



## **Quality in Gender+ Equality Policies**

European Commission Sixth Framework Programme  
Integrated Project

Maria Carbin

### **Report Analysing Intersectionality in Gender Equality Policies for Denmark and the EU**

Institute for Human Sciences (IWM)  
Vienna  
2008

Preferred citation: Carbin, Maria (2008): *Report Analysing Intersectionality in Gender Equality Policies for Denmark and the EU*, QUING Project, Vienna: Institute for Human Sciences (IWM), available at [http://www.quing.eu/files/results/ir\\_denmark.pdf](http://www.quing.eu/files/results/ir_denmark.pdf).

## TABLE OF CONTENTS

1. Introduction
2. Literature review
  - 3.4. How is the concept of 'gender equality' constructed in gender+ equality policies?
    - a) General gender equality
    - b) Non-employment
    - c) Intimate citizenship
    - d) Gender based violence
4. 'Intersectionality' in Gender + equality policies
  - 4.1. The context with a short historical background
    - a) Laws, policies and machinery relating to Race/ethnicity
    - b) Laws, policies and machinery for labour market issues (or class)
    - c) Laws, policies and machinery for sexuality
    - d) Other inequalities
  - 4.2. (How) is the concept of 'Intersectionality' used?
  - 4.3. Are there significant 'turning points'?
5. Intersections in General gender equality
  - 5.1. Constructions of problems
  - 5.2. The goals of gender equality policies
  - 5.3. Social categories/inequalities
  - 5.4. Conflict lines
  - 5.5. Some reflections on inclusions and exclusions
6. Intersections in Non-employment
  - 6.1. Tax benefit policies: Home care allowance
  - 6.2. Tax benefit policies: Tax benefits for domestic services
  - 6.3. Equal treatment in employment: Equal pay and part time work
  - 6.4. Reconciliation of family and work: Parental/paternity leave
  - 6.5. Social categories/inequalities in non-employment
  - 6.6. Conflict lines in non-employment
  - 6.7. Some reflections on inclusions and exclusions in non-employment
7. Intersections in Intimate citizenship
  - 7.1. Constructions of problems
  - 7.2. The goals of intimate citizenship policies
  - 7.3 Social categories/inequalities
  - 7.4. Dividing lines
  - 7.5. Some reflections on inclusions and exclusions in intimate citizenship
8. Intersections in Gender based violence
  - 8.1. The construction of problems in gender based violence
  - 8.2. Goals of policies against gender based violence
  - 8.3. Social categories/inequalities
  - 8.4. Dividing lines
  - 8.5. Some reflections on inclusions and exclusions in gender based violence
9. Summary and comparison
10. Conclusions
11. Bibliography:

## 1. Introduction

The terms 'women', 'patriarchy' and 'oppression' have been debated for a long time in feminist theory and it has been argued for the need to focus on differences within the category 'women' or power relations within feminist communities. Feminist scholars have been discussing whether or not it is desirable for feminism and gender equality policy/politics to find a common cause for all 'women' or whether this whole enterprise is in fact excluding some groups from the project. Thus, the intersection of gender with other power relations is at the heart of current academic debates. However, the question of how to understand intersecting power situations and power relations within the category 'women' are important for policy making as well – not least for gender equality policies and feminist politics. On a general level, this report concerns how politics – and especially gender equality policies – deal with differences within the category of women as well as different forms of power relations. Are women seen as a homogenous category within Danish gender + equality policies? What differences are discussed? How are issues such as class, race/ethnicity and sexuality articulated within gender + equality policies in Danish states?

This report addresses how *Danish* gender + equality policies deal with these matters in relation to four broad policy areas – general gender equality, non-employment, intimate citizenship and gender based violence. The following key questions are to be answered in the report:

- *What are the implications of the intersection of multiple inequalities for the quality of gender+ equality policies?*
- *How are inequalities and their intersections conceptualised in terms of their structure and mechanisms?*
- *To what extent does context matter in the (re)production of inequalities across Europe?*
- *What attention must be paid to other structural (in)equalities in the making and implementing of European gender equality policies?*

The report is structured in the following way: first in chapter 2 there is a brief presentation of the literature that I draw upon. Chapter 3 is devoted to an introduction and a historical background to Danish gender equality policies and an exploration of the articulation of 'gender equality' as well as a presentation of the empirical material used for the report. Chapter five analyses the concept of 'Intersectionality' in Danish policies. In chapters 6 to 9 intersections in the four issues – general gender equality, non-employment, intimate citizenship and gender based violence are analysed – are analysed with a special focus on the following analytical questions:

- *What are the problems represented to be?*
- *What is seen as consensus and what is debated?*
- *How is the concept of gender equality constructed?*
- *(How) is intersectionality and the concept of Intersectionality articulated within gender + equality policies?*
- *What categories/social groups/inequalities are mentioned? How are these articulated? In relation to what problems? How are different categories seen as victims of different types of problems or as causing problems?*
- *What normativities, inclusions and exclusions can be found; What categories/social groups/inequalities are excluded? What problems are excluded?*

Finally in chapters 10 and 11 I outline some conclusions and make a smaller comparison between Denmark and Sweden.

## 2. Literature review

The concept of Intersectionality has become what Ann Phoenix describes as a "catchall phrase" in feminist scholarship (Phoenix 2006). In Nordic as well as European gender research the use of the concept has practically exploded in the last ten years. The usefulness of an intersectional approach has been discussed in leading academic gender related journals, in research conferences as well as in international political organisations. Black feminist Patricia Hill Collins defines Intersectionality in the following way:

As opposed to examining gender, race, class and nation as separate systems of oppression, intersectionality explores how these systems mutually construct one another... (Hill Collins, 1998: 63).

The idea is that it is not enough to analyse merely gender – or rather that if one tries to analyse gender without paying attention to class, race and sexuality, one will get a biased picture and not the whole story. The post colonial scholar Ann MacClintock writes that:

“I argue that race, gender and class are not distinct realms of experience, existing in splendid isolation from each other; nor can they simply be yoked together retrospectively like armatures of Lego. Rather, they come into existence *in and through* relation to each other – if in contradictory and conflictual ways. In this sense, gender, race and class can be called articulated categories (Anne McClintock 1995: 5).

Thus, Intersectionality as a theoretical term means that categories are seen as articulated or that systems of oppression are mutually constitutive. The idea that categories or systems of oppression cannot just be added on top of each other is agreed upon by practically all scholars using the term. The logic behind it being for example that gender is always racialised and race is always gendered.

There are however many approaches to Intersectionality and I am briefly going to describe two of them – a structuralist and a poststructuralist approach (understood in very broad sense). The *structuralist* approach to power can be represented by for example Patricia Hill Collins, Kimberlé Crenshaw (1995) and the Swedish scholars Paulina de los Reyes, Diana Mulinari and Irene Molina (2002) as well as Nira Yuval-Davies (2006). In a Nordic context de los Reyes et al. introduced intersectionality and argued for an approach that one could use to analyse how gender, class and race/ethnicity structure identities. They see Intersectionality as useful since it is part of an *emancipatory project* that will make it possible to criticise hegemonic feminism and make the voices of racialised ‘Others’ heard (see also Mulinari and de los Reyes 2005). In this aspect the approach presented by Mieke Verloo (2006) could be mentioned as well. Verloo is talking about “multiple inequalities” and highlights the need for an intersectional approach that takes into account the differences between various categories or “inequalities.”

The structuralist approach to Intersectionality is mainly interested in emancipatory politics, as I see it. One of the advantages of this approach is that it does not take women as a homogenous category for granted but points to the fact that class, race and sexuality (etc.) have to be taken into account as well. However, as I see it there is one weakness of this approach; it treats categories as stable and as already existing beforehand. It is neither interested in destabilising and analysing dislocations and contradictions, nor is the approach focusing upon the conditions or the truth regimes that regulate and produce certain categories.

There is furthermore, as I see it, a risk that gender (understood as women) is still seen as the *primary* category in feminist research (one example of this is Lykke 2003. See Carbin and Tornhill 2004 for a critical discussion of the concept of intersectionality). Intersectionality risks becoming a way of adding and filling the category of women with all other aspects beyond gender (Butler 1990) - even though most scholars using the concept constantly guarantee that they don't want to *add* categories like pieces of Lego. This means that, in a sense, I am quite sceptical towards using Intersectionality as it is used in the more structuralist oriented literature. Instead, this paper draws upon the post-structuralist rewriting and development of Intersectionality made by among others the Danish scholars Dorte Staunaes and Dorte Marie Sondergaard. They argue that Intersectionality needs to be theoretically developed in line with the ideas of subjectivity and hybridity by Michel Foucault. Staunaes (2003) and Staunaes & Sondergaard (2006) want to take into account shifting, unstable subjectivities and develop an approach in which the “doing” of gender, class and race is in focus. This means that they are not treating the categories as already fixed and stable. This way of doing an intersectional post-structuralist analysis focuses not so much on trying to find Intersectionality and assess the policies from a normative “intersectional” approach. But instead I am interested in finding out how the policies are constructed – and in what ways different groups, divisions and/or categories are articulated.

### 3. 'Gender equality' in gender+ equality policies

#### 3.1. Current context and historical background to gender equality policies

Gender equality/ligestilling was introduced as a state policy area with institutions of its own in the middle of the 1970s. The laws on equal pay and equal treatment formed the base for gender equality as a policy area; at the time, issues such as abortion, child-care and violence were not included in gender equality policy (Borchorst 2003:53). Gender equality has been considered a low-priority issue in Denmark. The Danish parties have not prioritised gender equality and it has not been a major issue in elections to the extent it was in Sweden in the late 1990s (Dahlerup 2002). Added to this, the Danish agenda of gender equality has been relatively *narrow* and more *reactive* than in the other Nordic countries in the sense that the focus is on equal opportunities instead of equal outcomes (Borchorst 2003:59-60). This means that gender equality laws and regulations in Denmark are less focused on active measures such as quotas and other positive measures than in for example Sweden and Norway. Moreover, some of the laws are the result of directives from the EU (Borchorst, 2003:74). The international pressure from the Nordic Council of Ministers as well as from the UN and other international organisations has been stronger in Denmark than in the other Nordic countries. In Denmark there has been fewer national actors pressing for gender equality than in for example Sweden and Norway (Borchorst and Dahlerup 2003: 187).

The first law that had the title 'gender equality' was put into force in 1988 – Lov om ligestilling. (Lov 174, 1988: §1). Gender equality was then defined as a matter of equal influence and equal opportunities. In 2000 the new law on Gender equality included a definition of gender equality to promote equality between women and men, equal integration, equal influence and equal opportunities in all functions of society. The starting point was said to be the equal worth of women and men (lov 193, 2000: §1). According to the preamble to the law, active measures could or even should be used as a way to remove actual gender imbalances. This law thus included the possibility to use gender quotas, which caused a major controversy in the Danish parliament since the liberal party opposed it. When the liberal party got into office in 2001 together with the Conservatives, they kept the definitions of gender equality in the law. However, as Anette Borchorst points out, the definition of gender equality of the Liberal-Conservative government is downplaying conflicts between the genders and instead defining gender equality as a "common project of women and men" (Borchorst 2003: 74). The Liberal – Conservative government has not showed a major interest in implementing the ideas of gender mainstreaming, introduced by the Social Democrats in 2000. In the gender equality law of 2000 gender mainstreaming was introduced as an overarching principle. However, there was no closer description of the methods that could be used. The efforts made so far regarding gender mainstreaming are quite modest (at least in a Nordic comparative perspective).

Nevertheless, the agenda of gender equality has been broadened during the last 20 years. Violence is for example a very central issue in gender equality politics today and the Minister for gender equality is producing action plans regarding men's violence against women. However, gender equality is still not fully treated as an issue on its own terms in the Danish political system as is the case in Sweden, for example. One example of this ambivalent status of gender equality is that gender equality is not considered as an independent area in the Danish parliament. In 2008 *The Economic and Political Affairs Committee* (liaison body between the Government and the Parliament on principal matters which are important to the politico-economic development) argued for introducing gender equality as an independent area within the Committee. This proposal was turned down by the chair of the Parliament ([http://jp.dk/indland/indland\\_politik/article1347696.ece](http://jp.dk/indland/indland_politik/article1347696.ece)). Thus, at the moment there is a Minister for gender equality but no Committee that is devoted to gender equality in Parliament (there are 25 committees and in the description of the tasks of these there is no one that is responsible for gender equality).

The level of conflict surrounding the adoption of gender equality legislation was not very high (apart from some specific issues) in Denmark up until the 2000s when the introduction of a new gender equality machinery became highly politicised and split the Parliament into two sides – left and right. The right wing (the Conservatives, the Liberals and the Danish people's party) is not interested in regulating or taking active measures regarding gender equality. The left wing (the Social democrats, the Socialist people's party, the Red Green Alliance as well as the Social Liberal party) on the other hand want to make more substantial changes in the area of gender equality. Thus, there is one could say, a clear

dividing line in the content of policies as well as in the willingness to regulate (gender) equality policies (for the Quing period) between *before and after 2002* when the Social Democrat – Social Liberal government was replaced by a Conservative/Liberal cabinet with the support of the right winged populist party Dansk Folkeparti. This Government was re-elected in 2005 for a four-year period, as well as in autumn 2007 when the Prime Minister called for a new election.

The Nordic countries generally show a high degree of civil society consultation in the political process. The main labour market organisations (The employers' organisation and the trade unions) have been centrally placed in the Gender equality machinery in many of the Nordic countries. Since gender equality legislation to a large extent is concerned with labour market issues this not a very controversial solution. Danish Women's National Council/Danske Kvinders nationalråd and Danish Women's Society/Dansk Kvindesamfund have been two central organisations for consultation within gender equality policies up until the 2000s when the liberal/conservative government abolished the representation of women's organisations and the parties on the labour market in the gender equality machinery. The more radical feminist organisations such as the Redstockings (active in the 1970s and 1980s) found state gender equality politics to be too liberal and modest and therefore did not participate in reforming the state (Borchorst and Dahlerup 2003:10).

### **3.2. Current context and historical background to gender equality institutions**

Denmark had the same *machinery* for gender equality from 1975 up until 1999/2000. These institutions have however been characterised by being relatively weak in a Nordic perspective. In 1975 the Danish Equal Status Council (Ligestillingsrådet) was established and it was the only institution handling gender equality as opposed to the other Nordic countries that introduced several organs with different tasks and included an ombudsman for gender equality. The Danish Equal Status Council (Ligestillingsrådet) was composed by the parties of the labour market/the social partners and women's organisations. The tasks of the Council were to monitor developments in society in general, and especially in the labour market and give suggestions as to what should be done, it should also function as an advisory organ for governmental and municipal authorities and finally to suggest research as well as provide public information on gender equality. A minister for gender equality and the possibility to file complaints was not introduced until 1999/2000. This was done by the Social democratic government that introduced two bodies: the Research Centre for Gender Equality (Videnscenter for ligestilling) and the Gender Equality Board (Ligestillingsnaevnet). The latter body was a board that handled individual complaints. Furthermore, mainstreaming was established as a principle in 2000. In 2002, however the Research Centre for Gender Equality was shut down by the Liberal-Conservative government. This means that the social partners and women's organisations are no longer represented in the gender equality machinery.

