

UDC 340.111.5-055.2(4)

Iryna Grytsai –

*candidate of juridical sciences, associate professor,
head of the department of social and humanitarian disciplines
Dnipropetrovsk State University of Internal Affairs
(26 Naharina pr., Dnipro, 49000, Ukraine)*

External Experience of Implementation of the Gender Equality Principle

У статті досліджено загальнотеоретичний аспект реалізації принципу гендерної рівності в зарубіжних країнах. Наголошено, що вітчизняна практика реалізації гендерної політики потребує інтенсифікації. Підкреслено, що для України гендерне квотування має теоретичне та практичне значення, яке потрібно використовувати як перехідний засіб для підготовки громадянського суспільства до усвідомлення необхідності представництва жінок в органах державної влади та місцевого самоврядування. Перспективними та практично важливими дослідженнями у сфері реалізації принципу гендерної рівності визначено кількісно-якісний аспект представництва жінок в органах державної влади та місцевого самоврядування загалом.

Ключові слова: *гендер, гендерна політика, гендерне квотування, принцип гендерна рівність, правова держава, демократія, органи виконавчої влади, органи місцевого самоврядування, євроінтеграція.*

В статье исследован общетеоретический аспект реализации принципа гендерного равенства в зарубежных странах. Отмечено, что отечественная практика реализации гендерной политики требует интенсификации. Подчеркнуто, что для Украины гендерное квотирование имеет теоретическое и практическое значение, которое нужно использовать как переходное средство для подготовки гражданского общества к осознанию необходимости представительства женщин в органах государственной власти и местного самоуправления. Перспективными и практически важными исследованиями в области реализации принципа гендерного равенства определен количественно-качественный аспект представительства женщин в органах государственной власти и местного самоуправления в целом.

Ключевые слова: *гендер, гендерная политика, гендерное квотирование, принцип гендерного равенства, правовое государство, демократия, органы государственной власти, органы местного самоуправления, евроинтеграция.*

The article analyses the general theoretical aspect of the implementation of the principle of gender equality in foreign countries since the establishment of a modern democratic society in Ukraine which is a complex transformational process that cannot be solved especially without gender transformation. It is noted that Ukraine ratified the main international legal acts concerning the implementation of the principle of gender equality as one of the important components of further development, and one of the priorities of state policy is to ensure equal rights and opportunities for women and men. In the conditions of globalization of modern society there were identified the peculiarities of foreign countries, the first indicator of their development being the implementation of the principle of gender equality in comparison with other regions of the world. The emphasis is placed on the fact that successful implementation of the principle of gender equality in the Scandinavian countries is due to the fact that states in these countries consider emancipation of women as the most important problem of society and one of their priority tasks is to ensure equal rights and opportunities for women and men. It is stressed that the domestic practice of implementing gender policy needs intensification. It is emphasised that for Ukraine the gender quotation has theoretical and practical value which should be used as a transitional tool for preparing civil society to realise the necessity of women's representation in state authorities and local self-government, in particular in "big" policy (for example, the Verkhovna Rada of Ukraine). The quantitative and qualitative aspect of the representation of women in state authorities and local self-government in general is promising and practically important research in the field of implementation of the principle of gender equality.

It is considered expedient to develop national programs for phased plans to increase the representation of women in state authorities and local self-government bodies.

Keywords: *gender, gender policy, gender quotas, principle of gender equality, rule of law, democracy, executive bodies, local self-government bodies, European integration.*

Issue. The formation of a modern democratic society in Ukraine is a complex transformational process that cannot be solved especially without gender transformation. Aspiring democratic development, the Ukrainian state must first of all rely on foreign experience in implementing the principle of gender equality, as it shows how efficiently the state can build a united, developed and progressive society, while neglecting the problems of gender equality undermines the entire system of state administration. Thus today, mechanisms for improving the status of women exist in almost all countries of the world and are different in form and efficiency. The main objective of such mechanisms is to promote the implementation of the principle of gender equality in the field of political, economic, social and cultural development. In various countries public authorities are making efforts in the context of overcoming the discriminatory stereotypes that impede the achievement of equality in society. It should also be noted that recently a number of important political initiatives have emerged at the global level to ensure an integrated approach to the implementation of the principle of gender equality, since the achievement of gender equality is now a priority indicator of the development of each country in the context of the globalization of modern society. For example, some countries systematically consider the issue of equality between men and women, and within its framework, as a component, they solve the problem of changes in the position and status of women. Other countries are focused on changing the status of women's social status and improving them.

