



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

European Commission Sixth Framework Programme  
Integrated Project

Saskia Martens

with contributions from Mieke Verloo

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

Institute for Human Sciences (IWM)  
Vienna  
2008

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

**ACKNOWLEDGEMENTS** .....

**1. Introduction** .....

**2. Literature review** .....

**3. The range of the meanings or frames concerning gender equality in gender+ equality policies** .....

**4. The range of intersecting inequalities** .....

**5. What are the implications of different versions of intersectionality for the meaning and practice of gender+ equality?** .....

**6. Identifying changes and the relevance of different forms of intersectionality** .....

**7. Conclusions** .....

**APPENDIX** .....

**Bibliography** .....

## **ACKNOWLEDGEMENTS**

Thanks to Anik Raskin, Sandy Vitali, and Renee Wagener for generously sharing information about Luxembourg, and to Dominique Decarniere for help with the translation and coding of parliamentary debates.

## 1. INTRODUCTION<sup>1</sup>

This report analyses intersectionality in the Luxembourgian gender+ equality policy. As this report will show, the concept of intersectionality is an interesting, but rather complex research paradigm, which aims to enable the research of the interaction of gender with other inequalities. The concept was far from new in 1989, when law professor Kimberlé Crenshaw introduced the actual term 'intersectionality' in an article. However, it was Crenshaw's article that made the concept known, and the author became (one of) the theoretical reference point(s) on intersectionality theory.

The key question that unites all STRIQ-reports on intersectionality within the QUING-project is: 'what are the implications of the intersection of multiple inequalities for the quality of gender+ equality policies?' Next to this general question, there are three research questions for STRIQ, namely:

- 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?

Throughout the research and discussions in this report, these questions will provide helpful guidelines. But, in order to investigate intersectionality in the Luxembourgian context, specific material on the country is needed. That is why the **second chapter** of this STRIQ-report – **Literature review** – aims to contribute to the exploration of the appearance of intersectionality by providing country-specific questions. In the literature review, attention is paid to the academic and political world as well as civil society.

The **third chapter** concerns **the range of the meanings or frames concerning gender equality in gender+ equality policies**. Here, the four QUING issues (general gender equality legislation and machinery, non-employment, intimate citizenship and gender based violence) are researched. Which frames and meanings can be attached to general gender equality policies in the Luxembourg context?

Based on the information that was provided in chapter three, the next, **fourth chapter**, then identifies the most important inequalities **that** intersect with gender for the four QUING issues. Here **the range of intersecting inequalities** is thus at stake. The **fifth chapter** looks at the **implications of the different versions of intersectionality** that have been found. The **sixth chapter** analyses whether **changes** in the framing of intersectionality have been found, and identifies what those changes are. The **last chapter** provides **answers to the questions** set out in this report.

---

<sup>1</sup> The structure of both this introductory chapter and the STRIQ-report for Belgium as a whole is based on the *Possible Structure of Deliverable D47: report analysing intersectionality in gender equality policies for each country and the EU*, prepared by Sylvia Walby and Sofia Strid of the QUING Lancaster University Team.

## 2. LITERATURE REVIEW

This chapter takes a closer look on how and if intersectionality appears in the Luxembourgian context. First, the academic world is considered, next the civil society organisations are elaborated upon, and finally governmental texts are at stake. This exploration will not only map the presence or absence of academic thinking about intersectionality in Luxembourg, it will also provide country-specific questions that will become the thread throughout this STRIQ Report.

### 2.1. Intersectionality in the academic world

Luxembourg has a very short academic history, since the University of Luxembourg (*Université de Luxembourg*) was only established in August 2003. The university created a laboratory on gender studies (*le laboratoire de recherche "gender studies"*), connected to the faculty of Arts and appointed a person as a focal point for questions concerning women's issues<sup>2</sup>. She is responsible for answering all questions on 'women'. Therefore, equality, gender and feminism are known and seen as significant issues. But research on the matter is still in its infancy. Therefore, currently there are not many publications and research on women's studies and equal opportunities. Intersectionality is not a known or a used concept at the moment.

Even though the notion of intersectionality was already used in international academic research in general and in gender and feminist studies in particular, the key articles of UCLA Law professor Kimberlé Crenshaw (1989 and 1991) introduced the concept of 'intersectionality' and firmly placed it on the agenda as a new and promising – according to Nina Yuval-Davis even 'tremendously popular' (Yuval-Davis 2006, 194) – research paradigm. In 1989, Crenshaw originally used the concept of intersectionality 'to denote the various ways in which race and gender interact to shape the multiple dimensions of Black women's employment experiences' (Crenshaw 1991, 1244). The 1991 article 'build(s) on those observations (...) by exploring the various ways in which race and gender intersect in shaping structural, political, and representational aspects of violence against women of color' (Crenshaw 1991, 1244). The author specifically deals with race and gender, but does so to highlight 'the need to account for multiple grounds of identity when considering how the social world is constructed' (Crenshaw 1991, 1244). Here the author points out that next to race and gender, other inequalities can also play a role as regards intersectionality. Crenshaw originally subdivided intersectionality in three categories: intersectionality can either be political, structural or representational<sup>3</sup> (Crenshaw 1991).

Research within the QUING-project mainly concerns political intersectionality. Sylvia Walby interprets political intersectionality as 'political practices of those at points of intersection' (Walby 2007, 7). Emanuela Lombardo and Mieke Verloo also elaborate on this form of intersectionality, denoting it as pointing 'to the necessity to address the interdependencies between intersecting inequalities because strategies on one axis of inequality are mostly not neutral towards other axes'. For them, political intersectionality 'indicates how inequalities and their intersections are relevant to political strategies' (Lombardo and Verloo forthcoming). Political intersectionality thus signifies how the intersections of inequalities are relevant in a political manner.

---

<sup>2</sup> Christel Baltes-Löhr is the *déléguée aux questions féminines* of the University of Luxembourg.

<sup>3</sup> Representational intersectionality is not a stake in this report. Kimberlé Crenshaw defines representational intersectionality as including 'both the ways in which these images are produced through a confluence of prevalent narratives of race and gender, as well as a recognition of how contemporary critiques of racist and sexist representation marginalize women of color' (Crenshaw 1991, 1283).

As Emanuela Lombardo and Mieke Verloo have pointed out, in comparison to political intersectionality, structural intersectionality has received more attention in academic studies. According to Lombardo and Verloo in structural intersectionality ‘inequalities and its intersections are directly relevant to experiences of people in society’ (Lombardo and Verloo forthcoming). Sylvia Walby states that structural intersectionality refers to ‘socially patterned forms of practice’ (Walby 2007, 7). As regards structural intersectionality, the experiences of people are concerned. The main questions one can ask within this respect are ‘How and when does racism amplify sexism? How and when does class exploitation reinforce homophobia? How and when does homophobia amplify racism?’ (Verloo 2006, 213).

