



Quality in Gender+ Equality Policies

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State of the Art and Mapping of Competences Report: The Netherlands

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This State of the Art report is part of the comparative research project QUING that is financed by the European Commission. QUING will answer two important questions: What are actually gender equality policies in the practice of national and European policy making? And also: What is the quality of these current policies, especially in terms of their transformative potential, their attention for other inequalities and their openness for voices of the movements that lay at its origin? QUING studies all 27 EU-countries plus Croatia and Turkey. QUING will present results from January 2009 on, and will be finished in 2011.

For its analysis, QUING has chosen three gender equality relevant issues: non-employment, intimate citizenship and gender based violence. The comparative study will enable a better understanding of differences and similarities, and of the quality of gender+equality policies. This comparative analysis is the heart of QUING that will generate new theory, that will be relevant to the whole of Europe. These parts of QUING are named LARG and WHY. In a related part, named STRIQ, the project will further develop theories on intersectionality, on the relationship between gender inequalities and inequalities originating in ethnicity, class, religion or sexuality, and describe and analyze to what extent and how intersectionality is incorporated in gender equality policies with across Europe. Additionally, QUING will also be preparing the ground for comparative research on the history of feminist ideas in Europe. In this part, named FRAGEN, QUING will start with the construction of a database that will 'open' selected core feminist texts to researchers by storing original second wave feminist texts in the database together with an analytic description of these texts in English. QUING will open this database to the research community in its last year. In its last two years, QUING will also be very active with its fifth part, named OPERA, actively translating its knowledge in gender training for all actors in policy making, and it will develop high quality standards for such training, that will be tested in practice. For a more extensive presentation of the QUING project please consult the website at www.quing.eu.

This State of the Art report has the goal of assuring that the QUING researchers start their research using the knowledge that is already available on gender equality policies in a country. In this sense, the State of the Art is a classic literature review, relevant to the different parts of the QUING project (LARG, WHY and STRIQ). Added to this, some information is asked for that facilitates the preparation of the activities in FRAGEN.

This report is structured as follows. In the first part a short assessment is made of the annotated bibliography that can be found in the second part of this report. In the second part of the report one will find the actual annotated bibliography. This part maps the most important relevant academic studies and other policy related literature (reports by IO, INGOs, experts etc.) about each country. The annotated bibliography has been divided into four separate sections. One section covers studies relating to gender equality policies, the following one is on non-employment related articles, the next one is on intimate citizenship related articles and the final one is on gendered violence related articles. In all sections, the accent is on studies that focus on the *gender equality aspects* of policies relating to these issues. The four sections itself have been divided into country language studies and English language studies. Comparative studies can be found under a separate heading within these language groups. Next to the bibliography, this part also contains a section relating to the OPERA part of the QUING project in which the most relevant gender training literature that has been produced in the country (e.g. gender equality manuals, gender mainstreaming manuals, gender impact assessment guides) is listed. There is a section related to the FRAGEN part in the QUING project listing the archives or documentation centres specialized in gender equality policies on national level.

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Introduction

In the Netherlands, there is a wealth of material to be found on general gender equality policies and on the three specific issue areas – non-employment, intimate citizenship and gendered violence – that are studied in the framework of QUING. That is why a rather thorough selection had to be made in order to decide which articles were to be included in the annotated bibliography and which were to be excluded.

While making the selection, two dimensions were taken into account. On the one hand studies vary as to the distance that researchers have to the government, ranging from a position of research done by government institutions or semi-government institutions (insider research), that is less relevant in this State of the Art report, to a position of research done by independent academics (outsider research), that has a higher chance of containing systematic analyses. Somewhere in between these extremes, lies research commissioned by a government or semi-government institute while executed by independent academics and research done by NGO's. On the other hand studies vary also in the subject chosen for analysis, ranging from a 'minimal' position of articles that purely deal with the issue at stake (for example an article that explains what domestic violence is and what causes domestic violence) and as such can still contribute to our broader understanding of the issue to a 'maximal' position of articles that focus on the *gender equality aspects of policies* relating to the issue (for example an article that critically assesses the Dutch policies regarding domestic violence from a gender equality point of view). Somewhere between these extremes are studies that contain a section or chapter on policy. Because of the wealth of material found on the Netherlands, we tried to first select those articles that approximate to the ideal type: written by independent academics on the gender related aspects of policies relating to the involved issue. Selected articles that do not neatly fit this ideal type are nonetheless located at the 'right' side of both dimensions.

Only in a few instances no studies were found on a certain sub issue within one of the main issues (like the sub issues of the trafficking of minors, prostitution amongst minors, forced abortion and partner murder within the main issues of gendered violence) with a sufficient score on both dimensions that were mentioned before. We have made a background list for internal use that includes all the titles that were initially selected for the bibliography, which were over 400 titles in total. Master theses are not included in the annotated bibliography.

The principle of proportionality has been applied, in other words issues on which prior to the final selection more titles were found are likewise represented with more titles in the annotated bibliography. Most titles were found on non-employment. The least titles were found on intimate citizenship. Gendered violence takes a middle position.

Dutch academics are increasingly stimulated to publish in international journals. Unfortunately, these developments threaten the survival of Dutch academic journals on gender related issues. During the period on which this state of the art report focuses, that is 1995-2007, only two such journals existed. The first one is *Nemesis*, a journal on women and law. The second one is the 'Tijdschrift voor vrouwenstudies/genderstudies' (Journal on women studies/ gender studies). It is not

so surprisingly, then, that the majority of Dutch studies included in the bibliography that are not published in either 'Nemesis' or in 'Tijdschrift voor vrouwenstudies/genderstudies', concerns research done by independent research institutes often working for the government (for example the Social Cultural Planning Institute that publishes the emancipation monitor) or independent advisory institutes (like the Dutch family council and E-Quality experts on gender and ethnicity) or NGO's (like the Dutch Section of the International Commission of Jurists - NJCM).

A short general note on the extent to which the comparative studies that are included in the annotated bibliography are guided by theory: Only few of the comparative studies depart from a theoretical puzzle, question or framework. Most of them are qualitative small N studies that do not aim to contribute to theory building but rather aim at an increasing understanding of a certain issue. The few comparative studies that do depart from a theoretical puzzle/question/framework are the ones by Conny Roggeband (annotations no 23 and 25, section 4.2.1), Anna van der Vleuten (annotations no 31 and 32, section 1.2.1), Monique Kremer (annotation no 31, section 2.2.1) and Inge Bleijenbergh & Conny Roggeband (annotation no 23, section 2.2.1). The studies by Bleijenbergh & Roggeband and by Van der Vleuten work with a theoretical framework on implementation of EU-policy in member states and study a certain case that is relevant in the framework of QUING.

In general one could state that the great majority of titles that are included in the bibliography of the Netherlands are written by Dutch academics. Research done by researchers from abroad is rare.

General (gender) equality policy related articles

Which studies have been included in this section? Firstly, articles on the emancipation policy of the Netherlands. In this regard it is important to note that I have predominantly focused on the literature since 2003, because within the framework of the European Commission's research project 'Mageeq' an excellent bibliography listing the academic research on the Dutch emancipation and gender mainstreaming policies for the period 1995-2003 has been written (<http://www.mageeq.net/docs/holland.pdf>). Next to articles on the emancipation policy of the Netherlands, titles on anti-discrimination (on multiple grounds) policy, on intersectionality, on gender and policy and on multiculturalism, gender and immigration policy (as these are actually dealing with the intersection of ethnicity/religion/race with gender) are represented in this section. These titles on intersectionality are included in this section, since they could not be subsumed under one of the three sections on non-employment, intimate citizenship and gendered violence.

Among the Dutch titles in this section, there is a set of extensive independent assessment reports for each individual ministry, made for the government in the period 2005-2007 by an independent (occasional) Review Committee on gender mainstreaming and emancipation policy. It seems rather exceptional that a government orders such an independent and critical self-evaluation. In this regard the Dutch bi-annual emancipation monitor ('emancipatiemonitor') is a similar research endeavour producing bi-annual reports on progress or decline of gender equality in the Netherlands. While mainly describing the state of affairs in a few selected areas

that are deemed important in the light of the emancipation process, the authors of the monitor as well try to reflect on the course taken by the government and whether this course should be changed. There is a special monitor on the emancipation of women from ethnic minorities. In general, it must be underlined that there is extensive, good quality material analysing the quality of gender equality policies in the Netherlands.

When considering the Dutch titles on intersectionality it is especially in the field of feminist legal studies that detailed and critical analyses have been produced on the position of various categories of women that are problematically situated on the various axis of inequality (age, ethnicity/race, religion, disability, sexual orientation). Unfortunately the main feminist legal journal named 'Nemesis' only survived until 2004.

Shifting the attention to the English titles in this section of the annotated bibliography, one observes that most studies deal with CEDAW (Boer and Wijers, Holtmaat, NJCM), or are written within the framework of a European research project like VEIL (Saharso and Verhaar) or Mageeq (Van Lamoen and Verloo), or deal with evaluating policy tools (Roggeband and Verloo), or with gender, ethnicity and multiculturalism (Prins and Saharso, Saharso, Wekker).

Non-employment related articles

An important first observation when looking at the titles in this section of the annotated bibliography is that most studies are connected in a rather indirect way to the issue of non-employment. However, together they certainly enhance our understanding of how the issue of non-employment is constructed and defined in the Netherlands.

It is remarkable that within the sections 'general gender equality policies' and 'gender-based violence' quite a lot of titles deal with women from ethnic minorities while on the issue of non-employment this is not the case.

Comparative studies - especially studies in English - are strongly developed in this issue-area.

A wide range of sub issues is being dealt with that indirectly construct/define non-employment: reconciliation of work and care, part-time work, welfare, care, illness-disability (being incapacitated for work), life long learning/early retirement, reintegration into labour market, leave including parental leave, social security policy, tax policy, poverty policy, pension policy, regulations about flexibility on the labour market, and regulations on motherhood/caring fathers.

The social and political sciences and the legal discipline seem to dominate research in this field. Another discipline that is represented is economics. A majority of the studies are articles by academics published in an academic journal. Around one fifth of the studies included in this section consist of commissioned research by the Dutch government executed by independent academic researchers and/or independent research institutes (Duyvendak and Stavenuiter, Dierx and Grift and Schippers, Keuzenkamp), research commissioned by independent institutes and directed at the

government (Verdonk and Peeters and Geurts), and research commissioned by the European Commission (Wattis et al., Fagan et al., Plantenga et al.).

Only a few studies that are included in this section of the bibliography are dealing with intersectionality issues. The studies that do pay attention to intersectionality (in a direct or indirect way) are about women who are incapacitated for work (Van der Klein, Ruitenbergh, Verdonk and Peeters and Geurts, Akkerman). There is an almost total absence of attention for class.

Intimate citizenship related articles

Something that clearly stands out when looking at the intimate citizenship section of the annotated bibliography is that the majority of English language studies is on same-sex marriage, and same-sex registered partnership. This might have to do with the pioneering role of the Netherlands in this regard, being the first European country to open up registered partnership to same-sex couples in 1998 and same-sex marriage in 2001. These issues had already been hotly debated in the Netherlands for several years before laws on them entered into force (and probably even before 1995, which is the start of QUING's research period), while the international interest in this subject was given impetus by the actual legalization of same-sex registered partnership and same-sex civil marriage.

In contrast, the majority of Dutch language studies deal with subjects relating to partnership and migration/crossing of borders, such as women and (in)dependent residence permits, women and the income requirement, black women/migrant women/refugee women/Dutch women with a transnational relationship and their position in family law, family reunion and fictitious marriage. This is not very surprisingly, given the fact that Dutch immigration and integration policies have become increasingly restricted during QUING's research period. Other sub issues that are being dealt with are: women and family law in general, admitting 'special' families to have IVF treatment, adoption by same-sex couples, same-sex living arrangements, equal treatment in the pension system irrespective of living arrangement, living arrangements in the family law and politics of sexuality.

The legal discipline clearly dominates this particular field of research (among others Van der Burg, Boele-Woelki, Schrama, Vlaardingerbroek, Loenen, Buijsen, De Hart, Van Walsum, Van Vliet, Curry-Sumner and Van Blokland). Other disciplines that are represented are: economics (Smits), human geography (Mulder), social geography (Hooimeijer) and political science (Mottier, Carver).

Most of the studies in this section of the annotated bibliography are written by academics and published in academic journals. A few concern research executed by independent research institutes (De Hart, Dutch Family Council, E-Quality experts in gender and ethnicity).

A majority of titles included in this section deals with intersectionality in one way or another. Part of them deal with ethnicity, part of them with sexual orientation.

Gender-based violence related articles

Sub issues within the overarching issue of gendered violence that are studied most often are domestic violence (with accents on intervention programs, eviction of the offender, the CEDAW convention, and frame analyses), female genital mutilation and sexual violence (with an accent on the women's movement). Other issues that are being dealt with are: violence against women (with accents on the CEDAW convention and intimate relationships), sexual harassment, prostitution, sexual abuse, trafficking, trafficking of women, forced marriage, honour related violence, stalking and rape. Looking at the use of specific terms: 'domestic violence' is much more often used than 'violence against women', 'sexual abuse', 'sexual violence' and 'violence in (intimate) relationships/partner violence'. Only a few studies pay attention to the role of the women's movement. The studies that do (Grünell, Roggeband) are on sexual violence.

The legal discipline seems to dominate this field (Boerefijn, Holtmaat, Loenen, Lünemann, Römkens). Other disciplines that are represented are: the political science discipline (Paantjens, Outshoorn, Roggeband, Van Lamoen, Zeegers), the philosophical discipline (Verhaar), the sociological discipline (Grünell, Saharso), and the anthropological discipline (Bartels).

The majority of studies have been written by academics to be published in an academic journal. Around one third of the studies consist either of commissioned research by the government that has been executed by independent academic researchers or of research initiated and executed by independent research institutes and directed at the government. The comparative studies mostly are qualitative small n-studies.

Several studies in this section deal with the intersection of women (and violence) with ethnicity/religion (Maclea and Meuwese, Römkens, Verhaar, Advisory Commission on Integration Issues, Sanders, Cees and Saharso, Bartels).

Annotated Bibliography

1 General Gender Equality Policies

1.1 Dutch sources

- 1) Outshoorn, J. 2007. *Instituties voor emancipatiebeleid. Nederland in een internationale context*. [Gender equality institutions. The Netherlands in an international context]. Den Haag: Visitatie Commissie Emancipatie. <http://www.visitatiecommissie-emancipatie.nl/uploads/images/248/VCE0714-RapportOutshoorn-metbrief.pdf> . DU

Keywords: emancipation policy, gender mainstreaming, Netherlands Emancipation Review Committee, institutional mechanisms, models of gender equality policies, the Netherlands

This report is part of a series of reports made by the Netherlands Emancipation Review Committee. Based on the RINGS research, this report presents a model for gender equality policies that consists of four elements: a position for political responsibility for gender equality policies, a unit within the bureaucracy, an advisory body and a committee that reviews the implementation of laws and international obligations. The report presents a short summary of conclusions of the RINGS project, showing that the Netherlands, with the UK, is among the only two European countries included in the RINGS research that do not fit into this model. For the Netherlands, the advisory body was abolished in 1997, and the unit within the bureaucracy lost an important part of its coordinating capacities. Moreover, the Netherlands is among the few countries where the policy machinery for gender equality was seriously weakened in the last ten years.

- 2) Visitatie Commissie Emancipatie. 2007. *Een beetje beter is niet goed genoeg*. [A little bit better is not good enough]. Den Haag: Visitatie Commissie Emancipatie. <http://www.visitatiecommissie-emancipatie.nl/uploads/images/249/VCE0715-Overkoepelendeeindrapportagemetbrief.pdf> . DU

Keywords: emancipation policy, gender mainstreaming, Netherlands Emancipation Review Committee, national government departments, final report, the Netherlands

This is the final report of the Dutch Emancipation Review Committee giving all results of the analysis of the quality of gender mainstreaming in all Dutch ministries. The final report is very critical, especially about the lack of knowledge on gender and on gender equality policies in theory and practice and the lack of commitment of civil servants and top bureaucrats at the ministries. Moreover, the Committee identifies a tendency to replace attention for gender equality with attention for 'diversity', and concludes that this happens in the absence of expertise on the interrelatedness of various axes of inequality, and has a negative impact on the quality of gender equality policy. They also conclude that in policies that pay attention to ethnicity the gender component is most often lacking, while in gender policy attention for ethnicity is similarly lacking. Institutional mechanisms that could counter the fragmentation of policies across Ministries are lacking, as

well as mechanisms to address vertical fragmentation of policies across different levels of government. There are some good instruments (e.g. gender impact assessment, gender budget analysis), but these are rarely used, and knowledge about these instruments in the bureaucracy is lacking. The Committee concludes that there has been no progress in the Netherlands since the 90s, and that there is rather a serious decline in the quality of gender equality policies. A translation of the report in English is planned.

- 3) Visitatie Commissie Emancipatie. 2007. *Coördinatie van emancipatiebeleid en gender mainstreaming bij de rijksoverheid*. [Coordination of gender equality policies and gender mainstreaming at the level of the national government]. Den Haag: Visitatie Commissie Emancipatie. <http://www.visitatiecommissie-emancipatie.nl/uploads/images/247/VCE0713Adviescoördinatiemetbrief.pdf> . DU

Keywords: emancipation policy, gender mainstreaming, institutional mechanisms, Netherlands Emancipation Review Committee, the Netherlands

This report is part of a series of reports made by the Netherlands Emancipation Review Committee. It addresses specifically the institutional mechanisms for gender mainstreaming that are present in the Netherlands. It points out that progress towards gender equality in the Netherlands is stagnating since the 90s, and that there is strong need for more coordinating activities and mechanisms across the Ministries, and for more coherence in Dutch emancipation policy. It also states that there has been a too strong accent on the economic benefits of gender equality to the detriment of attention for the unequal power relations between the sexes. It concludes that there is a necessity for stronger efforts on gender equality policies.

- 4) Berg, Marguerite van den. 2006. *Wat willen we van moslimvrouwen in Nederland?: islam, emancipatie, integratie en assimilatie*. [What do we want from Muslim women in the Netherlands? Islam, emancipation, integration and assimilation]. *Eutopia* 13:36-41. DU

Keywords: opinion, Moslim women, Islam, allochtonous people, emancipation policy, violence, integration, honour revenge, immigration law, the Netherlands

This essay takes position on the emancipation of Muslim women in the Netherlands. It argues that the main focus of gender equality policies in the Netherlands should not be focused on integration or assimilation, and should not concentrate on 'teaching' Muslim women that they are oppressed by practices such as honour killings and genital mutilation (as the essay claims is the case at the moment), but to address such harmful practices directly. It follows from there that the Minister for Justice should put this on his agenda, and not the Minister for Integration. Moreover, the dependent residence permit of women should be abolished.

- 5) Evenhuis, Carien, ed. 2006. *Emancipatiebeleid anno 2006, commentaren op het meerjarenbeleidsplan emancipatie 2006-2010*. [Gender equality policies in 2006. Comments on the gender equality plan 2006-2010]. Den Haag: Stichting

emancipatie online. <http://www.emancipatie.nl/documenten/focus/comm-mjbpe-0610/Ebanno2006-commMJBPE.pdf> . DU

Keywords: expert commentaries, emancipation policy, Dutch emancipation policy plan 2006-2010, the Netherlands

In this online publication 6 experts in the field of emancipation policy critically reflect upon the government's new multiple year policy plan on emancipation 2006-2010 (meerjarenbeleidsplan emancipatie 2006-2010). These experts are Erna Hooghiemstra, Jantine Oldersma, Trees Pels, Joke Swiebel, Evelien Tonkens and Annelou Ypeij. They appreciate the matter-of-fact conciseness of the policy plan and the concrete objectives. The main points of criticism are the 'Hollandisation' of the emancipation policy, the light policy instruments, and the decreasing attention on issues regarding the combination of labour and care. The time has come for a supplier associating with (working) mothers and a stronger focus on caring by fathers. And most of all, the time has come that the emancipation policy broadens its orientation from mere economical motives to breaking with the unequal power relations between women and men.

- 6) Evenhuis, Carien , ed. 2006. *Emancipatiebeleid anno 2006, tussenstand visitatie gender mainstreaming. Enkele commentaren*. [Gender equality policies in 2006. Evaluating the Netherlands Emancipation Review Committee. Some commentaries]. Den Haag: Stichting emancipatie online. <http://www.emancipatie.nl/documenten/nws/2006/maart/CommentarenopTussenstandVisitatieGenderMainstreaming.pdf> . DU

Keywords: expert commentaries, emancipation policy, gender mainstreaming, Netherlands Emancipation Review Committee, the Netherlands

In this online publication three critical commentaries on the work of the Netherlands Emancipation Review Committee (VCE), on their interim reports and on the reaction to these reports by the members of government are collected. They are written by experts in the field, namely Mineke Bosch, Petra Meier and Mieke Verloo.

