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Gender and social- democracy in Germany

The emancipation of women and gender equality has been on the agenda of the social democratic party in Germany early. Since the 18th century Germany has been under the influence of the age of enlightenment and the French Revolution, but also democratic evolutions and thus human rights and women's rights. This discussion helped to promote women's voices calling for equality of women and the claim for equal access to education and voting rights including equal access to employment and equal pay despite the fact that in most parts of Germany only in the beginning of the 20th century women were allowed to organise and meet.

The social Democratic Party of Germany (SPD) was founded in 1863 and from its beginning included those values of equality in its program. But also from its start the ideological conflict on the role of the women and gender equality characterised the political debate because also social democrats felt that the place of the woman is at home. Courageous women like Clara Zetkin and later also one of the famous social democrats, August Bebel, engaged for equals rights of women. August Bebel wrote the famous book "Women and the Socialism" in 1883. In view to Marxist traditions in the SPD an ever appearing question has been discussed at the beginning of the 20th century as well as in the 70ies: Is the question of equal rights for women part of the complex social change which can only be solved together with it or will the women's rights question necessarily follow the solution of the social change? This last position got a majority and made the gender issue a secondary subject supported by the great socialists August Bebel and Rosa Luxemburg. So at the end of the 19th and the beginning of the 20th century there was a lot of opposition against the women's right to work. Clara Zetkin and August Bebel promoted women's rights because for them women's emancipation was part of the struggle of the oppressed classes against the ruling classes.

The SPD has been the first political party in Germany allowing for female delegates in 1890 and calling for the women's rights to vote at the convention of Erfurt 1891 and presented a draft legislative proposal 1895 which was rejected by all other political parties in the German Reichstag. Finally, after the First World War, in 1918 women got the right to vote mainly on the initiative of social democrats.

Gender equality within the SPD

Since its foundation the SPD took into account gender equality and insisted on a safeguard clause for the representation of women in its constitution. The SPD did not want to have a women's organisation and SPD women joined the argument that SPD women should not have a special status but should only be considered part of the party. Women were divided and therefore a women's organisation on its own has not been organised.

The SPD program of 1925 in Heidelberg was much more progressive and called for a representation of female members on the board in relation to the number of female members but did not vote in favour of a women's organisation. After 1945 the discussion started again but women did not fight to get their own organisation. Already after the Second World War with the rebirth of the SPD the SPD created women's committees and introduced a safeguard clause in order to guarantee women's representation in the party executive board with four women. There were also women's conferences but without decision-making power and influence on the decisions of the party conventions or the board. Not even 10% of the delegates of the party conventions were women. But the tension between the interests of the party and the women within the party continued to exist. The SPD has not been so much in favour of equality in view to economic and employment rights and accepted the bourgeois model of the family and the main role of the woman as caretaker in the fundamental programme of Bad Godesberg 1958.

One important example for the relationship between the SPD and the women was the case of the so-called mother of equality in view to the first German constitution 1948: Dr. Elisabeth Selbert (SPD) rejected any formulation in article 3 of the German fundamental Law which reduced the equality of men and women to the right of active and passive voting like the constitution of the Republic of Weimar. She was successful thanks to the active women's organisations and finally the SPD and so the first German constitution in article 3 called for equality for men and women in all areas including political, social and private life. But she could not enter the Bundestag as a deputy because the SPD did not offer her a safe seat.

The pressure of the autonomous women and the students' movement in the 60s and 70s changed the lack of interest in women's rights and discrimination. The SPD realised the underrepresentation of women in governments and parliaments as well as in membership and party functions but also the existing discrimination of women in politics and in society. So after long debates and quarrels and even hostile discussions, the association of social