In order to fully understand if and how intersectionality works and takes place in the Luxembourg context, a working definition<sup>4</sup>, which elaborates on the range of different versions by which policies can pay attention to the relation between gender and other inequalities is provided here. Policies can be single-minded, which means that there is only attention for one inequality strand. Here, no intersectionality takes place. A step further is characterised by the attention for multiple strands that are treated separately from each other. This version is simply called multiple, but different strands and cannot be seen as intersectionality. The next step is additive. Here, on top of one discrimination ground, already disadvantaged groups or persons are seen to suffer from an ‘extra’ discrimination or disadvantage that originates in another inequality. Here the stage is set for intersectionality. The following version is certainly intersectionality, in which attention is paid to the interaction of multiple inequalities. Another version of intersectionality concerns the attention for the genderedness of structural mechanisms as racism, ethnocentrism and heteronormativity. Here, intersectionality also takes place. A last and rather ambiguous version is defined as inarticulate intersectional categories. Here, intersectional categories are mentioned, but they are not accompanied by an articulate vision or conceptualisation of how the inequalities relate to each other. Whether this is intersectionality or not is ambiguous since there is no conceptualisation.

## **2.2. Intersectionality in civil society**

In comparison to the academic world and the University of Luxembourg more specifically, Luxembourgian women’s organisations and other civil society associations are fully developed and anchored in society. This however does not imply that intersectionality is known as a concept. Since it is difficult to find information on the subject, several members of civil society organisations were briefly interviewed via e-mail<sup>5</sup>. Based on these interviews it appears that intersectionality is not a known concept by the people working in these organisations. Consequently, no publications can be found on intersectionality in Luxembourgian civil society.

Renée Wagener however pointed out that even though there is no theoretical attention paid to the concept of intersectionality on the academic level or civil society level, it might be that there is a practical interest in the matter. This will be researched in the following chapters. Our research question therefore is: to what extent do we find attention for other inequalities than gender in Luxembourg and how does this attention relate to academic thinking about intersectionality?

---

<sup>4</sup> A scheme of the working definition can be found in the Appendix of this report, under the title ‘1. Range of different versions by which policies might pay attention to gender and other inequalities’. This scheme was developed in the Radboud QUING team by Sophie Lauwers, Saskia Martens and Femke van der Wal.

<sup>5</sup> Contacts with Anik Raskin of the National Council of Women of Luxembourg (CNFL), who is also a member of the new Centre of Equal Opportunities; Sandy Vitali of LGBT organization Cigale; and politician Renee Wagener.

### 2.3. Intersectionality in gender+ equal opportunities policies

The Ministry of Equal Opportunities (*Ministère de l'Égalité des Chances*, abbreviated MEGA) is responsible for 'a national and international policy in favour of equality between women and men'<sup>6</sup>. Even though its name may lead to the conclusion that all inequalities are tackled by this Minister, the attributions of the Ministry make clear that it is responsible for the equality between women and men only.

An interesting document to analyse and search for the first appearances or lack of intersectionality in Luxembourg gender equality policy is the *National Action Plan for the Equality between Women and Men* (NAP) of 2006<sup>7</sup>. This NAP covers the years 2006 to 2009, and complements the Luxembourgian CEDAW reports. It aims to improve equality between women and men within the twelve domains included the CEDAW Convention. These are: 1) poverty and fight against social exclusion, 2) education and training, 3) health, 4) violence, 5) conflict situations, 6) economy, 7) decision-making, 8) mechanisms of promotion, 9) fundamental rights, 10) media, 11) environment, and 12) discrimination towards girls. The Ministry of Equal Opportunities is responsible for the coordination of the NAP, in partnership with all the Luxembourgian Ministries.

Now, does intersectionality appear in this NAP and in which form? To what extent does this Plan pay attention to gender and other inequalities? Gender is certainly at stake here, since the publication focuses on the equality between women and men. But further, it appears that no other inequalities are concerned. The fact that the NAP concerns women and men does not necessarily imply that there is no intersectionality within this group of 'women' and 'men'. However, a close reading of the National Action Plan makes clear that the gender equality policy here has to be defined as what we have called 'single minded': there is only attention paid to one inequality strand, gender.

There are however a couple of exceptions to that conclusion to be found throughout the NAP, in which women (and men) are defined on the basis of more than one inequality. These are: poor women at retirement age (class, gender, age), unemployed women (class, gender), young girls and young boys (age, gender). Thus, there is surely some attention paid to class inequality in Luxembourg and it appears that girls and boys are important target groups throughout Luxembourg's gender equality policy.

How then are these exceptions related to the working definition and the conclusion that the NAP and the Ministry's policy are single minded? The examples mentioned here are additive: on top of one discrimination or disadvantage, another one is added. This is not intersectionality, since there is no knowledge or expertise about the interaction between the inequalities. Rather, here the stage is set for intersectionality. But, since these examples are incidental and there are only few of them, it appears that in Luxembourg gender equality policy seems to be mainly single minded.

If the Ministry of Equal Opportunities is single-minded, and only focuses on men and women, then how are the other inequalities addressed by the government? The Ministry of Family and Integration is responsible for a long list of other inequalities. The areas of the Ministry are listed as: family policy, social protection (among which children's rights), youth policy, older people, disabled persons, foreigners, integration, and solidarity<sup>8</sup>. Here, the other inequalities that are analysed in the QUING-project come across.

<sup>6</sup> 'Attributions du Ministère de l'égalité des chances.' <http://www.mega.public.lu/ministere/attributions.pdf>, accessed 29 October 2008.

<sup>7</sup> *Plan d'Action National d'Égalité des Femmes et des Hommes*.

<sup>8</sup> 'Attributions.' [http://www.mfi.public.lu/le\\_ministere/attributions/index.html](http://www.mfi.public.lu/le_ministere/attributions/index.html), accessed 29 October 2008.

Gender and the other inequalities are thus separated. Not only is gender scarcely addressed in an intersectionalised manner, gender is also tackled by another Ministry. Important to note here though, is that the Minister of Equal Opportunities and the Minister of Family and Integration is the same person: Marie-Josée Jacobs of the Christian Social People's Party (Chrëschtlech Sozial Vollekspartei). Moreover, she was the first and only Minister of Equal Opportunities in Luxembourg. Since 1994, she has continuously been the Minister of Equal Opportunities, Family and Integration.

In the *Annual Report 2007*<sup>9</sup> of the Ministry of Family and Integration, the different inequalities at stake are considered as separate 'domains' or 'sectors'. All inequalities are concerned, but they do not seem to overlap nor influence or mutually constitute each other. However, here the statistics that are provided are segregated by gender and often also by age. And, within the Minister's policy there is attention paid to intersectionalised groups of women: foreign women, and young girls.

Comparable to the intersectionalised categories that were mentioned in the *National Action Plan for the Equality between Women and Men* it seems that these examples can be defined as additive: on top of one discrimination/disadvantage, there is a second discrimination/disadvantage. The fact that there is no actual knowledge or expertise about the interaction of those inequalities leads to conclude that intersectionality is not at stake, even though the stage is set for intersectionality.

Opposed to the single-mindedness of the Ministry of Equal Opportunities, the Ministry of Family and Integration tackles more inequalities. These are not primarily considered in an intersectionalised way. Sometimes the inequalities are added to each other (additive) as was explained above, but most of the time there is interest – along the lines of the working definition – for 'multiple but separate strands'. This is not intersectionality.

