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국제학석사학위논문

Bridging the Gender Gap on Economic Participation:

A comparative study of gender policies in Japan and Sweden

경제활동참여율을 통해 본 남녀간의
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A comparative study of gender policies in Japan and Sweden

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ABSTRACT

Gender Equality is the equal access to rights, responsibilities and opportunities regardless of gender, and is considered a human right by the United Nations. It is the fruits of culture and History but also a product of States' ideology and Welfare policies. The States' actions are particularly shaping, or on the contrary, deconstructing gendered division between paid and unpaid work. This thesis examines the responsibility of Japan and Sweden in the creation and reproduction of their respective economic gender gap, through their gender policies. Swedish women are fairly represented in the labour force. Yet, the Swedish economic market is characterised by a substantial gender pay gap, and a severe segregation by occupational fields. In the case of Japan, the economic miracle of the country was made at the expense of women, who were relegated to the role of housekeeper and care worker. However, Japan attempted on several occasions to correct the gendered division of labour. This research paper takes the reflection beyond the pure comparison of pro-gender equality policies, and identifies gender discourse and its continuity, women's movements and participation in politics, and the coerciveness and proactive actions as fundamental differences between Japan and Sweden.

Key words: Gender Equality, Economic Participation, Japan, Sweden, Gender Policies, Welfare Regimes

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ABBREVIATIONS AND ACRONYMS

BLGES	Basic Law on Gender Equal Society
CEDAW	Convention on the Elimination of All Forms of Discrimination against women
CFCLL	Child and Family Care Leave Law
CSW	Commission on the Status of Women
EAWM	East Asian Welfare Model
EEOL	Equal Employment Opportunity Law
EOMC	Equal Opportunity Mediation Committee
EU	European Union
INGO	International Non Governmental Organisation
JSCS	Japanese Style Company-oriented Society
JSWS	Japanese Style Welfare Society
LDP	Japanese Liberal Democratic Party
MHLW	Japanese Ministry of Health, Labour and Welfare
NGO	Non Governmental Organisation
OECD	Organisation for Economic Co-operation and Development
OP-CEDAW	Optional Protocol of Convention on the Elimination of All Forms of Discrimination against women
SDP	Swedish Social Democratic Party
UN	United Nations
WWIN	Working Women's International Network

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CHAPTER 1. INTRODUCTION

Gender equality is the equality of men and women before the law. The question of gender equality is a vast issue encompassing various aspects of society, and it results from educational, economic and cultural factors. Therefore, this thesis' focus will be narrowed down to the economic gender gap. In the economic market, the empowerment of women through equal opportunities of employment enables to lessen the disparities in labour participation and pay ratios between men and women. On one hand, States use gender policies, that is to say, policies with the targeted aim of reducing the gender gap. On the other hand, in the process of creation and reproduction of gender inequalities, policies resulting from Welfare Regimes also play a crucial role ahead. For this thesis, two countries, with drastically different Welfare Regimes, and economic gender equality status, will be compared and contrasted: Japan and Sweden.

In the 1960's, Japan, to support the national economic growth, established the Japanese Family Model, relying on a gendered division of work: men at work and women are full-time housewives and caretakers. Around the same time, on the other side of the globe, Sweden adopted a dual-earner model in the beginning of the 1970's, with the similar objective of supporting the nation's economic growth and but also to counter the slowly decreasing fertility rate. Coincidentally, the Swedish and the Japanese Welfare Model were established at the end of 1960's, beginning of 1970's, and were consolidated

throughout the two decades that followed. As a matter of fact, State policies shaped the economic participation of women and participated in the actual gender equality levels in both Japan and Sweden. In 2014, Japan is one of the most developed countries in the world as referenced by the United Nations¹. However, according to the Global Gender Gap Report of 2014 released by the World Economic Forum, Japan ranks 104th out of 142 countries in term of global gender equality. On the contrary, Sweden has been ranked as number one in term of overall Gender Equality by the OECD and the Global Gender Gap and despite a slight downfall during the last few years The Global Gender Gap Report of 2014 ranks Sweden in the fourth position behind other Nordic countries (Norway, Iceland, and Finland).

How do Japanese and Swedish gender policies address the gender gap on economic participation? Beyond the question of bridging the economic gender inequalities, it is essential to look into the Welfare Regimes and the responsibility of State policies in the creation and perpetuation of the gendered division of work. How do the Japanese and the Swedish Welfare States shape and still influence the economic gender gap? What are the takings from the Swedish example, which could be suggested to Japan? This thesis aimed to find possible answers to these questions.