The government is about to introduce substantial changes in the machinery of gender + equality. Instead of having one institution for each category (one for gender equality and another for ethnic equality) the government now intend to establish a Common Board of Equal Treatment (Fælles klagenævn – Klagenævnet for Ligebehandling). The Board will be responsible for taking care of complaints regarding unequal treatment based on gender, race, skin colour, religion, age, disability, nationality, ethnicity or social background, political opinions and sexuality. Today, if you are discriminated against on grounds of sexuality, disability or age, there is no committee to turn to and the Committee for Ethnic Equality does not have as broad mandate as the Gender Equality Board. One of the reasons for these changes as mentioned by the Minister for Gender Equality is that a person who feels that he/she has been discriminated against on multiple grounds then only has to turn to one Board.

The setting up of a common board has been welcomed by NGOs for ethnic minorities<sup>1</sup> as well as by NGOs for LGBT persons. Women's organisations<sup>2</sup> have been a little

---

<sup>1</sup> The Organisation for ethnic equality (Foreningen for etnisk ligestilling) was overwhelmingly positive in its comment to the law proposal. According to the organisation this is a step in the right direction for ethnic minorities.

<sup>2</sup> The Women's Council in Denmark (Kvinderaadet) is sceptical since there are no improved conditions for women in the law proposal. In its comment to the proposal the Women's Council is claiming that the most important aspect for them is that the Common board is able to strengthen gender equality.

more reluctant since the new board does not necessarily mean an improvement of gender equality since the Gender Equality Board is taking care of complaints from women. The social partners as well as the left wing Socialist People's party in parliament have been sceptical since the proposal for a new board does not include representatives from the social partners and the Socialist party fears that there is a risk that the Board will interfere in collective agreements. The Socialist Party is referring to the proposal as an "attack on the Danish model" (corporativism). No one is however against the principle as such – to have *one board* to which all citizens (and especially those that are not represented by a trade union) can turn. The proposal was passed by Parliament with some minor technical changes and the Common Board is to be set up the first of January 2009. However, it will be allowed to take initiatives of its own, the social partners or other NGOs are not represented and it cannot be characterised as an Ombudsman. The budget is also relatively weak according to many of the comments put forward during the policy process.

### 3.3. Research material

The Quing project is studying gender equality policies in a very broad sense - gender + equality policies in four areas – general gender equality, non-employment, intimate citizenship and gender based violence. I have, as a primary rule, chosen to study the most recent policies. In some cases I have included policies and debates that are examples of major turning points and/ or controversial issues in the Danish case.

Regarding *general gender equality* I have chosen to study the most recent debate of the content of gender equality policies in order to show the state of the art. That is, the latest law on gender equality (with the most recent amendments), the latest Action plan on gender equality - *The perspectives and Action plan of 2007* - as well as the parliamentary debate relating to the action plan have been selected. I have furthermore chosen a comment from a women's NGO on this specific action plan. In order to analyse the debates regarding the institutionalisation of gender equality I have included the debates regarding the setting up of a new Common Board of Equal Treatment. In 2006, the Government put forward a proposal to establish a Common Board of Equal Treatment and at the same time abolish the Gender Equality Board and the Board of Ethnic Equality. The new board was intended to oversee and cover all grounds of discrimination, including gender. A draft proposal on establishing a Common Board of Equal Treatment (Fælles klagenævn – Klagenævnet for Ligebehandling) was submitted in January 2007 and sent out to various relevant organisations for statements. I have included a civil society text from an ethnic organisation since the legislation is targeting all groups.

For *non-employment* I have analysed policy issues that are both highly contested and also issues that have the potential of being discussed in terms of intersectionality.

*Tax-benefit policies (Home care allowance)*: One controversial issue in the Nordic countries is allowances for parents choosing to stay at home instead of using publicly financed day-care. Therefore I have selected the policy debates on Home-care allowance as an example of discussions on tax-benefit policies. In 2002 the Liberal- Conservative government introduced a benefit for parents who chose to stay at home with their own child, instead of using public child care. The issue was debated in Parliament and the opposition argued against the legislation. Included here is the law proposal that later was passed by Parliament, as well as the political debate surrounding the proposal. The civil society text included is a statement from an organisation for equality between parents of small children.

*Care-work (Allowance for Domestic services)*: Another relatively controversial issue in Nordic welfare states, and an issue that I have chosen since it touches upon questions of gender, class and race/ethnicity and potentially highlights conflicts within the group of women, is the introduction of Benefits for Domestic Services. The so called Hjemmeserviceordningen (Benefits for Domestic Services) concerned domestic services such as cleaning and gardening and the subsidy was set at 50 % of the cost. It was introduced in 1994 and made permanent in 1996 by the Social democratic lead government. The law on the benefit was circumscribed in 1999 and 2002, and severely restricted in 2004 at which point the benefit was made available only to people who have reached the age of 65. I have chosen to analyse

---

This is not necessarily the case since the Common board will have limited resources to handle many more cases than the Gender Equality Board today. There is a risk that gender equality will become marginalised in relation to the other inequalities (Kvinderådets horingsvar 29 Januari 2007).

the debate regarding the restrictions of the law; the new legislation and related proposal and the debate from 2003.

*Reconciliation of work and private life: (Parents' insurance quotation):* Another issue that has caused major conflicts is the earmarking of paternal leave. This is one of the issues that is less consensus orientated in Danish gender equality politics. In 1997 the Social Democratic Government passed a law giving fathers the right to 4 weeks paternal leave – 2 voluntary and 2 earmarked for the father. In 2002, the newly elected Liberal-Conservative Government however amended the law on parental leave retracting the earmarked 2 weeks of paternal leave and extending the right to parental leave to 52 weeks (of which 14 weeks are reserved for the mother – the rest may be shared between the parents in any way they choose). The current law on parental leave as well as the debate on retracting the earmarked father weeks is analysed here. The document selected from civil society is a comment made by the Danish National Association of Gays & Lesbians on the government bill from 2002.

*Gender pay gap and equal treatment in employment (Part-time work and equal pay):* Part time work is relatively gendered in Denmark as well as in the other Nordic countries (apart from Finland). Large parts of the part-time employed are women. There are ongoing debates as to whether or not part time work can be regarded as a free choice. Part-time work is discussed as a matter of free choice by the Government. The trade unions are however sceptical since they want to introduce the right to work full time instead. I am analysing the governmental bill from 2002 implementing the EU part time directive as well as the related parliamentary debates. Another important issue in relation to non-employment is of course the gender pay gap. This has also caused some debates in Danish politics. In June 2001 the Social Democratic-Social Liberal Government proposed an amendment to the law on Equal Pay. Among other things, the proposed amendment stated that employers' with more than 10 employees should prepare gender aggregated statistics on salaries. However, in 2002, the law was postponed by the Liberal-Conservatives for more than two years. In 2006, then, the Government presented a new law that applies to worksites with more than 35 employees. I have selected the government bill of 2006, which later became the law, the debate in parliament before passing the law as well as a comment on the government bill made by the Women's Council in Denmark.

Issues of intimate citizenship such as abortion rights, marriage and divorce are since long at least formally settled for heterosexual women in the Nordic countries. However, issues of intimate citizenship regarding non-heterosexuals have been discussed during the entire Quing period and therefore I have chosen to analyse policy debates concerning rights for homosexuals. As the first country in the world, Denmark introduced a law on registered partnership in 1989 and this law was filled with exemptions from the marriage act. Therefore there have been several proposals in the years after the 1989 act in order to make the citizenship status of homosexuals and heterosexuals (more) equal. Firstly, I have analysed debates regarding marriage for homosexuals *Divorce, marriage and separation (Marriage for homosexuals)*: Included here is a parliamentary proposal from 2007 for a marriage act that is neutral to sexuality as well as a statement by the minister of Churches on her opinion on homosexual marriage. The civil society text is from a Christian organisation arguing against marriage for homosexuals.

*Sexual orientation, discrimination and partnering: (Adoption for homosexuals)* In 1999, homosexual couples within a registered partnership were given the right to adopt "stepchildren". The controversial issue today is however not stepchild adoption but the right to apply for international adoption for homosexuals. I have analysed a debate on a proposal from the Social Liberal Party, Social Democrat Party, Socialist People's Party and The Red-Green Alliance from 2006 on allowing people in registered partnerships to apply for international adoption. A similar and/or the same proposal has been up for debate several times and the Liberal-Conservative government, together with the Danish people's party, has rejected it every time. The proposal analysed here was also rejected. The civil society text is from the Danish Association of Lesbians and Gays.

*Reproduction: (Assisted insemination for single women and lesbians)* one of the most infected policy debates regarding rights for homosexuals has been the right of assisted insemination for lesbians and single women. The Danish law on assisted conception from 1997 states that doctors are not allowed to assist lesbians, but the law said nothing about the assistance of midwives. Therefore midwives could open clinics for fertility treatment of lesbians and single women in 1999. In 2006, a government proposal to amend the law on assisted insemination was presented, with no proposed changes on the ban for single and

lesbian women. This was however met with debate in parliament - even from the party members of the sitting government. The minister then came back with an amended proposal. The ban was lifted in 2007 and the law then became neutral to sexual orientation. Included here is the parliamentary debate as well as the first Government bill and a statement by the Minister of Health pronouncing that the Government has left this decision to the Parliament.

Regarding gender based violence I have selected debates on domestic violence, rape and forced marriage.

*Domestic violence (Men's violence against women):* in 2004, a law was introduced that makes it possible to remove violent or threatening persons from their own home for a period of time. The removal cannot exceed four weeks. The proposal for the law as well as the parliamentary debate have been selected for analysis. The civil society text represents a Women's shelter that argued that this law could have unwanted consequences since there is no obligatory professional help for the offender and that women are at greatest risk of serious violence when separated from the abuser. I have also included the government's most recent action plan to stop violence against women.

*Sexual assault (Rape):* In 2002, the punishment for rape was increased from 6 to 8 years imprisonment. If there are certain more aggressive circumstances the penalty can be up to 12 years. In 2004, the proposal to sharpen the law on sexual crime included an issue referred to as 'reckless rape'. This proposal was however rejected but it is the documents and debates related to the latter of the two issues that I have included in the analysis, well as a reference to the action plan mentioned under "Men's violence against women" in which they have a section on rape.

*Forced marriage, FGM, honour crimes and trafficking (Forced marriage):* In 1999 the government at the time (Social Democrats and Social Liberals) proposed a law restricting the possibilities of family reunification as a measure against forced marriage (requirements of housing, changing the age of marriage from 18 to 24). This proposal met with almost no opposition in Parliament and is since then the governmental policy of forced marriage. The reason for choosing the debates from 2000 (instead of more recent debates) is that this is a fundamental policy shift and that there has been no major changes of the approach to forced marriage by the new Liberal-Conservative government. An action plan on arranged and forced marriages of the Liberal-Conservative government has also been selected in order to include more up to date texts.

### **3.4. How is the concept of 'gender equality' constructed in gender+ equality policies?**

The concept used in Denmark for gender equality is *ligestilling* which is not gendered – it means equality in general. This means that there is no equivalent to the Swedish term "jämställdhet" that was created in order to distinguish between equality/jämlikhet and gender equality/jämställdhet. In a Nordic comparative perspective the Danish gender equality policy vocabulary is deviating in the sense that terms such as 'feminism' and 'gender power' never entered the political agenda (Dahlerup 2002). Instead terms such as 'equal opportunities' has been at the heart of the governmental declarations of gender equality from 2001 up until 2005 (Langvasbråten 2008) and continues to be the central formulation. Another interesting finding regarding the use of the concept of gender equality is that it seems to be difficult to articulate gender *inequality*. In English as well as in Swedish there is a term for gender *inequality* / *ojämställt*. In Danish there is no such term for *gender inequality* apart from 'ulighed', which is similar to 'difference' in English.

One striking finding in the Danish debates analysed for Quing is that gender equality/*ligestilling* as a *concept* is not always used (apart from the issue general gender equality). In the following I will discuss how and when gender equality/*ligestilling* as a concept is used in the policy debates analysed (general gender equality, non-employment, intimate citizenship and gender based violence) and the meanings attached to it.

#### **a) General gender equality**

In the governmental policy on gender equality *equal opportunities* is at the centre of the framing of the issue. Individuals and people are referred to as victims of discrimination and both women and men are seen as suffering from gender stereotypes and gender imbalances. For example, in the plan on gender equality for 2007 we can read that "gender equality *puts*

*the individual first*, and gives men and women the same opportunities to choose the lives they want.” (Perspective and Action Plan 2007)<sup>3</sup>. This means, that the current government, to a large extent, defines gender equality as a matter of *individual choice*. Freedom, individual choice diversity and multiple talents are important aspects of the government’s way of understanding gender equality.

Another important aspect of the framing of gender equality in Denmark is the way in which gender equality is constructed as a Danish value. In the annual Governmental reports on gender equality from 2000 to 2005 the tendency to link gender equality with “danish-ness” is very clear (Langvasbråten 2008). However in the latest action plans on gender equality this tendency is not as clear as in earlier plans. Instead, the most recent action plan is influenced by the European Year of Equal Opportunities and gender equality is discussed in terms of *diversity* (see under 4.2.).

When ‘gender equality’ is drawn upon in the Danish debates it is mostly seen as an *end in itself* and as a vision. Gender equality is rarely seen as an instrument or a strategy to reach other goals.

One major conflict in the Danish policy-debates regarding gender equality concerns *how gender equality politics should be performed*. There is, on the one hand, the Liberal-Conservative government that does not want to interfere too much in private life. The government’s goal is to create opportunities for all individuals and to stop discrimination. This is achieved mainly by information campaigns, according to the government. No quotas in politics, no paternity leave quotas and few labour market regulations. Gender equality is not as important as many other values, which are seen as more significant. The other side in the debate is the Social Democrat, Social Liberal and Left side that together with Women’s NGOs are defining gender equality as linked to equality and *equal outcomes*. In the debates regarding the 2007 Governmental Action Plan on Gender Equality many of the critical voices were arguing for other types of measures such as introducing quotas in the parental insurance system in order for fathers to take more parental leave. The left parties are talking in terms of *inequality* whereas the government is talking about equal opportunities. This means that the Danish debates are relatively strongly framed as *equality* and *equal treatment* as opposed to the governmental frame.

Both the government and the opposition are arguing in terms of *efficiency* when talking about gender equality. For example, the government is arguing that a common Board dealing with multiple discrimination grounds rather than one is more efficient. Efficiency is also an important norm that is drawn upon to argue *against* the government’s proposal for a Common board of complaints. For example, in the parliamentary debate regarding the Common Board the Social Democrats argued that the Board will be *inefficient* since so few resources are allocated to it by the government. The opposition and women’s NGOs are in a sense more interested in the results of the process than the government is. This could be read as an indication of how important gender equality is considered to be.