In September 2008, the Minister of Family and Integration presented the Centre for Equal Treatment (*Centre pour l'égalité de traitement*) which is a primary partner of and complements that Ministry in its fight against discrimination. The Centre is independent from the government and its goals are to promote, analyse and guard the equal treatment of all persons, without discrimination based on race, ethnicity, gender, sexual orientation, religion or belief, disability and age.<sup>10</sup>

The Centre for Equal Treatment was only very recently installed, and consequently there are not many publications yet. There is the Law of 28 November 2006<sup>11</sup> that stipulated the establishment of the Centre, and there are articles on the delay of and problems as regards the establishment of the Centre. The first publication that appeared, at the same day as the presentation of the Centre, is a leaflet in four languages that aims to promote the law of 28 November 2006 and to introduce the Centre.

In comparison to the Ministry of Equal Opportunities (single minded) and the Ministry of Family and Integration (multiple but separate strands), the Centre encompasses all inequalities. As the leaflet – 'Because equal treatment is a right, implementing it is a legal duty obligation' –

---

<sup>9</sup> *Rapport d'Activité 2007*.

<sup>10</sup> 'Présentation du Centre pour l'égalité de traitement'. [http://www.gouvernement.lu/salle\\_presse/actualite/2008/09-septembre/10-jacobs-egalite/index.html](http://www.gouvernement.lu/salle_presse/actualite/2008/09-septembre/10-jacobs-egalite/index.html), accessed 29 October 2008.

<sup>11</sup> Loi du 28 novembre 2006 portant 1. transposition de la directive 2000/43/CE du Conseil du 29 juin 2000 relative à la mise en oeuvre du principe de l'égalité de traitement entre les personnes sans distinction de race ou d'origine ethnique; 2. transposition de la directive 2000/78/CE du Conseil du 27 novembre 2000 portant création d'un cadre général en faveur de l'égalité de traitement en matière d'emploi et de travail; 3. modification du Code du travail et portant introduction dans le Livre II d'un nouveau titre V relatif à l'égalité de traitement en matière d'emploi et de travail; 4. modification des articles 454 et 455 du Code pénal; 5. modification de la loi du 12 septembre 2003 relative aux personnes handicapées

points out, direct and indirect discrimination based on disability, ethnicity, gender, sexual orientation, age and religion are prohibited:

Have you ever had the feeling that the principle of equal treatment was not applied to you, that your disability, your ethnic origin, your gender, your sexual orientation, your age or your religion were an obstacle or impediment in your job search, in your obtaining a promotion or in your access to housing, goods or services?

Have you ever been a victim of discrimination, harassment or unjust practices unrelated to your professional competence but rather for other reasons?

Have you witnessed an act of discrimination or harassment?

Have you ever been given an order that led you to discriminate against someone?

From now on, the NEW LAWS of 28 and 29 November 2006 on equal treatment PROTECT YOU.<sup>12</sup>

Comparable to the Ministry of Family and Integration, it appears that the Centre does not actually make use of intersectionality. The stage is set for intersectionality, since there are multiple inequalities at stake, but they are treated separately from each other (multiple but separate strands). The one main difference between the Centre and the Ministry of Family and Integration is that the former addresses gender.

#### **2.4. Guiding questions**

So far, it appears that intersectionality is rather absent in Luxembourg gender+ equality policy, with some 'additive' exceptions in the Ministries and an additive approach in the new Centre that might set the stage for intersectionality. In order to continue this report, some guiding questions are needed. The key question of this report is:

- What are the implications of different versions and forms of intersectionality for the quality of gender+ equality policies?

In addition, three more research questions are asked:

- 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 in Luxembourg?
- What attention must be paid to other structural (in)equalities in the making and implementing of gender equality policies?

Next to these four key STRIQ questions, the literature review on intersectionality in Luxembourg suggests the following country-specific question for Luxembourg: which connections between gender (in)equality and other inequalities are made in Luxembourg's gender equality policies?

---

<sup>12</sup> Quote taken from the leaflet: 'Because equal treatment is a right, implementing it is a legal duty obligation'

### 3. THE RANGE OF THE MEANINGS OR FRAMES CONCERNING GENDER EQUALITY IN GENDER+ EQUALITY POLICIES

The range of meanings or frames concerning gender equality in gender+ equality policies are at stake in this third chapter. The discussion is organised along the lines of the four issues – general gender equality legislation and machinery, non-employment, intimate citizenship and gender based violence. Each issue provides different sorts of information.

This third section is based on the issue history for Luxembourg (*QUING Deliverable No. 19: Timelines of policy debates: Luxembourg*), the country study for Luxembourg (*QUING Deliverable No. 40: Series of LARG Country reports. Luxembourg*) and the frame and voice analysis, which was conducted in the QUING software and enables more detailed code searches where necessary.

#### 3.1. General gender equality legislation and machinery

As far as Luxembourg gender policy is concerned, something interesting is going on with the actual naming of the policy. The Minister of Equal Opportunities mentions ‘equality between women and men’ throughout its reports, publications and its presentation on its website. ‘Gender’ (*genre* in French) is seldom explicitly named.

Interesting to note is that in 2004, the Ministry changed its name from Ministry for the Advancement of women’ (*Ministère de la Promotion Féminine*) to ‘Ministry of Equal Opportunities’ (*Ministère d’Egalité des Chances*). The former name clearly indicated the target group of women and men, whereas the new name does not. No explanation was provided as to why this shift of names had come about. The change of names coincided with the formation of the new government in 2004.

The Luxembourgian women’s organisations were not pleased: Anik Raskin of the umbrella organisation *Conseil National des Femmes du Luxembourg* (National Council of Luxembourg Women, abbreviated to CNFL) explains that her organisation preferred a name such as Ministry of Equality between Women and Men. That denotation would clearly describe a dual policy of both specific actions and the integration of the gender dimension in all policies.

However, after the shift in names, the responsibilities of the Ministry of Equal Opportunities remained the same. Its target groups are still women and men. Between 1995 and 2004, the Ministry clearly aimed at the promotion of women. Since 2004, equality between the sexes is of concern, for example, the gender pay gap and the unequal sharing of parental leave. Both sexes are addressed.

The recent establishment of the Centre for Equal Treatment brings along a new form of gender+ equality policy. For the first time, all the possible grounds of discrimination – among which gender – are addressed by one equality body. General gender+ equality policy could entail a different approach in the future, but it is too early to analyse the effects of this change in the machinery.

For the sampling of texts for frame and voice analysis, two sub-issues were selected that are representative for Luxembourg general gender+ policy. The texts on these issues – for every sub-issue that is: a law, a policy plan, a parliamentary debate and a civil society text – were used for frame and voice analysis via the QUING-software. These issues are: 1) the revision of the Constitution, and 2) the creation of gender units.

Both of these sub-issues are gendered, in all the texts, meaning that women and men are both seen to be relevant categories. They are the passive actors, suffering from current problems and at the same time, they are the target groups at which the policy actions and objectives aim. The responsible actors who have to achieve gender equality include the State, the government and the Ministries. In the Constitution, women and men are the passive actors, suffering problems and named as the target groups at which the policy actions and objectives aim. However, in reality men are actually the 'norm group' with whom women are compared. Nevertheless, the formulation of the law leads to conclude that both women and men are aimed at.