¹ Japan ranks 9th out of 193 countries on the 2014 Human Development Index (by comparison Sweden is ranked 12th), « Human Development Report 2014, The Human Development Report Office of the United Nations Development Programme ».

1) Significance of the study

A vast amount of researches on the Japanese Welfare System and the gender inequalities installed by the strong masculine society have been published. Since the new millennium, the question of economic gender equality has been put up front in the media and is one of the Japanese government's main concerns. The stakes are high and go beyond the simple goal of closing the economic gender gap; Japan's economic and demographic future is uncertain and the improvement of gender equality is a necessity. On the other hand, since the 1980's, Sweden has been praised by international observers for the quality of its education, healthcare, social care in the respect of gender equality. Many countries set the Nordic Model as an aspiring goal, Japan being one of them.

However, there is a very limited number of papers, available in English, trying to lead a comparative study of economic gender equality in Japan and Sweden, particularly on gender policies. This comparative study between Japan and Sweden's Welfare Regimes sheds light on the State policies with the biggest impact on gender equality, drawing similarities and differences between the two countries. A few key policies stand out as the major explanatory factors for gender gap in both Japan and Sweden yet, those policies differ in their redaction and implementation.

Therefore I decided to study side-by-side Japan and Sweden. The analysis of these two countries, which appear to be extreme opposites, is even more interesting when we know that Japan and Sweden passed major taxation policies to support their national economic

growth within a decade (1960's-1970's) and built on their Welfare Model on their taxation system at the same time.

2) Research Methodology

a. Data collection

In term of data collection, this paper is primarily based on secondary research drawn from the collection of existing reports, data and literature on both Japanese and Swedish Welfare System and policies. The comparison between Japanese and Swedish gender policies and their shaping of the gendered division of paid and unpaid work relies mainly on existing literature and on official reports and data provided by each country's government as well as International Organisations such as the World Economic Forum. Existing literature on each country's Welfare policies were tracked back from the beginning of the 1960's, however the availability of recent analysis of Japanese and Swedish Welfare policies in English is limited and therefore online articles and online information provided by official governmental websites (such as the official website of the Japanese Prime Minister and its Cabinet, the official website of Sweden). As I do not speak Japanese nor Swedish, the data collection for this comparative study is limited to the English literature available on the subject.

b. Thesis framework

This paper is mainly based on a comparative study of the Japanese and Swedish Welfare Regimes and how they created economic gender equality or inequalities through various policies. Following a first introductory chapter, the chapter two sets the grounds for this thesis, with a literature review on the concepts of Welfare Regimes, gender equality and economic participation. The chapter three develops on the theoretical and political framework of the thesis. The core of this thesis is then divided into three chapters. The Chapter four is a comparative study of the Japanese and Swedish taxation systems. A taxation system is not, *stricto sensu*, a gender policy however, if we may contest the “gender policy” nomination to taxation system, it is nonetheless the ground for gender equality in both Japan and Sweden (which adopted their taxation systems with the concern of gendered division of labour in mind). The Chapter five tackles pro-gender equality laws and international conventions ratified by both countries, but also discuss of the importance of women’s movements. The following chapter focuses on parental leave, child and elderly care laws, and their great influence on the work-family life balance. The chapter seven concludes this thesis by summarising the key observations and lessons from this comparative study.

Chapter 2. LITERATURE REVIEW

1) Welfare Regimes

The Japanese Welfare Model has always been considered as singular, as it shows striking contrasts between very limited social expenditures, characteristics of Esping-Andersen's Liberal States in his Three Worlds Theory (1990), and very low levels of unemployment and poverty rates, which are distinctive features of Social Democratic States. Per se, the unemployment rate in Japan and Sweden did not exceed 3 per cent until early 1990's. The Japanese government spends little money on social redistribution and its expenditures as a whole for the labour-market policies are much inferior to most OECD countries. Therefore, Esping-Andersen defined Japan as a conservative model with characteristics from the Liberal State model (1990, 52:54). This paradox within the Japanese political system, between a weak Welfare system and rather low unemployment and poverty rates can be explained by the particular Japanese corporatist system.