*Discrimination* and unequal treatment as descriptions of the problems of gender inequality are endorsed by all parties in the policy debates. Democracy is another term linked to gender equality that is used by both sides in the discussions. *Equality* is also very important for both the government and the opposition. However, as already mentioned, the government and the oppositional parties to the left are of different opinions as to the definition of equality. The Government is rather talking about equality and *freedom* whereas the Social Democrats and the other parties to the left are emphasising equality in a more collectivist version. Freedom as an underlying norm is only drawn upon by the Liberal parties and the Government. Equality (in general and not necessarily gender equality) is a very strong underlying norm in the Danish debates even if it carries different meanings and is used more by the opposition and the NGOs than by the government.

Another interesting finding in the gender equality debates is that the majority of texts do not point at any social group as being responsible for the problem of gender inequality. Neither men, nor women are to any larger extent seen as causing any problems relating to gender equality. Instead, the Government (the current and former) is seen as causing the problem in an overwhelming majority of cases. The conclusion I draw from this is that the problem of gender equality is discussed within a polity context and not necessarily debated as a *social* problem. When it is discussed as a social problem there seems to be no doer behind

---

<sup>3</sup> [http://ligeuk.itide.dk/files/PDF/PHplan/HP2007\\_ENG.pdf](http://ligeuk.itide.dk/files/PDF/PHplan/HP2007_ENG.pdf).

the deed. There are many victims, but few perpetrators so to speak. Gender equality is constructed as something that is to the benefit of us all. Women, men, children, families and the whole society will gain from gender equality. It has even been described as good for the marriage (leading to less divorces).

Even if gender equality is seen as a national Danish norm and as a benefit for all, there are also some voices against gender equality such as conservatives wanting to reintroduce the male breadwinner model. For some, gender equality has gone too far. However, these voices are relatively marginal in the Danish policy debates.

### **b) Non-employment**

In non-employment 'Gender equality' is discussed in around half of the selected documents. In the debates on equal pay, parental leave as well as in the debate on home care allowance, gender equality is an important issue (in the latter two cases the opposition is arguing against the government's proposals with the arguments that they are contrary to the principle of gender equality). However, the discussion on allowance for domestic services is not framed as a gender equality issue to any larger extent. This is an indication of the tendency that gender equality as a concept is used in a relatively limited way in Danish policy debates.

Since 2002 there have been several attempts by the opposition to reintroduce or start the discussion of introducing a quota for fathers in the parental leave system. For example, in 2006 the Socialist People's Party asked the Minister of Family and Consumer Affairs about her opinion on earmarked paternity leave. The minister answered that "politicians should not interfere in private life" (Svar på § 20-spørgsmål: Om øremærket barselorlov til fædre. Spm. nr. US 95 2006-07). Furthermore, the Women's Council in Denmark argued in 2006 that fathers should be given an individual *right* to longer parental leave. ("Kvinderådets representantskab: Fædre skal have selvstendig ret til længere barselorlov." at [www.kvinderaadet.dk](http://www.kvinderaadet.dk)) This means that in the gender equality and parental leave debates, *rights* play an important role. The Government however, is of the opinion that a flexible system of parental leave will increase fathers' the take up rate (Jens Vibjerg in Anden behandling af lovforslag nr. L 47). Fathers are to be encouraged by a flexible system and information campaigns to take longer parental leave. However, it is interesting that all parties to the debates agree that it is desired that fathers and men take more responsibility for child care and that *rights* seem to be a consensus issue as well.

The issue of equal pay is also framed as a matter of gender equality. However, the government is ambivalent on this issue. Here, the government is questioning whether unequal pay always is a problem. That is, not *all* matters of unequal pay should be considered as discrimination according to the government. Also regarding equal pay, the opposition wants to do more than merely requiring wage statistics divided by gender from the companies. The Social Democrats and the left parties in Parliament are of the opinion that the gender pay gap is a fundamental gender equality problem (Parliamentary debate on Perspectives and action plan). This means that the demands for gender equality are coming from women's NGOs and from the parliamentary opposition (Social Democrats, Social Liberals, Socialist People's Party and the Red-Green Alliance).

### **c) Intimate citizenship**

In intimate citizenship *not one single text is using the term gender equality*. That is, when it comes to issues of assisted insemination, adoption for homosexuals as well as marriage for homosexuals, gender equality is not at all an issue. Instead the debates concern rights and equality for sexual minorities. The conflict lines are pro and against rights for homosexuals and those who argue against the rights of homosexuals tend to use a frame drawing upon the "best interest of the child". This means that as a general rule gender equality policies are not seen as having especially much to do with sexual minorities and also that sexual minorities are in a sense de-gendered. The only issue in which lesbians and equality among women is mentioned is assisted insemination. This issue deals with the right for single women and lesbians to get assisted insemination by doctors in hospitals. Here, some of the proponents from the left parties are arguing for equality between women. The debates on adoption and marriage for homosexuals are relatively de-gendered.

#### **d) Gender based violence**

In the area of gender based violence some of the documents are *not* using the term gender equality/ligestilling. *When* the term gender equality is employed within gender based violence it is primarily in relation to forced marriage. This means that for example rape and domestic violence are *not necessarily* discussed as matters characterised by a lack of gender equality. In the parliamentary debate on the removal of a violent person from the common home 'gender equality' is not an issue. It is a bit paradoxical since violence belongs to the area covered by the Minister for Gender Equality. In the action plan against Men's violence against women and children in the family 2005-2008 however violence against women is characterised as:

Violence against women is not only a physical and psychological violation, but also a *sign of lack of equal worth and respect between women and men* (Action plan to fight against men's violence against women and children in the family 2005-2008/Handlingsplan til bekaempelse af maends vold mod kvinder og born i familien 2005-2008).

In this case, violence against women is seen as part of a gender equality problem. However, there is no structural formulation and no indication that violence against women is part of a broader system or a pattern of gender inequality in Denmark. Adding to this understanding, the very concept of gender equality is not used. This stands in contrast to the Swedish Social Democratic governmental policy in which gender based violence was regarded as one of the extreme examples of gender inequality and as an indication of Sweden *not being gender equal*. In the Danish Government's action plans, Denmark is not described as a society in which gender inequality prevails. Though, when it comes to forced marriage the term gender equality or ligestilling is used. In the Government's action plan against forced and arranged marriages we can read the following in the first lines:

It is of utmost importance that values such as the free choice, protection of the individual and equality/ligestilling between women and men is respected (Action plan for the governmental efforts in 2003-2005 against forced marriages, marriages similar to forced marriages and arranged marriages/Handlingsplan for regeringens indsats i perioden 2003-2005 mod tvangsaegteskaber, tvanglignende aegteskaber og arrangerede aegteskaber. p.1)

This means that gender equality as a value is emphasised in relation to forced marriages and thus in relation to immigrants. Immigrants are thereby constructed as being against gender equality as a value. The goal of the action plan on forced marriages is to "increase gender equality" among ethnic minorities in Denmark. There is no articulated equivalent goal of increasing gender equality among ethnic Danes in the general plan against men's violence against women. Thus, the impression I get is that immigrants in general are seen as being against gender equality whereas Danes in general are seen as being in favour of gender equality. If a few immigrant families are arranging marriages for their children and this is taken as an indicator of *all* immigrant families being against gender equality. If some Danish men are using violence against their female spouses this is not seen as an example of *all* Danes being against gender equality.

## 4. 'Intersectionality' in Gender + equality policies

### 4.1. The context with a short historical background

In Denmark there have been separate laws and regulations concerning gender and race/ethnicity and sexuality. These have not been regarded as having to do with each other. The gender equality debates and the institutionalisation of gender equality took place prior to the debates on ethnic equality.. When it comes to sexuality homosexuals were given the right to register partnership already in 1989. However, little has been done so far concerning hate speech or discrimination of non-heterosexuals. The developments of gender equality laws and the gender machinery have already been described. Therefore, in this section I will briefly discuss the laws and machinery relating to race/ethnicity as well as to other inequalities articulated in Danish policy debates and law. Class of course stands out as a very special issue in Denmark since the Nordic model means that class always has been prioritised. I would say that historically, class has been the most important inequality in terms of political weight, followed by gender and thereafter race/ethnicity. Thus, in the following I am primarily describing class and race/ethnicity. Sexuality, religion, age and disability are included in the new anti-discrimination frame and will be discussed more briefly.

#### a) Laws, policies and machinery relating to Race/ethnicity

In the Nordic countries universal citizenship rights are the ideal and ethnic minorities living legally in the countries are generally included in these universal rights. Denmark is however an exception. Since 2001 when the Liberal Conservatives got into office several discriminatory laws have been introduced, albeit with the support from the right wing Danish People's Party. One example is the introductory grant set in place in 2002, giving immigrants a grant that is *lower* than the amount given to non-immigrant people on social assistance. This policy has been debated and is controversial. The government is of the opinion that this "start-help" will function as an incentive for immigrants to take up employment rather than staying on social assistance (Lister et al. 2007: 86).

Even though ethnic discrimination has been unlawful since 1973 in Denmark it is not reflected in the policy development regarding integration and migration. In 1996 a law against discrimination on the labour market was adopted. Policies on integration and migration tend nevertheless to focus on immigrants as being the problem. The right wing populist parties – first Fremskrittspartiet and thereafter the Danish People's Party – have had relatively big success in influencing the political agenda in this way.

Another example of the discriminatory Danish line is that in the late 1990s the media in Denmark reported on individual stories of 'forced marriage'. These stories became the starting point for a policy strategy to restrict the right to family reunification involving a partner from another country and it also marked the shift towards one of the most discriminating approaches in Europe towards immigration (Bredal 2005). The Social Democrat and Social Liberal government started the policy shift in 1998 when they introduced restrictions in the immigrant law. In 2001 the Conservative/Liberals won the election and with the support of the right wing populist party Danish People's Party they restricted the possibilities of family reunification even further by introducing a whole set of regulations aiming at decreasing immigration. The right to family reunification was *abolished* for persons aged 18-24. This meant that persons under 25 could not marry a foreigner unless it could be proven by a state enquiry that the relationship was voluntary. In order to be granted family reunification, the applicant must meet a number of other specific requirements as well. These requirements are many and more rigid than in other countries. For example, there are requirements that have to do with to the resident's housing and income. The applicant should own a housing of "passende st0errelse" – that is "of reasonable size". The most recent of these discriminatory policies was the introduction of a language- and culture test that non-Danes has to pass in order to obtain citizenship. This very strict law of family reunification has been under debate. For example, the civil society organisation *Documentation and Counselling Centre on Race Discrimination* (Dokumentations- og Rådgivningscentret om Racediskrimination) (DRC) is

arguing against the law, and the Centre gives advice to immigrants as to how they can still manage to live with their partner in Denmark.

If the institutionalisation of gender equality has been weak and narrow, the machinery for ethnic equality has been even weaker. In the 1990s ethnic minority groups argued for an Ombudsman for ethnical discrimination because there was no where people could turn with concrete discrimination complaints. There was only an advisory organ *Invanderrådet/The Immigrant Council*, positioned under the Ministry of Internal Affairs that consisted of immigrant organisations. The Council was renamed and became *Nævnet for etnisk ligestilling/ The Council for ethnic equal opportunities* but its status was still advisory. In 1997 the Council obtained a more free position from the Ministry. In 1999 yet another advisory board was set up - *The Council for ethnic minorities*. However, the Council was still not given the task to take actions in specific cases of discrimination. ([http://www.nel.dk/content/pubpdf/NEL\\_Historien.pdf](http://www.nel.dk/content/pubpdf/NEL_Historien.pdf)).

In 2001 *The Ministry of Refugees, Immigrants and Integration/ Ministeriet for Flygtninge, Indvandrere og Integration* was established by the Social Democrat - Social Liberal government. When the Ministry was established a lot of issues previously dealt with by other Ministries were transferred to the Ministry of Refugees, Immigrants and Integration.

It was only in 2002, when in accordance with the EU-Directive 2000/43/EC, the Danish government set up a Commission to establish new institutional settings for dealing with race/ethnic discrimination, including a Council/Board with the power to handle *individual complaints*. The new structure of institutions dealing with discrimination based on ethnicity/race includes the following: In 2002 *the Council for Ethnic Equal Opportunities* was closed down and replaced by *the Danish Centre for International Studies and Human Rights*. The Centre, including an institute for human rights, was established in accordance with the UN Paris Principles. The Danish Institute for Human Rights may express its opinion about whether the Act on Equal Treatment Irrespective of Ethnic Origin has been violated in specific cases. In such cases, the Institute may recommend that free legal aid be granted. The Institute is also in charge of providing assistance to victims of discrimination and of initiating independent studies on cases of discrimination.

Finally, a body to turn to for individual complaints was established in 2003. The Complaints Committee for Ethnic Equal Treatment was established after the adoption of the Act No. 374 of May 28 2003. The object of the Complaints Committee is to hear complaints of discrimination on grounds of race or ethnic origin. The Committee can decide whether there has been a violation of the Act on Ethnic Equal Treatment's prohibition against discrimination. The Committee cannot impose any sanction on the respondent or award the complainant any kind of compensation as a result of discrimination. By Act no. 40 of March 30, 2004 amending Act on Prohibition against Discrimination in respect of employment and so forth, the Committee has been given the power to hear cases on discrimination on the grounds of race or ethnic origin in the labour market (Lov om etnisk ligestilling/Act on Ethnic Equal Treatment LOV nr 374 af 28/05/2003 and Act no. 40 of March 30, 2004 amending Act on Prohibition against Discrimination in respect of employment and so forth).

An important NGO in the area of race discrimination is *the Documentation and Counselling Centre on Race Discrimination/ Dokumentations- og rådgivningscentret om racediskrimination* (DRC), which is organised as a foundation and takes the human rights conventions as its starting point. The Centre is mapping racism, giving advice and counselling to people who have experienced discrimination. Furthermore, the organisation is working with changing attitudes by giving courses, arranging debates and seminars.

## **b) Laws, policies and machinery for labour market issues (or class)**

Equality (and not gender equality) has been highly prioritised in Denmark. There is a strong collectivist model and the social partners have been very influential in Danish politics (as in the other Nordic countries). The general rule in Danish politics is that politicians do not interfere in labour market negotiations. The trade unions and collective agreements are considered to be a guarantee for equality. However, this has slowly changed and regarding gender the Equal Pay Act and the Equal Treatment Act, as well as the following gender equality act have been created in separation from the collective bargaining system. These acts have made it possible to file complaints on grounds of discrimination when the trade union is not supportive, or for unorganised women workers. With the EU membership Danish politics is probably becoming less corporative and the focus is more on anti-discrimination.

There have been ongoing debates as to whether anti-discriminatory laws and machineries are in fact undermining the collectivist system and the freedom of the social partners to negotiate. The European model tends to focus more on the individual's right to complain and less on the idea that the trade unions should handle these issues.