Throughout these texts, gender plays the most important role. However, four references to other inequalities can be found in two texts: married women (gender + marital status) when the oppositional voice speaks during the debate on the revision of the Constitution; fathers, mothers (gender + family status) and women at work (gender + class) when Cid Femmes mentions in its civil society text that the government does not take childcare into consideration. With only these couple of exceptions, it is clear that in general intersectionality does not take place here, and there is almost no reference to other inequalities.

Consequently, the use of gender equality is relevant in the eleven texts that were analysed in this frame and voice analysis on general gender equality. Whether gender equality is a means to a policy goal or an end in itself depends: in 6 of the 11 texts, there is a balance. The same is true for the question if gender equality is a vision or a goal.

As regards the framing of the analysed texts, in most texts it appears that gender equality is the only frame. Human right is only a frame in the debate on the revision of the Constitution (the governmental voice).

The demand for gender equality comes mainly from civil society and the government. Civil society lobbies for general gender equality legislation and machinery, but the government is held responsible for the actual implementation. Women and men are the 'passive' actors and the target groups.

Next to organisations in civil society that work towards gender equality, there are some organisations that are active to strengthen men's rights and privileges. In 2005, the Association des Hommes du Luxembourg (Association of Luxembourg Men, abbreviated to AHL) was established. This organisation succeeded the Association Luxembourgeoise d'Aide aux Hommes Divorcés ou en Instance de Divorce (Luxembourg assistance Association for divorced men or men going through divorce). Originally, the organisation addressed the topic of divorce, but now the Association of Luxembourg Men addresses all topics concerning the position and status of men as well as topics concerning equality between women and men. The organisation is generally opposed to gender equality policies, e.g. arguing that marital rape does not need legal action.

### **3.2. Non-employment**

Equality as regards labour and employment is on the Ministry of Equal Opportunities' list of most important activities: equal pay, equal share of decision-making, and reconciliation of work and family are the topics that are addressed<sup>13</sup>. The topics considered in gender equality policies on non-employment are 1) the protection of women who are pregnant, give birth or breast-feed;

---

<sup>13</sup> 'Attributions.' <http://www.mega.public.lu/ministere/attributions.pdf>, accessed on 29 October 2008.

2) providing parental leave; 3) introducing positive actions at work; 4) implementing the EU directives (Employment Equality Directive and Racial Equality Directive); and 5) splitting taxes.

For the sampling of texts for the frame and voice analysis, four sub-issues were selected that are representative for Luxembourgian policy on gender + employment/labour. The texts on these issues – for every sub-issue that is: a law, a policy plan, a parliamentary debate and a civil society text – were used for the frame and voice analysis via the QUING-software. These issues are: 1) tax splitting, 2) pregnancy, childbirth and breast-feeding, 3) parental leave, and 4) equality and employment.

In comparison to the general gender equality legislation and machinery, which was highly gendered, the non-employment issue is characterised by both gendered and degendered texts. It is interesting that the laws on tax splitting and the laws and explanations on parental leave and equal treatment in employment are degendered. The civil society text on tax splitting, as well as the debate on equal treatment in employment are also degendered. Passive actors are very often specific categories of people, such as pregnant women, breastfeeding women or women giving birth. Sometimes these categories are degendered in the wording as is the case with 'pregnant workers, breastfeeding workers', showing that these categories are relevant here in their connection to the labour market. Among the target groups, the state is almost absent, except for the Centre for Equal Treatment. The range of actors are either simply women, or women and men, or (specific categories of) employees, such as the earlier range of pregnant workers, breastfeeding workers', or people described in relation to their family roles: fathers only in the civil society texts, parents, working parents or people with children, and widows. In the law and in the parliamentary debates, employers or companies are target groups. The widest range of target groups is found in the parliamentary debates; Very specific categories are mentioned, such as women who raise their own children, women in the agricultural sector or retired women. Overall, target groups are often gendered.

Gender equality is not at stake in all the texts either. It plays an important role in more or less half of the analysed texts, and therefore constitutes the most important frame. Variations on equality as a norm are very important too, such as equal rights, non-discrimination and equal treatment. However, other frames are important here as well: health and safety are of concern as well, resonating with the texts on protection of maternity in the workplace, human rights and economic development play a minor role in the framing of these documents. Fathers' rights are brought up as a frame once. In Prognosis, freedom or independence (sometimes as freedom of choice) is a very prominent underlying norm.

### **3.3. Intimate citizenship**

Not all intimate citizenship topics are primarily linked to gender equality policies. The inequality axes at stake in the texts on the *partenariats* or partnerships are rather marital status and sexual orientation than gender. Of all the intimate citizenship issues, divorce has most affinity with gender equality policies. Medical assisted reproduction clearly has a link with gender equality policies, but is mostly concerned with marital status.

For the sampling of texts for the frame and voice analysis, three sub-issues that are representative for Luxembourg equal opportunities policy on intimate citizenship were selected.

The texts on these issues – for every sub-issue that is: a law, a policy plan, a parliamentary debate and a civil society text – were used for the frame and voice analysis via the QUING-software. These issues are: 1) divorce, 2) partnerships, and 3) medical assisted reproduction.

Gender is invoked in less than half of the sampled texts on intimate citizenship (5 out of 11). It only plays a role in the divorce sub-issue and in half of the texts on medical assisted reproduction. The sampled texts on partnerships do not concern gender.

Gender equality is only at stake in a minority of the texts; the frame is only used in the divorce sub-issue. Here, a balance can be noted between gender equality as a means and as an end, and gender equality as a vision and a strategy. Only 3 out of the 11 texts have gender equality as framing, what are the other frames? Equality is the dominant frame as regards divorce and partnerships, whereas health is the most important frame related to medical assisted reproduction. Human rights are of minor importance in the partnership sub-issue. Economic development has a marginal role once, in the law on divorce. Capabilities and well-being are of concern in the divorce and medical assisted reproduction sub-issues. The crime and justice frame is not of any concern.

The intimate citizenship issue is not primarily concerned with gender. Who, instead of women/men is the target group of its equality policy? As regards the passive actors, the actors who suffer the problem, women are indeed an important group. They suffer from divorce and are named within that sub-issue. However, as regards the partnerships and medical assisted reproduction, other passive actors are mentioned. They are either based on an inequality other than gender (divorcing couples, singles), or on more than one inequality. This latter group consists of heterosexual couples with genetic disease, infertile heterosexual couples (sexual orientation + marital/family status + disability), heterosexual partners, heterosexual partners living together, homosexual couples, homosexual partners, homosexual partners living together, (sexual orientation + marital/family status), couples who cannot have children (marital/family status + disability), divorcing partner in financial need (marital/family status + class), unmarried heterosexual partners living together and unmarried homosexual partners living together (sexual orientation + marital/family status). 10 out of the 26 passive actors are thus based on more than one inequality.