The Corporatist model emerged after World War II and was consolidated in the 1960's, with a considerable withdrawal of Japanese women from the labour market. A growing number of women became full-time housewives and caretakers, a system facilitated by the employment policies and the social security system that favoured men. There are three main pillars to the Corporatist model, and the first one is the life-time employment in large-scale company. Traditionally, it is acceptable for a Japanese worker to change jobs during the two or three years following his high school or university

graduation however, passed these few years, Japanese workers work for one company until they retire. Male breadwinners in particular, benefit from family-wage and extended benefits in some companies for their dedication. Secondly, the governmental protective regulations were mainly targeted to small and medium size companies, as large-scale companies have their own way to ensure financial and social security. And last but not least, the Japanese Corporatism model is closely linked to Japanese familiarism (Miyamoto 2003). The Japanese familiarism represents a peculiar form of the breadwinner model, which will be explained later on in the second part of this chapter. But this gendered division of the work created a corporatist state of mind within the male workers, and the dedication to corporate life was praised over the household life.

The corporatist-centrist model was praised and raised by admirers as the reason behind the success of the Japanese economic prosperity during the 1970's, a time when the Western world was going through its first economic crisis. The Liberal Democratic Party (LDP), which has been ruling over Japan with almost no discontinuity since 1955 until now, created this corporatist-centrist model. Scholars around Prime Minister Masayoshi Ohira (1978-1980) named it the “Japanese Style Welfare Society” theory (JSWS). Later on, Japan was designated as the figurehead of the East Asian Welfare Model concept. It is undeniable that the country achieve a social and economical miracle after World War 2. Japan was able to produce social cohesion, a good health system and extremely low crime rates, without much social expenditures (Goodman and White 1998, 3).

The glory image of the JSWS faded since the mid 1980's, which led to a rise of criticism of the Japanese model from Japanese “leftist” scholars. Osamu Watanabe was actually the first scholar to coin the term “Japanese Style Company-oriented Society”(JSCS) (1991 cited Miyamoto 2003, 3) which led the path to the now accepted term Japanese company-oriented model or Japanese Corporation-centrist model (Osawa 2003)(Miyamoto 2003). The JSCS theory carries a negative vision on the Japanese Welfare Model. According to Watanabe, the Japanese model cannot be qualified as a Welfare system, as Welfare is not a universal right given to every citizen. Men are guaranteed social and financial security by committing to a company, and as for women, such a security is most easily obtained by being married and not exerting a full-time job. This specification sums up the Japanese Male breadwinner model and the resulting gender policies, which will be detailed further on in this thesis.

Sweden, alongside other Scandinavian countries, is emblematic of Esping-Andersen’s Social Democratic model. In this model, individuals are sparsely dependent on the economic market and State expenditures on social security and redistribution are substantial. Since the 1980's, numerous comparative studies of Welfare Regimes converged toward the conception of a “Nordic or Scandinavian model”, and this expression has been then on used by scholars, politician but also the mass media when referring to Nordic countries' Welfare System. These countries have been particularly praised for their “family and women friendly” policies and institutions which include education, social security, access to employment, child and elderly care. Alestalo, Hort and Kuhnle (2009), three Scandinavian scholars, summed up the Nordic model as follow:

First of all, the Scandinavian model is about Stateness, or the intensive participation of a providential State to regulate a country's matters such as social redistribution. Secondly, the concept of Universalism (entitlement of every citizens to the same rights) is fundamental to the model. The Nordic countries differentiate themselves from other corporatist or liberal democratic States by a high level of provisions on social redistribution and services aimed at all socio-economic *strata* of the society. "All benefit: all are dependent; and all will presumably feel obliged to pay" (Esping-Andersen 1990, 27:28). This vision of universalism developed and became predominant in post World War II Scandinavia. And finally, Nordic countries highly value Equality: equality of income, social classes and gender equality. Consequently, Scandinavian countries have been defined as women-, family and child-friendly (Alestalo, Hort and Kuhnle, *ibid*).

The Scandinavian route to democracy was every different from other Western democracies, and the succession of historical processes explain how Scandinavia countries are close to be universal and equalitarian Welfare States. Barrington Moore (1993), one of the pioneer scholars in the structural approach of the democratisation process came to the conclusion that the empowerment of the peasantry, the weakening of the landed upper class and other interrelationship between social classes can lead toward liberal democracy. Scandinavian countries all showed these changes in the structures of power in the early twentieth century, which begot a precocious awakening on social issues, compared to the rest of the West.

Within the group of Liberal Democratic State, Sweden has often been pointed at as the figurehead of the Nordic Welfare Model. The Social Insurance laws were first passed in Sweden at the end of the nineteenth century, with subsidies given to “sickness funds” in 1892. Then, in 1913, national pension was introduced, industrial accident insurance in 1916, child allowances in 1948 and national sickness insurance in 1955. The Nordic Welfare State model had its golden age from the early 1960's until the 1980's, but started to experience difficulties until the 1990's. During its golden era, Sweden topped other Scandinavian countries in term of social expenditures on specific Welfare programs. In a next chapter, the Swedish welfare policies toward gender equality and the gendered division of labour will be seen more in detailed.