- 7) Keuzenkamp, Saskia and Ans Merens, eds. 2006. *Sociale atlas van vrouwen uit etnische minderheden*. [Social Atlas of women in ethnic minorities]. Den Haag: Sociaal Cultureel Planbureau. http://www.scp.nl/publicaties/boeken/9037702694/Sociale_atlas_van_vrouwen_uit_etnische_minderheden.pdf . DU

Keywords: position and participation of women from ethnic minorities, indigenous women, Turkish women, Moroccan women, Surinamese women, Antillean women, the Netherlands

This report presents a broad overview of the position and participation of groups of women from ethnic minorities living in the Netherlands. Most attention is focused on women from the four largest minority groups (Turkish, Moroccan, Surinamese or Antillean). Their position and participation are compared with those of indigenous women and with those of men from the same ethnic groups.

The authors also try to explain the differences they find. Most of the report however consists out of a description of the current state of affairs in various area's (political participation, societal participation, leisure activities, violence against women and girls, health, income, combination of work and care, paid work, education and integration). Also some attention is paid to policy making. The position of ethnic minority women, especially those of Turkish and Moroccan origin, is not infrequently regarded with impatience and even indignation, based on the view that they ought to adapt to Dutch society as quickly as possible and make up their shortfall relative to the rest of the community. The integration of immigrants in a new society can, however, take a great deal of time, especially if the cultural differences compared with the country of origin are large. The policy targeting ethnic minority women therefore ought to take more account of the lengthy nature of emancipation and integration processes. In the light of this, it is important that all manner of initiatives taken in recent years to improve the participation and position of ethnic minority women remain in place for an extended period – not least because the groups of women involved are large.

- 8) Sociaal Cultureel Planbureau and Centraal Bureau voor de Statistiek, *Emancipatiemonitor 2000 / Emancipatiemonitor 2002 / Emancipatiemonitor 2004 / Emancipatiemonitor 2006*. [Monitoring gender equality 2000/ Monitoring gender equality 2002/ Monitoring gender equality 2004/ Monitoring gender equality 2006]. Den Haag: Sociaal Cultureel Planbureau en Centraal Bureau voor de Statistiek. <http://www.scp.nl/publicaties/boeken/index.shtml> DU

Keywords: monitoring emancipation, the Netherlands

The 'emancipation monitor' is a series of bi-annual monitoring reports on the emancipation of women in different fields of Dutch society, providing data on progress made or on lack of progress. The *Emancipatiemonitor 2000* (Keuzenkamp and Oudhof) pays attention to education, paid and unpaid labour, income, political and social decision making and violence against women. It also contains critical comments on the availability of data, which are rich on labour, but rather poor on inequality in the private sphere.

The *Emancipatiemonitor 2002* (Portegijs, Boelens and Keuzenkamp) provides data on the same sections, but also adds a section on daily routine and on the information society. The *Emancipatiemonitor 2004* (Portegijs, Boelens and Oldshoorn) adds information on care tasks, on violence against girls, on effectiveness of career policy and on employer support for emancipation. The *Emancipatiemonitor 2006* (Portegijs, Hermans and Lalta) adds sections on economic independence of women. All reports have short summaries in English.

- 9) Visitatie Commissie Emancipatie. 2005. *Dat moet echt beter. Emancipatiebeleid en gender mainstreaming bij de rijksoverheid in 2005. Voorlopig beeld*. [Serious improvement needed. Gender equality and gender mainstreaming at the level of the national government in 2005. Interim report]. Den Haag: Visitatie commissie emancipatie. http://www.visitatiecommissie-emancipatie.nl/uploads/images/216/BUNDEL_ALLE_TUSSENRAPPORTAGES_-_VERSIE_060222.pdf . DU

Keywords: emancipation policy, gender mainstreaming, Netherlands Emancipation Review Committee, national government departments, interim report, the Netherlands

On 1 July 2004 the (coordinating) Minister of Social Affairs and Employment established the Netherlands Emancipation Review Committee (VCE). The Committee's task for the period until 2007 is to survey, assess, and stimulate the process of gender mainstreaming within the National Government. The position of black, migrant and refugee women and girls is a specific point of focus for the Committee. In 2005 the Committee published its interim reports. It consisted out of a summarizing report on all ministries and 12 departmental reports. The Committee's analysis reveals that in many cases attention for gender mainstreaming within the departments drops if there is no central stimulation and support for it within the department. Then little remains of the efforts to integrate emancipation objectives within regular policies. Furthermore the Committee notes that the interdepartmental supporting structure has weakened substantially in quality and intensity. These developments are interrelated. The Committee finds that in many departments necessary provisions for emancipation policy and gender mainstreaming are either absent or are scarcely functioning. For instance: clear and listed departmental emancipation objectives, the set-up of an internal emancipation committee or a network of contact persons, the listing of responsibilities and attention to the development of expertise among policy officials. All this has resulted in a situation in which many policy or managing officials are in fact not aware of their responsibilities to implement where possible the emancipation objectives of the Cabinet in their own work. The required knowledge and expertise are in the majority of departments restricted to a too limited number of civil servants.

10) Pels, Trees. 2004. *Emancipatie en gezin: in alle diversiteit een goed span*. [Gender equality, family and diversity]. Den Haag: Nederlandse Gezinsraad. <http://www.verwey-jonker.nl/images/dynamisch/essay%20debat%2029-01-04%20Emancipatie%20en%20Gezin.pdf>. DU

Keywords: emancipation policy, family policy, emancipation of women, allochtonous women, the Netherlands

This is a publication by the Dutch Family Council (NGR), an independent institution that connects scientific knowledge on the family to family policy and advises the government and societal organisations. Since 2007 the NGR has merged with E-quality. The author argues that the Dutch emancipation policy has come into a difficult phase. According to the average Dutchman women may work outside the home as long as the family does not suffer from it. If one wants the emancipation of women in the Netherlands to progress instead of stagnate, the Dutch emancipation policy needs to become more family conscious and next to this, the Dutch family policy must be opposed to gender inequality. Moreover, the Dutch emancipation policy has now shifted its attention to allochtonous women, who are doing even worse on the labour market. The family, motherhood and care are possibly of even greater importance where it concerns this specific group of women. Accordingly, the importance of whether the current emancipation policy will succeed is growing. The author tries to answer the following questions:

Under which conditions is a third emancipation wave amongst allochtonous women feasible? And: Could a partnership between emancipation policy and family policy offer a solution?

- 11) Kambel, Ellen-Rose and Sarah van Walsum. 2003. Zmv-vrouwen in het feministisch juridisch vertoog. [Black, refugee and migrant women in feminist legal discourse]. *Nemesis* 19:202-210. DU

Keywords: black women, migrant women, refugee women, intersectionality, Dutch law, anti-Islamic discourse, the Netherlands

In this article the authors review developments regarding the position of black, migrant and refugee women in the feminist juridical discourse.

- 12) Holtmaat, R., ed. 2002. *Een verdrag voor alle vrouwen: verkenningen van de betekenis van het VN-vrouwenverdrag voor de multiculturele samenleving*. [A Convention for all women: explorations on the importance of CEDAW in a multicultural society]. Den Haag: E-Quality experts in gender en etniciteit. <http://www.e-quality.nl/assets/e-quality/publicaties/def-vnverdrag2.pdf> DU

Keywords: CEDAW Convention, human rights, allochtonous people, minority policy, violence, health, family right, political participation, multiculturalism, the Netherlands

This report results from a conference that aimed at a systematic exploration of the importance and relevance of CEDAW in the context of a multicultural society. Its first part starts describing CEDAW norms and the procedures installed in New York for its implementation. It then gives an analysis of the problematic position of black, migrant and refugee women in Dutch society, analyzing also if the problems that these categories of women face are discussed within Dutch debates on the multicultural society. Its second part focuses on seven issues that are important under CEDAW: violence against women, right to health, problems of female asylum seekers, the position of women residing in the Netherlands as foreigner, the position of women with a non-Dutch partner, political participation of women, and reconciliation of work and family life. The report concludes that there are different positions in the Netherlands as to whether women's rights need to be defended at all times against cultural and religious values, and that the Committee on the Elimination of Racial Discrimination (CERD) is just as important for black, migrant and refugee women as CEDAW.

- 13) Botman, Maayke and Nancy Jouwe and Gloria Wekker, eds. 2001. *Caleidoscopische visies: de zwarte, migranten- en vluchtelingen-vrouwenbeweging in Nederland*. [Caleidoscopic visions: the black, migrant and refugee movement in the Netherlands]. Amsterdam: Koninklijk Instituut voor de Tropen. DU

Keywords: history of feminist movements of black, migrant and refugee women, ethnicity, intersectionality, multiculturalism, the Netherlands

This edited volume is a systematic exploration of activities and ideas of black, migrant and refugee women in the Netherlands. It gives an overview of the

studies and ideas on gender and ethnicity in the Netherlands (Wekker and Lutz), reflections on multiculturalism, ethnicity and the women's movement (Botman and Jouwe), inclusive curricula (Loewenthal), the organization of the feminist movements of black, migrant and refugee women (Deekman and Hermans), on literature, theater and movies (Hoving and Mesters), and on identities (Captain and Ghorashi). It shows that gender and ethnicity is scarcely addressed in Dutch academic work, while the colonial history of the country necessarily leads to the need for such studies. The book strongly promotes the concept of intersectionality as a productive concept for such studies.

- 14) Kambel, Ellen-Rose. 2001. Op het kruispunt van sekse en etniciteit, ZMV-vrouwen in het Nederlandse werkverkeer. [On the intersection of gender and ethnicity. Black, migrant and refugee women on the Dutch labour market]. *Nemesis* 17: 103-106. DU

Keywords: black women, migrant women, refugee women, intersectionality, Dutch Equal Treatment Commission, Dutch equal treatment law, labour market discrimination, the Netherlands

From the experiences of black, migrant and refugee women it appears that discrimination is more than the addition sum of race plus sex. Their experiences differ from white female as well as from black men. In the current Dutch equal treatment law the different grounds of discrimination are so to speak being separated and piled up. The dynamics of multiple discrimination grounds gets lost in this way. Approaching the issue from an intersectional way of thinking could be promising. In this article the author focuses the way the Dutch Equal Treatment Commission and equal treatment law deals with discrimination of black, migrant and refugee women on the labour market and whether the law and the work of the Commission give evidence of intersectional thinking.

- 15) Evenhuis, Carien. 1999. Gender en leeftijd: verdere verkenningen. Het leeftijds criterium als verouderde sociale constructie. [Gender and age: some explorations. Age criteria as obsolete constructions]. *Nemesis* 15: 42-51. DU

Keywords: age discrimination, women, social construction, legislation, the Netherlands

Is age as a ground of discrimination comparable to sex or ethnicity as grounds of discrimination? The author of this article argues that age is merely an outdated social construction that is in need of revision. Moreover age as a distinguishing criterion is a social construction that involves fundamental gender aspects. The difficulties women are confronted with regarding age criteria differ from those met by men. The image of older women, the age construction within organisations and the life cycle are critically looked at in this article. Next to this the legislative developments regarding age discrimination in the Netherlands are considered.

- 16) Lünemann, K.D. and M.L.P. Loenen and A.G. Veldman, eds. 1999. *De onzichtbare standaard in het recht: in- en uitsluiting van vrouwen, etnische minderheden en homoseksuelen in het familierecht, arbeidsrecht en strafrecht.*

[Invisible legal standards: inclusion and exclusion of women, ethnic minorities and homosexuals in family law, labour law and criminal law]. Deventer: Kluwer. DU

Keywords: inclusions and exclusions in law, women, ethnic minorities, homosexuals, family law, labour law, criminal law, the Netherlands

The articles included in this book are grouped according to the corresponding fields of law. The accent in each of the articles is on inclusion and exclusion by law. First exclusion mechanisms in the field of family law are being analysed, next in the field of labour law and finally in the field of criminal law. The book finishes with a synthesis. In this book three ways of exclusion are distinguished: direct discrimination, indirect discrimination and harming because one does not live up to the dominant norm. Articles that could prove to be relevant in the framework of QUING are: 'De onzichtbare standard in het familierecht: seksualiteit' [the invisible standard in family law: sexuality] written by A.M. Mattijssen and F. van Vliet, 'In – en uitsluiting van homoseksuelen, vrouwen en etnische minderheden in het familierecht: een poging tot vergelijking' [the inclusion and exclusion of homosexuals, women and ethnic minorities in family law: an attempt at comparison] written by K.R.S.D. Boele-Woelki, 'Waarborgt het arbeidsrecht gelijke behandeling ongeacht seksuele gerichtheid' [Does labour law guarantee equal treatment irrespective of sexual orientation] written by K. Wentholt, 'Standaarden in het arbeidsrecht: de in- en uitsluiting van vrouwen' [Standards of family law: the inclusion and exclusion of women] written by Y. Konijn, 'Publiek geweld als standaard. Vrouwen als slachtoffer en dader van privégeweld' [Public violence as a standard. Women as victims and perpetrators of private violence] written by K.D. Lünemann, and 'De seksuele voorkeur van het strafrecht' [the Sexual preference of criminal law] written by M. Moerings.

- 17) Veldman, Albertine. 1998. De homoseksuele vrouw, haar geliefde, hun treinkaartjes en het recht. Juridische beoordeling van (indirect) onderscheid op meerdere discriminatiegronden tegelijk. [The homosexual woman, her lover, their train tickets and law. Legal evaluation of (indirect) multiple discrimination]. *Nemesis* 14:1-4. DU

Keywords: discrimination on multiple grounds, Dutch Equal Treatment Commission, Dutch General Law on Equal Treatment, the Netherlands

In a recent lawsuit dealt with by the European court of justice (*Grant v South-West Trains*, C 249/96) the Solicitor-General was of the opinion that homosexual discrimination can be a direct form of sex discrimination. The author uses this case to discuss the fact that the Dutch Equal Treatment Commission (responsible for the maintenance of the General Law on Equal Treatment) is being confronted more and more with cases in which a choice must be made between overlapping grounds of discrimination. The author pleads for a clear juridical method in the testing of complex discrimination cases.

- 18) Van Baalen, Anneke. 1997. Asiel in wonderland. De patriarchalisering van vluchtelingen. [Asylum in wonderland. The patriarchalisation of refugees]. *Tijdschrift voor Vrouwenstudies* 18:418-432. DU

Keywords: patriarchalization of refugees, Dutch asylum policies, inequality between women and men, 'otherness', orientalism, the Netherlands

Dutch asylum policies are not based on the text of the Convention of Geneva of 1951 nor on other relevant treaties, but on considerations of 'national interest'. Their growing restrictiveness is legitimised by the complex images and ideas on 'other cultures' which Edward Said analysed as 'orientalism'. In this article the author argues that this 'orientalism' is not a sex-neutral phenomenon. It is a way of denying the inequalities between women and men in Western countries and projecting them into the concept of 'other cultures'. By this operation the ability of women as well as of men to adapt to Western 'rationality' is denied. For this reason it is not only necessary to criticize generalized ideas on the 'primitive' relations between women and men in non-western countries, but also to keep unearthing the hidden patriarchal aspects of the relation between women and men in Western countries - especially in the Netherlands, where smaller numbers of women are presented in positions of power and prestige than in many 'undeveloped' countries.

19) Vleuten, Tineke van. 1995. Leef tijds- en vrouwendiscriminatie. Het gendered karakter van het leeftijds criterium. [Age discrimination and discrimination of women. The gendered character of age criteria]. *Nemesis* 11:112-121. DU

Keywords: gendered character of age discrimination, women discrimination, the Netherlands

In this article the author shows that there exists a close relation between age discrimination and discrimination of women. Until now, this relation has not been taken into account enough within the study of age discrimination. Also the juridical state of affairs concerning age discrimination is described.

1.2 English sources

20) Roggeband, Conny and Mieke Verloo. 2007. Dutch women are liberated, migrant women are a problem: the evolution of policy frames on gender and migration in the Netherlands (1995-2005). *Social Policy and Administration* 41 (forthcoming June). EN

Keywords: migration policy, gender, migrant women, gender equality policy, minority policies, integration, policy framing, policy effects, the Netherlands

Over the past decade, there has been a major shift in Dutch gender equality policy to an almost exclusive focus on migrant women. Simultaneously, the focus of "minority policies" has shifted more and more towards gender relations. The appearance of migrant women on top of the political agenda is remarkable. In this paper we examine how this construction of migrant women as a political problem has come about, and consider its implications. As we argue, the dominant policy frames of emancipation and individual responsibility are reinforcing a dichotomy between the autochthonous "us" and the allochthonous "them". As the problem is increasingly defined as a cultural problem, it is implicitly stated that there is no

problem with the dominant culture and society. Barriers for participation are exclusively located in the migrant (Muslim) culture. In this view, Muslim migrants should first change their culture before they can fully integrate in Dutch society.

- 21) Boer, Margreet de and Marjan Wijers. 2006. *Taking Women's Rights Seriously? An examination of the fourth report by the government of the Netherlands on implementation of the UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), 2000-2004*. Utrecht: Humanist Committee on Human Rights.
http://www.emancipatieweb.nl/uploads/1896/NLschaduwrapportage_2006.pdf EN

Keywords: shadow report, Dutch NGO's, CEDAW, fourth national report, the Netherlands

This shadow report has been submitted on behalf of 29 Dutch NGO's representing women's rights and women's emancipation. This document consists of two parts. The first part starts with an analysis of Dutch emancipation policies, including the emancipation of migrant, refugee and minority women, and of the general attitude of the Dutch government towards women's rights and its obligations under CEDAW. It then presents a summary of the main issues raised in the second part of the report, followed by the conclusions of the Dutch NGOs on the question: does the Dutch government take its CEDAW obligations seriously? The second part of the document examines the various individual articles of CEDAW and their implementation in the Netherlands. Among other things, an important issue that is being raised in this report is the stereotyping of black, immigrant and refugee women. Discrimination and violence against women are presented as problems typically linked to migrant communities and ethnic minorities, rather than an issue that runs through all cultures, including the Dutch. Concerning the role of the government in the emancipation process, the report states that the Dutch government is merely playing lip service to its two track policy. The coordinating and initiating role of the state regarding emancipation has been almost abandoned, instruments like gender impact assessments are hardly used, NGO's have disappeared due to state funding cuts, gender mainstreaming is failing and government emancipation policies have shrunk to the integration of migrant, refugee and minority women. The NGO's conclude that the government is not taking its CEDAW obligations seriously.

- 22) Prins, Baukje and Sawitri Saharso. 2006. Cultural diversity, gender equality: the Dutch case. Paper prepared for the workshop on 'Gender Equality, Cultural equality: European comparisons and lessons, June 8-9, Vrije Universiteit Amsterdam, The Netherlands. EN

Keywords: integration policy, emancipation policy, immigrant women, new realist discourse, the Netherlands

In this paper the authors take a critical look at the integration policy of the Netherlands. The authors notice a 180 degrees shift in the problem analysis that underlies the Dutch integration policy from viewing minority culture as promoting integration (the accent of policy is on socio-economic integration) to minority culture as a handicap and a potential threat to integration (the main accent of

policy lies on cultural integration as a prerequisite for socio-economic integration). At the same time, immigrant women and more specifically Islamic women moved from the margins to the centre of the integration policy and are now seen as important agents of change, since they are the ones who are principally responsible for taking care of and educating their children. In the Dutch emancipation policy some rather parallel shifts are noticeable. In the emancipation policy, like in the integration policy, the focus is now on immigrant women. They are seen as important cultural brokers upon whom the integration of their community is dependent, but also, particularly in the emancipation policy, as victims of their oppressive cultures. To illustrate these points of view the authors successively discuss the public debate on immigration and integration (they identify a discourse of 'new realism'), the role of gender in the public debate (this new realist discourse is highly gendered), national policy issues (hijab and burka, forced marriages and abandoned spouses, female genital cutting, family violence), the shift of immigrant women from the margins to the centre (from a multicultural model towards an ethno-cultural model) and Dutch peculiarities.

- 23) Roggeband, Conny and Mieke Verloo. 2006. Evaluating gender impact assessment in the Netherlands (1994-2004): a political process approach. *Policy and politics* 34:615-632. EN

Keywords: gender mainstreaming, political process approach, the Netherlands

This article applies a political process approach to the analysis of pioneering Dutch efforts to develop and use gender impact assessment (GIA). Analysing the success and failure of the Dutch GIA, both at the level of structure (in terms of political opportunities, including discursive opportunities) and at the level of agency (in terms of mobilising networks and strategic framing), this article studies the construction, implementation and evaluation of the instrument over a 10-year period, contributing to a more theoretical understanding and to the further practical development of gender mainstreaming practices.

