

COMMISSION
OF THE EUROPEAN COMMUNITIES

DOCUMENT

**THE EMPLOYMENT OF WOMEN
IN SPAIN**



COMMISSION OF THE EUROPEAN COMMUNITIES

The employment of women in Spain

Report by
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1. INTRODUCTION

1.1 Subject, sources, analytical methods

1.1.1 Subject

This study, "Women's Employment in Spain", sets out to present a general and comprehensive picture of Spanish women in relation to all employment issues, with special emphasis on the legal, economic and sociological aspects of their work. In it, the various factors influencing the employment of women and the gap that exists between the provisions of the law and women's actual position are brought to light. The different points covered in the study form a pattern which, examined in its entirety, leads us to an understanding of the position of Spanish women in the world of work.

The range of vantage points has been made possible through the combined efforts of a team of experts. Overall responsibility for the study was in the hands of the sociologist María Pilar Alcobendas Tirado. Other members of the team were José Antonio Arnal Torres, lecturer in sociological research techniques, María Jiménez Bemejo, lawyer, Juan Manuel Camacho, demographer, and Alicia Pérez Cuellas, social worker. They each contributed to the writing of the parts of the study touching their special fields .

1.1.2 Sources

The sources used in writing the study provided us with the material for our analysis of secondary data. This can be classified under the following headings:

- (a) basic statistics (demography, working population, salaries, education, etc.);
- (b) secondary data (societal attitudes, trends in public opinion, etc.);
- (c) current legislation;
- (d) papers, reports, etc., published by various interested groups (political parties, trade unions);

(e) bibliography relating to the subject of the research.

For our basic data, we have preferred to use the statistics provided by the "Instituto Nacional de Estadística"^{*}, an administrative body at present attached to the Ministry for Economic Affairs and Trade. It is responsible for preparing and coordinating Spain's statistics. The basic data we have used are the population census, the survey of the working population and the survey of salaries.

The last census was carried out in March 1981 but the data is still in the process of being treated, so we have only been able to use it where we are dealing with overall population statistics.

The survey of the working population has been being conducted by the INE since 1964. At present it comes out each quarter and surveys the distribution and socio-economic characteristics of the working population, of the population actually in employment and the population not in employment, using as its basis a sample of 60 000 households.

The survey of salaries has been going on since 1963 on a quarterly basis and a nation-wide scale, using a representative sample of businesses engaged in a variety of economic activities. Where salaries and women's jobs are concerned, we should point out that up to 1976, the survey showed the differences between men's and women's salaries. Today, in one of the provisions of Article 28 of labour legislation in force and based on the fact that any discrimination in the matter is now illegal, salaries are no longer broken according to sex in the data tables.

The secondary data that has been used for the purpose of analysing social attitudes and public opinion trends comes from surveys of a representative sample of the Spanish population which have been rigorously conducted along proper statistical lines. Among this type

* abbreviated to INE in this report

of source material we have used are the Foessa Report on the socio-logical situation in Spain, the survey on the quality of life carried out by the Ministry of Public Works and various other surveys done by the Centre for Sociological Research.

1.1.3. Methods and assumptions

Our method has been to analyse the various secondary data given in the different sections of this report. We have used a descriptive approach and drawn attention to any positive or negative trends and to the situation of women in relation to the variables we analyse. We have carried out our study with particular reference to the decade of the 70s in order to detect any relevant trends for today, extending this wherever possible to 1981, and adding chronological series that pre-dated the central period under reference. In our study, we have made the following main assumptions: (a) that women's position in the productive process differs from that of men; (b) that there is a gap between legislation which confirms the equality of men and women and the actual facts which demonstrate that this equality has not yet been achieved; (c) that women and men do not have the same access to the educational process; (d) that society still looks unfavourably at women who go out to work.

1.2. Basic data on the country

1.2.1. Population

In the 1 March 1981 census, the population of Spain was 37 682 355, of which the female population accounted for 50.9%.

The population is spread across 1 022 local administrative areas, 50 provinces and 17 regions (Andalusia, Aragon, Asturias, the Balearic and Canary Islands, Cantabria, Castile-La-Mancha, Castile-León, Catalonia, Exremadura, Galicia, La Rioja, Madrid, Murcia, Navarra, País Vasco, Valencia).

This population is becoming increasingly centred in urban areas, with 40.8% now living in local administrative areas counting more than 100 000 inhabitants and only 8.6% in those counting less than 2 000 inhabitants. The overall population density is 74.6 inhabitants per square kilometer. Turning to the distribution of the population by age groups, 25.7% are under 15, 63.5% are between 15 and 64 and 10.8% are 65 and over. The expectation of life at birth in 1980 was 70.5 years for men and 76.4 years for women.

1.2.2. Economic structure

We shall summarize here by referring to three major indicators: distribution of the working population by sector of activity, amount and distribution of the GDP and the trade balance situation.

At the end of 1981 the working population was 12 918 900, distributed as follows in the various sectors of activity:

	%
Agriculture	<u>16.2</u>
Industry	25.1
Construction	10
Services	42.7
Others	<u>6</u>
	100

The increase in the GDP for 1981 over 1980 was around 0.5%. The amounts and the distribution of the GDP are given below:

	1980	1981* (at 1980 prices)	% variation
GDP at market prices	15 308.0	15 391.2	0.5
GDP at factor cost	14 619.3	14 698.8	0.5
- primary sector	1 062.0	977	8.0
- secondary sector	5 016.2	5 014.3	0.0
- tertiary sector	8 541.1	8.707.5	1.9

* in '000 million pesetas

There was a negative trade balance amounting to 1 082 013 million pesetas, with the volume of imports standing at 2 970 435 million pesetas. For the whole of the year, Spain's main customers were France (14.3%), FRG (8.65%), the United Kingdom (6.92%), the United States (6.73%), Italy (5.72%), the Netherlands (3.69%), Portugal (2.96%), Algeria (2.75%), Saudi Arabia (2.5%), Belgium and Luxembourg (2.39%). For the same year, the total volume of exports was 1 888 422 million pesetas.

1.2.3. Recent political developments and present situation

General Franco died on 20 November 1975, thus ending a phase of contemporary history that started on 1 April 1939, following a civil war that broke out in July 1936. Once the monarchy had been reinstated with the accession of King Juan Carlos I, and after a national referendum on political reform which was held on 15 December 1976, we have been witnessing the dismantling of the old institutional system and the birth of a democratic system. Under this, the first elections at which the Spanish people voted for their representatives in the Congress and the Senate were held in June 1977. The first task of the new "Cortes" (Parliament) was the drafting of the new constitution which was adopted in a national referendum on 6 December 1978 and given the royal sanction by the King in front of the "Cortes" on 27 December of the same year.

In the first article of the Constitution, Spain sets itself up as a social and democratic state. National sovereignty is thereby

vested in the Spanish people from whom the powers of the state emanate. The form of the Spanish state is defined as a parliamentary monarchy.

After the new Constitution had come into force, fresh general elections for the Congress and the Senate were held in March 1979. The results were that the "Union de Centro Democratico" (UCD) received the most votes, followed by the "Partido Socialista Obrero Espanol" (PSOE) the "Partido Comunista de Espana" (PCE) and the "Alianza Popular" (AP). The members of the Congress and the Senate are elected for a four-year period which means that the present "Cortes" will finish their term in the first part of 1983.

On 31 December 1981, the parliaments of the independent Basque, Catalanian and Galician Communities were given their autonomy, in accordance with the recognized and guaranteed rights to self-government for the nationalities and regions composing the Spanish nation. At the same time, the Statutes for Asturias, Cantabria and Andalusia were adopted; the statutes for the other pre-Self-Governing Communities were being drawn up and discussed.

1.2.4. The constitutional framework

As we have explained above, the new Constitution of December 1978 lays down the foundations of the Spanish state and provides the framework for the activities of its citizens and of the various institutions. In 169 articles, grouped under 11 chapters (one of which is a preamble) the fundamental rights and duties of citizens, the sovereign, the "Cortes Generales" and the judiciary are laid down, together with the general principles of economic policy and public finances. Finally regulations for the organization of the territory of the state, the Constitutional Court and the reform of the constitution are included.

The principal aspects of the Spanish Constitution can be summarized as follows:

- the right of the nationalities and regions forming the Spanish nation to self-government is recognized and guaranteed;
- political parties, workers' unions and employers' associations may be formed and carry out their activities freely;
- the age of majority is 18 years;
- the equality of all Spanish people before the law is confirmed;
- Spanish (Castilian) is the official language of the Spanish state. However, if their statutes so stipulate the various Self-Governing Communities can also recognize other Spanish languages;
- the right to freedom of speech, of meeting, and of association is recognized and protected;
- the duties of Head of State are assumed by the King;
- the "Cortes Generales" represent the Spanish people; they consist of the Congress of Deputies and the Senate;
- the legislative power of the state is vested in the "Cortes Generales", which adopt the budget, control the action of the government and assume other responsibilities as laid down in the Constitution;
- each time that a new Congress of Deputies is voted in, and in other constitutional cases when it becomes necessary, the King proposes a candidate as head of government; this proposal is made after consultations with representatives of the political parties with seats in parliament and through the intermediary of the President of the Congress;
- the government security forces and bodies have the task of ensuring that citizens may freely exercise their rights and freedoms and that their safety is guaranteed;
- justice emanates from the people and is administered on behalf of the King by the judges and magistrates belonging to the judiciary, which is independent, irremovable, responsible and subject only to the rule of law.

- public initiative in economic activity is recognized as is the freedom of the enterprise in the framework of a market economy;
- the autonomy of the municipalities is guaranteed. Their government and administration is incumbent on their respective Town Councils consisting of Mayors and Councillors, elected by the residents of the municipalities by universal suffrage;
- the Constitutional Court is established as the supreme interpreter of the Constitution.

In conclusion, we would say that priority has been given in recent years to bringing the law into line with the requirements of the Constitution, although, so far, this has only been partially achieved.

2. WOMEN'S EMPLOYMENT

The basic data used in this chapter have been taken from the INE survey on the working population. The survey carries out regular quarterly statistical research using the sampling technique. It gives the number of persons over the age of 16 in each of the categories - working population, non-working population and population counted separately. We shall now elaborate on the exact meaning of these categories that we shall be using throughout the study so that they can be fully understood and appreciated.

Working population. The working population includes the people in employment (employed both in the strict sense of the word, meaning with a principle occupation, and employed in marginal ways) and the people who are unemployed (those in search of work because their contract has temporarily or permanently ended and those seeking their first job).

Non-working population. The non-working population includes retired people, schoolchildren and students, persons working in the home without pay, persons who, although available for employment, are not looking for it, and the handicapped .

Population counted separately. This category is entirely composed of men called to the flag (i.e., doing military service).

The diagram below illustrates the various categories covered in the statistical survey of the working population in Spain:

Population of 16 years and over {

 { Working population {

 { (in employment(^{the} in (strict sense

 { (in marginal activites

 { unemployed

 { Non-working population

 { Population counted separately

2.1 WORKING POPULATION

During the last quarter of 1980, the working population of Spain totalled 12 860 000 persons, with the percentage of women at that time amounting to 29.1%. This figure has remained almost stationary since 1974 and it is considered to be the highest percentage registered, since in 1950, the percentage of women in economic activity was around 15.8%, in 1970, around 20.1% and in 1970, 24.4%.

The increase in the number of women in the working population between 1960 and 1974 was more than a million and a half, with a jump of 700 000 for the period 1970-71 alone. The trend in the number of women in the working population has slowed down since 1974, with an actual slight drop in 1980 compared with the previous year. Due to the recession, and dating from 1974, there has been a decrease in the working population as a whole, affecting men as well as women. Although it is of minor effect, another factor we should point out is that since 1980 the school-leaving age has been raised from 14 to 16 years.

Table 2.1.11

Working population by sex (. . thousands)

<u>Year</u>	<u>Total</u>	<u>Men</u>	<u>%</u>	<u>Women</u>	<u>%</u>
1950	10 793	9 084	84.2	1 709	15.8
1960	11 817	9 437	79.9	2 380	20.1
1970	12 492	9 448	75.6	3 044	24.4
1974	13 520	9 611	71.1	3 909	28.9
1976	13 218	9 390	71.0	3 828	29.0
1977	13 248	9 395	71.0	3 853	29.0
1978	13 164	9 329	70.8	3 835	29.2
1979	13 155	9 301	70.7	3 854	29.3
1980	12 860	9 124	70.9	3 736	29.1
1981*	12 918	9 170	71.0	3 748	29.0

* Provisional EPA data

Source : For 1950 and 1960, Government census
 From 1970, Encuesta de Población activa (EPA) (Survey of
 working population)
 For 1970 and 1974, figures are 2nd quarter averages
 For 1976 and after, they are 4th quarter averages.

The part women play in productive labour is not uniform throughout Spain. In 1980, the percentage of women inemployment exceeded the national average in Galicia (38.5%), Asturias (32.2%), Catalonia (31.4%), and Cantabria (30.9%), while it was well below the national average in Andalusia (22.7%), Extremadura (22.8%), Castile-La-Mancha (24%) and Aragon (26.0%). By analysing regional economies and policies and their leading social and economic factors, one could ascertain the real causes of the existing disparities, but this does not fall within the scope of this study. However, it is true to say that the same percentage of women and men are engaged in agriculture in Galicia, Asturias and Cantabria, due to the nature and structure of small family farms, which is the complete opposite of the situation we find in Andalusia and Extremadura,

Other factors like the ageing of the population, the low level of industrialization and the high unemployment rate may explain why so few women work in the regions where the rate is lower than the national average.

Table 2.1.2

Working population as a percentage of the total population
in the various regions, by sex (1980)

<u>Region</u>	<u>Men</u>	<u>Women</u>
Andalusia	77.3	22.7
Aragon	74.0	26.0
Asturias	67.8	32.2
Balearic Islands	69.8	30.2
Canary Islands	72.0	28.0
Cantabria	69.1	30.9
Castile-La-Mancha	76.0	24.0
Castile-León	71.3	28.7
Catalonia	68.6	31.4
Extremadura	77.2	22.8
Galicia	61.5	38.5
La Rioja	71.2	28.8
Madrid	70.6	29.4
Murcia	72.0	28.0
Navarra	72.3	27.7
País Valenciano	70.1	29.9
País Vasco	71.9	28.1
NATIONAL TOTAL	70.9	29.1

Source : EPA, 1980 - 4th quarter

The non-working population over the age of 16 numbered 13 221 000 at the end of 1980, which was 300 000 more than the number of persons employed. This non-working population was mainly composed of women (75.5% women and 24.5% men in 1980). The percentage of women has been slowly declining since 1976, when women accounted for 76.5% of the non-working population, reaching its lowest point, of 74.4%, in 1979.

Table 2.1.3

Non-working population. by sex (thousands)

<u>Year</u>	<u>Total</u>	<u>Men</u>	<u>%</u>	<u>Women</u>	<u>%</u>
1976	13 223	3 096	23.5	10 127	76.5
1977	13 503	3 272	24.2	10 231	75.8
1978	13 904	3 497	25.2	10 407	74.8
1979	14 118	3 612	25.6	10 506	74.4
1980	13 321	3 259	24.5	10 062	75.5
1981*	13 520	3 340	24.8	10 179	75.2

* Provisional data

Source: EPA - 4th quarter average for each year

An analysis of the non-working female population shows the preponderance of women who are engaged in the home : 7 449 800 in 1980; in other words, 74% of the non-working female population is composed of women working in the home without pay. Between 1976 and 1980, their number fell by 380 000. This latter figures illustrates a tendency for younger women with a better educational level to be part of the working population (though some of them may still be looking for jobs).

Table 2.1.4

Non-working female population engaged in household activities

<u>Year</u>	<u>Total non-working female population</u>	<u>Total engaged in household activities</u>	<u>%</u>
1976	10 127	7 916	78.1
1977	10 231	7 798	76.2
1978	10 407	7 695	74.0
1979	10 506	7 584	72.0
1980	10 062	7 449	74.0

Source : EPA, 4th quarter average for each year

A significant point is that of the 7 449 000 women engaged in household activities in 1980, 6 219 000 (83.5%) whose ages ranged from 16 to 64, were potential members of the labor force. The distribution by age of this group shows that there is a large contingent in the 16 to 39 year range (the age-group where the number of women in the working population is highest, as indicated in paragraphs 2.2 and 2.2.1) which could be counted as members of the working population, something that could considerably swell the numbers of the unemployed.

Table 2.1.5

Women engaged in household activities who are potential members of the labor force

<u>Age group</u>	<u>Total</u> <u>('000s)</u>	<u>Accumulated total</u> <u>('000s)</u>
16 - 19	166.1	166.1
20 - 24	320.0	486.1
25 - 29	534.1	1 020.1
30 - 34	712.1	1 732.3
35 - 39	705.9	2 438.2
40 - 44	739.9	3 178.1
45 - 49	840.0	4 018.1
50 - 54	820.9	4 839.0
55 - 59	774.7	5 613.7
60 - 64	605.3	6 219.0

Source : EPA, 4th quarter average, 1980

2.2 ACTIVITY RATE FOR WOMEN (OVERALL AND BY AGE)

The overall activity rate for Spain has been falling steadily since 1970, when it was 50.1%; the figure for 1980 had dropped to 48.5%.

If we look at the sexes separately, we see two opposing patterns: the activity rate for men has dropped from 79.4% to 71.7% for the period 1970 - 1980, while in the same period, the rate for women has climbed from 23.3% to 27.1% as indicated above. This rate is the ratio of the active population compared with the total potential labor force (in employment plus non working).

Table 2.2.1

Activity rate : overall and by sex

<u>Year</u>	<u>Overall</u>	<u>Men</u>	<u>Women</u>
1970	50.1	79.4	23.3
1976	49.7	73.6	27.5
1980	48.5	71.7	27.1

Source : EPA, 4th quarter for each year.

Looking at female activity rate by age group, we see that the period during which the Spanish woman is most likely to be employed is when she is between the ages of 20 and 25 (in 1980, the rate was 55.9%); the rate falls with increasing age. Between 20 and 24 men and women have similar activity rates, but wide differences begin to occur after 25. Nine men out of 10 in the age group 25 to 29 are in the active population, but only four women out of 10 in the same age group are employed. Nearly all men in the age groups 30 to 34 and 35 to 39 are employed whereas women's activity rate at these ages is reduced to 30%.

Table 2.2.2

Activity rate by sex and age group

<u>Age group</u>	<u>Men</u>			<u>Women</u>		
	<u>1970</u>	<u>1976</u>	<u>1980</u>	<u>1970</u>	<u>1976</u>	<u>1980</u>
14 - 19	-	50.2	52.1	-	37.8	39.7
20 - 24	82.4	63.4	62.7	47.5	54.8	55.9
25 - 29	94.8	94.3	93.2	28.0	36.0	42.5
30 - 34	98.5	97.2	96.8	21.0	27.2	30.9
35 - 39	98.5	97.8	97.0	20.4	26.9	29.7
40 - 44	97.7	97.1	96.6	21.1	27.9	27.5
45 - 49	97.6	95.8	94.7	22.1	28.2	28.2
50 - 54	94.8	92.9	90.6	23.8	27.4	26.3
55 - 59	91.5	87.0	85.1	21.1	24.5	24.7
60 - 64	80.1	71.7	62.8	18.0	21.0	16.8
65 - 69	42.4	33.0	21.7	11.7	11.8	7.4
70 and over	15.1	11.4	6.7	4.2	3.9	2.0
TOTAL	79.4	73.6	71.7	23.3	27.5	27.1

Source: EPA, 4th quarter of 1976 and 1980
 2nd quarter for 1970
 (-) = data not available

The activity rate of women in Spain shows marked differences from that of women in the Community Member States. Taking the second quarter of 1979 as our reference period (date of the last survey on the EEC Labour Force), the rate for the Community was 38.6%, while for Spain it was only 26.5%. In contrast to this situation, the activity rate for men in Spain is almost exactly the same as the Community activity rate (Spain 70.2%, EEC 70.3%).

In all age groups from 25 up to 59 years, women's activity rates

in the EEC exceed those in Spain, reaching a difference of 25 percentage points in the 30 - 34 age group and 27 percentage points in the 35 - 39 age group. However, in the higher age groups, from 65 - 69 and over 70, the activity rate is higher for women in Spain than it is for women in the EEC.

Table 2.2.3

Activity rate by sex and by age
for the EEC and Spain (1979)

<u>Age groups</u>	<u>EEC</u>			<u>SPAIN</u>		
	<u>Total</u>	<u>Men</u>	<u>Women</u>	<u>Total</u>	<u>Men</u>	<u>Women</u>
14 - 19	26.9	28.7	25.2	36.6	40.9	32.1
20 - 24	73.7	80.2	67.5	58.6	61.7	55.1
25 - 29	76.9	93.4	60.7	66.2	93.3	39.2
30 - 34	76.4	97.6	55.0	62.4	97.3	30.0
35 - 39	76.5	98.0	54.3	62.2	97.8	27.5
40 - 44	75.9	97.6	53.7	61.6	96.7	28.1
45 - 49	73.8	96.1	51.6	61.4	95.6	28.4
50 - 54	69.5	92.9	47.0	57.8	91.8	26.0
55 - 59	59.7	83.3	39.2	54.2	86.3	24.4
60 - 64	35.7	56.0	18.5	40.4	67.1	18.0
65 - 69	12.0	18.4	6.9	16.0	24.2	9.7
70 and over	3.6	6.0	2.0	4.7	7.7	2.8
Total	53.7	70.3	38.6	47.5	70.2	26.5

Source : EUROSTAT "Labour Force Sample Survey"
EPA, 2nd Quarter 1979

2.2.1 ACTIVITY RATE FOR MARRIED WOMEN

Whether women are in employment seems to be greatly affected by their marital status. Both in 1976 and in 1980, 5 single women out of 10 were working against less than 2 out of 10 married women

despite the overall decline in the total number of women engaged in household activities which was pointed out earlier.

Table 2.2.1.1

	<u>Activity rate for women,</u>	<u>by marital status</u>
	<u>1976</u>	<u>1980</u>
Single women	50.1	51.7
Married women	<u>18.7</u>	<u>19.2</u>
TOTAL	27.5	27.1

Source: E P A. 4th quarter, 1976 and 1980

Both because of age and because of marital status, it is obvious that : the highest activity rate for single women is found in the 25 - 39 age group while married women, the highest rates are found in the younger age groups, (16 to 29) the reach (35,4 %) occurs in the 20-24 age group,

It seems that young women in their early years of marriage continue to go out to work whereas the rate drops off after age 30 and remains stable up to 55.

Table 2.2.1.2

Activity rate of female working population, by age group and marital status (1980)

<u>Age Group</u>	<u>Single</u>	<u>Married</u>
16-19	40.1	32.7
20-24	64.8	35.4
25-29	77.7	30.2
30-34	78.7	24.4
35-39	77.1	25.1
40-44	63.0	24.5
45-49	65.6	25.0
50-54	64.4	22.4
55-59	60.2	20.9
60-64	39.3	14.1
65-69	14.6	6.4
70	<u>5.2</u>	<u>1.6</u>
TOTAL	51.7	19.2

Source: E P A., 4th quarter, 1980

2.2.2. ACTIVITY RATE OF WOMEN WITH CHILDREN

The results of a survey on the birth rate for married women conducted in Spain at the end of 1977 give an approximate idea of the effect of the number of children on women's employment. From the study we can deduce that 45.8% of women stopped working after they married; the number of children in this group of women was 2.82. The number of years for which women continued to work varied markedly; one fact to emerge was that the group of married women who worked for more than ten years after their marriage was the one where the average number of children was highest (2.86).

Table 2.2.2.1

Number of years of employment after marriage of women who were in employment before marriage (1977)

	<u>%</u>	<u>Average N° of children</u>
Did not continue to work after marriage	45.8	2.82
Worked for less than two years	7.9	2.43
Worked 2-4 years	15.9	2.45
Worked 5-9 years	11.6	2.63
Worked 10 years or more	<u>18.8</u>	<u>2.86</u>
	100	

Source: I N E "Encuesta de Fecundidad", 1977.

One of the factors affecting the tendency to work after marriage is the age at which marriage takes place. The younger a woman is at marriage, in fact, the more likely she is to continue working, with the activity rate falling off for women marrying after 25. Women's activity rate also declines with the number of children, although the fall-off due to larger families is less marked in the case of women who married young than it is in women over 30.

Table 2.2.2.2

Activity rate of married women between child-bearing periods, by age at marriage (1977)

	<u>-18</u>	<u>18-19</u>	<u>20-21</u>	<u>22-24</u>	<u>25-29</u>	<u>+30</u>
Worked after marriage and before birth of first child	28.4	31.3	28.1	27.0	24.9	25.2
Worked between births of first two children	21.1	20.9	15.4	18.7	15.9	13.9
Worked between births of last two children	12.8	12.5	8.4	9.3	7.8	2.8

Source: I N E. "Encuesta de Fecundidad, 1977

2.3 DISTRIBUTION BY SECTOR

The way in which the working population is distributed across the major economic sectors has undergone a transformation in the past ten years. Between 1970 and 1980, a million and a half jobs were lost in agriculture, while the service sector was increased by a million workers. At the same time, industry and construction remained constant in absolute terms.

The percentage of the working population engaged in agriculture fell from 29.6% to 17.4% in the reference period; in industry, it dropped from 26.2% to 25.9%. In construction, it rose from 8.8% to 10.1% and in the service sector from 34.8% to 42.1%. These movements in the numbers employed in the various sectors, however, showed different trends for men and women. Men's participation in industry, construction and service sector all increased, whereas women's increased in the service sector only. In 1980, this sector absorbed 55.8% of the female working population, with industry and agriculture accounting for 19.7% and 15.9% respectively. The male working population could be broken down as follows: service sector 36.5%, industry 28.5%, agriculture 18% and construction 10.1%.

Spain's various geographical areas have a particular bearing on how the working population is distributed throughout the various employment sectors. Regions where the number of people working in agriculture is above the national average of 17.4% are: Andalusia (24.2%), Asturias (24.2%), Cantabria (24.6%), Castile-la-Mancha (30.4%), Castile-León (30.3%), Extremadura (33.9%) and Galicia (40.4%). Regions where the working population engaged in industry exceeds the national average of 25.9% are: País Vasco (41.0%), Catalonia (38.1%), La Rioja (36.2%) and Navarra (34.2%) and País Valenciano (33.9%). The regions where larger percentage than the national average of 42.1% are engaged in the service sector are Madrid (55.9%), Balearic Islands (56.7%) and the Canaries (55%).

Table 2.3.1

Distribution of working population by sector and by sex

<u>Sector</u>	<u>1970</u>		<u>1976</u>		<u>1980</u>	
	<u>(in '000s)</u>	<u>%</u>	<u>(in '000s)</u>	<u>%</u>	<u>(in '000s)</u>	<u>%</u>
Agriculture	3 701	29.6	2 780	21.0	2 232	17.4
Men	2 910	30.8	2 015	21.5	1 638	18.0
Women	791	26.0	765	20.0	594	15.8
Industry	3 273	26.3	3 535	26.7	3 333	25.9
Men	2 490	26.3	2 636	28.1	2 598	28.5
Women	783	25.7	899	23.5	735	19.7
Construction	1 105	8.8	1 359	10.3	1 305	10.1
Men	1 086	11.5	1 331	14.1	1 280	14.0
Women	19	0.6	28	0.7	25	0.7
Services	4 346	34.8	5 290	40.1	5 413	42.1
Men	2 915	30.9	3 287	35.0	3 330	36.5
Women	1 431	47.0	2 003	53.3	2 083	55.8
Unclassified	67	0.5	254	1.9	578	4.5
Men	47	0.5	121	1.3	280	3.0
Women	20	0.7	133	3.5	298	8.0
Total	12 492	(100)	13 218	(100)	12 861	(100)
Men	9 448	(100)	9 390	(100)	9 126	(100)
Women	3 044	(100)	3 828	(100)	3 735	(100)

Source: E P A 2nd quarter 1970, 4th quarter for 1976 and 1980.

Looking more closely at the branches of activity, it is seen that women's participation is uneven in the various sub-sectors. It is concentrated in: other services (31.%), trade (25.2%), agriculture (18.2%), other manufacturing industries (15.9%), with the remaining 10% being divided between ^{the} metal-working industries, finance and insurance, transport, extraction of non-energy minerals, construction and energy and water supply.

Table 2.3.2

Working population employed in various sectors, by sex (1980)

	% Men	% Women	% Total
Agriculture and fisheries	19.1	18.2	18.8
Energy and water supply	1.8	0.2	1.3
Extraction of non-energy minerals	5.3	1.7	4.3
Metal-working industries	10.4	2.5	8.2
Other manufacturing industries	12.4	15.9	13.4
Construction	12.0	0.6	8.7
Trade, restaurants, repairs	16.9	25.2	19.3
Transport and communication	7.4	1.9	5.8
Finance and insurance	3.8	2.5	3.5
Other services	<u>10.9</u>	<u>31.3</u>	<u>16.7</u>
	100.0	100.0	100.0

Source: C P A, 4th quarter 1980

Comparing the employment of women in the various sectors in Spain and in the EEC countries as a whole, we observe that Spanish women play a bigger role in agriculture and manufacturing industries than other European women, a similar role in trade and other services and are less well represented than other European women in all the other branches and sub-sectors.

Table 2.3.3

Female working population employed in various sectors in Spain and in EEC countries as a whole (1979)

	<u>EEC</u> %	<u>Spain</u> %
Agriculture, fisheries	6.0	18.4
Energy and water supply	0.6	0.2
Extraction of non-energy minerals and chemical industry	2.9	2.3
Metal-working	7.6	2.6
Other manufacturing industries	13.7	17.7
Construction	1.4	0.8
Trade, restaurants, repairs	21.4	24.6
Transport and communications	3.0	1.5
Finance and insurance	6.9	2.5
General administration	7.1	*
Other services	<u>29.2</u>	<u>29.4</u>
	100.0	100.0

Source: Spain: E P A, 2nd quarter, INE 1979

EEC: EUROSTAT, Labour Force Sample Survey, 1979.

Under the heading of "other manufacturing industries", which accounts for 17.7% of Spanish women's employment, the textile, garments, and leather industries are predominant, with 393 000 women (11.5%) engaged in this sub-sector in 1979. Similarly, under the "Trade, Restaurants and Repairs" heading, trade and repairs account for 652 000 jobs or 19.1% of women's total employment. In the "Other services" sector, the sub-sector "Education, research, culture and health" is a major source of women's employment, since 443 800 women, or 13% of the total number of working women are engaged in it.

If we look closely at women's employment (data relating to 1979), we can draw up the following table showing the order in which the various sub-sectors employ women. We also give the percentage of women in the total labour force in each of these sub-sectors, for comparison.

	<u>Women employed (in '000s)</u>	<u>%</u>	<u>Total labour force (in '000s)</u>	<u>Percentage of women in total labour force</u>
1.Trade and repairs	659.1	19.1	1 777.2	36.7
2.Agriculture, stock farming	626.3	18.3	2 224.9	28.1
3.Other services	563.2	16.5	1 057.7	53.2
4.Education, research, culture, health	443.8	13.0	819.9	54.1
5.Textile, garments, leather	393.1	11.5	635.7	61.8
6.Restaurants, cafés, hotels	189.6	5.5	481.5	39.3
7.Food, drink tobacco	118.0	3.4	423.2	27.8
8.Metallurgy, machi- nery, electrical equipment	75.9	2.2	657.1	11.5
9.Finance, insurance and real property	48.5	1.4	277.2	17.5

.... contd.

	<u>Women employed (in '000s)</u>	<u>%</u>	<u>Total labour force</u>	<u>Percentage of women in total labour force</u>
10. Chemical industry	45.0	1.3	183.7	24.5
11. Rubber and plastics	41.3	1.2	178.6	23.1
12. Business services	38.5	1.1	122.9	31.3
13. Mining	32.8	1.0	348.0	9.4
14. Paper and printing	28.1	0.8	160.1	17.5
15. Wood, cork and furniture	25.7	0.8	268.1	9.5
16. Construction	25.7	0.8	1 130.7	2.2
17. Transport	25.2	0.7	536.0	4.7
18. Communications	24.9	0.7	92.6	26.8
19. Transport equipment	14.5	0.4	280.1	5.1
20. Electricity, gas, water	4.8	0.1	82.8	5.8
21. Extraction and preparation of fuels	2.5	0.1	63.9	3.9
22. Fisheries	<u>2.0</u>	<u>0.1</u>	<u>93.5</u>	2.1
	3 421.4	100.0	11 896.0	

Source/ EPA, 2nd quarter 1979.

To summarize, we can confirm that although women's main sources of employment are trade, repairs, agriculture, other services, education, textile industry, restaurants, the sectors which can be regarded as specifically female are the textile, garments and leather industry, education, research, culture and health, other services, since women account for more than 50% of the work force in all these sectors. Sectors where women account for a third of the work force are: restaurants, trade, agriculture and food.

2.4 DISTRIBUTION BY CATEGORY OF EMPLOYMENT

The conditions under which women work, their work status, is central to the whole issue of women's employment. Looking at figures for 1980, the distribution of men and women according to their category of employment reveals the inequality existing in Spain in this regard. For example, 4.5% of men were employers, while only 1.19% of women were in this category. Again, for people heading their own businesses (in which there are no employees) or self-employed, the percentages are men, 19.5%, and women 15.3%. The breakdown by sex of the category of family helpers is more striking still: 3.4% of the male labour force work as family helpers compared to 19.2% of the female labour force. There are considerably more men than women in the category of employee: 58.7% of the male labour force are working with this status, against 49.9% of the female labour force. In the public sector, the percentage is the same for the male and the female work force, in the employee category.

Table 2.4.1

Percentage of men and women in each category of employment (1980)

	<u>Men</u> <u>%</u>	<u>Women</u> <u>%</u>
Employers	4.5	1.1
Heads of businesses not employing staff and self-employed	19.5	15.3
Family helpers	3.4	19.2
Employees - public sector	13.6	14
Employees - private sector	58.6	49.9
Labor categories	0.1	0.3
unclassified	<u>0.3</u>	<u>0.2</u>
	100.0	100.0
Total	(8 039 500)	(3 200 300)

Source: EPA, 4th quarter 1980

In the five years from 1976 to 1980, slight changes have taken place with regard to women's category of employment. The most significant of these, after the fact that the number of employed women dropped by 325 000 - something which we shall go into in Point 11 are the following: a slight decrease in the number of women employed as family helpers, the increase in the number of public sector employees and the loss of 300 000 jobs in the private sector employee category.