democratic women (AsF) has been founded and held its first conference in 1973 in Ludwigshafen. The AsF was seen as a lobby for the SPD. The AsF understood its role as lobbying for the SPD but also lobbying for women's interests inside the SPD. The AsF always defined its position as being socialists and feminists and part of the peace movement. The influence of the AsF was limited but helped to change political positions which were no longer accepted by the younger part of the population. So the AsF finally in 1988 got through a quota solution for the political representation of women in the party constitution. For the SPD, women's persistent under-representation in political decision-making is a democratic deficit. For the SPD women's organisation, it was clear that change was necessary. The credibility of the party was at stake being in favour of freedom, justice, equality and solidarity. Women's active citizenship and participation in politics and in senior management public administration at all levels should be further promoted. After a long debate which ended in rejecting the quota in the 70s, the AsF recommended the Norwegian example of the 40% representation for women in political responsibilities. The 40% quota and the amendments to the party convention have been accepted and practiced since then. The SPD experience demonstrates that women's quota make a difference and increase the decision-making power of women. The share of Women in the Social democratic fraction of the German Bundestag increased from 5.4% (1972) to 36% in 2009. The share of female members of the German government increased from 20% in the 90ies to 40% in the legislature from 2005-2009 when there was a coalition government of SPD and CDU/CSU. The same access to political power is also realised on the regional level (Länder). On the local level the SPD women count not more than 29.6% of the local parliamentarians and 20% of the mayors.

Thus, the SPD in contradiction to the CDU/CSU and the Liberals has been in favour of the quota and put it through. The new party, the Greens, had opted from its foundation for the quota solution and introduced a parity democracy in its constitution. So the SPD on the proposal of SPD President Willy Brandt was the first party to discuss the quota solution but only second after the Green party. The quota regulation in the eyes of women has weaknesses because there are no sanctions for non-respect of the quota and the quota only counts for lists of candidates not for individual candidatures. Nevertheless: the introduction of the political quota made of the SPD a party being concerned about the women's equality and contributed to the mobilisation of women. Equality reports at the party conventions evaluate regularly the state of play in view to gender equality. The first SPD female minister, Käthe Strobel, said: "Politics are too important to be in the hands of men." Women make a difference by agenda- and issue- setting and insisting on women's rights. On the local level, female decision-

makers insist on access to public services for women and children. They encourage greater political engagement by women and make the party aware of necessary strategies to reach gender equality and gender justice.

So when the SPD won the federal elections in 1998 the government put aside gender empowerment, implemented the strategy of gender mainstreaming into its internal rules of procedures and made an inter-ministerial coordination necessary. Gender mainstreaming was proposed as a complementary strategy to contribute to gender equality, gender justice and to women empowerment or women promotion programmes. Germany opts for gender mainstreaming as a policy measure for all political areas. This applies also to the Länder level and social democratic governance.

Gender equality in law

Gender equality in law was instrumental for gender equality in Germany. A lot of legislation changed in family, divorce and heritage law, in civil, labour and social law. The legal equality of women is a success story of the women's movements in the 20th century including mainly social democratic women. The first women's movement in difference to the second and may be third women's movement was more concrete to improve the situation of the women by political voting and education.

Gender equality, equality, anti- discrimination and equality machineries

Gender equality being a principle of the Fundamental Law of Germany and the reality of equality performance was a challenge for the social democratic women. The fundamental Law did neither help to give women the equal participation and access to political power nor facilitate equality in employment. So the AsF called upon the social democrats in the German government and the members of the Bundestag to introduce an equality law for the labour market and equality machinery. Thanks to the pressure of the social democratic women, the equality directives of the European Community and the obligation to transpose those directives into national law, German legislation has been adapted 1980 to equality demands in the labour market (Arbeitsrechtliches EG- Anpassungsgesetz) which are EU standard but not very progressive in comparison to the Nordic States, the Anglo Saxon countries and France. Finally, the AsF also got the commitment of the SPD and the SPD led government put through an equality law for the public sector in 2001. An equality machinery was introduced on the level of the federal State. A lot of ministries for women equality and delegates for equality have been nominated on the federal, regional and local level. Public awareness and

role models, gender studies and conferences gave the platform for further struggle in order to achieve equality. It was important that at this time also on the initiative of social democratic women a lot of the States (Länder) introduced equality laws for the public sector and soft quota regulations.

Without the introduction of quotas in the political life of Germany the political results would have been weak. But quotas are not a solution in itself, are not enough to achieve a parity democracy. Rules and strategies are needed in order to restructure society. Gender equality can only be achieved if “we create a society with a human face and overcome the male society” (fundamental programme of the SPD in Berlin 1989 and Hamburg 2005).