- 24) Saharso, Sawitri and Odile Verhaar. 2006. Headscarves in the police force and the court: Does context matter? *Acta politica* 41:68-86. EN

Keywords: contextualism, headscarf, moral theory, multiculturalism, public office, state-neutrality, the Netherlands

In questions of tolerance to cultural minority practices, one usually follows a deductive approach, in which one first establishes the limits of tolerance in principle and then determine whether or not a particular practice is consistent with them. The reason is that principles are considered 'fundamental' whereas other considerations are 'contingent'; hence the outcomes of reasoning on principle are considered more 'pure' and fair. Critics, however, claim that this deductive approach cannot adequately deal with the particularities of actual moral reasoning and therefore propose a 'contextual approach' to matters of tolerance. This paper explores the possibilities of that approach by discussing two cases from that perspective: the wearing of the 'Islamic' headscarf by teachers of public schools and by (uniformed) police officers in the Netherlands. The authors concentrate on the claim that a contextual approach furthers social stability or 'peace' more than

a deductive approach because it produces solutions that are more widely acceptable. They also discuss possible disadvantages of a contextual approach, in particular the risk that it results in a form of 'moral casuistry'.

- 25)Wekker, Gloria. 2004. Still crazy after all those years...: Feminism for the new millennium. *European Journal of Women's Studies* 11: 487-500. (also available on the web: http://igitur-archive.library.uu.nl/let/2007-0224-201815/wekker_04_still.pdf). EN

Keywords: gender, gender and ethnicity, intersectionality, interdisciplinarity, processes and practices of racialization, reflexivity, relationality, transnationality, the Netherlands

The author argues for passing on a particular brand of feminism to next generations. The cultural archive (after Said) to be passed on should be transnational, intersectional, interdisciplinary, relational and reflexive. In particular, the author focuses on processes and practices of racialization as they impact on and are practised within the discipline. In the current backlash against feminism and women's studies in different parts of Europe, frequently divisionary tactics are deployed, by which women are pitted against each other, based on assumed immutable differences which are conceived of as either 'raciological' (after Gilroy), ethnicized or as cultural, in such a way that 'race' enters again through the back door. The author argues that we need a European brand of feminism that is not complicit with the legacies of modernity, which continue to construct 'race'. That is, we should be deeply concerned with thinking through the parameters of viable anti-racist European women's studies. By analysing various case studies, taken from the everyday Dutch reality at the beginning of this new millennium, the author shows the necessity and inescapability of the feminism she advocates.

- 26)Saharso, Sawitri. 2003. Culture, tolerance and gender. A contribution from the Netherlands. *The European Journal of Women's Studies* 10:7-27. EN

Keywords: multiculturalism, tolerance, women's rights, gender inequality in minority cultures, headscarves, hymen repair, public policy, feminism, the Netherlands

Defenders of multiculturalism have been recently criticized for failing to address gender inequality in minority cultures. Multiculturalism would seem incompatible with a commitment to feminism. This article discusses two empirical cases that pose a problem for public policy in the Netherlands: a conflict over wearing headscarves (hijab) and requests for surgical hymen repair. These cases evoke widespread public controversy, in part because they are presumed to express or accommodate traditions in violation of women's rights and thus raise the question of tolerance. While recognizing the potential discrepancies between feminism and multiculturalism, the author argues that committed feminists can be multiculturalists as well, and that good feminism might well require acts of multiculturalism. In addition, she advocates a contextual approach to tolerance. Her argument is that general justice arguments are too indeterminate to make for good judgement in concrete cases. The national political culture and institutional setting in which multicultural conflicts take place should be considered as morally relevant factors and co-determine our moral considerations. The dispute over

feminism and multiculturalism cannot be settled in abstracto. Using a contextual approach, the author argues that wearing a headscarf and hymen repair are justifiable and consonant with feminist concerns in the Dutch educational and medical contexts.

- 27) Verloo, Mieke and Ilse van Lamoen. 2003. *Policy frames and implementation problems: the case of gender mainstreaming. State of the art and mapping of competences in the Netherlands*. Nijmegen: University of Nijmegen.
<http://www.mageeq.net/docs/holland.pdf> . EN

Keywords: emancipation policies, gender mainstreaming policies, bibliography on academic research, the Netherlands.

This state of the art report on Dutch emancipation policies and gender mainstreaming in the Netherlands was written within the framework of the Mageeq research project. Mageeq is an international research project funded within the European Commission's 5th Framework Program. The main results the project delivered are a set of country studies (Austria, Greece, Hungary, the Netherlands, Spain and Slovenia), a EU study on the various ways gender inequality is framed as a policy problem, a validated method for the assessment of inconsistencies in gender equality policy frames between national and EU levels, and a conceptual framework on various dimensions of gender equality policy frames validated in a comparative analysis and in international and national debates. In preparation of the country studies a state of the art report was written on each of the countries and on the EU. The Dutch report includes an excellent bibliography of academic research on the Dutch emancipation and gender mainstreaming policies for the period 1995-2003.

- 28) Holtmaat, Rikki. 2000. *Defective acceleration: the Dutch emancipation policy: the implementation of the UN Women's Convention in the Netherlands in 1999*. Den Haag: E-quality, <http://www.e-quality.nl/assets/e-quality/nieuws/cedaw.html> EN

Keywords: shadow report, CEDAW, second and third national report, the Netherlands

This shadow report is based on the second (dating from November 1998) and third (dating from September 2000) Dutch government reports to the Committee on the Elimination of Discrimination against Women. A total of 24 Dutch NGO's representing women's rights and women's emancipation contributed to and/or subscribed this shadow report. As the title indicates, the presenters express their concern about the defective implementation of the Women's Convention by the Dutch Government. According to them the Dutch emancipation policy is currently stagnating. Although much research has been published that indicates the causes of this stagnation, the government is failing to actively and concretely implement the recommendations that were made by the researchers. The presenters are disappointed that both in the second and third reports and in the most recent government Emancipation Policy Plan most of the 'measurements' that the government announces are again studies and reports on subjects that already have been studied extensively in the past. The examples of more concrete projects to improve the position of women that are given in both reports are often

not initiatives of the central government itself, but are the result of initiatives at a local level, often in close connection with grass roots organizations. These projects frequently have to deal with the fact that subsidies are temporary and that pilots are not followed up by structural measures. The presenters also wonder how the Dutch government intends to safeguard the Women's Convention's explicit vision of improving the position of *women*, after altering the aims of the Convention into the neutralized aims of 'promoting diversity' and 'cultural change'. The main part of the shadow report examines the various individual articles of CEDAW and their implementation in the Netherlands. At the end of each section requests are being made towards CEDAW (directly) and the Dutch government (indirectly).

- 29) Nederlands Juristen Comité voor de Mensenrechten (NJCM). 2000. *Commentary on the second and third periodic report of the Netherlands on the implementation of the convention on the elimination of all forms of discrimination against women*. Leiden: NJCM. <http://www.njcm.nl/upload/cedaw.PDF> EN

Keywords: commentary, implementation CEDAW, diversity, mainstreaming, specific attention for women, the Netherlands

In this commentary, the Dutch Section of the International Commission of Jurists (NJCM) expresses its concern about the stagnating process of progressive implementation of the Women's Convention in the Netherlands. In several areas, such as the participation of women in decision making, combating sexual violence, and equal pay for work of equal value, statistics show little progress. Nevertheless, in many of these areas there is no mention of comprehensive action plans. Another cause for concern is the increasing tendency to mainstream. Although the growing emphasis on 'diversity' and 'cultural change' is laudable in itself, the simultaneous decrease in - explicit - attention for gender issues is worrying both for women belonging to dominant groups in society, but in particular for women belonging to marginalized groups. The NJCM is of the opinion that a two-way-approach, i.e. both mainstreaming and specific attention for (groups of) women is indispensable.

- 30) Asscher-Vonk, Irene. 1995. *Equality in law between men and women in the European community: The Netherlands*. Dordrecht: Martinus Nijhoff Publishers / Luxembourg: Office for official publications of the European Communities. EN

Keywords: legal framework, equal opportunities, European Community, implementation of EC Directives, interpretation of EC Directives, member states, European Court of Justice, the Netherlands

Equality in law between men and women in the European Community is an integral part of the EC's social policy and crucial to its economic and social cohesion. This book is part of a 15-Volume Encyclopaedia that analyses the legal framework for equal opportunities which now exists in the Community due to the adoption of EC Directives on equal treatment, equal pay and social security, and to the work of the European Court of Justice in this area. It looks at how the EC Directives have been implemented and interpreted in each Member State (in this case the Netherlands), and at the other legislative and constitutional provisions

affecting the principle of equality. All the principal legal provisions are reproduced or translated. Extracts from or digests of national case law are also included. Each volume is structured so that Member States' provisions on equality can be directly compared.

1.2.1 Comparative studies

31) Vleuten, Anna van der. 2007. *The price of gender equality. Member states and governance in the European Union*, Aldershot: Ashgate

Keywords: gender equality policies, European Union, international relations theoretical framework, EU member states

This thoroughly researched, well-documented book presents a theoretically guided empirical analysis of developing and implementing gender equality policies in the European Union (EU). In spite of a wealth of research, many questions have long remained unanswered and these are addressed here. The author developed an international relations theoretical framework in order to explain the changing fortunes of women's activism, the changing attitudes of European institutions and the behaviour of member states in a multi-level setting. The book traces the history and development of EU gender policy to the present day and will be inspirational reading for those interested in European governance and the European Union, as well as gender issues and political sociology.

32) Van der Vleuten, Anna. 2005. Pincers and prestige: Explaining the implementation of EU gender equality legislation. *Comparative European Politics* 3 (4): 464–88. EN

Keywords: Policy analysis, European Union, Gender equality policy general, compliance, France, Germany, the Netherlands

This paper answers the question, under which conditions compliance with a supranational agreement can be obtained in cases in which a member state is unwilling to comply. It shows that the willingness to implement depends on the economic and ideological costs of policy change and on the amount of pressure exercised by societal actors. An unwilling state decides to comply when its prestige is at risk and it is 'squeezed between pincers', put under pressure by supranational and domestic actors simultaneously" (p. 464). This paper analysis the implementation of EU gender equality policies in France, Germany and the Netherlands between 1958 and 2000.

33) Beveridge, Fiona. 2000. Same song – different tunes: a lesson in harmony singing? In *Making women count: Integrating gender into law and policy-making*, ed. Fiona Beveridge and Sue Nott and Kylie Stephen, 191-222. Aldershot: Ashgate. EN

Keywords: Policy analysis, gender equality policy general, impact of EU law, Ireland, the Netherlands, Portugal, Spain, Sweden, the United Kingdom

This chapter aims at exploring the apparent harmony between the EU and the Member States concerning first generating equality strategies, i.e., anti-discrimination strategies. The author starts by exploring the nature and extent of the EU's guarantee of equality and then, analysis the impact of EC law in some Member States. More precisely, Beveridge examines "the extent to which particular features of the national landscapes disrupt the harmony which EU law seeks to promote" (p.192). She concludes that, within the scope of its competencies, the EU has in general been an important driver of equality laws and policies within the Member States, though its effects vary considerably concerning the country.

2 Non-employment

2.1 Dutch sources

- 1) Klein, Marian van der. 2005. *Ziek, zwak of zwanger: vrouwen en arbeidsongeschiktheid in Nederlandse sociale verzekeringen, 1890-1940*. [Sick, weak or pregnant: women and incapacity for work in Dutch social security]. Amsterdam: Aksant. DU

Keywords: paid labour, social security, legislation, labour unions, women's movement, pregnancy, motherhood, the Netherlands

This book is about female breadwinners and mothers in the Netherlands from 1800 till 1940, and the entitlements provided to them by the state when they were unable to work due to childbirth or occupational disability. Three questions take central stage: What impact did the first social insurance acts have on women, or more specifically, what impact did these acts have on women as individuals, and on their personal finances and position on the job market? How did the Dutch women's movement contribute to the debate on legislation? And what do these laws reveal about the Dutch state's position on women as breadwinners and mothers?

- 2) Keuzenkamp, Saskia, ed. 2004. *Een EER voor de levensloopregeling*. [A gender impact assessment on the Life-course saving scheme]. Den Haag: Ministerie van Sociale Zaken en Werkgelegenheid. DU

Keywords: emancipation impact assessment, Life-course saving scheme, leave arrangements, pre-pension arrangements, labour market participation of women, economic independence of women, participation of men in care tasks, division of paid and unpaid work, the Netherlands

At the request of the Dutch Minister of Social Affairs and Employment the Social and Cultural Planning Office (SCP) compiled an 'Emancipation Impact Report' in order to assess the emancipation effects of the proposed Life-course Savings Scheme (Levensloopregeling). In concrete terms, SCP was asked to assess the impact of the Scheme on the labour market participation and economic independence of women, the participation of men in care tasks and the division of paid employment and unpaid household work between men and women. The

plausibility of the assumptions on which the Life-course Savings Scheme is based was assessed on the basis of a literature study and analysis of available data, and an assessment was made of what this means for the anticipated use of the Scheme. In particular, the scope offered by the Scheme for (the funding of) parental leave, long-term care leave and pre-pension arrangements was investigated. The potential impact of the Scheme was also examined for different categories of employees: men and women, employees in different phases of life, with varying educational and income levels and of varying ethnicity. All in all, the authors conclude at the end of the impact report that the Life-course Savings Scheme is more important for the possibilities it offers for funding pre-pension arrangements (particularly for the higher income groups) than for combining work and care. The Scheme does virtually nothing to bring closer the government's emancipation objectives.

- 3) Westerveld, Mies. 2003. Bijstandmoeders en arbeidsplicht: En wat doen Bunnik en Oude Pekela? [Women on welfare and application duty. What are small cities doing?]. *Nemesis* 20: 75-78. DU

Keywords: description, application duty, women on welfare, the Netherlands

The author describes new legislative developments regarding the application duty for women on welfare.

- 4) Tijdens, Kea and Cecile Wetzels. 2002. Gevraagd: herintreedsters. De toenemende aandacht voor herintredende vrouwen. [Wanted: women who want to reintegrate on the labour market. The increasing attention for women who reintegrate on the labour market]. *Nemesis* 18:39-45. DU

Keywords: labour participation of women, labour market reintegration of women, policy, the Netherlands

The responsible politicians would like to see the labour participation of women increase from 51% to 65% in 2010. This increase for a major part has to be constituted by the reintegration of women into the labour market. However, the existing knowledge on this group is very limited. In this article, the authors try to fill this gap a little. They first go into the question how realistically an increase in labour market participation of women up to 65% actually is. After that, they discuss under what conditions women would like to reintegrate into the labour market. Next, they analyse the characteristics of the recent cohorts of reintegrating women to get an idea about future reintegrating women. Subsequently they discuss the job features of recent women that reintegrated. Finally, they formulate some policy recommendation on the basis of their analysis.

- 5) Westerveld, Mies. 2002. Uw arbeid, onze zorg? De Wet arbeid en zorg onder de loep. [Your labour, our care? A closer look at the Law on labour and care]. *Nemesis* 19: 29-38. DU

Keywords: critical examination of law, Law on Labour and Care, the Netherlands

In this article, the author critically examines the contents of the individual chapters of which the new Law on labour and care (that entered into force in December 2002) is composed of. One of the chapters of this law is still empty, namely the one that is supposed to be on long term leave. The author discusses existing plans on this chapter. She concludes the article with some personal observations.

- 6) Akkerman, Tjitske. 2001. *Werk, werk, werk! Een derde weg?* [Work, work, work! A third way?]. *Tijdschrift voor genderstudies* 4: 5-12. DU

Keywords: welfare-to-work policies, welfare state restructuring, General Assistance Act, social democratic approach, neo-liberal approach, third-way approach, women, the Netherlands

Welfare-to-work policies have acquired a prominent role in the restructuring of welfare states during the 1990s. Three approaches can be distinguished: a social-democratic, a neo-liberal and a 'third way' approach. In this article it is argued that the 'third way' approach – that is a mixture of sanctions and social assistance – predominates in the Netherlands. In this approach the balance between the principal of equal opportunities and individual responsibility is delicate. It is potentially a women-friendly approach, but individual responsibility should be placed in a broader context. Its scope should be broadened to include the gendered segregation of the labour market.

- 7) Asscher-Vonk, I.P. 2001. *De sociaal(verzekerings)rechtelijke positie van de verlofganger en de loopbaanonderbreker: puzzels en gaten.* [The social security position of workers on leave or on career break: some puzzles and gaps]. *SMA (Sociaal Maandblad Arbeid)* 56: 376-382. DU

Keywords: legal consequences, leave, career break, social security, labour and care, the Netherlands

This article maps out the consequences and problems of a new proposal for a law on labour and care, especially the consequences for those persons who will make use of this law to facilitate reconciliation of labour and care by reducing working time or by choosing for a career break. It describes the content of the new proposal, and shows that there are important negative social security consequences for persons who choose for a longer break than 18 months, and for persons whose contract ends in the period of the break. In general, all persons who get sick during their leave or break are not well covered, and women can expect problems when they get pregnant during the period of leave or career break.

- 8) Burri, Susanne. 2001. *En ze zorgden nog lang en gelukkig? Van deeltijd- naar levensloopbeleid.* [They cared ever after? From policies on part time work to policies on the life course]. *Nemesis* 17: 70-78. DU

Keywords: part-time work, labour market position of women, fulltime norm, government policy, the Netherlands

If part-time work is to become a real option for both men and women, the dominance of the fulltime norm should be broken. An integral approach aimed at structural changes is needed. In this article the central question is what government policy concerning part-time work so far has delivered. First of all, the disadvantages and risks for to the labour market position of part-time working women will be indicated. After that, the central aspects of the current part-time and leave policies are discussed. To conclude, some suggestions for new policy are presented.

- 9) Ruitenbergh, Justine. 2001. Vrouwen vaker in de WAO: sekseverschil of gender-issue? [More women in incapacity for work schemes: sex difference or gender issue?]. *Tijdschrift voor Genderstudies* 4: 34-39. DU

Keywords: disability pension, women and work, gender perspective, stereotype perceptions, masculinity, femininity, masculine organisation culture, the Netherlands

The large amount of employees appealing to a disability pension stays a political and societal problem in the Netherlands. Since it has become known that a majority of this group consists of women, one has started to search for answers to the question why women have a higher chance of becoming incapacitated for work. Four explanations are being indicated by the government: unfavourable labour circumstances, combination of work and private life, the absence process (the company doctor/family doctor are supposed to be milder towards women) and the idea that women would be less assessable. The author argues that this search for explanations should be approached from a gender perspective, which means that one tests deliberately which stereotype perceptions about masculinity and femininity are influencing certain questions. In this article, the author clarifies the four explanations mentioned before from such a gender perspective and shows why it is important to look at the issue in this way. She also suggests a fifth possible explanation that is worth investigating, namely uncovering the current masculine organisation culture.

- 10) Verdonk, Petra and Maria Peeters and Sabine Geurts. 2001. *Vrouwen: arbeidongeschied of arbeidsondergeschied? Een uitgebreide literatuurstudie naar het arbeidsongeschiedtheidsrisico van vrouwen*. [Women: incapacitated for work or subordinated in work? An extensive bibliography on women and the risk to become incapacitated for work]. Nijmegen: wetenschapswinkel van de KUN. DU

Keywords: literature study, women and work, incapacitated for work, disability pension, sex stereotyping, emancipation, the Netherlands

This literature study investigates the risk of women to become incapacitated for work. The research was commissioned by the women's section of the FNV labour union. The leading question of the research is why women more often than men belong to the group of people calling upon a disability pension (WAO)? The final conclusion the authors draw from their study is that there is no question of a specific problem concerning women's incapacity for work, but that it is rather a problem of emancipation. Sex stereotyping still has a major influence on societal processes and individuals. Women are confronted with a glass *front door* before they even are confronted with the notorious glass *ceiling*. The question should not

be 'what is the matter with these women who cannot work?', but rather 'what is the matter with labour?' The whole discussion on the labour incapacity of women makes turbid the real problems of women: they are not incapacitated for work to a higher extent than men; they are just more subordinated when it comes to work.

- 11) Bouwens, W.H.A.C.M. 2000. Studeren in de bijstand. [Studying on welfare]. *SMA (Sociaal Maandblad Arbeid)* 55:435-446. DU

Keywords: General Assistance Act, studying, women on welfare, the Netherlands

In this article the author discusses the Dutch regulations concerning studying at a higher education institute while preserving ones social security benefits. He studies two judgements by two different judicial institutions (the 'Hoge Raad' and the 'Centrale Raad van Beroep'). In both cases the central question was whether the woman concerned was allowed to preserve her social benefits while studying. What role did indirect discrimination on the basis of sex play in these two cases? The author also goes into the plans of the Cabinet to widen the possibilities to study while receiving welfare.

- 12) Dierx, J.R. and Y.K. Grift and J.J. Schippers. 1999. *Emancipatie-effectrapportage verkenning belastingstelsel van de 21^{ste} eeuw: Rapport opgesteld in opdracht van en uitgebracht aan het ministerie van Financiën*. [Gender impact assessment on the proposal for a tax system for the 21st Century. Report commissioned by the Ministry of Finances]. Utrecht: Institute of Economics, University of Utrecht. DU

Keywords: gender impact assessment, wage and income taxation, Dutch fiscal policy, individualization, transferable tax free allowance, the Netherlands.