2) Gender Equality and Women’s Economic Participation

Under the criticisms of the low status of women in Japan by the Western World, the Meiji Restoration (1868-1912) installed a few set of laws. The role of women within their households and in the society was then emphasised and women were incited to work to support the transformation of the Japanese economy. However after World War II, the salary man lifestyle or Japanese Family Model was adopted for the sake of the economic growth of the country. “The corporate world made use of the ‘Japanese family model’ to invent the ‘corporation as family’ based on the strict gendered division of labour. The company relied on the husband’s ability to focus his entire attention on work and

expected that his wife would manage all domestic aspects of their family” (Imamura 2009, 80). Yet, after World War II, women were also given more social rights. Interesting discrepancy, which could be explained by a will to control potential contestation of women’s economic conditions, or by international pressure put on Japan, or by the fact that the Japanese government simply did not contemplated on how the right to equal economic participation and opportunity could belong to the bigger scheme of improving women’s rights. Maybe the answer is a bit of these three or none.

Those new rights granted to women were expressed in the new Constitution of 1947, which established the universal suffrage and reinforced the divorce laws. The New Civil Code revised marital and children protection laws and the Eugenic Protection Law of 1948 gave the right to abortion to women. In the 1970's, Japan signed the UN Declaration on Women. The economic bubble and the consequent inflation of prices gave an incentive for Japanese women to work or go back to work, whether it is to support their family or to pursue a professional career. According to Anne Imamura, the balance between family and work was based on the connection between economic growth and social Welfare. Political and economic institutions relied on the women as caretakers and men as breadwinners (Imamura *ibid*). As a result, women have this “double burden” given by the Japanese Welfare State that hinder them from conciliating family and work life. Based on the dimension given to the gendered division of work by its Welfare State, Japan fits in the “Strong Male-Breadwinner Model” of Jane Lewis (1992).

On the other hand in Sweden, the starting point of the interest articulation for gender equality was traced back in the early twentieth century. Scholars have identified the equality within marital laws as the ground of the Nordic Welfare States (Wetterberg 2013). At the beginning of the 20th century, when the marriage rates were decreasing and the population was declining, Nordic countries decided to reform their marital laws to improve the fertility rates. Women's organisations were deeply involved from the early stages of drafting the bills until the enactment of the laws. “For a long time, this early marriage reform, where gender equality was put at the forefront, did not receive much attention within research. Contemporary observers, however, presented it as groundbreaking and noted with satisfaction that the Nordic countries had been pioneers in this field” (Wetterberg *ibid*). The interest aggregation for gender equality took shape after the World War II, and the reform on the “joint taxation system” in 1971 was seen as the first concrete step toward gender equality (Lundqvist 2003). With a philosophy promoting a dual-breadwinner setting in Swedish households, the Swedish Welfare State is a “Weak Male-Breadwinner Model” (Lewis 1992).

To understand disparities between Japan and Sweden in women’s economic participation, one should take a look at the official figures and gender gap reports issued by the World Economic Forum. The Global Gender Gap Report is a yearly evaluation and ranking of gender (in-) equality in 142 countries, and the report bases its ranking on four major criteria: economic participation and opportunity, educational attainment, health and survival and political empowerment.

The first dimension on economic participation and opportunity is at the heart of this thesis. Despite a slight downfall during the last few years, Sweden maintains itself throughout the years in the top five countries with the highest rate global Gender Equality, and is ranked 4th by the latest report. However, a more in-depth study of economic participation in Sweden shows that Sweden ranks 71th in term of wage equality for similar work (based on a survey), which appears to be the major weakness of Sweden. The gender pay gap is strong and represents the biggest challenge for Sweden, in its goal to attain a high-level of general gender equality. The pay gap is almost inexistent in the public sector, but present in the private sector, where wages disparities are the result of both gender and age discrimination. Another sub-category on “Political Empowerment” deserves our attention, as it concerns the number of female politicians, not negligible actors in the economic market and for the improvement of the economic gender gap. Sweden has been increasing the participation of women into the political life since the 1970's, and the Parliament is now composed of 45 per cent of women. Women in ministerial positions even outnumbered men in 2013, with 52 per cent of women. Swedish women have not always been so actively in the politics as in 1971, only 14 per cent of the Parliament was composed of women.