In Denmark the dual breadwinner model has been the norm for at least 20 years. Social legislation and extensive social services have made it possible for women to combine paid work and motherhood as well as daughterhood. The norm is that women keep their contact with the labour market even when having young children and babies, which means that the difference between women's and men's labour market participation is very small. Today there is almost a need for two salaries for people living with children. When it comes to access to labour market there are thus few apparent hindrances for ethnic Danish women – whether they are mothers or not as I see it. The Nordic model has been praised for its ability to provide women with both pre-school care as well as elderly care and the Nordic countries have been called Women friendly states. However, according to Danish researcher Hanne Malene Dahl this ideal picture does not really hold true since there are tendencies that some privileged groups of women are given more opportunities at the expenses of other groups. There might thus be an increasing differentiation between women (and between classes and ethnic groups) going on in the Danish context (Dahl, 2004:334).

For example, the level of un-employment is relatively high among immigrants from non-European countries and the government has launched programmes to increase the levels of employment among these groups.

Another case against the “women friendliness” is the pay gap. Despite legislation, the gender pay gap is approximately 12% - a gap that cannot be explained by “seniority” or levels of education (Hojgaard 2004: 42). The figure caused the Social Democrat/Social Liberal government to launch an equal pay campaign in 2001. At the same time, the Parliament decided to change the law on Equal Pay. This meant that employers were obliged to provide gender based wage statistics. Shortly thereafter, the newly elected right wing government decided to postpone the enforcement of the law. The argument for the postponing of the law was that the social partners should find alternative ways of coming to terms with the pay gap. This means that today there is a clear dividing line between left and right regarding equal pay initiatives in Denmark. The opposition has since then argued to enforce the law and when the government finally did enforce a law it proposed that the law should only apply to companies with at least 35 employees (and at least 10 women and 10 men on the same position) This was criticised by the opposition.

The dual bread winner model also has a backside to it. In Denmark the gender pay gap does not cause mothers to stay at home because of the dual-breadwinner model and the individual taxation system. None of the Nordic countries have policies regarding ‘unsupported’ mothers; instead the focus is on single mothers as *workers*. However, the gender pay gap could cause problems for ‘single mothers’ or “sole providers in dual breadwinner regimes” (Skevik 2006). Sole providers are disadvantaged as workers and could be faced with financial difficulties. The heavy focus on employment has a backside as well – especially in times of recession (Skevik 2006: 260).

Young people and disabled people have a weaker position at the labour market. To get young people and people with different disabilities into the labour market is thus part of the priority of the Minister of Employment.

### **c) Laws, policies and machinery for sexuality**

The laws and machinery dealing with sexuality/sexual orientation are scarce and were introduced late if one is looking at the anti-discrimination acts and the corresponding rights to file a complaint. However with a new Board for Equal Treatment (discussed below) sexuality/sexual orientation is included. Apart from anti-discrimination the Registered Partnership Act was introduced in 1989 and many amendments have been made since then in order to make it less discriminatory. Nevertheless, sexuality is still treated as a separate issue – not related to gender and gender equality and the Registered Partnership Act does not grant the same rights the Marriage Act.

### **d) Other inequalities**

When it comes to the possibilities of getting your case heard in relation to the anti-discrimination acts today the status is that women as a group (not fully including ethnic

minority women and lesbian women since they cannot complain on grounds of race or sexuality) has the most developed possibilities to complain on grounds of discrimination. The Complaints Committee for Ethnic Equal Treatment does not have the same possibilities as the Gender Equality Board to act. When it comes to sexual minorities and the disabled there is still no specific apparatus for discrimination complaints in Denmark. There have been several proposals from the opposition in the parliament to introduce a broader complaints committee that could deal with the whole legislation on discrimination in the labour market and thereby include not only race/ethnicity, but also complaints on grounds of disability and sexual discrimination.

Thus, in 2006 the government put forward a proposal to introduce the same possibilities of complaints for all inequality groups. Complaints regarding unequal treatment based on gender, race, skin colour, religion, age, disability, nationality, ethnicity or social background, political opinions or sexuality/sexual orientation can be heard by this new Board. As part of the European Year of Equal Opportunities the government will introduce a Common Committee or Board for "all inequalities" - *Common Board of Equal Treatment/Fælles klagenævn – Klagenævnet for Ligebehandling*. If a citizen has experienced that s/he has been treated differently it should be easy to file a complaint. This means that the government is now planning to close down the Committee for Ethnic Equal Treatment and the Committee for Gender Equality. (Proposal 15.01.07 to Law on Complaints Committee for Equal Treatment/ Lovforslag i høring 15.01.07 Udkast Forslag til lov om klagenævnet for Ligebehandling).

To sum up one could say that there is a tendency to merge laws and machinery for gender, race/ethnicity and sexuality and to think about many groups at the same time in Danish politics – at least in relation to anti-discrimination. Whether this could be called a development towards Intersectionality is however questionable since the different groups are not necessarily articulated as being within a structural situation of power. First and foremost Danish politics has prioritised class and gender and thereafter sexuality and race/ethnicity.

#### 4.2. (How) is the concept of 'Intersectionality' used?

In Danish debates on gender + equality policies Intersectionality as a concept is never used. I have not found one single example of any policy document or civil society actor using the term Intersectionality. Thus, so far, in Denmark Intersectionality is a concept kept within academic discussions (and in the academic context the concept has been used since the beginning of 2000s. See for example Staunaes, 2003, *Kvinder, køn & forskning* 2006). Since Danish gender equality policies in the first place do not use concepts such as "gender power system" or "gender system" there are few examples of concepts such as "multiple oppression" or "double oppression". Ethnic Danish Women are not described as "being oppressed" and thus ethnic minority women are not portrayed as *multiple* or *doubly* oppressed. Instead the Danish discourse focuses on individuals and one major framing of the problem is *discrimination*. "Discrimination on many grounds" or "multiple discrimination" is one way of articulating the problem in Danish policy debates. In the area of violence, ethnic minority women are described as being "a specifically vulnerable group"/ en særlig sårbar gruppe" (Handlingsplan til bekaempelse af maends vold mod kvinder of born 2005-2008. p. 7).

Other terms that might indicate Intersectionality in the Danish case are "forskellighed"/difference and "mangfoldighed"/diversity. In the most recent Action Plan on Gender Equality these terms are very central to the policy. Thus, for the Danish government, pluralism, diversity and respect for differences are at the heart of the framing. On the first page of the Action plan the Minister for Gender Equality states how she looks upon gender equality:

We are today living in a *diverse* society. Women and men, girls and boys are *different*. Our age, gender, ethnicity etc. are part of forming us as human beings, and we are all contributing to society in our own way. Diversity is something good for our society, since difference creates innovation, growth and dynamics. (...) 2007 is the European year for equal opportunities for all. I am marking this by focusing on talent, innovation and equal opportunities in the sign of diversity, by breaking with traditions and

*think gender equality across gender, age, ethnicity disability, faith or sexual orientation (p.3).*

The Minister for Gender Equality is expressing an ambition to think across gender, age, ethnicity, disability, faith and sexual orientation. Another example is to be found in the Government's gender mainstreaming action plan from 2007:

When working with gender mainstreaming *it is seldom enough to only focus gender* – since women are different, as well as men. Thus, other parameters have to be linked with gender, for example age, ethnicity, disability, educational background, marital status, regional differences, among others, to get a precise picture of the target group and thereby secure precision in the efforts undertaken (*My translation. Handlingsplan for det tvaerministerielle konsmainstreamingprojekt 2007-2011. p.4).*

According to the Government, it is seldom enough to focus merely gender. Though, in my reading of these statements gender and all the other categories are constructed as “differences” rather than “inequalities” or “groups with certain interests” or “social categories” or “subject positions”. This means that these policy formulations could be characterised as part of a pluralistic approach to Intersectionality – if one at all should use the term Intersectionality in this case since the government is not talking about power. The framing of the Government is though “multiple discrimination”.

The effects of the Government's *pluralist* approach is that differences are seen as positive and thereby this framing might have the effect that few problems are identified. Differences are not seen as power relations. Racism, gender inequality, sexism or heteronormativity are not on the Government's agenda. Discrimination is, as a consequence, seen as a relatively limited problem.

The NGOs studied here are not at all using the concept of Intersectionality or talking about different categories. The Danish National Association of Gays & Lesbians (LBL) is talking about sexuality and sexual minorities, the women's organisations are discussing 'women' as a homogenous category and finally ethnic minority organisations are concerned about the rights of ethnic minorities.

In the left parties – the Red Green Alliance as well as the Socialist People's Party - equality in a more collectivist way is drawn upon. These parties are talking about different groups – not only women – and are articulating differences within the group 'women' such as discussing the inequalities between lesbian women and heterosexual women in relation to the right to fertility treatment. Class is also an issue articulated in gender equality debates by the left parties. Here especially the Red – Green Alliance is focusing on working class women. The Red - Green Alliance is critical towards focusing so much on the representation of women on company boards instead of tackling the problem of unequal pay and focusing on low paid women.

Thus, the Red-Green Alliance and the Socialist People's Party are talking about other inequalities such as ethnicity and sexuality in relation to gender equality debates and in some cases, they are also discussing differences within the category of women.

To sum up: in Denmark one could speak of a dominant pluralist approach to gender equality focusing individuals and differences using terms such as diversity and multiple discrimination. This approach is largely embedded in gender equality policies. The counterarguments are focusing on equality: class, sexuality and ethnicity are discussed as inequalities by the left parties in parliament as well as by many NGOs. The left parties are in a sense “better” at articulating differences within the categories of class, gender, sexuality and ethnicity than the NGOs.

#### **4.3. Are there significant ‘turning points’**

The most important intersecting category in gender equality policies is ethnicity. Ethnicity has been one of the focus areas of the yearly gender equality plans from 2001 up until 2007. “Ethnic women” or “ethnic minority women” are included as a specific target group in general gender equality. The headlines have been “Ethnic minorities and gender equality” or “integration and gender equality”. This means that since the very beginning of the 2000s gender equality has included a discussion of immigrants as separated from the Danes and as

separated from the other activities of gender equality (See also Langvasbråten 2008). In the action plan from 2007 ethnic minority women are not singled out as a specific group, instead ethnic minorities are discussed under the headline of "Multiple talents". The goal of the plan is to use all talents regardless of ethnicity, age, gender. Focus is on many categories and the importance of ethnic minorities as a threat to Danish gender equality might have been downplayed. Nevertheless, ethnic minorities is the target group for several activities and are seen as carriers of gender prejudices.

Create more attention to gender barriers facing men and women with another ethnic background than Danish in education, work life and in organisations (*My translation. perspectives and action plan 2007*)

According to the quote, men and women with another ethnic background than Danish are seen as facing gender barriers, not barriers related to race/ethnicity or racism.

I think, to sum up, that there *might* be a tendency to talk more about equal opportunities for *all* groups and include as many categories as possible and to talk less about *gender* equality. Thus, there is a tendency in gender equality policy to focus more on several categories. One reason for this might be the European Year of Equal Opportunities 2007 that influenced the government in its formulation of the action plan studied here. It is also quite evident that EU legislation has influenced the Danish government in its decision to set up a common board of equal treatment, given that it is an EU requirement that states have a machinery for these inequalities. I read this initiative is an example of a pluralist approach to Intersectionality. I would say that the tendency is to go from separate laws and machineries to one single machinery is evident. Also judging from the latest action plan on gender equality there seems to be a trend to talk about diversity and multiple talents.

The effects of these changes are not possible to fully see yet. There are critical voices raised concerning the Common Board of Equal Treatment, for example that its resources are too limited and that it will not have the possibility to act on its own initiative. That is, there must be an individual complainant in order for the Board to act. This means that issues of general interest that might be relevant for a whole group but not necessarily harming individuals cannot be dealt with. Another critique is that the Board might overrule collective agreements and thereby pose a threat to the Danish model with relatively high freedom of the social partners to reach agreements and make decisions. This could mean that the interests of the workers are taken care of by a small bureaucratic Board instead of by the trade unions. However, the government and the Social Democrats have guaranteed that this will not be the case and in the proposal that was passed in 2008 the trade unions are given a possibility to make comments to the Board in individual cases. Moreover, the Board will only act in cases when the trade unions do not act.

As I see it, this is nevertheless a policy framed as anti-discrimination and therefore it has a quite limited scope. The weakness of the machinery in Denmark is still a fact even with this new Board. It is not an ombudsman in the traditional sense. On the other hand, sexual minorities, ethnic minorities and disabled people now have the same possibilities as 'women' to file complaints.

## 5. Intersections in General gender equality

### 5.1. Constructions of problems

One essential problem formulation in relation to general gender equality and machinery is the *limitation of the equal and free choice* by narrow understandings of gender, gender stereotypes, and traditional attitudes. Especially the government and the Liberal Party (in government) are using this frame in order to explain problems. The liberal participant in the parliamentary debate on the Gender equality plan for 2007 stated that:

The equal and free choice also means respecting the opinions of others, also if one as a woman does not wish to become executive director of a company. It might be that we are irritated that women are too easily down prioritising work life. However, we cannot by law forbid women to prioritise family life. (*My translation*. Anne-Mette Winther Christiansen (V): Parliamentary debate on Perspectives and Action plan 2007).

In this quote the problem is framed as the lack of respect for other people's choices. The government should not interfere in private decisions, according to the MP. Later on in the text, the same speaker is saying that:

For example, women and men of another ethnic background than Danish should not be hindered in their free choice. This is very important and we have to initiate information to the women about their rights in this country... (...) We should also make sure that women and men with another ethnic background than Danish are not hindered in their free choice and possible equal participation in society by gendered prejudices or barriers (*My translation*. Anne-Mette Winther Christiansen (V): Parliamentary debate on Perspectives and Action plan 2007).

Ethnic minority women and men are singled out in the text as not belonging to the category 'women' articulated in the first lines of the speech and in this case the problem needs to be tackled. Ethnic minority women are in need of information campaigns whereas 'women' in general (read Danish middle class women) should be respected for how they lead their lives. One effect of this articulation is that it seems as if ethnic minorities have more gender prejudices than ethnic Danes do. The government, as well as the Social Democrats, have a tendency to view gender equality as already achieved in Denmark and to talk about immigrants as holding old fashioned views about gender (Parliamentary debate on perspectives and action plan 2007). In opposition to these ideas, the Red-Green Alliance (EL) declared that:

I do not think that we have achieved gender equality in Denmark and I think that it is a very hasty conclusion to say that the Turks have an old fashioned view on women and in Denmark we have gender equality. It is not that easy (*My translation*. Pernille Rosenkrantz-Theil in Parliamentary debate on perspectives and action plan 2007).