The gender impact assessment on 'the revision of taxation 2001' performed by external academic experts, follows the lines of the Verloo / Roggeband standard and focuses especially on the proposed changes in the wage and income taxation. Firstly, an overview is provided of the current situation and trends, framed in terms of structures, processes and (unequal) division of recourses. Secondly, a description and analysis of the new policy plan is given, together with a description of potential effects. Finally the potential results of the policy plans are evaluated in terms of compliance with the current equal opportunities policy, the principle of equal treatment and the criteria of pluriformity and autonomy. The authors conclude that the individualisation of the income taxes is a real step forward. In fact, the replacement of the transferable tax free allowance by a individual levy rebate is evaluated as a big breakthrough within Dutch fiscal policy. There is considerable less enthusiasm, however, for the fiscal treatment of the combination of work and care. According to the authors, the policy plan, despite the principle of individualisation, still has a strong preoccupation with the potential (income) effects for the single earner on a low income. There is much less attention for the 'new' employee, who tries to combine paid and unpaid work. Especially the fiscal treatment of children and child care facilities is deemed inadequate. As in the current system, costs of child care are deductible, but only after a rather high threshold. As an alternative the authors suggest that the 'first' cost (up to a maximum) should be deductible, instead of the 'last' costs (after a certain threshold). At a more general level, the authors conclude that the policy

plans strongly focuses on encouraging participation; there is much less emphasis on (the preconditions of) economic independence and the equal sharing of paid and unpaid work.

- 13) Bussemaker, Jet. 1995. Individualisering als paradox. Zelfstandigheid en persoonlijke levenssfeer naar aanleiding van de Algemene Bijstandswet. [Individualisation as a paradox. Independence and personal life in the General Assistance Act]. *Nemesis*, essay collection titled 'Publiek geheim. Deprivatisering van het vrouwenleven' [Public secret. Deprivatization of women's life]: 31-43. DU

Keywords: essay, feminism, women's movement, welfare state, societal spheres, General Assistance Act, gender equality, independence, the Netherlands

This is one of the essays from an essay collection published by 'Nemesis', a Dutch journal on women and law. The coordinating theme of this collection is the intervention by the state in the private life of women. Modern feminism has always taken an ambivalent standpoint regarding the welfare state. On the one hand it has criticised a number of the foundations of the welfare state, like the breadwinner model. On the other hand the women's movement also called upon the very same welfare state in order to improve the position of women, for example by expanding the care facilities and social rights for women. The distinction between societal spheres has played a major role in this. The feminist movement so to speak has broke through the boundaries between those societal spheres. After a quarter of a century one can maybe draw up the balances to see what this 'breaking of boundaries' has delivered. Can one witness progress? In this essay, the author uses the example of the General Assistance Act to discuss a number of problems having to do with relations between the sexes, societal spheres and independence.

- 14) Geffen, Marleen van. 1995. Stand by in de bijstand. Verstrekende gevolgen van de nieuwe Abw. [Stand by on welfare. The important consequences of the new General Assistance Act]. *Nemesis* 11:153-162. DU

Keywords: women, General Assistance Act, legislation, the Netherlands

In this article, the author describes and criticizes the new Dutch General Assistance Act. She specifically focuses on those aspects of the new law that will have the biggest impact upon the lives of women living on social security, like the application duty.

- 15) Westerveld, Mies. 1995. Werk, werk en nog eens werk, maar wat moet daaronder worden verstaan? [Work, work, and work again, but what do we mean when we say work?] *Nemesis* essay collection titled 'Publiek geheim, Deprivatisering van het vrouwenleven' [Public secret. Deprivatization of women's life]: 93-103. DU

Keywords: essay, women's private lives, state intervention, economic progress, labour law, social security law, the Netherlands

This is one of the essays from an essay collection published by 'Nemesis', a Dutch journal on women and law. The coordinating theme of this collection is the

intervention by the state in the private life of women. In this essay the author shortly summarizes past developments that have taken place in the Netherlands regarding state intervention in women's private lives. Next to this, she discusses the most recent developments in the field of labour and social security law and whether women can take advantage of these changes. After that the author argues on the basis of some recent examples that government measures aiming to improve the economic progress of women practically almost encroach on the private sphere of both men and women. To end with, the author discusses two personal conclusions regarding the theme of the essay.

2.1.1 Comparative studies

16) Bruijn, Jeanne de and Irma Reçi and Inge Bleijenbergh. 2003. *Levensloop en combineren: arbeid en zorg in Engeland, Nederland en Zweden*. [Life course and reconciliation; labour and care in England, the Netherlands and Sweden]. *Sociale wetenschappen* 46: 21-41. DU

Keywords: life course patterns, women's labour market participation, social policy arrangements, caring and working, social citizenship based on care, the Netherlands, Sweden, the United Kingdom

The freedom to shape one's own life is one of the core concerns of the modern life course today. Schools, labour unions, mental healthcare, families; all those institutions and organisations presume the independence and autonomy, the promotion of self-awareness and self-consciousness, and the maximisation of intellectual and emotional capacities. Increasingly new institutional arrangements instead of traditional standards shape new life course patterns. Although many researchers have tried to study the changes in the life patterns of individuals within or across countries, the literature lacks an article that investigates the patterns of women's labour market participation throughout the life course. This paper purposes to introduce such an overview by investigating two important aspects on the basis of secondary data. First, the authors analyse the impact of social policy arrangements on sequence and timing of women in 'caring' and 'working' in the Netherlands, Sweden and the United Kingdom, with help of the theory on transitional labour markets grounded by Günther Schmid (1998). Second, they concentrate on the development and the need for a new social citizenship based on care in these three countries.

17) Koopmans, Ivy, Teun Jaspers, Trudie Knijn and Janneke Plantenga. 2003. *Zorg in het huidige stelsel van sociale zekerheid en pensioen: een vergelijking tussen zes landen*. [Care in current social security and pension systems: a comparison between six countries]. Utrecht: de Graaff. DU

Keywords: work, care, social security, unemployment, illness, unable to work, pensions, comparative research, Belgium, the Netherlands, Great Britain, Germany, Italy, Denmark

The main research question is in whether and how caring is taken into account in the social security system and more in specific in laws concerning unemployment,

illness, being unable to work and pensions. By comparing Belgium, the Netherlands, Great Britain, Germany, Italy, Denmark, the researchers indicate the main differences and similarities within the European Union concerning the way social security systems deal with care.

- 18)Knijn, Trudie and Monique Kremer. 1998. Zorgen in verzorgingsstaten: Burgerschap, gender en zorg in vergelijkend perspectief.[Caring in welfare states. Citizenship, gender and care in comparative perspective]. *B en M* 25: 201-214. DU

Keywords: care, welfare states, gender, old people, young children, Denmark, the United Kingdom, the Netherlands.

In this article the authors answer the following central question: who qualifies for which type of care in different types of welfare states? The analysis is limited to two groups of care dependent people: old people and young children. The authors examine which assumptions underlie the ways they are provided with care. Three countries are studied: Denmark, the Netherlands and the United Kingdom.

2.2 English sources

- 19)Plantenga, Janneke. 2002. Combining work and care in the polder model: An assessment of the Dutch part-time strategy. *Critical social policy* 22:53-71. EN

Keywords: employment policy, women, one-and-a-half earner model, combination model, equal opportunities perspective, the Netherlands

Working time is an important ingredient in the Dutch 'polder model'. In particular, part-time employment has proven to be an important element in the so-called 'combination model', a model that has been adopted by the Dutch government as the main guideline for policies in the field of labour and care. The point of departure of the combination model is a balanced combination of paid and unpaid care, where unpaid care work is shared equally between men and women and both work part-time for pay. The article looks at the consequences of this part-time strategy from an equal opportunities perspective. It concludes that for women the popularity of part-time work has resulted in a destandardization and individualization of working hours. The combined effects of both gender and the specific working time policy has been to create a one-and-a-half earner society. Given the half income of women, the older model has not as yet resulted in a remedy for the socioeconomic inequality between men and women.

- 20)Plantenga, Janneke. 2000. *Gender impact assessment and the employment strategy: the case of the Netherlands*. Utrecht: Institute of Economics. EN

Keywords: Dutch gender impact assessments, employment strategy, the Netherlands

This is an external report commissioned by and presented to the European Commission. This report involves an investigation of the use of gender impact assessment of employment policies in the Netherlands. The aim of the report is twofold. Firstly, to provide information on and to review any guidelines on gender impact assessment that have or are being developed. Secondly, to identify barriers to gender impact assessment, related to statistical information, gender expertise, lack of political mechanisms in place etc. It is the Dutch contribution to a European study on gender impact assessment and the employment strategy, carried out by members of the European network of Gender and Employment (EGGE), under the auspices of the Equal Opportunities Unit of DG V.

21) Plantenga, Janneke and Joop Schippers and Jacques Siegers. 1999. Towards an equal division of paid and unpaid work: The case of the Netherlands. *Journal of European social policy* 9:99-110. EN

Keywords: employment, paid and unpaid labour, equal sharing of care, survey, government policy, the Netherlands

Both the Netherlands and other European countries are involved in the transition from a breadwinner society towards a more individual-oriented society. What is unique in the Dutch case is the strong emphasis on the equal sharing of time, between paid and unpaid work as well as between women and men. Despite the preferences among citizens for a more equal sharing of paid and unpaid work, in practice it appears that general participation in paid labour is being achieved more rapidly than general participation in unpaid labour. The article looks at the obstacles and sticking points which stand in the way of the process of redistribution and investigates how this process can be accelerated. It includes an empirical analysis on survey data for the Netherlands with respect to both actual and preferred working hours for married and cohabitating men and women. The authors conclude that a consistent government policy is lacking. As a consequence neither individuals nor organizations get signals that might contribute to those steps in the area of part-time work, child-care provision and leave facilities that would bring about a redistribution of paid and unpaid work between women and men.

22) Bussemaker, Jet. 1998. Rationales of care in contemporary welfare states: The case of childcare in the Netherlands. *Social politics* 5:70-96. EN

Keywords: childcare policies, hegemonic political discourses, welfare states, policy formation, rationale of efficiency, feminist criticism, the Netherlands

The article is concerned with childcare policies in the Netherlands since the 1960s. It seeks to contribute to theories of gender and policy formation in welfare states through its focus on political discourses and ideological assumptions embedded in societal notions of care. In analyzing the Dutch case, the author distinguishes three rationales, respectively a moral, an interest, and an efficiency rationale, which reflect various basic arguments on gender, care, and welfare. The article argues that the rationale of efficiency has been particularly important for an expansion of childcare provisions since the late 1980s. Although this rationale has provided sound arguments for the expansion of childcare, it has

been criticized by some feminists because of the hidden assumptions in it about care. The conclusions about the Dutch case have broader implications. In the context of welfare state reform, hegemonic political discourses on childcare are shifting and may have significant consequences for the relation between gender, care, and the welfare state.

2.2.1 Comparative studies

23) Bleijenbergh, Inge and Conny Roggeband. 2007 (forthcoming). Equality machineries matter: The impact of women's political pressure on European social care policies. *Social Politics*. EN

Keywords: social care policies, policy change, women's movements, equality machineries, gender equality, Qualitative Comparative Analysis, sequence analysis, Denmark, the United Kingdom, the Netherlands, France, Spain, Italy

This study examines the impact of feminist pressure and EU policies on national policy changes, such as the introduction or extension of public childcare provision, parental leave, and part-time work legislation. The authors compared six countries (Denmark, the United Kingdom, the Netherlands, France, Spain and Italy) on the basis of Qualitative Comparative Analysis and found that women's political pressure, especially through national equality machinery, is a prerequisite for the emergence and extension of social care policies. Sequence analysis showed that national machineries are crucial in translating European Union measures into national policies.

24) Bleijenbergh, Inge and Jet Bussemaker and Jeanne de Bruijn. 2006. Trading well-being for economic efficiency: The 1990 shift in EU childcare policies. *Marriage & family review* 39:315-336. EN

Keywords: Childcare policies, European Union, gender equality, Germany, the Netherlands, the United Kingdom

In 1992, the European Union (EU) adopted the Recommendation on Childcare and became involved in childcare policy. For the first time, care services and domestic care were acknowledged as the common responsibility of all the European and national political units. The article shows the interaction between childcare policy at the European level and in three welfare states with strong male breadwinner policy logics: Germany, the Netherlands, and the United Kingdom (UK). At the European and national levels, arguments prioritizing economic efficiency and equal opportunities gained ground at the expense of arguments prioritizing the well-being of children. Formerly male breadwinner states reached a consensus on the policy goal of shared responsibility for care giving by emphasizing common economic interests and the principle of equal opportunities while still allowing for nation variability in how this policy goal will be carried out.

25) Fagan, Colette, Gail Hebson, Daniele Meulders and Aleksandra Kanjo-Mrčela. 2006. *Making work pay. Debates from a gender perspective: a comparative review of some recent policy reforms in thirty European Countries*. Luxemburg:

Office for Official Publications of the European Communities.
http://ec.europa.eu/employment_social/gender_equality/docs/2005/exp-group_2005annreport_en.pdf EN

Keywords: European Union, social security, integration into employment, return to employment

This report is based on the national reports prepared by the 30 national experts in the EGGsIE network. In section 1 the authors review some of the recent national reforms or policy debates in relation to the 'making work pay' agenda from a gender perspective. This draws on reports for the 15 pre-2004 member states and the 5 non-EU countries included in this network. The national experts for the 10 new member states did not contribute to this part of the report because they had the additional task of preparing an evaluation of the gender mainstreaming of the first National Action Plans on Social Inclusion submitted by their governments. Sections 2-5 draw on material from all 30 countries. In section 2 the authors review maternity and parental leave provisions in relation to the employment integration of mothers and fathers. The impact of parental leave or extended labour market absence for childcare on eligibility for active labour market measures and other training provisions is discussed in section 3. The development of childcare services as a key social infrastructure for supporting parents' employment is reviewed in section 4. Conclusions are drawn in section 5, which also raises demand-side considerations about job quality and hence employment sustainability for the main care (typically mothers) in low-income households.

26) Glucksman, Miriam and Dawn Lyon. Configurations of care work: Paid and unpaid elder care in Italy and the Netherlands. *Sociological research Online* 11(2). EN

Keywords: work, employment, social organisation of labour, care work, elder care, configuration, gender, Italy, the Netherlands

Most current sociological approaches to work recognise that the same activity may be undertaken within a variety of socio-economic forms - formal or informal, linked with the private market, public state or not-for-profit sectors. This article takes care of the elderly as an exemplary case for probing some of the linkages between paid and unpaid work. It attempts to unravel the interconnections between forms of care work undertaken in different socio-economic conditions in two settings, the Netherlands and Italy. The research is part of a broader programme concerned with differing interconnections and overlaps between work activities. In this article, the authors are concerned with: 1) how paid and unpaid care work map on to four 'institutional' modes of provision – by the state, family, market, and voluntary sector; and 2) with the configurations that emerge from the combination of different forms of paid and unpaid work undertaken through the different institutions. Despite the centrality of family-based informal care by women in both countries, we argue that the overall configurations of care are in fact quite distinct. In the Netherlands, state-funded care services operate to shape and anchor the centrality of family as the main provider. In this configuration, unpaid familial labour is sustained by voluntary sector state-funded provision. In

Italy, by contrast, there is significant recourse to informal market-based services in the form of individual migrant carers, in a context of limited public provision. In this configuration, the state indirectly supports market solutions, sustaining the continuity of family care as an ideal and as a practice

- 27) Korteweg, A. C. 2006. The construction of gendered citizenship at the welfare office: An ethnographic comparison of welfare-to-work workshops in the United States and the Netherlands. *Social Politics* 13:314-340. EN

Keywords: welfare legislation, welfare reform implementation, single mothers, employment, gendered citizenship, United States, the Netherlands

In 1996 both the Netherlands and the United States adopted welfare legislation that aimed to exchange single mothers' reliance on the welfare state for dependence on the labour market. This legislation seems to indicate an end to gender-differentiated social citizenship rights. However, ethnographic research on welfare reform implementation shows that citizenship does not get constructed solely at the level of legislation. In-depth research in one site in the United States and one site in the Netherlands illustrates that citizenship continues to be gendered in specific ways despite the apparent end of gender differentiation at the level of policy formation.

- 28) Wattis, L., M. Yerkes, S. Lloyd, M. Hernandez, L. Dawson and K. Standing. 2006. *Combining work and family life: removing the barriers to women's progression. Experiences from the UK and the Netherlands*. Liverpool: John Moores University, School of Social Science. EN

Keywords: women on labour market, work-life balance policy, women's lived experiences, in-depth interviews, focus groups, the United Kingdom, the Netherlands

This report presents findings from the ESF Objective three funded project into women, work-life balance and progression in the UK and the Netherlands. It provides an analysis of qualitative research into women's lived experiences of work-life balance and an evaluation of the effectiveness of work-life balance policy as a means of addressing women's progression in the labour market. The qualitative research consisted out of 67 in-depth interviews and three focus groups with working mothers across a range of sectors and occupations in the UK and 16 in-depth interviews with policy-makers, academics and trade unionists and four focus groups with working mothers in the Netherlands. On the basis of the research findings, the report raises 11 policy implications including 'in order for policy to be more effective, the interconnections between paid work and care require cultural and practical acceptance within the workplace. Policy needs to acknowledge the value of care' and 'the fact that parental leave is unpaid in both the UK and the Netherlands needs to be addressed. The differing financial circumstances of parents need to be acknowledged and fully paid short-term leave needs to be provide across the life course'.

- 29) Widener, Annemarie J. 2006. Sharing the caring: state, family and gender equality in parental leave policy. PhD diss., Leiden University.
<https://openaccess.leidenuniv.nl/dspace/bitstream/1887/4453/2/thesis+.pdf> EN

Keywords: parental leave policies, gender equal roles, paid and unpaid work, face to face interviewing, single breadwinner norm, traditional gender divisions, US, the Netherlands

Parental leave policies give parents a temporary leave from employment in order to care for a child. Secondary aims are to increase women's attachment to the labour force as well as supporting gender equal roles in paid and unpaid work. This study researched parent satisfaction of parental leave policies in the United States of America and the Netherlands. Mothers and fathers were individually interviewed face to face regarding satisfaction with family leave policies, if and why they did or did not use them, and how parental leave impacted on divisions of paid and unpaid labour. The U.S. Family and Medical Leave Act was found to be unhelpful to parents mostly because it is unpaid. U.S. single mothers suffer the most due to a lack of paid parental leave, lack of adequate child care, and parent / gender discrimination at the workplace. Dutch parents are generally satisfied with their parental leave (paid maternity, paternity, and care leave); Dutch part-time parity laws as well as the right to reduce working hours have also been helpful. Dutch parents score significantly higher on Quality of Life measures. But organizational culture continues to assume the single male breadwinner norm which leads to gender discrimination at the workplace; this continues to reinforce traditional gender divisions in paid and unpaid work.

- 30) Fagan Colette, Peter Urwin, Kathryn Melling, Daniele Meulders and Aleksandra Kanjuo-Mrčela. 2005. *Gender inequalities in the risk of poverty and social exclusion for disadvantaged groups in thirty European countries*. Luxemburg: Office for Official Publications of the European Communities.
http://bookshop.eu.int/eubookshop/FileCache/PUBPDF/KE7606201ENC/KE7606201ENC_002.pdf EN

Keywords: European Union, gender inequality, social exclusion, poverty, unemployment, one-parent family, ethnic groups, migrants, violence

Gender mainstreaming is specified as a key requirement in the Social Inclusion Process; however, this approach to policy design and monitoring is still underdeveloped and often absent from National Plans. The aim of this report is to inform and help develop the gender mainstreaming of the Social Inclusion Process, drawing on national reports for 30 European countries. It reviews gender differences and inequalities in the risks of poverty and social exclusion, followed by chapters which focus on selected examples of disadvantaged groups to illustrate the relevance of gender mainstreaming for social inclusion policy.

- 31) Kremer, Monique. 2005. How welfare states care: Culture, gender and citizenship in Europe. PhD diss., Utrecht University, <http://igitur-archive.library.uu.nl/dissertations/2005-1116-200003/index.htm>. EN

Keywords: women's employment patterns, welfare states, care policies, division of labour and care, logic of economic self-interest, logic of appropriateness, cultural analyses, ideals of care, the United Kingdom, the Netherlands, Denmark and Belgium

Women's employment patterns changed drastically the last decades. But they are still different across Europe. Welfare state scholars often presume that diversity and change in women's employment across Europe is based on financial (dis)incentive structures embedded in welfare states. In other words: if childcare is available and affordable, most mothers will work. If tax and benefit schemes have no financial employment obstructions, most mothers will work. This book shows, by in depth analyses of women's (and men's) employment and care patterns as well as child care services, taxation, leave schemes and social security in four different welfare states (the UK, the Netherlands, Denmark and Belgium) that this logic does not hold. It is based too much on the misunderstanding that women's decision making is exclusively based on economic self-interest. A more suitable understanding is to study what March and Olsen (1989) call 'the logic of appropriateness'. What explains better the differences in Europe is the cultural analysis of welfare states. In the case of caring and paid employment, welfare states send culturally-defined moral images of good-enough caring in the form of ideals of care. An ideal of care implies a definition of what is good care and who gives it. These ideals of care are embedded in welfare states and their regulations, laws and implementation processes. Each welfare state promotes specific ideals of care. Five ideals of care are distinguished: full-time motherhood, surrogate motherhood, parental sharing, intergenerational care and professionals care. Each of these ideals has consequences for women's employment patterns and differences between women. This book tries to show, by studying care policy in welfare states, that social policy has an impact on women's and men's division of labour and care. But especially when welfare states are not seen as a financial structures only, but as cultural catalysts.