Economic participation

Combating gender inequalities in the labour market has been a main objective of the AsF since its foundation. According to positions of the women in the SPD emancipation of women could only be possible with the economic independence of women. Part-time work became a much discussed issue not helping women to earn their living. So on the one hand the SPD engaged for full time employment of women on the other hand the SPD did everything to put part-time and full-time work on an equal footing in view to professional training, pay, promotion and job conditions. This position was due to the fact that most women could only work part-time because child care facilities in Germany were very poor.

The gender gaps in employment rates, unemployment rates, in part-time jobs and insecure jobs were and are a fact. Therefore the engagement for the reduction of the daily working hours and the call for a “six-hours-day” became a bible for economic equality of women and men. At the same time the value of female and male work was discussed without any results until today. And despite close cooperation with trade unions neither the valorisation schemes nor the unequal pay for equal work could be changed. Since the 70s, SPD fought to overcome the disadvantages on the labour market. But despite the higher employment rate of women the level of structural discrimination has increased as well as their risk of impoverishment. 70% of jobs in low wage sector and 80% of part-time work are in the hands of women. Further examples of discrimination are the tax system and the so-called mini-jobs enrolment. Income levels are not high enough to secure their livelihood. Hence for long the SPD is in favour of minimum salary and an income securing livelihood and a safe future. Women still face disadvantages – a lot has to be changed especially in view to the educational level of women.

Women in the private sector and in business management still are far from not being marginal. Voluntary agreements with the private sector are ineffective and therefore more than ever equality legislation for the private sector is as necessary as incentives for the private sector. The income gap between men and women is considerable on all levels, even on managerial level. Women's participation in active employment in Germany is only big because of so many women in part-time work and mini-jobs.

Gender roles continue to prevail- women are assigned the primary responsibility for care of the family and men the task of financially supporting the family. Unaltered stereotypes prevail, also in the media. Efforts to eliminate gender inequalities in employment still need more action. A smart economy in the EU means getting more women to work. It is important to narrow the employment and pay gap.

Family Policies

The women in the SPD engaged themselves to modernise family policies and law. For centuries the role of women has been restricted to children, kitchen and church (KKK in German language).

The SPD family policies followed the traditional family model in Continental Europe. It was especially popular in Germany after the Second World War and in the fifties when men having been war prisoners came home and women had to leave their workplace. Women were reduced to their role of care takers in the broadest sense. The German Fundamental Law with its article 3 and the judgements of the Constitutional Court contributed to important legislative changes which made partnership the leading model in the family. But nevertheless the family was under the specific protection of the German constitution. Family in former time was linked to marriage. Given the social changes family has been redefined as a community of adults and children.

Very important for gender equality have been the marriage and divorce provisions during the 70s. So the divorce changed from a fault to non-fault divorce. The SPD engaged in changing the law of divorce to be based on the principle of broken marriages in view to its grounds and effects. Aside from the rules of maintenance which start from the principle of self-responsibility, spouses are entitled to claim maintenance under certain conditions. The most innovative approach of the SPD which helped women as the main caretakers in their economic position was the introduction of a special adjustment of pension rights (Versorgungsausgleich). This helps to compensate for time that has been devoted totally or

substantially to childcare and housework. All pension rights and expectancies of the spouses which increased during marriage are equally divided with the divorce. This improved the situation of women when they reach the retirement age.

SPD women had to work hard in order to change the SPD position in view to childcare facilities for children under six years and full day schools. The SPD then engaged its policy towards a sustainable family policy aiming at support for families. The main objective was to promote the reconcilability of family and work in order to achieve life plans which include children. A paradigm shift concerned the expansion of an effective infrastructure which supports care and education outside of the family and helps to integrate women into the labour market. Finally the SPD was successful in the Big Coalition by giving all children the right to care facilities and promoted the Nordic Model of parents pay (Elterngeld).