In the debate on gender equality, the Red-Green alliance furthermore highlighted many examples of inequality such as how the government had been acting against ethnic equality. However, the party was not commenting on how these policies have an effect on ethnicity *and* gender. That is, ethnic equality was seen as one thing and gender equality as another

In the government action plan on gender equality as well as in the mainstreaming action plan the problem of gender equality is not related to structures. The free choice is not articulated as limited by structures, but by attitudes and stereotypes. This is criticised by the MP from the Red Green Alliance who claims that the government and the Liberal party merely use a lot of nice words and that the government's idea about free choice is problematic:

It sounds, again, very nice. But I would like to ask the Liberal party if they are of the opinion that it exists a free opportunity to share the parental leave equal when the

father has the highest salary (*My translation*. Pernille Rosenkrantz-Theil (EL): Parliamentary debate on Perspectives and Action plan 2007).

According to the Red Green Alliance, the Socialist people's party, the Social democrats and the Social liberals, free choice is limited by structural hindrances such as unequal pay and the parental leave system. The problem as they see it is the outcome of the choices.

Another problem mentioned several times in the parliamentary debate as well as in the non-governmental text is that the government is *not doing enough* to ensure gender equality. The opposition as well as the Women's Council is critical towards the action plan on gender equality since the measures proposed are far from enough to guarantee *real* equality. The plan, in their view, contains many nice words but few concrete actions or too weak initiatives. Information campaigns or inspiration material is seen as insufficient. In relation to this, the lack of *real* equality is a relatively dominant problem formulation. The debates regarding the latest action plan on gender equality are especially framed in this way – for or against quotas, for or against legislation in certain areas. The government is not interested in legislation, quotas or other types of positive measures – apart from information campaigns.

*Discrimination* (outside and on the labour market) is yet another relatively dominant problem in general gender equality. Especially in the discussion of a new Common Board of Equal Treatment is the framing of the problem discrimination and unequal treatment. Unequal possibilities to complain about discrimination for different groups of citizens are also part of the problem formulation.

Other *problems discussed in general gender equality are the gender segregated labour market, low representation* of women in top positions in society as well as among the self employed. The problem that men are not taking parental leave is also relatively dominant. Men buying sex/prostitution and trafficking are marginal problem formulations in relation to general gender equality, though trafficking is discussed more than prostitution. For example the Liberal party (in government) argues that trafficking is a "disgusting act".

The Red Green Alliance is making a comment about the fact that both the government and the social democrats are talking about representation in company boards and top positions in society. The "real problems" are instead unequal pay, equality in relation to sexual orientation and the parental leave system according to the MP of the Red Green Alliance.

The most important location of the problem is polity (very dominant) and thereafter civil society. Most of the problem formulations are within the location of polity-civil society. There are however few problems that are located *only* in civil society. One reason why most of the problems are located within polity is that the texts selected are commenting on the actions of the government. Thus, the government is seen as responsible and the problems are very often concerning the *methods or policy initiatives* presented by the government. The debate is concerning good and bad methods in a pretty bureaucratic style more than problems in society. The problems of gender equality are thus framed as administrative problems to a certain degree.

Work-life and economy are seen as locations of problems such as unequal pay and unequal distribution of resources. There are very few cases in which the problems identified can be located within the sphere of intimacy.

To sum up one could say that the overarching problems (found in the texts that we have analysed) are: *discrimination, unequal treatment, traditional attitudes, unequal possibilities, inefficiency, and low representation of women (in top levels of society)* as well as *limitations in the free choice of the individual*. These are norms that are to be found in many of the texts selected. Especially *discrimination* is a problem that can be found in *all* texts – from the government to the small left party such as the Red-Green Alliance. For example, ethnic minorities are on the one hand included in the governmental policies as part of the problem formulation of unequal possibilities and limitations of free choice. The oppositional parties such as the Red-Green Alliance are talking about discrimination of ethnic minorities and sexual minorities.

## 5.2. The goals of gender equality policies

The most commonly used underlying norm is *equality* in general gender equality.

Efficiency is another important underlying norm that is used by almost all actors – government, NGO (Women's Council) as well as by the two left parties represented in this

issue. The opposition (left parties) is arguing in terms of efficiency when it comes to criticising the government for not doing enough or doing the wrong thing. Democracy is another relatively important underlying norm. Freedom is an underlying norm that especially the government draws upon. One surprising thing is that 'nationalism' is an underlying norm used by both the Liberal-Conservatives and the Social Democrat Party. These parties are also drawing upon a conservative script when talking about gender equality.

The overall **objectives** for the government are equal opportunities and freedom of choice. Stop discrimination is another major objective – especially visible in the discussion of the gender machinery. Another objective is that all talents should be used. In the governmental mainstreaming plan the goal is that a gender equality aspect should be integrated in all ministries and state activities. As part of this vision there are sub goals such as efficiency and awareness of the gender perspective. The ideal for many of the texts is gender equality, meaning that women and men should share parental leave more equally and that women and men should be represented more equally in the top levels of society.

Most of the governmental initiatives are dealing with information, changing attitudes through different campaigns to ensure equal opportunities. The problems are to be solved by individual's choices rather than by legal changes. In relation to the machinery the government has proposed to establish a Complaints committee for *all* groups covered by the Anti-discrimination Act. (This committee is not exactly an ombudsman). The tools for reaching gender equality are according to many parties in opposition NOT information, but legislation and active measures such as quotas. For example, the Women's Council as well as the Social Democrats want to intervene with quotas and laws (Quotas for parental leave and more pressure on companies/employers when it comes to equal pay). Many non-governmental texts are also in favour of a more extensive complaints committee like an Ombudsman that can initiate cases and with more resources. The politicians should do what they can to make sure that gender equality becomes a reality, instead of leaving everything for the citizens to decide. Another overall goal that is relatively important is *equality* in relation to class, gender and sexuality.

Gender equality is mentioned as a goal in all but two texts (the same texts that are not mentioning gender and this is in relation to the common board of equal treatment).

### 5.3. Social categories/inequalities

The government has not identified many social groups as responsible for the problems. Social groups that are mentioned are 'people', 'Danish men' and 'male immigrants'. Danish men are mentioned by the Women's Council in relation to prostitution (men are buying sex) and in relation to representation in company boards (men are choosing each other). Male immigrants are mentioned as causing the problem by the Social Democrat Member of Parliament (they are said to have old-fashioned ideas about gender). However these are only a couple of documents so in a sense one could say that in this issue there is no one causing the problem.

When it comes to who is seen as affected by the problem it is interesting to note that so *many* disparate groups are constructed as victims in this issue – women, men, children, boys, girls, people, individuals, disabled, parents, families, fathers, mothers, ethnic minorities, lesbians, prostitutes, (the list is very long). The most common category seen as affected is not too surprisingly 'women'. There are two cases where men *only* are constructed as passive actors – first in relation to paternity leave, and secondly, elderly men are seen as suffering from unequal distribution of resources. The government is mainly talking about women *and* men whereas the parties to the left and the Women's Council to a higher degree mention *only* women or different groups of women as affected by the problem. Thus, men are not primarily pointed out as being responsible for any problems and instead both men and women are regarded as being victims.

There are only a few cases in which people are constructed as belonging to multiple groups (Intersectionality). The most important case of Intersectionality is the Red-Green Alliance that is talking about how low paid women are affected in a different way than women in top positions in society. This means that gender and class are articulated. The same MP is also talking about lesbian women and their right to artificial insemination. The Red Green Alliance is discussing problems for immigrants, lesbians and working class women and all these groups are equally important. Women from ethnic minorities are mentioned by the Social Democrat MP as suffering from the attitudes of ethnic minority men. Finally, the government talks about people discriminated on several grounds, which could indicate that

the government recognises the problem as multiple discrimination. In the proposal to a Common Board of Equal treatment/Ligestillingsnaevnet the government is articulating the categories as “criteria of protection”.

A common Board could deal with situations in which a person means that she or he has been treated differently on grounds of several criteria of discrimination, for example, gender, ethnic background or age (L 41 as presented. Proposal for a law on Board of Equal treatment).

In this quote, gender and ethnicity are articulated as criteria for discrimination and not as social categories. The Minister for Employment, Claus Hjort Frederiksen, is also talking about “multiple discrimination” in the parliamentary debate on the Board of equal treatment (First parliamentary debate of L 41: Proposal for a law on Board for Equal treatment). To sum up one could say that in Danish gender equality policies “diversity” and “multiple discrimination” are the ways of framing the problem when talking about several categories and these are not seen as inequalities in a more structural sense.

There are not too many norm groups in the texts. This means that when the problem is described it is rare that a privileged group is pointed out. Or, in other terms, there are few articulated comparisons between groups. When there are comparisons mentioned these are ‘business women’, ‘Danes’, ‘elderly women’, ‘heterosexual women’, ‘men’, ‘people discriminated on grounds of gender’ as well as ‘people discriminated on grounds of ethnicity’. No group can be characterised as the most important since almost all of them are only mentioned once. Men are mentioned three times as a norm group in relation to labour market issues. People discriminated against on grounds of gender are mentioned twice (in relation to the discussion of the common board where women today have the best possibilities of complaining).

Women’s NGOs partaking in the policy processes are focusing on gender in a more one-dimensional way. They are only mentioning men and women and the comment from the Women’s Council in Denmark to the law proposal for a common board of equal treatment would serve as a quite interesting example on how women’s organisations are looking upon gender equality and ‘women’ and ‘men’:

For the Women’s Council it is decisive that a common board for equal treatment is an instrument that improves on equality between women and men. (...) we wish to put attention to the risk that gender equality will diminish with this board for equal treatment (Horingssvar 29 januari 2007)..

The council is focusing on women and men and gender equality without discussing other categories. One could say that the Women’s Council is neglecting ethnic minority women when talking about women as a unitary category, especially considering that the Board for Ethnic equal treatment has a more narrow scope and the opportunities for ethnic minorities to file complaints will be enhanced by the new Board. The Council is also neglecting lesbians who at the moment do not have the possibility at all to file complaints. Thus, in a sense the Women’s Council is reinforcing ‘women’ as a unitary category and is speaking for white able-bodied heterosexual women whose opportunities *might* be restricted, but not necessarily. In general, the women’s organisations studied here are talking about women and men as unitary categories. Intersectionality is not a topic in the Women’s Council’s texts.

When it comes to how the policies are implemented and who is seen as responsible for acting and what groups are to be targeted by gender equality policies, it is to no surprise to find that one of the most important *responsible actors* is the government – either the government in general or some specific ministers or ministries such as the Minister for Gender Equality. The other almost equally important responsible actor is the parliament. The parliament is called upon to make changes in legislation. The only non-governmental organisation mentioned is “the parties on the labour market” - mentioned (by the government) as responsible for equal pay activities.

As *target groups* there are also many groups mentioned, most of them different social groups. These are individuals, citizens, women, men, women and men from other ethnic groups than the Danish, parents, fathers and mothers. The Women’s Council constructs men as the target group in relation to criminalising and buying sex. The other case in which men are mentioned is the Discrimination Act, both women and men are mentioned in the Act. Men

(and women) from ethnic minorities are also identified as target groups of campaigns. The institutional target groups are ministries (heads of ministries) as target for mainstreaming project.

Ethnic minorities have been (and are still) one big target group of Danish gender equality initiatives. These groups are to be taught Danish values (see also Langvasbråten 2008).

#### 5.4. Conflict lines

As I can see there are two major lines of conflict in general gender equality in Denmark today. The first concerns the seriousness of the problem and what *weight* gender issues should have. The Liberal Conservative government is not very interested in gender equality. This is visible in the Action plan on gender mainstreaming where no problem formulation is to be found. When the government is talking about these issues there are no 'serious' or 'grave' problems, as compared to the opposition (left) that defines many of the issues as urgent or as very important. There is general consensus that discrimination must be stopped. However *how* this is to be done differs and here we might also find that the meanings attached to the word discrimination might differ. That is, the definition of discrimination by the right wing parties (and thus also the government) is not the same as that of the parties to the left. The government has a rather narrow understanding of discrimination and does not find it a severe problem. The opposition, the social democrats and the left-green alliance, are both talking about discrimination based on other grounds than gender. They are mentioning discrimination on grounds of sexuality as well as ethnic discrimination as serious problems.

Secondly, and related to the division regarding the weight of the issue, there are conflicts concerning what *methods* should be used to reach gender equality. The NGOs and the social democrats as well as the Red Green Alliance want to give more resources to the Common Board, more possibilities for the Board to act on its own initiative, they are in favour of quotas for fathers and other active measures, whereas the government does not want to intervene, meaning that the government leaves it to the families themselves to take responsibility.

The framing of general gender equality policy is divided in the sense that the government is primarily using a human rights perspective (that is talking about freedom and individual/citizen rights) whereas the opposition to the left is drawing upon a script of equality and individual/citizen rights. This means that 'rights' is a consensus issue whereas freedom is linked to the liberal-conservatives and equality in a more collectivist way is linked to the left parties in parliament. In the two action plans by the government, economic development is invoked as a frame as well

One thing that strikes me is the relative weight that is put on women and *leadership* – both the government; the Social Democrats and the Women's Council are focusing on this issue. There is thus a relative consensus regarding representation in top levels of society as an important issue of gender equality. There is nevertheless a conflict since the Red Green Alliance is questioning whether gender balance in the few top levels in society really is the most important issue. Instead they want to discuss equal pay for working class women. The Women's Council is not making any comments regarding equal pay or the right to work full time or other issues that could be of importance *for working class women*. This could also reflect the fact that the Council is commenting on the Action plan in detail and even using the headlines of the plan (and in the governments mind these are not severe problems). Categories such as class and sexuality are only discussed by the small left wing parties – the Red-Green Alliance. The NGO representing ethnic minorities is discussing problems of ethnic discrimination, although not related to gender.

#### 5.5. Some reflections on inclusions and exclusions

It is interesting to see that people/social groups are in very few occasions articulated as causing the problems in this issue. When the problem is framed as a matter of discrimination there seems to be few groups or actors that are causing the discrimination. However many different groups are seen as affected by unequal treatment - basically ALL groups This is probably because of the fact that the most recent amendment of the discrimination machinery is to introduce a common board for *all* groups covered by the Anti-discrimination Act. It is also striking that companies or employers are NOT discussed as causing any problems in this

issue. This means that there are a lot of groups affected by gender inequality but no social group is seen as responsible.

## 6. Intersections in Non-employment

*In this issue I have included five sub-issues – home care allowance, tax benefits for domestic services, debates on quotas of parental leave, part time work and finally equal pay. These five issues are discussed in relatively different ways. Thus, I have decided to separate the issues and present the problem formulations as well as the objectives in each issue respectively first in order to make the analysis more contextualised. Thereafter I am discussing all of the five issues (or non-employment as one single issue) in order to analyse what groups/categories are constructed, the dividing lines and the inclusions and exclusions.*

### 6.1. Tax benefit policies: Home care allowance

The Danish liberal-conservative government introduced a so called *home care allowance* in 2002 making it possible for parents to stay home for longer with their children. However, the allowance was set relatively low and there was a limit in time for how long one person could stay at home. Consequently, the scheme has not been any major success and very few have been using it. The norm for mothers in Denmark is still to go back to work after parental leave and to use public or private day care.