- 32) Plantenga, Janneke, Chantal Remery, Petra Helming, Daniele Meulders and Aleksandra Kanjo-Mrčela. 2005. *Reconciliation of work and private life: a comparative review of thirty European countries*. Luxemburg: Office for Official Publications of the European Communities. http://ec.europa.eu/employment_social/publications/2005/ke690582_8_en.pdf EN

Keywords: comparative study, integration into employment, social integration, equal rights of men and women, child care, working time, maternity leave, parental leave, Europe

The increasing labour market participation of women, changing family forms and the demographic pressure from an ageing population have made the reconciliation of work and family one of the major topics on the European social agenda. Yet countries differ in their policy responses, sometimes stressing the need for more flexible working hours, sometimes encouraging the supply of public and private services and sometimes focusing on a more equal distribution of paid and unpaid work. This report contains an overview of policies targeted towards the reconciliation agenda of the 25 EU Member States. In addition, information is provided for three EEA countries, Iceland, Norway and Liechtenstein, and two Candidate countries, Bulgaria and Romania. An innovative element of this study – besides the scope – is that the focus is not only on national, public strategies. If possible, complementary provisions emerging at sector or company level are

included as organizations may either supplement or substitute public provisions. In fact, it is at the organisational level where the details of the reconciliation of work and family life are worked out.

- 33) Ute, Gerhard and Trudie Knijn and Anja Weckwert, eds. 2005. *Working mothers in Europe: a comparison of policies and practices*. Cheltenham: Edward Elgar Publishing. EN

Keywords: women's integration into labour market, organization of work and care, welfare systems, social policies, care arrangements, Norway, Italy, Spain, Sweden, Germany, the Netherlands

Working Mothers in Europe combines comparative perspectives on social policies with analyses of mother's practices as evidenced in macro data and as explored in country-based case studies. Social policy research has emphasized the impact of particular welfare systems and their policies on women's integration into the labour market and the organization of care and work. However, the authors argue that policies are not the only factor, and, hitherto, we have very little knowledge of the precise interactions between social policies and social practices of individuals and families. In order to accurately grasp the cross-country variation of mother's work and care arrangements in Europe, this book assembles a comparative approach towards welfare systems and social policies with an analysis of mothers' social practices in several European countries (Norway, Italy, Spain, Sweden, Germany and the Netherlands).

- 34) Bettio, Francesca and Janneke Plantenga. 2004. Comparing care regimes in Europe. *Feminist Economics* 10: 85-113. EN

Keywords: comparative study, care regimes, welfare state policies, family, care strategies, care for children, care for elderly, women's labour market participation

Throughout Europe, the family is still an important provider of care, but welfare state policies of individual countries may support and/or supplement the family in different ways, generating different social and economic outcomes. This article compares and categorizes care strategies for children and elderly persons in different member states of the European Union, while also taking into account the varied modalities for providing care, like leave arrangements, financial provisions, and social services. In EU countries, care regimes function as "social joints" ensuring complementarity between economic and demographic institutions and processes. As these processes and institutions change, they provide impetus for care regimes to change as well. However, because ideas and ideals about care are at the core of individual national identities, care regimes also act as independent incentive structures that impinge on patterns of women's labour market participation and fertility.

- 35) Bleijenbergh, Inge. 2004. *Citizens who care: European social citizenship in EU-debates on childcare and part-time work*. Amsterdam: Dutch University Press. EN

Keywords: European social policy, national social policy, childcare policies, part-time work policies, European institutions, social citizenship, Denmark, France, Italy, the Netherlands, the United Kingdom

With the introduction of European measures on childcare (1992) and parental leave and part-time work (1997) in the 1990s, care giving came to be a significant issue within European social policy. The European Union entered a topic that was formerly an exclusive national affair, based on very different welfare traditions. Some states offered citizens extensive social rights for childcare and leave facilities, while others left care giving support to the private sector or individual families. This study chronicles the entry of the controversial issue of combining work and family life into the European political agenda and shows how concrete policies on childcare and part-time work were debated between different member states (Denmark, France, Italy, the Netherlands and the United Kingdom) and European institutions. Moreover, it argues that European debates on social care rights exemplify traces of an emerging European citizenship. European rights regarding time of care and care services unite the contradictory demands for social equality and a free market, offering citizens basic social equality, while simultaneously supplying the common market with a female labour force.

- 36) Duyvendak, J.W. and M.M.J. Stavenuiter, eds. 2004. *Working fathers, caring Men. Reconciliation of working life and family life*. Den Haag: Department for the Co-ordination of Emancipation Policy / Utrecht: Verwey Jonker Institute. http://www.verwey-jonker.nl/images/dynamisch/D9433292_def.pdf . EN

Keywords: reconciliation of work and family, division of labour between men and women, men performing care-giving tasks, social policies, Sweden, France, Spain, the Netherlands

Until now the focus of most European governments is largely in creating arrangements for reconciliation, such as leave programs, flexible working time, part-time work and childcare facilities. Although these arrangements are preconditions for men to spend more time in the household and with their children, they do not influence the sort of tasks men will perform. In this study, the authors search for good practices (in Sweden, France and Spain) and their underlying mechanisms: why and when men perform care-giving tasks and take their responsibilities in the household and for children? They have also looked for new insights and pioneering social policies in some European countries. The final objective of this study is to enhance the care-giving responsibilities of men at home and to enlarge the options for reconciliation of work and family life.

- 37) Rasmussen, E. and Jens Lind and Jelle Visser. 2004. Divergence in part-time work in New Zealand, the Netherlands and Denmark. *British Journal of Industrial Relations* 42: 637-658. EN

Keywords: comparative study, part-time work, gender patterns, union strategies, New Zealand, the Netherlands, Denmark

A comparison of developments in part-time work in New Zealand, the Netherlands and Denmark shows three very different trends. The Dutch are moving towards a

'part-time economy', the decline in Danish part-time employment confounds the common expectation of rising atypical employment, while the New Zealand case illustrates some of the negative employment outcomes often associated with part-time employment and provides a contrast to the negotiated, tripartite solutions found in the Netherlands and Denmark. Overall, the diversity in part-time work patterns raises important theoretical and public policy questions, such as the interaction between institutional and preference changes, gender patterns and union strategies.

38) Wallace, Claire, ed. 2004. *Comparative contextual report. Demographic trends, labour market and social policies*. Vienna: Institute for Advanced Studies.
http://www.hwf.at/project_report05.html EN

Keywords: comparative overview, labour market policies relating to flexibility, social policies relating to flexibility, family policies relating to flexibility, trends in atypical forms of employment, the United Kingdom, the Netherlands, Sweden, Slovenia, Czech Republic, Hungary, Bulgaria, Romania

This comparative context report is the fifth issue in a series of research reports being produced within the framework of the multinational research project "Households, Work and Flexibility". The Report provides a comparative overview of demographic trends, labour market trends, labour market policies and social and family policies relating to flexibility, as well as trends in atypical forms of employment in all the 8 countries of the project. The countries covered are: three EU-member states (United Kingdom, the Netherlands and Sweden) and five Applicant countries (Slovenia, Czech Republic, Hungary, Bulgaria and Romania).

39) Haas, Linda. 2003. Parental leave and gender equality: Lessons from the European Union. *Review of Policy Research* 20:89–114.

Keywords: EU parental leave policy analysis, 15 EU member states

This article describes the development of European Union parental leave policy and its impact on mothers' and fathers' access to parental leave in the individual nations that make up the union. Cross-national variations in parental leave policy are described and analyzed. Although the 15 countries belonging to the EU in 2002 are concerned about helping working parents reconcile employment and family responsibilities, so far, only one – Sweden – has begun to develop a parental leave policy likely to facilitate men's and women's sharing of responsibility for breadwinning and child care.

40) Wallace, Claire, ed. 2003. *Country contextual reports. Demographic trends, labour market and social policies*. Vienna: Institute for Advanced Studies.
http://www.hwf.at/project_report02.html EN

Keywords: labour market policies, demographic and social trends, family policies, social policies, flexibility, the United Kingdom, the Netherlands, Sweden, Slovenia, Czech Republic, Hungary, Bulgaria, Romania

This volume "Country contextual reports: Demographic trends, labour market and social policies" is the second publication in a series of research reports being produced within the framework of the multinational research project "Households, Work and Flexibility". Individual chapters in the report give a description and analysis of labour market policies, demographic and social trends and family and social policies with a special emphasis on flexibility for each country in the project. The countries covered are: three EU-member states (United Kingdom, the Netherlands and Sweden) and five Applicant countries (Slovenia, Czech Republic, Hungary, Bulgaria and Romania).

41) Wallace, Claire, ed. 2002. *Critical review of literature and discourses about flexibility*. Vienna: Institute for Advanced Studies.
http://www.hwf.at/project_report01.html EN

Keywords: literature review, discourses, flexibility, reconciliation work and private life, the United Kingdom, the Netherlands, Sweden, Slovenia, Czech Republic, Hungary, Bulgaria, Romania

This volume is the first publication in a series of research reports being produced within the framework of a multinational research project "Households, Work and Flexibility". Individual chapters of the report (one chapter for every country in the project plus an international overview) summarize national debates over flexibility as well as relationship between home and work. In addition, the authors describe, where possible, the contemporary discourse about flexibility in each country. The countries covered are: three EU-members (United Kingdom, the Netherlands and Sweden) and five pre-accession countries (Slovenia, Czech Republic, Hungary, Bulgaria, Romania).

42) Nickell, S. and J. Ours. 2000. Why has unemployment in the Netherlands and the United Kingdom fallen so much? *Canadian public policy* 26: 201-220. EN

Keywords: unemployment miracle, non-employment, supply-oriented policies, the Netherlands, the United Kingdom

The Netherlands and the United Kingdom have experienced a major decline in unemployment rates since the early 1980s. Over the same period, there was also a strong decline in non-employment rates. Since in most other countries of the European Union such declines did not occur there is something of an unemployment miracle in both countries. Combinations of supply-oriented policies causing a significant reduction of equilibrium unemployment rates in both countries are responsible for this. The article is set up as follows: firstly, the author discusses the development of unemployment and non-employment in the Netherlands and the United Kingdom. Secondly, the author discusses sickness, disability, part-time labour, and female labour market participation. Thirdly, potential reasons for the decline in unemployment rates in the Netherlands and the United Kingdom are discussed. The main institutional changes in both countries are discussed next.

43) Bruning, Gwennaële and Janneke Plantenga. 1999. Parental leave and equal opportunities: Experiences in eight European countries. *Journal of European social policy* 9:195-210. EN

Keywords: EU directive, parental leave arrangements, combining work and care, equal opportunities, practical consequences, Germany, Austria, France, Finland, Norway, Sweden, Denmark, the Netherlands

In June 1996, the EU directive on parental leave came into force. A major consideration in the introduction of this directive was its advantages for the reconciliation of work and family life. However, there is little systematic knowledge about the practical significance of parental leave arrangements in the European Union for equal opportunities policy. Given this situation, the main focus of this article is on empirical issues such as the numbers of (male and female) leave takers and the length of the leave. In order to present comparative data, a user rate is calculated for eight European countries (Germany, Austria, France, Finland, Norway, Sweden, Denmark and The Netherlands). It appears that the majority of leave takers are women; even in Nordic countries there are big differences between the user rates of men and women. As a result, the importance of the actual parental leave arrangements for equal opportunities seems rather dubious.

44) Drenth, Annemieke Van and Trudie Knijn and Jane Lewis. 1999. Sources of income for lone mother families: Policy changes in Britain and The Netherlands and the experiences of divorced women. *Journal of social policy* 28:619-642. EN

Keywords: employment, care, lone mothers, social benefits, combining paid and unpaid work, the Netherlands, the United Kingdom

The Netherlands and Britain have treated lone mother families in similar ways in the post-war period. Until very recently they have been alone among countries of the EU in allowing lone mothers to draw benefits without making themselves available for work so long as they have dependent children. At the beginning of the 1990s, both countries attempted (unsuccessfully) to enforce the obligation of 'absent fathers' to maintain. In 1996, the Dutch government took decisive steps towards treating lone mothers as workers rather than mothers. In Britain, the last Conservative government began to move in the same direction, something that has been confirmed by the new Labour government. This article reviews the structure and characteristics of lone motherhood in the two countries and the nature of the recent policy changes. It then reports the findings of an exploratory qualitative study of divorced mothers in both countries. The evidence from the interviews reveals the strength of the primary commitment that women in both countries make to care. It also shows the difficulties divorced women face in combining paid and unpaid work, which, we suggest make the pendulum swing from treating lone mothers as mothers, to treating them as workers unrealistic.

3 Intimate Citizenship

3.1 Dutch sources

- 1) E-Quality. 2005. *Factsheet zelfstandig verblijfsrecht anno 2005* [Factsheet independent residence law in 2005]. Den Haag: E-Quality. <http://www.e-quality.nl/assets/e-quality/publicaties/2005/Factsheets/FactsheetZelfstandigVerblijfsrecht.pdf> . DU

Keywords: independent residence permits, emancipation effects, women, immigration policy, family reunion, marital migration, the Netherlands

In their fact sheets the independent institute E-Quality usually analyses what the emancipation effects will be of existing, new or intended legislation. Subsequently, recommendations are formulated on the basis of this analysis.

- 2) E-Quality. 2004. *Factsheet huwelijksmigratie: inkomenseisen en leeftijdsgrenzen. Effecten op emancipatie*. [Factsheet marital migration: demands of income and age limits. Effects on emancipation]. Den Haag: E-Quality. <http://www.e-quality.nl/assets/e-quality/publicaties/Factsheets/FactsheetHuwelijksmigratie.pdf>
DU

Keywords: marital migration, income requirements, age limits, emancipation effects, women, policy, the Netherlands

In their fact sheets the independent institute E-Quality usually analyses what the emancipation effects will be of existing, new or intended legislation. Subsequently, recommendations are formulated on the basis of this analysis.

- 3) E-Quality. 2004. *Factsheet huwelijksmigratie: Wet inburgering in het buitenland. Effecten op emancipatie* [Factsheet marital migration: Law on naturalization]. Den Haag: E-Quality. <http://www.iiav.nl/epublications/2004/FactsheetWetInburgeringBuitenland.pdf> DU

Keywords: marital migration, Act on civic integration (examination) abroad, emancipation effects, women, policy, the Netherlands

In their fact sheets the independent institute E-Quality usually analyses what the emancipation effects will be of existing, new or intended legislation. Subsequently, recommendations are formulated on the basis of this analysis.

- 4) Loenen, Titia. 2003. Een zorg(e)loze toekomst voor de vrouw in het familierecht? Twintig jaar rechtsontwikkeling op het terrein van het familierecht. [A carefree future for women in family law? Twenty years of legislation development in the field of family law]. *Nemesis* 19: 115-122. DU

Keywords: law review, opinion, family law, women, the Netherlands

In this article the author wants to answer the following question: What are the results of twenty years of societal, juridical and political debates on the equality between men and women, respect for family life and the equalization of different living arrangements? Can women, thanks to all changes, await their future in

family law unconcernedly? The author argues that there is still enough to be done.

- 5) Buijsen, Martin. 2002. Het recht op hulp bij voortplanting: Bijzondere gezinnen en de toegang tot invitrofertilisatie. [The right to aid in reproduction. Special families and the access to in vitro fertilization]. *Nemesis* 18: 136-143. DU

Keywords: opinion, IVF, adoption, lone parents, lesbian couples, equal treatment law, the Netherlands

In February 2002 the Dutch Equal Treatment Commission found that some IVF-centres in the Netherlands deny lone parents and lesbian couples the access to IVF-treatment. Questions the author wants to answer in this article are: is the 'in-the interest-of-the-child' argument used by these centres a valid argument? And: Is this exclusion of 'special' families lawful? The author argues that just like with 'normal families' one should assess the *actual* situation of living of the parents. What is not acceptable is to relate the interest of the child to the living situation of lone parents and lesbian couples *in general* and deny access to IVF on this basis.

- 6) Hart, Betty de. 2002. Slachtoffers of 'gatekeepers': zwarte, migranten- en vluchtelingenvrouwen en Nederlandse vrouwen met een buitenlandse partner in het familierecht. In *Een verdrag voor alle vrouwen: verkenningen van de betekenis van het VN-vrouwenverdrag voor de multiculturele samenleving* [Victims or gatekeepers: black, migrant and refugee women with a Non-Dutch partner in family law. In *A Convention for all women: explorations on the importance of CEDAW in a multicultural society*], ed. R. Holtmaat, 95-106. Den Haag: E-Quality experts in gender en etniciteit. <http://www.e-quality.nl/assets/e-quality/publicaties/def-vnverdrag2.pdf> DU

Keywords: position of women in family law, intersectional approach to family law, gender, ethnicity, CEDAW convention, black women, migrant women, refugee women, the Netherlands

The article criticizes current analyses of the position of women in family law that are building on a traditional nuclear family where the father is breadwinner and the mother takes care of the children at home. These analyses do not adequately describe gender relations within families for at least two specific groups of women: Black, migrant or refugee women, and women with a non-Dutch partner. It therefore concludes that the classical gender analysis of family law does not hold when ethnicity is taken into account.

- 7) Walsum, Sarah van. 2002. Vrouwen emanciperen door het weren van mannen? Hoe de Nederlandse overheid gezinspolitiek bedrijft. [Emancipating women by excluding men? How the Dutch government handles family politics]. *Nemesis* 18: 109-112. DU

Keywords: opinion, transnational relationships, family reunion, policy, women, emancipation of women, discriminatory effects, the Netherlands

In this article the author takes a critical stance towards the plans of the new Cabinet concerning transnational relationships and family reunion. Bringing in partners or family members from foreign countries will become more difficult, but above all, more expensive. It takes little fantasy to imagine that women will be affected differently by this measure than men. However, the Cabinet neglects possible discriminatory effects of its proposals. On the contrary, the proposals are being justified by referring to emancipatory arguments. The author argues that this appeal to emancipatory arguments should be looked at with suspicion.

- 8) Blokland, Els van. 2000. De macht van de partner, De onzekere rechten van vrouwen met een afhankelijke verblijfsstatus. [The power of the partner. The uncertain rights of women with a dependent residence status]. *Nemesis* 16: 110-117. DU

Keywords: dependent residence status, migration policy, integration policy, women, CEDAW convention, European developments, the Netherlands

In this article the author describes and comments on the effects of regulations on dependent residence status which could, in certain circumstances, have a negative effect on women having a dependent residence who want to divorce or who are victims of domestic violence. First, the author places the issue of dependent residence status in a broader context by taking into account the integration policy of the Netherlands, the CEDAW convention and European developments regarding family reunion. Next, the results of research done by the Clara Wichmann Institute on 90 dossiers having to do with the implementation of the Dutch regulation on dependent residence are described. After this, the recent note on the dependent residence permit commissioned by the assistant secretary of the ministry of justice is criticised. Finally, the author formulates some recommendations.

- 9) Hart, Betty de. 2000. De goede lobbies en de onbezonnen vrouw. Gemengde relaties en het schijnhuwelijk. [The good guy and the rash woman. Mixed marriages and the marriage of convenience]. *Migrantenstudies* 16: 246-259. DU

Keywords: transnational relationships, fictitious marriage, gender, sex specific constructions, the Netherlands

The topic of this article is transnational relationships and fictitious marriage. The author argues that gender plays a major role when it comes to the check on fictitious marriage. She focuses on the sex specific construction of fictitious marriages. Which marriages or relationships are taken to be 'suspicious' and why? Do views on men and women, ethnicity and class play a part in the construction of the concept of fictitious marriage?

- 10) Vliet, Frieda van. 2000. Door de zij-ingang naar niemandsland? Commentaar op het wetsvoorstel 'adoptie door personen van hetzelfde geslacht'. [Through the side entrance to no man's land? Commentary on the bill 'adoption by people of the same sex']. *Nemesis* 16: 41-50. DU

Keywords: opinion, adoption, same-sex couples, legislation, the Netherlands

In this article the author provides the government bill concerning adoption by same-sex persons (TK 1998-1999, 26 673) and the arguments used by the government to support certain aspects of this bill with some critical comments. The bill does not only deal with granting same-sex couples the adoption right. The government also argues why the juridical parenthood of the social parent in a same-sex relationship should be regulated by means of the adoption law instead of by means of descent law. According to the author this conflicts with the constitutional equality principle.

