earnings below two thirds of the median earnings, it is clear that the situation in Northern Ireland (and indeed in the UK as a whole) is considerably worse than in the South or in the rest of Europe. In Northern Ireland, 40% of women who work full-time are low paid by this definition (as defined by the Low Pay Unit (LPU)) compared with just under 30% in the South (E.O.C., 1995: 25). Furthermore, the LPU deals only with full-time employees, thus understating the extent of female low pay, since many are in low paid, part-time employment.

Women were equally or over-represented among the full-time low paid workers in every member State in the EU. (Rubery et al, 1993). Thus, quite clearly although there is some divergence between North and South as regards the proportion of women who are low paid, it is very clear that there is convergence (across Europe indeed) as regards the over-representation of women amongst the low paid.

Part-Time Work

Maruani (1992) has noted that part-time paid employment is, generally speaking, characteristic of women in Northern Europe. Part-time workers are particularly common in the U.K and indeed also in the Netherlands. The U.K. as a whole has the second highest proportion of female employees working part-time in the EU and is well above the EU average, while the South is below the EU average (E.O.C. 1995:18). In Northern Ireland the proportion of part-time female employment is lower than in the rest of the UK (37% versus 45%, in 1993) but very much higher there than in the South, where only just over 19% of women were in part-time work.

There has been a rapid increase in part-time employment in the South since the mid 1980s. An increase in part-time employment was characteristic of most of the EU countries in the 1984-1994 period. For many of them this was related to the relaxation of restrictive employment legislation regarding part-time work. This legislation did not however apply in Ireland or Britain. Nevertheless the second largest increase, both in overall terms, and (separately) for women and men occurred in the South over that period. The share of part-time employment also almost doubled in the South over that period (from 6% in 1985 to just under 11% in 1994: NESF, 1996). The growth in part-time employment in the South accounted for almost three fifths of the total employment increase over that period- being most important in the pre 1993 period (O'Connell, 1996). In the South it is likely that the increase reflected an increasing state commitment to the service sector which is typically linked to the growth in part-time employment.

Broadly similar trends emerged in the North, although the expansion in part-time employment began earlier there and accounted for a greater proportion of employment growth. Thus, the growth in female part-time employment in the North from 1971-92 accounted for 95% of the net gain in female employment over the period (Dignan, 1996) and has been closely related to the expansion in the public service, and in particular, in education, health and welfare. Apart from these areas, part-time work in the North in general involves people with few qualifications doing low skilled jobs. The earnings of part-time workers reflect their industrial and occupational distribution (Trewsdale, 1992).

In both the South and the North (as indeed in most of the EU) women are more likely than men to be working part-time. The majority of the women in part-time employment are married (NESF, 1996:13). In the South, four out of five part-time workers are employed in services, and they are (rather surprisingly) concentrated in the business and professional areas (NESF, 1996:13). Indeed, in 1996, nearly three out of five of those women who were working part-time worked in either professional services or in commerce, insurance, finance or business services (Labour Force Survey, 1996 (1997):58) roughly the same size as the proportion favouring a husband and wife having equally demanding jobs- the co-existence of these two opposing views being unusual in European terms, and possibly reflecting differences in age and education.

It is increasingly accepted that women have the right to 'choose' to seek paid work, but the popular perception is that men 'ought' to seek *paid work* (Callan and Wren, 1994). Insofar as alternatives are not available, it is women who are more constrained in their attempt affected by wider contextual factors as well as by labour market policy. Attention is focused on three of these here: namely equality policy, collective bargaining and organisational factors. It is suggested that these are particularly relevant to understanding variation in women's position within the labour market.

Equality Policy

Equality legislation represents the most direct attempt to ensure labour market equality, and economic independence for women. Over the past twenty years, the legal and constitutional, 1997:10).

However, it is not a legally binding instrument. There is also a proposal to include a reference to 'equal work of equal value' in the new European Treaty. It remains to be seen what effect, if any, such initiatives will have.

It is not clear that the state, North or South is seriously committed to improving or even monitoring the effectiveness of the legal machinery in the employment equality area. While equal opportunities legislation exists in both places, there is no powerful intere

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The interpretation of these patterns is necessarily speculative. Sexton and O'Connell (1997) noted that in the South there was no clear consensus regarding the factors underlying even the growth in women's participation in paid employment, or their differential importance. Hence the chapter is organised so as to allow the reader to reach his/her own conclusions. Thus, women's participation in paid employment North and South is first described and specific features highlighted. Then the weight of evidence in favour of various explanations is assessed, focusing first on those related to the labour market supply; then to labour market demand, and then to more broadly contextual explanations related to equality policy, collective bargaining and organisational factors - the latter group being seen as particularly important in explaining women's position, as opposed to their participation, in the labour market.

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contract compliance and grant denial for employers who fail to meet their statutory obligations - the very measures long advocated by the sex, race and disability lobbies in both Britain and Northern Ireland (Maxwell, 1 affected by wider contextual factors as well as by labour market policy. Attention is focused on three of these here: namely equality policy, collective bargaining and organisational factors. It is suggested that these are particularly relevant to understanding variation in women's position within the labour market.