Analysis of recent research and publications. The problem of gender relations in representative bodies of power was studied by such authors as Yu. Akimova, S. Babukhina, D. Batler, M. Bachelet, A. Voronina, I. Grabovska, I. Gutsuliak, T. Demetradze, V. Doichman, I. Zherbkina, K. Karpenko, D. Kul, T. Martseniuk, K. Peitman, L. Sanstein, L. Temkina, N. Shvedova, M. Shenli and others. By gaining a gender equality issue not only of primary importance, but of vital importance in all spheres of public life, at all levels of state power, it was necessary to create a theoretical foundation and practical solution of the issue of

ensuring the implementation of the principle of gender equality, especially taking into account foreign countries.

The purpose of the article is to study the issues of gender balance in the state authorities of foreign countries and to determine the means of ensuring gender equality in the bodies of state power of Ukraine.

The main body. Having ratified the main international instruments concerning the implementation of the principle of gender equality Ukraine has identified the provision of equal rights and opportunities for men and women as one of the important components of further development and one of the priorities of the state policy. It should be noted that a democratic society should give women and men equal opportunities to participate in all spheres of life, including access to power.

But despite legislative regulation, in Ukraine women's access to "big" politics (for example, the Verkhovna Rada of Ukraine) remains unsatisfactory. The situation with access to senior positions in state and local government or the governing bodies of large public or private enterprises is still not better. In this context, there is a need to introduce effective mechanisms for providing women with access to higher levels of power among which particularly gender quotas are the most relevant in the world in general and in the countries of the European Union (hereinafter – the EU). Most EU countries have adopted legislative or voluntary party quotas that enable women to overcome structural barriers to access to politics.

As of November 2014, the percentage of women in the national parliaments of the EU countries was 28%, which is 6% more than ten years ago [1]. It should be noted that the average rate of women's involvement in national parliaments in the EU countries is higher than in the world in general where it is 22% [2]. However, 28% are far from parity, so the EU still has ahead goals that should be achieved.

As of March of 2015, the most successful situations among the 28 EU Member States regarding the participation of women in the national parliament (when women occupy more than 40% of

the seats) are in only three EU countries – Spain (41%), Finland (43%) and Sweden (44%). More than 30% of women are in national parliaments of eight countries: Austria (31%), Belgium (39%), Denmark (38%), Italy (31%), the Netherlands (37%), Germany (37%), Portugal (31 %) and Slovenia (37%). The worst situation with regard to the representation of women in top politics is in Hungary (10%), Cyprus (13%), Malta (13%), Romania (14%), Ireland (16%), Latvia (18%), Slovakia (19%) and the Czech Republic (19%) [3]. The political component of the power component of the Gender Equality Index is measured by the calculation of the percentage of women in the ministerial and parliamentary positions, as well as in the regional authorities. The average figure for the EU's political component is 50, but a number of countries exceed this figure, namely Austria (63), Belgium (66), the United Kingdom (52), Denmark (78), Spain (75), the Netherlands (69), Germany (60), Finland (86), France (64), Sweden (92). At the same time, for countries such as Romania and Hungary, this figure is below 20 [3].

As we can see, the EU countries differ in their level of involvement of women in big politics. The best decision-making role for women in decision-making politics is the situation in Sweden, the political component of the gender equality index of which is 92. Over the past decades in Sweden, mechanisms for ensuring gender equality are being developed at the state level in order to improve the unequal distribution of rights for men and women. In the discourse of gender policy, Sweden is an example of “a forward path” as opposed to the “fast path”, that is a gradual improvement of the state of gender equality in the country [3].

According to Alison E. Woodward, in the last decade in gender relations in Europe there has been the most revolutionary transformation of social relations in the history of mankind [4, p. 15].