The government proposal for a home care allowance mentions several problems that the allowance could lead to, instead of mentioning problems that the allowance will solve. These problems are: problems of integration of immigrant women, gender equality problems, economical problems for society due to less tax income, as well as lack of labour force. These are all considered in the proposal and some of them are dealt with in the concrete construction of the scheme. For example, the scheme was limited in time in order for women not to lose their labour market position. Here, especially immigrant women are mentioned. However, the problem of gender equality is not mentioned as being solved. That is, that the majority using the scheme will be women is not seen as an important problem. This is instead seen as an opportunity to choose to stay home.

In the parliamentary debate on home care allowance one relatively important problem identified is *too high state expenditures* and *economical problems* for society. Both political sides, left and right, in the debates use the problem of costs for society. It seems to be a legitimate way of rejecting the policies. Another dominant problem formulation is that home care allowance is a *benefit for privileged families* in the sense that the allowance might be used by those who already have possibilities to stay at home. The opposition is furthermore arguing against home care allowance because it might damage the *integration of immigrant women* (who would be staying at home instead of working). Furthermore, the home care allowance's negative effects on *gender equality* are mentioned. *Lack of gender equality* is thus seen as an important problem by both the Social Liberals and the Social Democrats. *Discrimination* is another issue at stake. The NGO the Organisation for Economic Equality Between Families with Small Children" is discussing *discrimination* of parents who wish to stay at home and mentions the problem that it is so *difficult to live on one salary*. This is however an utterance that I would characterise as being on the margin of the discourse. The Liberal – Conservative government is primarily interested in keeping the labour force and the norm of two salaries is common sense in Denmark.

The government's **objective** in the home care allowance scheme is a new family policy based on the *free choice of the family*. Another goal is to give local municipalities *freedom* with respect to which child-care arrangements are offered. The major argument put forward by both the Social Liberals and the Social Democrats is that poor families and children with fewer resources should be given the (limited) resources. This means that the other major objective is *equality* in outcomes. Another argument for equality put forward by the Organisation for Economic Equality Between Families with Small Children is that families that chose to stay at home with their children for a longer period should be *economically equal* to parents that chose to leave their children at day-care centres. To *maintain the Danish labour force* is an objective for all (apart from the Organisation for Economic Equality Between Families with Small Children). Finally, both *integration of ethnic minorities* and *gender equality* are discussed as important objectives. At least integration is seen as a major objective for all participants in politics. When it comes to gender equality one could argue

whether the major objective of the government is freedom of choice rather than gender equality (or if the government sees gender equality as a matter of freedom of choice).

Finally, one remark on gender equality policies and on the debate concerning home care allowance: the notion of family is framed in a heteronormative way. That is, women and men are the targets and the centre for the discussion both for those who argue *for* home care allowance and for those who argue against it.

## 6.2. Tax benefit policies: Tax benefits for domestic services

*Benefits for Domestic Services* (Hjemmeserviceordningen) was introduced in 1994 and made permanent in 1996 by the Social democrats during a time of recession. The benefit concerned domestic services such as cleaning and gardening and the subsidy was set at 50% of the cost. The law on the benefit was circumscribed in 1999 and 2002, and severely restricted in 2004 by the Liberal-Conservatives, at which point the benefit was made available only to people who had reached the age of 65. In the parliamentary debate on the restrictions of the system, the left side wanted to keep the system whereas, as already mentioned, the Liberal-Conservatives abolished the benefits for all other groups apart from pensioners. This debate is analysed in the following.

The major reason for restricting the system was economical and one of the problems that the government mentioned in the proposal was *economic problems for society*. Interestingly, both sides in the debate used this argument. Another central problem articulated by the left parties was *unemployment*. The opposition in parliament, especially the Social Democrats, was arguing that when abolishing the allowance for domestic services immigrants and low educated people will become unemployed and the government argued that those people who had been using the system could afford it.

The Liberal party argued:

We do not think that it is necessary that all families in Denmark should get a benefit for ordinary private cleaning. We would like to prioritise the centre of the welfare state system and we don't think that benefits for cleaning is at the heart of the welfare system. (...) evaluations have shown that the System with benefits for domestic services have only reduced illicit work in the cleaning sector with 7 % and that the primary users have been people with relatively high income, where it might be expected that they could pay the full price and not have the tax payers to pay for their cleaning.

In a sense, the class argument is drawn upon here. Rich people can pay themselves. However, it is interesting that this argument is coming from the Liberal Party and not from the left parties in opposition. These were instead in favour of keeping the system and used the argument that:

I would like to hear if it isn't the most reasonable to make sure that short term educated and people with another ethnic background than Danish can continue to stay in the labour force? (Social democrats in the parliamentary debate L69).

The government's overall objective in relation to cutbacks in domestic services is to reduce state expenditure. The major goal in relation to domestic services is to keep societal costs down. *Integration* is a major goal for the opposition. Thus, again integration seems to be the central issue at stake in Denmark in this point of time. This means that immigrants are relatively important in the articulations of problems within non-employment.

## 6.3. Equal treatment in employment: Equal pay and part time work

*Pay differences* between women and men is obviously seen as the major **problem** in equal pay texts. All participants to the debates see **discrimination** as a problem, but the government is of the opinion that not all pay differences should be regarded as discrimination. Another problem according to the government is that employers and employees do not have the *right* to make individual agreements. This means that collective agreements are seen as problematic. Furthermore, the government regards conflicts between workers and companies

or between women and men as problematic. In some branches there are working time prohibitions and the employers and employees do not have the right to make individual agreements about part time work, this is seen as the major problem by the government. The opposition (Social democrats and Socialist people's party) identify one major problem in relation to part time work - **inequality**. For example, workers are already forced to work part time by employers that are threatening to fire them if they do not agree to work part time. Secondly, the proposal is a major interference in collective agreements, and thirdly it gives the employer another tool to force people to work part time and hence indirectly making the employees lose salary. Especially the Socialist people's party mentions the unequal relationship between employers and workers as the major problem. There is no such thing as free and equal agreements between an individual worker and an employer. The government is giving more power to employers and that is the problem.

The overall goal for the government in relation to equal pay is to make any gender based differences in pay visible and thereby reducing them. Bigger companies with more than 35 employees should therefore develop gender based wage statistics or make reports on equal pay. Two other objectives are freedom of the companies to choose methods and *cooperation* between workers and company as well as between women and men. The government does not want to burden companies with too much administrative work or too high costs. When it comes to part-time work, one of the government's objectives is to secure the freedom of individual workers and employers to make agreements no matter what the collective agreement says. A flexible labour market is one of the overarching goals, so is to reconcile family and working life. The objectives of the opposition and the women's NGO are equality in the labour market (not freedom as the government has it). The ideal is strong trade unions that can negotiate with the employers. Another goal is to improve the rights of the workers in a way so that they can choose to work in a way they regard as suitable. The other objective is that the social partners should be free to make their own decisions without the government interfering.

#### **6.4. Reconciliation of family and work: Parental/paternity leave**

The debates analysed concern the abolishment of the earmarked two weeks parental leave for fathers and the simultaneous expansion of the parental leave system. One of the problems mentioned in relation to the legislation on the extension of the parental leave was that small children need to stay at home a longer period than was the case. Another problem mentioned was women's weak position in the labour market because of childbirth. The problem identified by the opposition is the parental leave system as such. The major problem is that it contradicts the principle of gender equality. The opposition in parliament as well as women's organisations argued that the legislation constitutes a *gender equality problem* – mothers have to stay at home for 14 weeks and fathers only for two weeks. On the contrary, the Government considers that ear marked leave is a problem since it mean that politicians interfere with private life.

The overall goal for the government in relation to the new parental leave system was flexibility, the possibility to combine work and family life as well as possibility for parents to stay at home longer with small children. The solution was thus to extend the parental leave to 52 weeks. According to the Liberal-Conservative government, politicians should not decide how many children families have, how they live their lives or how parents share the leave. The government did not mention gender equality as an aim. The concrete policy actions that were proposed could rather be described as being *against* gender equality in the sense that the government abolished the extra two earmarked weeks of leave for fathers. The policy actions proposed were increased parental leave, abolishing earmarked two weeks for fathers and keeping the 14 weeks plight for mothers to stay at home with the child in relation to birth. The solution proposed by the opposition and women's organisations was instead *earmarked* parental leave for fathers such as is the case in the other Nordic countries.

In a sense, the parental leave system is one of the debates in which gender equality is a hot issue in Denmark. A quota seems to be controversial since the system is not in line with the liberal ideas of freedom of choice and non-interference in family life.

Another important point when it comes to gender equality debates and parental leave discussions is that most of the policies and debates have a heterosexual family in mind as a

starting point for discussion. The categories talked about are mothers, fathers and parents. There is little discussion on other intersecting categories. Thus, the policy debates are heteronormative and in the end discriminatory for homosexual parents. This has also been pointed out by the National association for gays and lesbians (LBL) in a comment to the new parental leave scheme. The LBL is commenting on the two weeks paternity leave that the father can use together with the mother in direct relation to the birth. Since step child adoption of a partner's child only applies three months after adoption, lesbian and gay couples are denied the possibility of staying home together (LBL. Vedr. Barselorlov I forhold til regnbuefamilier. 12. febr 2002).

Thus, the parental leave system does not take into account the existence of homosexual parents even though these parents have been recognised as parents in the Registered Partnership Act. The laws are constructed separately and this causes some troubles.

### **6.5. Social categories/inequalities in non-employment**

First of all, one striking feature of the debates concerning non-employment is that there are quite few arguments referring to women as a complex category (or intersectionalised category). Instead, the most important category is "women" used without mentioning class, ethnicity or sexuality. Women, as a group, are seen as suffering from many of the problems. However, even if women are constructed as a group that is affected by the problem, men are not seen as being responsible for the problems. Women, as a homogenous group, are instead in many articulations *compared with* men as a homogenous group.

In a few cases, employers are mentioned as part of the problem. However the overwhelmingly biggest category named as causing the problem is the government. This means again that there are many social groups defined as suffering from the problems in these issues but few are seen as causing the problems or as being responsible for them.

Another interesting finding in the Danish debates is the common use of 'parents' as a gender neutral category.

Furthermore, since *integration* is an important norm (and the lack of integration seems to be a consensus definition of a problem) immigrants and immigrant women are mentioned in the debates. Especially in relation to the home care allowance scheme, immigrant women are seen as being the ones that would be most negatively affected by all parties to the debate. This is somewhat paradoxical since at the same time as the opposition is arguing that the home care allowance only will be used by those families who already *can afford* to stay home longer if they wish to, they think that those who might use it the most are immigrant women (with a vulnerable position at the labour market).

Children of immigrant women are also articulated as being affected negatively if their mothers are staying at home longer (than ethnic Danes) with them. The government has for example set a limit of one year for home care allowance with respect to integration goals:

Foreign children, who are taken care of at home, are at risk. They might face problems when they start school because of weak knowledge about the Danish language and Danish culture. In order to prevent that problems in relation to the integration policies of the government, we propose the allowance to be limited to one year per child (L 129: Proposal for a law amending the law on social service and law on active social policy. Allowance to take care of own child. 28 February 2002).

This proposal is criticised by the NGO For Equality Between Families with the argument that:

The major argument for the one year rule is with respect to integration. We do not wish that immigrant children are spending as much time in day care institutions as Danish children. However, it is a real problem, that many immigrant children are not linguistically integrated before they start school and they are coming to kindergarten without knowing any Danish at all. This is nevertheless a problem of integration that should be dealt with by targeting those who have the problem: the immigrant families (samfo. Comment in relation to L129)..

Articulated in this way, it is thus obvious that the immigrants are seen as carrying the problem.

When it comes to sexuality/sexual orientation, there is almost no debate at all regarding sexual minorities in relation to non-employment. However, as already mentioned, the National Association for Gays and Lesbians (LBL) is commenting on the need to revise the parental leave system.

Class is dominant in the issue of non-employment and categories such as workers and employers are important. However, 'working class women' is not used as a category. Instead one articulation to signify class is 'poor families' and another class signifier is "those who can afford it". In a couple of cases, the left wing party the Red-Green Alliance is talking about differences within the category women with respect to class. In this case, the party is arguing that low paid women should be in focus for gender equality initiatives instead of women on company boards. Class is also a very important issue in the sense that the Danish model is discussed in many of the sub-issues, making the classical dividing lines between left and right visible.

### **6.6. Conflict lines in non-employment**

In this issue, there is a very clear split between left and right. The liberal-conservative government is primarily arguing for freedom, individual rights, and flexibility on the labour market. The government's major objective in relation to reconciliation of family and work is to secure individual's freedom of choice – freedom to choose to work part-time, freedom to choose if the family wants to take care of the own child instead of using public or private day care, freedom to make the arrangements with parental leave according to the specific situation of the individual family. Politicians should not force men/fathers to take parental leave.. Added to this is the government's clear focus on the well-being of the companies with objectives such as reducing the costs for companies, not putting too much burden on them and trying to avoid conflicts on the labour market. Furthermore, the government has a relatively limited idea of what unequal pay is. The Social democrats and the other parties to the left are arguing against these ideals of freedom that the government is presenting and stress that these so called freedoms of choice are not "real" free choices. The opposition and the women's NGOs are arguing in terms of equality and in terms of gender equality instead, and want to introduce measures such as earmarked paternity leave. The left parties are against the idea of making it possible for the employers to overrule collective agreements in relation to part time work. Instead, they are focusing on the problem with involuntarily part-time work which is quite common in certain branches. The left parties and the Social Liberal party argue against home care allowance because it will reduce the size of the labour force, risk integration for migrant women and is in opposition to gender equality.

One interesting finding is that the *left* parties in parliament are arguing *for* tax reduction for domestic services with the motivation that it will give immigrants job, reduce the shadow economy/illicit work and it is good for gender equality. The liberal – conservative government abolished or limited the tax reductions with the motivation that it was only used by already privileged people who could afford to pay the price for the services anyway. One could have assumed (following the logic of left and right) that it would have been the left parties that should have argued against this system.

### **6.7. Some reflections on inclusions and exclusions in non-employment**

There is one overwhelmingly dominant underlying norm in this issue and that is *equality*, in a broad sense meaning equal treatment and non-discrimination in non-employment. Other underlying norms found are *integration*, *democracy* and *family values*. Thus, the issue of class is relatively dominant, even though class is not necessarily explicitly articulated in terms of *class*. That is, there are no articulations such as "working class women" or the "working class". Workers are described both as 'workers' and as 'employees'. Class is articulated in terms of "poor families", "low paid", "unemployed" and "those who can afford it". Employment rates for immigrants and immigrant women are in focus in Danish politics. The government does not necessarily frame the low employment rate of immigrants as discrimination, whereas the oppositional left parties are. Class and race are however not articulated as intersecting in the debates.