Today the SPD is the frontrunner of all political parties to guarantee the right for full day childcare facilities and full day schools in order to promote development chances for children and the conciliation of working life and family life for men and women. Parental leave was another political project of the SPD. Children` welfare is on top of the SPD agenda because public funds expensed for children are an investment in the future and not costs burdening the budgets, as other political parties judge. The social democratic family policies call for complex childcare facilities and partnership among spouses. One unresolved issue remains the discrimination of women in taxation policy of married couples which is splitting the difference in spousal income and refuses individual taxing which is mostly the case in all EU countries. This legal provision has an impact on the perpetuation of stereotypical expectations for married women.

Parenthood has traditionally an important long-term impact on women`s participation in the labour market. The statistics show that women without children have a higher employment rate than mothers. Because of day care facilities women in Germany are more affected by children then women from other countries.

Education and care facilities

The average educational attainment of women and men is now similar over the entire working-age population. Young women even score more than 50% of upper secondary school education.

On the proposal of social democrats in 2007 the policy of parental allowances became reality as means against role stereotypes of mothers and fathers. The actual government wants to

subsidise parents who stay at home to care for their pre-school children (Betreuungsgeld). Very legitimately, the SPD protests because this policy sends opposing and counterproductive signals concerning care facilities for children from 0- 6 years. In comparison to other EU member countries Germany has not a comprehensive and high- quality childcare system and does not fulfil the EU criteria for the conciliation of work and family life which is to offer day care facilities to 90% of the children between 3 and 6 years or 33% of the children beneath three years of age. Given the fact that Germany has part time schooling as a principle, the lack of corresponding after-school programmes is a problem. More full-time schools are introduced.

Women's rights, abortion and §218

For more than 100 years women fought for the right to decide on their own and claimed to legalise abortion. Illegal abortions were numerous and a lot of women suffered, became ill or even died, especially poor women. Contraception was nearly non- existent. So women of the SPD made the legalisation of abortion and the right for family planning their case and got the support of the party. In the 70s the women and the SPD supported the campaign “My belly is mine” and the right of women to sexual self- determination. The 70s and 80s were years of struggles and decisions in order to give women their sexual autonomy. In 1972 in East Germany and in 1974 in West Germany abortion on demand up to twelve weeks of pregnancy has been allowed. The Constitutional court in West Germany ruled that the law was unconstitutional because of the constitutional human rights guarantees. So in 1976 a new law was passed and legalised abortion on demand during the first twelve weeks of pregnancy for reasons of medical necessity, sexual crimes or serious social or emotional distress. Counselling and a three-day waiting period were obligatory. This law was confirmed in principle 1995 after the unification of Germany so that women now are not punished if the pregnancy is due to rape, medical indication justifies abortion or the women who are willing to end their pregnancy by abortion have attended a pro-birth counselling and respected a three- days-delay.

Violence against women

Violence against women was a dark until the 70s. Women addressed this violation of human's rights as a political and social matter. The SPD women took the political lead with the women's movement decisively against any form of violence against women. According to studies in Germany every fourth woman regardless of her social status has experienced

domestic violence at least once during her life-time. This violence expresses the persistent structure of a patriarchal society and its conflict solving patterns. Prevention must address the general societal and the individual causes at the same time. The SPD supported houses for battered women, SOS phones and call centres for women and girls in distress on all political levels and contributed to change the public budgets accordingly. Violence still has different faces and the women in the SPD called upon the government to get women specific regulations integrated into the penal code. Actually there are no legal instruments specifically dedicated to violence against women with the exception of marital rape. Sexual harassment at the work place is common and so is violence against migrant women (forced marriages, “honour” related violence, trafficking). Social democrats have launched campaigns against domestic violence. New Action plans of the federal government for Germany also applying for developing countries might help. Further necessities are strict regulations, awareness of society and actions and funds on the regional and local level like the protection of battered women to stay in their homes or get new homes.

Women and peace

The AsF was an important part of the feminist women’s movement and the peace movement. This goes back to the very beginning of the activities of German female social democrats who engaged themselves against violence and the First World War and in the resistance against the fascist regime of Hitler. After the Second World War a lot of social democratic women met with women in other European countries in order to fight against rearmament and the Cold war. The AsF called on a ban for weapons of mass destruction. The women participated in peace marches, rallies and public meetings, opposed against the decision of the social democratic government to deploy Pershing II and cruise missiles in Germany and engaged in favour of a nuclear free Europe. Only at the Cologne Convention the SPD took the same position. The SPD women followed the tradition of peace Nobel Prize winner Bertha von Suttner, of Alva Myrdal and the women’s world conferences in Mexico, Copenhagen and Nairobi. Without peace the women did believe nothing could be changed to the better. This also is a reason that the SPD nowadays can be looked upon as the party supporting gender equality and gender empowerment for Third World countries and the special projects for women and role in development.