In the target group of the past actions, married women (gender + marital/family status) are mentioned, as well as homosexual married partners (sexual orientation + marital/family status). In the policy actions, there are target groups based on one inequality (for instance: divorcing couples, men, women) and target groups based on more than one inequality: couples existing of a man and a woman (gender + sexual orientation + family/marital status), heterosexual couples who do not want to marry, homosexual couples, opposite sex unmarried registered couples, same-sex couples, same-sex registered partners, unmarried heterosexual couples, unmarried heterosexual partners, unmarried homosexual partners (sexual orientation + family/marital status), infertile couples (disability + marital/family status). 10 out of the 25 target groups in the objectives thus consist of more than one inequality. The last search in the QUING-software tells us more about the target groups of the objectives. 10 of the 21 are based on more than one inequality. They are: cohabitating couples consisting of a woman and a man living together at least two years, married couples consisting of woman and man (marital/family status + gender + sexual orientation), cohabitating couples consisting of a woman and a man living together at least two years with genitival disease, infertile cohabitating couples consisting of a woman and man, heterosexual couples, married couples consisting of woman and man with genetic disease (marital/family status + gender + sexual orientation + disability), homosexual couples, homosexual partners, opposite sex unmarried registered partners, same sex

registered partners (sexual orientation + marital/family status), infertile couples consisting of a man and a woman (disability + marital/family status + gender + sexual orientation).

Consequently, next to a majority of target groups which are based on one inequality, there are also some target groups/passive actors based on more than one inequality. It is not possible to state that this is pure intersectionality, since the inequalities most often seem to add up instead of interacting with each other. Rather, along the lines of the working definition, the stage is set for intersectionality.

It is clear for whom (gender) equality needs to be achieved. But which actors will bring it about? It mainly appears that the government is held responsible. Except for one reference to 'society' all responsible actors for the policy actions are governmental. They are linked to the state and are not gendered. The active actors in the problem statements differ slightly since here people are held responsible as well. They are however not gendered or intersectionalised. The only inequality that is at stake is marital/family status, when 'divorcing couples' and 'married couples' are mentioned.

### **3.4. Gender based violence**

Fighting violence against women is one of the most important activities within the responsibility of the Minister of Equal Opportunities. Domestic violence is named as one of the most important forms of gender based violence to combat. Sexual harassment is also addressed.

For the sampling of texts for the frame and voice analysis, three sub-issues were selected that are representative for Luxembourg policy on gender based violence. The texts on these issues – for every sub-issue that is: a law, a policy plan, a parliamentary debate and a civil society text – were used for frame and voice analysis via the QUING-software. These issues are: 1) domestic violence, 2) sexual harassment at work, and 3) trafficking of women.

In 12 of the 16 texts on this issue, gender is invoked. As regards domestic violence, the law and the civil society text by Women in Distress on this matter are degendered. In the sexual harassment sub-issue, the law and the civil society text by lawyer Christophe Brault are degendered. The sub-issue on trafficking of women is gendered.

Gender equality is the major frame in gender based violence, 10 out of the 16 texts refer to it. However, other frames are also of interest. Next to gender equality, the human rights, crime and justice, and capabilities/well-being frames are also concerned throughout the sub-issues. Health plays a minor role in the sub-issues domestic violence and sexual harassment; as does economic development in the texts on sexual harassment. Freedom is at stake in a minor way in the trafficking sub-issue.

For whom is (gender) equality to be achieved? In comparison to the general gender equality issue it appears that the passive actors who suffer the problem and the target groups of the policy actions and objectives, are not only gendered, but often based on more than one inequality. Women are the most important group of passive actors. But other groups appear as well: both groups that are based on a single inequality other than gender (for instance: disabled person, older person, people in fragile social situation) and intersectionalised groups. These latter are: homosexual men and women (sexual orientation + gender), immigrant women (migrant status + gender), separated women and single women (marital status + gender), women in fragile social situations, women starting to work, women with a traditionally male job, women with subordinated jobs, women with uncertain jobs (gender + class), women of a racial

minority (gender + race), women with a disability (gender + disability) and young girls and boys (gender + age).

Out of the 50 passive actors in the Diagnosis of texts on gender based violence, 14 are based on more than one inequality ground. When we turn to the target groups in the Prognosis, immigrant women reappear in the objectives, and young girls in the policy actions. If these results are interpreted along the lines of the working definition, it appears that most of the target groups/passive actors are single-minded. The other 14 are additive, but without knowledge or expertise of the interaction of the inequalities. This is not intersectionality, but rather setting the stage for it.

We have looked more deeply into for whom (gender) equality is to be achieved; now the question is who is responsible to achieve this? Again, a top down method becomes apparent: mainly the government, with the help of legislators, employers and trade unions as well as the equality delegate in enterprises are responsible. Society is mentioned once, as is the civil society organisation Women in Distress. Moreover, gender based violence and more specifically domestic violence and trafficking of women are treated within a highly international framework in Luxembourg. The Luxembourg domestic violence law is also inspired and based upon the Austrian domestic violence act.

#### **4. THE RANGE OF INTERSECTING INEQUALITIES**

In order to give an overview of and discuss the range of intersecting inequalities in Luxembourg, the issue history (*QUING Deliverable No. 19: Timelines of policy debates: Luxembourg*), the country study (*QUING Deliverable No. 40: Series of LARG Country reports. Luxembourg*) and the country context study (*QUING Deliverable No. 41: WHY Country Context Study. Luxembourg*) for Luxembourg are valuable sources of information. Both the literature review of this report and the frame and voice analysis that was conducted in the QUING software provide more detailed information.

What are the most important inequalities that are addressed in Luxembourgian gender equality policies? Which ones are present, which ones absent? Compared to many other European countries (see for example Netherlands or France), the most striking finding is that ethnicity is almost completely absent from Luxembourgian gender equality policy making. Since the beginning of the current governmental term (2004) immigrants as a target group for policy making are a matter for the Minister of Foreign Affairs and Immigration. As the majority of immigrants come from other European Union countries, it is unclear to what degree this attention for immigration is also attention for ethnicity. There is no formalised attention paid to gender at this Ministry.

There is a new Centre, the Centre for equal treatment, which will take into account race, ethnic origin, gender, beliefs or religions, disability and age. So, there is now a machinery for intersectional gender equality policy. Whether or not those concepts will be used intersectionally is not clear yet since the Centre was only officially presented in September 2008.

All the texts on general gender equality involve gender. In general, when other inequalities are present, it is mainly age or family/marital status and rarely in a sense that these are seen as

contributing to inequalities, they are seen as in need of differentiated policies in a more marketing type of way. There are no important differences between the issues.

### How does intersectionality work in civil society organisations?

Intersectionality does not really play an important role in civil society organisations. Women's organisations do not organise around the intersections with other inequalities in Luxembourg. This can be compared to the Luxembourg Ministry for Equal Opportunities, which deals with gender equality only and shows no sign of intersecting gender with other inequalities.

It is interesting to note that the *Association des Hommes du Luxembourg* (Association of Luxembourg Men, abbreviated AHL) succeeding the former *Association luxembourgeoise d'Aide aux Hommes Divorcés ou en Instance de Divorce* (Luxembourg assistance Association for divorced men or men who are going to divorce), might be seen as paying attention to gender as intersected with marital status. However, the current Association of Luxembourg Men deals with all issues concerning men, often in a way as to contest women's rights. Further, fathers (marital/family status + gender) are still an important target group (e.g. lobbying concerning parental leave).

### Is there organisation by strand or do civil society organisations take into account multiple inequalities? Is there a 'hierarchy' amongst the equality strands and are some combinations (e.g. gender and ethnicity) more common than others?