- 11) Vliet, Frieda van. 1998. Van achterdeur naar zij-ingang. Commissie Kortmann en gelijkgeslachtelijke leefvormen. [From back door to side entrance. Commission Kortmann and same-sex forms of life]. *Nemesis* 14: 13-22. DU

Keywords: Commission Kortmann, same-sex marriage, descent, adoption, same-sex couples, legislation, the Netherlands

In this article the author comments on proposals done by the Commission 'Kortmann'. The Commission was installed by the State Secretary of the Ministry of Justice with the aim to make an inventory of the pro's and con's of opening marriage to same-sex couples and to also pay specific attention to the consequences for descent and adoption in this regard. Besides, it had to advice on the content of a possible bill on opening marriage to same-sex couples.

- 12) Nederlandse Gezinsraad. 1997. *Gelijke behandeling in pensioenen ongeacht leefvorm: De keuzemogelijkheden van artikel 2b PSW*. [Equal treatment in pensions regardless of form of life: Options of article 2b PSW]. Den Haag: Nederlandse Gezinsraad. DU

Keywords: pension, equal treatment, legislation, policy, the Netherlands

The report analyses some future changes in the Pension and Saving Law (PSW) in light of equal treatment. It discusses the expected bottlenecks and it formulates some recommendations.

- 13) Boor, Elsbeth. 1996. Leefvormen in het familierecht, Het zorgwekkende vastklampen aan bestaande, vooronderstelde of desnoods niet-bestaande bloedbanden. [Living arrangements in family law. Alarmingly holding on to existing, presupposing or even non-existing blood ties]. *Nemesis* 12: 68-75. DU

Keywords: living arrangement, family law, descent law, the Netherlands

In this article the note 'living arrangements in family law' that appeared in 1995 (Second Chamber, 1994-1995, 22700, no. 5) is critically assessed. According to the author the note includes some opposite points of departure. On the one hand there is the wish to adapt to the increasing diversity in living arrangements, while on the other hand the note is holding on to outdated descent law as the ordering principle in family law. This leads to certain consequences that seem to discriminate against homosexual partners. First, the author describes the state of affairs by looking at existing and intended bills. After this, she discusses in a

nutshell the most striking changes that are proposed by the note. Finally, certain aspects are singled out which are in need of some further commentary.

- 14) Hendriks, Aart and Trudie Veerman. 1996. Recht op toegang tot IVF, IVF bij alleenstaande, lesbische en oudere vrouwen. [The right to IVF. IVF and single, lesbian and older women]. *Nemesis* 12:136-145. DU

Keywords: IVF, lone women, lesbian women, older women, fundamental and human rights, European Convention on Human Rights, anti-discrimination law, the Netherlands

A number of Dutch hospitals deny the right to make use of IVF to lone, lesbian and older women. In this article the author discusses to what extent this practice of discriminating on the basis of age and living arrangement is compatible with the fundamental and human rights and Dutch anti-discrimination law. The author argues that some correction by the government is needed.

- 15) Blokland, Els van. 1995. Onverantwoord (vreemdelingen)beleid. Evaluatie gezinshereniging getoetst. [Irresponsible (migrant) policy. Testing the evaluation of family reunion]. *Nemesis* 11: 109-111. DU

Keywords: evaluation, family reunion, income requirement, immigration policy, gender inequality, women, the Netherlands

In this article, the author critically assesses the evaluation report written by the Research and Documentation Centre (part of the Ministry of Justice) in 1995 on the new regulations on family reunion that entered into force in 1993. One of her points of criticism is that the evaluation report does not at all pay attention to the possible different consequences of the new rules for men and women. In the new rules on family reunion the income requirement has been aggravated. Especially women appear not to be able to comply with this new income requirement.

3.1.1 Comparative studies

- 16) Olivetti, Lara. 1997. Gezinshereniging. Het Italiaanse en het Nederlandse systeem met elkaar vergeleken. [Family reunion. Comparison of the Dutch and Italian system]. *Nemesis* 13:29-32. DU

Keywords: comparative study, Italy, Netherlands, family reunion, migration, human rights

This short article maps out differences between the Italian and the Dutch legal regulations on family reunion. It concludes that Dutch regulations are much stricter than the Italian ones, and contribute to power inequality between men and women. Differences are attributed to the Christina democratic and socialist roots of the Italian regulations.

3.2 English sources

17) Curry-Sumner, I. 2006. Private international law aspects of homosexual couples: the Netherlands report. In *Netherlands reports to the seventeenth international congress of comparative law: Utrecht 2006*, ed. J.H.M. van Erp and L.P.W. van Vliet, 147-175. Antwerpen: Intersentia. EN

Keywords: same-sex couples, same-sex marriage, same-sex registered partnership, Dutch legal system, private international law, the Netherlands

Prior to 1998 same-sex couples were by-and-large ignored in the Dutch legal system. Since then, this situation has changed radically and since 2001 same-sex couples have been able to choose from one of four different types of relationship forms: same-sex marriage, registered partnership, cohabitation contract or informal cohabitation. Only the first two of these relationship forms will be discussed in this paper. Successively the author deals with the background to the Dutch pieces of legislation on same-sex relationship forms, the substantive law rules relating to same-sex marriage and same-sex registered partnership, the private international law aspects of same-sex marriage, and the private international law aspects of same-sex registered partnership. The analysis has been limited to the structural aspects of the relationships, namely the establishment of the relationship and the dissolution thereof. In its conclusion the author states that the opening up of civil marriage to same-sex couples in 2001 was an important milestone not only in the Netherlands but also worldwide. It signalled a fundamental paradigm shift in our notion of the term 'marriage'. It would appear that the challenge now is for private international law to deal with this modernised notion, not only in the field of marriage but also in the framework of international regulation of registered partnerships. Anno 2006 the fortunes of same-sex couples in the Netherlands are reasonably well protected. Both in terms of legislation and the recognition of foreign relationships, the Netherlands provides for extensive regulation of such relationships. Same-sex couples are treated practically identically to the different sex-couples in virtually all legal fields of law.

18) Burg, Wibren van der. 2005. The Irony of a symbolic crusade: The debate on opening up civil marriage to same-sex couples. In *Social and Symbolic Effects of Legislation under the Rule of Law*, ed. Nicole Zeegers and Willem J. Witteveen and Bart van Klink, 245-275. Lewiston, New York: The Edwin Mellen Press. EN

Keywords: same-sex marriage, non-discrimination, communicative approach to law, Equal Treatment Act, Article 1 of Constitution, the Netherlands

In this chapter a primarily descriptive case study of the process leading to the opening-up of civil marriage to same-sex couples in the Netherlands in 2001 is carried out using a communicative or symbolic approach to law. The author begins with stating that there exists not one communicative or symbolic working approach, but rather a family of approaches that have some points in common but differ on other points. What these approaches have in common is an interest in communication processes in the development and the implementation of law. In the first part of the chapter the author tries to bring the various theoretical lines together and formulate a general perspective in the form of a number of empirical

and normative hypotheses. The second part of the chapter contains the case study. It is foremost a descriptive case study of how the debate on the Equal Treatment Act, in the light of the equality norm of Article 1 of the Dutch Constitution (in which norms of equal treatment and non-discrimination are formulated), influenced the debate on opening up marriage to same-sex couples.

- 19) Curry-Sumner, Ian. 2003. *All's well that ends registered? The substantive and private international law aspects of non-marital registered relationships in Europe*. Antwerp: Intersentia, European Family Law Series, Vol. 11. EN

Keywords: non-marital registered relationship law, harmonisation and unification of law, Belgium, France, the Netherlands, Switzerland, the United Kingdom

Since the last decade of the previous century, an increasing number of European countries have been creating specific legislation on the topic of non-marital relationships, with or without specific registration schemes. The reviewed book—the commercial edition of Ian Curry-Sumner’s dissertation defended at Utrecht University (the Netherlands)—has been edited as the 11th volume of the well-known European Family Law Series. The research project can be evaluated as being both original and valuable, not only at an academic level, but also because of its important social relevance. The lack of uniformity concerning the issue of non-marital registered relationships throughout the legislation of the European countries is explained by an inventory of the similarities and differences in the relevant substantive law of five European countries (seven jurisdictions). The central research question is whether it is desirable, and if so, possible to aim for the harmonisation or unification of private international law rules in this specific field of non-marital registered relationships. The introductory chapter of the book finishes with some theoretical considerations on the problem of characterisation. The second part of the book is devoted to an in-depth analysis of the national substantive law concerning non-marital registered relationships in Belgium (*wettelijke samenwoning*, *cohabitation légale*), France (*pacte civil de solidarité*), the Netherlands (*geregistreerd partnerschap*), Switzerland (*partnariat enregistré*, *eingetragene Partnerschaft*, *unione domestica registrata*), and the United Kingdom (registered partnership). The third part reconsiders the problem of characterisation by applying the theory and research results outlined in the second part. The author ends his work with a description of the international private law aspects of the establishment, legal effects and dissolution of the non-marital registered relationships. As a conclusion, the author states that the unification of international private law on the issue of non-marital registered relationships is not only desirable and feasible, but also possible.

- 20) Boele-Woelki, Katharina. 2003. Registered partnership and same-sex marriage in the Netherlands. In *Legal recognition of same-sex couples in Europe*, ed. Katharina Boele-Woelki and Angelika Fuchs, 41-53. Antwerp: Intersentia. EN

Keywords: same-sex marriage, registered partnership, The Netherlands

This chapter provides detailed information about the current state of affairs of same-sex partnership and marriage in The Netherlands. The authors successively deals with: the act opening marriage to same-sex couples, whether foreigners are

allowed to conclude a same-sex marriage in the Netherlands, the similarities and differences between same-sex and different-sex marriages, the act on registered partnerships and divorce and dissolution. The author concludes her chapter with some final remarks and recommendations, including: 1) the decision of the Dutch government to make same-sex marriage possible has fundamentally changed the traditional foundations of family law; 2) It will be interesting to witness whether other countries will also open the marriage for same-sex couples or whether The Netherlands will remain isolated as a pioneer; 3) The Netherlands has taken a unique position in relation to other jurisdictions, as far as the fact that under Dutch law marriage and registered partnership are very similar is concerned; 4) The existence of two similar institutions raises questions about the reasons and circumstances under which partners opt for either marriage or registered partnership; 5) due to the easy dissolution of a registered partnership this new institution will probably gain more and more attractiveness under different-sex partners.

- 21) Smits, Jeroen and Clara H. Mulder and Pieter Hooimeijer. 2003. Changing gender roles: Shifting power balance and long-distance migration of couples. *Urban Studies* 40:603-613 (also available on the web: http://igitur-archive.library.uu.nl/geo/2007-0116-200853/smitsmulderhooimeijer_03_changinggender.pdf). EN

Keywords: long-distance migration, traditional gender roles, 'tied stayer', 'tied mover', power balance, the Netherlands

Long-distance migration of couples requires joint decision-making within the household. The uneven power balance between men and women and traditional gender roles have given rise to the concepts of 'tied stayer' (usually the male partner) and 'tied mover' (usually the female). Since these concepts were introduced, women have gained economic power and gender roles have changed. The paper analyses the effects of these changes on the determinants of the long-distance migration of couples, using data for the Netherlands. For 1977, the results reflect the 'classic' pattern of family migration: the male's human capital counted more than the female's and a male age advantage led to more migration. Women seemed to use their power mostly to prevent migration. By 1996, the dominance of the male's human capital had largely disappeared and the effect of an age advantage had become more symmetrical. The results point to the emergence of a new pattern, with a more equal power balance within couples.

- 22) Schrama, Wendy M. 1999. Registered partnership in the Netherlands. *International journal of law, policy and the family* 13:315-327. EN

Keywords: family law, registered partnership legislation, guardianship of children, extra-marital cohabitation, homosexual partners, the Netherlands

During the last twenty years family law has been confronted with various social developments. The growing importance of extra-marital cohabitation, the increasing number of children born out of wedlock and the demand for the equal treatment of homosexuals are part of a new social reality which cannot be

ignored. These social changes have taken place in several countries, including some of the post-Communist States. One way in which the legislator has responded to these social changes is by introducing registered partnership legislation as has been done in the Netherlands. In this article the Dutch Registered Partnership Act is examined. The position of homosexual partners with regard to the availability of marriage and the shared custody and guardianship of children will also be considered. Thus the advantages and the disadvantages of the Dutch solution will become clear and this might be interesting from a comparative law perspective.

- 23) Vlaardingerbroek, Paul. 1995. Marriage, divorce, and living arrangements in the Netherlands. *Family law quarterly* 29:635-644. EN

Keywords: marriage law, divorce law, Dutch legal system, the Netherlands

In this article the author provides us with an overview of the Dutch legal system concerning marriage and divorce. The article consists out of three main sections. The first is on marriage law. The second is on divorce, dissolution, annulment, and separation law. The third section is on conflicts of law.

3.2.1 Comparative studies

- 24) Boele-Woelki, Katharina and Angelika Fuchs, eds. 2003. *Legal recognition of same-sex couples in Europe*. Antwerp: Intersentia. EN

Keywords: same-sex couples, registered partnership, same-sex marriage, legislation, EC, Denmark, Finland, Sweden, the Netherlands, Spain, France, Germany, the United Kingdom

The legal recognition of same-sex couples in Europe has undergone dramatic changes over the last few years. Following the Scandinavian model, many European countries have adopted statutes on registered partnerships or are currently debating draft legislation. The differences are bigger than one would expect at first sight. This book provides detailed information about the current state of affairs. It contains chapters on Denmark (Ingrid Lund-Anderen, The Danish registered partnership act), Finland and Sweden (Matti Savolainen, The Finnish and the Swedish partnership acts- Similarities and divergencies), the Netherlands (Katharina Boele-Woelki, Registered partnership and same-sex marriage in the Netherlands), Spain (Miquel Martín Casals, Same-sex partnerships in the legislation of Spanish autonomous communities), France (Xavier Tracol, The Pacte Civil de Solidarité), Germany (Karsten Thorn, The German law on same-sex partnerships and: Karsten Thorn, The German conflict of law rules on registered partnerships), The United Kingdom (Ian Summer, Legal Position of same-sex couples in English law), Scandinavia (Maarit Jantera-Jareborg, Registered partnerships in private international law: The Scandinavian approach).

- 25) Mottier, Véronique and Terrell Carver. 1999. *Politics of sexuality: identity, gender, citizenship*. UK: Routledge. EN

Keywords: Policy analysis: decriminalisation, gay politics, unwanted sexual, reproductive behaviour, femocrats, sexual harassment, sexual politics, identity politics, the United Kingdom, Ireland, the Netherlands, Spain, Israel

This book recognises sexuality as a mainstream concept in political analysis and explores issues in the politics of sexuality that are highly salient and controversial today. These include conceptions of citizenship and nationality linked to gender and sexuality, the legislation about the age of consent, prostitution and 'trafficking in women', the international politics of population control, abortion, sexual harassment, and sexuality in the military. The international team of contributors provides a wide range of perspectives in a variety of contexts. On a national level they offer illustrative case studies from the UK, Ireland, the Netherlands, Spain and Israel among others, and on an international plane they cover the European Union, the UN Conference on Population and Development and the role of the Vatican as international arbiter. Moreover, the volume addresses the interaction between political discourse and the work of major theorists such as Weber, Freud, Foucault, Irigaray and Butler.

4 Gender-based Violence

4.1 Dutch sources

- 1) Römken, R. 2006. *Gendermainstreaming gelukt? Een verkenning van de beleidsdossiers mensenhandel en huiselijk geweld van het Ministerie van Justitie*. [Has gender mainstreaming failed? An exploration of policy on trafficking and domestic violence by the ministry of Justice]. Tilburg: IVA Beleidsonderzoek en Advies. DU

Keywords: trafficking, domestic violence, gender mainstreaming, Ministry of Justice, policy, the Netherlands

In this confidential working paper the author critically assesses recent policy (since 2000) by the ministry of Justice in the field of moral law departing from the question to what extent the aims of gender mainstreaming have been complied with. The investigation is limited to two policy files of the ministry, namely trafficking and domestic violence. From a gender mainstreaming viewpoint, the files show interesting similarities and differences.

- 2) Adviescommissie voor Vreemdelingenzaken. 2005. *Tot het huwelijk gedwongen: een advies over preventieve, correctieve en repressieve maatregelen ter voorkoming van huwelijksdwang*. [Forced to marry: an advice on preventive, correctional and repressive measures to prevent forced marriages]. Den Haag: Adviescommissie voor Vreemdelingenzaken.
<http://www.acvz.com/publicaties/Advies-ACVZ-NR15-2005.pdf> DU

Keywords: forced marriage, honour crimes, policy, policy advise, the Netherlands

This advisory report by the Advisory Committee on Aliens Affairs (ACVZ) advises the Minister for Immigration and Integration on the scope on the scope for preventive, corrective and criminal law measures to prevent forced marriages within the migrant communities in the Netherlands. Very little systematic research has been done in the Netherlands into the problem of forced marriages, apart from publications that appeared in the 1970s concerning a very different type of compulsion to marry, i.e. that resulting from unwanted pregnancy. Only relatively recently have the media and the political debate focused on the issue of forced marriages in the sense of the present report. Attention has concentrated on a number of migrant communities, because it is precisely in those communities that the consequences of forced marriages – or more accurately, the consequences of trying to escape such marriages, in the form of honour crimes – have led to serious public concern. This concern and the interest it has given rise to in political circles underlie the questions to which this report hopes to provide answers. The ACVZ is of the opinion that measures to combat forced marriage will be most effective if they target prevention, identification and support for victims and potential victims. It also attaches importance to developing the proposed measures in tandem with policy on abandonment and on violence connected with honour questions (including honour killings). These are all related social issues involving psychological and physical violence against migrant women. The ACVZ advocates a coherent policy implemented at different levels whereby government takes the initiative in consultation with existing organisations. The broad policy approach to forced marriages developed in the UK and Norway can serve as a model. By means of 13 detailed recommendations the report works out its policy advice.

- 3) Sanders, F.B.M. 2005. *Bestrijding vrouwelijke genitale verminking: Beleidsadvies*. [Fighting female genital mutilation: policy advise]. Zoetermeer: Commissie Bestrijding Vrouwelijke Genitale Verminking.
http://www.rvz.net/data/download/VGV_advies.pdf DU

Keywords: female genital mutilation, prevention, punishment, legislation, policy advice, the Netherlands

This is a policy advice brought out by the Commission Combat Female Genital Mutilation to the Minister of Health, Welfare and Sports. As a consequence of migration from countries around the Sahara, female genital mutilation has come into use in the Netherlands. However, this deed is legally prohibited in the Netherlands. It is considered as a form of (child)abuse leading to physical and mental health problems. In spite of this prohibition there are indications that female circumcision is still taking place in the Netherlands. The leading question of this policy advice is how one can make sure that this ritual practice will definitively belong to the past?

- 4) Verhaar, Odile. 2004. *Polarisatie in het Nederlandse debat over vrouwenbesnijdenis*. [Polarisation in the Dutch debate on female circumcision]. *Tijdschrift voor Genderstudies* 7: 47-52. DU

Keywords: female circumcision, policy options, cultural relativist strategy, human rights activist strategy, Ayaan Hirsi Ali, Dutch law, the Netherlands

Verhaar analyses the current debate in the Netherlands about the policies that aim at the protection of immigrant girls who come from countries practicing female circumcision, and evaluates the different policy options presented. Two strategies can be distinguished in this debate, the first aiming at gradual cultural reform, prioritising education and empowerment, the second aiming at juridical intervention, prioritising legal punishment. In this debate each strategy is linked to a distinct normative position, respectively a 'cultural relativist' and a 'human rights activist' one. According to Verhaar, this is a false opposition that conflates the categories of morality and policy. This very opposition is, however, being re-activated by a Member of Parliament of Somalian origin, Ayaan Hirsi Ali. Hirsi Ali argues that taking a principled stand against cultural practices that violate the basic rights of citizens, implies to discontinue current 'educational' policies which eventually 'tolerate' female circumcision, being motivated by a misplaced respect for other cultures and fear for stigmatisation. A principled governmental stand would mean choosing a 'severe' strategy for enforcing Dutch law that prohibits female circumcision. She pleads for a compulsory medical check of girls coming from countries practising circumcision, and a duty for doctors to report circumcision to the police. Verhaar argues that this 'severe' strategy can neither be justified with respect to the liberal principles and rights it wishes to uphold, nor on the basis of greater efficacy it claims.