Equality Policy

Equality legislation represents the most direct attempt to ensure labour market equality, and economic independence for women. Over the past twenty years, the legal and constnities initiatives was a liberal one . Theoretically an attempt was made to deal with the value of women's work through Equal Value Legislation. It was introduced in the UK in 1984, following an EU ruling but seems to have had little impact in Northern Ireland. Maxwell (1989; 1991) noted that the legislation was tortuous, complex and ambiguous. She argued that with hindsight it was difficult to resist the view that it was specifically designed to minimise any progress. Thus she noted that a limiting featureambiguous wording in the Employment Equality Act (1977) it has been almost impossible up to now to establish the existence of indirect discrimination since 'the Irish courts and tribunals have generally applied the law of indirect discrimination in a way that exposes subtle and institutionalised forms of sex discrimination' (Fourth Report of the Fourth Joint Oireachtas Committee, 1996:13) - an approach which was fostered by the wording of Section 2 (c) of the 1977 Equality Employment Act. The Nathan v Bailey on to a gender neutral concept of citizenship.

In the North the passing of the Equal Pay Act (1970), the Fair Employment Act (1976), the Sex Discrimination (Northern Ireland) Order (1976) and the establishment of the Fair Employment Agency (1976) and the Equal Opportunities Commission (1976) were all part of this development. A plethora of equal opportunities directives have emerged since the 1970s, prompted by **religious inequalities but increasingly including** gender as a category (for example Policy App989; 1993). These raised the issue of 'read across' i.e. the question of why a strengthened policy could be

promoted in Northern Ireland but not in the rest of the UK. By confining the new policy to religion (and not gender or disability) it could be depicted as of relevance only to Northern Ireland - 'a place apart' (Osborne and Cormack, 1989: 293). Such an approach reflects the State's limited commitment to gender equality.

Jewson and Mason (1986) argued that the dominant approach to such equal opportunity constitutionalism. It is questionable to what extent either of them are concerned with actively promoting gender equality (as opposed to outlawing certain kinds of discrimination). Thus for example certain kinds of positive action are allowed, but not required in the Employment Equality Act. In any event particular parts/sections of the Equality Act (15, 16, 35 and 63 (3)) were found to be unconstitutional, and it will have to be redrafted. None of these sections were specifically concerned with gender. The Sex Discrimination Order (1976) was its reliance on individual proceedings to eliminate wage discrimination. In reality wage discrimination is rarely an individual rights issue, and more usually a structural or collective issue (Maxwell, 1993).

In the South, similar sorts of legislative and institutional changes occurred in the 1970s with the passing of the Anti-Discrimination (1974) and Employment Equality Act (1977), and the establishment of the Employment Equality Agency (1977). Because of the Gibson case drawing on the Equal Treatment Directive and case law from the European Court of Justice established for the first time that it was sufficient to show that a practice bore more heavily on one sex than another to constitute indirect discrimination and so nullified 'the impossible requirements of section 2 (c), Honan, 1997:12).

More recently the Employment Equality and Equal Status Acts (1997) were passed by the Oireachtas but referred by the President to the Supreme Court for an assessment of discriminatory practices - particularly in situations where women have little power within the union, and where there is little importance attached to equality bargaining. Neither in the North nor in the South was equal pay legislation campaigned for by the unions. In fact in both cases the unions negotiated on the basis

of a male -female wage differential. In Scandinavian countries there is a much lower wage differential between men and women's earnings than in either the North or the South. This has been development (United Nations Report, 1995). The presence of dependent children was equally not universally associated with high levels of part-time employment amongst women. It was clear that in some countries, full-time and part-time employment for mothers co-existed (e.g. Denmark); while in others, part-time employment was by far the dominant pattern, (e.g. Netherlands); while elsewhere (e.g. Spain), full-time employment was the dominant pattern.

Variation in child care provision and in family friendly policies

In so far as child care is not provided by women, it potentially can be provided by the State, the market and/or by other family members (such as for example the husband). North and South differ little in terms of men's low involvement in housework and child care (Montgomery, 1993; McWilliams, 1991; Rogers, 1993; Kiely, 1995; European Commission, 1997B). Neither is there a significant difference either in the level of State provision of child care North and South, nor in the economic activity rates of young married women. Thus it is not clear to what extent such provision is important in affecting women's participation in paid employment, although the fact that Portugal, with a very low level of State provision, has a high level of female economic activity is certainly provocative.

The absence of such provision does however signal a certain disinterest by the State in publicly facilitating the reconciliation of work and family life. The UK, with the South and the Netherlands is one of the three countries with the lowest levels of publicly funded child care services for children of all ages. Until recently, Northern Ireland had the poorest provision within the UK (EOC, 1995). In the South, public funding for children under six years other than through early entry to the Primary School System is very low (European Commission, Network on Child Care 1996). It is often argued that the availability of child care facilities influences women's decision to opt for part-time work. This does not hold up however when we consider that the three E.U. countries with the lowest level of publicly funded child care have very different proportions of women in part-time employment.