There are some organisations that subdivide by gender, religion, political affiliation, age or migrant status:

- women's organisations:
  - of which some are based on religion (Catholic Action of Luxembourg Women, Luxembourg Union of International Soroptomists, Christian Social Women)
  - of which some are based on political background (Socialist Women, Liberal Women's Association)
- organisations based on religion/faith/belief
  - of which some have women's branches (Catholic Church, Jewish Women, Muslim women)
- LGBT organisations
  - of which one intersects with age: Cigale has branch for young LGBTs
  - of which one intersects with migrant status: Rosa Letzëbuerg addresses homosexuality among immigrants
- disability organisations
- organisations based on age

### Using especially your policy document analysis, what is the meaning of intersectionality? What is the range of terms that might indicate intersectionality? What kind of terms are these? Are intersecting axis named as multiple disadvantage, additional vulnerability, or specific intersections, groups at intersections, or else?

Very often when intersectional groups are mentioned, the modality of intersectionality is inarticulate, meaning that the texts do not contain information about exactly why and how the intersection between two or more inequalities is relevant (14-15 documents). Equally often (14-15 documents), the relationship is additive. In the rare cases when inequalities are seen as mutually constitutive, it is gender and marital status that are seen as crucial (e.g. in the CNFL text on divorce, and in the Law on Pregnancy), or sexual orientation and marital status in the case of an opposition voice in the debate on partnership law. The opposition voice in the debate on Trafficking also sees a range on inequalities as mutually constitutive for creating the categories of people subject to trafficking.

Thinking about intersectionality and the way it is absent or present, would you say that civil society organisations are 'better' at 'doing intersectionality' than state bodies? If so, why do you think this might be?

Intersectionality appears to be more absent than present. Civil society is not doing any 'better' than the state bodies, but acts similar.

## **5. WHAT ARE THE IMPLICATIONS OF DIFFERENT VERSIONS OF INTERSECTIONALITY FOR THE MEANING AND PRACTICE OF GENDER+ EQUALITY?**

Intersectionality is marginal in Luxembourgian gender equality policies. As explained above, some attention is paid to subgroups as passive actor or as target group, but the modality of intersectionality is often inarticulate or additive and many texts or debates concern gender only. When there is attention, it is age and marital status that are most often mentioned. Ethnicity is absent. Class is rarely referred to (this contrasts with the analysis of the NAP, see p.8). Sexual orientation only when it is about issues of intimate citizenship.

Is there a tendency for intersectionality to be present in particular types of documents?

No.

While there may be increased focus on some groups at intersections, is there at same time a tendency to de-gender (discursively or non discursively) (e.g. lone parents)?

There is no increased focus on some groups at the point of intersections.

### **5.1 Intersections in general gender equality policies**

With the instalment of the new Centre for Equal Treatment, which will take race, ethnic origin, gender, beliefs or religions, disability and age into account, the machinery will be in line with the legislation. The concept of intersectionality is not used.

## 5.2 Intersections in non employment

Is there a focus on different employment rates amongst women by minority ethnic or religious group? If so, how is this framed (e.g. choice, discrimination) and by whom (e.g. equality body, government)?

No, there is not such a focus.

Is there a focus on different employment rates amongst women and amongst men by ethnicity, religion, sexual orientation (or family status), dis/ability (or mobility, strength, physical features), age (or social/employment status) etc.? If so, how is this framed (e.g. choice, discrimination) and by whom (e.g. equality body, government)?

No, there is not.

## 5.3 Intersections in intimate citizenship

Where is gender in the issue of intimate citizenship?

When gender appears, its importance differs depending on the specific sub-issue at stake. In the law, policy plan, debate and civil society text on divorce for example, gender plays an important role. When turning to medical assisted reproduction, the texts are both gendered (the bill) and degendered (parliamentary debate). Here, marital status is also at stake. In the texts on partnerships, gender is not mentioned. The inequality axes in these texts are family status and sexual orientation.

How is gender constructed in these debates: gay men, male homosexuality, lesbians, others?

In the texts on divorce: spouses, divorcing people, women, men, divorcing parents (this term is mentioned once), fathers and mothers.

In the texts on partnerships (degendered!): couples living together without being married, heterosexual partners living together, homosexual partners living together, unmarried homosexual partners living together, unmarried heterosexual partners living together, homosexual partners, and homosexual couples.

In the text on medical assisted reproduction: couples, couples that cannot have children, singles, heterosexual couples with hereditary diseases, homosexual couples and infertile heterosexual couples, and couples consisting of a woman and a man .

Does race, class, age, disability, class figure? Regarding which issue, and by whom?

Race does not figure in the intimate citizenship issues in Luxembourg.

Class plays a small role in the first plan on divorce, and in the law on partnerships. As regards the first plan on divorce, class is at stake in the reference to women who stop working to take care of their families. The law on partnerships has an implicit class dimension in its objective because registered partners must financially help his/her partner with lower income and must contribute proportionally to the household's expenses.

Age does not play a role in the intimate citizenship issues in Luxembourg.

Disability plays a role in the debate on medical assisted reproduction: the disability at stake here is 'male infertility'.

Have issues been discussed in relation to immigration, i.e. the axis of race? Does “race” figure elsewhere as well?

No reference to race in these issues.

Are marriage/partnership policies framed relating to any category? Which one? With which effects? E.g. class and divorce/separation regulations, race and immigration?

No.

Are there discussions around the legitimacy of legal recognition of intimacy, as in “fake marriage”? Which categories are raised?

No.

#### 5.4 Intersections in gender based violence

Where does gender violence begin? What is defined as gender violence in which country, and in which policy context, and by whom?

Violence against women can both be interpreted as a result or a cause of gender inequality. In Luxembourg, in the civil society text by the CNFL on trafficking, trafficking is seen as a form of violence against women that produces obstacles for gender equality.

Domestic violence is a gendered issue, as the explanation of the bill shows, but has become completely degendered (law, part in National Action Plan on this issue, civil society text) in most of the code texts.

Sexual harassment is also a gendered issue, which has become degendered in the law. It is interesting to note that the dimensions of gender and intersectionality refer to gender as well as ethnicity/race, age, disability, sexuality and marital status in the diagnosis, whereas the prognosis only mentions gender.

Trafficking is named as a form of gender based violence.

Who is discussed as victim or perpetrator of which kind of gender-based violence? E.g. are men (when?) victims? Are women perpetrators and when?

In the texts on domestic violence, perpetrators are violent family members. They are never gendered.

Victims are sometimes gendered (women), and sometimes not. Other inequalities play an important role when identifying the victims: children, disabled people and elderly people. In the debate, immigrated women are mentioned.

In the texts on sexual harassment, perpetrators are employers, employees, workers, suppliers, customers and clients. They are never gendered.

Victims are named in the CEDAW report as: employees, trainees, apprentices, students hired during school days, public servants of the state and public servants of the communes. Witnesses of sexual harassment also are victims (not defined or gendered). In the clarification of motifs of the bill, they are: women, separated women, single women, women starting to work, women with uncertain jobs, women with subordinated jobs, women with a traditionally male job, women of a racial minority, women with a disability, homosexual women, homosexual men and young men. The employer or enterprise can also be seen as a victim.

In the texts on trafficking, perpetrators are exploiters, traffickers and clients of prostitutes. They are all degendered; however there is a hint at males (client of prostitute). In the text of the Conseil National des Femmes de Luxembourg they are named as men. The Eastern European

society and its paternalistic mentality is seen as the cause for the lack of equal opportunities by the governmental voice during the debate.