One surprising finding is that gender equality is *not* a *dominant* underlying norm in the Danish debates on non-employment. In a Nordic comparative perspective this is a bit surprising. The reason might be that the government is not arguing for gender equality but

instead for freedom of choice and individual rights and that the opposition is arguing in terms of equality and prioritising class. This is an indication of the low priority that is given to gender equality in Denmark. Maybe the focus on class is a reflection of the party system with so many parties in parliament (and thus many voices) and that we have selected texts from the small left wing parties in order to show the diversity of the existing frames in the Danish debate. Apart from equality, there are several equally important norms such as freedom of choice, efficiency and full employment.

One other issue that is excluded or not surfacing in the selected documents is the different employment rates for men and women, since in general these differences are relatively small.

## 7. Intersections in Intimate citizenship

### 7.1. Constructions of problems

A general pattern identified within intimate citizenship – is that discrimination and unequal treatment are by far the most common problems. There are two sides, one for and one against expanding *rights for homosexuals*. This means that the issue of intimate citizenship in general is constructed as a matter of rights for sexual minorities and gender is not so much an issue. Different treatment and legal discrimination are seen as problems in relation to all sub-issues in intimate citizenship. For example, several of the oppositional parties regard the Registered Partnership Act as discriminatory by since it does not allow for the church to marry homosexuals.

Other problems of discrimination are that the Registered Partnership Act was much more restrictive than the marriage Act when it comes to the possibility for partners from different countries to register. One of the most heated debates in the Danish parliament lately, or at least many of the participants called it a hot issue, was the issue of assisted insemination for singles and lesbian. The government was divided on the issue since many of the Liberals were in favour of assisted insemination for singles and lesbians, while the Conservatives were against it. Nevertheless, the ban on single women and lesbians to get treatment in hospital was lifted by the parliament even though there was no such proposal by the government initially. The oppositional parties, as well as many party members of the Liberals (party in government) considered the legislation on assisted insemination to be very problematic since it discriminated against single women and lesbians - it constituted “institutionalised” discrimination and furthermore it stigmatised rainbow families, according to the Red Green Alliance.

Another problem identified is *how* these issues (of the rights for homosexuals) have been discussed. That is, the parliamentary debate as such is said to be full of myths and prejudices (according to the Danish association for gays and lesbians) and the general discussion (not only in parliament) is said to be formed without nuances and without knowledge. The issue is also said to be controversial, which counts as a problem as well (at least by the government that does not agree internally on issues of rights for homosexuals).

Those who are arguing against expanding the rights for homosexuals are talking about the demand of full equality for homosexuals as a problem (mentioned by one Christian NGO and the Danish People’s Party). Another problem mentioned is that the proposal for a gender neutral marriage act would threaten the family and society. Another problem is connected with the well being of the child and concerns the proposal for equality for women in availability for assisted fertilisation. The argument is that since children should have *both* a mother and a father the right to assisted insemination for lesbians would jeopardise the well-being of children.

### 7.2. The goals of intimate citizenship policies

In relation to solutions there are very clear patterns: the dominant objectives are to give homosexuals and heterosexuals equal rights, and to stop discrimination based on sexuality/sexual. “Real equality” and to “fully recognise the rights for sexual minorities” are mentioned. Equal treatment is the motivation behind the parliamentary proposal on adoption of the partner’s child in registered partnership and the motivation behind the proposal to allow for international adoption for homosexuals as well as behind the parliamentary proposal on a marriage act that makes homosexuals and heterosexuals equal. When it comes to adoption, qualifications rather than gender and the parents’ sexuality should be the guiding principles. Another objective is equality between different groups of women. It will be achieved by abolishing the ban on doctors to perform assisted fertilisation on single women and lesbians. Finally, the government introduced a bill with amendments making the Registered Partnership Act more equal to the Marriage Act in terms of possibilities of registering partnership with foreigners (however not fully the same). The amendments meant that people from other countries with similar rules as Denmark with regards to rights for homosexuals can register partnership in Denmark as well.

Another important goal is the well being of children: to guarantee the comfort of adopted children is mentioned by all parties to the debate. To secure the well being of children born from assisted insemination is also a goal. According to the minister and the Danish people's party), children need both a father and a mother - both a man and a woman and the wellbeing of the child is guaranteed by a mother and a father.

Finally a marginal objective that is striking since it comes from the Social Liberal party is that Denmark should be among the leading nations in the world when it comes to securing the rights of sexual minorities.

### **7.3 Social categories/inequalities**

As already mentioned, the most important category or inequality in intimate citizenship is 'homosexuals'/sexual orientation. To put it bluntly, homosexuals free from gender, race and class, and their rights are on the agenda. Gender is only articulated in relation to assisted insemination (the rights of lesbians are on the agenda) and in this issue a hierarchy between categories of women is discussed. Thus, the right to assisted insemination for lesbians and single women brings up gender. This means that lesbians as a group are recognised whereas male homosexuality is not at all mentioned; gay men do not exist as a category. Apart from the issue of assisted insemination one could say that homosexuals to a large extent are constructed without gender, maybe this has to do with an understanding of 'homosexuals' as being gay men. Race and class are also relatively absent from discussions of rights for homosexuals. That is, class is definitely absent whereas race figures in the issue of forced marriage (This is described under the heading of gender based violence).

Another intersecting category that is brought up is sexuality and nationality. Since the Registered Partnership Act 1989 only dealt with Denmark and Danish citizens, the act has been revised a couple of times in order to include the possibility for Nordic citizens to register partnership as well as for citizens of countries in which comparable legislation exists.

The most frequent passive actor or victim of the problems in intimate citizenship is homosexual partners/registered partners followed closely by 'lesbians' who are considered to be victims of the discriminatory law on assisted insemination. 'Single women' is also mentioned several times in relation to this.

One interesting finding is that heterosexuals are actually articulated as a group. The most common norm group is 'heterosexuals' followed by heterosexual women and 'married partners/people'. So these groups are seen as privileged in relation to homosexuals but they are not articulated as being responsible or as active agents causing the problems that homosexuals are facing.

### **7.4. Dividing lines**

There are three parties in parliament that are continuously making proposals to improve the rights for homosexuals and sexual minorities. These are the Social liberals, The Red-Green Alliance and the Socialist People's party. These parties see the issue as a matter of equality and they are arguing in terms of equality and non-discrimination. They have proposed that the right to international adoption should apply to people in registered partnerships. The Social Liberal party argued for a marriage act that is neutral to sexuality (gender). These three parties were all the actors behind the success when the ban on assisted insemination for single women and lesbians was abolished in 2006. Today the Social Democrats are also arguing for the rights of non-heterosexuals. However they were responsible for institutionalising many of the policies that today are considered to be discriminatory.

There are very few voices that want to abolish those rights already legislated on in the 1990s. Those who are arguing against expanding the rights are using biologist arguments - and conservative family values. The sitting government (Liberal-Conservative) has identified very few problem statements in this issue. According to the government, the existing laws are all that is needed to secure the rights for homosexuals. If there still is discrimination, this is motivated by other more important goals by the government. Discrimination of homosexuals is for example regarded as secondary in relation to the well-being of the (adopted) children when it comes to the issue of international adoption. The Liberal Party is divided on this issue, and therefore members of the party could vote as they wished in Parliament (which was the reason for the ban on assisted insemination to be abolished in 2006 against the will of one of the parties in government). The conservative party as well as the Danish people's party want

to keep status quo or in the case of the Danish people's party they want to abolish some of the already existing rights for non-heterosexuals such as the right to assisted insemination for lesbians.

### **7.5. Some reflections on inclusions and exclusions in intimate citizenship**

When it comes to marriage, Denmark has separate laws regulating intimate relations. There is the Registered Partnership Act, which regulates intimate relations for gay and lesbians and the Marriage Act, which regulates intimate relations for heterosexual people. Both acts has certain age exceptions depending on race/ethnicity and national background. This means that homosexuals can not marry and the Registered Partnership Act does not include the possibility of adopting internationally. Furthermore, there are restrictions as to the possibility of registering partnerships with people from other countries (that do not accept homosexual partnerships). When it comes to the exceptions in the Marriage Act, there is a distinction made based on race/country of origin. This means that it is not possible to marry a person from another country under the age of 25 (see under gender based violence as well). This amendment was made as a way of counteracting forced marriage. However, it was also part of a larger set of amendments of the Alien act in order to restrict family reunification in Denmark.

I think that it is striking that in Denmark, the first country in the world to accept homosexuals as registered partners for legal purposes, there are today so many different forms of regulating intimate citizenship status. One could indeed speak of a hierarchy of citizenship status (see also Stormhøj 2002) far from the Nordic norm of universal rights that apply to other policy areas.

The opponents to equal rights for homosexuals are arguing in terms of the well-being of children. Children need "both" a mother and a father, is the argument. Another argument against homosexual marriage is that "marriage is for man and woman". It is remarkable to find that the language of non-discrimination is used by almost all parties to the debates. Equal treatment is the most dominant underlying norm. Even some of the texts from the conservative side are using the language of equal rights. They are however downplaying the importance of rights or saying that equal rights are already achieved. The opponents are therefore talking about "real" equality.

This means, though, that sexual minorities are supposed to be integrated within existing structures. There are no calls for any transformation of the structures such as marriage. Marriage should stay intact – only open to non-heterosexuals..

Another relatively striking finding is that there are few voices arguing against the so called 24-year rule in the marriage act. The Social Democratic Party and the Social Liberals introducing the rule, which means that there is a broad consensus on this issue from the Danish people's party, the Liberals, the Conservatives, the Social democrats and the Social liberals.

## 8. Intersections in Gender based violence

### 8.1. The construction of problems in gender based violence

The major problem in the issue of gender based violence is *violence*. One interesting finding in gender based violence is that there are few motivations as to *why* the problem is a problem. When there are explanations, the reasons identified in the texts are: domestic violence splits families, it is costly, and there is a risk for negative social heritage for children and a risk of reduced possibility to be a good parent for the victim. Another problem is that the psychological well being of the victims is threatened. Rape is described as a serious crime because it is traumatising and it is a humiliation of the victim's (typically a woman) integrity and dignity. It is also described as a violation of the right to decide over one's own sexuality.

In relation to *domestic violence* one problem identified (especially in relation to the debate on the Bill on restraining orders for violent persons) is that victims should not have to leave the joint home. All parties to the debate on domestic violence agree on this point.

*Rape* is primarily considered as a problem of crime. It is discussed in terms of crime and justice and not in terms of gender inequality. One major problem identified in relation to rape is that the current rape sentences are not reflecting how serious the crime is. There is a relative consensus regarding this problem formulation. Another problem is that many rape cases are not being brought to court since the victims are not reporting them.

In relation to *forced marriage* the problems identified are several. The major problem is of course forced marriage – young people should not be forced to marry against their will. Forced marriage is against the freedom of choice, against gender equality and a humiliation of basic rights, which are described as Danish norms. Forced marriage is furthermore seen as a problem having to do with a clash between cultures and a clash between generations among immigrants. Yet another problem with 'family reunification' is *lack of integration*; when people living in Denmark are re-unified with a partner from abroad it could lead to severe housing problems in immigrant areas. The other major difficulty of integration is that foreigners are re-unified with persons living in Denmark that do not have any good connections, or are not well integrated in Denmark. This could lead to isolation - especially for the foreign partner.

One major argumentation in relation to forced marriage is whether *arranged* marriages should be regarded as problems as well. The government is describing arranged marriages as force as well, which is debated and described as ethnocentric in many other texts. This means that another very important theme in the diagnosis is that immigrants or minority groups in Denmark are *discriminated against*. The proposal/law to restrict possibilities for marriage with non-Danish citizens under 25 is described as being racist and discriminatory by ethnic organisations, amongst others.

According to the Red-Green Alliance – one of the few voices against the proposal:

Formally, the proposal is treating everyone the same. No one under the age of 25 can marry a foreign citizen without certain permission. This permission will however be granted to Danish Jens immediately, even if his young imported wife from the Philippines is only saying yes because of risk of getting beaten up or risk of deportation. The question is, what about Ali, kemal or Ibrahim? Can they marry their girlfriends from Iran, Turkey or Pakistan? (Soren Sondergaard, Forste behandling af lovforslag L208/First debate of law proposal L208 29/2 2000).

Thus, the proposal to restrict the possibilities for Danish citizens to marry foreigners has been deemed to be racist and ethnocentric. These are important, but marginal problem formulations in the debates.

### 8.2. Goals of policies against gender based violence

In relation to *domestic violence* there is an overall consensus that the perpetrator should be removed from the home - the victims should not have to flee. The overarching objective is to stop or prevent violence, which is an issue of consensus in the debates. Concerning *rape* one overall, dominant objective shared by all participants in the debate is that *the punishment*

*should fit the crime*. The punishment should be in line with the humiliation of the victim. The sentences for rape were also increased in 2002.

When it comes to forced marriage the objectives are rather different (from the ones in relation to domestic violence and rape) since this issue is framed within integration policies. Consequently, improved integration is one dominant objective that all debating parties agree upon. Another agreement is to stop forced marriages (and the current government also wants to stop *arranged* marriages). Furthermore, gender equality is mentioned as an objective. Other objectives are; changing attitudes of immigrants and helping young people who are in conflict with the family. Both the former Social Democrat government and the current Liberal-Conservative government have had an underlying objective to *restrict immigration* to Denmark. The way to stop forced marriage has been to abolish the right to family reunification for people 18-24. That is, people under 25 cannot marry a partner from abroad without a special permit. There has of course been a controversy surrounding this legislation (See also Bredal 2005), which means that in the debates there are other objectives identified such as equal treatment and to fight racism and ethnocentrism.

### 8.3. Social categories/inequalities

The two most important categories in gender based violence are by all means *ethnic minority women* and *ethnic minority girls*. In the area of domestic violence, ethnic minority women are described as being “a specifically vulnerable group”/ *en saerlig sårbar gruppe*” (Handlingsplan til bekaempelse af maends vold mod kvinder of born 2005-2008. p. 7). This is one way of framing Intersectionality in the area of gender based violence.

Immigrants are singled out when it comes to forced marriages –and this issue is furthermore very dominant within Danish gender equality policies overall. However, ethnic minorities are also singled out when it comes to the articulation of the problem of domestic violence.

It is remarkable that *ethnic minorities* are described as being responsible for the problems, whereas in the other issues there are few social categories that are pointed out as causing the problem. Within the category of ethnic minorities the most common group mentioned as being responsible for the problem is “parents from ethnic minorities”. They are seen as causing the problems of forced and arranged marriages. Other social groups that are seen as causing the problem are ‘perpetrators’ (quite commonly used phrase) and ‘partners’. These are not gendered. There are strikingly few gendered groups named as active actors. This means that men in general are not seen as problematic. In the case of ethnic minorities, men from ethnic minorities are not always described as particularly problematic, but instead ‘parents’ are mentioned. ‘Men’ are only described as causing the problem in a few cases.

The intersection of race/ethnicity and age is mentioned in the sense that young people with foreign backgrounds are target groups for many initiatives in gender based violence.