Callan and Farrell (1991) noted the importance of the costs of substitute care in affecting women's participation where women's wage rates were low. Yet these trends sit uneasily with the fact that despite the absence of State funding for child care, in 1991 the South which had the lowest participation rate for mothers with children under ten years old, had the third largest increase in their participation over the 1985-1991 period. Furthermore, in the South, unlike most other EU countries this increase largely reflected an increase in full-time as opposed to part-time employment. These trends clearly suggest that even in a situation where the state does not facilitate women's paid employment, young mothers participation in paid employment can increase dramatically.

What limited evidence there is available suggests that both North and South there is a good deal of interest amongst employees in arrangements to facilitate the reconciliation of work and family life - both as regards the provision of pre school care, school holiday care, job sharing, and flexible hours (Turner et al 1994; Trewsdale and Kremer, 1996; EEA, 1996; Fynes et al, 1996). For the most part this demand has not been recognised by the state or by employers. Thus, although the real availability of child care facilities to all mothers in a society is useful as an indicator of that society's concern with maximising choices, there is little difference between the North and South in this area.

Benefits

Both North and South the social security systems are by and large organised around the principle of a male breadwinner. Thus in this situation women derive their rights to benefits from their partners, and their access to such benefits is typically means tested. In this situation women are less likely than men to get benefits since they are more likely to have a spouse whose income places them outside the scope of means tested benefits. In addition means tested systems often effectively discourage spouses participation in paid employment by taxing their income.

A number of studies in the North have found that having an unemployed partner increases the likelihood of a married woman being unemployed (Dignan, 1996; Davies et al, 1995; McLaughlin,

1993; 1994; Murphy, 1996). There are many reasons why so few married women with unemployed partners are in employment, such as the likelihood of shared labour market characteristics (Gallie et al., 1994). However, the importance of the way in which the benefit system operates cannot be eliminated. It penalises part-time work by the partner of an unemployed man, by proportionately reducing the man's out-of-work benefits (McLaughlin, 1994). In addition no allowance is made for travel or child care costs. Dignan (1996) estimated that the effect on women's participation where a spouse is employed as opposed to unemployed is almost 20%. Similar patterns emerge in the South (and indeed right across the E.U.) with women being much more likely to be pulled into unemployment by the unemployment of their spouse than vice versa (Bulletin on Women and employment in the E.U., 1996, 9:4).

Benefit policies in the South have steadily underpinned the position of the male breadwinner. Prior to the EU Directive on equal treatment for men and women in the social security system married women were paid lower rates of benefit than men; for shorter periods of time; they were not paid unemployment assistance and married men could claim for their wives as dependants, regardless of what these women were earning. As part of its attempt (1978-1995) to implement the Directive, equal payments for various kinds of benefits were introduced in the South over the 1984-86 period. In introducing such payments, the State directed that, unless these wives were earning less than £50 per week, married men could no longer claim for them as dependants (Fourth Report of the Fourth Joint Oireachtas Committee, 1996). In an attempt to buffer the effect of this reduction in married men's income, compensatory payments were introduced in November 1986, and these were not discontinued until 1992. These payments (up to £20 per week) which were only paid to married men, were seen as part of an attempt to implement the equal treatment directive. They were judged to be discriminatory in the European Court in 1995. Their introduction vividly illustrates the extent to which indirect discrimination has become so embedded in State practices and procedures that it is literally not even perceived.

Taxation

Differences in the taxation systems North and South make it more or less worthwhile in economic terms for married women to be in paid employment. In the North, as in the UK, separate taxation for husbands and wives is automatic and universal. Furthermore, the additional tax allowance which is granted to married couples, can be allocated to either or it can be split between them (European Observatory, EC, 1996). On the other hand in the South (and arguably reflecting its stronger endorsement of the male breadwinner model) double tax allowances and double tax bands are allocated to a married couple, regardless of whether or not the wife is in paid employment. This implicitly challenges the economic wisdom of a married woman participating in paid employment, particularly part-time and/or low paid employment (Mahon, 1994). Furthermore, unless couples specify otherwise, double tax allowances and tax bands are given to the husband automatically, if they married before 1993-94, and to the highest earner (who is likely to be the husband) if they married after that (Monitoring Committee, 1996). Thus, apparently innocuous automatic arrangements as regards tax assessment in the South create a context which implicitly discourages married women's participation in paid employment, and implicitly reinforces the male breadwinner's position.

Individual choice

Hakim (1991; 1995; 1996) argued that women are responsible adults who choose to be either home-centred (uncommitted workers), or committed workers. However as Bruegel (1996) points out, this argument pays little attention to the context in which the choice is made. This context involves a variety of factors including the cost of child care (insofar as it is not provided by the State or the family), the wages available to women, taxation arrangements, the structure of the labour market and the legal situation. The situation may be further exacerbated by the common practise for child care costs to be met out of the wife's income. These factors may well create a situation where the perceived economic benefit of married women participating in paid employment is very low indeed. In this situation not surprisingly, married women in the South and in the North often referred to family/ personal reasons for opting out of the labour market (Fine-Davis, 1988; Trewsdale, 1987).