Victims are almost always gendered – with some minor exceptions. They are people in fragile situations, victims of (human) trafficking, victims of prostitution or sexual exploitation, immigrated women, victims of trafficking of women, young girls.

#### [Are causes of violence related to specific categories, e.g. racialised?](#)

The victims of gender based violence are related to disability, age, immigration, marital status, race, sexual orientation, the perpetrators are not.

However, when turning to the topic of trafficking, the governmental voice during the debate mentions Eastern European countries and their 'paternalistic mentality' as a cause for the lack of equal opportunities. So, there is some blame towards the outside.

#### [More specifically, which inequality features around which type of violence, like trafficking, prostitution, forced marriage, honour crimes, FGM, domestic violence, rape, sexual assault, harassment](#)

The inequalities named here are all related to the victims, not the perpetrators!

In domestic violence these are: family status, age, disability, migrant status.

In sexual harassment these are: marital status, race, disability, sexual orientation, age.

In the texts on trafficking these are: migrant status, age.

#### [Are services around gender based violence directed at specific groups, people related to categories? Which ones?](#)

Luxembourg has a network of organisations providing help to victims of gender based violence. It is known under the umbrella term Femmes en Détresse (this umbrella organisation has more organisations than those named here, but they do not fit into the scope of refuge or sexual assault centre).

- Fraenhaus is a refuge for female victims of domestic violence.
- ViSaVi (Vivre sans violence, living without violence) is an information and consultation centre for women concerning the topics of sexual, verbal and economical violence.
- Fraentelefon is a telephone line for all women.
- Kopplabunz is a meetingplace for all women.
- NAXI is an information centre on employment for all women.
- Meerderchershaus is both an information centre and a refuge for young women between 12 and 21 years.
- Kannerhaus is a childcare service, caring for children of women who are clients at some service of Femmes en Détresse.
- Service d'Assistance aux victimes de violence domestique is a service helping victims of domestic violence throughout the process of fighting domestic violence.

#### [Do your findings on intersectionality support or contradict Crenshaw's analysis?](#)

The reality in Luxembourg differs from the American (Crenshaw's) case, not only because Crenshaw talks about 'Black women', a topic which is not really at stake in Luxembourg that mainly has European immigrants (see below for an overview of nationalities). The perpetrators of gender based violence in Luxembourg are almost never gendered, nor are they linked to other inequalities (<-> notion of 'violent black men' in Crenshaw's articles). The only exception is that victims are sometimes called immigrants. It is unclear what the underlying reasoning is.

There is no further evidence of marginalised groups who might be stigmatised when there would be (necessary) attention paid to them in domestic violence policies.

Luxembourg population by ethnicity between 1981 and 2007.

	1981	1991	2001	2002	2003	2004	2005	2006	2007
<b>Total population (x 1000)</b>	364,6	384,4	439,5	444,1	448,3	455,0	461,2	469,1	476,2
<b>of which women (x 1000)</b>	186,7	196,1	223,0	225,2	227,3	230,3	233,1	237,0	240,0
<b>Luxembourgers (x 1000)</b>	268,8	271,4	277,2	277,3	277,6	277,2	277,5	277,8	277,9
<b>Foreigners (x 1000)</b>	95,8	113,0	162,3	166,7	170,7	177,8	183,7	191,3	198,3
<b>Portuguese</b>	29,3	39,1	58,7	59,8	61,4	64,9	67,8	70,8	73,7
<b>Italian</b>	22,3	19,5	19,0	19,1	19,0	19,0	19,0	19,1	19,1
<b>French</b>	11,9	13,0	20,2	20,9	21,6	22,2	23,1	24,1	25,2
<b>Belgian</b>	7,9	10,1	14,8	15,4	15,9	16,2	16,3	16,5	16,5
<b>German</b>	8,9	8,8	10,1	10,1	10,2	10,5	10,8	10,9	11,3
<b>British</b>	2,0	3,2	4,3	4,5	4,7	4,7	4,7	4,8	4,9
<b>Dutch</b>	2,9	3,5	3,7	3,6	3,6	3,6	3,7	3,7	3,8
<b>Other EU</b>	10,6	6,6	9,2	9,7	9,7	10,3	12,4	14,5	16,5
<b>Other</b>	/	9,2	22,5	23,5	24,6	26,4	25,9	26,9	27,3
<b>Foreigners in %</b>	<b>26,3</b>	<b>29,4</b>	<b>36,9</b>	<b>37,5</b>	<b>38,1</b>	<b>39,1</b>	<b>39,8</b>	<b>40,8</b>	<b>41,6</b>

### 5.5 Summary and comparison

Is the focus on intersectionality largely ephemeral? Or is it becoming embedded in gender+ equality policy?

There is a hint of intersectionality.

Linked to the working definition, and based on contacts with people in Luxembourg it appears that it is rather additive, and thus setting the stage for intersectionality. There is no expertise/knowledge about how intersectionality works.

To what extent does a focus on equalities other than gender produce a detriment to the development of the gender+ equality policy?

The main focus in gender+ equality policies is on gender, not on other equalities. The sub-issue on partnerships is an exception since marital status and sexual orientation play a far greater role than gender.

It appears (see summary table intersectionality Luxembourg) that in the case of intimate citizenship, family/marital status and even sexual orientation play a greater role than gender.

Compare the definitions and practice of gender equality and the definitions and practice of intersectionality – how do they relate, do the meanings of intersectionality change the meaning of gender equality?

As intersectionality has such a marginal presence, there is no such effect.

To what extent is there commonality of a specific policy issue across several strands, or inequalities, that leads to enhanced and constructive attention to the issue? Or are differences between inequality strands a source of controversy and division?

There are no controversies or divisions.

Is intersectionality a source of controversy and debate in gender+ equalities policies or not? If yes, what is the nature of this controversy and debate?

No, it is hardly debated, as it is an unknown concept. Moreover, there is no competition between inequalities.

If responsible for more than one country, can you compare and contrast intersections between countries?

/

If there is an absence of intersectionality in the documents analysed, are there explanations for this? Why would such a finding be surprising or expected?

The Ministry of Equal Opportunities only focuses at women, whereas the other inequalities are treated by other Ministries. This could be one explanation of the relative absence of attention to intersectionality.

Moreover, the country has a fairly young academic history, with a University that was only established in 2003. There is an interest in gender and women's studies but this is also very young. Hence, one cannot expect that intersectionality would be put on the Luxembourgian agenda by feminist academics.

## 6. IDENTIFYING CHANGES AND THE RELEVANCE OF DIFFERENT FORMS OF INTERSECTIONALITY

The history of the development of the new Centre for Equal Treatment, which will take into account race, ethnic origin, gender, beliefs or religions, disability and age - officially presented on 10 September 2008 - tells the story of intersectionality as an issue in the development of gender equality policies. This was a difficult 'birth', with much opposition. During the presentation of the 5th CEDAW Report for Luxembourg in Geneva in January 2008, the Minister of Equal Opportunities, Marie-Josée Jacobs, mentioned that installing the Centre is very difficult since Luxembourg only has few experts within the field of discrimination.<sup>14</sup> In an article in *wxxx* on 14 December 2007, Renée Wagener referred to the lack of enthusiasm of the Luxembourgian government. It took two parliamentary meetings to decide upon the president (Patrick de Rond), and three to complete the group of members.<sup>15</sup> Moreover, the elected members of the Centre – among which Anik Raskin of the National Council of Luxembourg Women – already have doubts on the independence, the budget and the time of the staff of the Centre.<sup>16</sup> As the Centre has just started, it is difficult to say anything about the impact it will, or will not have, on gender equality policies.