Table 2.4.2

Comparison of women's categories of employment for
1976 and 1980

	<u>1976</u>		<u>1980</u>	
	Women employed	%	Women employed	%
	(in '000s)		(in '000s)	
Employers	33.9	1	35.1	1.1
Heads of businesses not employing staff and self- employed	534.1	15.1	489.6	15.3
Family helpers	722.1	20.5	614.2	19.2
Employees - public sector	345.6	9.8	448.5	14.5
Employees - private sector	1 874.0	53.1	1 595.4	49.4
Other categories	8.9	0.3	9.6	0.3
Unclassified	<u>8.3</u>	<u>0.2</u>	<u>7.7</u>	<u>0.2</u>
	3 526.9	100.0	3 200.3	100.0

Source: EPA 4th quarters, 1976 and 1980

The kind of category in which women are employed depends on the sector of activity in which they are engaged. Taking the provisional data on the labour force for the 4th quarter of 1981 as our reference,

it emerges that for women in the agricultural sector, the majority fall into the categories of family helpers and employers or self-employed (59.6% and 29.3% respectively) very few of them having the status of employee (10.3%). In the industrial and construction sectors, almost all of them are in the employee category (85.7% and 88.9% respectively). Again in the service sector, the majority come under the employee category (72.2%) with 14.7% working as employers or self-employed, and 12.6% giving their services as family helpers.

Table 2.4.3

Distribution of the labour force in the various sectors by category of employment and by sex

	<u>Men</u>	<u>Women</u>
	<u>%</u>	<u>%</u>
<u>Agriculture</u>	100.0	100.0
Employers and self-employed	53.1	29.3
Employees	34.7	10.3
Family helpers	11.2	59.6
Others	1.0	0.8
<u>Industry</u>	100.0	100.0
Employers and self-employed	8.2	9.2
Employees	90.5	85.7
Family helpers	1.0	4.7
Others	0.3	0.4
<u>Services</u>	100.0	100.0
Employers and self-employed	23.2	14.7
Employees	74.0	72.2
Family helpers	2.4	12.6
Others	0.4	0.5
<u>Construction</u>	100.0	100.0
Employers and self-employed	18.1	6.4
Employees	80.2	88.9
Family helpers	1.2	4.7
Others	0.5	---

Source: FPA, 4th quarter, 1981

2.5 Distribution by occupation

The limited nature of women's working activity is further corroborated by another analysis of the distribution of the working population over various occupations. This showed that in 1979, 24.9% of all working women were employed in the service sector, while men in the same category only accounted for 6.9% of the male labour force. The greatest difference between men and women occurred in the category of non-agricultural workers, where 47% of all male workers were occupied compared with a mere 19.7% of all female workers. Trade and retail and administration personnel categories accounted for 15.1% and 13.3% respectively of the female working population, whereas for men in these same two categories of occupation, the figures were 8.1% and 9.1% respectively of the total male working population.

For the professions and technical staff, women had a higher percentage employment than men (8% against 5.9%). However, there were virtually no women at all employed as senior public servants or company managers.

Table 2.5.1

Employment of working population by sex and type of occupation (1979)

	Men (in '000s)	%	Women (in '000s)	%
Professions and technical staff	494.3	5.9	275.0	8.0
Senior public servants and company managers	174.7	2.0	5.6	0.2
Administrative personnel	758.9	9.1	452.3	13.3
Trade and retail	686.2	8.1	515.3	15.1
Employees - service sector	577.6	6.9	847.9	24.9
Agriculture, stock-farming, fisheries	1 659.1	19.8	638.3	18.8
Non-agricultural workers	3 960.0	47.0	669.7	19.7
Occupation not classified	<u>0.3</u>	--	<u>0.9</u>	--
	8 415.9	100.0	3 405.0	100.0

Source: EPA, 4th quarter, 1979

2.6 SOME SPECIFIC ISSUES

2.6.1 SELF-EMPLOYMENT. THE PROFESSIONS. WOMEN IN THE PUBLIC SERVICE

At the end of 1980, 69.4% of the females working population were salaried, in other words, working for an employer. 16.4% were engaged as family helpers and only 14.2% were self-employed (employers, heads of businesses not employing staff and working independently).

Table 2.6.1.1

Female working population broken down into salaried and non-salaried (1980)

	<u>in '000s</u>	<u>%</u>
Employers	35.6	1
Heads of businesses not employing staff and self-employed	493.6	13.2
Family helpers	<u>616.1</u>	<u>16.4</u>
	1 145.3	30.6
Salaried	<u>2 590.9</u>	<u>69.4</u>
	3 736.2	100.0

Source: EPA, 4th quarter 1980

Looking at the non-salaried part of the female working population and the way in which it is distributed across the various employment sectors, we see that by the far largest group are in the service sector, where there are 32 200 women employers. This same sector also accounts for 55.4% of self-employed women. Family helpers are most common in the agricultural and service sectors (55.6% and 37.9% respectively). The small number of non-salaried women in the industrial sector should be noted.

Table 2.6.1.2

Distribution of the female non-salaried working population, by sector (1980)

	<u>Employers (in '000s)</u>	<u>%</u>	<u>Heads and self- employed</u>	<u>%</u>	<u>Family helpers</u>	<u>%</u>
Agriculture	0.6	1.7	165.2	33.4	342.7	55.6
Industry	2.9	8.1	54.4	11.0	39.0	6.3
Construction	--	--	0.7	0.2	0.9	0.2
Services	<u>32.1</u>	<u>90.2</u>	<u>273.3</u>	<u>55.4</u>	<u>233.5</u>	<u>37.9</u>
	35.6	100	493.6	100	616.1	100

Source : EPA, 4th quarter 1980

Turning to the professions and technical staff, 55% of the women engaged in this sector are in teaching, and 22% in health-related professions (medicine, pharmacy, nursing, etc.). The latest figures available (December 1975) give the following breakdown for women's employment in this area.

Professions and technical staff (women)

	<u>Number</u>	<u>%</u>
Physics and chemistry	1 560	0.5
Architects, engineers, assistants	6 818	2.2
Natural science	610	0.2
Doctors, pharmacists and other technicians	68 342	22.2
Statisticians, mathema- ticians	1 037	0.3
Economists	774	0.2

		<u>%</u>
Business teachers, actuaries	1 936	0.6
Lawyers	1 655	0.5
Teachers	169 668	55.1
Religious orders	36 847	12.0
Writers, publishers	1 427	0.4
Professions relating to plastic arts	5 548	1.8
Actresses, musicians	4 192	1.3
Sports	253	0.1
Other professions	<u>6 980</u>	<u>2.2</u>
	307 647	100

Source: Characteristics of the Spanish population taken from the 1975 Municipal Census, INE.

In 1980, there were 480 600 women working in the public sector, a 30.8% increase over 1976. This increase is due to mounting job insecurity in recent years in the various production sectors.

Table 2.6.1.3

Working population in the public sector

	<u>1976</u>		<u>1980</u>	
	<u>in '000s</u>	<u>%</u>	<u>in '000s</u>	<u>%</u>
Men	1 003.5	74	1 116.6	71
Women	<u>352.2</u>	<u>26</u>	<u>460.6</u>	<u>29</u>
	1 355.7	100	1 577.2	100

Source: EPA, 4th quarter 1976 and 1980

2.6.2 AGRICULTURE

During the period 1976-1980, the total number of people employed in the agricultural sector fell by about half a million. This drop had its effects on women's employment, the number of women working the sector falling from the 1976 level of 748 300 to 594 300 in 1980.

Most women working in agriculture do so in family farms, as family helpers, with very few as part of the salaried work force.

Even when they do have a paid job in agriculture, it is unreliable and seasonal, due to the fact that female paid labour is taken on for the short harvest period (wheat, olives, grapes, etc.).

Table 2.6.2.1

Female working population in agriculture

	<u>1976</u>		<u>1980</u>	
	<u>(in '000s)</u>	<u>%</u>	<u>(in '000s)</u>	<u>%</u>
Employers	1.6	0.2	0.6	0.1
Heads of businesses not employing staff and self-employed	195.7	26.1	165.2	27.8
Family helpers	455.2	60.9	342.7	57.7
Employees	89.4	12.0	79.0	13.3
Unemployed	6.4	0.8	6.8	1.1

Source: EPA, 4th quarter 1976, 1980

A breakdown of the working population in agriculture by sex shows a variation according to the region. For example, a number of women work in this sector in Galicia (53%), Asturias (50.9%), Cantabria (46%) and País Vasco (36.8%). As we have already mentioned the kind of farm found in these regions - small properties or family holdings - mean that most agricultural labour is provided by women. In regions where the dominant form of agriculture is large farms employing salaried workers, women are very rarely part of this labour force.

Table 2.6.2.2

Working population in agriculture in the different regions, broken
down by sex (1980)

	<u>Men</u>	<u>Women</u>
Andalucía	89.2	10.8
Aragón	87.9	12.1
Asturias	49.1	50.9
Baleares	71.9	28.1
Canarias	70.2	29.8
Castilla-La Mancha	87.8	12.2
Castilla-León	70.9	29.1
Cataluña	81.9	18.1
Extremadura	89.0	11.0
Galicia	47.0	53.0
La Rioja	84.8	15.2
Madrid	88.5	11.5
Murcia	78.0	22.0
Navarra	91.9	8.1
País Valenciano	87.0	13.0
País Vasco	63.2	36.8
Cantabria	54.0	46.0
National Total	73.4	26.6

Source: EPA, 4th quarter 1980

2.6.3 OUTWORK, UNDECLARED WORK

It is obviously difficult to calculate the number of people doing outwork, given that two of the reasons for resorting to such labour are paying salaries that are below the minimum rate and escaping from social security obligations. We can however confirm that the practice does exist and that it mainly attracts women workers.

The most common type of activities that women perform as outwork are those connected with the shoe industry. High levels of unemployment account for the existence and expansion of this form of work, which seems to occupy a number of the unemployed.

2.6.4 WORK IN FAMILY ENTERPRISES

As we have already mentioned in paragraph 2.6.1, there were 616 100 women working in family businesses in 1980, representing 16.4% of the female working population. In the same year, the number of men described as family helpers was 278 100. In other words, of the total number of people working as helpers in family businesses 58% were women.

Most of this work by women in family enterprises is concentrated in the agricultural (342 700) and service (233 500) sectors, accounting for 57.6% and 11.2% respectively of all female labour in the two sectors mentioned.

Table 2.6.4.1

Female working population in certain sectors broken down into family helpers and other (1980)

	<u>Agriculture</u>		<u>Industry</u>		<u>Services</u>	
	<u>(in '000s)</u>	<u>%</u>	<u>(in '000s)</u>	<u>%</u>	<u>(in '000s)</u>	<u>%</u>
Family helpers	342.7	57.6	39.0	5.3	233.5	11.2
Other working population	251.6	42.4	696.1	94.7	1 849.9	88.8
Total	594.3	100	735.1	100	2 083.4	100

Source: EPA, 4th quarter, 1980

2.6.5 PART-TIME WORK

The number of women in the work force who, in the 4th quarter of 1980 were working part-time (i.e., less than 40 hours a week) amounted to 218 700, or 6.8% of the working female population. This figure is merely an indication, since no specific studies have been carried out on this form of employment.

2.6.6 Women and migration

The sixties in Spain were characterized by strong immigration and emigration flows of people who left home to find jobs that were not available where they lived.

In order to obtain an idea of the number of women who emigrated, and still do to some extent, to other parts of Europe, we shall describe the most significant features of the emigration of women, using as our basis statistics provided by Spain's Emigration Institute. This Institute is the body officially responsible for channelling those wanting to emigrate outside the Spanish frontiers.

Between 1962 and 1980, the number of Spanish people who emigrated to other parts of Europe on a permanent basis was about 1 121 425, and of these, 16% or 179 952 were women. These figures covered assisted emigration only, i.e., emigration to take up actual jobs abroad, family or other persons accompanying the migrant worker not being included.

In absolute terms, it was 1963 and 1964 that saw the greatest number of women emigrating. In 1967, emigration slowed down considerably, but became stabilized by 1972. However, from 1974, there was another drop for men and for women. In each of the years 1978, 1979 and 1980, the number of women emigrating to other European countries did not reach a thousand.

Most Spanish women migrants settled in Germany (45.0%), with 29.8% going to Switzerland and 20.0% going to France. The remaining 5.2% were divided among the other European countries.

Table 2.6.6.1

Assisted permanent emigration to other European countries

<u>Year</u>	<u>Women (A)</u>	<u>Total (B)</u>	<u>% A/B</u>
1962	13 470	65 336	20.6
1963	17 451	83 728	20.8
1964	18 274	102 146	17.9
1965	15 145	74 539	20.3
1966	13 765	56 795	24.2
1967	5 913	25 911	22.8
1968	13 571	66 699	20.3
1969	16 326	100 840	16.2
1970	15 249	97 657	15.6
1971	14 830	113 702	13.0
1972	14 220	104 134	13.7
1973	10 198	96 088	10.6
1974	4 130	50 695	8.1
1975	2 092	20 618	10.1
1976	1 350	12 124	11.1
1977	1 152	11 336	11.0
1978	991	11 993	8.3
1979	910	13 019	7.0
1980	<u>915</u>	<u>14 065</u>	<u>5.5</u>
	179 952	1 121 425	16.0

Source: Instituto Español de Emigración: Informe sobre la emigración femenina, Abril 1980 y Emigración española asistida 1980.

From 1974 onwards, women who emigrated settled in Switzerland and France, the number going to other countries being negligible.

As we have just remarked, less than a thousand women a year are now leaving Spain for other European countries. In 1980, the 915 women who left had the following characteristics: 73.1% were aged between 15 and 29; 57.4% declared that they had no definite occupation and 16% were workers in the service sector; 52% were married women and 46% single.

While in recent years there has been a very marked drop in permanent migration to other parts of Europe, the same is not altogether true for temporary migration which takes place exclusively towards France. In 1980, 93 531 Spanish workers left Spain temporarily to do harvesting in France. This number represented a 10% drop over 1979. 71% of this total temporary work force went for grape-picking, with a further 27% of the total number of temporary migrant workers harvesting other crops such as strawberries, beans or apples. For this type of migration we have no breakdown by sex, but we may assume from the kind of work involved, especially grape-picking, and from the family nature of these expeditions that the number of women who migrate temporarily like this is probably the same as for men.

Since 1974, there has been a continual return to Spain of people who had emigrated to the rest of Europe, giving a negative emigration balance for the years 1974 to 1978.

Table 2.6.6.2

Assisted emigration, actual departures and returns (Europe)

Year	Assisted emigration	Actual departures (in '000s)	Returns (in '000s)	Emigration balance (in '000s)
1974	50 695	53.2	88.0	- 34.8
1975	20 618	20.6	110.2	- 89.6
1976	12 124	12.1	73.9	- 61.8
1977	11 336	11.3	62.5	- 51.2
1978	<u>11 993</u>	<u>12.0</u>	<u>52.0</u>	<u>- 40.0</u>
	106 766	109.2	386.6	-277.4

Source: Spanish Emigration Institute.

The estimated number of Spanish women residing elsewhere in Europe as workers or as members of workers' families was 379 168 in 1977. This number represents 38.8% of the total number of Spaniards residing abroad. It can be broken down as follows:

Country	Total N° of Spanish residents	Number of women
France	518 485	178 930
Germany	201 400	84 000
Switzerland	99 715	40 000
Belgium	64 873	31 753
United Kingdom	58 120	30 048
Netherlands	26 400	9 398
Italy	<u>8 427</u>	<u>5 039</u>
	977 420	379 168

Concerning migration flows to non-European countries, the number of women leaving Spain between 1960 and 1980 was 125 884, representing 47.5% of all the emigrants assisted by the Spanish Emigration Institute. The pattern of this type of migration was similar to that for other European countries. In the first three years of the sixties, more than 15 000 women left each year. From 1965, the number started to fall and has continued to do so up to 1980, when the recorded number of women assisted in emigrating was a mere 798.

The main problems for the migrant Spanish woman, where work is concerned, other than the stress and difficulty in trying to adapt to a social and cultural environment other than her own, arise from the fact that these women are poorly qualified and hence have very few chances of bettering themselves.

2.7 HANDICAPPED WOMEN

The employment of handicapped persons was recently brought under a Royal Decree, dated 19 June 1981. The Decree aims at encouraging the employment of the physically and mentally handicapped registered as such at the Employment office. Subsidies that may reach 300 thousand pesetas are given for unlimited duration full-time work contracts. Social security contributions are reduced by 70% for each handicapped worker under 45 years of age and by 90% for each one over that age. As very little time has elapsed since these measures were introduced, it is impossible to assess their effect on the employment of the handicapped.

2.8 ABSENTEEISM

That women have a higher rate of absenteeism than men is a commonly used argument to justify not giving more job contracts to women. The various indicators used when talking of absenteeism often include elements that should not be regarded as absenteeism properly speaking, for example illness, holidays, maternity leave etc. These generally involve a wide sector or sub-sector of activity.

We regard absenteeism as a psychosocial phenomenon connected with each individual place of work, though which workers express the frustrations they feel about their employment. The Survey of the Working Population (EPA) attempts to find the reasons why people work less than 40 hours a week; the cause or motive that most nearly corresponds to what we understand by absenteeism is "personal reasons".

In 1980, for example, 41.8% of women worked for periods that did not add up to a 40-hour week, giving "personal reasons" as their explanation. Only 14.3% of men cited "personal reasons" for their absence from work. The current societal view of women's work as a supplement to the family income, coupled with women's very real dissatisfaction with their working activity, which arises from their low level of qualifications, are two aspects that should be analysed when interpreting the link between rate of absenteeism and sex.

3. SALARIES AND PAY

Research on salaries undertaken periodically in Spain since 1963 has special characteristics which we would like to describe. From 1963 to 1976, the statistics on salaries provided information on average hourly earnings for each branch of activity; for all the branches and for certain other employment categories these figures were broken down by sex. From 1977, this was no longer the case, and the information was combined. Further changes in the method of obtaining statistics were introduced in 1981, and the survey on salaries specifies that no information is available showing earnings broken down by sex since sex discrimination in matters of salaries is illegal. (Article 28 of the Workers' Statute)¹.

Because of this statistical uncertainty, what follows is given only as an indication of trends. We have had, in some cases, to resort to guess-work in trying to assess as far as possible the differences in men's and women's salaries.

3.1 AVERAGE SALARIES BY BRANCH OF ACTIVITY

As average rates of pay vary in the different sectors of employment activity, it is possible to calculate a salary differential for each branch.

The widest differences in rates of pay in the various sectors were registered during the early seventies and up to the start of the oil crisis.

1. I.N.E.: "Metodología de la Encuesta de Salarios", Madrid 1982, p. 41.

If the branches where salaries are lowest are taken as our basic index, (in 1970 and 1973 these were the garment and shoe industries) then we find that the sectors with the highest rates paid 3.22 times as much in 1970 and 3.20 times as much in 1973.

Table 3.1.1

Index of average hourly rates of pay by sector of activity, with lowest-paid sector being taken as 1.00

	<u>1970</u>	<u>1973</u>	<u>1976</u>
Coal mining	2.59	2.79	2.86
Extraction of metallic minerals	2.31	1.52	1.49
Extraction of non-metallic minerals	1.69	1.87	1.83
Food	1.32	1.30	1.31
Textiles	1.26	1.28	1.27
Shoes and garments	<u>1.00</u>	<u>1.00</u>	1.02
Wood and cork	1.01	1.02	<u>1.00</u>
Paper	1.49	1.73	1.74
Printing and publishing	1.61	1.72	1.61
Rubber goods	2.14	2.18	2.02
Chemicals	1.61	1.72	1.73
Petroleum derivatives	1.32	1.42	1.46
Basic metal industry	1.69	1.85	1.64
Construction	1.18	1.30	1.36
Electricity, water, gas	2.21	2.48	2.35
Trade	1.28	1.34	1.22
Banks and finance companies	3.22	3.20	2.70
Insurance	<u>2.28</u>	<u>2.39</u>	<u>2.01</u>
AVERAGE OF INDEX	1.50	1.61	1.59

Source: INI, "Encuesta de Salarios", annual average, 1970, 1973, 1976.

(Author's presentation)

It was in the banking sector that the highest salary index was found in 1970 and 1973, where it was three times that of the garment and shoe industry and one-and-a-half times that of the average for all salaries. A redistribution occurred in 1976, with the lowest hourly rates of pay being found in the wood and cork industry and the highest in coal mining. In this year the highest salaries were only 2.86 times the lowest.

The branches where rates were below the national average in the three years under reference were: shoes and garments, wood industry, construction, textiles, trade, food and petroleum derivatives. We see then that in certain sectors principally employing female labour, the lowest hourly rates of pay are registered.

As has been noted above a new system of obtaining salary statistics was introduced in 1977, where the branches of activity were more narrowly defined. In 1978 and 1980, average monthly wages showed a narrower divergence between the top and bottom rates than the one existing at the start of the seventies. In 1978, the lowest rates were again recorded in the garment and leather industry and the highest in banking and finance, with the ratio being 1 to 2.31. In 1980, the wood industry gave the lowest rates, banking and finance again led the field, and the two were in the ratio of 1 to 2.45.

The branches of activity where the levels of monthly salaries were below the average in 1978 and 1980 were: food industry, textiles, leather and garments, wood, construction, trade, restaurants, cafés and hotels, and transport. Again we can note that the sectors where rates

of pay are below the national average are precisely the ones where the rate of female employment is highest.

Table 3.1.2

Index of average monthly salaries by sector of activity, with lowest-paid sector being taken as 1.00

	<u>1978</u>	<u>1980</u>
Mining of solid fuels	1.84	1.68
Energy, electricity, gas	1.96	2.11
Extraction of metal ores	1.57	1.93
Preparation of metal ores	1.74	1.81
Extraction of non-metallic minerals	1.40	1.50
Chemical industry	1.81	1.65
Fabricated metal products	1.47	1.59
Electrical goods manufacture	1.68	1.65
Transport equipment manufacture	1.76	1.67
Food, drink, tobacco	1.45	1.40
Textile industry	1.10	1.27
Leather and garments	1.00	1.08
Wood	1.10	1.00
Paper	1.48	1.62
Printing and publishing	1.56	1.50
Rubber goods	1.45	1.73
Construction	1.36	1.49
Trade	1.21	1.39
Restaurants, cafés, hotels	1.01	1.25
Transport	1.32	1.41
Finance and banking	2.31	2.45
Insurance	<u>1.31</u>	<u>1.51</u>
Average of index	1.44	1.54

Source: INE, "Encuesta de Salarios", annual averages, 1978 and 1980.

(Author's presentation).

3.2 AVERAGE SALARIES BY EMPLOYMENT CATEGORY

Just as we observed a convergence of pay-rates in the various sectors of employment, we can see a similar trend across the various employment categories. Due to the new methods introduced in salary surveys, we shall have to conduct our analysis of the different rates of pay by employment category in two separate stages.

Between 1970 and 1976, the range of salaries for the five employment categories for which figures are available gradually narrowed. The five categories are: skilled technicians, unskilled technicians, administrative personnel, skilled workers unskilled workers and apprentices. The ratio between the first and last of these categories in 1970 was 3.46, falling to 3.22 in 1973 and 2.86 in 1975.

As Angel Serrano and J.L. Malo de Molina ¹ have pointed out, the most thorough analysis so far made of Spanish salaries indicates several factors to account for this narrowing of the range of salaries. These are:

- (a) the influence of the qualification process that has resulted in technicians and other professional categories leaving management levels to become salaried employees;
- (b) the nature of the Spanish employment model in which salary increases are linked with awards for greater productivity such as bonuses, overtime etc.;
- (c) the process whereby certain workers' demands are becoming more widespread with the result that the salary scale becomes compressed and salaried employers tend to a greater equality of income.

¹ Serrano, Angel and Malo de Molina, J.L., "Salarios y mercado de trabajo en Espana", Blume Ediciones, Madrid, 1979.

Salary differences according to sex can be analysed for the period 1970 and 1976, as the survey carried out on salaries gave a breakdown by category of employment in the various employment sectors. The six categories used were: assistant, foreman, skilled worker (2nd and 3rd class), skilled worker, unskilled worker, apprentice.

The table below reveals the differences between male and female salaries in the various categories, for those sectors of employment where women are in a majority. It reveals that women earned about 25% less than men. (The male salary in each category and sector is taken as 100).

Table 3.2.1

Ratio of women's salaries to men's, broken down by category and sector of employment. (Male salary taken as 100) (1970)

<u>Sector</u>	<u>Categories</u>					
	<u>(1)</u>	<u>(2)</u>	<u>(3)</u>	<u>(4)</u>	<u>(5)</u>	<u>(6)</u>
Food	82	56	70	72	77	88
Textiles	81	73	80	75	91	82
Shoes and garments	83	84	81	79	79	95
Wood	64	70	84	85	92	93
Paper	--	76	68	78	84	85
Printing	81	70	73	79	85	82
Rubber	--	86	92	69	53	68
Chemical	82	65	60	79	88	81
Metal	91	--	--	85	88	136
Trade	--	--	85	--	90	--

Categories: (1) Assistant
 (2) Foreman
 (3) Skilled worker, 2nd and 3rd class
 (4) Skilled worker
 (5) Unskilled worker
 (6) Apprentice

Source: INE "Encuesta de Salarios", annual average 1970.
 (Author's presentation).

These statistics show clearly the discrimination against women that existed in the area of pay. The discrimination persisted in 1976 and we must not lose sight of the fact that it was during these very years that women were entering the labour force in larger numbers. They were entering on worse salary conditions; in other words, the new work force was being exploited.

Table 3.2.2

Ratio of women's salaries to men's, broken down by category and sector of employment (male salary taken as 100) (1976)

<u>Sector</u>	<u>Categories</u>					
	<u>(1)</u>	<u>(2)</u>	<u>(3)</u>	<u>(4)</u>	<u>(5)</u>	<u>(6)</u>
Food	70	70	73	74	71	88
Textiles	90	73	82	72	88	76
Shoes and garments	103	84	93	93	87	104
Wood	73	83	88	90	95	115
Paper	--	72	76	78	89	91
Printing	78	76	74	84	80	95
Rubber	--	90	75	68	74	86
Chemical	74	73	56	79	98	67
Metal	75	--	--	80	81	115
Trade	--	--	84	--	85	--

Categories as in Table 3.2.1

Source : INE "Encuesta de Salarios", annual average 1976.
(Author's presentation)

For both 1970 and 1976, we observe that the greatest salary differences were in the most highly qualified categories: foreman, category (2), and skilled worker, 2nd and 3rd class, category (3). There was a tendency for salaries to converge in category (4), unskilled workers, and in the category of apprentices, particularly for 1976, there were three sectors where women were actually paid more than men: shoes and garments and the wood and metal industries. This leads us to believe that women were being put into too low a category since the work required and the salaries paid were actually higher than the normal ones relating to the apprentice category.

As we have pointed out earlier, a new method of conducting the salary survey was introduced in 1977, thus making it impossible to compare statistics for the various categories pre- and post- this date. The ratio of the lowest to the highest salaries was 1 to 3.15 in 1978 but fell to 1 to 2.96 in 1980.

Table 3.2.3

Ratio of salaries in lowest-paid category to those in higher-paid categories (lowest-paid taken as 1.00), 1978 and 1980

	<u>1978</u>	<u>1980</u>
Higher diplomas	3.15	2.96
Middle diplomas	2.35	2.40
Technicians without diplomas	1.80	1.82
Skilled workers, 1st class	1.32	1.40
Administrative assistants	1.15	1.11
Unskilled workers	1.00	1.00

Source: INE, "Encuesta de Salarios", Annual averages, 1978 and 1980.

(Author's presentation)

Given that there should be no salary discrimination on grounds of sex, there is no official information available on the pay differences between men and women. However, for any particular employment category differences in men's and women's salaries still do exist. Throughout 1981, a series of collective agreements on work, both national and between the provinces, were signed and published in the Official Journal. By studying these legal texts we have been able to confirm this unequal treatment of men and women.

For example, in the canned and salted fish industry (official Journal 28.4.81) a 2nd class skilled female worker receives a daily wage of 935 pesetas whereas a 2nd class skilled male worker receives 1 032 pesetas.

In the collectivment agreement for a national firm in the food sector (OJ, 12.5.81), a female specialists's monthly salary is fixed at 37 314 pesetas, while the post of a specialist (with no mention of sex) is 39 722 pesetas.

In the textile industry, where the basis used is the value of various jobs as defined in the Labour Ordinance covering seven industries, certain jobs with a specific gender link in their titles (e.g. seamstress) are maintained, with assessment coefficients lower than for male jobs.

In the collective agreement covering the preserved vegetable industry (OJ, 10.8.81), jobs are divided up into nine different categories, one of which is exclusively reserved for women workers under the heading "Women". In this same agreement, a daily salary of 971 pesetas is fixed for women assistants and 1 015 pesetas for men assistants.

In other words, we can confirm that real discrimination still exists, because even in some of the agreements themselves, different minimum salaries are mentioned for the same category of employment, depending on whether the employee is male or female.

3.3 OTHER REMUNERATION

The Spanish salary system is composed of a number of different elements whose proportion varies according to sector and category of employment. All forms of remuneration are added together for the purposes of compiling salary statistics. It is therefore rather difficult to break down the total pay received into basic salary and other forms of remuneration. The system is generally speaking based on the existence of a minimum wage for all occupations, guaranteed to all workers over 18 years of age (which was 854 pesetas a day at the end of 1981) and reached through collective agreements.

In these collective agreements the total salary is made up of basic salary plus supplements or bonuses, the basic salary on average accounting for just over 60% of the take-home pay, this figure being a little higher in agreements concerning the public service than in the private sector, to judge from 302 agreements signed in 1979 that we have examined.

There is a vast range of bonuses and supplements, depending on the way work is organized in the various sectors. The most common forms of bonus are: bonuses for signing the agreement, bonus for individual and section productivity, attendance and punctuality bonuses, as well as those linked to the type of work, e.g., work with dangerous substances, night work, etc.

Table 3.3.1

Basic salaries and other forms of remuneration as percentages
of total pay in agreements signed by enterprises in 1979

	<u>Basic salary</u>	<u>Supplements</u>
	%	%
Total for all enterprises	61.47	38.53
Total for private enterprises	60.84	39.16
Total for public enterprises	62.05	37.95

Source: Instituto de Estudios Sociales: "La negociacion colectiva y las estadísticas salariales 1979", Madrid 1980.

3.4 OPPORTUNITIES FOR ACCESS AND TRAINING

As we shall mention under Point 11.1, on unemployment, 57% of unemployed women in 1980 were looking for their first job. The rate has fallen since 1976 due to the population becoming discouraged in trying to enter the work force for the first time. The constantly increasing number of unemployed (according to the provisional statistics of the INE, the total unemployed exceeded 2 million at the end of 1981) means that opportunities for Spaniards of either sex to find a job are rare.

3.5 SITUATION OF WOMEN IN THE LOW-PAID SECTORS

As we pointed out in paragraph 3.1, it is precisely in those sectors where average rates of pay are lower than the national average that the largest number of women are employed and where they represent the greater percentage of the work force.

Looking at the statistics produced in the EPA on the women working in each employment sector and at the rates of pay in these sectors, we can see a close correlation between a high percentage of female labour and low salary levels, confirming that women are indeed to be found in the low-paid sectors.

Table 3.5.1

Employment sectors where rates of pay are lower than national average and percentage of women employed in them (lowest-paid sector taken as 1.00)(1979)

	<u>Pay index</u>	<u>% women</u>	<u>Total number of women (in '000s)</u>
Leather and garments	1.00		
Textiles	1.10	61.8	393.1
Restaurants, cafés, hotels	1.01	39.3	189.6
Trade and repairs	1.21	36.7	651.9
Food, drink, tobacco	1.44	27.8	<u>118.0</u>
			1 352.6

Source: "Encuesta de salarios", annual average, 1979.

(Author's presentation)

EPA, 2nd quarter, 1979

39.5% of all working women (3 421 400 women in all) do so in the five sectors where salary-rates are lower than the national average (1.45). In contrast, there are only 100 800 women (3% of the female working population) employed in the five sectors where rates of pay are highest.

Table 3.5.2

Employment sectors where rates of pay are highest and number of women working in them (lowest-paid sector taken as 1.00)
(1979)

	<u>Pay index</u>	<u>% women</u>	<u>Total number of women (in '000s)</u>
Finance and banking	2.24	17.5	48.5
Insurance	1.81		
Energy, electricity, gas	1.96	5.8	4.8
Solid fuel mining	1.84	3.9	2.5
Chemicals	1.80	24.5	<u>45.0</u>
			100.8

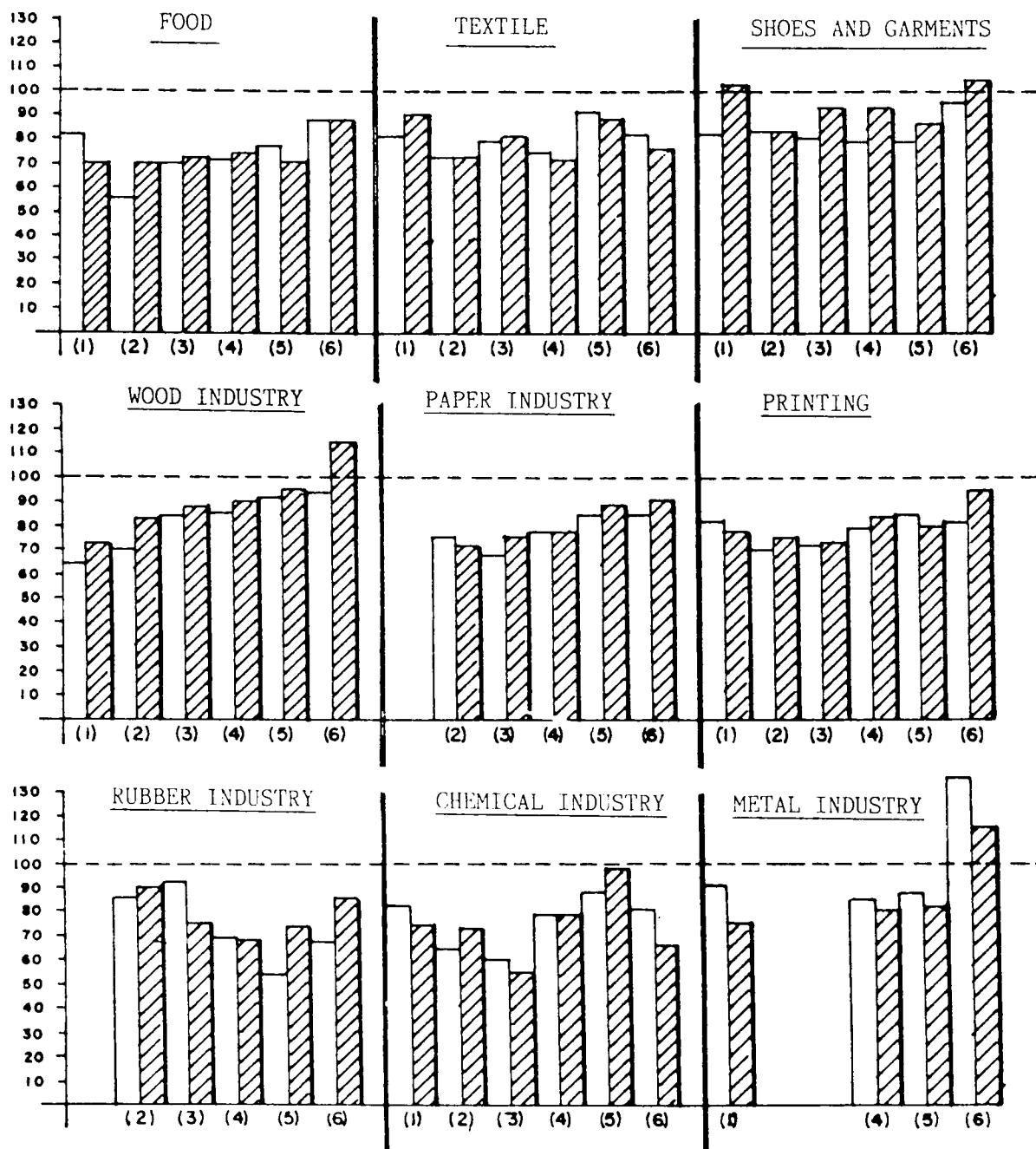
Source: "Encuesta de salarios", 1979 average, (Author's presentation)
EPA, 2nd quarter 1979

3.6 FACTORS INFLUENCING REAL INEQUALITY BETWEEN MEN'S AND WOMEN'S PAY

In the preceding paragraphs, attention has been drawn to all the variables contributing to salary differences between men and women. To sum up, below we give some of the features of the real inequality that exists between men's and women's pay:

- (a) women are employed in jobs that are rated as being in the lower categories;
- (b) even when identical qualifications are required, women receive lower pay than men, with collective agreements upholding this unequal treatment;
- (c) married women are not paid benefits in respect of their spouses and children;
- (d) public attitudes are not favourable to women working outside the home;
- (e) bonuses and premiums that employers are allowed to offer are higher for men than women.