Normative expectations as well as economic considerations can be expected to shape the choices made. In the South the Roman Catholic Church endorsed an ideological position stressing the importance of women's role within the home- a position which Cousins (1996:13) has suggested was 'not unrelated to the fact that there was always a comparatively high level of unemployment and underemployment amongst Irish men'. Women in Ireland are more likely than any other European women to favour a situation where the wife is not in paid employment (Rubery et al, 1993). However, the proportion doing this was roughly the same size as the proportion favouring a husband and wife having equally demanding jobs- the co-existence of these two opposing views being unusual in European terms, and possibly reflecting differences in age and education.

It is increasingly accepted that women have the right to 'choose' to seek paid work, but the popular perception is that men 'ought' to seek paid work (Callan and Wren, 1994). Insofar as alternatives are not available, it is women who are more constrained in their attempts to decide 'how they shall live,' since it is they who are seen as ultimately responsible for child care and so it is they who must consider how to combine child-rearing and domestic work with paid work (Crompton, 1996). There are real costs to women in terms of labour market returns because of child-related interruptions, effectively reducing women's wages relative to men's. They affect in purely economic terms, the process of internal bargaining between couples, even those with identical preferences and similar capabilities (Callan and Wren, 1994). This kind of analysis illustrates the importance of examining the context within which women make choices. Hence a model such as Hakim's (1991;1995;1996) which implicitly ignores structural constraints seems less than satisfactory. Women in various societies do make choices about their paid working lives, but they do so under varying conditions, and largely not of their own making. Rational choice theory fails to account for the fact that full-time work for women with children under five is restricted to those with higher educational qualifications (Ginn et al., 1996). A plausible explanation for this is the considerable cost of private child care - a cost which only those with high incomes can meet.

Education

In every EU country, participation in the labour force is associated with women's educational level. It is not clear to what extent these patterns reflect the greater economic return that such women can expect, their different attitudes as regards the importance of mothers being at home full-time, or their smaller family size (Bulletin on Women and Employment in the EU, 1995, 6 :8). Level of education had an effect in every country, although the strength of this effect varies even amongst young women with dependent children. Thus, for example the impact of education was modest in Denmark. It was stronger in Portugal, and greater still in (Southern) Ireland. Thus there was a difference of 38% in the economic activity rates of mothers with compulsory and graduate education in the South (see Table 2). Dignan (1996) estimated that in the North having a Degree increased women's participation rate by some 26% compared to those without qualifications. Thus quite clearly right across the EU higher educational levels are associated with women's - even young mothers - participation in education, with the impact of education being somewhat greater in the South than in the North.

The educational attainment of women North and South (like those in the rest of Europe) has increased dramatically since the 1960s. Thus for example 67% of women aged 25-29 years in the South completed second level, as compared with 33% of those aged 50-59 years (Eurostat, 1995, 12:4). These differences are probably not unrelated to the very substantial differences in the economic activity rates of older and younger women in the South. Younger and older women in the North do not display the same differences in employment participation rates. Educational level as such then, cannot explain the differences in women's participation in paid employment, North and South.

Labour Market Structure Explanations- the demand side

A good deal less attention has been paid explanations related to the structure of the labour market, although it is of course obvious that the extent and nature of women's economic activity will be

affected by such structures, both in their own right and as they are shaped by state policies and practises.

The Marriage Bar and the reintegration of women in paid employment

The labour market is not always allowed to operate without manipulation. The classic example of such manipulation was the imposition of the 'marriage bar' by the state. Similar to many West European countries, women in the North and South were subject to a marriage bar, whereby women in public sector employment had to leave paid employment on marriage. The imposition of this reflected and reinforced the male breadwinner model. In the South, the marriage bar was lifted in 1957 for primary school teachers, and not until 1973 for other public sector employees (e.g. civil servants; secondary school teachers). Although the marriage bar was not legally enforced in many other areas of paid employment, such as the banks, up to 1973 there was a clear expectation that women would retire on marriage and this was institutionalised through the marriage gratuity (i.e. a lump sum paid to women on their marriage and subsequent retirement). Thus directly or indirectly the marriage bar affected the participation of women who entered the labour force prior to that time i.e. those women who are currently in their 40s or older.

In Britain, the marriage bar was removed in 1946 (Bagilhole, 1994), but not in Northern Ireland until the early 1970s. Fahey (1990) noted that the marriage bar was not a straightforward state policy on gender employment, but was rather the outcome of a complex and shifting interplay of labour market forces, cultural attitudes and state regulation. This would help explain the later removal of the bar in Northern Ireland where there was a greater labour surplus than in the rest of the UK. The interaction with the labour market also explains why, despite a similar marriage bar, there was a higher percentage of married women in paid employment in the North. Textiles and clothing were the main source of employment for women there and these industries were not subject to the marriage bar. The much higher proportion of older married women in paid employment in the North reflects these factors.