It is worth not neglecting the reservation by anthropologist F. Eritier, “the female leader does not possess qualities that are fundamentally different from those inherent in the male leader”, since the brain of the representatives of both sexes operates equally. F. Eritier explains that the hierarchy of sexes is not a biological but a cultural phenomenon. During the history of mankind, various civilizations have put titanic efforts to create a model of female inferiority, including in their heads. The advantage of men is a universal model that prevails in our society [5]. As

an example, one can point out the president of Latvia, V. Freyberg, who identifies himself primarily to a person who has certain rights, opportunities and believes that leadership cannot be male or female.

Women in the Scandinavian countries (Denmark, Iceland, Norway, Finland and Sweden) are ahead of other countries of the world in many aspects of political participation, including representation in legislative bodies and governments, municipalities and regional government. They hold positions of heads of big cities, parliamentary speakers, leaders of political parties. Thus in the 1980s and 1990s, Gro Harlem Brundtland was Norway's Prime Minister three times, gaining a great reputation both within the country and on the international scene. In February 2000 in Finland, Tarja Halonen became the first woman-president in Scandinavia [6, p. 138]. In the Scandinavian countries the successful implementation of the principle of gender equality is due to the fact that the states in these countries, firstly, regard the emancipation of women as the most important problem of society and, secondly, consider ensuring equal rights and opportunities for women as one of their priority tasks.

It should be noted that the women of Scandinavia were among the first in the world to have the right to participate in parliamentary and municipal elections. Already in 1949, the proportion of women in the parliaments of Finland, Sweden and Norway was 12%, 10% and 5% respectively. And already in 1966 it was respectively 17%, 13% and 6% [7, p. 64] is a level that is still unattainable for many countries around the world. Now, women in Scandinavia make up 42% of the parliaments.

As the Russian scholar N. Stepanova writes, the women's movement in Sweden and Finland is rich in tradition, and many reforms were carried out earlier than in other countries [8, p. 992]. Finnish researcher I. Sulkunen believes that the development of women's organizations in Finland was affected by “social motherhood”, that is the emphasis on the female maternal role that determines the care of loved ones. Even when women were excluded from the power structures dominated by men, they soon began to play an active role in the formation of civil society by creating their own organizations. Thus, Finnish women were the first in Europe to receive active and passive suffrage. In 1906, the Russian Emperor Nicholas II signed a decree which created a modern democratic parliamentary system with the

right to vote for men and women. However, participation in municipal elections for Finnish women was allowed later, in 1917. As a result of the parliamentary elections in 1907, 19 women (10% of all deputies) became deputies. Swedish women received the right to vote in 1919 [9].

In turn, it was political parties as the main institution of the political system that played a decisive role in the political integration of the Scandinavian women. Under the pressure of women members political parties formulated the requirements of gender policy and led the principle of gender equality.

In Sweden and Finland with their coherent party system, there were no separate women's parties. In Finland they tried to create a women's party, but it did not receive seats on two parliamentary elections, therefore according to the existing laws there it was dissolved. Women have intensified their activities in already existing parties. Moreover, their activities were organised in women's party sections which became a decisive feature of the political culture of the Scandinavian countries and a rather influential political entity in Sweden and Finland (for example, the National Federation of Social-Democratic Women in Sweden or the Social-Democratic Women of Finland) [8, p. 994].

In the Scandinavian countries parties played a significant role in introducing a gender quota. Thus, in Sweden in 1979 women from the five largest parties, the Social-Democratic, Centre, Communist, Liberal and Moderate (Conservative) parties, united to demand increasing political representation from the leadership. Their initiative has led to the adoption by all these parties (more in the form of intentions than the mandatory directive) of the principle that the representation of each sex in the internal party lists of candidates for managerial positions at the municipal, regional and national levels should not be lower than 40% and above 60%. Despite its recommendation form, this principle proved to be very effective. In the 1980s, the proportion of women in the governing bodies of these parties increased significantly, and their influence intensified [10].

In 1987, the Governmental Commission on the Representation of Women developed a national program "Every Second Place is for a Woman" which outlined a step-by-step plan for increasing the representation of women in government: by 1992

(the first intermediate stage) the number of seats for women should have been 30%; by 1994 (second intermediate stage) – 40%; by 1998 – reach the 50% limit. The subjects of the project were women's organizations, women's committees in parties, trade unions and the media. The government approved and accepted the program by financing a three-year start-up project submitted by the Ministry of Labor which was responsible for implementing the concept of equal opportunities. In addition, the government allocated funds for another 114 projects. Non-state funds were also involved in financing [6, p. 140].