Equality now

Women in the SPD declared as their values freedom, justice and solidarity as well as gender equality. They could not introduce a complex approach to gender equality in the Gotha convention 1875. They just got the support for equal voting of men and women. Only the Heidelberg programme 1925 introduced the full gender equality approach due to the engagement of the women but also of August Bebel. After the end of the Second World War, women had to start from zero despite the fact that there were 7 million more women than men in Germany and a lot of women had to accept so-called male jobs. But the revolutionary party programme of Bad Godesberg which transformed the SPD from a class struggle party to a peoples` party neglected the gender issue and reduced the women to the role model of the bourgeois society. Until 1977 and the framework of orientation in `85 the question of gender equality was not really a crucial issue on the SPD agenda. Since then not only the AsF but also the party engaged strongly in favour of overcoming traditional role models and gender stereotypes but also strived to enlarge gender equality, reduce working hours for parents with children and offer appropriate child care facilities at an affordable price.

The Berlin Programme from 1989 and the Hamburg Programme from 2007 are milestones for the SPD equality policies because they stress the necessity to bid farewell to the patriarchal structure of modern societies.

Gender equality- challenges and achievements

The economic activities and the employment situation of women have improved in the last 20 years especially because of the engagement of the SPD with majorities in governments on the different levels. The progress can be proven

- by the increasing employment rates of women
- by more women opening business
- by increased activity of women in the public sector

But there are shadows linked to the achievements of the active employment policies of the SPD. In Germany the employment rate is nearly reaching the 60% objective for female employment of the European Union's Lisbon strategy for growth and employment mainly due to part-time work and the flexibility of women accepting work at any price. This situation is reflected by the 23% pay gap between men and women. Equal pay for equal work and work

of equal value in line with the EU directives is still missing. This is also due to the fact that female work is underappreciated as work of less value than the work of men. New systems of measurements may contribute to reduce the pay gap and the discrimination of women working. But as long as there are no legal obligations and no sanctions it will be difficult to implement equal pay.

Current situation of gender equality in Germany

Germany ranks 21st in the gender equality ranking of the UNDP assessing education, life-expectancy, health and income, 12th in the gender ranking of the World Economic Forum counting education, income and political participation. Nevertheless there is a positive development as far as the employment rate of women is concerned. The employment rates of women increased to 66.1% in the third quarter of 2009 thus lowering the employment gap to 9.7% and for the first time in decades the unemployment rate of women has been lower than for men. Working women are now daily reality but also economically necessary in a country where still in 2006 the majority of the people in a public poll said that women with children should stay at home.

Equality on the labour market does not exist especially in view to the quality of work and level of pay despite the fact that women by far have a better education. The gender pay gap in Germany is with 23% among the highest in the EU (average: 15%). Reasons are manifold: Because of their economic situation, women accept jobs at any price and occupy part-time jobs, limited work contracts or minor occupation involuntarily. 2/3 of the minor employment is in the hands of women. Their situation can only be improved with the introduction of a minimum pay and of social security from the first hour of work on. There is also gender segregation in the professional and tertiary education as well as in employment which affects the pay and the valorisation. Besides there is no equality in the valuation of women`s work to men`s work. The valuation of women`s and men`s work has to follow the same criteria. This inequality is especially crucial for the private sector because in Germany no equality law exists for the private sector like in the public sector.

Critical is also the lack of leading positions for women in Germany. Despite the German government headed by the female chancellor there is no equality between women and men in the governments, in the parliaments, and especially not in the local parliaments or in the leading positions in the courts, administrations, universities or other institutions. The actual power on agenda setting, budgetary decisions or positioning still largely lie in male hands.