The reintegration of married women into the labour force is particularly important in the South since married women's low level of economic activity was fostered by the social and economic policies of the state, by employers and trade unions. Women face considerable difficulties as regards such reintegration. Even if they define themselves as unemployed and attempt to register as unemployed, they find that having been out of work for a period of time they are not entitled to receive unemployment benefit, and frequently do not have enough insurance contributions to register for credits. If their husband is in paid employment, the level of the household income (regardless of how it is distributed) will determine whether or not they will be entitled to the means tested unemployment assistance. If their husband is unemployed himself and is unwilling to 'swap eligibility', this option is closed to them. Because of the way it is done, 'splitting the claim', which is technically possible, is likely to reduce the total household income; and so it is likely to be an unattractive option. Hence married women are unlikely to be officially registered as unemployed (i.e. on the Live Register). It has been estimated that only 48% of unemployed women were on the Live Register as compared with 85% of unemployed men (Conroy Jackson, 1991).

Employment and training schemes in the South are overwhelmingly targeted at those who are on the Live Register. It is thus very effective in excluding women. Insofar as such schemes are basically concerned with the re-integration of people into paid employment 'there is no justification for any Live Register requirement' and it has been suggested that it may constitute indirect discrimination contrary to the Employment Equality Act (Cousins, 1996:4). Thus through a myriad of apparently innocuous gender neutral rules and regulations, most courses and employment training are effectively targeted at men rather than women. This is particularly ironic since such training is substantially funded by the EU to facilitate reintegration, on the specific understanding that it will be gender audited.

Thus it is suggested that the continued low level of participation by older married women in the South reflects not only the marriage bar, but the ongoing implicit endorsement by the state of the male breadwinner model, as reflected in these policies and practises.

Industrial Policy

It is now widely recognised that in the South, state directed industrial policy contributed to the relatively low level of women's economic activity from the 1920s to the mid 1980s. Thus the 1936 Conditions of Employment Act allowed the minister to restrict the employment of women in an industry so as to arrest any tendency to increase female over male labour (Daly, 1992: 122/3). In the 1960s and 1970s, the state directly and indirectly influenced the gender composition of the work forces of foreign firms entering the South (Pyle, 1990). Export-led industries preferred female labour. The State however actively tried to encourage foreign firms to provide employment for men. The semi-state body with particular responsibility for attracting foreign investment stated explicitly in the late 1960s that they were 'seeking employment that will employ predominantly men'. Their 1970/71 annual report stated that 75% of new jobs should be male (Pyle, 1990: 75). Even into the mid 1980s, there continued to be a preference for multinational companies who would provide 'male' manufacturing jobs. Pursuing male employment fitted with the Constitution and Church ideology. It also reflected the state's perception of unemployment as a male social problem.

The higher participation rate of women in paid employment in the North after partition should not be construed as indicating that there was greater benevolence towards women's employment there. It is more accurate to see it as something that was accepted, rather than desired (McLaughlin, 1989a). As in the South it was male unemployment that was seen as a social problem (McLaughlin, 1989b). The image of Derry as a city of female breadwinners was used by nationalists after partition as proof of an oppressive Unionist sectarian state that would not provide employment for (catholic) men (McLaughlin, 1989a). A report in 1971 stated that Derry was a place where too many women were in paid work, even though at that time female employment represented 20% of all employment in the city (McLaughlin, 1986). Even in 1985/86, 70% of the jobs created in Derry's Enterprise Zone were for men (McLaughlin, 1989a). Male unemployment, and reliance on female breadwinners west of the river Bann (the traditional Catholic marker) was perceived as evidence of the partisan nature of the

Northern state. Beyond this however, the primacy of the male breadwinner model was not challenged.

On the other hand however, both North and South the expansion of public sector employment generated a demand for female labour, mostly in the health and related welfare areas (Smyth, 1997; O'Connell, 1996). This occurred right across Europe, although it was strongest in Sweden where because of its well developed welfare state, over 40% of total employment, and over 60% of women's employment was in the public sector in 1994. In the South, over 25% of all employment and 40% of women's employment was in these areas in 1994 (Bulletin on Women and Employment in the E.U., 1996, 9 :2). In the North (but not the South) the growth in public sector also accounted for most of the part-time employment growth during the 1970s and 1980s. In the South, the state implicitly and explicitly endorsed full time paid employment as the norm. This was illustrated by the fact that although job sharing was technically available in almost four fifths of public sector organisations in the South, and was predominantly used by women, the state as their employer effectively penalised those who opted for it by reducing their increments. The European Court of Justice ruled that this was indirect discrimination in 1997 (Honan, 1997)

The structure of the economy

In the South the decline in agricultural employment, and in semi skilled and unskilled employment over the past 30 years, together with the expansion of middle class positions (O'Connell, 1996) potentially favoured women, since they were less likely than men to own land and more likely to do well at school (Hannan et al, 1996; Lynch and Morgan, 1996). O'Connell (1996) noted that over the 1961-1991 period the overall proportion of employees in upper middle class occupations increased from under 10% in 1961 to over 22% in 1991. The increase occurred amongst both men and women - the proportion of women in such occupations rising from 15% in 1961 to 28% in 1991. Similar, although less dramatic trends occurred amongst lower middle class employees so that by 1991 more than three quarters of the women at work were middle class employees as compared with roughly two fifths of the men (O'Connell, 1996) Similar patterns have been observed across Europe, leading

Maruani (1992:1) to note that 'The feminisation of the working population, especially in white collar jobs, is one of the most important social developments of the late twentieth century..'. However, there were clear limits to such opportunities in the South, since for example, within the upper middle class the proportion of men in the higher professional category almost doubled, while the proportion of women declined by about one third (O'Connell, 1996).