As a result of project implementation the set goals were achieved. The main guarantee of success is the firm position of the Social Democratic government, which since 1984 has consistently pursued the policy of representation 40/60, but without proper legislative consolidation [11, p. 79].

In the Scandinavian countries women paid a lot of attention to the seats in the municipal councils which was due to the resolution of most of the issues they had, and there was a paradox: at the municipal level women's representation was much lower than in parliamentary. In 1972, in Finland women accounted for 15% of members of municipal councils, while in parliament – 21%. In this country the Council for Gender Equality (hereinafter – TANE) actively participated in the campaign to increase the women's municipal representation. In the context of this, TANE began to do a variety of work, such as the creation of municipal committees on equality, propaganda work (for example, the slogan "Woman! Vote for a woman!"). As a result, in 1984 the proportion of women in municipal councils rose to 25%, and in 1992 – up to 30%. In 1984 Finland ranked first in terms of the parliamentary representation – 31% compared to Sweden, but since the 1990's Sweden has been the first to become a world leader. So, in 1991 the woman first became the speaker of the Swedish parliament [8, p. 995]. The Swedish women's movement has begun to demand the inclusion of a sufficient number of women in the lists of political parties, otherwise it was a question of the establishment of a women's party.

In 1991, in Finland the organization of women members of the parliament which united women irrespective of party affiliation was founded. The purpose of this parliamentary group is to implement political gender equality and the protection of women's opinion in the preparation of

the bill. So, in 1994 the Speaker of the Parliament of Finland also became a woman – R. Uosukainen, and then – S.-L. Antilla. And in 2000 the woman was elected the president of this country (T. Halonen), who was ranked eighth among the ten most influential women of the world according to the magazine “*Timé*” [12].

Currently, gender quotas are considered as one of the main types of positive discrimination aimed at increasing the social status of women and provide for the system of compensations, privileges, additional guarantees of their rights and so on. They are a political and legal means to overcome gender asymmetry. Thus, T. Melnyk observes that gender quotas are a temporary phenomenon aimed at overcoming gender imbalances in society which should lead to the transformation of the patriarchal culture into parity when the need for such quotas will disappear by itself [13, p. 75].

Gender distribution has been widespread in Norway. There, quotas are applied by political parties both in the case of party elections and appointments, and when nominating candidates for parliament. The Socialist Left Party has been using both of these gender quotas since the mid 1970s, the Labor Party has been using it since the mid 1980s. The Centre Party and the Christian Democratic Party adopted quotas in 1993, and only the Norwegian Conservative Party and the Progress Party have not used gender-based quotas in any form until recently [6, p. 140].

Gender quotas, as the world’s experience shows, is a fairly widespread practice: of the 182 UN member states with a parliament, women are represented in the highest legislative body in 173 countries, 83 of them apply gender quotas, more than 10 countries have used them before [14].

Four practices for the implementation of gender quotas have been created in world practice: constitutional provisions for reserve seats in parliament with indication of proportions; election legislation, that is regulation of the application of the principle of equal opportunity by the subjects of the election process, the definition of a gender norm and the imposition of sanctions for violating this principle in electoral laws or party laws; the law on equal rights, the principle of equal opportunities here

can be supported by the provisions of electoral law; the statutes of political parties – about 200 parties in the 61st country thus regulate the achievements of gender equality [13, p. 76]. In all these documents, the percentage or number of seats in the parliament, other bodies of state power and women’s parties may be indicated. These types of quotas can be applied not only on their own, but also in complex with each other.

Conclusions. Gender equality is the basis of the society of foreign countries which in turn provides equal opportunities (rights and obligations) in all spheres of life. Thus, the most successful situation in March 2015 among EU member states regarding the participation of women in the national parliament (when women occupy more than 40% of the seats) are the situations, in particular in Spain (41%), Finland (43%) and Sweden (44%). A successful experience in implementing the gender balance in the political sphere of these countries can serve as an example for transforming states, including for Ukraine.