Other than the EU Directives and the establishment of this Centre, there are no specific turning points.

There are no specific changes in the three other issues. The issue of demographic change seems not to have done anything to the presence of gender, sexual orientation, race, or class.

---

<sup>14</sup> <http://huachen.org/english/bodies/cedaw/docs/statement/40Luxembourg.pdf>, accessed on 18 June.

<sup>15</sup> Wagener, Renée. 'Une loi indésirable' (An undesired law) in *wxxx* 932, 14 December 2007, p. 8.

<sup>16</sup> Wagener, Renée. 'Une loi indésirable' (An undesired law) in *wxxx* 932, 14 December 2007, p. 9.

## 7. CONCLUSIONS

The previous analysis showed that in Luxembourg the stage is set for intersectionality, but primarily, attention paid to other inequalities that intersect with gender is rare, and if there is attention paid to these inequalities, they are seen as separate or additive at most. A closer analysis would be necessary to show which intersecting categories are missing, and where.

So the answer to our question ‘which connections between gender (in)equality and other inequalities are made in Luxembourg’s gender equality policies?’, is that there is hardly any connection between gender (in)equality and other inequalities in the framing of Luxembourgian gender equality policies, although some attention is paid to other inequalities as separate domains of policy making. The new Centre for Equal Treatment, which will take into account race, ethnic origin, gender, belief or religion, disability and age, presents a chance for further development of intersectionality in gender equality policies. The fact that the Centre includes gender in the range of inequalities that are seen to be in need of equal treatment, and the fact that the Centre is the responsibility to the same Minister that has the responsibility for equality between women and men, opens a possibility for cooperation. Yet, this double responsibility is not new, and might not lead to any positive results.

It is difficult to say how all this impacts on the quality of gender+ equality policies. Given the characteristics of the Luxembourgian context, the absence of attention to race/ethnicity might be related to the presence of EU migrants and the absence of what is seen to be other ethnicities. There is no specific attention paid to potential problems with EU migrants, and it is not even clear exactly how class intersects with these categories, e.g. to what extent these migrants are highly educated people working in the financial business and to what extent these are low educated people, as is suggested by the high numbers of Portuguese migrants.

## APPENDIX

### 1. Range of different versions by which policies might pay attention to gender and other inequalities<sup>17</sup>

Version	description	Form of intersectionality yes/no?
Single minded	Attention for one strand Can be gender, can be other inequality. If other: is there a shift?	NO
Multiple, but separate strands	Attention for multiple strands, but treated separately from each other	NO
Additive	On top of one discrimination/disadvantage groups or persons are seen to suffer from an 'extra' discrimination/disadvantage originating in (an)other inequality/inequalities	In principle: NO (because no <i>interaction</i> ), but often seems to originate in lack of expertise/knowledge about how interaction looks like/works. Therefore: SETTING THE STAGE for intersectionality
Interacting inequalities	Attention for the <i>interaction</i> of multiple inequalities	YES
Genderedness of structural mechanisms	Attention for the genderedness of structural mechanisms like racism, ethnocentrism, heteronormativity	YES
Intersectional categories inarticulate	Intersectional categories are mentioned, but unaccompanied by any articulate vision or conceptualisation of how the inequalities relate to each other	AMBIGUOUS  (because inarticulate difficult to categorise in one of the 'versions'). If intersectional categories are accompanied with vision/conceptualisation, then it IS possible to categorise.

<sup>17</sup> This working definition was developed by the Radboud QUING team: Sophie Lauwers, Saskia Martens and Femke van der Wal.

## BIBLIOGRAPHY

Crenshaw, Kimberlé Williams. 1991. Mapping the margings: Intersectionality, identity, politics, and violence against women of colour. *Stanford Law Review* 43, 6: 1241-1299.

Gouvernement du Grand Duché de Luxembourg and Ministère de l'Égalité des Chances. 2006. *Plan d'Action National d'Égalité des Femmes et des Hommes. (National Action Plan for the Equality between Women and Men)*. Luxembourg: Gouvernement du Grand Duché de Luxembourg and Ministère de l'Égalité des Chances.

Gouvernement du Grand Duché de Luxembourg and Ministère de la Famille et de l'Intégration. 2007. *Rapport d'Activité 2007. (Annual Report 2007)*. Luxembourg: Gouvernement du Grand Duché de Luxembourg and Ministère de la Famille et de l'Intégration.

Gouvernement du Grand Duché de Luxembourg. 10 Septembre 2008. *Présentation du Centre pour l'égalité de traitement. (Presentation of the Centre of Equal Treatment)*. Luxembourg: Gouvernement du Grand Duché de Luxembourg.

[http://www.gouvernement.lu/salle\\_presse/actualite/2008/09-septembre/10-jacobs-egalite/index.html](http://www.gouvernement.lu/salle_presse/actualite/2008/09-septembre/10-jacobs-egalite/index.html), accessed on 29 October 2008.

Lombardo, Emanuela and Mieke Verloo. Forthcoming 2008. "Stretching gender equality to other inequalities: Political intersectionality in European gender equality policies." In *The Discursive Politics of Gender Equality. Stretching, Bending and Policy-Making*, edited by Emanuela Lombardo, Petra Meier, Mieke Verloo. Routledge, forthcoming 2008.

Martens, Saskia. 2007. *QUING Deliverable No. 19: Timelines of policy debates: Luxembourg*. Nijmegen, Vienna: Radboud University Nijmegen, Institut für die Wissenschaften vom Menschen.

Martens, Saskia, with the contribution of Sandrine Debunne and Dominique Decarniere. 2008. *QUING Deliverable No. 40: Series of LARG Country reports. Luxembourg*. Nijmegen, Vienna: Radboud University Nijmegen, Institut für die Wissenschaften vom Menschen.

Martens, Saskia. 2008. *QUING Deliverable No. 41: WHY Country Context Study. Luxembourg*. Nijmegen, Vienna: Radboud University Nijmegen, Institut für die Wissenschaften vom Menschen.

Walby, Sylvia. 2007. *Deliverable No. 13: Report (theory) on intersectionality*. Lancaster: QUING.

Walby, Sylvia and Sofia Strid. 2008. *QUING STRIQ Intersectionality Report Possible Structure of Deliverable D47: Report analysing intersectionality in gender equality policies for each country and the EU*. Lancaster: QUING.

Yuval-Davis, Nira. 2006. Intersectionality and Feminist Politics. *The European Journal of Women's Studies* 13, 3: 193-209.

### **Consulted websites**

Université de Luxembourg: [wwwfr.uni.lu](http://wwwfr.uni.lu)

Ministère de l'Égalité des Chances: [www.mega.public.lu](http://www.mega.public.lu)

Ministère de la Famille et de l'Intégration: [www.mfi.public.lu](http://www.mfi.public.lu)

Légilux: [www.legilux.public.lu](http://www.legilux.public.lu)