Walsh (1993) noted that increases in the importance of the service sector were associated with employment opportunities for women. In 1995, right across the EU the main area of employment (and of employment growth) was in services: 65% of all EU employment being in this sector, compared with 60% in the South (Eurostat, 1996:4). Just under 80% of women across the E.U. (and in the South) were in the services sector. However, in the South, right up to the late 1980s the State effectively disregarded the service sector, encouraged the industrial sector and tried to bulwark the agricultural sector- both areas of predominantly male employment. Jobs - 'proper jobs' -were seen as being in the manufacturing and agricultural areas - a kind of focus which was very compatible with a focus on male employment.

In their analysis of women's participation in the labour market in the North, Heaton et al (1993:179) argued that non-service industries were organised along the lines of a 'male' model of employment, with full-time work being very much the norm for men and women. On the other hand, the service sector was characterised by having many 'small' jobs. It is certainly true that North and South there are very different opportunities for full-time and part-time work depending on occupation and the sector. The increase in part-time work, North and South, has been linked to increased employment in the service sector. It is difficult however to know to what extent the reliance on part-time workers in this sector reflects weak unionisation rather than the intrinsic nature of the job.

Wider Contextual factors

Women's participation in paid employment is affected by wider contextual factors as well as by labour market policy. Attention is focused on three of these here: namely equality policy, collective bargaining and organisational factors. It is suggested that these are particularly relevant to understanding variation in women's position within the labour market.

Equality Policy

Equality legislation represents the most direct attempt to ensure labour market equality, and economic independence for women. Over the past twenty years, the legal and constitutional framework provided as regards women's position in society both North and South has come under a great deal of scrutiny. Initially, this arose in the context of entry to the European Community in 1973. As signatories of the Treaty of Rome, Ireland and the UK became bound by a series of Directives regarding equal pay and equal treatment in the area of access to employment, vocational training and social security. Such directives have been widely seen as an attempt by the EU to give concrete expression to a gender neutral concept of citizenship.

In the North the passing of the Equal Pay Act (1970), the Fair Employment Act (1976), the Sex Discrimination (Northern Ireland) Order (1976) and the establishment of the Fair Employment Agency (1976) and the Equal Opportunities Commission (1976) were all part of this development. A plethora of equal opportunities directives have emerged since the 1970s, prompted by religious inequalities but increasingly including gender as a category (for example Policy Appraisal on Fair Treatment). Largely due to economic and international political pressure, and the threat to internal stability, attempts have been made to tackle religious discrimination (Osborne and Cormack, 1989). They include monitoring the composition of the workforce, affirmative action, contract compliance and grant denial for employers who fail to meet their statutory obligations - the very measures long advocated by the sex, race and disability lobbies in both Britain and Northern Ireland (Maxwell, 1989; 1993). These raised the issue of 'read across' i.e. the question of why a strengthened policy could be promoted in Northern Ireland but not in the rest of the UK. By confining the new policy to

religion (and not gender or disability) it could be depicted as of relevance only to Northern Ireland - 'a place apart' (Osborne and Cormack, 1989: 293). Such an approach reflects the State's limited commitment to gender equality.

Jewson and Mason (1986) argued that the dominant approach to such equal opportunities initiatives was a liberal one. Theoretically an attempt was made to deal with the value of women's work through Equal Value Legislation. It was introduced in the UK in 1984, following an EU ruling but seems to have had little impact in Northern Ireland. Maxwell (1989; 1991) noted that the legislation was tortuous, complex and ambiguous. She argued that with hindsight it was difficult to resist the view that it was specifically designed to minimise any progress. Thus she noted that a limiting feature of the Sex Discrimination Order (1976) was its reliance on individual proceedings to eliminate wage discrimination. In reality wage discrimination is rarely an individual rights issue, and more usually a structural or collective issue (Maxwell, 1993).

In the South, similar sorts of legislative and institutional changes occurred in the 1970s with the passing of the Anti-Discrimination (1974) and Employment Equality Act (1977), and the establishment of the Employment Equality Agency (1977). Because of ambiguous wording in the Employment Equality Act (1977) it has been almost impossible up to now to establish the existence of indirect discrimination since 'the Irish courts and tribunals have generally applied the law of indirect discrimination in a way that exposes subtle and institutionalised forms of sex discrimination' (Fourth Report of the Fourth Joint Oireachtas Committee, 1996:13) - an approach which was fostered by the wording of Section 2 (c) of the 1977 Equality Employment Act. The Nathan v Bailey Gibson case drawing on the Equal Treatment Directive and case law from the European Court of Justice established for the first time that it was sufficient to show that a practise bore more heavily on one sex than another to constitute indirect discrimination and so nullified 'the impossible requirements of section 2 (c), Honan, 1997:12).