But nevertheless the performance is better than in the private sector where no women of the biggest companies is president of the board and only 13% of members in the supervisory boards of the leading companies are women. Therefore Germany is far away from the legal and political progress in the Nordic countries, France and Spain.

Another topic of concern is the growing poverty of women. Tradition, culture and stereotypes have contributed to a gender division of labour that women should be mainly responsible for caring of children, the elderly and the disabled in the family. This still is a state of play. Women taking the unpaid caring responsibilities can only work fewer hours or stop work altogether. Over the lifetime, this caring role reduces women's opportunities to develop skills and build up assets, such as pension. The risk of poverty is especially high for single mothers. 40% of single parents are welfare recipients. 90% of them are women. The insufficient care facilities for children, the tax system and the lack of flexibility in the labour market are reasons. Those women are the last to overcome the poverty trap.

The conciliation of work life and family life remains one of the issues which have to be tackled in order to overcome inequality. All children must get a childcare facility. The work life balance of women cannot be improved if there is no progress. For the equality of women and men the childcare facility problem and the care for dependents is a real challenge. Without more public investment a solution cannot be found.

European values of freedom, equality, solidarity and respect of human and minority rights are values of the European values enshrined in the Lisbon treaty and the Fundamental Charta of Human rights and they are values of the Left in Europe. Nevertheless violence against women is the daily reality for women. Every fourth women in Europe experienced at least once violence, mostly sexual violence. This violence has different faces and means physical violence, domestic, psychic violence, structural violence, but also excision, forced marriage, bride burning, widow murdering, girls killings, forced prostitution, forced labour, trafficking of women. The challenge especially of domestic violence does not allow for inertia in the forthcoming decade but obliges the EU to undertake action and promote legislation as well as enforcement and implementation of national legislation in the EU context. Violence is against women's and human rights and also has impact on the economic development of an economy which is not affordable.

Given the existing discrimination and gender inequality everything has to be done to overcome the old role models and traditional thinking. Those who want to live in a human

society have to overcome the male society. (see SPD programme, Hamburg 2007) Challenges are meant to be solved.

Women are the future

Given the last decades and the prevailing ideology of neoliberal thinking also social democrats put the market, competitiveness and growth first. The credibility of a parity democracy, equality and social justice has to be regained as the brand of the German Social Democracy. The last elections in Germany have demonstrated very clearly that women sanctioned the loss of confidence by not voting for the SPD.

The fundamental values of the SPD need revival and further development. All policies need a gender perspective as well as women's voices in political decision-making and in the public.

Equality between men and women should be crucial in the political programs of the social democratic party's programmes and activities. The parity democracy should be in the centre of reflection and action because progress in the society has to be built upon the integration of both men and women's capacities, competences, knowledge and engagement. This means that equal opportunities are not sufficient. Globalisation has created enormous wealth but at the same time increased inequality and poverty. This development has to be stopped. Globalisation has to serve all people and has to be put under democratic control. The predominance of politics has to prevail over market forces. The market economy should not transform itself into a market society and make the people serve capital. Capital and the economy have to serve the people. Therefore the European democracy and the European social model have to be strengthened and developed further.

Women are more sceptical towards the European Union and the European integration than men. This prejudice has to be overcome by more transparency and actions.

Transparency is necessary because very often women are misled on the impact of European policies on national level. Example: when the Euro has been introduced a lot of member countries had to cut expenditure for social infrastructure in order to fulfil the convergence criteria on solid public finances. Therefore a lot of women have been against the euro. But it has been the individual member state to choose the ways and means to consolidate the budget. Transparency is also necessary to demonstrate the impact of European Law on non-discrimination and equality in the member states.

Gender equality plans and gender equality institutions on the European level and in the EU member States are welcome but not enough. Europe could prove its commitment to gender

equality by especially closing the gender pay gap by finding ways and means which have to be coordinated on the EU level and implemented on the national level. It would be crucial to combat violence in a common effort on the European level. Long enough conferences and discussions are going on. The integration of migrant women remains a challenge. Finally, the financial crisis and economic slowdown should not endanger public investment in social infrastructure, especially childcare. The reforms needed now must make a progressive Europe with equality in life and work a reality.