As one of the strategic measures in Ukraine, it is possible to introduce the use of gender quotas, which firstly will increase the status of women in society and secondly, will promote the involvement of a large number of women in state authorities and local self-government. It is necessary to focus attention on the fact that quicker elimination of gender imbalance requires more radical measures than voluntary quotas, for example, the introduction of legislative gender quotas with sanctions for violations.

Also, it is expedient to develop national programs for phased plans to increase representation of women in state authorities and local self-government. But it must be noted that women in Scandinavia, having undergone a long evolution in their development, are sufficiently prepared for this responsible activity, so copying the Scandinavian experience with other countries without taking into account national peculiarities will not lead to a positive result.

References:

1. Report on equality between women and men 2014, European Commission. – P. 21 [Електронний ресурс]. – Режим доступу : http://ec.europa.eu/justice/gender-equality/files/annual_reports/150304_annual_report_2014_web_en.pdf.
2. Women in National Parliaments / Inter-Parliamentary Union [Електронний ресурс]. – Режим доступу : <http://www.ipu.org/wmn-e/world.htm>.
3. T. Martseniuk, Henderna polityka Yevropeiskoho Soiuzu: zahalni pryntsyipy ta naikrashchi praktyky / T. Martseniuk. – K. : Mizhnarodnoho tsentru perspektyvnykh doslidzhen, 2015. – 44 p.
4. Vudvard Alison E. Na shliakhu do hendernoi rivnovahy / Alison E. Vudvard. – K. : [b. v.], 2002. – 285 p.
5. Denisova V. Zhenschiny i vlast («Le Monde», Frantsiya) [Електронний ресурс]. – Режим доступу : <http://www.inosmi.ru/translation/233322.html>.
6. T. M. Krasnopolska, Vzaiemodiia instytutiv derzhavy ta hromadianskoho suspilstva v realizatsii hendernoi polityky Ukrainy : dys. ... kand. polit. nauk : 23.00.02 / T. M. Krasnopolska. – O., 2013. – 198 p.
7. G. Kaplan, Contemporary Western European Feminism / G. Kaplan. – Sydney : Allen and Unwin ; New York : New York University Press ; London : University College of London (UCL) Press, 1992. – 340 p.
8. N. M. Stepanova, Politika gendernogo ravenstva v skandinavskih stranah / N. M. Stepanova // Gendernaya rekonstruktsiya politicheskikh sistem / [Red. N. M. Stepanova, M. M. Kirichenko]. – SPb : ISPG-Aleteya, 2003. – Pp. 991-1001.
9. S. Salmenniemi, Gendernoe ravenstvo v skandinavskih stranah : sluchay Finlyandii [Elektronnyi resurs] / S. Salmenniemi. – Rezhym dostupu : <http://community.livejournal.com/feministki/178549.html>.
10. Gendernaya rekonstruktsiya politicheskikh sistem : sbornik [Elektronnyi resurs] / pod red. : N. M. Stepanovoy, M. M. Kirichenko, E.V. Kochkinoy. – SPb. : ISPG-Aleteya, 2003. – 991 p. – Rezhym dostupu : <http://www.owl.ru/win/books/genderpolicy/index.htm>.
11. L. S. Trofimenko, Politychni prava zhinok ta yikh realizatsiia / L. S. Trofimenko // Yurydycheskyi vestnyk. – 2000. – No. 4. – Pp. 77-79.
12. T. Halonen, Skandinavskaya demokratiya – fakt ili moda? [Elektronnyi resurs] / T. Halonen ; [per. A. Maklakov] // Dialog. Ua. – 2008. – 27 marta. – Rezhym dostupu : http://dialogs.org.ua/crossroad_full.php?m_id=12572.
13. T. M. Melnyk, Henderna polityka v Ukraini / T. M. Melnyk. – K. : Lohos, 1999. – 91 p.
14. O. Manko, Sutnist ta neobkhdnist hendernoi polityky. Chomu same SPU?! [Elektronnyi resurs] / O. Manko // Sait ukrainskykh sotsialistiv TOVARYSh – Rezhym dostupu : http://www-us.spu.com.ua/fresh/Chetvertai/Sutnist_ta.html.