Women's salary shown as a percentage of men's according to category of employment and branch of activity (1970 and 1978)



- (1) Assistants
 - (2) Foremen
 - (3) Skilled worker (2nd and 3rd class)
 - (4) Skilled worker
 - (5) Unskilled worker
 - (6) Apprentice
- 1970
 1978

4. LEGAL SITUATION

4.1 CONSTITUTIONAL FRAMEWORK

4.1.1 THE 1978 SPANISH CONSTITUTION

The Spanish Constitution, adopted by the Spanish Parliament (Cortes) on 31 October 1978 and by national referendum on 6 December of the same year, establishes the principle of equality of all Spanish citizens before the law, in its Article 14, which reads as follows:

"Spaniards are equal before the law and may not in any way be discriminated against on account of birth, race, sex, religion, opinion or any other condition or personal or social circumstance."

Here the universal phrase recognizing that men and women are equal before the law is coupled with the specific fact of being Spanish; the allusion to sexual discrimination is toned down by listing all the other grounds on which discrimination is unconstitutional. A new phrase "or any other condition or personal or social circumstance" is added to the common list of race, sex, religion and opinion. This very general formula, which covers a number of interpretations, was introduced when the Constitution was adopted so that, at a later date, it would be possible to eliminate certain forms of discrimination (e.g., indirect discrimination because of marital status) against women which were still in existence in Spanish law at the time. For example, at the time, a married woman could not exercise authority over her children or manage the couple's assets.

In Article 9, in addition to recognizing the principle of equality, the Spanish Constitution recognizes the principle of liberty and makes it incumbent upon public authorities:

"to promote conditions which allow for the liberty and equality of the individual and of the groups to which he belongs to be real and effective, to remove the obstacles which prevent or hinder their full enjoyment, and to facilitate the participation of all citizens in political, economic, cultural and social life".

This is a step towards admitting constitutionally that a mere declaration of the existence of rights is of little value unless there is subsequent application in daily life. This is an important subtlety which is part of public awareness nowadays in relation to the application of human rights. When analyzing the word "individual", we have to understand that all of us, men and women, are "individuals". As far as women are concerned, Article 9 is considered very significant because the simple recognition of women's rights, given their present position, is not going to achieve much. In order for the recognition to be translated into fact, action needs to be taken by the public authorities.

As we cannot reproduce the whole of the Spanish Constitution here it suffices to point out that both the recognition of rights and the obligations listed refer to "Spaniards" or "citizens", thus applying equally to men and women according to the general principle framed in Article 14, that is to say, with no discrimination whatsoever.

It is useful nonetheless to look more closely at some specific constitutional provisions which show progress over the earlier Spanish legislation.

- Majority

Article 12 of the Constitution states:

"Spaniards are legally of age at the age of eighteen."

There is a general trend in all countries to lower the age at which the legal personality and capacity of the individual is recognized. The reasons for this are complex but have to do with the social and cultural progress of our time and with the type of education most young people now receive. As a result, young people are considered to mature earlier.

Nevertheless in almost every country including Spain, until very recently, differences were in force for the two sexes, in this respect. Men were considered to mature earlier than women, hence to reach their majority before them.

According to Article 12 mentioned above, men and women are recognized to come of age at the same time. The Constitution fixes the coming of age at 18 for both sexes. Apart from the provisions of a special Decree-Law, voted in 1972, when women were recognized as coming of age at 21, like men, Spanish law has never before established the age of majority free from sex discrimination.

- Right to vote

Article 23 needs to be especially stressed since the right to vote was at the root of the women's rights movement. The text is as follows:

- "1. Citizens have the right to participate in public affairs, directly or through their representatives freely elected in periodic elections by universal suffrage.
2. They likewise have the right to accede on equal terms to public functions and offices, in accordance with the requirements to be prescribed by law".

In other words, Article 23 recognizes that all citizens - hence women - have the right to vote and stand for election.

On 1 October 1981, the 50th Anniversary of women's suffrage was celebrated. This had been decreed by the Congress of the Second Spanish Republic on 1 October 1931. The vote by the members of the Republican Parliament at the time had been 160 in favour and 121 against. Clara Campoamor went against her own party and defended women's right to vote. Article 36 of the Second Republic's Constitution stated that citizens

of either sex, aged over 23, had the same electoral rights as determined by the law.

As far as the present situation is concerned, there are no restrictions on Spanish women obtaining any public office or taking examinations for entry to the public service, etc. However, the Military Regulations have not yet been revised in order to allow women greater access to the land, sea or air forces. Women are admitted to the medical and service corps, but no woman has yet been accepted in a military academy.

- Equality between partners in marriage

The grounds and motives for limiting women's rights are many and varied, from the "imbecilitus sexus" of the Romans, via "the being in need of protection", to the principle that "in every society there has to be a chief" and hence also in every family. This status of chief or head, according to Castan Tobeñas, "is given by history, tradition and nature exclusively to men". The result of such theories was that once married, a woman's rights diminished, and she became "a ward of her husband". This status of ward turned her into a minor, forcing her to seek "marital permission" for virtually everything she wanted to do, socially or in the economic sphere. According to Aristotle, the married woman was for centuries "the queen of the house, the absolute mistress to the keys of the larder", whereas the husband alone was the manager of the conjugal possessions and even of the woman's own possessions.

Article 32.1 of the Constitution states that:

"Men and women are entitled to enter into marriage on a basis of full legal equality."

This is a constitutional mandate, introducing the recognition of a married couple's equality. It is also the basis for eliminating the differences still existing in the Spanish legal system, which we will

examine later when dealing with the legal status of a woman as an individual.

- Right to employment

Chapter II of the Constitution, on Rights and Liberties, starts with Article 14 which we have already quoted. Its 2nd Section concerns the Rights and Duties of Citizens, and Article 35 thereunder states that:

- "1. All Spaniards have the duty to work and the right to employment, to free choice of profession or trade, to advancement through their work, and to sufficient remuneration for the satisfaction of their needs and those of their families, while in no case may they be discriminated against on account of their sex.
2. The law shall establish a workers' statute."

In other words, the Constitution accords women the following rights:

- the right to work
- the right to freely choose their profession or trade
- the right to advancement through their work
- the right to sufficient remuneration for the satisfaction of their needs and those of their families.

It is important to stress that as far as the rights of all Spaniards are concerned, in no case can they be discriminated against on grounds of sex. However, in the sphere of work, there is no doubt that women occupy an inferior position to men, both in terms of the type of work they do and how much they get paid for their work.

According to Article 35, however, on which we are commenting, it is unconstitutional to:

- forbid a woman to work either for her own account or that of others.

In accordance with the principle of equality of the marriage partners before the law, stated in Article 32 (1) - cited above - single and married women are equally free to work.

- bar a woman's access to any trade or occupation;

This means that work segregation on the basis of sex is abolished. Putting this in other terms, it is no longer possible to divide work into male jobs and female jobs.

- replace a woman or restrict her advancement or promotion on grounds of sex;
- pay a woman a lower salary because she is female, instead of taking her ability or the rating of her job into account.

Summing up, the two fundamental principles women have fought for in relation to work, non-discrimination in work itself and equal pay, are guaranteed by the Constitution. As the Constitution is the supreme legal instrument and no legislation contrary to it can exist, these principles have to be carried over into all secondary legislation.

Nonetheless, Article 35 of the Constitution does not actually introduce any new elements that were not already present in the legislation.

The principle of non-discrimination in pay for Spanish women was first established by Law 56 of 22 July 1961. Political and professional rights in connection with employment were framed in Article 4.2 thereof. These principles were later incorporated in the Law on Labour Relations (8 April 1976).

Though dealt with in general terms in various laws, the principle of non-discrimination in employment was only fully established legally when the Workers' Statute came into force.

4.1.2 THE SPANISH CONSTITUTION WITHIN THE FRAMEWORK OF INTERNATIONAL LAW

How does the Spanish Constitution fit into the framework of international declarations on human rights?

In principle, the process of women's emancipation should be seen as part of the philosophical and political movements on human rights and not as part of private law. Originally, women were not granted rights as citizens. But today, at the international level, the concept of the dignity of the individual is widely held and has been enshrined in the texts of international declarations on human rights. The Spanish Constitution reflects this current attitude by including, under Title I on "Fundamental rights and duties", Article 10.2, which is worded as followed:

"The standards relative to the fundamental rights and liberties recognized by the Constitution shall be interpreted in conformity with the Universal Declaration of Human Rights and the international treaties and agreements thereon- ratified by Spain."

Consequently, the declarations establishing the rights of Spanish women which we have quoted and commented on above, are generally speaking, in agreement with Article 2(2) of the Universal Declaration of Human Rights. But were any doubts still to exist, the Spanish Constitution itself provides for an appeal to be made through the Court in order that such provisions can be interpreted in conformity with the Universal Declaration of Human Rights.

This Declaration dates from 1948, and it has been supplemented by several other agreements and treaties laid down by the UN since that date. In becoming party to these or in signing them, the Spanish Government committed itself to observing them and recognizing the rights that were clearly defined in them. Since our Constitution mentions them, we should

point out that on 28 November 1976, Spain ratified the International Agreement on Economic, Social and Cultural Rights (N.Y. 16.12.1966) and the International Agreement on Civil and Political Rights (same date), adding an additional optional protocol.

The first of these two agreements says that the States party to it undertake to ensure that men and women have the right to benefit equally from all the economic, social and cultural rights which it lists (Article 3).

It was therefore by ratifying this agreement in November 1976 that Spain, in effect, undertook to include in its legislation the principle of non-discrimination on the basis of sex or marital status.

4.2 CIVIL LAW

4.2.1 PRIVATE LEGAL STATUS

We now come to the fundamental rights of the person, included by the UN in the paragraphs on private legal status. These are very important since they entail recognition of the legal personality, that is to say that an individual has full rights and duties and can act on his or her own account.

The whole of this issue has always been connected with how women are perceived as human beings. Prevailing views have generally been of two types:

firstly, that the woman was seen by her nature as not being capable of doing certain things, a view that culminated in a series of restrictions curbing her possibilities of independent action in a number of areas; and secondly, that the woman's possibilities had to be subordinated to her status as someone's wife, i.e., her role in the family.

Both these points of view are contrary to international declarations of rights which stress the fundamental principle of equality between all individuals without distinction.

They are also contrary to the principles established by the 1978 Spanish Constitution (see Articles 14, 12 and 32(1)).

It is true to say that today, in principle, there is no discrimination in Spanish private law on grounds of sex or marital status, either in civil or in commercial law. It is nonetheless a fact that both types of discrimination mentioned above were still in existence until very recent times. For this reason we need to refer to the laws under which they were eliminated.

- Sex discrimination

This was abolished with the passing of the Law of 24 April 1958 which removed the restrictions on a single woman's capacity to act on her own, the only exception being Article 321, on the age of majority. This too was later corrected with the Law of 22 July 1972.

Another seventeen years were needed before the reforms were introduced to remove:

- Discrimination because of marital status.

Law 14 of 2 May 1975 partially eliminated it, when it recast certain articles in the Civil and Commercial Codes dealing with the legal status of a married woman and the rights and duties of marriage partners. Three fundamental principles were enshrined in the new law:

- (a) marriage does not change the nationality of the marriage partners;
- (b) marriage does not restrict either partner's capacity to act;
- (c) marriage agreements may be signed before or after marriage.

As a result, marital permission no longer exists as a concept in the Spanish legal system. Previous to the law, a woman had to obtain her husband's permission before she could undertake any action in civil law: for example, witnessing a will, obtaining a driving licence, managing her own property, opening a bank account, becoming a guardian, defending herself at a trial. The new law, moreover, made it possible for a wife to keep her own nationality, instead of being forced to take her husband's. Where commercial law is concerned (Articles 6 - 12 of the Commercial Code), she can now have her own business without the need for her husband's authorization. Under both civil and labour law (Article 10(2) of the Labour Relations Law), it is possible for a woman, whatever her marital status, to sign any kind of employment contract, and to exercise her rights as men do, including the right to receive her pay.

The Law of 2 May 1975 has been called, with reason, the law on the coming of age of married women ; women are no longer subjected to their husbands' authority in the way that children are subject to their parents'.

A woman is recognized as having her own legal identity and the capacity of acting alone in any matters concerning her, regardless of her "status".

Law 14 of 2 May 1975 did however continue to place men in a superior position as far as family affairs were concerned. The husband was the sole manager of the couple's assets (those arising from the salaries and work of both partners, if the wife was employed); he and he alone had parental authority over the children.

After the 1978 Spanish Constitution came into force, a law was passed in an endeavour to bring civil law into line with the Constitution, Article 14 of which, it will be recalled, requires the elimination of discrimination on account of sex "or any other condition or personal or social circumstance".

Law 11 of 13 May 1981 recast the parts of the Civil Code dealing with filiation, parental authority and the management of the couple's assets, establishing the following new provisions:

- Parental authority

"Children below the age of majority are under the paternal authority of the father and mother" (Article 154 of the Civil Code).

"Paternal authority will be exercised jointly by both parents" (Article 156 of the Civil Code).

This gives Spanish married women parental authority over the children of their marriage, whereas previously, they had only been able to obtain this in the case of the husband's desertion. Thus another discrimination against married women in Spain has been removed.

- System of managing a couple's assets

As far as managing a couple's assets is concerned, under the law we are examining, the husband is no longer the sole administrator of the joint assets, and several different systems for managing them have been provided for. A couple can now choose one of the following systems:

Joint Administration. This is self-explanatory. The marriage partners hold joint responsibility for administering their affairs.

Individual Administration. Each partner looks after and manages her or his own assets and the incoming deriving from them. Each makes a proportional contribution to the household expenses.

Participatory Administration. This follows the German model. The reform bears on Articles 1.315 and 1.444 of the Civil Code.

In conclusion, we can say that Law 14 of 2 May 1975 which recognizes a married woman's own legal personality and her capacity to act on her own and Law 11 of 13 May 1981 which is a follow-up applying the general principle of "equality of marriage partners" in the family by giving a married woman parental authority over her children and a role in the running of the family affairs, under a system freely chosen by both partners, are two of the fundamental pieces of legislation bringing to an end the discrimination against married women in Spain, by conferring on them their full rights as individuals. Private law has been amended to conform with the stipulations of the Spanish Constitution (Article 32(1)), that:

"Men and women are entitled to enter into marriage on a basis of full legal equality".

4.3 LABOUR LEGISLATION AND MATERNITY PROTECTION

4.3.1 LABOUR LEGISLATION

A. Sources of Labour Law

When looking at Labour Law we must keep in mind that there are several sets of regulations, all important for determining work relations, existing in parallel. We therefore need to distinguish between:

- Basic regulations of the Spanish system that have now been incorporated into a Workers' Statute, which came into force on 14 May 1980, pursuant to the mandate contained in Article 35(2) of the Spanish Constitution.

- Labour regulations and ordinances which relate to particular areas of work or sectors. According to the Workers' Statute, the rules and regulations on work which are currently in force will continue to govern the situation until they are replaced by collective agreements (transitional provision). These rules are subject to normal restrictions as to their scope, that is to say that they cannot govern working conditions other than those established in the law (Article 3).

In addition, when working conditions are being drawn up, it is agreed that the parties concerned are independent, in the work place. Working conditions are established in collective agreements. Chapter III of the Workers' Statute (Article 85(1)) stipulates that the working conditions are to be laid down by means of collective agreements, in compliance with the laws in the matter.

B. Principle of non-discrimination in matters of employment

In the same way as the Constitution recognizes the rights of all Spaniards, the Workers' Statute recognizes the rights of all workers. In its Article 4, it states that:

1. "Workers have basic rights the contents and scope of which have been determined by agreements and ordinances etc."

4.1.a Right to work

4.1.b Right to free choice of trade or profession

2. In working relations, workers are entitled to:

4.2.a Actual occupations

4.2.b Promotion and vocational training at work

These positive statements of the recognized rights of all workers are strengthened still further in the law which goes on to say:

4.2.c Not to be discriminated against when being selected or after selection, on account of sex, marital status, age (within the limits prescribed by the law), race etc. ...

- Legal age for commencement of employment

Article 6 of the Workers' Statute lays down 16 as the age when both men and women may commence employment.

- Capacity to sign a contract

According to Article 7, all those who enjoy the full capacity to act on their own behalf as provided for in the Civil Code may contract their services. As there is no discrimination left in the Civil Code today, there is therefore no restriction because of sex or marital status where the capacity to sign a contract is concerned.

B.1 Non-discrimination in labour relations

When we take into account what has been said in Section 4.3. A above, on the sources of Labour Law, Article 17 of the Workers' Statute becomes particularly important. It is here that explicit reference is

made to lack of discrimination in matters connected with labour relations. It states that all rules and conditions, clauses in collective agreements, individual contracts and unilateral decisions on the part of employers shall be null and void if they contain negative discrimination on the grounds of age or positive or negative discrimination in employment or in matters of salary, working hours, or any other condition of work, on account of sex, place of origin, marital status, race or class.

This section of the Workers' Statute represents an advance over the law's earlier provisions (see page 67, recognition of workers' rights in the Constitution, where reference is made to the date on which, for the first time, sex discrimination was made illegal in Spain); the difference is that the earlier legislation was framed from the negative view point (It is forbidden... etc.), whereas the above provisions change the emphasis by expressly declaring that the rules, clauses of collective agreements and even individual contracts in an enterprise (a precise reference to a worker's contract) are null and void if they are discriminatory in matters of employment, job conditions, salary, length of working day and so on.

B.2 Non-discrimination in advancement

Article 24(1) of the Workers' Statute contains specific provisions in connection with advancement.

For advancement within the job category, workers' training, productivity and seniority must be taken into account along with the employers' organizational possibilities. But the law adds a clear and specific reminder on possible discriminations in the matter, the

contents of which are very important because of their innovatory nature.

Article 24(2) says that the job categories and criteria used for advancement in the enterprise must be based on rules that are applicable to both sexes alike.

To conclude, the basic law relating to workers and employment regulations both make it illegal to discriminate against working women, in matters of job selection, work, earnings and advancement.

C. The principle of equal pay for male and female workers

Although Article 17 in the Workers' Statute mentioned above explicitly refers to pay, it seems as though the reference was judged inadequate, in face of the common discrimination encountered by women in practice where pay is concerned. This appears difficult to eradicate, so Article 28 of the Statute makes the matter clear and provides an unequivocal statement of the position for the Courts. Article 28 occurs in Section IV, on salaries and salary guarantees and it stipulates that the employer is obliged to pay the same salary for equal work performed, not only as regards basic rates of pay but also for other elements included in the pay packet, without discrimination based on sex.

It is quite clear that the precise wording is intended to make the issue as clear as possible: the text is referring to the duties of employers and further specifies that equal treatment extends not only to basic salary but also to other pay elements. So clear is the wording of Article 26 that it can only be interpreted by the Courts in one way.

4.3.2 MATERNITY PROTECTION

A. Pre- and post-maternity leave

In Article 45 of the legislation in force, provision is made for suspending a worker's contract for reasons of maternity, with a guarantee that her job will be held open for her.

Article 48(4) specifies that the length of this maternity leave is fourteen weeks, taken before or after the baby is born in whatever way the woman wants.

B. Voluntary leave to take care of children

The law covers parental leave to take care of children and the text stipulates that either the mother or the father is eligible to take such leave.

In Article 46(3), it is stated that workers are entitled to take leave, in order to look after their children, for a period not exceeding three years from the birth of each child, successive births cancelling any unexpired part of the leave but giving the right to a further three-year period. Where both mother and father work, only one of them is entitled to this leave.

Article 46(5) stipulates that a worker who has taken parental leave is only entitled to preference for re-employment in existing vacant posts of the same or similar category to the one occupied before, in the enterprise.

C. Time off for baby feeding

Article 37(4) of the Statute makes provision for the working woman to have an hour off a day to feed her baby during the first nine months of the baby's life. This period of an hour can be split up into two parts. Or, if the woman prefers, she can choose to go home from work half-an-hour earlier each day for the same purpose.

D. Shorter working day

Article 37(5) of the Workers' Statute makes provision for a shorter working day for workers who are parents or guardians of a child under six or a physically or mentally handicapped person who is not earning anything. This results in a proportional reduction in salary. Such a reduction in the working day may be no less than a third and no more than a half of the normal working day.

This article introduces something entirely new into our legislation. Like the previous article on three years' parental leave, it covers either partner if both of them are working. The law is beginning to regard maternity as a social function that does not solely concern women, relating it instead to the parental rights of both the father and the mother. These two measures providing concessions for fathers as well as for mothers were introduced in Spain in the Labour Relations law of 8 April 1976.

E. System for staggered holidays

Where an employer operates a scheme of staggered holidays, workers with family responsibilities are given priority when choosing dates that fit in with school holidays (Article 38(c)).

It should be noted that the law refers to "workers", meaning that both fathers and mothers can take advantage of this provision. The rule in other words reflects the same kind of thinking we saw when looking at the two previous rules: a move away from giving certain rights to women because of their role as mothers and an extension of these rights to both parents.

4.4.

EQUAL RIGHTS LEGISLATION
COMPARISON WITH COMMUNITY DIRECTIVES

Council Directive, 10 February 1975, O.J. L45

Directive 75/117/EEC on the application of the principle of equal pay for men and women.

Application of the principle in Spanish legislation

- Article 35 of the 1978 Spanish Constitution
- Article 17 of the 1980 Workers' Statute
- Article 28 of the same statute

Article 28 establishes equality / ^{as regards} basic salary and other pay elements without discrimination based on sex, and Article 17 considers as null and void all rules, collective agreements and individual contracts (workers' contracts) containing any discrimination whatsoever on grounds of sex.

Council Directive , 9 February 1976, O.J. L39

Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion and working conditions.

Application of the principle in Spanish legislation

Under Article 35 of the Spanish Constitution, all Spaniards are given the right to employment, to the free choice of their profession or trade, to advancement through their work, with discrimination on account of their sex being deemed unconstitutional.

Law 14 of 2 May 1975 abolished the concept of marital permission in the Civil Code by stating that marriage did not restrict the marriage partners' capacity to act. Spanish women thereby obtained the right to go out to work or to run their own businesses without needing their husband's authorization. This right is confirmed in Article 7 of the Workers' Statute.

Law N° 11 of 13 May 1981 confers on women the right to manage the products of their own work.

Training. There are no laws in Spain prohibiting access to university careers or to trades, with the exception of the military academies, and even these have promised to revise the Royal Ordinances.

The Workers' Statute accords absolute equality of treatment to men and women. One example of this (Article 11), is that both young men and young women between the ages of 16 and 18 may be given contracts enabling them to be trained, with a shorter working day and lower wage. Article 22 provides for time off to sit examinations and to attend training and advanced training courses.

Promotion. The principle of the right to equal treatment in all aspects of employment after hiring is provided for in Article 4.2.b of the Statute (promotion and vocational training) and in Article 4.2.c.

Article 24.1 prohibits any discrimination based on sex or age in employment categories and in promotion. Equality in working conditions has been further extended by the abrogation of the decree of 26.7.1975 on hazardous, unhealthy and arduous work, by the abolition of the legislation preventing women from being employed in night work, and by the fact that husbands now have the same rights as married women working outside the home, where child-care is concerned.

Council Directive, 19 December 1978, O.J.L.6(10.1.1979, P.24)

Directive 79/7/EEC, Article 1 (2), on the progressive implementation of the principle of equal treatment for men and women in matters of social security (other than specific provisions relating to the protection of women on the ground of maternity.

Application of principle in Spanish legislation

The law on social security adopted by Decree N° 2065 of 30 May 1974 does not contain any general provisions that are discriminatory against the working woman, other than not entitling her widower to a pension in the event of her death, unless he is handicapped or was dependent on her.

This same discrimination exists in Public Employees' Conditions, where it is even more striking, the pension only being granted in case of "legal penury", which today means a total absence of any means of support.

The Social Policy Committee in Congress has given a favourable opinion on a bill that would recognize the right of the widowers of working married women or women who pay social security contributions to a widower's pension. In its opinion, the Committee suggests that this law should come into force on 1 January 1983.

This provision is the last one needed to ensure that, in Spanish legislation, women have the same individual rights as men since it will accord Spanish women equal treatment with men in matters of social security.

In other words, as we have already noted elsewhere in this study and particularly in the sections where Spanish legislation is compared with the EEC Directives, women are no longer legally discriminated against in Civil Law, Commercial Law or Employment Legislation.

New programme

Indirect discrimination

Tax system

In Spain, legislation on personal taxation of income takes the family as its basic unit for assessment purposes. Moreover, the sliding scale used does not take into account the marital status of the persons concerned. These two facts combined have the following results:

(1) Where both marriage partners work, the two salaries are added together so that the taxable income is increased thus bringing it into a higher tax bracket. This does not encourage women to work, even for a small salary. It may even be cheaper for the family if the wife does not work, as her salary may push the family income into a higher tax bracket.

(2) The present system of tax relief does nothing to solve the problem. For example, the single person's allowance (for both sexes) is 15 000 pesetas per year, so two single persons living together could deduct 30 000 pesetas. But a couple may only deduct 27 500 per year. In this way, the family unit does not do as well as two single persons living together.

(3) No distinction is made between a family where the income is produced by both marriage partners and one where it is the husband alone who brings in the salary.

(4) There is no way round this. If a couple chooses to make two separate declarations, the total amount of tax due after all deductions have been made is increased by 15%.

(5) It is claimed that the present system is contrary to each marriage partner's right to privacy.

(6) According to Article 39 of the Constitution, "The authorities shall

ensure the social, economic and legal protection of the family". It seems clear that the present system of taxation does not really "ensure" the economic protection of the family. In fact, the contrary is true and as a result, a strong feeling is developing in Spain that the present system of direct taxation of revenue (IRPF) is unconstitutional.

Conclusion: Indirect discrimination therefore exists in the Spanish fiscal legislation: women's work is penalized instead of being encouraged.

Action 1. Article 2 (1)

Directive 76/207, reference to marital or family status

In Spain, there are no forms of discrimination. These have been removed by Law 14, of 2 May 1975 and Law 11 of 13 May 1981, relating to Article 4 of the Directive 79/7.

There is no discrimination in the various matrimonial schemes which can be freely chosen, nor in the obligation to make social security contributions, nor as regards the length or amount of benefits obtainable under the general system. The only exception is that the widower's pension is paid solely to men who are disabled and dependent on their working wives.

Actions 2 and 3

Equal treatment according to Directive 76/207

The protection of women as regards maternity is governed by Article 48.4 of the Workers' Statute both the mother and the father are entitled to take leave if they wish, to look after their child. The period of leave is limited to three years, but they are not entitled to any social security benefits during it.

An hour a day may be taken off to feed a baby up to nine months. This hour-off can be split into two parts.

Shorter working day to take care of children under six: both partners are entitled to do this, but earnings are reduced accordingly (Article 37.5).

Staggered holidays: families with children are given preference, so that they can take their holidays to coincide with school holidays. This applies to both the father and the mother. (Article 38c).

Action 4

In application of Directive 76/207 relating to social security

In Spain, there is as yet no tendency to the individualization of rights. The introduction of such a measure would be unfair, given the number of married women not in paid employment.

Action 5

Extension of rights to women working in agriculture

The legislation on agricultural workers does not cover those women who work as "family helpers" and classifies such women as "dependents". The EPA estimates that 70% of the women working in agriculture fall into this category. Steps must therefore be taken to recognize their work, which cannot be considered as "dependent", especially as they have a double workload, combining their work on the farm, in the kitchen garden or with the family's own livestock, with the usual household duties.

Action 6

Discrimination in taxation

See above under personal taxation.

Action 7

Equality in parental responsibilities

Article 32.1 of the Constitution providing for spouses to be equal guarantees this, as does Article 35 which states that "all Spanish citizens

have the right to employment and the duty to work". The Workers' Statute also provides for this form of equality by giving both parents rights which formerly were open only to women: right to take leave to look after children, Article 46.3; reduced working hours to look after children, Article 37.5; system of staggered holidays, Article 38; right of both partners to work in the same place, Article 40.

Action 8, corresponding to Action 9 and Action 12

Turning to positive action, the following points should be noted:

Article 9 of the Constitution assigns to the authorities the task of promoting the conditions required to bring about the real freedom and equality of individuals or the groups to which they belong. The authorities are also required to eliminate the obstacles which prevent or hinder the participation of all citizens in the country's political, economical, social or cultural life.

Elsewhere in this report, when commenting on Employment Legislation, it has been noted that the deadline has not yet expired for amending certain sections such as the one on work in the home. In paragraph 4.6, mention has been made of the practical difficulties to be overcome before de facto discrimination can be eliminated. We must stress that the law has only recently been changed and a running-in period will in any case be necessary.

The Directorate General on Women's Affairs in the Ministry of Culture has the job of seeing that the necessary policy is formulated, in order that women achieve complete equality. This department gives grants to feminist associations so that they can help women to change their own attitudes and thus encourage and increase their chances of equality. The Employment Ministry has a special committee on women's employment which has encouraged legal reform and given support to the

views of working women. However, the two sides of industry have only held one meeting to study the question of part-time work for women since Spain's return to democracy.

Actions 10 to 16

In recent years, there have been no specific actions, apart from changes in the law, to improve the lot of women in general and working women in particular. What is more, attention has been focussed on the positive aspects and the fact that while there was a great deal of enthusiasm for feminism in the first half of the seventies, today, we seem to be passing through a bad period. Perhaps the answer is that so many legal reforms were introduced so quickly that we are now in a period of reflection and assimilation.

There is no doubt that we do not have any specific programme for improving the situation of working women where the legislation in itself is proving inadequate. In this connection, we should mention that today - 3 May 1982 - as we write, a bill is coming before Parliament with the precise aim of co-ordinating all the activities that could remove the de facto discrimination from which women are still suffering. The bill has been presented by the Catalan minority. We have not been able to study it as the relevant opinion has not been attached to it, given that it has only just been submitted to the Congress.

4.5 PROTECTIVE LEGISLATION: PROHIBITED EMPLOYMENT, NIGHT WORK,
ETC. : SPECIFIC PROTECTION

A. General comments

The long and complicated process of changing the Spanish law has been characterized by two sorts of measure: removing discrimination against women where it existed, step by step, and taking away certain of their privileges as their new rights were acquired (other than those relating to maternity, child-birth, post-maternity and child-feeding). As we have pointed out in paragraph 4.3.11, and as we shall see below when we analyse the legislation, in all other cases, there has been a general move towards:

- (a) giving women the opportunity of entering any form of employment without discrimination or protective measures;
- (b) extending to both marriage partners some of the benefits that were previously judged to be the sole prerogative of women, with the result that specific protection has disappeared.

B. Hazardous, unhealthy or arduous work

In Spain, work in these categories came under the regulations laid down by the Decree of 26 July 1957 on work prohibited to minors and women. On various occasions, demands have been made to revise these articles so as to take into account changes in the technical nature of work and to reflect the legislation introduced elsewhere on women's rights.

Notwithstanding, Law 16 of 8 April 1976 on Labour Relations preserves the concept in its Article 10.3 and specifies that women may be prohibited from performing certain work that is arduous, unhealthy or connected with harmful substances, under regulations to be laid down by decree. But the regulations have not in fact been revised and there has been no new decree. In other words, the old situation prevails and nothing has changed.

The Workers' Statute, however, derogates entirely from the law on Labour Relations. It is through the former that once and for all in Spain the sexual division of labour - in other words, discrimination against women in employment - has been abolished. It is only for minors, whether male or female, that prohibitions remain in force, as we shall see when we look at night work.

C. Night work

It used to be forbidden for women to work at night, under protective employment legislation. The situation varied according to the needs of the job; but there were a number of occupations which would have been closed to women because of their working hours - radio, television, some of the public services, for example - had it not been for a number of exceptions that were admitted. In the event, very little of the law remained due to the number of these derogations and it was clear that these regulations needed to be abolished.

As was done in the case of hazardous, unhealthy or arduous work, the prohibition on night work now only extends to minors of both sex. This time, however, the changes were introduced in the law on Labour Relations, in line exactly with the contents of the Workers' Statute.

Article 6.2 states that workers under 18 years of age cannot engage in night work, activities or jobs that the Government, on a proposal by the Employment Ministry, and after consultations with the most representative of the unions, decides are unhealthy, arduous, harmful and dangerous, from the point of view of either their health or their training and personal development.

Article 6.3 makes it illegal for under-18s to do overtime.

These articles, then, cover three aspects: night work, unhealthy, arduous, harmful or dangerous work, and overtime. It should also be noted that it is minors and not women who are mentioned. The measure is based on considerations not only of health but of training and personal development.

In other words, a general law which prevented women from engaging in night work has been removed from the Spanish statute book and replaced by a law which authorizes it.

The prohibition on night work now only extends to men and women who are under 18 years of age.

D. The preferential right of spouses to be employed in the same place of work

Article 40 of the Workers' Statute states that if one spouse is transferred with the result that he/she must change his/her place of abode, the other spouse will be entitled to a transfer to the same enterprise provided that a vacant post exists there.

In the former Spanish law - Article 3 of the 1970 Decree implementing the law on political, professional and occupational rights - working women whose husbands were transferred were entitled to follow their husbands to the new place of work and in order to do so were given preferential treatment in finding work there in the same or a similar category.