If the most common social group constructed as active actor is ‘ethnic minority parents’ – correspondingly one essential group seen as affected by the problem is ‘young people with ethnic minority background’. Other important victims are women from ethnic minority groups and girls from ethnic minority groups. Immigrants or ethnic minorities as a whole are described as passive actors (by the left parties in parliament and the ethnic NGO that is describing the problem as having to do with discrimination of immigrants). Other equally important passive actors are ‘victims’ and ‘women’.

To conclude, one could say that the most dominant **intersection** is race/ethnicity and age (in some cases without gender). However in the documents on forced marriage it is problematic to talk about Intersectionality since the mentioning of different groups such as ‘immigrant women’ ‘immigrant parents’ or ‘young people with ethnic minority background’ does not necessarily mean that there is an understanding of how these groups are oppressed, or disadvantaged, but instead these texts are talking about immigrant culture as a problem and rather stigmatises these groups. It could also mean a stigmatisation of these groups based on ethnocentric notions of Danish gender equality.

### 8.4. Dividing lines

The Liberal-Conservative government has, to a large extent, handled gender based violence as a matter of crime and justice. Domestic violence is combated by sharpening the legislation in order to make rape sentences longer and to remove the violent person from the home. The

opposition (the social liberal and the left parties in parliament) and the women's organisations want to combine legislation with a focus on other efforts helping victims and perpetrators and developing ways to understand and help victims of domestic violence and rape. The restrictive immigration policy has a relatively broad consensus. Both the former Social Democrat government and the current Liberal-Conservative government agree upon the measures against forced marriage (that is, the so called 24 years rule for marrying a person from abroad). The left parties in parliament such as the Red Green Alliance and the Socialist people's party are however against this rule. The NGO representing young people from ethnic minorities is also against the legislation because it is discriminatory. One striking thing is that there is more consensus to these issues than one could have imagined. The goals to make punishments harder and to give the police more possibilities to intervene in cases of domestic violence are two points of agreement of all texts. That is, crime and justice as an underlying norm is relatively dominant.

#### **8.5. Some reflections on inclusions and exclusions in gender based violence**

Rape, domestic violence and trafficking are important problems in this issue. Forced marriage and *arranged* marriage are also defined as a matter of gender based violence in the Danish policy debates and they are seen as very alarming and important problems. Harassment is also included, but is mostly defined within general gender equality. One issue that is not necessarily defined as a matter of gender based violence is prostitution. Another issue that is outside of the border of gender based violence is hate speech. There is no law on hate speech as in many other countries, and hate speech is as far as we have found not discussed.

## 9. Summary and comparison

In this section I will sum up my findings and make some small comparative remarks on the differences between Denmark, Sweden (and Finland to a smaller extent) in order to shed some light on Denmark from a comparative Nordic perspective.

The Danish political scientist Drude Dahlerup (2002) is of the opinion that in Denmark, as opposed to Sweden, gender equality is considered to be already achieved. One example of this according to Dahlerup is that there is a lack of concepts such as 'power imbalances', and 'gender-power structure'. This is confirmed by my findings. 'Gender power' is never used as a concept and the Danish debate is framed in an individualistic way (see also Balkmar, Iovanni and Pringle 2005). However, I would not like to compare Denmark with Sweden as if there is only *one* framing of the problem in each country. Instead I would say that in Swedish policy debates at least two dominant frames can be found – one more liberal gender equality frame similar to the Danish and another structural framing influenced by radical feminism. That is, in Denmark a radical feminist frame of gender equality is not present and has never entered the political agenda. In Sweden, a term such as feminism was used by practically all political parties in a contest over gender equality in the late 1990s and the beginning of the 2000s. The Swedish government also used terms such as 'oppression and gender power structure'. This was never the case in Denmark. Thus, the possibility to draw upon 'gender equality' strategically in a policy debate in Denmark seems to be limited in contrast to the Swedish case. In Sweden for example the allowance for domestic services was introduced partly by arguing that it was a gender equality reform, whereas in Denmark this reform was considered a labour market reform. Gender equality is not necessarily seen as an important issue in the policy debates I have analysed.

Thus, gender equality is not always used as a concept in the policies analysed here. Gender equality is not even always used as a concept in relation to gender based violence (even though gender based violence policy lies within the competence of the Minister for Gender Equality). In policies on gender based violence there is no structural formulation and no indication that violence against women is part of a broader system or a pattern of gender inequality in Denmark. This is in contrast to the Swedish Social Democratic governmental policy in which gender based violence was regarded as one of the extreme examples of gender inequality and as an indication of Sweden *not being gender equal*.

I have not found many examples in the Danish policy debates studied here that gender equality is articulated as 'already achieved' as Dahlerup (2002) described. Instead the government is talking about to "continue the development" and declaring that it wants to "improve" the Danish welfare society. That is, gender equality is perceived as *not quite* realised. However, in relation to immigrants or when compared to other countries gender equality is constructed as a national norm - already realised (See also Raevaara 2008 and Carbin 2008 for discussions on Finland and Sweden). Thus, gender equality in Denmark is constructed within a frame of modernisation and seen as a national value. This is true both for general gender equality and policies on gender based violence.

A paradox is that even though *gender* equality has been relatively unimportant in policy debates and continues to be marginalised, Denmark is nevertheless ranked by international organisations as one of the most gender equal countries in the world.

When it comes to the question of intersectionality one can first and foremost conclude that intersectionality is not on the agenda in Denmark. That is, the concept is not used and the concept of double oppression is not used either. However, differences within the category of women are to a large extent articulated. Thus, in Denmark the government's policy is not about "inequalities" but about diversity, differences or pluralism.

Policies and laws as well as Danish civil society are mainly organised according to separate groups or separate inequalities such as sexual minorities, women, ethnic minorities and the disabled. The women's organisations are talking about 'women' in a way that the middle class, white, able bodied woman is the norm and the starting point for policy. Added to this; in the case of the proposal for a common board for equal treatment one women's organisation argued that the possibilities for 'women' (understood as heterosexual, white) to make claims of discrimination had been reduced with the new common board in relation to the current gender equality board.

Gender based violence policy targets many different groups – especially ethnic minority women and girls from ethnic minorities. However, this is done in a culturalist stereotypical way. General gender equality policies in Denmark are to a large extent focusing on ethnic minorities and creating/constructing them as being outside of the national norm of gender equality. One reason for Danish gender + equality policies being so focused on ethnic minorities might be that integration and immigration has been on the agenda since the late 1990s. That is, the major problem in the Danish society has been articulated in terms of mass immigration and lacking integration. The populist party Danish People's Party plays a major role. In these matters the Social Democrats and the Liberal-Conservatives share many ideas and the shift towards a more hostile discourse was actually initiated by the Social Democratic government in late 1990s.

This means that in a sense Danish policies on gender equality, gender based violence and non-employment have definitely integrated race/ethnicity in the framing of the problems. The left parties in Parliament as well as civil society organisations for ethnic minorities are bringing up the question of racism.

Sexuality is not as much on the agenda in general gender equality or in gender based violence. Thus, the issue of rights for sexual minorities is to a large extent articulated within intimate citizenship. Within intimate citizenship gender is rarely articulated. This means that there is little intersection between sexuality and gender in Danish policy debates, whereas there is much focus on the intersection of race/ethnicity and gender.

It is interesting to note that race/ethnicity is on the agenda both within gender equality policies and within policies on non-employment and violence. However, race/ethnicity has entered the agenda in Denmark within a discursive shift from tolerance towards hostility. This means that many of the policies are in themselves discriminatory.

If one compares Denmark with two other Nordic countries (Sweden and Finland) diversity, multiple discrimination, issues of class and gender are articulated in Danish policy debates – and are on the agenda in general gender equality as well. Danish policies are thus not treating women as a homogenous category as is the case especially in Finland, but also in Sweden, when it comes to general gender equality policies up until 2006. Another difference is that, in Denmark gender equality is not a highly prioritised issue as is the case in Sweden and Finland.

## 10. Conclusions

I have found that the Danish Liberal-Conservative government (in office since 2001) is drawing upon a frame of differences and pluralism when talking about gender equality. To a large extent, pluralism, diversity, and equal opportunities are values forming the Danish gender equality policies. In this way of arguing all kinds of categories (as well as gender) are included – ethnicity, age, religion, disability. I have chosen to call this a *pluralist version of Intersectionality*. The Government partly draws upon some insights that have to do with multiple discrimination and talks about different groups. However, this approach to Intersectionality clearly lacks a power perspective. Moreover, class is not articulated by the Danish government to any larger extent. When it comes down to it, this frame is not so different from a traditional liberal frame talking about how all individuals are different. Consequently, the Danish government's agenda on gender + equality policies is quite narrow and few problems are taken into consideration. It is an agenda of gender + equality policies focusing on anti-discrimination or on multiple talents.

In the case of Danish governmental policies the obvious lack of defining the problem as a matter of inequality obviously leads to a very specific way of articulating intersecting categories. Intersections are most often constructed in the way of bringing up certain groups such as 'ethnic minority women'. There is little or almost no discussion of these groups facing double oppression or being structurally discriminated against. These are instead groups that might need more attention/help/ and or not equally treated. At least this is the way of framing the issue in the liberal-conservative government's policies. One very important area is the race/ethnicity aspect of the policies. Many of the Danish gender equality policies are at best nationalistic and at worst racist. Immigrants are constructed as patriarchal and seen as responsible for many of the problems in general gender equality, non-employment as well as in gender based violence. In relation to gender based violence, arranged and forced marriages are seen as the most important problems today in Denmark. This means, in a

sense, that these policies are themselves creating problems and stigmatising immigrants. When it comes to non-employment the opposition is arguing in terms of class and puts forward working class women's situation.

One could indeed say the governmental policies in Denmark are combining a very liberal frame of diversity, difference, and free choice with a restrictive immigration agenda that spills over into gender + equality policies.

## 11. Bibliography:

- Balkmar, Dag, Leeann Iovanni, and Keith Pringle. 2005. Mäns våld i Danmark och Sverige. (Men's violence in Denmark and Sweden). *NIKK magasin* (2).
- Borchorst 2003 "Den statslige ligestillingspolitik – business as usual?" in Borchorst and Dahlerup. *Ligestillingspolitik som diskurs og praksis/ Gender equality as discourse and practice* Frederiksberg: Samfundslitteratur.
- Borchorst and Dahlerup 2003 "ligestilling – hvad er problemet?" / "Gender equality – what's the problem?" in Borchorst and Dahlerup *Ligestillingspolitik som diskurs og praksis./ gender equality as discourse and practice*. Frederiksberg: Samfundslitteratur.
- Bredal, Anja (2005) "Tackling forced marriage in the Nordic countries – between women's rights and immigration control" in Welchmann and Hossain eds, *'Honour' crimes paradigms and violence against women*. London. Zed Press.
- Butler, Judith (1990) *Gender trouble, feminism and the subversion of identity*. New York: Routledge
- Carbin, Maria and Tornhill, Sofie (2004) "Intersektionalitet – ett oanvändbart begrepp?" Intersectionality – an impossible concept? i *Kvinnovetenskaplig tidskrift/Journal of women's studies*. 3/04.
- Carbin, Maria (forthcoming 2008) "Honour related violence – the invention of a Swedish policy problem" in Magnusson et. al. (eds.): *Critical studies of Nordic gender equalities*. Makadambok. Stockholm.
- Collins, Patricia Hill (1998) "It's All in the Family: Intersections of Gender, Race, and Nation." *Hypatia* 13, no. 3 62-82.
- Crenshaw, Kimberle´ (1995) "Mapping the margins: Intersectionality, identity politics, and violence against women of colour". In Crenshaw (ed.) *Critical race theory. The key writings that formed the movement*. New Press.
- Dahl, Hanne Malene (2004) "A view from the inside. Recognition and redistribution in the Nordic welfare state from a gender perspective" in *Acta Sociologica* vol. 47(4):325-337.
- Dahlerup, Drude (2002) "Er ligestillingen opnået? Ligestillingsdebatternes forskellighed i Danmark og Sverige" / "Is gender equality achieved? The different gender equality debates in Denmark and Sweden in Borchorst, (ed): *Konsmagt under forandring/Gender power in transition*. Hans Reizels forlag: Kobenhavn.
- De los Reyes, Paulina, Molina, Irene and Mulinari, Diana (2002) *Maktens (o)lika förklädnader. The different shapes of power*. Atlas: Stockholm.
- De los Reyes, Paulina and Mulinari, Diana (2005) *Intersektionalitet. Intersectionality*. Liber: Malmö.
- Dahlerup, Drude (2002) "Er ligestillingen opnået? Ligestillingsdebattens forskellighed I Danmark og I Sverige" / "Is gender equality achieved? The difference between the gender equality debate in Denmark and Sweden". In Anette Borchorst (ed) *Konsmagt under forandring/ Gender power in transition*. Kobenhavn: Hans Reizels forlag.
- Højgaard, Lis "Denmark" in Fine-Davies et.al. (2004) *Fathers and Mothers: Dilemmas of the Work-Life Balance. A Comparative Study in Four European Countries*. Kluwer Academic.

- Langvasbråten (2008) "A Scandinavian model? Gender equality discourses on multiculturalism" in *Social Politics: International Studies in Gender, State and Society* Volume 15, Number 1, Spring 2008.
- Lister, Ruth et al. (2007) *Gendering Citizenship in Western Europe: New Challenges for Citizenship Research in a Cross-national Context*. The policy press.
- Lykke, Nina (2003) "Intersektionalitet – ett användbart begrepp för genusforskningen" Intersectionality – a useful concept for gender research" i *Kvinnovetenskaplig tidskrift/ Journal of women studies*. 1/03.
- Mc Clintock, Ann (1995) *Imperial leather. Race, gender and sexuality in the colonial contest*. Routledge: New York.
- Phoenix, Ann "Editorial" in *European journal of Women's studies*. Vol. 13(3):187-192.
- Raevaara, Eeva (forthcoming 2008) "In the land of equality?" in Magnusson et. al. (eds.): *Critical studies of Nordic gender equalities*. Makadambok. Stockholm.
- Skevik, Anne (2006) "Lone motherhood in the Nordic countries: sole providers in dual breadwinner regimes" in Ellingsaeter, Anne Lise and Leira, Arnlaug (eds) *Politicising parenthood in Scandinavia. Gender relations in welfare states*. Policy Press.
- Staunaes, Dorte (2003) "Where have all the subjects gone?" bringing together the concepts of Intersectionality and subjectification. in *NORA – Nordic journal of women studies*. Volume 11. Number. 2
- Staunes, Dorte and Sondergaard, Dorte -Marie (2006) *Intersektionalitet – udsat for teoretisk justering/ Intersectionality – under theoretical revision*. Kvinder, kon og forskning 2-3.
- Stormhoj, Christel (200) "Queering the family. Critical reflections on state regulated heteronormativity in the Scandinavian countries" in *Lambda Nordica* 3-4 (8).
- Verloo, Mieke (2006) "Multiple inequalities – Intersectionality and the European union". in *European journal of women's studies*. Vol 13/3.
- Yuval-Davies, Nira (2006) "Intersectionality and feminist politics" in *European journal of women's studies*. Vol 13/3.