More recently the Employment Equality and Equal Status Acts (1997) were passed by the Oireachtas but referred by the President to the Supreme Court for an assessment of their constitutionality. It is questionable to what extent either of them are concerned with actively promoting gender equality (as opposed to outlawing certain kinds of discrimination). Thus for example certain kinds of positive action are allowed, but not required in the Employment Equality Act. In any event particular parts/sections of the Equality Act (15, 16, 35 and 63 (3)) were found to be unconstitutional, and it will have to be redrafted. None of these sections were specifically concerned with gender.

Women's low pay is recognised as being related to their concentration in particular occupational groups which then tend to be defined as low skilled and poorly paid and which are not amenable to equal pay legislation (Trewsdale, 1987; Rubery & Fagan, 1993:2; E.O.C., 1996). At E.U. level in an attempt to tackle the problem, a Code of Practice was adopted in 1996 on Equal Pay for Work of Equal Value. It aims to do away with discrimination in job classification and job evaluation schemes (European Commission, 1997:10). However, it is not a legally binding instrument. There is also a proposal to include a reference to 'equal work of equal value' in the new European Treaty. It remains to be seen what effect, if any, such initiatives will have.

It is not clear that the state, North or South is seriously committed to improving or even monitoring the effectiveness of the legal machinery in the employment equality area. While equal opportunities legislation exists in both places, there is no powerful interest group pressuring the state to implement or extend it in the area of gender. By contrast, equal opportunities legislation in Northern Ireland relating to religion is very much more rigorously monitored.

Collective Bargaining

Bercusson and Dickens (1996) and McCrudden (1993) have highlighted the inadequacies of legislation as a way of promoting equality. Collective bargaining is seen as potentially an alternative or supplementary route, although it is recognised that collective agreements may perpetuate discriminatory practices- particularly in situations where women have little power within the union,

and where there is little importance attached to equality bargaining. Neither in the North nor in the South was equal pay legislation campaigned for by the unions. In fact in both cases the unions negotiated on the basis of a male -female wage differential. In Scandinavian countries there is a much lower wage differential between men and women's earnings than in either the North or the South. This has been attributed to centralised wage negotiations and a commitment to limiting wage dispersion and it has proved more effective than legislation in minimising wage differentials (Callan and Wren, 1994; Lester, 1987). Thus while the South and the U.K. theoretically have better legislative protection than places like Denmark, the wage gap is lower in the latter (Lester, 1987; Bergusson and Dickens, 1996). The existence of a national minimum wage (which is currently attracting support in the U.K. and the South) is also advantageous to women since they are particularly likely to be amongst the low paid. However, it is interesting that the C.O.R.I. proposal (Clark and Healy, 1997) giving a basic income to every adult, and so representing the complete ending of the male breadwinner system, was greeted with derision by senior civil servants.

Whitehouse (1992) found that across OECD countries the size of the (hourly) wage differential between men and women was affected by the existence of collective bargaining, while there was no clear evidence as regards the effect of legislative measures. She recognised that in some cases the capacity of the unions to regulate the labour market hindered the influx of women into paid employment. Indeed this kind of pattern can be seen in the South where, at least up to the late 1980s, the unions were mainly concerned with the creation of full time 'male' jobs in manufacturing industries. In the North, on the other hand, casualisation and de-regulation were accepted at an earlier stage and hence facilitated women's participation in paid employment. In both cases however, the effectiveness of the Unions in protecting the wages and working conditions of part-time workers was limited. Whitehouse argues however that this need not necessarily be so. Thus for example in Sweden, union control over the conditions associated with part-time work (which is predominantly done by women) was such that employers had to look for other ways of achieving flexibility, apart from creating low security, poorly paid, part-time jobs.

Even in Sweden however, it has been noted that at particular points in time and in particular sectors (such as banking in the 1980s) managers acquired greater discretion to set individual weekly wages over and above those agreed collectively. Thus for example they decided at what point on the scale employees entered, when they should be promoted, and how merit payments should be distributed. Acker (1991) noted that overwhelmingly in these situations the net effect was to increase the wage differential. Thus like Rubery et al (1993) and Whitehouse (1992) she concluded that wage differentials were likely to be minimised by wages being collectively negotiated. It is impossible to say why it should be so, although Pollert's (1996:654) observation that 'Male dominance feeds on itself in terms of vested interests defending the status quo' is provocative.

Organisational factors

These factors are seen as particularly important in explaining the position of women within the labour force, and in particular, in explaining the persistence of vertical segregation. It has been widely argued that women's absence from senior administrative and management positions reflected the impact of the marriage bar and/or the presence of children. Both of these explanations are increasingly seen as questionable in view of international evidence. Thus for example the proportion of women in senior positions in the Civil Service in the U.K. is much the same as in Ireland although the marriage bar was removed there in the 1940s. The proportion of women in such positions varies considerably across Europe being very similar in Denmark and Ireland despite their very different levels of State support for child care: (14.4% and 15.1% respectively :United Nations Report, 1995:84). Variation also appears to be unrelated to stage of economic development.

Similarly, it appears that although women's educational levels can play a part in increasing their possibilities as regards access to such positions, educational level may facilitate access to positions of expertise but not authority (Savage, 1992). Norris (1987) suggested that socialist/ left wing governments were most likely to reduce vertical segregation -with the presence of right wing parties being most likely to increase it. However although this seems plausible in terms of the proportion of women in such positions in Sweden or Hungary , it is obviously not a sufficient explanation since the

proportion of women who were administrators or managers was roughly the same in the USA. as in Sweden. Furthermore, in the USA and indeed also in Australia, in contrast to the typical European pattern, women's educational expertise appeared to be more than proportionately reflected in their access to positions of authority (United Nations, 1995).