As we have pointed out above in Paragraph 4.3.11, there has been a trend towards bringing working women's rights in line with men's, which has meant in cases like this, the loss of certain privileges, consistent with the proclamation of the equality of couples. Thus, in Article 40 which we have just mentioned, both men and women working for an employer now have equal rights to a transfer, following the initial transfer of the other partner. In the earlier legislation, the transfer could be made to any enterprise provided that it had an office in the couple's new location

but today under the new law, the right is limited to couples working in the same enterprise.

With this new provision, another clause giving women specific protection or benefits has disappeared.

E. Employment sectors not falling within the legislation

The 2nd Supplementary Provision of the Workers' Statute states that: "Within a period of 18 months, the Government shall pass regulations to govern the system applying to labour relations of a special nature as enumerated in Article 2 of this law".

Article 2 defines the following forms of occupation, among others, as comprising labour relations of a special nature: domestic service, sportsmen and sportswomen, artists.

The period for introducing these regulations as provided for in the Workers' Statute has not yet expired as we write, but will do so in June 1982. The employment of these three categories - domestic workers, sportsmen and sportswomen, and artists is not therefore at present governed by any regulations. This is particularly serious in the case of domestic service, which unlike the other two categories, was not formerly covered by any other form of employment regulations.

- Women working in agriculture

Agricultural work is governed by an ordinance dated 2 October 1969 (OTC).

Since the legislation refers exclusively to work done for others, it does not cover either charitable and voluntary unpaid workers or those who organize their own work and enjoy its rewards. People in the same family - spouse, children, close relatives, adopted children - working with the worker and living with him/her under his/her roof are considered as

organizing "their own work" in the meaning of the above. According to the EPA, it would appear that seventy out of every hundred women working in agriculture do so as "family helpers". Only 20% of men in agriculture are in this position. Thus the Ordinance on agricultural work mentioned above, since it does not mention women who work as family helpers, fails to cover 70% of all female agricultural workers.

One of the features of this type of work is the absence of a salary. It is time for this fact to be taken into account since women normally have a double occupation, combining their work in the home with agricultural work like harvesting, grape-picking, looking after the kitchen garden and animals. Despite this double work-load, the woman in agriculture is classified as "dependent".

4.6 THE DISPARITY BETWEEN RIGHTS AND REALITIES : FACTORS WHICH EXPLAIN THIS GAP

A. General comments

This report is being tackled in two fundamental ways.

Firstly, we are making an objective analysis of the actual situation, based on precise statistical information. Secondly we look at how things "ought to be", in other words, whether the legal position of women under Spanish law is actually such as to put them on an equal footing with men, that is citizens with the same rights and duties in the civil, commercial, employment, social security and tax domains (other than being granted special treatment or the ground of maternity, which is a social function women alone perform).

We deduce from our statistical analysis that women's rate of employment as a percentage of total employment is not, and never has been, very high. This is despite the fact that the principle of equal pay for equal work was promulgated for the first time as long ago as 1961.

There are many and varied reasons why women account for such a small percentage of the working population. We shall confine ourselves to mentioning the most outstanding:

(1) Until the start of the seventies, Spanish men preferred to have several different jobs themselves rather than see their wives go out to work.

(2) There is still in fact, unequal treatment as regards pay, whether or not this can be pin-pointed in employment regulations.

As the rules list all jobs as though they were performed by men, it is impossible to know whether it is men or women who actually carry them out. Hence we are unable to find out in which sectors or branches job or salary discrimination actually exists.

(3) A third reason which we must take into account is that the guarantee of women's rights - free access to paid work with no discrimination in matters of employment conditions, promotion or pay - was only incorporated into ordinances and collective agreements once the 14 March 1980 Workers' Statute had come into force. This text declared explicitly for the first time that clauses discriminating against women in collective agreements, regulations, individual contracts and provisions made by heads of enterprises, were invalid.

We therefore had to wait twenty years - from 1961 to 1980 - to see declarations recognizing that women had equal rights turned into positive steps stating that discriminatory provisions were invalid or that clauses discriminating against women were illegal.

(4) Neither was the climate such as to encourage married women to seek employment. For example, a husband's authorization was still needed up until 1975. In addition, it was men only who were responsible for supporting the family, another factor mitigating against married women working for others. (Until the Labour Relations Act of 1978), there was also the provision that immediately a woman married she was compulsorily released and paid a marriage gratuity. Moreover there are very few social amenities to assist working women: the first regulations providing day-care for workers' children date from 1972.

In other words, the climate and ideology, the facilities and the legislation, all act as disincentives to the employment of women, particularly of those who are married.

(5) Changes in attitude began to appear at the beginning of the seventies, at the same period as the changes in the law were being introduced. However, let us consider the most recent reforms. Here, 1975 is the key date. Law N° 14 of 2 May 1975 accorded married women the capacity to take legal action; but it was not until Law N° 11 of 13 May 1981 that women's equality

in the home was recognized. We should also mention again that the Spanish Constitution was laid down in 1978 and Employment Legislation in 1980.

This very recent legislation will obviously take a little time to be run in and, for women to become aware of their newly acquired rights, to defend them and demand them. Once the new freedom was initiated, feminist organizations started to spring up. But the present economic and employment crisis is affecting women's employment, since they are the more vulnerable.

(6) The unequal treatment still being suffered by women in matters of social security and taxation is further proof that there is still not any general awareness that will hasten full recognition of equality, and that it is difficult to overcome traditional attitudes about women's role. Where taxation is concerned, the law on general taxation of income and on inheritance was passed in 1978.

(7) At no time have specific measures been taken to combat discrimination and the law in itself is not sufficient.

(8) In 1977, several collective requests were made in Barcelona by women working at Ingra, Deslita, Agfa and Indo. Apart from the Ingra case, the Magistrates' Court pronounced in favour of the female employees in all the other firms, finding that they were being discriminated against and ordering that the discrimination be removed.

But due to the recession, the number of such cases has fallen off. At this time, it seems more important to keep one's occupation, not to lose one's job, than to think about making any claims.

No case concerning discrimination against women has yet been brought before the Constitutional Court. The appearance of the Defender of the People in such a case would be very positive.

(9) Once democracy was introduced and the Workers' Statute

passed, it was the unions which were required to see to it that job and salary discrimination was removed through collective bargaining. According to the "Comisiones Obreras", 1979 was the year when negotiations were most successful. Equal pay was obtained for the more than one hundred women working in the Barcelona Metal Factory. At Artes Graficas, female categories of workers were removed, or what amounted to the same, jobs were no longer segregated on the basis of sex. Where the claims of female agricultural workers were concerned, the effect was for fewer women to be employed.

(10) Discrimination in matters of pay still exists in some branches and sectors and it is more striking for women workers than for those with some form of qualification. There are a number of other general, subjective and abstract reasons why, in practice, women are not given equal treatment with men in terms of pay received for productivity. It is still assumed that equal work means identical work. Productivity control and supervision are too general and depend too much on the foreman and not enough on reliable and precise facts. What must be achieved, then, in line with the ILO Directive N° 100, on the guarantee of equal pay is "to promote new and effective measures of job-evaluation".

We do not know how far our awareness of pay discrimination extends. But given the increase in the number of women who work, recognition of their rights is a larger matter than the claims which at a certain moment the women's liberation movement was pressing. There has been an objective need to give women workers a complete guarantee that their employment and working conditions, their treatment and pay, will be fair and equal to those that are given to their male comrades. This does not stop us from realizing that discrimination in pay based on sex destroys the edifice that has been built on the concept of female emancipation through access to

paid employment. A woman discriminated against in terms of her earnings is no longer in the situation of an individual member of our society. She has become an object, skilfully manipulated in the wider interests of humanity.

4.7 LEGAL REDRESS IN RESPECT OF EQUAL TREATMENT

A. Guiding principles

The Spanish Constitution of 1978, in its Article 24, established the general principle that:

"Every person has the right to obtain the effective protection of the judges and the courts in the exercise of his legitimate rights and interests, and in no case may he go undefended".

It should be noted that equality before the law is recognized positively for both men and women, in the family, public and social domains. There are also concrete and specific clauses declaring that discrimination on grounds of sex or marital status is unconstitutional. Article 24, quoted above, makes it possible for Spanish women to appear before the courts to defend their legitimate rights if they have been discriminated against in any area whatsoever.

Let us now look at what legal avenues are open to women.

B. Constitutional appeal

This subject is covered in Chapter IV of the Constitution, entitled "Concerning the guaranteeing of fundamental rights and liberties".

Article 53(1) lays down that the protection of rights may be regulated only by the law, in accordance with Article 161(a). The latter provides for the Constitutional Court to hear appeals against laws that do not respect the rights laid down in the Constitution.

The following are entitled to lodge an appeal of unconstitutionality: the President of the Government, the Defender of the People, fifty Deputies, fifty Senators, the executive corporate bodies of the Self-Governing Communities and, when applicable, their Assemblies. (Article 162.a).

If, in applying a law in a concrete case, any judicial body considers that the law is unconstitutional, it can also appeal to the Constitutional Court (Article 163).

All citizens must have the possibility of appealing to Constitutional Court in order to protect the rights and freedoms granted to them under the Constitution^{*}. As well as any natural or legal person who can show a legitimate interest, appeals may also be brought by the Defender of the People and the Office of the Public Prosecutor (Article 53(2) and 162(b)).

The Constitutional Court's ruling has the validity of a judgement and no appeal may be brought against it.

Article 54 of the Constitution establishes the office of Defender of the People, who, like the Swedish ombudsman has the role of guaranteeing the defence of fundamental freedoms and rights as applying to individuals. This role is essential especially insofar as guaranteeing women's rights is concerned. However, there is as yet no bill before Parliament dealing with the functions of or nominating someone to the office of Defender of the People. Great progress will have been made on the road to guaranteeing and defending individual rights as laid down in Article 14 of the Constitution - and hence, the rights of women - on the day that the Defender of the People takes up her or his office.

C. Ordinary appeal

All citizens can have the liberties they are granted by Article 14 - fundamental rights and liberties - protected by an ordinary court. The procedure is of a preferential and summary nature. (Article 53.2 and 162.b of the Constitution).

This means that any woman can make an ordinary, but preferential and summary, appeal in the defence of her legitimate rights, so that these can be recognized in practice as well as in the legislation to this effect.

*

"recurso de amparo"

5. DEMOGRAPHIC SITUATION

5.1 AGE PYRAMIDS

By looking at age pyramids for the Spanish population at two different times, 1920 and 1980, we obtain a graphic idea of the changes in the population during this century and the characteristics of those composing it at these two dates.

The 1920 pyramid indicates a young population in which the high mortality rate is offset by a high birthrate. The low number of children under five is the result of the "demographic catastrophe" caused by the 'flu epidemic of 1918. 9.47% of the population was over 65 and 32.3% under 15.

In 1980, the pyramid had the following features:

- (a) a relatively larger number of elderly people (65 and over), this increase having come about gradually throughout our century. This ageing of the population is more marked among women than among men. 10.8% of the population is over 65 (9% of all men and 12.7% of all women).
- (b) a reduction in the number of children under 25, resulting directly from the falling birthrate. 25.7% of the population is under 25.
- (c) the relatively smaller numbers in both sexes between the ages of 25 and 45. This is the result of deaths, and to an even greater extent, the lack of births, during the period of the war and just after it.

The following tables summarize the changes in the structure of the age groups:

AGE PYRAMIDS

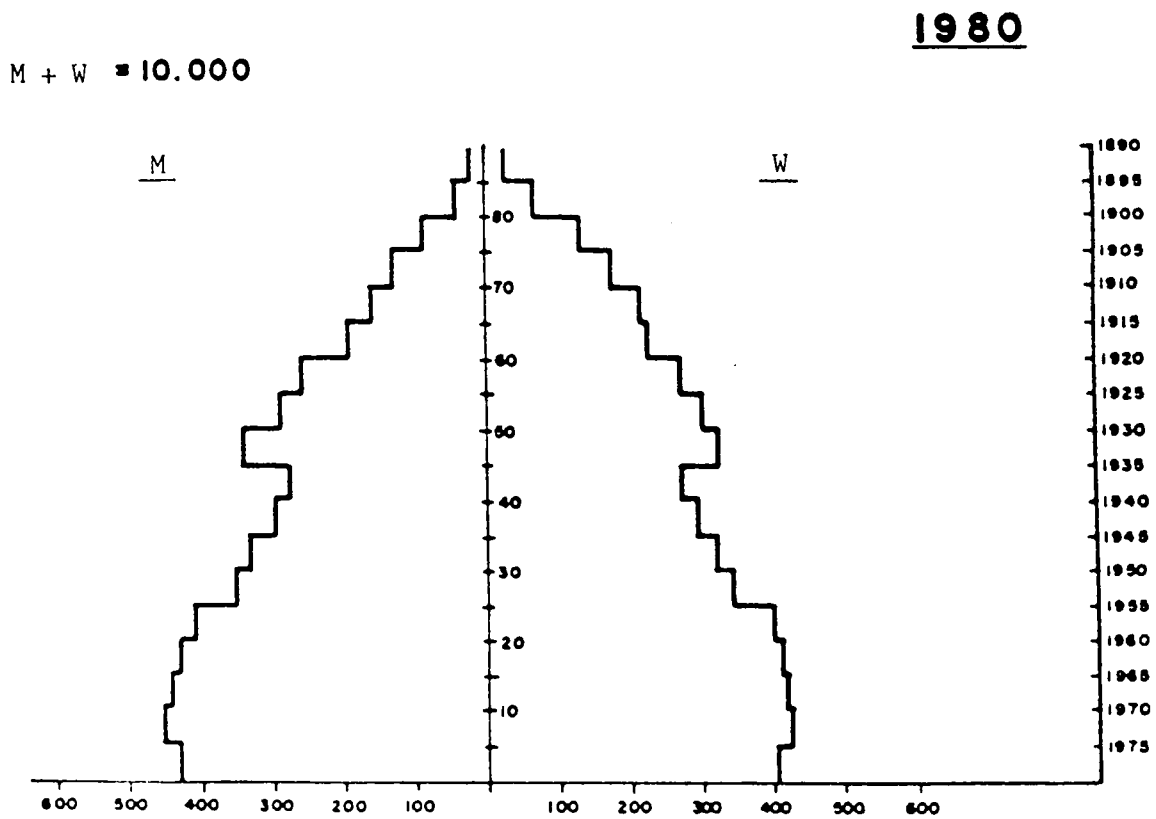
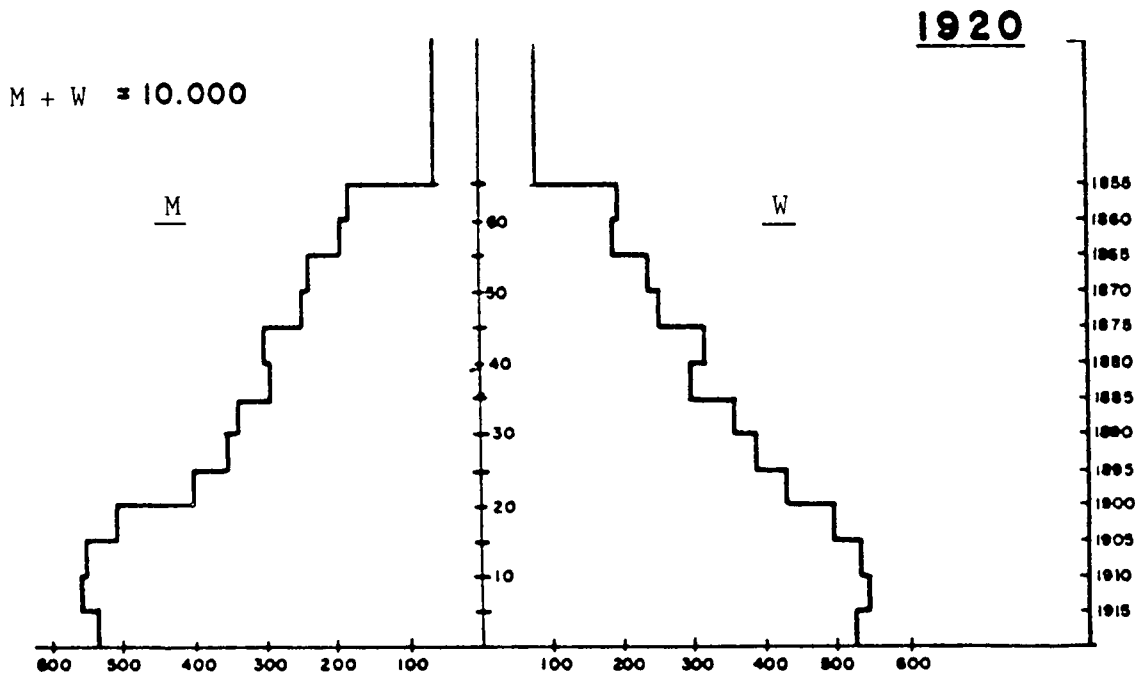


Table 5.1.1

Trends in the structure by age and by sex (%)

	<u>1920</u>		<u>1950</u>		<u>1980</u>	
	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>
< 15	33.6	31.1	27.8	24.7	26.8	24.6
15-49	48.7	49.8	53.9	53.8	49.0	46.7
50-64	12.4	12.9	12.1	13.2	15.2	16.0
≥ 65	5.3	6.0	6.1	8.2	9.0	12.7

Source: INE and author's presentation

The percentage of young people who are potential members of the labour force has declined and the population of 65 and over has increased.

The classical imbalance between numbers of men and women has been declining for the intermediate age groups, the excess of males over females amongst young people has been maintained and increased while amongst the elderly, it is women who predominate.

Table 5.1.2

Sex ratio by age group (N° of males per 100 females)

	<u>1920</u>	<u>1940</u>	<u>1950</u>	<u>1960</u>	<u>1970</u>	<u>1980</u>
< 15	101	101	104	104	105	105
15-49	92	90	92	95	100	100
50-64	91	88	85	92	86	91
≥ 65	83	74	69	68	70	68

Source: INE and author's presentation.

The following reasons may be given for the equal numbers of men and women in the intermediate group:

- (a) the smaller increase in the growth-rate of the number of women in this age group;
- (b) the return of migrant workers that took place from 1974 on. Men of these ages were more likely to have emigrated and their return meant a closer balance in the sex ratio and a relative increase in the number of men in this age group.

The greatest difference in the sex ratio (number of men per 100 women) can be found at the most advanced age (83 in 1920, 69 in 1950 and 68 in 1980), brought about by the lower life expectancy of males and their higher mortality rate throughout their lives.

The gradual ageing of the whole population has had a particularly marked effect on the female population. The ageing index given in Table 5.1.3 shows up this tendency. In 1900, there were 146 men and 164 women of 65 and over for every thousand children under 15, of each sex respectively. In 1980, this index was 337 for males and 516 for females. The elderly population has increased while the child population has fallen off very markedly. The total number of elderly people is steadily increasing, with the result that this group is exerting more and more pressure on the rest of the population. There is also a resultant need to pay more attention to satisfying the growing needs of this elderly population.

Table 5.1.3

Ageing indicators

	<u>Billeter</u>	<u>Ageing index</u>		
	<u>index</u>	<u>Total</u>	<u>M</u>	<u>W</u>
1900	0.32	155	146	164
1920	0.36	176	159	194
1950	0.11	275	221	332
1980	-0.016	424	337	516

Note:

$$\text{Billeter index} = \frac{\text{Popul. (0-14)} - \text{Popul. (50 and over)}}{\text{Popul. (15-50)}}$$

$$\text{Ageing index} = \text{Popul. (65 and over)} / \text{population (under 15)} \times 1000$$

Source: INSERSO: "Una década de ayunda a domicilio, Madrid 1980.
INE and author's presentation.

The population growth-rate from one census to the next has been fairly constant this century, with a 7% increase over the previous census in the 1920 census, the period of lowest growth, and an 11% increase, the period of biggest growth, in 1970.

Since 1950, it has been the age groups at either end of the range that have shown the greatest increase, especially for women, and this tendency has been at the expense of the intermediate (or working) groups. Since 1950, women in the 15-49 age group have only shown a 14% increase, as against a 24% increase by men. The low number of women in the most fertile age range is another of the most striking features of the present Spanish population.

Table 5.1.4

Growth-rate of the Spanish population broken down by age and sex
(Basis, 1950 = 100)

	<u><15</u>		<u>15-49</u>		<u>50-64</u>		<u>≥65</u>	
	<u>M</u>	<u>F</u>	<u>M</u>	<u>F</u>	<u>M</u>	<u>F</u>	<u>M</u>	<u>F</u>
1950	100	100	100	100	100	100	100	100
1960	114	114	103	100	122	120	125	128
1970	129	129	113	105	136	134	164	163
1980	131	134	124	114	168	157	200	203

Source: INE and author's presentation.

Only some of the data from the 1 March 1981 census is available at present so we have had to use population projections provided by INE¹ for our 1980 figures.

The data that is available from the latest census does indicate that the population has exhibited a similar growth-rate to the one observed for the previous decade. By sex, the increase has been 11.3% for men and 10.4% for women. Figures for the total population and the sex ratio, for the various Self-Governing and pre Self-Governing Communities, are given in the following table:

(1)

INE: "Proyecciones de la Poblacion Espanola, 1978-1995, Madrid, 1981.

Table 5.1.5

Spanish Population on 1 March 1981

<u>Community</u>	<u>Men</u>	<u>Women</u>	<u>Total</u>	<u>%</u>	<u>Sex ratio</u> <u>(men per 100</u> <u>women)</u>
Andalucía	3 167 506	3 274 249	6 441 755	17.1	96.7
Aragón	606 651	606 448	1 213 099	3.2	100
Baleares	340 180	344 908	685 088	1.8	98.6
Asturias	545 312	581 695	1 127 007	3.0	93.7
Canaris	726 815	717 811	1 444 626	3.8	101
Cantabria	249 869	260 947	510 816	1.3	95.7
Castilla-Mancha	803 323	824 682	1 628 005	4.3	97.3
Castilla-León	1 283 233	1 293 872	2 577 105	6.8	99.2
Cataluña	2 917 604	3 040 604	5 958 208	15.8	95.9
Extremadura	516 972	533 147	1 050 119	2.8	96.9
Galicia	1 322 106	1 431 730	2 753 836	7.3	92.3
Rioja	126 190	127 105	253 295	0.7	99.3
Madrid	2 290 382	2 436 604	4 726 986	12.5	94.0
Murcia	471 250	486 653	957 903	2.5	96.8
C. Valencia	1 784 628	1 862 137	3 646 765	9.6	95.8
País Vasco	1 055 645	1 079 322	2 134 967	5.6	97.8
Navarra	252 259	255 108	507 367	1.3	98.9
Ceuta-Melilla	69 839	59 474	129 313	0.3	117
Total	18 529 764	19 216 496	37 746 260	100	96.4

Source: INE: "Población de los Municipios Españoles, al 1 de Marzo de 1981",
Madrid 1982

Author's presentation.

5.2 AVERAGE LENGTH OF LIFE

The constant increase in the average length of life of the population throughout this century is a fact with social consequences, the chief of which is the need for this larger, longer-living population to be provided with the best possible conditions. Better medicine, hygiene and food have all played a fundamental part in bringing about this increase in life expectancy.

In 1900, the expectation of life at birth was 36 years for a woman. A woman born in 1980 can expect to live an average of 76 years. For men, this life expectancy was 34 years in 1900 and 70 in 1980.

Table 5.2.1

Trend in life expectancy at various ages, by sex

	<u>1900</u>		<u>1920</u>		<u>1950</u>		<u>1975</u>		<u>1980</u>	
	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>
0	33.8	35.7	40.2	42.0	59.8	64.3	70.4	76.2	70.5	76.4
10	45.6	47.2	48.6	50.0	56.7	60.7	67.3	67.8		
20	37.9	39.8	40.7	42.6	47.4	51.6	52.6	58.0		
30	31.9	33.3	33.7	35.7	39.0	42.8	43.2	48.2		
40	25.0	26.4	26.3	28.5	30.4	33.9	33.8	38.6		
50	18.0	19.0	19.1	21.0	22.2	25.3	24.9	29.3		
60	11.7	12.2	12.6	13.7	14.9	17.1	17.1	20.6		
70	6.6	6.7	7.2	7.9	9.2	10.3	10.5	12.7		
80	3.4	3.4	3.7	4.0	4.8	5.2	5.9	6.7		
90	1.8	1.8	1.9	2.0	2.3	2.4	3.2	3.4		

not available

Source: Anuario Estadístico, 1980

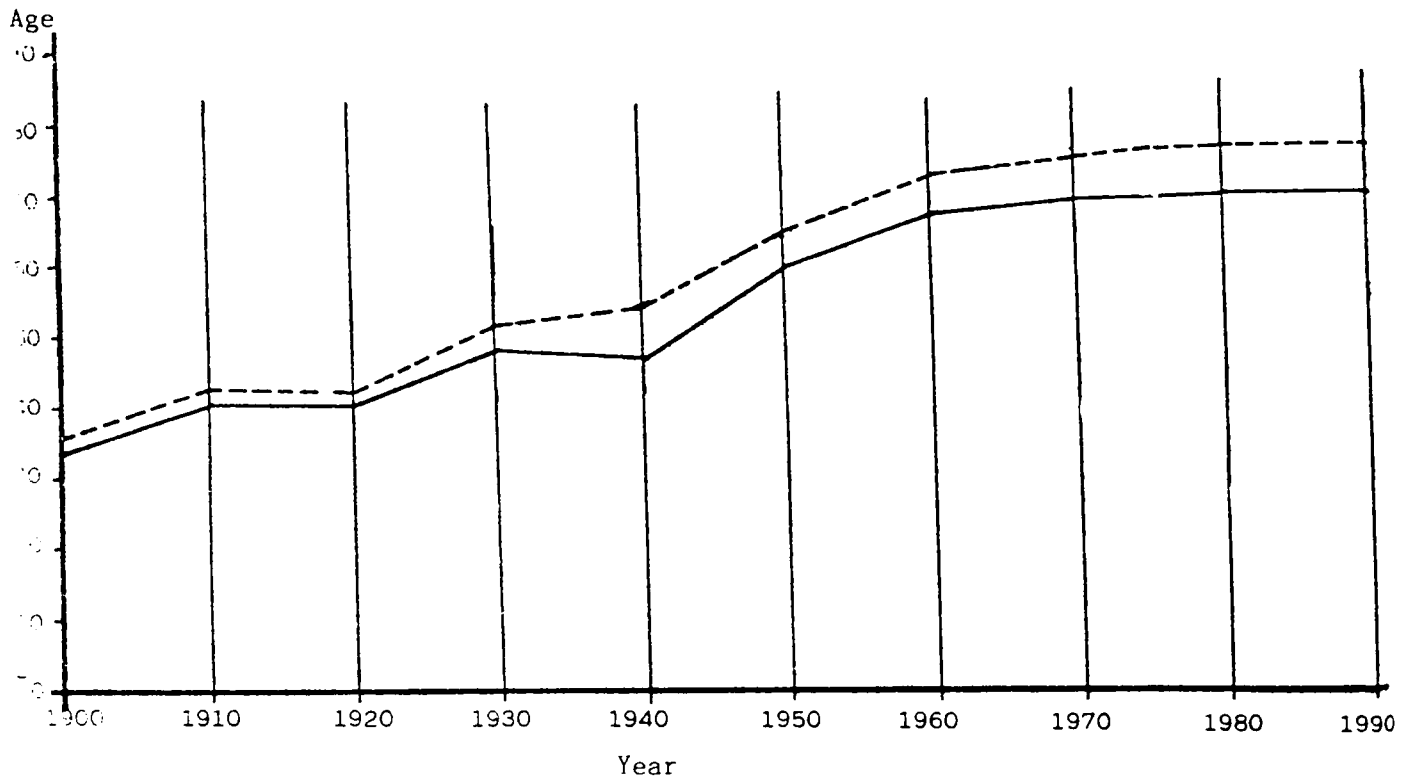
As the process of industrialization took place, the life expectancy of the two sexes gradually moved apart throughout the century until today a woman lives six years longer than a man on average (see graph 5.2.1). The increase in the duration of life in both sexes, with other demographic factors, is reflected in a concentration of the population in the adult and elderly groups, with these categories now accounting for a larger proportion of the total population.

The biological limit of human life means that henceforth further increases in life expectancy will become smaller and smaller. Continual technical progress in the field of health, hygiene and food will have a greater impact on how people live than for how long.

Graph 5.2.1

Trends in life expectancy at birth for the period 1900-1990, for the male and female population

————— male population
 - - - - - female population



5.3 MORTALITY RATE

The lower mortality rate (added to the fall in the birth rate and greater life expectancy) is another clear demographic feature of Spain's population today.

In 1900, for every thousand people of each sex, 29 men and 26.5 women died. In 1978, this rate had dropped to 8.6 per thousand for men and 7.5 per thousand for women.

The decrease is even clearer if we look at the youngest age group (under 14) and take into account both the fall in the mortality rate and better medicine, technology, hygiene and food and the fact that today women have more knowledge of and are better prepared for maternity. Since 1900, when the infant mortality rate was 20.4 deaths per thousand children under the age of one, passing through the post-war period when the rate shot up (in 1940, 111 died per thousand live births), today we have the following picture: one death for every 67 live births, or a rate of 15 per thousand. This represents a spectacular improvement. This drop in infant mortality has had a number of effects on women. There has been less need to keep producing children, resulting in less psychological and physical effort on the part of mothers. Attitudes have become more rational and objective and the periods of a woman's life spent on caring for the new-born are less.

The group between one and 15 years of age has experienced a similar drop to that observed for the under-ones. In 1900, 23.6 males and 23.5 females per thousand in this age group died, while in 1978, the figures had fallen to 0.5 per thousand for males and 0.4 per thousand for females.

In adolescents and young people (15 and over) the fall in mortality rate became more and more marked up until 1960, at which time the rate started to flatten out for this age group. It was the year when the

economy and industrialization began to pick up and a population bulge began to reach this key-age. With a larger proportion of young men entering the work force, with young women starting to become marginalized in certain types of work and with the upsurge in the number of vehicles on the roads at that period, we can see reasons why the fall in mortality rate was less marked than before and why there were greater differences in male and female mortality rates at that age from then on.

The lower mortality of young people also accounts for some of the changes observed in the death ratio of the under- and over- 50s (Swaroop index). In 1900, the proportion of deaths of people over 50 to total deaths was 33.5%; in 1980, the proportion was 86.9%. Given the increase in the population of this age, the trend in the Swaroop index is an indication of the unprecedented strides made in preventing disease through better health education and information rather than of the cure or eradication of certain diseases.

In the years to come, we shall witness a trend towards stabilization or a slow and gradual decrease in mortality rates. The increase in the number of the elderly will offset scientific and medical progress and mortality rates will tend not to be reduced.¹ Technical progress will have an effect on the low decline in infant mortality.

Differences in mortality rates between the sexes will be balanced out for the intermediate age groups too, as women have greater access to activities formerly reserved for men.

¹ MIGUEL, Amando de: "Manual de Estructura Social de España", Ed. Technos, Madrid, 1974, p.41.

Table 5.3.1

Mortality rate by sex and age (per 1000)

	<u>1900</u>	<u>1920</u>	<u>1940</u>	<u>1950</u>	<u>1960</u>	<u>1970</u>	<u>1978</u>
<u>Men</u>							
Less than a year	206	177	118	72.9	46.6	26.5	17.9
1-14	23.6	15.3	6.8	3.2	1.1	0.6	0.5
15-49	10.3	6.7	9.9	4.0	2.2	2.1	1.9
50-59	24.5	17.6	22.0	15.3	10.9	9.9	9.5
60 and over	83.8	76.7	72.9	66.2	52.7	49.0	48.8
Total	29.5	22.4	18.6	12.8	9.2	8.8	8.6
<u>Swaroop index</u>	32.4	38.9	45.7	59.9	73.1	79.2	83.9
<u>Women</u>							
Less than a year	175	158	105	60.2	36.9	22.9	13.5
1-14	23.5	15.0	6.6	3.0	0.9	0.5	0.4
15-49	9.7	6.5	4.3	2.96	1.5	1.2	0.9
50-59	19.8	12.8	12.1	9.25	6.3	5.4	4.5
60 and over	81.1	76.9	58.7	55.5	42.1	39.5	37.3
Total	26.5	20.3	14.2	11.6	8.3	7.9	7.5
<u>Swaroop index</u>	34.7	40.7	52.8	65.8	79.3	86.2	90.1
<u>Crude mortality rate</u>	28.0	21.3	16.4	12.2	8.8	8.4	8.1

Note: From 1940, the infant mortality rate included children who died in the first 24 hours of life.

Source: INE "Movimiento natural de cada año"

Other sources: "Estadísticas Básicas de España, 1900-1970",
Spanish Federation of Savings Banks, Madrid 1975

Author's presentation.

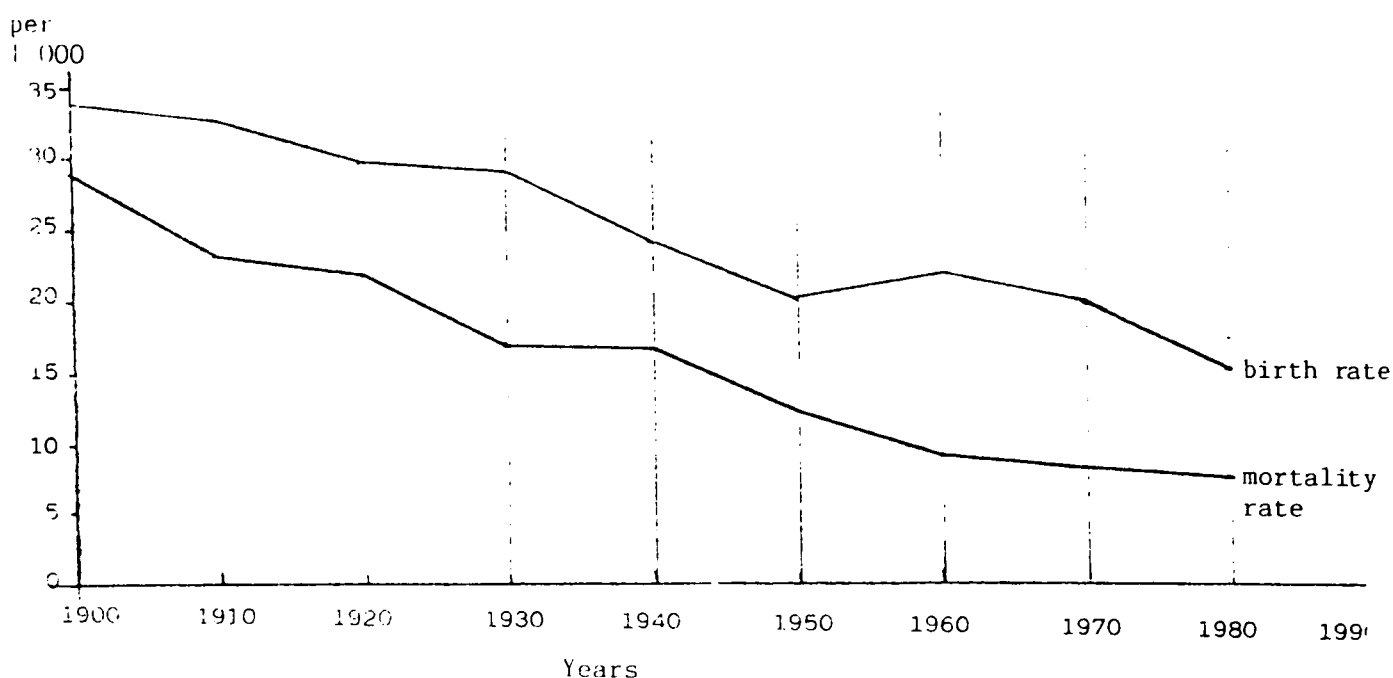
5.4 BIRTH RATE AND FERTILITY RATE

Birth rate indicators give us the relation between the number of live births and the total population. Fertility rate indicators on the other hand are not linked to the age-group structure and are therefore much more precise. They provide us with the relation between the number of live births and the female population child-bearing age (taken to be the 15-49 age-group). These two sets of indicators enable us to reach a women-centred view of the demographic phenomenon.