- 5) Lünemann, K.D. and Annuska Overgaag. 2003. *De pleger het huis uit: knelpunten bij crisisinterventie en juridische mogelijkheden tot uithuisplaatsing van plegers van geweld binnenshuis*. [The offender leaves: difficulties in crisis intervention and legal possibilities to evict offenders of domestic violence]. Utrecht: Verwey-Jonker Instituut. http://www.verwey-jonker.nl/images/dynamisch/D2813285_eindrap.pdf . DU

Keywords: domestic violence, eviction of offender, political debates, legislation, the Netherlands

More and more people believe it to be unjust when the victim of partner violence has to flee the house instead of the offender or that abused children have to leave the house instead of the responsible parent. The tenor of political debates regarding domestic violence also points in this direction. The offender should leave the house, so that the victims can stay in their familiar environment. However, the legal possibilities to evict the offender from his house are limited in the Netherlands. An actual question is whether in the Netherlands, following the example of other European countries, there also should be developed a legal regulation to make possible the eviction of offenders of domestic violence. Commissioned by the Ministry of Justice the authors have examined the bottlenecks in the current approach to domestic violence in times of crises. Does there exist enough support (among police, public prosecutions, resettlements organisations, judiciary, legal profession and societal care organisations) to introduce a 'crisis regulation' for the eviction of offenders of domestic violence?

- 6) Maris, Cees and Sawitri Saharso. 2003. Eerwraak, cultuur en sekse. [Honour killings, culture and sex]. *Filosofie en Praktijk* 24:21-36. DU.

Keywords: honour related violence, justice, cultural tradition, women's suppression, feminist organisations, the Netherlands

As a consequence of international migration the Netherlands are more and more being confronted with new forms of violence, like honour revenge, that is murder to save the honour of the family. Questions discussed in this article are: How should justice deal with these forms of violence? Is honour related violence a cultural tradition or a form of the women suppression? And why feminist organisations, until now, stay out of the issue?

- 7) Boerefijn, I. and T. Loenen. 2002. De bestrijding van huiselijk geweld tegen vrouwen in het licht van het Vrouwenverdrag. [The fight against domestic violence towards women, with regard to the CEDAW Convention]. *NJCM-bulletin* 27:106-122. DU

Keywords: violence against women, Dutch policy, CEDAW Convention, the Netherlands

To a large extent this article is based on the commissioned research done by the authors in 2000 (see annotation no 9 below). However, what is new in this article is that the authors reflect upon a new plan of action concerning the prevention and combating of violence against women that was presented by the Ministry of Justice in the spring of 2001. To what extent this plan complies with the CEDAW Convention?

- 8) Römken, Renée. 2002. Over cultuurbarbarij gesproken. Geweld tegen vrouwen en het debat over multiculturaliteit. In *Een verdrag voor alle vrouwen: verkenningen van de betekenis van het VN-vrouwenverdrag voor de multiculturele samenleving* [Violence against women and the debate on multiculturalism. In *A treaty for all women: explorations of the signification of the UN-women's treaty for the multicultural society*], ed. R. Holtmaat, 95-106. Den Haag: E-Quality experts in gender en etniciteit. <http://www.e-quality.nl/assets/e-quality/publicaties/def-vnverdrag2.pdf> DU

Keywords: violence against women, multicultural society, discourse, rhetorical construction of problems, ethnic minorities, Islam, the Netherlands

In this essay the author considers a paradoxical development. Just when at the international judicial level a rejection against the violence of women has finally developed, the same violence against women seems to become a vehicle that is increasingly deployed in a political way to depict multiculturalism as a problem and more specific, to depict 'the' Islam as oppressive and hostile to women. In the Netherlands, too, one can make out a discourse in which violence against women is used as an example par excellence for the problems the Dutch multicultural society has to deal with. While not pretending to be exhaustive, the author analyses this rhetorical construction of violence against women as an ethnic minority problem.

- 9) Boerefijn, I and M.M. van der Liet-Senders and T. Loenen. 2000. *Het voorkomen en bestrijden van geweld tegen vrouwen: een verdiepend onderzoek naar het*

Nederlandse beleid in het licht van de verplichtingen die voortvloeien uit het Vrouwenverdrag. [Preventing and combating violence against women: an elaborating research on Dutch policy in connection to the obligations stemming from the CEDAW Convention]. Den Haag: Ministerie van Sociale Zaken en Werkgelegenheid. DU

Keywords: violence against women, Dutch policy, CEDAW Convention, gender inequality, trafficking in women, sexual exploitation, domestic violence, sexual intimidation, violation of sexual and reproductive rights, the Netherlands

The central question being answered in this research report is: what is the meaning of the UN's Women Convention for the Netherlands with regard to the prevention and combating of violence against women? The researchers depart from the view that violence against women is a form of discrimination, which hinders women in exercising their human rights and fundamental freedoms. The researchers have analysed to what extent the Dutch policy on this issue complies with the Women Convention. Next to this, four specific issue areas have been examined: trafficking in women and sexual exploitation, domestic violence, sexual intimidation and violations of sexual and reproductive rights. The researchers conclude that violence against women is less and less being treated as a sex specific problem, as a result of which the fact that women are disproportionately hit by violence threatens to disappear from our view. According to the authors sexual violence is an expression of power inequality between men and women. Prevention requires economical independence of women and more generally an alteration of the traditional division of roles between men and women and of the prevailing images about masculinity and femininity in our society. These aspects are represented within the Dutch emancipation policy. However, the researchers emphasize that there is a lot to be improved.

10) Holtmaat, Rikki. 1998. Het wetsontwerp belaging, Een twijfelachtige oplossing voor een ernstig probleem. [The bill on stalking. A doubtful solution to a serious problem]. *Nemesis* 14: 54-57. DU

Keywords: stalking, legislation, criminal law, the Netherlands

In this short article the author comments on a bill on stalking that was submitted by three members of Parliament in December 1997. In this bill a ban on stalking to be included in criminal law is being proposed. The author wishes to broaden the one-sided criminal approach to stalking that is taken in this bill. She thinks more clarity should be gained on what the concept of 'stalking' actually means; about what problem are we talking exactly? Also, the existing legislative instruments to combat stalking are not systematically being discussed in the bill. The author believes that the bill all too easily considers criminal law as a possibility to end stalking, while there are also alternative solutions that should be deliberated about.

11) Gulp, Lisette van and Hilde Bakker. 1997. *Géén privéproblemen!: knelpunten, analyses en aanbevelingen in de bestrijding van geweld tegen vrouwen in relaties.* [Not a private problem!: bottlenecks, analyses and recommendations

concerning the prevention of violence against women in relationships]. Utrecht: TransAct. DU

Keywords: violence, relationships, women's aid, black women, allochtonous people, refugees, legislation, the Netherlands

This is a note in which the bottlenecks are being described that play a role in combating violence against women in intimate relationships. Next to problems in legislation, problems having to do with the level of knowledge and competences of the professionals involved and the capacity problems in care organisations, attention is paid to problems of abused migrant and refugee women. Recommendations are also included.

12) Kool, Renée and Katinka Lünemann. 1997. *Geweld tegen vrouwen strafrechtelijk bekeken. Strafrecht en civiele schadevergoeding. [Violence against women, a criminal view. Criminal law and civil compensation]*. *Nemesis* 13: 172-179. DU

Keywords: violence against women, criminal law, the Netherlands

This is a chronicle on violence against women. It gives a description of the developments in the field of criminal law regarding violence against women. In this framework, theoretical questions having to do with law, material law, formal law and difficulties with compensation are being discussed.

4.1.1 Comparative studies

13) Lünemann, Katinka D. and Peter J.P. Tak and Daniëlle J.G. Piechocki. 2002. *Interventie door uithuisplaatsing. De juridische mogelijkheden van uithuisplaatsing van plegers van huiselijk geweld in Oostenrijk en Duitsland. [Intervention by eviction. The legal possibilities of evicting offenders of domestic violence in Austria and Germany]*. Utrecht: Verwey-Jonker Instituut. DU

Keywords: domestic violence, eviction of offenders, legislation, Germany, Austria, the Netherlands

In various European countries a paradigm shift has taken place with regard to domestic violence. Violence within the family is no longer regarded as a private problem without relevance for the government, but as a social problem involving public interest. A recent report by the Dutch cabinet titled 'Private violence – Public matter' illustrates a new perspective on this issue. The report describes the issue in powerful terms: "Domestic violence is the most common form of violence in our society. No other form of violence produces as many victims as domestic violence. Substantially reducing the amount of violence in our society is only possible if we deal forcefully with violence in the private sphere". The goal of this research project is to compare foreign measures against domestic violence, particularly in the area of eviction, and evaluate whether the Netherlands needs to consider additional measures in this area. The report describes the existing legal instruments in the Netherlands to then turn to lessons from abroad. Measures taken in Germany and Austria are extensively being discussed. According to the

authors, the way that eviction of domestic violence offenders is organised in Austria and Germany could serve as an example for Dutch legislation in this area. On the basis of their two case studies the authors propose several ways in which the Dutch legislation could be adapted.

- 14) Roggeband, Conny. 2002. De politisering van seksueel geweld. De strijd van de vrouwenbeweging in Nederland en Spanje. [Politicizing sexual violence. The struggle of the women's movement in the Netherlands and Spain]. *Tijdschrift voor Genderstudies* 5: 48-67. DU

Keywords: battered women's movement, social movement theory, political opportunities structure model, Spain, the Netherlands

This article discusses the relation between the state and the battered women's movement in two European countries with important differences in political structure, democratic tradition and culture: the Netherlands and Spain. According to social movement theory, so-called national opportunity structures determine the chance of facilitation, repression or reform with respect to the rise or fall of social movements. This opportunity structure consists of four basic elements: the existing configuration of political cleavages, the openness or closeness of the formal institutional structure of the state, the informal strategy used by the authorities towards challengers and the possible alliances for social movements. The Netherlands and Spain differ in almost all of these elements. This explains the important differences in the timing of mobilisation and in mobilisation strength between the Dutch and Spanish battered women's movement. Also the differences in results can, in part, be explained by differences in the political opportunity structures, but for a better understanding we should broaden the political opportunities model and include political culture, cross-national learning processes and international political opportunities. Contrary to what can be expected on the basis of the model, there are important similarities in the strategies of the movements. The case discussed shows that movement ideas to a large extent determine if and how movements make use of political opportunities. Moreover, the political opportunities model fails to see that social movements transcend both national and political boundaries. In addition, social movements challenge the political realm by redefining the domain of traditional political and permissible state intervention. Social movements do not just seize opportunities; they often create new opportunities and change politics.

- 15) Tubex, Hilde. 2002. De juridische en strafrechtelijke bemoeienis met plegers van seksueel geweld/misbruik: een overzicht van de Belgische en Nederlandse situatie. [The legal and criminal interference with offenders of sexual violence/abuse: an overview of the Belgian and Dutch situation]. *Tijdschrift voor de seksuologie* 26:105-114. DU (also available on the internet: <http://www.tijdschriftvoorseksuologie.nl/archief/tvs2002-01/tubex.htm>) DU

Keywords: sexual violence, legislation, repression, Belgium, the Netherlands

The author gives a description of recent initiatives taken by the Dutch and Belgian legislator in the field of sexual violence and abuse. There seems to exist a tendency towards increasing repression, like an extension of penalization and

heightened punishments. Before discussing these recent developments, the author looks back on the developments in earlier decennia. Next, Belgium and the Netherlands are being compared and some reflections are being formulated.

- 16) Maclee, Marjolein and Stan Meuwese. 2000. Genitale verminking bij meisjes en vrouwen. [Genital mutilation of girls and women]. *Ars Aequi* 49: 535-545. DU

Keywords: female genital mutilation, legislation, Defence for Children International, France, Germany, Sweden, the United Kingdom and the Netherlands

In this article the authors starts with discussing what female circumcision is, what reasons are put forward to legitimise circumcision and what are the consequences. After that, the international juridical background of the issue is shortly being discussed. Next, the authors describe how several European countries (France, Germany, Sweden, the UK and the Netherlands) have dealt with the issue of female genital mutilation in their legislation. Finally, the standpoint of the independent NGO Defence for Children International is explained.

4.2 English sources

- 17) Römken, R. 2006. Protecting prosecution: Exploring the powers of law in an intervention program for domestic violence. *Violence against women* 12:160-186. EN

Keywords: domestic violence, women, criminal justice system, criminalization, electronic technology, intervention program, the Netherlands

This article critically analyzes how the criminal justice system centrally situates itself in an intervention program intended to protect victims of domestic abuse and stalking. Based on the first empirical, in-depth study in the Netherlands of an intervention program using electronic technology that is increasingly used in the United States, results indicate how the central role of the criminal justice actors can evoke a shift toward foregrounding prosecutorial interests. Drawing from a critical theoretical understanding of the powers of law and the legal system, the author argues that current tendencies toward criminalization in domestic violence interventions can have an unintended violent impact for victims who are either excluded from the program or are forced into a criminal justice regime that might not be in their primary interest. In this study, women seem to actively navigate the use of the criminal justice system to receive the protection they need.

- 18) Zeegers, Nicole and Katinka Lünneke. 2005. Rules against domestic violence in the light of the social working and communicative approaches to legal rules. In *Social and symbolic effects of legislation under the rule of law*, ed. Nicole Zeegers, Willem J. Witteveen and Bart van Klink, 45-63. Lewiston, New York: The Edwin Mellen Press. EN

Keywords: rules against domestic violence, women's autonomy, social working approach, communicative approach, Dutch policy measures

In order to enhance the chances that legal rules directed against domestic violence will have an effect on women's autonomy; one should generate support for them in the families themselves. Therefore, the rules and accompanying measures should at least ensure that individual autonomy is confirmed as an important value in the domestic sphere as well as in the public sphere. To be useful for potential victims, the rules must also have an empowering effect and balance the power between men and women. In this chapter the authors focus on these types of effects and answer the following questions: To what extent and in what manner do the so-called social working approach to legal rules and the so-called communicative approach to legal rules take into account take into account this sort of effect of rules?; What policy measures are and could be taken to enhance the empowering effects of the rules against domestic violence as they have been formulated and reformulated in the Netherlands in the last few decennia? The authors claim that the social working approach has some blind spot for symbolic effects such as changes in the normative framework and the vocabulary that structures discussions about issues in the everyday lives of men and women in intimate relations. Therefore, certain parts of the communicative approach should be integrated in the social working approach' causal model. In order not to lose touch with symbolic effects, the authors suggest that the quality of political and judicial discussions about the rules (or discursive practices) must be added as an independent variable to the social working approach model.

- 19) Bartels, Edien. 2004. Female circumcision among immigrant Muslim communities: public debate in the Netherlands. *Journal of Muslim Minority Affairs* 24:393-400. EN

Keywords: violence against women, female circumcision, immigrant Muslim communities, public debate, relationship religion-culture-ethnicity, the Netherlands

Though the practice of female circumcision continues in several African countries it has remained unknown in most other societies. However, immigrants coming to Western Europe from countries in Africa where this practice persists sparked a public debate and social controversy at various levels. This paper focuses on the immigrant community in the Netherlands and reviews briefly what debates have taken place in that country on the practice of female circumcision. The paper then examines the relationship between religion, culture and ethnicity and the practice of female circumcision. Finally, the paper reviews the discussions during the first conference on female circumcision in Europe and examines why this is important, both for the fight against female circumcision and for the development of Islam in the Netherlands.

- 20) Outshoorn, Joyce. 2001. Debating prostitution in parliament. A feminist analysis. *The European Journal of Women's Studies* 8:472-490. EN

Keywords: politics, prostitution, prostitution policy, trafficking of women, the Netherlands

In 2000, the Netherlands became the first European country to legalize prostitution, a policy supported by Dutch feminists. It distinguishes forced from

voluntary prostitution, defining the latter as 'sex work', in contrast to feminist positions viewing it as 'sexual domination'. This article examines the discourses used by parliamentarians in the debates since the 1980s and charts the shift from a traditional moral view to the sex-work frame, creating new meanings of 'prostitutes', 'clients' and 'brothel keepers' in the process. The new discourse allows for an active female sex worker but desexualizes the nature of the prostitution exchange. Neither does it offer an account of why it is mainly men buying sex from (mainly) women. The analysis also highlights the contradictions created by the forced/voluntary distinction when speaking of the trafficking of women from poor countries and current anti-migration discourse, as well as the near obliteration of the racial differences between 'clients' and 'workers' in parliamentary discourse.

21) Outshoorn, Joyce. 2001. Regulating prostitution as sex work: the pioneer case of the Netherlands. *Acta Politica* 36:155-179. EN

Keywords: discourse analysis, policy analysis, prostitution, sex work, trafficking, national women's policy agency, the Netherlands

The Netherlands has become one of the first nations to allow brothels and to recognize prostitution as sex work. In this analysis the role of the national women's policy agency and its links to the women's movement with respect to the new prostitution policy are assessed by looking at the policy aims and the effectiveness with which the issue has been framed and gendered in new ways. Three major parliamentary debates on prostitution and the resulting trafficking of women are analysed for the discourses employed. These discourses are the traditional moral discourse, and those concerning sexual domination and sex work. It emerges that the policy agency adopted and promoted movement goals such as the repeal of the brothel ban and higher penalties for traffickers of women. Its framing, that distinguishes between voluntary and forced prostitution and defines the first as sex work, has become the basis for the new legislation. In this way new images of gender have arisen, allowing for a modern emancipated sex worker alongside the traditional image of the exploited victim. It remains to be seen in how far the new legislation will improve the position of prostitutes or lead to new forms of control.

22) Grünell, Marianne. 1999. A good practice. The role of women's studies in the coalition of feminists and the state against physical and sexual violence. *The European Journal of Women's Studies* 6:341-358. EN

Keywords: policy analysis, women's studies, feminist movement, Dutch state, government policy, physical and sexual violence, the Netherlands

Since 1991 government has harnessed mass media resources to tackle the problem of physical and sexual abuse, aiming its media messages specifically at men as potential perpetrators. This article examines the ways this new state responsibility has taken shape. The central theme here is the role played by women's studies as intermediary between feminist action and government policy. It looks at how physical and sexual abuse became part of the parliamentary political agenda and how a political and policy basis was created. A guiding role

was played by representative research commissioned by government on sexual abuse of girls and violence in heterosexual relationships. Data on the extent of the problem generated surprise and concern among the general public and downright disbelief in the press. Yet, government continued to pursue policy development, supported by the clearly demonstrated extensive physical and sexual abuse. One decisive result of the representative research - the relationships or family dynamics interwoven with violence - remained less easy to tackle through government policy. The more precise questions subsequently posed by women's studies on specific relationships and situations in which women can be affected by violence are reflected in government policy aimed at groups of women at risk. Those elements which apply to potential victims also apply to potential perpetrators. Here again, socio-psychological research among perpetrators has been initiated whereby sexual violence as an element of everyday reality becomes more transparent. These studies emphasize the significance of a dominant heterosexual pattern and the relationship dynamic this implies, and as such reflects the first representative studies. This concept has ultimately been incorporated into the mass media information programmes initiated by government.

4.2.1 Comparative studies

- 23) Roggeband, Conny. 2007 (forthcoming). Translators and transformers. International diffusion of practices and ideas and the movement against violence against women. *Social Movement Studies* 6. EN

Keywords: diffusion, learning, international exchange, women's movements, violence against women, the Netherlands, Spain

Cross-national traffic of ideas and practices contribute to the spread of collective action across borders. These processes have only recently become the subject of study and theoretical discussion. The theoretical models that have been developed so far, fail to take into account the complex nature of intercultural communication. No attention is paid to problems of interpretation and translation that may occur and how potential adopters adapt foreign ideas and practices to a new context. Moreover, the central role of networks and existing (power) relations within these networks in this process is often neglected. Instead, I propose an empirically grounded, alternative model of the process, based on the cases of women's organizations against sexual violence in the Netherlands and Spain. My approach focuses on the processes of reception, recontextualization and the relations within the diffusion network. The reception of innovative examples was different for organizations that came across the example of pioneers at an early stage, than for later groups. Early groups had less critical distance and more readily identified with, than later observers. While some early followers aimed at "literal" translation of an inspiring example, far more adaptations were made by the later groups. Innovative repertoires travelled through networks, but within these networks power struggles over ownership and the right to transform emerged.

24)Krizsan, Andrea, Marjolein Paantjens, and Ilse van Lamoen. 2005. Domestic violence: Who's problem? *The Greek review of social research* 117: 63-92. EN

Keywords: domestic violence, frame analyses, women's rights proponents, government policy, Hungary, The Netherlands, EU

This article juxtaposes shifts in prevailing frames on domestic violence in the Netherlands, Hungary and the EU. Domestic violence, first brought on the political agenda by women's rights proponents as a problem related to gender inequalities, has been framed and re-framed under the influence of mainstream policy makers. The analysis of these frames shows how shifts in the gender of governance, particularly the marginalization of feminist NGO voices, have led to shifts in the governance of gender. These shifts caused a weakening or even disappearance of gender-equality considerations in domestic violence policies, or an integration of it in a broader framework thereby going beyond gender specific interests. The authors argue that strengthening government engagement on the issue of domestic violence goes hand in hand with a de-gendering in the articulation of the problem. This shift has taken away the privileged position of women's rights proponents to speak out on the issue, and established the interests of other members of society to speak on it by affirming its cross-societal nature.