Women in the South show the typical European pattern i.e. constituting a very high proportion of those in the professional services area, and a very low proportion of those in the administrative and managerial areas. These trends reflect various aspects of organisational structure and culture in both the public and private sectors which the State has failed to challenge. Thus for example the virtual absence of women from senior positions in the local authorities in the South can be seen as reflecting the narrowness of the 'channel' from which such positions are recruited (Mahon, 1996). The absence of women in senior position in the Health Boards can be seen as related to similar factors, compounded by the absence of a career path from areas of predominantly female employment, such as nursing, into main stream management positions; and reflecting the tendency for areas of predominantly female employment to be remote from decision making structures. The absence of women from senior positions also reflects both the very low ratios of promotional posts in female dominated areas of employment and men's greater access to them (the possibility of promotion being 28 to 1 in the case of women moving from staff nurse to assistant matron/matron, as compared with 14 to 1 for men in a similar position; and a 1 in 2 chance for clerical officers to move into supervisory positions in the administrative structure in the health boards: O'Connor, 1995). Organisational procedures which militate against women's promotion in the public and private sectors- such as all male interview boards, frequently chaired by retired men whose ideas reflect a stereotypical view of women are also likely to be important (Mahon, 1996; O'Connor, 1996) as is the tendency to allocate high profile tasks to men (Mahon, 1991; O'Connor, 1995). The persistence of an organisational culture characterised by male prejudice which 'chills' women out has also been highlighted (Mahon, 1991; Barker and Monks, 1994; O'Connor, 1996). Such phenomena are not of course peculiar to Ireland. For the most part however they have been virtually ignored by the state in the South- the persistence of patterns of vertical segregation being perceived as 'natural'. Such a

view seems highly questionable in view of the fact that such patterns changed dramatically over an eight year period in the case of applications for and appointments to principalships in primary schools in the South (Lynch, 1994).

In the North, there is some evidence to suggest that although women are less likely than their counterparts in the South to be in the professional services, they are more likely to be in administrative or management positions. There are methodological difficulties in making such comparisons. However, it is interesting to note that similar trends emerged in the case of senior academic appointments- women constituting 4% of those at professorial position in the South, as compared with just over 9% in the North in 1996 (Smyth, 1996; Ince, 1996). It seems plausible to suggest that these differences may reflect the more rigorous monitoring of appointments in the North. Such differences however cannot obscure the fact that in both States the overwhelming majority of such positions are held by men.

Summary and Conclusions

In this chapter, we have explored the extent and nature of women's participation in paid employment, North and South. However, mindful of the caveat that there are methodological difficulties in making such comparisons, the most striking differences are the higher proportion of older married women who are in paid employment in the North, the higher proportion of women who are working part-time and the higher proportion who are low paid. These trends are compatible with the depiction of the North as a modified male breadwinner State, where traditionally and currently women's participation in paid employment was facilitated, in the context of the expectation of economic dependence on a husband. Low provision of child care, individual taxation, means tested benefits, and a de-regulated employment policy are currently associated with this pattern in the North.

The South appears to be a strong male breadwinner State insofar as more systematic attempts were made to exclude women from the labour force and to inhibit their reintegration. A non individualised

taxation system, together with a low level of child care, means tested benefits, and an employment policy focused on the creation of full time jobs in areas of predominantly male employment further reflects this strong male breadwinner ethos.

Young women -North and South-have similar levels of participation in paid employment. Today, most women North and South work in the service sector, in broadly similar kinds of occupations. Paradoxically however, the commitment of the state in the South to education and to the expansion of middle class service occupations within the state apparatus, combined with women's high educational performance, has created a situation where roughly two thirds of those in professional services are women. In the North the proportion of women in professional services is lower, reflecting women's lower educational levels (Whelan et al, 1996; Breen, and Heath, 1996). In the North however, women constitute a higher proportion of those in administrative or managerial positions than they do in the South, possibly because of more assiduous monitoring of appointments.

Equal opportunities legislation has been introduced both North and South since the 1970s. The extent of either State's commitment to the implementation of such legislation in the area of gender is questionable, particularly where it conflicts with policies premised on the idea of a male bread winner. In a situation where collective bargaining is weak and/or unconcerned with gender issues it is difficult to challenge the kind of organisational practises and processes which perpetuate discrimination.

Both North and South explanations which focus on individual choice are attractive since they ignore the very real structural parameters within which such choices are made. In particular they make it possible to ignore the prevalence of women amongst the low paid, and men amongst the publicly powerful. They make it possible to ignore the fact that North and South are patriarchal societies.

Individual choice explanations ignore the question of who benefits from the existence of a male breadwinner and from neo-patriarchal patterns within the paid employment areas. Depicting such

patterns as freely chosen plays an important part in their legitimation and obscures part of the reality of women's experiences North and South.

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