The statistics prove that, apart from certain periods when external phenomena entered the picture (e.g., psychological attitudes in the post-war period, the "baby-boom" of the early sixties) there has been a steady decline in the birth-rate throughout the century, which became even more striking during the seventies. In 1900, there were 34 births per 1000 of the population. According to INE's provisional statistics, for 1980 the figure was 15 births per thousand.

Graph 5.4.1

Natural growth of the population



This fall in the birth rate does not furnish evidence in support of alarmist theories concerning zero growth. As the graph on natural increase of the population shows, fewer births are needed to sustain the correct increase. The largest natural increase in our history (12.8%) occurred in the sixties decade. In 1975, it was still 10.4%. According to INE's provisional figures for 1980, the increase in that year was 7.4%.

The difference between substitution rates (i.e., gross reproduction rates, (R)) from one generation to the next between 1922 and 1978 becomes zero when we add to it the mortality of the two generations in question (i.e., obtain the net reproduction rate (Ro)). In 1922, the net reproduction rate (number of female children that will be born to a generation of new-born females, taking into account the mortality and fertility from the time of their birth up to the end of their child-bearing period) was 1.2111¹. In 1978, the rate was still higher than it had been in 1922, at 1.21247.

If we use age-specific fertility rates for narrow age groups the following trends appear for recent years (see Table 5.4.3):

- (a) a drop in births among older women (over 30);
- (b) a concentration of births in the youngest women, with an increase in the fertility of the 15-24 age group and a still more striking one in the 15-19 age group (297% in absolute figures, since 1950). 34.5% of all births occurring in 1978 were to mothers in the 15-24 age group (see Graph 5.4.2).

The highest fertility rates, to be found in the 25-29 age group, have been declining steadily since 1922. In that year, for 1 000 women, there were 233 births in this age group, with high levels in the following age groups as well. The average age of maternity was 30.4 years.

¹ MIGUEL, Amando de: "3 estudios para un sistema de indicadores sociales", Euronérica, Madrid, 1967, p.27.

In 1978 a thousand women in this same age group gave birth to 168 children, and the average age of maternity was 27.9 years. The bulge in fertility rates was steadily being displaced into younger age groups. Joaquin Leguina¹ has calculated that by the end of the century it will be the 20-24 age group that is the most fertile. The continual increase in the number of married women in the most fertile age groups in recent years has not resulted in any boost to the birth-rate. On the contrary, the downward trend has been maintained, which provides sure proof of greater and more efficient birth control by married women. The birth rate did however go up at the beginning of the sixties, when the expansion of the economy favoured marriage and led to higher fertility rates - what is known as the "baby-boom" of the sixties².

Married women are tending gradually to restrict the number of children they have. This phenomenon spans all the age groups, but particularly affects women over 30. Babies are being produced at a younger age, with a shorter time between births. In 1975, the fertile period represented 9.8% of the life of a woman³.

Table 5.4.1

Trends: married women and fertility

<u>Year</u>	<u>Married women 15-49 as %</u>	<u>Fertility (all women 15-49)</u>	<u>Fertility of couples (married women 15-49)</u>
1950	48.5	72.1	144
1960	57.1	84.3	146
1970	61.3	80.6	128
1975	62.9	79.1	124

Source: MIGUEL, Amando de: "La pirámide social española", p.38.
INE and Author's presentation.

¹ LEGUINA, Joaquín: "El futuro de la población española", Información Comercial Española, N° 496, December 1974, p. 25

² MIGUEL, Amando de: "La pirámide social española", Ariel, Madrid, 1979
PP.24,51.

³ CAMPO URBANO, Salustiano dei: "El ciclo vital de la familia en España",
Speech on acceptance by 'Real Academia de Ciencias Morales y Políticas',
Madrid, 1980, p. 70.

Table 5.4.2

Trends in fertility in married couples

(Number of births per 1000 married women in each age group)

<u>Age group</u>	<u>1930</u>	<u>1940</u>	<u>1950</u>	<u>1960</u>	<u>1970</u>	<u>1976</u>
15-19	672.9	675.4	551.5	459.2	444.1	453.6
20-24	447.4	419.3	388.4	389.0	383.4	352.1
25-29	326.5	340.5	266.0	289.7	269.1	250.3
30-34	241.5	230.7	168.5	176.2	153.3	142.6
35-39	169.6	141.8	111.5	100.9	88.5	72.1
40-44	73.4	58.8	43.4	35.9	30.2	26.5
45-49	11.8	9.7	6.0	4.5	3.2	2.4
Total 15-49	205	183	144	146	128	124

Source: MIGUEL, Amando de: "La pirámide...." (op.cit.p.51)

INE: "Caraterísticas de la población deducidas del Padrón Municipal 1975", Madrid.

Author's presentation.

It emerges that Spanish women are having fewer children, and that they are born when the women are younger, with families concentrated into a shorter period. This allows married women to work outside the home once the important period of looking after and bringing up children has passed.

It is between the ages of 20 and 25 years that the greatest proportion of both married and unmarried women are in the labour force. This activity declines gradually as married women reach their highest fertility levels and as single women reach the highest rates of marriage. Once married women reach 30 to 35, they start going out to work again, and this activity peaks once more between 45 and 49 years, though at a much lower level than the earlier peak. Women go out to work when they are very young and return progressively after they reach 30; in the interval between, they are engaged in child-bearing and rearing, but for increasingly shorter periods of their life.

Table 5.4.3

Trends in various fertility indicators

<u>Age-specific fertility rates</u>	<u>1922</u>	<u>1930</u>	<u>1940</u>	<u>1950</u>	<u>1960</u>	<u>1970</u>	<u>1975</u>
15-19	11.2	11.45	8.69	7.67	9.35	13.86	26.42
20-24	124.11	123.14	90.04	82.35	104.71	124.41	128.74
25-29	233.05	212.81	186.36	154.93	188.90	198.36	168.26
30-34	199.36	186.41	167.54	124.66	140.48	131.44	107.60
35-39	154.16	137.77	110.55	85.20	83.33	77.83	54.22
40-44	65.52	58.07	45.33	33.42	29.18	26.12	17.60
45-49	11.25	9.07	7.31	4.48	3.12	2.65	1.54
<u>Overall fertility rate</u>	119.7	109.12	90.43	72.10	84.28	80.64	72.9
<u>Crude birth rate</u>	31.6	28.97	24.32	20.12	21.60	19.50	17.21
<u>R</u>	1.9432	1.7779	1.4895	1.199	1.3587	1.3781	1.2286
<u>Ro</u>	1.2111	1.2891	1.1116	1.0411	1.2820	1.36	1.2124

Note: Infants who die within 24 hours of birth are included in the crude birth rate for all the years, and for 1978, in all the rates.

Source: INE "Panorámica demográfica", "Anuario estadístico 1980", "Proyección de la población española, periodo 1978-95", Movimiento natural de población, 1978.

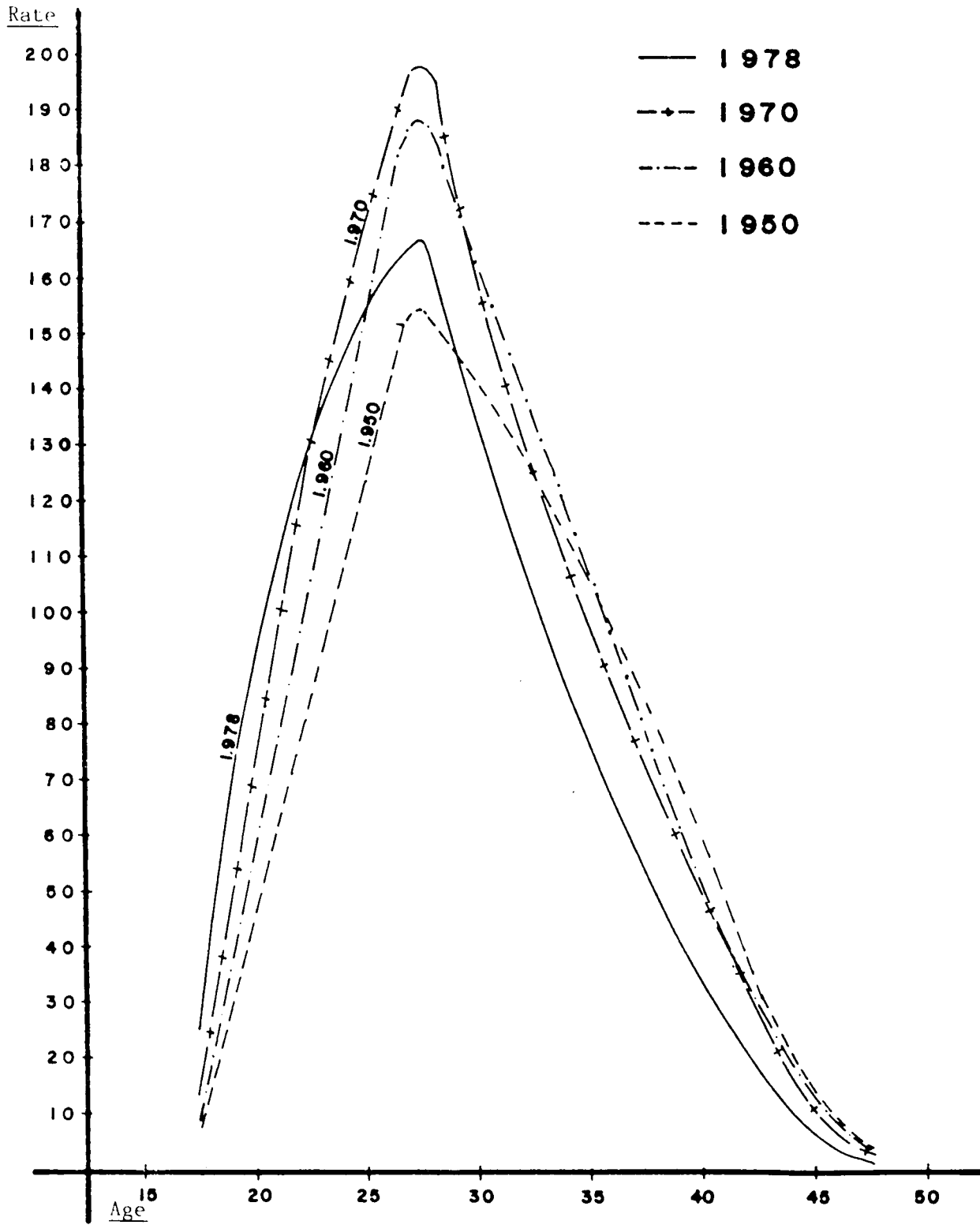
SAEZ, Armand: "Fertility in Spain since the beginning of the century", Population, 6, 1979.

LEGUINA, Joaquín: "El futuro de la población española", op.cit. p.35

Author's presentation.

FERTILITY CURVES

Age-specific fertility rates



5.5 AVERAGE AGE AT TIME OF MARRIAGE

The age when a woman marries is a demographic factor that has had one of the most pronounced effects on the birth rate trend in our country. It is still of some importance today, although other non-demographic factors, such as economic, health and cultural aspects as well as demographic policy may affect the situation.¹ In 1940 there was an overall increase in the number of marriages especially involving older men who had had to postpone their matrimonial plans because of Spain's civil war. The crude rate was 8.4 marriages for 1000 of the population. The average age at marriage was 30 for men and 26.5 for women. Only 15% of the men who married that year were under 25 years of age (while 46% of the women were below this age).

The same average age for marriage persisted for almost 30 years during the whole of the post-war period, which was marked by a particularly weak economy. There were two effects of delaying marriage until the couple was older: firstly by reaching a higher economic level, the marriage partners could better provide for the household needs, and secondly, late marriage meant that the birth of the first child was delayed and the size of the family was reduced. (Late marriage used to be one of the most common ways of birth control).

In the seventies, economic independence was achieved at an earlier age (if unemployment, which mainly affected the very young, could be avoided). Birth control started to be practised more efficiently by methods which did not affect people's emotional and sexual life as late marriage had. In 1978, 50% of men and 74.5% of women were married by the time they were 25.

The trends during this decade were as follows:²

- (1) the age of marriage dropped for both sexes, as Table 5.5.1 indicates;
- (2) the age-gap between the partners at marriage was reduced (3 years in 1960, between 2 and 3 years in 1978).

¹ MIGULL, Amando de : "Manual..." op.cit. p.49

² MIGUEL, Jesús M^a de: "El ritmo de la vida social", Tecnos, Madrid 1973, p. 120.

Table 5.5.1

Trends in various marriage indicators (per 1000 single people)

<u>Marriage rate for age groups</u>	<u>1930</u>		<u>1940</u>		<u>1950</u>		<u>1960</u>		<u>1970</u>		<u>1978</u>	
	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>
15-19	1.5	13.9	1.3	11.3	1.0	9.7	1.3	13.9	3.4	20.6	8.1	33.3
20-24	73.6	150.1	32.7	92.2	29.9	82.9	38.0	112.3	62.8	152.2	98.1	171.4
25-29	179.2	102.8	171.1	153.3	152.4	136.9	189.9	188.3	237.7	213.1	206.7	192.3
30-34	101.8	42.4	181.5	92.4	144.4	71.1	160.3	92.2	131.8	81.2	115.9	72.4
35-39	51.7	16.5	112.9	47.1	102.5	42.9	90.6	45.1	62.1	39.5	52.2	40.1
40-49	24.5	6.35	63.3	24.0	57.9	20.6	43.1	17.2	26.7	17.4	17.5	13.5
50-59	6.9	2.04	39.0	9.4	31.9	7.4					8.6	6.6
60	3.3	0.75	21.9	3.2	19.4	2.5					5.6	1.9

Average age at time of marriage	27.54	24.67	30.06	26.47	29.65	26.42	29.33	26.35	27.91	25.05	25.9	23.6

Crude marri- age rate	7.42		8.38		7.39		7.83		7.36		7.19	

Percentage of marriages in which man or woman was under 25	39.63	68.87	15.19	46.00	18.47	48.17	18.21	47.86	31.07	62.22	49.46	74.55

Source: INE, "Movimiento natural de población", several years. "Panorámica demográfica"; "Anuario Estadístico", 1980

Foessa Report 1975

Author's presentation

5.6 DIVORCE RATE

In the past, divorce was only legal for a brief period, at the time of the Second Republic (1931-1936). It was not until the Divorce Law was passed (Nº 30) on 7 July 1981 that a procedure to be followed in cases of "annulment, separation and divorce" was established and legislated for.

As this law has been in force for such a short time, we are unable to obtain precise statistics on the number of divorces registered thus far and those we do have may not necessarily reflect the real trends which will only become clear once the novelty of the new law has faded and divorce comes to be seen as another alternative to married life.

Until the law on freedom of religious choice was passed in 1967, there was only religious marriage - giving rise to a civil contract - in Spain. After 1967, non-Catholics were able to choose a civil marriage¹. Separation and annulment were possible under both forms of marriage. Given that most Spanish people have a religious marriage, they were provided with the possibility of coming before an ecclesiastical court whose decrees had civil effects.

The number of requests for annulment or separation brought before the ecclesiastical courts increased steadily despite the obstacles to a separation posed by the legislation. In 1952, only 0.323 persons per 10 000 of the population appealed to ecclesiastical courts. By 1977, the number was 2 per 10 000 (See table 5.2.1).

¹ ALBERDI, Ines: "Historia y Sociología del Divorcio en España",
Centro de Investigaciones Sociológicas, Madrid, 1979. p.135.

In 1970, the number of Spanish people defining themselves as divorced and those who were registered as legally separated in the census amounted to 1.7% of the population in the case of men and 3% in the case of women. The percentages among married couples were as follows: 3.9% among married men and 6.9% among married women.

For various reasons, one of which is that there are a number of different expenses in connection with bringing a case before the ecclesiastical courts in order to obtain an annulment or separation, more couples are now choosing to separate without any legal formalities. The 1977 survey on fertility ¹ provides us with statistics on de facto separations and divorces, from which we deduce that nine out of every 1000 married women are actually in this situation.

5.6.1

Marital Breakdown index

<u>Year</u>	<u>Index</u> (N° of cases per 10 000 inhabitants)	<u>N° of cases of seperation</u>
1952	0.323	909
1960	0.385	1 177
1965	0.395	1 274
1970	0.645	2 180
1972	0.862	3 027
1973	1.008	3 555
1974	1.126	4 043
1977 [*]	2.008	7 385

Source: ALBERDI, Inés: "Historia y Sociología del Divorcio en España", p. 144. 1977, Oficina de Sociología y Estadística de la Iglesia

¹ INE: "Encuesta de Fecundidad, 1977", Madrid 1978, p. 65.

5.7 SIZE OF FAMILIES

The smaller average number of children per woman is a factor that has reinforced the downward trend in the fertility rate. Research on the factors that might influence the fertility rate indicates, moreover, that a smaller family size is entirely welcomed by women in their efforts to plan their families.

In 1900, the average number of children per woman was 4.71. In 1980, according to Armand Saez's calculation,¹ it was about 2.32. The following table gives the full picture:

Table 5.7.1

<u>Trends in the average number of children per woman</u>								
<u>1900</u>	<u>1910</u>	<u>1920</u>	<u>1930</u>	<u>1940</u>	<u>1950</u>	<u>1960</u>	<u>1970</u>	<u>1980</u>
4.71	4.43	4.14	3.63	2.97	2.46	2.76	2.86	2.32

Source: Ministry of Economics Affairs and Trade: "Población, actividad y ocupación en España", Madrid, 1980.

SAEZ, Armand: op.cit. p.1008

The ideal number of children is a measure of societal attitudes influencing a couple to have children and it reflects their perception of the general circumstances in the country and their own ideas as to the number of children they want, based on the way they see their particular situation and any other personal motives².

1

SAEZ, Armand: op.cit. p.1008

²ALONSO HINOJAL, Isidoro: "Población y familia", Revista Española de Investigaciones Sociológicas, N° 10, April-June 1980, p.55.

Table 5.7.2

Trends in the ideal number of children, the number desired and the actual number

	<u>Actual</u>	<u>Ideal</u>	<u>Desired</u>
1965	2.95 [*]	3.18	3.27
1974	2.85 [*]	2.83	
1977	2.50	2.78	2.79

Note:

* - all women (Other figures apply to married women only)

Source: ALONSO HINOJAL, Isidoro: "Población y familia", op.cit. p. 156, Foessa REport 1975.

INE, "Encuesta de Fecundidad 1977", Madrid, 1978

The following points emerge from this table:

- (a) The reduction in fertility, both actual and ideal, is desired by women. Societal attitudes as to the ideal number of children exert a pressure on couples to have smaller families.
- (b) The number of children a Spanish couple desires is higher than the ideal number as seen by society.
- (c) Spanish couples have fewer children either than they desire or than the socially-accepted ideal. Throughout recent years there has been an increasing tendency to regulate the number of births. The reasons for this must be sought in social, economic and cultural factors.

The variables affecting the number of children a woman in Spain has are numerous. The woman's age, how long she has been married, her age at marriage all play a direct part in determining how many children she will actually have and how many she would like. One observes from Table 5.7.3 that the number of children desired increases as women become older. The desired number and the actual number equal out as the years pass.

Table 5.7.3

Actual number and desired number of children, according to the woman's age (married women)

<u>Age Group</u>	<u>N° of live children</u>	<u>N° of children desired</u>
15-24	1.42	2.34
25-29	1.82	2.51
30-34	2.41	2.72
35-39	2.74	2.88
40-44	3.12	3.08
45-49	3.10	3.09
Total	2.50	2.79

Source: INE: "Encuesta de fecundidad, 1977", Madrid 1978

The age of a woman when she first marries has a marked effect both on the number of live children she has (other things being equal, women who marry young have more children than those who marry later) and on the way she conforms to the ideal. A woman responds differently to this according to her age at marriage: there are indications of a more consistent attitude (ideal = actual) in women who marry late, which enables them from the outset to plan the size of their family.

Table 5.7.4

Actual and ideal number of children according to age at marriage

<u>Age at start of marriage</u>	<u>Ideal number of children</u>	<u>Number of live births</u>
18	2.74	2.81
18-19	2.83	2.57
20-21	2.76	2.54
22-24	2.84	2.51
25-29	2.81	2.42
30 and over	2.70	1.98

Source: INE: "Encuesta de Fecundidad, 1977", Madrid 1978

The longer a household has existed and a couple has lived together, the greater the number of children, both desired and ideal. After 20 years of marriage, the actual number of children has overtaken the desired number.

However, in younger couples, the ideal and desired number are both below the average, indicating societal pressures towards smaller families.

Couples who have been married longer are more inclined to follow traditional patterns and to accept older standards of family size which were much larger than those that exist today. This is reflected both in desires and in what they see as the ideal family size.

Table 5.7.5

Number of live births, ideal and desired number of children, according to the number of years since marriage

<u>Years of marriage</u>	<u>Births</u>	<u>N° of children desired</u>	<u>Ideal number of children</u>
5	1.26	2.33	2.60
5-9	2.09	2.60	2.70
10-14	2.69	2.86	2.82
15-19	2.96	3.01	2.90
20-24	3.28	3.16	
25-29	3.65	3.19	2.93
30 and over	4.05	3.48	
Total (average)	2.50	2.79	2.79

Source: INE: "Encuesta de Fecundidad, 1977", Madrid, 1978.

Finally there are a number of other sociological factors affecting family size. For example, practising Catholics have more children than those who are not (2.54 against 2.22). Women who have been to university have fewer children than those who have not been to school, those who have only finished primary or illiterate women (1.71, 2.79, 2.35 and 3.71 respectively). Those living in large urban centres have fewer children than those living in small towns (2.10 compared with 2.65).

5.8 TRENDS IN ONE-PERSON FAMILIES

In the 1970 census, a one-person family was defined as a household consisting of persons living alone.¹ The census revealed that almost 50% of the one-person families were to be found in the urban centres.

The EPA also provides us with figures for households broken down by the number of persons of 14 and over who live in them and we can therefore see how many households are composed of one person and of what type they are.²

With a few minor variations, the trend in the number of such households remained stable throughout the seventies. However, the number of people considered to be part of the working population and living on their own is dwindling. It is now more likely to be students, retired people and the elderly who live alone. The trend for the seventies is shown in the table below.

Table 5.8.1

<u>Year</u>	<u>Trends in one-person households</u>				
	<u>Total N° of households</u>	<u>Total N° of one-person households</u>	<u>N° of workers living on their own</u>	<u>% of total N° of one-person households</u>	<u>% of total work force living on their own</u>
1970	8 853 690	600 353		7.4	
1972	8 893 342	712 366	256 586	8.0	36.01
1975	9 127 237	779 082	270 103	8.5	34.6
1978	9 729 700	864 200	285 600	8.6	33.1
1979	9 790 300	839 700	254 900	8.6	30.3

Source : INE: "Censo de la Población de España, 1970", Vol. III, Madrid 1974.

INE: "Encuesta de Población Activa", 4th quarter, 1972, 1975, 1978, 1979.

¹INE: "Censo de la Población, 1970", op.cit. p.XVI.

²INE: "Encuesta de Población Activa", 4th quarter, 1979, Madrid 1981 pp. XVIII and 56.

6. EDUCATION AND VOCATIONAL TRAINING

6.1 Level of education in the population. Primary education

For the last twenty years the level of education has been rising rapidly as it has become more objective and as social and economic progress started to be made in the sixties.

The constant and regular fall in the illiteracy rate is one of the most significant indicators of this trend. Without going back to the turn of the century, when 45.3% of the population over ten were illiterate, the percentage of illiterates dropped from 8.9% in 1970 to 8.2% in 1980.

As a consequence of entrenched attitudes about sex-roles, the illiteracy rate varies considerably between men and women, with twice as many illiterate women as men.

Table 6.1.1

RATE OF ILLITERACY (1900 - 1970). Population over ten years of age

<u>Year</u>	<u>Total population</u>	<u>Men</u>	<u>Women</u>
1900	45.3	36.8	54.0
1910	40.0	32.1	47.5
1920	34.8	28.1	41.2
1930	25.9	19.5	32.0
1940	18.7	13.8	23.2
1950	14.2	9.9	18.3
1960	11.2	7.3	14.8
1970	8.9	5.1	12.3
1980	8.2	---	---

Source: INE: Census of the population for various years.

The level of education reached by the Spanish population in 1979 was such that the rate of illiteracy had fallen to 8.2%. Inequality still persisted between the sexes, with a 6.3 point difference between them (males, 4.8%, females 11.4%). More than half the population (53.4%) had not gone beyond the primary level of education, 18.7% had received secondary education (school-leaving certificate) and 1.8% had gone on to higher education. It should be noted that 15% of the population - a large number of people, in fact - while not being illiterate have received no formal education whatsoever.

The differences in the educational level reached by males and females is especially significant in secondary and higher education; 20.8% of men and 16.7% of women have received secondary education while 2.8% of men and 0.9% of women have gone onto higher education. For the population over 14 years of age, the level of education was as follows, at the end of 1979:

<u>Level of education</u>	<u>Total</u>		<u>Men</u>		<u>Women</u>	
	<u>(in '000s)</u>	<u>%</u>	<u>(in '000s)</u>	<u>%</u>	<u>(in '000s)</u>	<u>%</u>
Primary education	14 749.9	53.4	7 248.8	54.7	7 501.1	52.1
Secondary education	5 161.4	18.8	2 764.7	20.8	2 396.7	16.8
1st University cycle	775.0	2.8	395.8	3.0	379.4	2.6
Higher studies	504.6	1.8	371.8	2.8	132.8	0.9
No formal education	4 145.0	15.0	1 841.8	13.9	2 303.4	15.1
Illiterate	<u>2 285.3</u>	<u>8.2</u>	<u>618.9</u>	<u>4.8</u>	<u>1 646.4</u>	<u>11.5</u>
Total	27 601.2	100.0	13 241.4	100.0	14 359.8	100.0

Source: EPA, 4th quarter 1979

For the same year of 1979, significant differences in the level of education of the male and female working population existed, with higher proportions of women having completed secondary school or the first cycle of the university. The figures for these two types of education are 19.4% and 5.9% of the female working population, and 15.5% and 3.0% respectively of the male work force. In contrast, where higher education is concerned, a smaller proportion of working women (2.5%) than of working men (3.5%) have received education at this level. Moreover, twice as many (5%) illiterate women as illiterate men hold down a job.

Table 6.1.2

Working population broken down by sex and level of education
(1979)

<u>Level of education</u>	<u>Men</u>		<u>Women</u>	
	<u>(in '000s)</u>	<u>%</u>	<u>(in '000s)</u>	<u>%</u>
Primary education	5 314.5	63.1	1 893.8	55.6
Secondary education	1 307.0	15.5	659.8	19.4
1st University cycle	255.6	3.0	202.0	5.9
Higher education	293.0	3.5	81.8	2.5
No formal education	1 035.1	12.4	395.8	11.6
Illiterate	<u>210</u>	<u>2.5</u>	<u>171.8</u>	<u>5.0</u>
Total	8 415.9	100.0	3 405.0	100.0

Source: EPA, 4th quarter, 1979

Early education is divided into two parts: pre-school education and primary education proper (Enseñanza general básica). The former is conducted in play schools (kindergartens) for two- and three-year olds, and in nursery schools for four- and five-year olds. In 1980/81, the number

of children enrolled in play schools was 123 913 or 9.7% of the total number of children in the 2-3 age group. This very low proportion is in part attributable to lack of demand and in part to the scant attention paid by the authorities to this non-compulsory type of education.

The number on roll in nursery schools in the same 1980/81 school year was 1 058 512, or 79.8% of all children in the 4-5 age group.

Primary education proper is compulsory and may be given in state or private schools. It consists of three levels and caters to children from the age of six to thirteen. For the school year 1980/81, 5 606 452 children were in primary education, giving a crude educational rate of 107.46%. The anomalous figure is the result of including in the number of children receiving primary education those who have already passed the age when this type of education should have ended.

6.2 Secondary education

This consists of the BUP ("Bachiller")¹, a three-year cycle for the 14-17 age group where all pupils follow a unified, multidiscipline curriculum, and the COU (a university entry course). Secondary education cannot be embarked on unless pupils have completed their primary education and obtained the final certificate (Graduado escolar). Those who fail in this have to continue their education in the lower section of a technical school.

The number of BUP pupils in 1980/81 was 867 215, with females making up 53% of this population. The same proportion of girls is found among COU pupils, where out of a total of 223 982 pupils, 119 319 are female.

1

"Bachiller" = Secondary education

This preponderance of girls at the BUP and COU level is not reflected either in higher education or vocational training.

6.3 HIGHER EDUCATION

University and higher education can be obtained in university colleges, faculties and higher technical colleges. To enter any of these, pupils must have completed the COU, i.e., the university entry course.

In the university, education consists of a single three-year course. The colleges, integrated in the universities, provide training for the following: technical architects, technical engineers, primary teachers, business and management, para-medical professions, translators and interpreters, and statistics and informatics personnel. Those who complete the lower cycle in a faculty or in a higher technical college, or finish their course at a university college receive a diploma in the subject they have followed. In the faculties and higher technical colleges, courses are split into three cycles. Those who finish the second cycle receive a degree. The third cycle entails the preparation and defence of a doctoral thesis, and gives rise to a doctoral degree.

Women's participation in university education is uneven and depends on the subject or scientific branch. For example, in the 1979/80 academic year, women accounted for 42.3% of all those in higher education, with

45.6% of the university college population, 44.4% of the faculty population and 9.1% of the higher technical college population.

Table 6.3.1

Enrolment in university education, 1979/80 academic year

	<u>Total</u>	<u>Women</u>	<u>Men</u>	<u>Percentage of women</u>
University colleges	178 830	81 644	97 186	45.6
Faculties	415 107	184 505	230 602	44.4
Higher tech. colleges	<u>45 351</u>	<u>4 149</u>	<u>41 202</u>	<u>9.1</u>
	639 288	270 298	368 990	42.3

Source: Author's presentation of statistics on university education in Spain, 1979/80, INE 1982.

The largest number of women in higher education are to be found in the university colleges and the proportion of women exceeds that of men in nursing colleges and primary teacher training colleges (75.1% and 66.6% respectively).

Table 6.3.2

Enrolment in university colleges, 1979/80 academic year

	<u>Total</u>	<u>Men</u>	<u>Women</u>	<u>Percentage of women</u>
Technical architects and engineers	51 602	47 793	4 009	7.7
Business and management studies	21 087	14 579	6 508	30.8
Primary teacher training	91 328	30 479	60 849	66.6
Nursing school	12 653	3 147	9 506	75.1
Others	<u>1 960</u>	<u>1 188</u>	<u>772</u>	<u>39.4</u>
Total	178 830	97 186	81 644	45.6

Source: Author's presentation of statistics on university education in Spain, 1979/80, INE 1982

Although women account for 44.4% of all students in faculties, there are wide variations in the various disciplines. Women are in a majority in Pharmacy and Arts faculties, accounting for 66.5% and 61.5% of the total number of students in each of these. In Fine Arts, Political Science and Sociology the levels of men and women are very close, but women are severely under-represented in Economics, Veterinary and Informatics faculties.

Table 6.3.3

Enrolment in the faculties, 1979/80 academic year

<u>Faculties</u>	<u>Total</u>	<u>Men</u>	<u>Women</u>	<u>Percentage of women</u>
Fine arts	3 135	1 625	1 510	48.1
Science ¹	51 535	29 697	21 838	42.4
Economics	44 113	33 971	10 142	23.0
Journalism	8 644	5 195	3 449	46.0
Pol. Sci. and sociology	4 881	2 509	2 372	48.6
Law	80 130	52 729	27 401	34.2
Pharmacy	20 977	7 033	13 944	66.5
Arts ²	111 560	42 964	68 596	61.5
Medicine	79 165	46 696	32 469	41.0
Veterinary medicine	5 659	4 116	1 543	27.3
Informatics	4 307	3 280	1 027	23.8
Canon law	109	87	22	20.2
Theology	<u>892</u>	<u>700</u>	<u>192</u>	<u>21.5</u>
Total	415 107	230 602	184 505	44.4

¹Includes: biology, physics, geology, mathematics and chemistry

²Includes: philology, philosophy and educational sciences, geography, history and psychology.

Source: Author's presentation of statistics on university education in Spain, 1979/80, INE 1982

Very few women attend higher technical colleges, only accounting for 9.1% of the total number of such students. The proportion of women in some subjects exceeds this average: chemical engineers (20.1%), waterworks and forestry (16.9%), architecture (16.3%) and agronomists (15.8%).

Table 6.3.4
Enrolment in higher technical colleges, 1979/80 academic year

<u>Technical Colleges</u>	<u>Total</u>	<u>Men</u>	<u>Women</u>	<u>Percentage of women</u>
Architecture	15 351	12 847	2 504	16.3
Aeronautics	1 381	1 325	56	4.0
Agronomy	2 215	1 864	351	15.8
Public works	3 874	3 738	136	3.5
"Grandesecoles" ¹	14 343	13 712	631	4.4
Waterworks and forestry	888	738	150	16.9
Mines	1 051	983	68	6.5
Marine engineering	724	705	19	2.6
Chemical engineering	377	301	76	20.1
Telecommunications	<u>5 147</u>	<u>4 989</u>	<u>158</u>	<u>3.1</u>
Total	45 351	41 202	4 149	9.1

Source: Author's presentation of statistics on university education in Spain, 1979/80, INE 1982

¹Translator's note: these are "elite" colleges where top-level training is given for professions such as the civil service, diplomatic service, politics etc.

6.4 Career counselling

In Spain, career counselling is offered both in private centres and in public institutions. Its purpose is to provide those at school with adequate information on career opportunities and descriptions of various kinds of jobs and to analyze their aptitudes and abilities in different subjects so that they are better equipped to choose their future work.