25)Roggeband, Conny. 2004. Immediately I thought we should do the same thing. International inspiration and exchange in feminist action against sexual violence. *The European Journal of Women's Studies* 11:159-175. EN

Keywords: diffusion, international feminist networks, sexual violence, women's movement, Spain, the Netherlands

Cross-national traffic of feminist ideas has contributed to a growth of the international women's movement and has shaped national movements. These processes have only recently become the subject of study and theoretical discussion. The theoretical models that have been developed so far fail to take into account the complex nature of intercultural communication. No attention is paid to problems of interpretation and translation that may occur and how 'adopters' use the example of others. Instead, this article proposes an empirically grounded, alternative model of the process, based on the cases of women's organizations against sexual violence in the Netherlands and Spain. The author's approach focuses on the processes of communication – the relationship between source and followers and the conditions that facilitate or impede communication – and the conditions that lead to adaptation.

26)Zavratnik Zimic, Simona, ed. 2004. *Women and trafficking*. Ljubljana: Peace institute.

Keywords: Women, trafficking, media, violence, human rights, legislature

The book gathers proceedings of an international seminar titled "Women in Migration and Vulnerability for Trafficking in Human Beings". The fifteen papers presented and carefully debated at the seminar cover a variety interdisciplinary encounters and

experiences with trafficking in women, among them an historical overview, debates over human rights approaches, an analysis of media reporting, and innovative recommendations for recasting the issue. The book includes a series of case studies covering experiences in field work, legislation in different countries, such as Albania, Macedonia, the Netherlands, Moldova and Slovenia.

27) Zeegers, Nicole. 2002. Taking account of male dominance in rape law. Redefining rape in the Netherlands and England and Wales. *The European Journal of Women's Studies* 9:447-458. EN

Keywords: abuse of power, coercion, male dominance, marital rape exemption, non-consent, political agenda, rape law reform, rights of the defendant, the Netherlands, England, Wales

American legal scholar MacKinnon held that using consent as the legal criterion to draw the line between rape and intercourse would evade the issue of male dominance in heterosexual relations. Feminist lawyers in the Netherlands and England and Wales translated the insight that rape has to do with inequality between the sexes in alternative definitions of rape. They also struggled to get these alternative definitions incorporated in law. However, in the Netherlands as well as in England and Wales, feminist proposals to broaden the concept of coercion or non-consent to include submission met with serious obstacles from within the legal system. This article describes the process the feminist proposals to redefine coercion or non-consent in rape law went through in the Netherlands and in England and Wales. It tries to answer the following question: To what extent can the obstacles in this process of forming a broad definition of coercion be attributed to what MacKinnon called the inherent fallocentrism of law?

28) Timmermans, Greetje and Cristien Bajema. 1999. Sexual harassment in Northwest Europe. A cross-cultural comparison. *The European Journal of Women's Studies* 6: 419-439. EN

Keywords: sexual harassment in workplace, cross-cultural comparison, review study, heterosexual power perspective, variations in definition and methodology, Austria, Belgium, Denmark, Finland, Germany, Ireland, Luxembourg, the Netherlands, Norway, Sweden, the United Kingdom

A substantial body of research addressing the issue of sexual harassment in the workplace has been developed over the past decade. In this article we consider the complexity of cross-cultural comparisons of the incidence rates of sexual harassment and present the results of our research on sexual harassment in the work place in 11 northern and western European countries. In 1997 we reviewed 74 surveys and qualitative studies conducted between 1987 and 1997. Sexual harassment appears to be a workplace problem in all countries, although the incidence varies considerably. We argue that differences in incidence rates are not for the most part a reflection of national cultural differences, but are partly due to the definitions and methodology used in the studies. This implies that higher reported incidence figures in one country do not necessarily mean a higher prevalence of sexual harassment compared to other countries. Furthermore, sexual harassment research in the countries reviewed appears to be dominated

by a one-sided, uniform and heterosexual power perspective. The implications of the exclusion of cultural background and sexual orientation in theory and policy are discussed.

5 OPERA – Gender training books and manuals

- 1) Marktplan Adviesgroep & E-Quality. 2006. *Instrument voor doelgericht begroten. Methode voor het uitvoeren van een Gender Budget Analyse*. [Instrument for purposeful budgeting. Method to perform a gender budget analysis]. Den Haag: Marktplan Adviesgroep & E-Quality.
<http://www.emancipatieweb.nl/uploads/2092/InstrumentDoelgerichtBegroten.pdf>
DU

Keywords: gender budget analysis instrument

Commissioned by the Ministry of Social Affairs and Employment, Marktplan Adviesgroep and E-quality have developed an instrument for the execution of gender budgeting on the basis of pilotstudies in 6 municipalities. The instrument is supposed to be used by municipalities.

- 2) Directie Coördinatie Emancipatiebeleid. 2005. *Handleiding emancipatie-effectrapportages. Herziene editie*. [Guidelines for gender impact assessment. Revised edition] Den Haag: Directie Coördinatie Emancipatiebeleid (DCE).
http://www.emancipatieweb.nl/uploads/1558/eer_2.pdf DU

Keywords: gender impact assessment manual

The guidelines for gender impact assessment in the Netherlands enables the reader to decide whether or not a Gender Impact Assessment (GIA) is desirable or necessary in a specific case and describes the basic principles and method for carrying out a GIA. The guidelines for gender impact assessment are meant for policymakers at central government level and for heads of departments, who have to decide whether a GIA will be commissioned, as well as for researchers and executive departmental staff, who will be guided through the actual steps that have to be taken when carrying out a GIA. The guidelines were published by the Department for the Co-ordination of Emancipation Policy of the Dutch Ministry of Social Affairs and Employment.

- 3) Directie Coördinatie Emancipatiebeleid. 2003. *Budgettering vanuit een man/vrouwperspectief: een verslag van drie pilots* [Gender budgeting: report on three pilots]. Den Haag: Directie Coördinatie Emancipatiebeleid (DCE).
<http://www.emancipatieweb.nl/uploads/1084/GBANederlands.pdf> DU

Keywords: gender budget analysis instrument

Gender budget analysis is one of the gender mainstreaming instruments used to integrate emancipation goals into regular policy-making. This report describes three pilot studies that were carried out at the Ministry of Social Affairs and Employment, the Ministry of Housing, Spatial Planning and the Environment and the Ministry of Finance. The instrument of gender budgeting that is being described in this report developed itself in the course of the research in the form of a list of (sensitizing) questions. By means of practical application the instrument has to be refined further.

- 4) Directie Coördinatie Emancipatiebeleid. 2003. *Handleiding gender mainstreaming* [Manual on gender mainstreaming]. Den Haag: Directie Coördinatie Emancipatiebeleid (DCE)
http://www.emancipatieweb.nl/uploads/139/GMHandleiding2003_BINNENWERK.pdf DU

Keywords: gender mainstreaming manual

This manual is a revised edition of the 2000 edition. The manual is first of all addressed to emancipation workers, members of internal emancipation commissions, directors and other managers who want to integrate gender mainstreaming within their unit, directorate or department. By means of this manual one can check whether gender mainstreaming has been sufficiently ingrained in the organization and which instruments could be used to improve this. The whole process of gender mainstreaming is being dealt with, from policy preparation to policy development to policy evaluation. For each phase it is being indicated which instruments are suitable and what can be achieved during this phase. Next to this, the manual provides a multitude of (practical) examples. Furthermore, list with literature, organizations and experts are included in the annexes.

- 5) Sneller, A. Agnes and Agnes Verbiest. 2002. *Bij wijze van schrijven. Over gender en trefzeker taalgebruik*. [By means of writing. On gender and accurate language]. Den Haag: SDU, 2002

Keywords: manual on gender neutral writing

Many texts are not formulated in a gender neutral way. To give an example: certain concepts or vocational indications are always masculine. This writing manual advises journalists, formulators of policy texts and writers on how to use language in a more gender neutral way.

- 6) Holtmaat, R. 1999. *Seksuele intimidatie op de werkplek: een juridische gids*. [Sexual intimidation. A juridical guide.] Nijmegen: Ars Aequi Libri. DU

Keywords: legal guidebook, sexual intimidation at work, sexual harassment, the Netherlands

This juridical guidebook on sexual intimidation and harassment at work consists of three sections. The first one describes the juridical possibilities in combating sexual intimidation at work. In the second section two manuals to be used by companies, institutions and organisations are formulated. One is a model for policy development. The other one is a manual on the development of a complaint procedure. The final section of the book offers an overview of jurisprudence.

- 7) Ministerie van Sociale zaken en werkgelegenheid and Directie Coördinatie Emancipatiebeleid (coordinators). 2004. *Mixed management. Handboek diversiteit m/v*. [Mixed management. A manual on male/female diversity]. Den

Haag: Ministerie van Sociale Zaken en Werkgelegenheid. http://www.mixed-equal.nl/uploads/1077/Mixed_management.pdf DU

Keywords: (gender) diversity management manual

This is a practical manual and a source of inspiration for managers who want to work towards achieving a better balance between women and men in their organization and to get more women in higher positions. In this publication 9 human resource instruments are being discussed. Among them are instruments that focus on the organizational culture, on the individual employee and on the institutionalization of the female/male policy of the organization. A multitude of concrete products like step-by-step plans, training modules and (digital) tests are developed in the framework of 'mixed management' and put to the test by thirty very diverse organizations. The manual can be ordered for free.

- 8) Onderzoeks- en Adviesbureau van de Vereniging van Nederlandse Gemeenten (SGBO). 2004. *Handreiking aanpak huiselijk geweld : 55 vragen over de rol van de gemeente*. [Assistance guide concerning the approach to tackle domestic violence: 55 questions on the role of municipalities]. Den Haag: VNG Uitgeverij. http://www.huiselijkgeweld.nl/doc/beleid/BELEID_handreiking_aanpak_huiselijk_geweld_55_vragen_rol_gemeente.pdf DU

Keywords: assistance guide, directing role of municipalities, domestic violence

This guide aims to assist municipalities to come to an approach to tackle domestic violence. Much attention is being paid to the directing role of the municipalities and the way they can cooperate with the partners involved. The aim of this guide is not to present *the* best formula for municipalities. After all, the local and regional situation always asks for a unique approach. The guide primarily provides suggestions about how to fill in the directing role. Practical examples illustrate the different possibilities. Also included is an overview of the financing aspects and the establishment of advisory and assistance points.

- 9) Eggen, Annette. 2006. *Handboek huiselijk geweld & allochtone gezinnen*. [Manual on domestic violence & allochtonous families]. Almelo: Equivalent, Experts in Emancipatie. DU

Keywords: domestic violence manual, municipalities, allochtonous families

This manual was published by 'Equivalent experts in emancipation' in cooperation with the minority assistance point of the province of Overijssel. It aims to assist professional practitioners to acquire skills in the field of domestic violence in allochtonous families. Next to this, it is a guide that should assist municipalities in the initiation and execution of their directing role in regarding domestic violence.

- 10) Beveren, Jacintha van, and Thera van Osch and Sheila Quinn. 2004. *Begroten met een menselijke bril. Handboek voor gender budget initiatieven*. [Budgeting in a humane manner. Manual on gender budget initiatives]. Utrecht: Vrouwen Alliantie. DU/EN

Keywords: Gender budgeting manual

This is the first Dutch practical manual for administrators (of companies, organizations or governments) or local groups who would like to start with gender budgeting. It comes as a useful device when developing or evaluating budgets. The different chapters successively deal with: the technique of gender budgeting, awareness of equality as a vital aspect of policy making, some foreign examples, directives for local groups and instruments to be used. The manual is also translated into English.

- 11) Benschop, Yvonne (project coordinator). 2005. *Fempowerment*. Nijmegen: Radboud University, Nijmegen School of Management.
<http://www.fempowerment.nl/Default.aspx> DU

Keywords: digital online instrument, self-diagnose, obstacles women face in organisations, female/male balance in organisations

The digital online instrument 'FemPowerMent' was commissioned by 'The Glass Guide' organization (www.TheGlassGuide.org), developed by the Nijmegen School of management and funded by the European Social Fund (EQUAL) and the Dutch Ministry of Social Affairs and Employment. It offers education institutes, care institutes and government institutes a unique instrument of self-diagnose that helps to map the chances and obstacles that women face in an effective way.

- 12) Ministerie van Sociale Zaken en Werkgelegenheid. *Glazen plafond index*. [The Glass ceiling index]. Den Haag: Ministerie van Sociale Zaken en Werkgelegenheid. DU

Keywords: digital measuring device, self-diagnose, glass ceiling

The 'glass ceiling index' is a digital device that measures the career development of women within a certain company/organization. How thick is the glass ceiling? On the website www.glazenplafondindex.nl companies/organizations can take an anonymous test. On the basis of this test one immediately receives the results, comparisons with other organizations and advice on ways to improve the situation. The index has been developed very recently.

- 13) Radar Advies. *Toolkit Participatie*. [The participation toolkit]. Amsterdam: Radar Advies. www.toolkitparticipatie.nl DU

Keywords: toolkit on the emancipation and integration of women from ethnic minorities

The participation toolkit is a set of instruments that has been developed recently by Radar, a consultancy on social questions. The toolkit aims to assist municipalities in developing or refining their policies on the emancipation and integration of women from ethnic minorities.

7 FRAGEN

The amount of women documentation centres or archives has been declining at a fast pace since somewhere in the eighties. At that time, there existed around 40 to 45 documentation centres specialised in women and gender issues in the Netherlands. When the number of documentation centres came down to around 20, the decline stopped for quite some years. It is only during the last few years that this number has started to decline again and at this moment less than 10 centres remain. Until recently, there existed the 'national consultation on women information facilities' LOVI (Landelijk Overleg Vrouwen Informatievoorzieningen). Through this body the women documentation centres communicated and cooperated. LOVI also published a newsletter named 'specialist journal on women information' (vakblad vrouweninformatie). Both the consultation body and the newsletter stopped to exist at the beginning of this millennium. The documentation centres that still remain are listed below:

Institute for Gender Studies at the Radboud University Nijmegen Documentation Centre

Contactperson: Jeannette van Mierlo (information specialist)

Address: mailbox 9104

NL-6500 HE Nijmegen

Netherlands

Phone: +31 24 361 3019, +31 24 361 2339

Fax: +31 24 361 1881

E-mail: j.vanmierlo@maw.ru.nl

Website: <http://www.ru.nl/genderstudies>

The Documentation Centre was founded in 1987 within the Centre for Women's Studies at the University of Nijmegen, since 2005 called Institute for Gender Studies. The collection, which is available to the general public, is focused on women's studies and emancipation policy and consists of: articles, bibliographies, books, grey literature, periodicals. The documentation centre houses many items which cannot be found in regular university libraries, such as congress proceedings, reports, white papers, grants, and surveys on current research in women's studies. The centre is staffed by one employee and two volunteers.

International Information Centre and Archives for the Women's Movement IIAV [Internationaal Informatiecentrum en Archief voor de Vrouwenbeweging]

Contactperson: Marjet Douze (deputy director) and Tilly Vriend (coordinator collections and databases)

Address: Obiplein 4

1094 RB Amsterdam

Netherlands

Phone: +31 20 665 0820, +31 20 665 1318

Fax: +31 20 665 5812

E-mail: info@iiav.nl

Website: <http://www.iiav.nl/eng/index.html>

The IIAV is the national library, documentation centre and archives on the position of women and women's studies in the Netherlands. Founded in 1935 as a private initiative the International Archives for the Women's Movement (IAV) merged in 1988 with the Information and Documentation Centre (IDC) and the journal *Lover*. The IIAV

preserves the cultural legacy of the women's movement and provides information about the position of women in the past and present. The IIAV receives an annual subsidy from the Department for Coordination of Emancipation Policy (DCE) of the Dutch Ministry of Social Affairs and Employment. The staff consists of 20 full-time positions. The collection consists of archives, articles, bibliographies, books, CD-ROMs, databanks, dossiers on persons, dossiers on subjects, ego documents, grey literature, microfiches, microfilms, pamphlets, periodicals, photographs, posters, press cuttings and reference journals. Top ten subjects: literature, politics, economics, labour, women's movement, health care, education, history, arts and media.

Lesbian Archives of Nijmegen [Lesbisch archief Nijmegen]

Contactpersons: Olga Jans, Hanneke Schweitzer
Address: In de Betouwstraat 9, 6511 GA Nijmegen
Postbus 1220
6501 BE Nijmegen
Netherlands
Phone: +31 24 323 4459
Fax: +31 24 323 4459
E-mail: info@lesbischarchief.nl
Website: <http://www.lesbischarchief.nl>

The idea of founding a Lesbian Archive was conceived during the Women's Studies Summer University in 1981. The actual year of establishment was 1985. Although many lesbian students attended the Summer University, lesbian issues were not dealt with. A group of independently organized students at the Summer University agreed that there was a real need to preserve lesbian culture. Inspired by the Lesbian Herstory Archives, a group of Summer University students decided to found lesbian archives in various cities in the Netherlands, including Nijmegen. The Lesbian Archives in Nijmegen houses not only books and subject files but also a collection of objects such as clothes, buttons, games, music albums and other types of memorabilia. The collection consists of: archives, books, dossiers on subjects, ego documents, grey literature, periodicals, objects,

Top ten subjects: lesbianism, bisexuality, coming out, gay marriages, transsexualism, lesbian and gay movement, violence, discrimination, human rights

Women's Documentation Centre De Feeks [vrouwendocumentatiecentrum de Feeks]

Contactperson: Renée Wensink
Address: St. Antoniusplaats 1
6511 TR Nijmegen
Netherlands
Phone: +31 24 323 0276
Fax: +31 24 360 2979
E-mail: feeksdoc@vrouwen.net
Website: <http://www.defeeks.nl>

De Feeks has its roots in the women's movement of the seventies. The organisation was established in 1978. Until 1992 the centre was run as a collective and depended on volunteers. Since 1992 a coordinator has been employed and in 1996 four more people were hired. De Feeks has published Quiz-miss (a game), an address guide of women's organizations in Nijmegen, and selected articles on the subject of 100 years

of women and work in the Netherlands. Its collection consist out: articles, books, CD-ROMs, dossiers on subjects, grey literature, periodicals, press cuttings and videotapes.

Top ten subjects: sexual violence, labour, diversity, culture, biographies, psychology, political participation, history, body and religion.

Homo documentation and lesbian archive Amsterdam [Homodok-Lesbisch Archief Amsterdam]

Address: Nieuwpoortkade 2A
1055 RX
Amsterdam

Phone: +31 20 6060712

Fax: +31 20 6060713

E-mail: info@ihlia.nl

Website: <http://www.ihlia.nl>

The 'Homodok-Lesbisch Archief Amsterdam' welcomes everybody who is looking for information on homosexual men and/or lesbian women, their history, daily lives and their culture. Together with the Anna Blamanhuis it forms the International Homo/Lesbian Information centre and Archives (IHLIA). IHLIA boasts the largest GLBTQ library collection in the Netherlands: travel guides, posters, monographs, archival records, audiotapes, flyers, literature, dissertations, videotapes, letters, works of art, bibliographies, diaries, badges, books of poetry, photographs, compact discs, jewelry, t-shirts, (auto)biographies, periodicals, medals, policy papers, condoms, games, banners, erotica and pulp fiction.

Women's Library IDEA [IDEA Vrouwenbibliotheek]

Address: Janskerkhof 1
3512 BK
Utrecht

Phone: +31 30 2347303

Fax: +31 30 2343255

E-mail: vrouwenbibliotheek@idea-utrecht.info

Website : <http://www.vrouwenbibliotheek.nl>

This library is a central point for women's information in the city and province of Utrecht. IDEA collects information and documentation on the role and position of female in the Dutch society and worldwide. Its focus is on the influence of sex, ethnicity, class, religion, sexual orientation and disability on the position of women. The material is based as much as possible on women's own vision and is emancipatory and critical of the social structure.

The house of Anna Blaman [Anna Blamanhuis]

Address: Postbus 4062
8901 EB
Leeuwarden

Phone: +31 58 2121829

E-mail: abh@ihlia.nl

Website: <http://www.anna-blaman-huis.org/>

Together with the Homo documentation and lesbian archive Amsterdam the house of Anna Blaman forms the International Homo/Lesbian Information centre and Archives (IHLIA). IHLIA boasts the largest GLBTQ library collection in the Netherlands: travel

guides, posters, monographs, archival records, audiotapes, flyers, literature, dissertations, videotapes, letters, works of art, bibliographies, diaries, badges, books of poetry, photographs, compact discs, jewelry, t-shirts, (auto)biographies, periodicals, medals, policy papers, condoms, games, banners, erotica and pulp fiction.

RUG – University Centre Genderstudies [Universitair Centrum Genderstudies]

Address: Grote Rozenstraat 38

9712 TJ

Groningen

Phone: +31 50 3636475

E-mail: c.Bajema@ppsw.rug.nl

Website: <http://odur.let.rug.nl/centers/cgs/>

VIP: Virtual Women Information Point [VIP: Virtueel Vrouwen InformatiePunt]

Groningen

E-mail: savantegroningen@hotmail.com

Website: www.inn.nl/~savante

This is the digital replacement of the former women's library "Savante" in Groningen. However, this digital information point is not yet operational.