In the private centres, counselling is done by educational psychologists already in place, or through a series of talks on the nature of different professions, organized in conjunction with Parents' Associations.

In the private centres, counselling is done by educational psychologists already in place, or through a series of talks on the nature of different professions, organized in conjunction with Parents' Associations.

In the Institutos Naciondes de Bachillerato (grammar schools) and government careers' centres, the task of educational guidance and career counselling is in the hands of the institutes set up for this purpose under a Royal Decree dated 21 November 1980. At the same time, where the government primary school centres are concerned, their own educational and vocational guidance services are in the process of being started up. As these initiatives are all very recent, it is hardly possible as yet to judge how effective their activities are.

6.5 Vocational training

Vocational training courses have a two-fold purpose: preparing pupils for the work they want to take up and continuing their general education. They will eventually have a three-tiered structure, but at

present only the first two cycles have been set up.

Courses are open to children who have finished their primary education but who will not proceed to the secondary (BUP) level. The second cycle will be open to those who have obtained a "Bachiller" certificate (school-leaving certificate) or those who have been attending extra classes after completing the first cycle of their vocational training.

The number of people enrolling for vocational training is on the increase as is the proportion of women who enrol for such courses. In the 1980/81 academic year, 211 912 women were receiving vocational training, which represented 38% of the total number enrolled. Ten years ago, for the 1970/71 academic year, the proportion of women receiving vocational training was a mere 5% of the total roll. This type of education represents an innovation and some new types of specialized training have been included; this explains why it is becoming increasingly popular and why more women are also opting for vocational training.

Table 6.5.1

Enrolment in vocational training broken down by sex

<u>Academic year</u>	<u>Total</u>	<u>Men</u>	<u>%</u>	<u>Women</u>	<u>%</u>
1970/71	151 760	143 995	95	7 765	5
1974/75	223 915	177 813	76	56 102	14
1977/78	407 812	268 109	66	139 703	34
1978/79	455 943	294 320	65	161 623	35
1979/80	515 119	325 508	63	189 611	37
1980/81	558 608	346 896	62	211 912	38

Source: INE: Anuario Estadístico, 1982

The subjects which female students opt for most frequently are: business and clerical training, para-medical training, and hair-dressing and beautician's courses.

Of all the women enrolled in vocational training courses in 1979/80, 73% of them opted for business and clerical training, 11% for para-medical subjects and 4.6% for hairdressing. The small number of women remaining were scattered through the other branches.

Just as with university education, women opt for subjects which are traditionally considered as feminine. It is taking a long time for them to enter jobs or professions which are traditionally reserved for men.

6.6 Further training and in-service training

The National Employment Institute (INEM) has undertaken to assist those wishing to be re-trained or learn new skills in order to facilitate their re-entry into the job market. Activities designed for this purpose are known collectively as "occupational training schemes". The most important features of this type of training are that it is geared to training someone for an actual job, it is able to be adapted swiftly to meet the needs of the system of production and it complements other forms of education of a vocational nature.

As well as INEM, other ministries and institutes are now introducing re-training and on-the-job training (e.g., the Ministry of Agriculture's Agricultural Training Directorate, the Merchant Navy, the Institute for the Reform of Business Studies (IRFSCO) and the Ministry of Industry and Energy.

ii.7 Women's under-representation

Throughout the preceding paragraphs we have drawn attention to the under-representation of women at all stages in the Spanish educational programme. The types of education where women are less well represented than men are in the universities and in vocational training, the effect of which is to concentrate women in those jobs which are traditionally regarded as "feminine" and to bar them from technical fields normally connected with industry. With a few minor exceptions, we observe that the same pattern still persists whereby women are segregated in the service sector, whether it be health, education or administration. Women themselves, however, by their own effort and tenacity and in the face of widespread social attitudes that attribute specific jobs to one or other of the sexes, are slowly making inroads into traditionally male employment preserves.

7. EMPLOYMENT OFFICES

Basic employment legislation enacted on 8 October 1980 provides the legal framework for the operation of employment offices. Article 40 (2nd paragraph) of this law expressly forbids the existence of private employment agencies "of any kind and in any area of work, for the purpose of placing people in any type of job whatsoever".

Any examination of employment offices in Spain is therefore limited to government departments coming under the National Employment Institute (INEM). The first paragraph of Article 40 of the basic employment legislation mentioned above defines this body as a national, public and free service.

The overseas job market which covers offers of employment from foreign countries and applications for employment by Spanish workers wishing to emigrate is controlled by the Instituto Español de Emigración (IEE - Spanish Emigration Institute). Its main role is to assist migrants both when they leave and when they return. At the present time, the size of this job market is small in comparison with the domestic job market.

In 1980 job offers abroad (apart from those for seasonal workers in the south of France) scarcely amounted to 1% of all the vacancies recorded by INEM, and the number of women advertising for jobs abroad by the end of the year was only 0.2% of the number looking for jobs in Spain.

7.1 EMPLOYMENT OFFICES (Private and official)

INEM was created to solve the problems caused by the variety and number of different bodies concerned in regulating and developing employment policy (Directorate General for Employment), dealing with unemployment benefits (National Provident Institute) and running other forms of employment services (National Employment Service in the former trade union organization)¹.

INEM was established by Royal Decree N° 36 of 16 November 1978 and was assigned the role of executing employment policy, controlling aid given to promote employment and make unemployment benefits, and organizing national employment offices, vocational training and occupational guidance free of charge for the public².

Firms and workers have to submit their vacancies or applications for employment to one of the INEM offices that have been opened throughout the country. Article 42 of the basic employment legislation states that firms with vacancies must first of all advertise these in employment offices and may choose the workers they need from those who have applied for work there. Workers looking for a job must also apply to these offices.

The intention of the employment offices to encompass and control the entire job market on the national level has run into some specific difficulties. These are largely the result of the current level of unemployment in our country which is affecting individual workers, specific social groups and firms.

¹ ALVARELLOS GALVE, Constantino: "Ley Básica de Empleo. Textos y comentarios", Ministry of Labour, Madrid 1981, p. 166;

² op.cit. p. 166.

There are two main phenomena at the root of the situation:

(a) the growing size of the illegal job market. The extent of this is difficult to quantify and it particularly affects the categories who have the greatest need to find a job (the unemployed) and those who traditionally have the greatest difficulty in entering the labour force. These categories are employed in situations which are difficult to check up on (outwork) or in small firms where the employer is prepared to take the risk of hiring people illegally through such channels because of the obvious advantages¹.

(b) the employment offices are becoming less effective in finding jobs for people as their credibility diminishes among job-seekers and employers because of the way they fail to carry out their tasks or provide suitable job candidates.

Compulsory registration of job-seekers either takes place automatically (e.g. for people looking for their first job) or because people need to sign on in order to obtain unemployment benefits. The proportion of people applying for unemployment benefits out of the total number applying for jobs was 34% for men and 32% for women in 1980.

The 4th quarter survey of the working population for 1979 revealed that employment offices were used as the main means of finding a job by 54% of the men and 44% of the women who had worked previously but were now unemployed. For those seeking their first job, 27% of men and 21% of women did so via their employment office.

54% of men and 53% of women when looking for their first job used personal contacts made through their families or friends, or through personnel managers. Women who have worked before make use of personal contacts and employment offices to almost the same extent (43% as against 44%) when looking for a job.

¹ RUESGA BENITO, Santos: "Desempleo y mercado clandestino de trabajo", El País, 16 April 1982.

Table 7.1.1

Unemployed broken down by sex and method used for finding
employment (%)

	<u>Worked previously</u>		<u>Seeking first job</u>	
	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>
Employment offices	54.9	44.3	27.4	21.0
Personal contacts	36.1	43.1	53.9	53.4
Small ads in newspapers	0.2	0.1	0.4	0.8
Other means	8.8	12.5	18.3	24.8

Source: INE, "Encuesta de Población Activa", 4th quarter 1979,
Madrid 1981, pp. 104 and 105
Author's presentation.

7.2 ANALYSIS OF EMPLOYMENT OFFERS AND APPLICATIONS BY SEX

INEM, as the government body responsible for handling job offers and job applications nation-wide, serves as a continuous register of the job market as controlled and reckoned by its employment offices.

An analysis of offers by sex based on the employment statistics published by INEM is made difficult because of the multiplicity of terms used by the various organizations involved in collecting data throughout the seventies. It is only from 1978 (the year in which INEM was created) that we have access to statistics compiled on a logical and consistent basis. A distinction is made in the statistics between nominative and non-nominative offers of employment, and these two terms need to be explained so that the statistics can be interpreted correctly.

A nominative offer is one where the employer goes to the employment office with the name of someone registered with the office who has already been selected for the job. A Non-nominative offer is one where the employment office selects workers and sends them along to the prospective employer¹.

In the first case, the employment office is carrying out a purely administrative function, limited to registering and checking the contract that has been made. In the case of a non-nominative offer, INEM performs a real management role since it matches up prospective employers and job-seekers. This difference is important. First it shows that the employment offices function as real job agencies and secondly, in the case of the non-nominative offers, it reveals the extent to which job offers are linked to a specific sex. In nominative offers, this aspect cannot be assessed, as the statistics do not show up the features of the employment being offered

¹ INEM : "Estadísticas de Empleo" 1980, Madrid 1981, p. 8

and only indicate details of the person who is being hired. In order to simplify our breakdown of employment offers, we have firstly used non-nominative job offers, which when analyzed, provide some insights into certain aspects of the subject we are dealing with for the period starting in 1978, and secondly, we have looked at job offers in general both nominative and non-nominative, starting in 1970. The breakdown by sex of the latter is more or less the same as the number of jobs registered for each sex, although the two terms do not entirely coincide. (The statistics include, for instance, offers which are not filled or which are later cancelled for various reasons and there are posts which can be filled by either a man or a woman. Posts which are not differentiated are only included in the non-nominative offers).

Non-nominative offers (the only ones where a breakdown by sex exists) amounted to about 34% of all offers in 1980, a rise from the 1978 figure of 26%.

The number of jobs offered specifically to women has risen by 114% since 1978, a rise representing an extremely small increase in the proportion of women in the total number of non-nominative offers for each of the years indicated: 12.6% in 1978 and 14% in 1980.

The existence of employment offers mentioning sex is still a major form of discrimination against women; for example, the posts that could be applied for by men or women without distinction only represented 3% of the non-nominative offers in 1980.

The total number of offers (nominative and non-nominative) has increased by 140% for men and by 172% for women since 1970. This larger number of offers of employment (and of the jobs themselves) for women is correct if we take into account the fact that the percentage participation of women in all offers for the two years in question is similar. Women accounted for 17% of the total number of offers in 1980, and 16% in 1970. Women have gained in absolute numbers but not relatively. (This relation

Non nominative offers of employment (absolute figures)

<u>Year</u>	<u>Total</u>	<u>Men</u>	<u>Women</u>	<u>Either sex</u>
1978	362 988	309 744	45 924	7 320
1979	555 624	447 744	97 404	10 476
1980	681 228	565 824	96 432	18 972

Source: INEM: "Estadísticas de Empleo", annual series, 1978, 1979,
1980

Author's presentation.

is still more striking if we analyse nominative job offers, where the proportion of women has gone down: in 1978, 20.5% of the nominative offers went to women, but in 1980, the figure had fallen to 19%).

Table 7.2.2

Trends in the total number of offers of employment (in absolute figures)

<u>Year</u>	<u>Total</u>	<u>Men</u>	<u>Women</u>
1970	792 348	664 488	127 860
1971	795 720	675 876	119 844
1972	915 828	769 932	145 896
1973	942 744	775 536	167 208
1974	913 488	739 920	173 568
1975	874 068	711 804	162 264
1976	913 608	752 484	161 124
1977	1 193 268	965 724	208 668
1978	1 388 548	1 124 544	257 004
1979*	1 657 632	1 334 976	312 180
1980*	2 004 144	1 636 524	348 648

NOTE: We do not have the offers for 1977, 1979 and 1980; in 1977, there were 18 176. *See Table 7.2.1 for the rest of these years.

Source: Employment Directorate: "Estadísticas de Empleo", October, November and December 1976.

SEAF - PPO: "Estadísticas de Empleo", annual series, 1977

INEM: "Estadísticas de Empleo", annual series, 1978, 1979 and 1980

Author's presentation.

Jobs for women, in other words, represent a smaller proportion of the total number of jobs offered. As we shall see later on, this situation is becoming worse, especially when we realize that the number of women looking for a job and registering at an employment office has risen spectacularly. Women have had no real increase in job opportunities, however. They still come up against solid resistance when trying to enter the job market in Spain.

Table 7.2.3

Nominative offers of employment (in absolute figures)

<u>Age groups</u>	<u>1978</u>		<u>1979</u>		<u>1980</u>	
	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>
20	123 264	75 108	114 168	65 664	139 716	63 708
20-24	163 836	56 124	162 540	57 888	202 296	72 396
25-39	288 744	44 244	323 412	49 788	406 848	67 104
40-44	80 952	13 056	92 196	14 832	105 636	17 736
45-54	110 616	16 860	135 732	19 680	149 988	23 400
55-64	45 804	5 376	57 888	6 372	64 848	7 500
65 and over	1 584	312	1 272	336	1 368	372
Total	814 800	211 080	887 208	214 560	1 070 700	252 216

Source: INEM: "Estadísticas de Empleo", annual series, 1978, 1979, 1980
 Author's presentation.

The number of women seeking jobs via the employment offices has increased more markedly than the number of jobs offers, especially in the middle age-ranges.

Since 1970, the number of women applying for a job has increased by 570%. The largest increase has been for women from 20 to 39 years, where in the same period it has reached 775%.

This age group embraces not only the one (20-24) where the highest proportion of women go out to work (and in fact, in 1980 this group alone accounted for 57% of all job seekers in the 20-39 bracket and for 30% of job seekers of all ages) but also the age group (30-35) where women seek to re-enter the job market once their child-bearing and rearing period is over. As we pointed out when analysing job offers, the gap between the latter and those seeking work is continually widening. The same situation applies for both sexes, though as Graph 7.2.1 indicates, it is much worse for women. It is another aspect of the under-representation of women in our country's work force.

The proportion of women in the total number of those signing on is steadily increasing. In 1970, 17% of those who registered for work were female. In 1980; the figure had reached 24%. Job offers, or what amounts to the same, the number of women who find work, show similar percentages in the two years : 16% in 1970 and 17% in 1980.

This imbalance between the number of vacancies and those seeking work has serious effects, for the growing numbers of women looking for work swells the number of unsatisfied or pending job requests ¹ and adds generally to the ranks of the unemployed.

In December 1978 (the end of the statistics) the proportion of women still out of work after registering at an employment office was 44% of the total number who had signed on during the year in question. In 1980, the percentage was 52%. (Figures for men were 25% and 40% for 1978 and 1980 respectively).

The stronger pressure exerted by women in seeking a job through an employment office does not necessarily mean that they stand a better chance of finding one. On the contrary, more than half the women seeking work are among the registered unemployed in these offices.

¹ Unsatisfied or pending job requests includes those seeking to change their jobs and the registered unemployed.

Table 7.2.4

Registered job seekers by sex and age group

	20		20-39		40-54		55-60		60		Total	
	M	W	M	W	M	W	M	W	M	W	M	W
1970	125.244	54.684	296.844	52.032	205.086	23.664	112.560	14.940	24.995	2.412	764.712	147.732
1971	126.456	56.592	345.096	55.932	204.756	21.984	94.836	8.376	28.596	2.028	799.740	144.912
1972	127.116	79.188	366.888	62.088	224.724	23.772	75.900	6.780	25.728	1.896	820.356	162.600
1973	130.860	79.188	389.376	67.176	216.828	23.280	59.064	5.364	19.200	2.004	815.328	177.012
1974	124.236	72.324	334.116	64.740	194.880	22.488	47.700	5.172	20.652	1.992	791.832	166.690
1975	138.288	80.244	401.400	82.440	262.536	28.776	72.036	9.048	28.644	3.804	905.172	204.192
1976	161.988	93.384	467.388	102.048	276.948	35.832	82.596	11.124	31.404	4.844	1,019,324	247,032
1977	242.868	151.032	788.868	181.164	369.144	47.280	89.868	10.920	34.752	4.236	1,525,500	397,632
1978	301.392	197.292	996.540	270.384	446.404	61.432	125.136	15.996	5.940	1.188	1,835,412	554,992
1979	416.676	271.608	1,208.664	362.136	536.148	80.736	157.356	18.516	4.308	1.164	2,417,452	734,160
1980	455.808	273.480	1,416.468	450.324	627.312	96.636	201.324	21.732	4.560	1.272	2,705,472	843,444
Variation (Base 100=1970)	363	500	477	865	305	408	176	145	18	52	353	570

Source: INEM "Estadísticas de empleo", annual series, 1973, 1978, 1980.

Employment Directorate: "Estadísticas de Demandas de Empleo y Ofertas de puestos de trabajo, colocaciones y desempleo", October, November and December 1976.

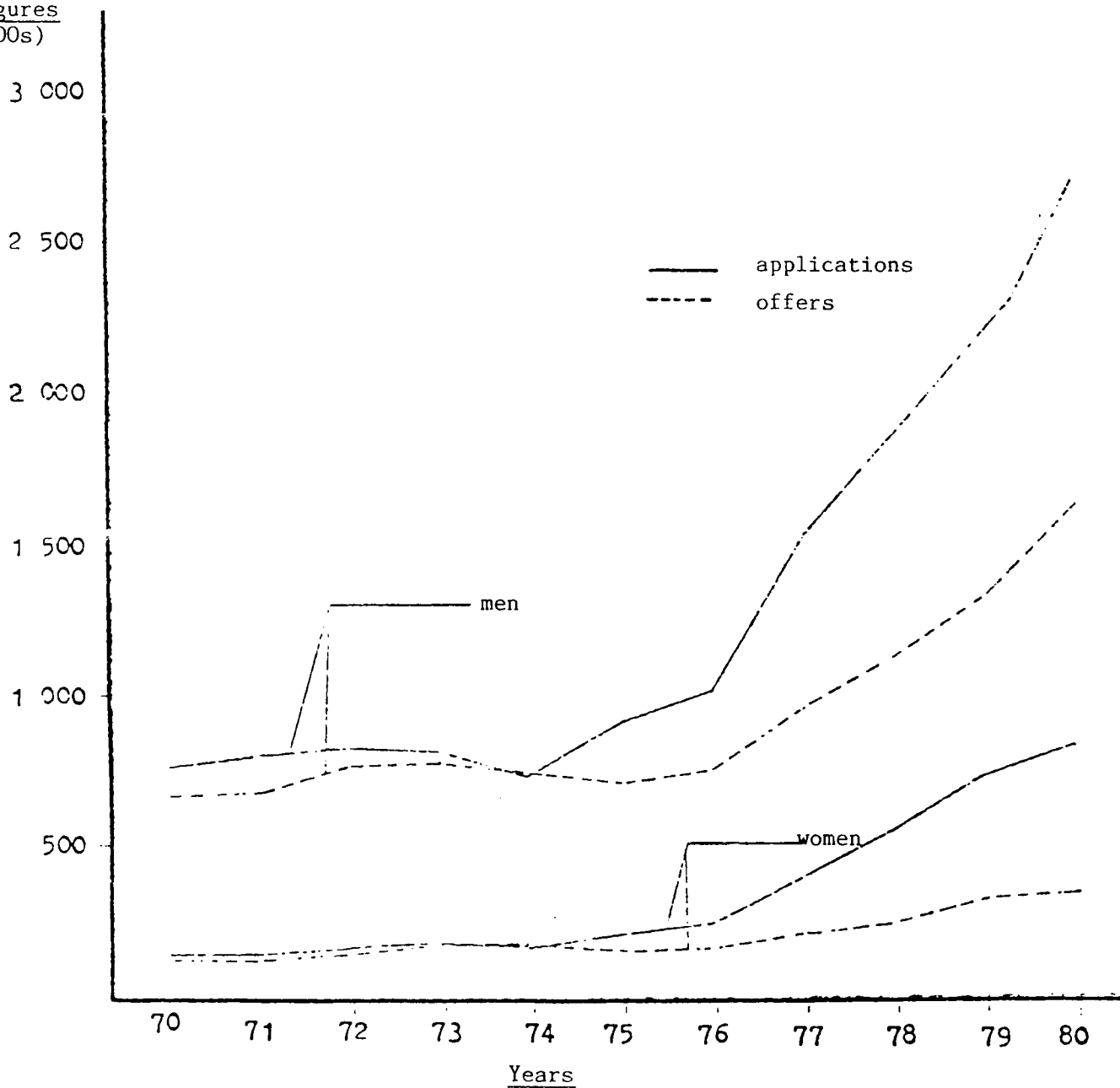
SEAF-PRO: "Estadísticas de Empleo, 1977.

Author's presentation.

Graph 7.2.1

Trends in job offers and applications by sex
registered in the INEM employment offices

Absolute
figures
('000s)



7.3 ELEMENTS IN THE DISCRIMINATION AGAINST WOMEN

We have already observed that the particular circumstances affecting the Spanish labour market at the present moment do not make it easy for women to join the work force. As Ms Martine Weiller points out, Spain is a typical example of a country where women's employment cannot develop unless there is full employment for men¹. Discrimination stemming from or provoked by this situation of dependence and the economic crisis we shall describe as the conjunctural elements of discrimination.

Quite separate from this, there exists in Spain, and always has done, the idea that women should not go out to work. This firmly entrenched mentality contributes to the discrimination against women in two ways: through the role ascribed to them in itself and through the ideas people have of this role. The latter leads to all sorts of tasks, duties and feelings (often of a moral nature) being heaped on to women, which in the end, because of their own restricted possibilities, women come to accept totally. We shall call these the structural elements of discrimination.

At the present time, these elements overlap and encompass women in a network of relations that mark and govern everything they do outside of the home, preventing women from playing a normal role in the field of employment.

The laws have gradually been including more and more clauses preventing discrimination on the grounds of sex in all aspects of Spanish life². However this progress has not been matched by changes in attitudes towards women. These are evolving more slowly and there is a great reluctance in groups at all levels of society to see women undertaking new activities other than those which have already been established as acceptable female pursuits.

¹ WEILLER, Martine: "Mujeres activas: Sociología de la mujer trabajadora en España", Ed. de la Torre, Madrid 1977, P;60.

² In spite of this, when it comes to negotiating the conditions of work, sexual discrimination still exists today in many collective agreements in sectoral, provincial or regional fields.

These difficulties in accepting the new role that women are starting to play and the inferior position women occupy compared with men when they attempt to enter new areas of employment are today exacerbated by the economic crisis our country is suffering and by the critical employment situation that has not taken into account or planned for the possibility of a massive influx of female labour. This new potential work force is clamouring for more opportunities at all levels of Spanish life, although its motives may be more prosaic than those claimed by the Spanish feminist movement.

During the sixties and for most of the seventies, the women who were in the work force or those seeking to enter it were very ill-equipped from the point of view of qualifications. Firstly, women's education and training was geared towards household duties and caring for their husbands and children. Secondly, they entered the labour market (and still do) at a young age which interrupted their period of training, whereas men normally continued to study until they were over twenty.

Today, however, women are better off where qualifications are concerned when they look for a job, but their qualifications are still the ones leading to traditionally female employment. Women's job opportunities are therefore limited to those in which they are employed by preference. These "typically feminine" jobs still exist. They are either an extension of the tasks traditionally performed by women or are new ones considered suitable for women - the number of which has been increasing rapidly in recent years, particularly in the services sector.

The most glaring discrimination when looking for a job is that

based on the woman's marital status. Married women are discriminated against simply because they are married, but more than this, their child-bearing potential is also used against them (in Spain, illegitimate births only account for 25% of all live births) together with the number of children they already have.

Family responsibilities connected with caring for a husband and children and domestic duties have been traditionally assigned to a woman as extra duties because of her female condition. Employers still view this traditional role as the correct one and classify women with children as being under-productive and hence non-profitable. They base this judgement on the woman's potential absenteeism and on the job performed, which will probably be in the second category of the responsibilities that women are able to accede to.

This attitude on the part of employers, the reluctance to change the role society has cast women in and men's hesitation over competing with women on equal terms are all discriminatory elements a woman meets with when she is looking for a job. They are also the reasons that stop employers engaging women on equal terms with men.

The fact that basic employment legislation recognizes these special difficulties encountered by women with family responsibilities when entering the labour market is similar to the law's recognition that women suffer from unequal treatment in Spain's labour market because of their sex. In order to take account of these special difficulties, the basic legislation mentions this special category of women among the groups deserving special attention and aid through the programmes for employment protection set out elsewhere in the same law. Other groups singled out for special treatment are young people looking for their first job, workers receiving

unemployment benefits, workers over 45 and the handicapped¹.

In other words, it is not by chance that at a time like the one we are passing through at present, when major economic problems are predominant, legislation on employment makes provision in its articles to end a discriminatory situation that, like so many others, has for ever been accepted by Spanish society.

¹ Basic Employment Law, Article 10, Point 1.

8. SOCIAL FACILITIES

8.1 HOME HELP

Domestic assistance in our country is restricted to elderly people who require it because of their health or their situation. Such domestic help is included in the home-help activities undertaken by the Social Services for the Elderly (under the Ministry for Employment and Social Security). It is governed by an order of the Ministry for Employment dated 16 February 1971 and its purpose is to ensure that "the elderly can live independently without needing to leave their own background, continuing to occupy their own homes and normal surroundings, thus helping them to remain self-sufficient and respecting their dignity"¹.

This assistance covers a range of services that the ageing can receive in their homes: help with washing and bathing etc., cleaning, washing clothes, medical assistance, "meals on wheels", occupational therapy, and social, moral and legal assistance.

Home help has developed considerably in the present decade, parallel with application of the Ministerial Order and an increase in the number of requests for these services.

Table 8.1.1

Trends in numbers benefitting from home help services

<u>Year</u>	<u>Beneficiaries</u>	<u>One beneficiary for the following number of elderly</u>	<u>One beneficiary for the following N° of inhabitants</u>
1972	50	79 913	690 883
1974	289	12 407	121 878
1976	2 627	1 460	13 720
1978	3 449	1 147	10 689
1979	3 370	1 196	11 038

Source: Instituto Nacional de Servicios Sociales (INSERSO):

"Una década de Ayuda a Domicilio", Tech. Doc. 1/80, Madrid 1980

¹ INSERSO: "Una década.....", op.cit., p.7

8.2 FACILITIES FOR CHILDREN

8.2.1 Under sixes

The facilities catering for children at this stage of their lives has a major influence on whether or not women can take up a job. The existence of an adequate number of centres, their distance from the family home or the place of work, their quality and cost are all factors with a decisive bearing on women's potential for working outside the home.

In Spain, support for such centres has not been subject to any clear policy, and this has been made worse by the lack of adequate legislation in the matter and by the variety and background of the different organization responsible. As well as day-nurseries for the under-six population, the General Law on Education¹ covers the following: play school (for two- and three-year olds) and nursery school (for four- and five-year olds). These two levels form the pre-school stage of education and in our country this is not compulsory.

The way that day-nurseries or crèches are organized depends on who is running them, who they are catering to, whether they are public or private and their nature in terms of the assistance and education they offer². They can be classified as follows:

(a) Public, State or local day-nurseries: These are governed by the "Plan Nacional de Guarderías Infantiles" which was drawn up and is supervised by the Social Assistance Directorate (Council of Ministers' Agreement, 31 May 1974). This Plan provides for agreements and conventions to stimulate non-governmental initiatives. They can be made with any non-profit making private, public or church institution, and with aid organizations.

¹ General Law on Education, 4 August 1970.

² BENITO RUIZ, Luis de: "Las Guarderías en el marco de la legislación vigente", in Cuadernos INAS N° 1, April-June 1981, p.11.

In addition to the conventions and grants that they can benefit from, local councils can also run and finance day-nurseries out of their municipal budgets provided that they open them to the public. Among the national day-nurseries we may mention those run by the Instituto Nacional de Asistencia Social (INAS).

(b) Workers' and other non-government grant-aided day-nurseries:

The workers' day-nurseries are governed by an Order of the Ministry for Employment dated 12 February 1974. They are defined as being non-profit making and for the purpose of supervising and caring for children under six during the hours of work of women in paid employment. They also provide pre-school education for the children attending them¹.

Charitable day-nurseries that are non-profit making and not connected with any public body may also be eligible for grants².

(c) Private profit-making nurseries:

There are no legal requirements or regulations covering this category apart from those imposed by local councils when giving municipal approval and authorization for their opening, but there is no coordination on the national level.

Statistics provided by the Ministry for Education for the two categories (play schools and nursery schools) that are governed by the General Law on Education are as follows:

¹ Ministry for Employment: Order 12/2/1974 (Spain's official Journal of 15.2.1974) on workers' nurseries, Article 1.

² LOPEZ REVILLA, Mercedes: "Planificación y política del INAS en el sector", in Cuadernos INCS, N° 1.

Table 8.2.1.1

Children enrolled in play school and nursery school, 1980/81 school year

<u>Type</u>	<u>Public</u>	<u>Private</u>	<u>As a % of each age group</u>
Play school (2 and 3 year olds)	12 665	111 248	9.75%
Nursery school (4 and 5 year olds)	<u>638 673</u>	<u>419 830</u>	<u>80.00%</u>
TOTAL (2 - 5)	651 338	531 078	45 52%

Source: Ministry for Education and Science: "La Educación preescolar, EGB, Especial y permanente de adultos, Curso 80/81", Madrid 1982.

If we add to the above figures those for children in nurseries run and financed by various public bodies (particularly INAS and the ones provided for workers' children) we arrive at the number of places available for the under-6 population. The figures given below are estimates only because of the variety of different bodies running nurseries and because of the lack of statistics on privately-run and municipal nurseries, and they should therefore be viewed with caution.

Table 8.2.1.2

Places for children under 6 years of age (1980)

	<u>Play schools + nursery schools</u>	<u>INAS</u>	<u>Workers' Nurseries</u>	<u>Total</u>
Centres	23 981	233	607	24 731
Places	1 309 174	27 851	73 977	1 411 002
Total popu- lation under six				3 925 000
% of children provided for				36%

Note: Private profit-making nurseries and those run by local councils have not been included.

Source: Ministry for Education and Science, op.cit.

LOPES REVILLA, Mercedes: "Planificación y política del INAS en el sector", in Cuadernos INAS, N° 1.

Day-care committee, Civil government of Madrid.

Author's presentation.

8.2.2 Over sixes

Most of the facilities catering to children over six and young people during school holiday periods are provided by the Youth Institute, part of the Ministry of Cultural Affairs. They are designed to provide spare-time and leisure activities. There are various ways of making use of these facilities. Some of them are coordinated by youth associations and organizations of an educational nature working with young people, but they can also be used by individuals who are not members of a particular group. The number and type of facility and the numbers using them are given in the table below:

Table 8.2.2.1

Places available in 1980: Facilities and activities offered by the Youth Institute for young people and children over six

<u>Type</u>	<u>Number</u>	<u>Places</u>	<u>Assistants</u>
Camps	64	14 273	39 134
Working camps			
in Spain	24	-	1 174
abroad	302	484	61 (Spanish)
<u>Youth hostels and holiday homes for young people</u>			
1980	86	9 843	165 512 [*]
1980 - summer	103	13 797	18 813

^{*}25 272 out of the 165 512 assistants working in youth hostels and homes for young people in 1980 were Spanish.

Source: Instituto de la Juventud: "Albergues juveniles y Residencias. Datos estadísticos", Madrid, 1981.

Instituto de la Juventud: "Memoria del Servicio de Ordenación y Actividades", Madrid, 1980.

Author's presentation.

The constant growth in the number of elderly people and the lower retirement age has led to a steady increase in the demand for social services and for new types of services in addition to those that have been traditionally provided for this category in the past. Elderly people, almost 98% of whom live with their families (their own, their children's, those of friends or relatives) have a large effect on women's employment. Only 2.56% live in special centres,¹ and almost all the places in such centres are taken up.

This phenomenon brings about a situation of inter-dependence between the family and the elderly. On one hand, it may provide new opportunities for employment for young women living in a family, or running their own home, since the elderly person may perform some of the chores that would have fallen to the woman. On the other hand the elderly person may require increasing supervision and care, in which case the woman's work outside the home may be jeopardized.

Social services to lighten the task of women in such cases must regard the elderly merely as a separate group and not be such as to marginalize or isolate them. They should be seen as a group with its own common characteristics and needs, to be taken care of by society as a whole.

Most of the social services provided for the elderly are no longer simply dependent on the charitable approach to welfare. Now, the elderly are regarded as being entitled to benefits from these services because they are citizens who have reached the age when this is necessary².

¹ CAMPO URBANO, Salustiano del: "Posición y problemática social de la tercera edad", in "Introducción a la gerontología social", coll. Rehabilitación, nº 12, INSERSO, Madrid, 1981, p.19.

² MORAGAS MORAGAS, Ricardo: "Bienestar social del anciano", in "Introducción..." op.cit., p.64

There are a large number of different organizations, public and private, providing social services for the elderly. They can be classified according to the nature of the public they cater to, the type of care provided, and the way in which they are run.

The Ministry for Employment and Social Security, through its Social Services for the Elderly, provides facilities and services for retired people covered by social security. 39.8% of all services to the elderly are of this type. Added to this is the quasi-official intervention of local bodies, of the type that has traditionally been linked with our country's social welfare system. This is composed of the Church (30% of the services provided), foundations or employers (10%) and Savings Funds (9%). Altogether, the official and quasi-official interventions account for 90% of the facilities provided for the elderly¹.

The main form these services take is in the provision of homes, clubs, centres and Education Centres for the elderly. The latter, a recent innovation, are designed to improve the quality of life of old people and to stimulate an interest in various forms of cultural activity².

The foregoing services and facilities are supplemented by a further series of assistance and benefits for the elderly, which altogether make up the social services and assistance given to the elderly in our country. Table 8.3.1 below shows the number of people who can be accommodated in residences, homes, clubs and educational centres.

¹ REDONDO DE LA SERNA, Alberto: "Los servicios sociales para la tercera edad en España: análisis de la oferta", in "Introducción..." op.cit., p. 147

² DUOCASTELLA, Rogeli: "Nuevos horizontes para la gerontología social en España", in "Introducción...", op.cit., p.118.

Table 9.3.1

Facilities for the elderly in Spain, 1979

<u>Community</u>	<u>N° of people of 65 & over</u>	<u>Homes, etc.</u>		<u>N° of places per 1000 people over 65</u>	<u>Clubs</u>	<u>Education * Centre for the elderly</u>
		<u>N°</u>	<u>Places available</u>			
Andalucía	62 617	167	15 835	25.2	69	1
Aragón	161 372	48	4 551	28.2	62	1
Asturias	135 217	25	2 370	17.5	11	-
Baleares	77 114	19	1 801	22.1	3	1
Canarias	115 596	15	1 422	12.3	6	2
Cantabria	58 165	18	1 801	30.9	9	1
Castilla- Mancha	222 352	55	5 215	23.4	40	-
Castilla- León	344 197	82	7 775	26.2	66	4
Cataluña	610 969	229	21 713	35.4	98	-
Extremadura	143 218	21	1 991	15.2	23	2
Galicia	356 355	41	3 887	10.9	23	3
Madrid	403 268	68	6 542	16.2	105	2
Murcia	91 166	21	1 991	21.8	13	2
C.Valenciana	374 876	73	6 922	18.4	25	3
País Vasco	128 726	77	7 301	33.1	50	-
Ceuta y Melilla	-	7	664	-	2	1
Navarra	56 932	31	2 939	76.9	9	2
La Rioja	30 650	13	1 232	39.9	2	1
Total	3 987 210	1 012	95 952	35.0	325	26

* 1981 figures.

Source: INE: "Panorámica demográfica", Madrid, 1976.

Comité Español para el Bienestar Social: "Guía de Instituciones y Centros dedicados en España a la atención de los ancianos", Madrid, 1979.

REGONDO DE LA SERNA, Alberto: op.cit.

Ministry of Cultural Affairs: "Atlas de 3ª Edad", centres in each region

Author's presentation.

Traditionally, it has been women who have taken care of and provided the necessary attention for the handicapped, disabled and sick. At a meeting of the International Council for Re-education, held in Halle, Democratic Republic of Germany in 1975, account was taken of this situation in a resolution that was adopted there¹. The resolution stated that in a family with a handicapped child or other handicapped person, the special activities needed for the person's care, education and intergration in society normally fell to the woman or women in the house, a fact which restricted these women's rights and opportunities in a discriminatory way .

While many handicapped or disabled people do not require continual attention, it is nonetheless true that the first steps in their development, re-education or integration, and towards their independence as adults, depends to a large extent on the early care they receive from women, whether in their own home or outside it (i.e., from the staff in specialized centres). This activity will continue, for some of them throughout their lives.

Some handicapped or critically ill people require uninterrupted attention of a kind that cannot be adequately provided other than in special centres, although traditionally, this form of caring has been performed at home by the housewife.

Services which could take over women's role and allow such groups of people to make progress and receive ideal treatment are still few and far between. This is primarily due to the lack of cohesion between the various official criteria when policy on the services and help that would be consistent and suitable for these groups is being worked out.

¹ Meeting in Halle, D.R.G, 11-15 June 1975 - quoted by Demetrio Casado in "Obstáculos para la integración laboral de las mujeres con hijos subnormales y minusválidos", p. 41.

Table 8.3.2

Facilities for the handicapped and disabled (1979)

<u>Type of handicap</u>	<u>N° of people handicapped</u>	<u>Index % prevalence</u>	<u>Centres</u>	<u>Places</u>	<u>% having access to facilities</u>
<u>Physically handicapped</u>					
Motor	422 385				
Non-motor	238 801				
Total	661 186	18.64	1 483	57 722	84.7
<u>Sensorially handicapped</u>					
Visual	59 563	1.63	18	1 710	18.7
Deaf plus deaf and speechless	63 255	1.73	129	6 073	96.0
<u>Mentally handicapped</u>					
. Deficient					
.. seriously and moderately	151 404	4.14			
.. Slightly	107 591	2.94			
. Spastic	48 235	1.32			
Total	307 230		3 014	53 798	17.5
Mentally ill			116	28 764	

Source: Servicio de Recuperación y Rehabilitación de Minusválidos (SEREM):

"Guía de centros para minusválidos psíquicos", Madrid 1979;

"Guía de centros para minusválidos físicos", Madrid 1979;

"La población minusválida española: estimaciones cuantitativas", monograph n° 8, Madrid 1979.

Instituto Nacional de Servicios Sociales (INSERSO): "Centros y plazas existentes en España para minusválidos", Research and Documentation sheet, N° 15, Madrid 1979.

Author's presentation.

8.4 FAMILY PLANNING

Spanish society has been moving towards a more rational use of methods considered satisfactory for family planning in recent years. The concept is one which is more far-reaching and general than mere birth control, just one of the options for limiting family size.

As we have already seen under Point 5, the use of birth control by Spanish couples has been rising gradually in recent years. In the survey of fertility that we have already looked at it was estimated that in 1977, 59.8% of all married women had practised contraception at some time or other (including sterilization), with 50.5% of married, non-pregnant women using birth control at the time of the survey (December 1977).

This phenomenon occurred despite the real barriers to obtaining information on the matter, the counter-information coming from different social groups, the laws in force at the time against the use, distribution, sales and passing on of information on contraceptive methods, and lastly the social and cultural prejudice that existed.

The right to "responsible parenthood", to free information and to free access to suitable contraceptive methods, as contained in various international declarations¹ to which Spain was party at the time, were simply forgotten or systematically blocked.

In September 1978, the Spanish government began to implement recognition of the rights of individuals to decide freely and responsibly how many children they wanted, and to make available, to this end, the necessary information and means. To achieve this it empowered the Ministry

¹ For example, in 1974, Spain signed the declaration on the population at the World Conference, held in Bucharest. This declaration spelled out these rights.

Quoted by TAGUÁ, Rafael: "Planificación familiar", in El Médico, N° 54 October 1981, P. 11.

for Health and Social Security (today, Health and Consumer Affairs) and the Ministry for Cultural Affairs to set up coordinated family counselling services. However, until October of that year, it was still a criminal offence to buy contraceptives, under Article 416 of the penal code.

In January 1979, a national conference was held on "The family and the Constitution", under the aegis of the Ministry for Cultural Affairs, at which a document was published some of the clauses of which dealt with family planning. In its general proposals, it recognized the right of individuals to decide how many children they wanted and the freedom to set up professional centres, either private or public, financed by the State, aimed at fostering the full development of family life while respecting to the utmost the personal convictions of the married couple². The purpose of these initiatives by the Ministry for Cultural Affairs was to draft a white paper on the family which would set out the principles and guidelines on which to formulate suitable family policy. One of these principles was government support for family counselling centres³.

Although they had limited time and means at their disposal, private counselling and planning services and various associations, parties and local councils started to look into the possibility of opening centres with the necessary guarantees for supervising information on and prescribing contraceptive methods. During the short time that they existed, their task in this area was to promote a more open and confident attitude to family planning and, through the use of correct technical information, to tackle the prejudice and ignorance that existed in our country on the subject of birth control.

¹ TAGUÁ, Rafael: op.cit. p.12.

² Ministry for Cultural Affairs: "Familia y Constitución, Jornadas Nacionales, Propuestas e Informes", January 1979, p.18.

³ CAMPO, Salustiano, TOHARIO, J.J.: "Elementos preparatorios para un libro blanco de la familia, "Ministry for Cultural Affairs, November, 1981.

These early initiatives were followed up by the Ministry for Health and Social Security, which by 1980, had opened 36 family counselling centres. These centres carried on their activity as another external service of the hospitals to which they were attached.

In addition, other centres were organized by the following means (estimated data):

Local Councils and Self-Governing Communities35	(18 in Madrid and its province)
Privately run.....	15	
Parties, associations and others.....	14	

Source: Magazine "Ser Padres",
Author's presentation.

8.5 EXISTING FACILITIES AND NEEDS

The necessary improvements in the provision of social services are being made in response to growing demands from the community itself.

A constant request is being made for day-nurseries to cater to "the working couple". The authorities have been provoked into paying more attention to such centres, given their scarcity and the lack of a suitable policy on the issue at present, for they offer one of the few opportunities for enabling young women with children to enter the labour force. 75.9% of working women, in fact, mention the absence of day-care facilities at reasonable prices as the greatest difficulty they have to surmount in going out to work¹.

The future development of services to relieve women from supervising and caring for the various groups of people we have mentioned above will depend on the amount of official and societal support given to the idea. Better standards will also have to be obtained if the concept is to meet with enthusiasm from the educational, psychological and sociological points of view, and this will have the effect of better information and a clearer perception of the pros and cons of such services on the part of future users.

Another urgent need is for a convergence of official policy with what is really happening as regards family planning. Access to complete information on the means and services available, counselling, information, and when needed prescriptions for contraceptives and medical checks, dispensed by staff trained for the purpose, must all receive massive support from the authorities and be made freely available to all without constraints. The matching of supply and demand in this area must be a

1

Community survey, 1978, in "Mujer y Trabajo", Directorate for Community Development Employment, Ministry, Madrid 1978, p. 253.

top priority. The increasing number of elderly people, new attitudes towards the handicapped, the need to ensure that women's opportunities to enter paid employment are not blocked because of the absence of child-care facilities, increased desire for information in all areas of family life will all result in increased pressure on the State and on society to ensure that the growing needs of all the groups composing it are satisfied.

9. WOMEN IN THE UNIONS AND THEIR PARTICIPATION IN UNION AFFAIRS

The situation of workers' organizations in Spain is characterized by the short period during which they have been operating freely within the legal framework. The majority of trade unions and workers' associations that today play a role in Spain's employment scene were founded and had to operate as clandestine organizations¹.

It was only in March 1977, when the Law on Trade Union Freedom was passed, and then in April of the same year, when the registers of trade union associations were opened, thereby legalizing those which registered, that workers' bodies could come out into the open. It was then that their right to represent workers was recognized and the earlier stage, a time of compulsory affiliation to a single union, could be left far behind. Starting in 1978, free trade union elections started to be held nation-wide, as a result of the recognition of union pluralism. These elections marked the start of a normalization of employment relations and the active participation of unions therein.

With the adoption of the Workers' Statute² on 10 March 1980, Spanish workers were provided with an adequate legal framework that reinforced the new employment model. The regulations constituted the basis

¹The "Comisiones Obreras" (CC.OO) was set up in a clandestine manner. Workers' committees started springing up from 1958 onwards, but it was not until 1974 that the first workers' committee - in Madrid - came into being officially. The history of the early unions, "Unión General de Trabajadores" (UGT, 1888) and the "Confederación Nacional del Trabajo" (CNT, 1910) reveals a struggle that was mainly carried out against a background of repression and obscurantism with only brief moments of legal recognition.

²Law N° 8 of 10 March 1980, in the Official Journal, N° 64, 14 March 1980.

for the rights and duties of workers and governed all aspects, from the worker's contract, to collective representation, collective bargaining, and the rules for electoral procedure.

The growing presence of women in the unions and in collective activities has mirrored all the general features of the recent history of the workers' movement, with the difference that women's specific claims have kept them in the limelight both within the unions and outside them (political parties and feminist platform).

9.1 Level of unionization

The legalization of trade unions followed by the first free union elections in 1978 were the start of a massive influx of both male and female workers into workers' bodies. This new affiliation was as much a reflection of the inertia of the earlier times as of the new possibilities that had been opened up. In addition, the unions wanted to encourage the solid support of the working class and called upon workers to join them in order to consolidate the new situation that had been created (plurality and freedom of the unions, voluntary membership) and to strengthen their own position in putting across the claims of the workers' movement, claims that had hitherto been stifled. In this way, they hoped to overcome Spanish people's reluctance to associate and the passive behaviour of Spanish workers moulded by earlier employer-employee relations. Moreover, a large membership could provide them with a forceful image when standing for union elections and some guarantees of success. It could also lend strength to their participation in employment relations, providing proof that they were valid representatives of the work force of whom account had to be taken.

This first effort at attracting members to the unions resulted in a 57.4% affiliation of employees in the industrial sector in 1978. The proportion of women joining a union (54.7%) was very close to that of men (57.6%). Women accounted for 12.3% of all the members of the affiliated employees unions in the industrial sectors (see Table 9.1.1).

Table 9.1.1

Membership in unions in the industrial sector broken down by sex (1978 and 1980)

<u>Unions</u>	<u>1978¹</u>		<u>1980²</u>	
	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>
CC.OO.	31.2	30.3	17.4	9.7
UGT	14.8	12.4	11.4	3.7
USO	2.4	4.4	0.7	2.0
CNT	1.5	1.9	1.0	-
CSUT	2.6	0.8	1.3	0.7
SU	1.7	0.6	0.7	0.3
Others	1.9	3.2	2.6	1.7

Total affiliated	57.6	54.7	36.3	18.8
Total non-affiliated	42.4	45.3	63.3	75.5
Not specified or included			5.4	5.7

Notes: 1 and 2: see note on methodology, page 180.

The initials stand for:

CC.OO.: Comisiones obreras; UGT: Unión General de Trabajadores; USO: Unión Sindical Obrera; CNT: Confederación Nacional de Trabajadores; CSUT: Confederación de Sindicatos Unitarios de Trabajadores; SU: Sindicato Unitario. All national.

Source: PEREZ DIAS, Víctor: "Encuesta a los Asalariados del Sector Industrial (EASI), 1978 and 1980, Fundación del Instituto Nacional de Industria, Programa de Investigaciones Sociológicas.

The initial positive response of workers in the industrial sector to the 1978 call to join a union fell off dramatically in the two following years. In 1980, the total percentage of those in unions in the industrial sector (6 branches - see note at the end of this section), was 33.8%. Among women, the drop was even more significant, with only 28.8% of the women in this sector continuing as union members in 1980, a figure representing 8% of total union membership in the industrial workers' sector.

Another point to emerge is that membership was more common among married men and women, a fact that contradicted the generally-held view that it was single people who were more likely to be involved in union activity.

Table 9.1.2

Union membership by sex and marital status¹

<u>Membership</u>	<u>Men</u>		<u>Women</u>	
	<u>Married</u>	<u>Single</u>	<u>Married</u>	<u>Single</u>
Yes	37.3	29.9	20.3	18.8
No	56.8	63.9	74.4	76.0
Not specified	<u>5.3</u>	<u>6.2</u>	<u>5.3</u>	<u>6.0</u>
	100	100	100	100

Note:¹ See note on methodology, p.180

Source: PEREZ DIAZ, Víctor: "Encuesta a los asalariados del sector industrial (EASI)", 1980, Fundación del INI, Programa de Investigaciones Sociológicas

We can indicate a number of possible causes for the diminution in the number of women joining a union:

(a) The difficulties most women suffered at the time of vertical unions, which is reflected in clearly discriminatory and regressive ordinances on employment, some still in force today, discourage women and make them negative about obtaining a solution for their very specific problems in the employment field.

(b) Generally speaking, the unions have taken no effective action that might result in a solution to women's claims.

(c) Women's problems have remained marginal to the chief concerns of the unions, most of which are aimed at specific problems caused by the economic and employment crisis.

(d) The workers' movement itself discriminates against women and has not yet included women in the framework of its demands. The problems of female workers are always secondary to collective action.

(e) It is only in those unions where women are sufficiently well represented that any actions allowing the introduction of claims connected with the position of women are undertaken.

9.2 TRADE UNION ACTIVITY AND PARTICIPATION IN COLLECTIVE AGREEMENTS. WOMEN'S PLACE IN UNION HIERARCHY

Workers are represented in the enterprise by Staff Delegates, when the enterprise has between 10 and 50 workers and by the Works Committee in those with more than 50 workers. The latter is the recognized and representative body for defending the interests of the whole of the work force in the enterprise or place of work (Workers' Statute, Article 63.1).

Works Committees, Staff Delegates or union representatives are authorized to negotiate works or other agreements at a lower level. In works agreements at a higher level (for example, for a whole sector) it is the unions, or federations, confederations and associations of unions which are empowered to conduct collective bargaining (Workers' Statute, Articles 87 and 88).

There are therefore two levels at which women can take part directly in the negotiations for collective agreements: firstly as a Staff Delegate or member of the works committee, and secondly as a union, federation or confederation representative taking part in collective bargaining at a level beyond that of the enterprise itself. Among women employees in the industrial sector in 1980, 4.1% were members of the works committee. Only 5.4% of the members of these committees were women, a much lower percentage than women's representation in the industrial sector (16.5%)

Even so, the number of women actually serving on works committees is higher than might be expected from figures illustrating women's willingness to serve on such committees (i.e., to put up for election). 11% of the women working in the industrial sector would be prepared to stand for

election to a post on a works committee. For men, this figure is 26%.

The breakdown by sex of workers' readiness to serve on a committee gives an indication of the two sexes' interest in and perception of their common problems. In the case of women, it also reflects their concern over their specific problems. Table 9.1.3 shows the differences between willingness to seek election and actually serving on works committees. The gap between the two is greater for men than for women, in other words there is a larger proportion of men prepared to participate in the activities of the works committee than those who actually do so, i.e., those who are elected. For women, a larger number of those who are ready to stand for election actually do get elected.

Table 9.2.1
Willingness to serve on a works committee and actual membership,
by sex, in the industrial sector (1980) ¹

	<u>Willingness to</u> <u>stand as a candidate</u>	<u>Member of a</u> <u>works committee</u>	<u>Difference</u>
<u>Men (%)</u>	26.1	11.7	14.4
<u>Women (%)</u>	11.0	4.0	7.0

Note: ¹ See Note on methodology, p. 100

Source: PEREZ DIAZ, Víctor: "Encuesta a los asalariados del sector industrial (EASI)", 1980. Programa de Investigaciones Sociológicas, Fundación del INI.

In the various sectors holding elections for union officials in 1980, only 15.4% of those elected (Staff Delegates and members of works committees), according to figures provided by the Instituto de Mediación, Arbitraje y Conciliación (IMAC), were women, yet women make up 28% of all those who work and 29% of the potential work force. In 1978, women accounted for 11.3% of those elected to union jobs.

Inside the unions themselves, the picture is the same, with only a very small number of women on the unions' executive committees (varying according to the internal structure of the various bodies).

Out of the 295 posts in the three top executive levels of the Confederación Sindical de Comisiones Obreras (CC.OO), only 14 or 4.7% are held by women (2 out of 22 posts in the Confederation's secretariat, 4 out of 50 in the Confederation's executive, and 8 out of 223 in its Council). Again, looking at the branch federations that, together with the territorial organizations, make up the basic structure of this particular union, from the organizational point of view, we see that women are represented in their executive committees to varying degrees. The federations where the largest numbers of women serve on the executive committees are shown in Table 9.2.2 below.

The confederal committee of the Unión General de Trabajadores has the highest number of women members for this type of committee: 10 women out of 138 members, or 7.2%. Its executive committee, the permanent management body, has no women among its 13 members. In the executive committees of the 16 federations of industry within the UGT structure, (including its territorial branches), women count for 13.8% of the elected members (31 out of the total of 234, with an average of 14 members for each executive committee).

Table 9.2.2

Number of women in the branch federations of the CC.OO

<u>Federation</u>	<u>Number</u>	<u>Percentage</u>
Health	11 out of 29	44.0
Education	10 out of 29	34.5
Public services	17 out of 60	28.3
Textiles	8 out of 29	27.6
Chemical	4 out of 29	13.8
Theatres, cinemas, etc	3 out of 23	13.0
Hotels	2 out of 20	10.0
Trade	2 out of 21	9.5
Food	2 out of 28	7.1
Retired	1 out of 20	5.0

Source: CC.OO, Women's Secretariat.

The women members of works committees or Staff Delegates belonging to the UGT represent 12.4% of the total of number of elected members of this union. This figure is composed of 1 678 female Staff Delegates and 2 447 women members on works committees (Euzkadi and Catalonia have not been included)¹.

It is in the smaller enterprises that a larger proportion of women get elected as UGT representatives, a feature that is also repeated for all the other unions. In this type of enterprise, scattered, heterogeneous and with special employment relations, access to union activities is difficult.

¹ Statistics provided by Matilde Fernandez, General Secretary of UGT's Federation of Chemical Industries.

Table 9.2.3

Federations of industry in the UGT where more than 100 women
have been elected as workers' representatives

<u>Federation</u>	<u>Number</u>	<u>% of UGT elected representatives</u>
Textile	791	19.0
Food	560	13.0
Trade	529	12.7
Health	497	11.9
Hotel	342	8.2
Miscellaneous	342	8.2
Metal	194	4.6
FETE	135	3.2
Construction	134	3.1
FETAP	127	3.0
Chemical	112	2.6

Source: Statistics provided by Matilde Fernandez, General Secretary of UGT's Federation of Chemical Industries.

Table 9.2.4

Number of women members of the UGT elected to works committees
broken down by size of enterprise and category of work

	<u>50 to 100</u>	<u>101 to 250</u>	<u>251 to 500</u>	<u>more than 500</u>
Specialists	868	818	189	183
Technicians	128	135	72	84

Source: Statistics provided by Matilde Fernandez, General Secretary of UGT's Federation of Chemical Industries.

NOTE ON METHODOLOGY

As no statistics exist to show the breakdown by sex of union members, we have preferred to use, for reasons of reliability, and where possible, non-union sources obtained from various research into employment relations, unions and collective activities, dating from 1977 onwards. This research is listed below.

1. Centre for Sociological Research (CIS): "Estudio prospectivo sobre las elecciones sindicales en España, carried out for CIS by the ECO Institute in November 1977.
2. Víctor PEREZ DIAZ: "Encuesta a los asalariados del sector industrial (EASI), in the sociological research programme of the National Industrial Institute April 1978. In June/July 1980, a second survey with the same title was planned and carried out by the same team. It included similar features.
3. Francisco ALVIRA and José GARCIA LOPEZ: "Encuesta sobre las relaciones laborales a los cabeza de familia", conducted in February/March 1979 and 1980. This was one of the regular surveys carried out by Economic and Social Research Fund of the Spanish Confederation of Savings Banks.

The work principally consulted was that of Víctor Pérez Díaz (EASI, 1978 and 1980), given that it was possible to make comparisons, because of similar technical characteristics. However, attention must be drawn to the following discrepancies:

- EASI 1978: sample of 4 179 individuals representing paid workers in the industrial sector both as a whole and broken down by region and branch of activity. There were 10 of the latter: extractive industries; food; textiles; wood; paper; printing and publishing; chemicals; metals

and basic metal-working; water; gas and electricity; glass; ceramics; clay and various manufacturing industries; construction.

- EASI 1980: sample of 2 400 paid industrial workers, representative of the whole population in the branch of activity and the region. There were 6 branches of activity: extraction, food, textiles, metal, chemical and construction.

10. SOCIAL SECURITY AND TAXATION SYSTEM

10.1 SOCIAL SECURITY

The 1980 Workers' Statute, in its Article 4(d), lays down that that workers enjoy the basic rights of the person and the right to adequate safety and health policy.

No mention is made of the workers' sex, in other words, the statute applies equally to men and women.

The revised text of the General Law on Social Security, laid down by Decree N° 2065 of 30 May 1974 contains the following provisions and comments.

Article 7 states that all Spanish citizens are included in the Social Security system irrespective of sex, marital status or occupation.

It should be noted that in Spain there is a general system of social security and several special schemes. The latter cover: workers in marine occupations the self-employed, public and civil servants and the armed forces, officials of the autonomous bodies, members of cooperatives, domestic workers, students, civilian employees in military establishments who are not public officials and commercial representatives.

10.1 Social Security Affiliation and Contributions

Article 12 states that affiliation to the social security system is compulsory for all persons falling within its scope. In other words, the contribution is the same for any worker, male or female, married or single whose salary, according to his/her occupational category, is the same.

Workers must join the scheme at the time they commence employment. The contribution is compulsory, part of it being met by the worker and part by the employer (Article 67).

Contributions paid for occupational accidents and illnesses are subject to certain additional premiums according to the nature of the activity and work performed. Enterprises pay a fixed premium related to the degree of danger in the activity.

The contribution to cover all contingencies including occupational accidents and illness is worked out on the basis of total salary from which is excluded travel expenses, death grants, transfer or dismissal, losses caused by inflation, and overtime etc.

We note at this stage that women are required by the law to contribute to the same extent as men.

10.2 Benefits

The law recognizes the following general benefits for all: concerning medical assistance, this is listed in Article 20 and enlarged on in Articles 126¹²⁸ 129. In the case of maternity benefits (paid to working women and wives of workingmen), medical bills are paid for all who are in the system and include pregnancy, confinement and post-confinement. To receive the maternity grant, the beneficiary must have joined the scheme nine months before the confinement and have contributed for at least 180 days.

Medical benefits in the case of ordinary illness, occupational illness and accidents are the same for both sexes and include medical treatment and prescriptions.

Temporary incapacity, disablement, retirement (at 65) unemployment and death benefits are all covered by Article 20, point (b). (No discrimination exists, other than for the death benefit, which we shall be analysing below when we deal with beneficiaries and the contents of the law).

Point (d) of Article 20 governs family benefits. These are a monthly allowance for each child under 18 or person whose handicap prevents him/her from working, whether or not he or she has contributed; a monthly allowance for dependent husbands or wives whose handicap prevents them from working; a marriage grant; a grant on the birth of each child.

Where both marriage partners are eligible for a benefit, the right to the benefit will be restricted to one of them, except in the case of the marriage grant (Article 168-169)

The protection of the family is safeguarded as no social security benefits can be attached except when they are intended to be used as maintenance for a spouse and children.

Beneficiaries

Parents and other relatives who are dependent on the person contributing and the wife and children who are separated from a worker are eligible for sickness, maternity and accident benefits (Article 100).

It is in Article 100 of the General Law on Social Security that we see discrimination against working women in the social security system most clearly at work.

The law establishes the following general principle: the situation of being dependent on a worker in order to qualify for a pension. In other words, social security arrangements in Spain are still reflecting traditional attitudes. As it is the man alone who works in the majority of cases, the entitlements are granted to those living as his dependents. Despite the increasing number of women in the working population, a parallel law entitling husbands to a pension has not yet been introduced. Most men are deemed not to have fulfilled the condition of "dependence". The result is that married working women contribute, but they are not given equal treatment with men, since their contributions do not lead to the same benefits.

Let us look at some other articles that make the subject clearer. Benefits to be paid in the case of a worker's death are covered by the provisions of Article 160, which specifies that the widow, if she has been living normally with the deceased or if she has had a separation order made in her favour shall be entitled to a widow's pension throughout the rest of her life. Widowers, on the other hand, are only entitled to a survivor's

pension if they are handicapped and were dependent on their wife before her death.

The same condition of economic dependence is imposed by Article 163, when deciding whether to award a survivor's pension to a working woman's father in the case where she does not leave a widower.

The same principle of discrimination against working women whereby they are unable to ensure a survivor's pension for their husbands is carried over from the social security system into the special schemes we have mentioned. In the Regulations for Public Officials, for example, it is even more difficult for the widower to obtain a pension than it is in the general system, for a woman official's survivor will only be granted a pension when it can be shown that he is in a state of "legal penury", which means that he is in a perilous situation close to complete destitution.

The provisions we have mentioned run counter to the ILO's Convention N°118, declaring that men and women are entitled to equal treatment in matters of social security. They are also unconstitutional, since Article 14 of the Constitution states that all Spanish citizens are equal before the law. The discrimination lies in the fact that although women make social security contributions, these do not provide the same benefits for their partners as do men's contributions.

Bill for a revision of the system

A bill exists that will grant working married women full equality with men in social security matters. Pursuant to it, men will be entitled to receive survivors' pensions.

Congress's Social and Employment Policy Committee has submitted a favourable opinion on this bill which had been supported by the member for the Catalan minority, María Rubies. The opinion mentions 1 January 1983 as a possible date for the entry into force of the reform.

Before that, of course, the bill has to be debated in Parliament, passed, and published in the Official Journal.

Once the general principle preventing men from receiving survivors' pensions under the general social security system has been revised, the new law will be reflected if not simultaneously then at least gradually in the regulations governing the special systems.

At the time of writing, the debate by the Congressional Committee had only just taken place (1 April 1982).

10.3 TAXATION SYSTEM

Women's legal position

A. General Remarks

The Spanish income tax system resides on the Law on Personal Income Tax, N° 44, of 8 September 1978 which was supplemented by Royal Decree 2.3.8.4 of 3 August 1981 (published in the Official Journal of 24, 26 and 27 October 1981). Its chief characteristics are as follows: It taxes the profits and the accumulated income of natural persons stemming from their direct economic activity. This means the total amount of all income, arising either from one's employment or from one's estate and changes in the value of the latter. As the amount of tax paid depends on income and capital growth it is a form of direct taxation. It is also personal taxation since it is payable by natural persons and affects the total amount of their income; it also takes into account their personal and family situation. It is moreover a form of progressive taxation, with higher incomes being taxed at higher rates than the base rate. Finally, it is a form of general taxation, since it applies all over Spain's territory other than where the special dependent systems, the autonomous areas, and independent treaties and agreements are in force.

B. The unit for assessment

One of the most complex problems of current fiscal policy is the choice of the assessable unit for direct personal income tax.

Exactly what the unit is will depend on whether the system is based on personal assessment (taxation of single persons), married couples assessment or family assessment (which includes children in the same household). There are also mixed systems, where the contributor can opt for one or other of these forms of assessment.

Under the reform of the tax system in Spain, the family has been taken to be the unit for assessment purposes, not only for taxation of income but also in the taxation of inheritance and gifts. The contributor has no option in the matter.

C. The family unit in the income tax system

In Spain, the family is the unit for assessment for income tax purposes, all its members being considered jointly and severally liable to pay tax on the family's income. This real and personal obligation is placed on them by the terms of Article 4 of Law N° 44 of 8 September 1978 and Article 13 of the supplementary regulations.

Under our legislation, the family as the assessable unit for income tax purposes is considered to include not only the couple but also their minor children (Article 15 of the regulations). In the case of annulment, dissolution or separation, the spouse and minor children in his/her custody form the family unit, and the same thing applies to single-parent families with minor children. Relatives in the ascending line who are economically dependent on the contributor are also included in the family unit; brothers who have been made the ward of a single guardian, with whom they live on Spanish soil, are also included unless their own status disqualifies them from being part of the family unit.

It should be noted that it is not possible to belong to two family units at the same time.

D. Tax treatment of families

In the explanatory memorandum, the reasons for taking the family as the assessable unit are said to be firstly that people living together can do so more cheaply, with greater savings the larger the family unit - hence more ability to pay tax than if they lived separately - and

secondly that there is an obvious difficulty in separating out the income and expenditure of individual members of the family. The distinction is fundamental, since because of the sliding tax scale, there would be advantages if the individual members could contribute separately. The result of this is that the family is the real contributor and its income is composed of the separate incomes of its members, apart from the special regime for couples covered in Article 17 of the regulations.

Tax allowances

1. General allowance for the assessable unit: single person, married person, widower or divorced person	15 000 ptas.
2. Allowance for a household	12 500 ptas.
3. Allowance for each dependent minor child	10 000 ptas.
4. Allowance for each relative in the ascending line living with the contributor and not earning more than 100 000 ptas. per year	8 000 ptas.
5. Allowance for child who is blind, disabled, physically or mentally handicapped whether from birth or an accident.	30 000 ptas.
6. Allowance for each member of the family over 70 years.	7 000 ptas.

The regulations also provide for deductions for the following
personal expenses:

- 15% of life or disability insurance premiums, taken out jointly or separately, up to a limit of 45 000 pesetas per year.
- 5% of fees paid to doctors, lawyers etc.
- 15% of expenses incurred through illness, accident or disablement.

- 5% of necessary exceptional expenditure up to a limit of 45 000 pesetas per year.

The way in which the tax that is due is divided between members of the family depends on which of the systems for managing their affairs the couple has opted for and on the civil legislation.

Each member of the family unit will be charged on the income and changes in the value of his/her part of any inheritance according to rules established by the system.

Article 138 of the regulation makes it incumbent on all persons in receipt of taxable revenue or increases in their inheritance to declare it, unless their income is less than 300 000 pesetas a year.

When several people form one family, a single tax return is made.

Article 140 covers the case of disagreements arising over this single tax return. If the members of one family unit fail to agree about the way the declaration is made, they can make known the reasons for their disagreement and if they are still unable to agree they can be taxed separately. In this case, the tax authorities will make a provisional single tax demand, based on the information declared. It should be noted that separate tax returns are liable to a 15% surcharge on the amount of tax to be paid after deductions have been made.

Article 146 states that income tax returns and inheritance tax must be submitted jointly in cases where both types of tax are due.

Article 166 of the regulations lay down that if either of the spouses has not signed the declaration this can be remedied according to the law on administrative procedures. But if the partner who has not signed still refuses to, even though called upon to do so by the authorities,

he or she is liable to prosecution, with fines ranging from 10 000 to 100 000 pesetas. Only the partner refusing to sign the declaration is liable to pay the fine.

PROBLEMS ARISING FROM TAKING THE FAMILY AS THE UNIT FOR ASSESSMENT

Points to be considered

The choice of the family as the unit for tax purposes raises the problem of the equal income tax treatment of natural persons. Is the tax system fair and is any secondary discrimination suffered as a result of taking the family as the unit? As the Constitution is intended to foster the family, not to penalize it, is Spanish tax legislation achieving this?

1. The problem arises in our times because of the number of single people and the number living together outside of marriage. The reason for this is that there is a sliding scale of taxation based on total income so married couples making a joint declaration are taxed at a higher rate than two single people living together. The system of deductions does not resolve the problem, despite the fact that the explanatory memorandum states that the tax will be charged in relation to the family circumstances of those who are liable. However, a single person's deductible allowance is 15 000 pesetas a year, while a married couple without children can only deduct 27 500 pesetas a year. Single persons and couples have a uniform basis of taxation. The rate at which tax is charged is the same but the couple is liable for heavier taxation.

In the United States, this form of discrimination has been eliminated by the "splitting" system. Couples can opt for a joint declaration in which the scale is based on income brackets that are double those used for taxing single persons.

In adopting this system, we arrive at the same tax contribution as if each of marriage partners were taxed separately on half of the joint income. However, as this is unfair to single people, a further provision says that in no case shall the latter be liable to pay tax which is more than 20% above that paid by a married couple in the same tax bracket. Generally speaking, in other tax legislation we have looked at, married couples are better off than a single person with the same income.

2. Changes are taking place in our society at present one of which is woman's role in the home and at work. No longer is the husband the only economic support of the family. The problem therefore arises as to how women should be treated under the tax laws, which will tend to act as incentives or disincentives to their employment. Discrimination of this kind is today called indirect discrimination. It is what married women are subjected to when they seek paid employment, in other words when both the man and the woman are earning salaries. It is the more unjust because of all the other pressures acting on a woman who goes out to work.

When a husband and a wife's salaries are added together to make up the basis for a sliding scale of taxation, it is evident that this penalizes the work of the married woman compared with the situation of a single person or of a non-married couple. The higher rate at which taxation is paid, referred to above, is not offset by the allowable deductions. Two people, whose combined income would be the same, would as a result pay the same tax. It is clear, then, that a special situation exists regarding the tax treatment of married working women which is not dealt with properly under the law.

The tax situation of the married working woman can be viewed in

the light of the incentives to work or again, in comparing her situation with single working women or with men and women who do not work outside the home.

The usual cause of high taxation of women's work in most countries lies in the tax structure and in the system of relief, though the form of assessable unit seems to have some effect, especially at certain taxation levels. The overall effect on the family tax position when the wife goes out to work will depend much on the unit chosen. Countries which consider each individual as the unit of taxation tax the family less than those where there is a system based on the family as assessable unit, especially in the higher tax brackets.

In cases where the woman's salary is low (up to a third of the working man's) the average rate of tax on the family income is also low in many countries. This is generally brought about through additional tax relief granted to the wife when she takes a paid job.

In most countries, married women who go out to work receive better tax treatment than single women, through the granting of tax relief. In others, however, the effect of combining the couple's income and the less favourable concessions offered result in married women being at a disadvantage vis-à-vis single women. As we have explained, this is the situation in Spain.

In some of the OECD countries where married women are less well off from the fiscal point of view, there is a move away from compulsory joint assessment with the family as the unit, towards a system where the individual is taxed separately or at least where people can choose between being assessed jointly or as separate individuals.

3. There is even a discrimination in our tax system between two families with an identical income, in one of which both partners have paid jobs and in the other of which, one of the partners does not go out to work.

4. The choice of the family as the assessable unit does not result in real equality of the sexes as far as tax law is concerned, since the wife's income is combined with that of her husband for tax purposes.

5. The right to privacy of each member of the family unit as regards the salary earned and decisions about whether to save or spend is infringed by the choice of the family as the taxable unit. It is not only women who object to the system. Men too may not wish their tax affairs to be compulsorily and inextricably bound up with those of their wives. According to the Asprey Report, what is involved here is more a question of societal attitudes connected with sexual independence than considerations of an economic nature.

11. WOMEN'S EMPLOYMENT IN THE LIGHT OF THE RECESSION AND CHANGES
IN THE ECONOMIC SYSTEM

11.1 UNEMPLOYMENT AND ITS EFFECT ON WOMEN'S EMPLOYMENT

At the end of 1980, the number of registered unemployed in Spain stood at 1 620 300, of which 33% (more than half-a-million) were women.

The constant increase in the unemployed, whether of people who have already had a job or of those seeking their first, is one of the problems confronting Spanish society today. The number of unemployed increased throughout the period 1970-1980, with a sharpening of the growth-rate from 1974 on. The magnitude of the problem is brought home by the fact that between 1976 and 1980 the ranks of the unemployed were swelled by a million people. Our most recent figures, still provisional, for the last quarter of 1981, reveal that the number of unemployed at that date was almost at the two-million mark (1 988 300), of whom 677 200, or 34%, were women.

A breakdown by sex shows that women are harder hit than men by unemployment, with figures of 14.3% for 1980 and 18.0% for 1981, against a male unemployment rate of 11.9% and 14.3% for the same two years.

These figures show the seriousness of the problem for women, especially when we remember - as we mentioned in Section 2.2 - that the female activity rate was only 27% in 1980 and 1981 whereas the male activity rate was 71%.

This increase in women's unemployment as a result of the recession has slowed down women's entry into the labour force, a process that started up in the seventies. Given the existing difficulties, high unemployment is also the reason why so few people looking for work are able to find it. We should mention that there are 2 million housewives who are not counted in

Table 11.1.1

Unemployment figures, broken down by sex

	<u>1976</u>		<u>1980</u>		<u>1981</u>	
	<u>(in '000s)</u>	<u>%</u>	<u>(in '000s)</u>	<u>%</u>	<u>(in '000s)</u>	<u>%</u>
MEN	441.9	70	1 084.4	67	1 311.1	66
WOMEN	<u>190.1</u>	<u>30</u>	<u>535.9</u>	<u>33</u>	<u>677.2</u>	<u>34</u>
TOTAL	632.0	100	1 620.3	100	1 988.2	100

Percentage of population unemployed

	<u>1976</u>	<u>1980</u>	<u>1981</u>
MEN	4.8	11.9	14.3
WOMEN	<u>5.1</u>	<u>14.3</u>	<u>18.0</u>
TOTAL	4.9	12.6	15.4

Source: EPA, 4th Quarter, 1976, 1980, 1981.

the working population although by their age they are potential members of the work force. Were these women to enter the job market, the already high number of unemployed would be considerably increased.

An analysis by age, for 1981, shows that the highest proportion of unemployed women is to be found in the lower age groups, which it is not surprising given that it is in these age groups that the highest rate of female activity is found. A breakdown by age groups for the two sexes shows that 72% of all unemployed women is in the 16-24 year age group, while for men, this same age group accounts for 46% of all registered unemployed men, with another 45% in the 25-54 age group.

Table 11.1.2
Unemployment broken down by sex and age-group (1981)

<u>Age groups</u>	<u>Men</u>		<u>Women</u>	
	<u>in '000s</u>	<u>%</u>	<u>in '000s</u>	<u>%</u>
16-19	305.0	23.2	240.8	35.5
20-24	301.3	23.0	246.9	36.4
25-54	594.0	45.3	176.8	26.1
55 and over	<u>110.8</u>	<u>8.5</u>	<u>12.7</u>	<u>2.0</u>
TOTAL	1 311.1	100	677.2	100

Trends in unemployment rates confirm the effects of unemployment on the young, which is more marked for women than men. In the 16-19 age-group in 1976, the proportion of unemployed women exceeded that of men (15.3% for women, 12.5% for men), while in the other age groups it was male unemployment that was higher. By 1980 and 1981, the situation underwent a significant change. Not only was the rate of unemployment three times as high as it had been in 1976, but unemployment rates in the younger age groups was now greater for women than for men. This increase in the level of youth unemployment indicates that more and more school and university leavers are now seeking to join the work force but that the system is incapable of absorbing them since job-creation is not keeping abreast of the increase in demand. In the age groups from 25-54, the level of unemployment is similar for both sexes.

Table 11.1.3

Percentage of unemployed broken down by sex and age group

<u>Age groups</u>	1976		1980		1981	
	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>
16-19	12.5	15.3	36.9	41.4	44.2	48.4
20-24	9.6	7.9	26.4	27.2	30.6	32.4
25-54	3.7	2.4	8.3	6.4	10.0	8.9
55 and over	<u>2.6</u>	<u>0.5</u>	<u>5.6</u>	<u>2.1</u>	<u>7.0</u>	<u>2.6</u>
TOTAL	4.8	5.1	11.9	14.3	14.3	18.0

Source: EPA, 4th quarter, 1976, 1980, 1981

Author's presentation.

When we look at the figures based on narrower age brackets, for 1980, it is obvious that there is a close relation between the number of women in the work force and the number of them unemployed, for the various age groups.

Table 11.1.4

Percentage of women in the labour force and percentage unemployed by age group (1980)

<u>Age group</u>	<u>Percentage of women in the labour force</u>	<u>Percentage of women unemployed</u>
16-19	39.7	41.5
20-24	55.9	27.2
25-29	42.5	12.1
30-34	30.9	8.6
35-39	29.7	5.1
40-44	27.5	4.4
45-49	28.2	3.6
50-54	26.3	2.5
55-59	24.7	3.2
60-64	16.8	0.9
65-69	7.4	1.4
70 and over	<u>2.0</u>	-
Total	27.1	14.3

Source: EPA, 4th quarter 1980

The educational level reached appears to be a very discriminatory factor in female unemployment. Thus, while for men in 1976 and in 1980, the largest proportion of unemployed was to be found among those with primary education, in 1976, the highest rates of unemployment were to be found among those who had no formal schooling whatsoever (7.1%) and those with secondary education. In 1980, the highest rate was among those with secondary education (16.1%). As for the female population out of work, both in 1976 and in 1980 it was the women with primary or secondary education who comprised the bulk; the highest rates of unemployment were found among women with secondary education (25.3%) and those with higher education (20.9%).

Table 11.1.5
Breakdown of unemployment by level of education and sex
(1976 and 1980)

	1976			1980		
	<u>Unemployed</u> <u>(in '000s)</u>	<u>%</u>	<u>Unemployment</u> <u>rate</u>	<u>Unemployed</u> <u>(in '000s)</u>	<u>%</u>	<u>Unemployment</u> <u>rate</u>
<u>Men</u>						
No formal edu- cation	113.1	25.6	7.1	175.7	16.2	13.7
Primary	237.1	53.7	4.0	580.5	53.5	10.3
Secondary	83.5	18.9	5.7	306.3	28.3	16.1
Higher	<u>8.1</u>	<u>1.8</u>	<u>3.0</u>	<u>21.9</u>	<u>2.0</u>	<u>6.9</u>
Total	441.8	100.0	4.8	1 084.4	100.0	11.9
<u>Women</u>						
No formal education	12.1	6.4	1.8	26.8	5.0	5.1
Primary	86.6	45.5	4.0	189.3	35.3	9.8
Secondary	82.3	43.3	10.5	295.8	55.2	25.3
Higher	<u>9.1</u>	<u>4.8</u>	<u>13.2</u>	<u>24.0</u>	<u>4.5</u>	<u>20.9</u>
	190.1	100.0	5.1	535.9	100.0	14.3

Source: EPA, 4th quarter, 1976-1980

The high levels of unemployment among women with secondary education (20.9%) indicates the barriers to women entering the job market when their level of education improves. A particular point to note is the enormous difference between unemployment rates for men and women with higher education - rates that are three times as high for women as for men.

Comparing age and educational level of the unemployed population, the conclusions drawn from the separate analysis of these two factors are confirmed. The highest unemployment rates are found in the 16-19 age group irrespective of educational level. However, it is those who have finished their secondary schooling (the highest level possible at this age) who are the worst affected, women in this age group and educational group having an unemployment level of 50%.

The overall unemployment rate for the 20-29 years age group is less for the age group just mentioned but here again, the rate increases as the level of education improves. For this particular age group, the most striking unemployment rates are found among men with no formal education(34.4%), women with secondary education(25.5%) and women who have gone on to higher education (35.4%).

As we go up through the remaining age groups, we see unemployment levels flattening out. Rates are also lower both for men and women as their educational level improves, in these older age groups.

Unemployed people fall into a variety of categories according as to whether their situation has been caused by the economic situation or psychological attitudes and whether they have already worked or are looking for their first job. The proportion of people in the various

Table 11.1.6

Unemployment rate by age-group, educational level and sex (1980)

<u>Age group</u>	<u>No formal education</u>		<u>Primary education</u>		<u>Secondary education</u>		<u>Higher education</u>	
	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>
16-19	39.8	32.1	33.4	30.3	40.6	50.0	-	-
20-29	34.4	18.4	18.4	15.8	21.5	25.5	26.4	35.4
30-44	15.7	5.6	7.4	6.2	4.0	6.3	3.5	6.5
45-54	12.1	4.9	5.9	2.2	3.1	3.7	0.5	1.2
55 and over	<u>8.2</u>	<u>2.2</u>	<u>5.2</u>	<u>2.3</u>	<u>3.5</u>	<u>1.2</u>	-	-
Total	13.7	5.1	10.3	9.8	16.1	25.3	6.9	20.9

Source: EPA, 4th quarter, 1980.

categories varies from one sex to the other. In 1976, 77.6% of unemployed men had worked before, with only 39.7% of unemployed women in this position. In 1980, with a much larger number of people unemployed, these balances had shifted. 71.8% of unemployed men in that year had worked before with a corresponding increase in the number looking for their first job. The reverse situation was observed for women, with an increase in the proportion of unemployed women who had worked before, to 42.9%, and a corresponding decrease in the number of first job seekers. This new factor provides confirmation that women themselves were not making the same effort to find a job and it also indicates the mounting level of unemployment among those who have already worked.

Table 11.1.7

Breakdown of unemployed into those who have worked before and those looking for their first job

	<u>1976</u>		<u>1980</u>	
	<u>(in '000s)</u>	<u>%</u>	<u>(in '000s)</u>	<u>%</u>
<u>Men</u>				
- worked before	343.3	77.7	778.8	71.8
- first job	98.6	22.3	305.6	28.2
Total	441.9	100.0	1 084.4	100
<u>Women</u>				
-worked before	75.5	39.7	229.7	42.9
-first job	114.6	60.3	306.2	57.1
Total	190.1	100.0	535.9	100.0

Source: EPA 4th quarter, 1976-1980

11.2. RELOCATION OF INDUSTRY AND ITS EFFECT ON WOMEN'S EMPLOYMENT

Unemployment varies from one region of Spain to another both quantitatively and qualitatively. As we have already pointed out in the section on the structure of industry, each region has its own special economic pattern and level of development and industrialization. This explains why the unemployment problem, experienced in almost all the regions, manifests itself differently in each regional setting. The regions with the highest numbers of unemployed in 1981 were: Catalonia (390 800), Andalusia (373 800); Madrid (261 000), País Valenciano (204 800) and País Vasco (145 100); 70% of all the unemployed are concentrated in these five regions.

Table 11.2.1

Unemployed by region (1981)

<u>Regions</u>	<u>TOTAL</u>		<u>MEN</u>		<u>WOMEN</u>	
	<u>(in '000s)</u>	<u>%</u>	<u>(in '000s)</u>	<u>%</u>	<u>(in 000s)</u>	<u>%</u>
Andalusia	373.8	18.8	285.5	21.7	88.3	13.0
Aragon	55.4	2.7	32.2	2.4	23.4	3.4
Asturias	53.2	2.7	30.3	2.3	22.9	3.4
Balearic Is.	27.4	1.4	15.1	1.5	12.3	1.9
Canary Is.	95.0	4.8	68.6	5.2	26.4	3.5
Cantabria	20.2	1.0	15.1	1.5	5.1	0.8
Castile-La Mancha	73.5	3.7	52.6	4.0	20.9	3.1
Castile-León	95.7	4.9	61.9	4.5	33.8	5.0
Catalonia	390.8	19.7	240.7	18.3	150.1	22.1
Extremadura	52.9	2.6	39.2	3.0	13.7	2.0
Galicia	69.6	3.5	47.2	3.5	22.4	3.4
Madrid	261.1	13.1	163.7	12.5	97.4	14.5
Murcia	38.7	2.0	21.7	1.6	17.0	2.6
Navarra	23.3	1.1	14.2	1.1	9.1	1.3
País						
Valenciano	204.8	10.3	131.0	10.0	73.8	11.0
País Vasco	145.1	7.3	87.3	6.5	57.8	8.6
La Rioja	<u>7.7</u>	<u>0.4</u>	<u>5.1</u>	<u>0.4</u>	<u>2.6</u>	<u>0.4</u>
TOTAL	1 988.2	100.0	1 311.2	100.0	677.0	100.0

Source: EPA, 4th quarter, 1981

Unemployment affects different people in the various regions. In Andalusia, for example, the largest proportion of unemployed are found in the service sector (23.1%), construction (21.4%) and agriculture (26.2%), an obvious sign of this region's low level of industrialization. Catalonia and País Valenciano have the highest proportion of unemployed in the industrial sector (29% and 30.7% respectively) while for Madrid, the service sector has the most unemployment.

Table 11.2.2

Percentage of unemployed in various sectors of activity in the
five regions most affected by unemployment (1981)

<u>Regions</u>	<u>Activity sector</u>					<u>Total</u>
	<u>Agric.</u>	<u>Indust.</u>	<u>Construct.</u>	<u>Services</u>	<u>Others</u>	
Andalusia	16.2	9.8	21.4	23.1	29.5	100
Cataluna	1.0	29.0	18.3	15.9	35.8	100
Madrid	1.6	16.3	16.3	22.1	43.7	100
Pais Valenciano	2.2	30.7	11.1	20.0	36.0	100
Pais Vasco	1.4	20.0	12.1	20.0	46.5	100

Source: EPA, 4th quarter, 1981

The sectors where the recession has most affected employment are construction and industry. Male unemployment in the construction sector has risen from 19.8% to 27.1% in the past three years. Despite the very low number of women employed in this sector, their unemployment rate has gone up from 11% to 23.3% in the same period. The crisis has had worse effects for women in the industrial sector, with male unemployment reaching 9.9% and female unemployment reaching 16.3%. Unemployment has affected men and women to more or less the same extent in the service sector (men, 7%, women, 8%).

Table 11.2.3

Unemployment rate by sector and by sex (1981)

<u>Men</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>
Agriculture	4.5	6.1	6.4
Industry	5.6	7.4	9.9
Construction	19.8	24.6	27.1
Services	4.0	6.0	7.0
<u>Women</u>			
Agriculture	1.6	2.0	2.5
Industry	8.4	11.5	16.3
Construction	11.0	26.3	24.3
Services	4.8	6.5	8.0

Source: EPA, 4th quarter, 1979, 1980, 1981.

If we examine unemployment rates for the two sexes in the various regions we see that the features of the economy in each region produce different effects on the rates, with marked variation in male and female trends. In regions where agriculture and stock farming are the major occupations, and family farms are predominant, for example in Cantabria, Galicia and Rioja, the number of women in the working population is above the national average and the jobless rate is lowest (9.4% , 5.4% and 9.4% respectively). It is in the industrialized regions of País Vasco and Catalonia that female unemployment rates are at their highest (23.9% and 20.8% respectively).

Table 11.2.4

Activity rate and unemployment rate by region and by sex (1981)

<u>Regions</u>	<u>Activity rate</u>		<u>Unemployment rate</u>	
	<u>M</u>	<u>W</u>	<u>M</u>	<u>W</u>
Andalusia	69.8	18.8	20.4	21.8
Aragon	71.3	26.7	10.4	21.9
Asturias	69.9	29.8	10.7	17.1
Balearic Is.	70.1	27.4	8.7	17.0
Canary Is	74.1	25.6	17.9	18.7
Cantabria	72.3	28.2	11.7	9.4
Castile-La Mancha	69.6	20.8	13.9	18.0
Castile-Leon	68.4	25.4	10.4	15.0
Catalonia	73.6	30.8	15.3	20.8
Extremadura	68.6	20.6	17.3	19.0
Galicia	72.0	37.7	6.9	5.4
Madrid	70.9	26.3	14.4	20.5
Murcia	68.6	28.2	10.5	18.6
Navarra	74.0	26.7	11.2	18.9
País Valenciano	72.8	28.3	14.0	18.5
País Vasco	73.7	26.6	15.2	23.9
La Rioja	<u>70.4</u>	<u>29.2</u>	<u>8.1</u>	<u>9.1</u>
Total	71.4	26.9	14.3	18.1

Source: EPA, 4th quarter, 1981

Other than in Cantabria, where the male unemployment rate (11.7%) is two points higher than the female (9.4%), all the other regions have greater percentages of jobless women than men. The difference is most pronounced in Aragon where the female rate is twice as high as the male rate (21.9% against 10.4%).

To sum up, by looking at the different variables we have been able to show that the crisis we have been going through in the last few years has had severe effects on female employment. The number of unemployed women has increased both because of losses of existing jobs and because of the failure to create new jobs.

12.1 SOCIETAL ATTITUDES AND REACTION TO WOMEN'S EMPLOYMENT

The gap that exists between the legal texts establishing equal rights - and hence equal opportunities for men and women - and what happens in everyday practice can only be explained by the prevailing attitudes of the two sexes towards women's employment.

The survey carried out in 1974 and published in the FOESSA Report (1975) on a sample of 2 100, clearly shows the tendency for women to stay at home and take care of their families and the clear division of the roles of men and women within the family. Below we give the points which supported the view that women should direct their activities to home and families.

1. Household jobs should be done by women; the husband should only do them when his wife is sick.
2. It is the mother who should bring up young children, with the father only playing a part in exceptional circumstances.
3. The woman must be at home when her husband gets in from work.
4. The woman cannot carry on any activity outside the home without her husband's approval.
5. A woman's training should fit her for looking after her family rather than going out to work.

By analysing to what extent people conform to these views on a agree-disagree scale, we can arrive at assumptions as to the role women play in the family. There was near unanimity (82.3%) on the first item: household chores are the work of the woman and the only time the man should undertake them is when his wife finds it impossible to do so. On the question of bringing up children, replies were not so cut-and-dried:

just over half (51.9%) saw this as the mother's job, with the remainder not agreeing that this was exclusively the woman's role. On whether or not the woman should be at home when her husband returns from work, replies indicated a very marked acceptance of woman's dependence on her husband, with 78.9% agreeing that she should be waiting for him at home. Concerning activities outside the home, 69.2% felt that women did not need to obtain their husband's approval. 68% of those interviewed felt that women's education should be geared to their work in the home rather than to training for an occupation. These attitudes indicate clearly the Spanish people's views on men's and women's roles. Men are considered as the family's "support", women as the "home-maker" and household worker.

In the sample interviewed, both men and women reflected the same attitudes. Furthermore, for the first four items, the women interviewed were more firmly in agreement with the proposition than the men. The only variable where there was a higher degree of disagreement with the propositions was age: younger people rejected the traditional pattern of the division of duties.

As we have said, this survey was carried out in 1974, before the democratic constitution had been re-installed. In recent years, a change seems to be taking place in Spanish people's attitudes. Using the findings of a survey carried out by the Economic and Social Research Fund of the Confederation of Savings Bank (FIES) in mid-1979, on a sample of 5 000 households, two points can be noted. Firstly, attitudes to women's employment are changing and secondly, as the report on the survey itself mentioned, there is still a great reluctance to extend new concepts on women and work to married women. To the question, "Leaving out exceptional cases,

should women work just as men do?" two-thirds of those interviewed replied affirmatively, while one-third disagreed.

More women than men replied yes to the question (73% against 62%), but there were still 21% of women who said no. Heads of households were asked a series of other questions and the answers revealed that for the most part they were in favour of women working outside the house, though with reservations in the case of married women. Thus 23% of those questioned felt that women should not work outside the home if they were single and their parents could support them easily. Women with young children who could be looked after by others, so 34% of those interviewed believed, should not go out to work; 47% thought that if the husband earned enough to keep his family, the wife should not go out to work. Finally, 58% thought that a mother with young children should not put her children into a day care centre so that she could get a job, but rather, should stay at home and look after them. There was little difference between men's and women's views when answering concrete questions like these.

Heads of family were asked whether married women should be helped in, hindered or prevented altogether from taking a job. The answers were significant: 38% felt that it should be made more difficult and 31% did not think that women should be allowed to work at all.

Despite our laws proclaiming men's and women's equality and the illegality of discrimination on grounds of sex or married status, and to a lesser extent than seven years ago it is true, pressures are still being exerted on women to remain in the home with their children. In short, there is a generalized and predominant attitude against women working outside of the home.

12.2 WOMEN'S ATTITUDES TOWARDS THEIR OWN EMPLOYMENT

A survey was conducted among a sub-sample of 1 438 women who had worked but were no longer doing so when the FIES survey was made. 60% of the group had given up work upon marriage, 21% had done so for reasons connected with the home (11% to be able to do their housework, 10% to look after their children). When the survey was carried out, in mid-1979, 6% wanted to go back to work although two-thirds of these said that it depended on the conditions (such as the working hours, shorter hours, outwork).

The attitude to work of women not actively looking for a job was as follows: 50% did not wish to work outside the home, 35% would have liked to but had commitments that prevented them, 5% wanted to work but their family did not agree and 10%, although anxious to work, were not looking for a job since they felt that they would not find anything suitable.

Another nation-wide survey entitled "Survey on the quality of life in Spain", published in 1979, bears out the FIES findings. Women who had worked formerly were asked why they had given up: 54% said it was because of getting married, 16% because of the arrival of children and 11% in order to look after their homes.

The results of both these surveys show that women stop working for family reasons, and this is what they themselves want. They are thereby reinforcing their traditional role in the home. Even though they accepted this role, many housewives found housework dull and monotonous (48%).

48% considered it pleasanter than most jobs, 43% found it very arduous, 77% thought it was the most feminine way of spending one's time and 74% that it was not appreciated by others.

The "Survey on the quality of life" came up with the following findings when looking at attitudes to employment and the difficulties women, in their own opinion, run into when trying to go out to work.

Main obstacles to women going out to work

	<u>%</u>
Difficulty in finding a job	58
Lack of day care facilities	53
Poor working conditions and pay offered to women	30
Low level of women's education	29
Lack of family cooperation over housework	22
Husband's disapproval	18
General attitude of the public against working women	15

In Paragraph 12.1 we have shown the attitudes of "breadwinners" to married women's work, mentioning that 26% thought that it should be made difficult, with 31% going so far as to say that it should be banned. It is obvious that with attitudes like these among the heads of family interviewed, women are hardly likely to be able to advance very far in their employment.

The "Survey on the quality of life" sheds further light on women's perception of being discriminated against in the employment domain. A number of people were interviewed and asked whether they believed women's position was equal to that of men, slightly worse or much worse.

The results give no more than an idea, since both working and non-working women were included in the sample, and the latter have no factual experience of what it is like to work outside the home. The following list shows the areas in which those interviewed felt that women were treated worse than men:

	<u>%</u>
Salary	72
Promotion prospects	63
Ease in finding a job	58
Recognition of ability	55
Responsibilities given to them	53

The feeling among the women consulted that they received less favourable treatment in connection with training comes over quite clearly in their replies to "promotion prospects", "recognition of ability" and "responsibilities given to them", all of which are basic factors in the system of promotion. Statistics in the other sections of this report bear out the low level of women's opportunities for advancement.

12.4 OTHER INFLUENCES

12.4.1 SCHOOL

It is clear that schools are one of the instruments of socialization and help to create attitudes and foster acceptance of the roles imposed in each cultural environment. The part played by the school in developing attitudes connected with the distribution of sex roles comes about through the models children see around them, both on the everyday level and in their school books.

The most obvious influence on the everyday level is exerted by the person who is in direct contact with the child. In nursery education in Spain, 30 775 of the teachers out of 31 338 are women. From a very early age then, children become accustomed to the idea that it is women alone who look after young children.

The contents of school books (reading books, first text books, dictionaries, etc.) are of great importance in relation to the perception of models. Analyses have been carried out in Spain showing the widespread use of traditional sex role segregation in the pictures and words used in teaching children to read. Another analysis of the illustrations employed in a commonly-used school dictionary shows that they are highly discriminatory. Women only appear when reference is being made to typically feminine work. Pictures of men are much more common and are always used for medical or anatomical entries, for example.

As a supplement to the statistics analysed in Section 12.1, the replies that were obtained in a nation-wide opinion poll carried out in June 1980 by the Centre for Sociological Research are interesting.

Household chores such as making breakfast, washing up and clearing up are exclusively assigned to women, while household repairs are more often carried out by men.

Division of household jobs

	<u>Men</u>	<u>Women</u>	<u>Both</u>	<u>No reply</u>	<u>Total</u>
Cleaning the house	1	88	8	3	100
Washing up	1	86	10	3	100
Getting breakfast	4	75	17	4	100
Feeding the children	1	66	14	19	100
Household repairs	38	31	25	6	100
Paying the bills	17	46	31	6	100

It is easy to see a division according to sex when decisions have to be taken. Thus, it is women who decide on the money to be spent on food, while it is men who decide on the purchase of durable goods (car, furniture, household equipment, etc.).

On both questions - who carries out certain household jobs and who takes decisions - both partners are sometimes involved. While for practical and routine jobs there is little joint participation, on decisions about holidays and relations, there is a good deal of sharing. We may conclude that, to date, the Spanish family continues to run on traditional lines

Who takes the decisions in the family?

	<u>Men</u>	<u>Women</u>	<u>Both</u>	<u>No reply</u>	<u>Total</u>
Money spent on food	4	54	38	4	100
Visits to relatives or friends	4	11	80	5	100
Purchase of durable goods	15	6	75	4	100
Calling the doctor	6	19	70	5	100
Planning what to do on holidays	5	7	80	8	100

although there are definite signs that attitudes are beginning to change among young people.

12.4.3 THE CHURCH

In its pronouncements, the Catholic Church in our country is not far from the official line of the Vatican, although some tendencies are beginning to emerge which hold widely differing views on the role of women in communities within the Church, in the family and in society. Some of these tendencies restrict the scope of women's activities to family life and bringing up children, and to this extent, they are conservative and amount to a force for passing on traditional values. The tendencies looking for a more modern approach re-affirm the dignity of the individual and therefore men's and women's equality, thus accepting that women have the right to participate in all fields. On the institutional level, the role of laymen in general and women in particular is a subordinate one in the Church's own scheme of things.

12.4.4 MASS MEDIA

Mass communications tools have an undoubted influence on shaping or reinforcing attitudes, given their continual impact on their audiences. In order to review the kind of information directed at women and the image of them put out by the mass media, the government department responsible for women's affairs in 1981 carried out an analysis of the contents of women's and general news magazines and the daily press. It also conducted an opinion poll on the way that women's topics were dealt with in the various media. We give below the broad findings of this research:

Women's magazines: About 50% of all the news for women concerned the doings of well-known couples, especially in show business; after this, with less space accorded, came topics such as fashion, beauty, travel, etc. Less than 2% of the news was connected with cultural affairs, work or politics.

General information magazines: News for women depends to a large extent on the focus of the magazine. Taking as an example one of the largest-circulation magazines "Cambio 16", we find that 28% of the news intended for women is connected with show business, 28% on subjects connected with sex, and 17% on health and beauty.

Daily newspapers: Despite the variety of different backing they receive, it can be seen that daily papers concentrate more on cultural and political news and feminist topics than do the magazines referred to above. In one of the largest-circulation dailies, "El País", 22% of the news intended for women concerns politics, 16% concerns married life and feminism and 15% cultural matters.

According to public opinion, television is the means of communication that presents women in the most unfavourable light. Radio is more objective and truthful, it is claimed. Magazines are seen to be sensationalist and biased while newspapers are regarded as the media which are the most impartial and objective in the way they deal with subjects connected with women.

Where advertising and the image it presents are concerned, the people interviewed were unanimous in saying that advertisements neglect women's intellectual worth and are only interested in portraying their physical attributes. Such advertising spreads the belief that beauty is the key to a woman's success in the world and puts women in an inferior and dependent position vis-à-vis men; this fosters male vanity and competitive spirit and makes men adopt a patronizing attitude towards women.

12.4.5 POLITICAL PARTIES

We will confine ourselves here to the proposals made by the Spanish political parties in the first elections held in 1977. All the party platforms agreed in their main objective in this area - the equality of the sexes before the law - but this was shaded according to their position in the political spectrum. The proposals of the four main parties (UCD, PSOE, PCE and AP) are summarised below:

UNION DE CENTRO DEMOCRATICO (UCD)

- Elimination of all discrimination in the area of employment.
- More flexibility in protection for the family.
- Equality of men's and women's rights and duties.

- Separation of religious vows from the civil aspect of marriage.
- Opposition to abortion and adequate protection of unmarried mothers.

PARTIDO SOCIALISTA OBRERO ESPAÑOL (PSOE):

- Defence of women's rights concerning work, the law, children, education, the husband and the home.
- In the field of work, obtaining equal pay for equal work in actual practice; equal opportunities in enterprises, no discrimination on the grounds of pregnancy and access to all Social Security benefits.
- The setting up of communal day-centres, laundries, canteens, etc., to assist women in their household tasks.
- The right to civil marriage and total equality in marriage and divorce. Free access to responsible and planned parenthood and equal parental rights in bringing up children. Elimination of discrimination towards illegitimate children and state protection for unmarried mothers and their children.
- Removal of all legislation where any type of discrimination against women is implied.

PARTIDO COMUNISTA DE ESPAÑA (PCE)

- Defence of family rights on the basis of the equality of the married partners before the law. Right to divorce when incompatibility of the partners makes this necessary.
- Voluntary planned parenthood, under the Social Security system.

- Adequate care for the handicapped, creation of day care centres and schools so that mothers can work, and social services for the purposes of reducing household chores.
- Full participation of women in all areas of social, cultural and public life. Efforts to obtain non-discriminatory education. Total equality and an end to discrimination at work on grounds of sex, defence of principle of equal pay for equal work.

ALIANZA POPULAR (AP)

- Revision of family law, to provide this institution with greater protection, by establishing benefits and family assistance according to the standard of living and prices, particularly in the case of large families.
- Reform of legislation on guardianship and adoption, to remove any harmful discrimination against illegitimate children.
- Total equality for women before the law, with removal of civil and penal discrimination, and unequal treatment in employment. Women's work to be appreciated at its true worth.
- Setting up of personalized social and family assistance services, with encouragement of voluntary social services in order to help solve family difficulties.

As we indicated in Section 4, some of the proposals made by the political parties have been adopted into the legal system. However, general attitudes have not kept step with these innovations.

13. FUTURE PROSPECTS

In the analysis of the labour market from 1970 to 1980 two distinct periods can be detected. Up to 1974, there was a steady growth in the size of the work force, with women entering the scene. From 1974 onwards, and parallel to the deepening economic crisis, the total working population fell, with both men and women being affected; as a result, the process of women's integration into the world of work came to a halt. In addition, the number of jobless increased steadily right up to the end of 1981, by which time 677 200 women were out of work, representing a female unemployment rate of 18%.

The trends in female unemployment are most noticeable among young women from 16 to 24 years old, and affect those who have finished the 'estudios medios' level (equivalent to 'O' levels) and those leaving school at 18 or 19. This reveals that more and more women with secondary education are seeking to join the work force but that the market is incapable of absorbing them, given that no new jobs are being created.

This situation is taking place against a background where the national economy is only expanding very slightly (a 0.5% rise in GDP between 1980 and 1981), implying a fall in investment and a tendency for firms to become capital instead of labour intensive. In other words, when jobs fall vacant for natural reasons, there is a tendency to make them redundant.

A realistic look at this economic situation gives no grounds whatever for optimism in the immediate future. In order to find jobs for all the registered unemployed and for those hoping to return to work after a period of absence, the GDP will certainly need to be rise more steeply

than it has in recent years.

Specific measures to improve employment prospects have been taken in recent months. These were framed in Royal Decree 1445 of 25 June 1982 (O.J. of 1 July 1982) and should stimulate some recovery in the labour market at least in the short term. They include changes in the form of contracts (short duration contracts, part-time contracts, contracts for on-the-job training schemes) and are intended to help certain categories of the jobless (those no longer eligible for unemployment benefits or with family responsibilities, the handicapped and women with dependents).

The measures are aimed at making working conditions more flexible, by increasing limited duration contracts and those for part-time work. They will also help employers with their social security payments if they take on workers in some of the special categories mentioned above.

Regarding women with families to take care of, three different programmes have been instituted to improve their job prospects:

(a) A training programme, where women who wish to be given further training in their occupation or who are hoping to be promoted from their present jobs, are given preference. This scheme is free.

(b) A programme to encourage workers' cooperatives providing services needed by a woman wishing to go out to work. The scheme is primarily to help people setting up day-care facilities, and a grant is paid for each new job created in the cooperative.

(c) A programme to help self-employed women with family responsibilities, consisting of loans which can go up to half a million pesetas, according

to the type of activity involved.

Obviously the effects of these new measures cannot be assessed until the schemes have been set up and in operation for some months.

Turning to the question of the principle of non-discrimination which we have been analysing throughout this report, it is to be hoped that in the near future the authorities and the trade unions alike will take steps to remove all forms of discrimination occurring in practice, particularly in the areas of salary and collective agreements.

In addition, public and private bodies (political parties, unions, the media, etc.) should make every effort to support the latest activities of women's organizations so that the process of changing societal attitudes is boosted and the true equality of all Spanish people can become a reality.

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