Japan, on the other hand, ranks last in term of gender equality within the Organisation of Economic and Co-operation Development (OECD) and the 2014 Global Gender Gap Report, ranked Japan 104th out of 142 countries. Gender inequalities are quite striking in the Japanese economy: for young workers, the gender pay gap is nearing 15% but this gap goes up to 40% for the over 40 years old worker ratio. As for 2011, only 63% of

women were in the labour force, a percentage including a large number of part-timers women (OECD 2012). Moreover about 70% of women give up on their work to become housewives after giving birth. However, Japan ranks 53th in term of wage equality for similar work, a good ranking compared to Sweden. The Global Gender Gap Report of 2014 ranks Japan 126th for the representation of women in Parliament, with only 8 per cent. In Ministries, Japanese women are slightly more present with a 12 per cent.

Fore more numbers and ranking of Sweden and Japan by the Gender Gap Report 2014, you can refer to the tables 1 and 2 in the Appendix.

Chapter 3. ANALYTICAL FRAMEWORK

1) Theoretical Framework

a. Gøsta Esping-Andersen's Three Worlds theory

Welfare State is commonly defined as the responsibility of a State to secure and guarantee basic welfare needs to its citizens. This rudimentary definition aroused critics among scholars, who came up with more elaborated definitions. The specification given by Gøsta Esping-Andersen in his famous book entitled “The Three Welfare-State Regimes” (1990) appears to be the most in tune with the times. According to Esping-Andersen, social rights and grants to citizens are at the core definition of the Welfare State, but the nexus between State activities, the market situation and the familial structure is equally important. These three principles are the pillars of Welfare Regimes, as they influence and shape social provisions. This triangular relation between State, market and the family varies from one country to another, and Esping-Andersen categorised Welfare States in three clusters, which make up for his Three Worlds Theory.

The first group is composed of the Liberal States, which have traditional and liberal work-ethic norms that begot minimum social care and insurance system. Subscription to private Welfare is encouraged. The United States, Canada and Australia are the main example of this regime. The second group is the Corporatist or Conservative States, represented by France and Germany. It is an in-between regime, moderately

commodified, so that it can grant social rights according to status and social class. Before furthering our analysis, we shall here explain the concept of commodification, coined by Esping-Andersen, a concept that will repeatedly come in the discourse of this paper. Commodification refers to the relationship between an individual social rights and his participation in the labour market. A commodified society creates a dependency of the individual on the market, and social rights will be granted to him according to his contribution to the national economy. On the contrary, a decommodified society allows its people to “maintain livelihood without reliance on the market” (Esping-Andersen 1990, 21). This leads us to the last and smallest group, the Social Democratic States, characterised by a universalism of their Welfare system and an extended decommodification of social rights. Despite the providence of aid and equal rights to citizens, the Social Democratic model also calls for the participation of individual to their possible maximum to the society, and for their independence. In that regard, the Social Democratic States are a fusion of socialism and liberalism. The Nordic countries embody this Welfare regime.

b. The East-Asian Welfare Model

The East-Asian Welfare Model (EAWM) is the combination of a wide range of politicians and observers’ opinion upon Welfare Systems in East Asia. The interest for the EAWM firstly grew in the late 1980’s upon the observation of an “East Asian Miracle” which combine economic, political (with a transition to democracy in certain

countries) and social reforms leading to an improvement of living conditions. After the Asian Economic Crisis of 1997, many East Asian countries had to restructure their economic and social model. In Japan and South Korea, the ageing population also became a primordial issue. These quick policy changes led more scholars to study the EAWM. This model can be defined by a successful achievement of high levels of popular Welfare with limited governmental expenditures, by relying on a high-level of individual and group responsibility, and notably on the family which provides social insurance and services. The EAWM was shaped to support the rapid industrialisation of East Asia, and financial resources were allocated primarily to economic development rather than to the Welfare system.

Before the World War 2, East Asian values were perceived as backward and in inadequacy with the idea of a modern, democratic State, particularly because of the Confucian heritage present in the every aspect of life in East Asia. Confucianism was seen as “a constraint on economic progress [...] Since the 1970’s, however, Confucianism has been rediscovered as a positive historical force” (Goodman, White and Kwon 1998, 6). The East Asian Miracle turned the tables to a certain Negative Occidentalism and Positive Orientalism (Goodman, White and Kwon, *ibid*).

The nature of the linkage between Esping-Andersen’s Three Welfare Regimes Theory and the EAWM possesses two different interpretations. Some argue that the EAWM is a “fourth” Welfare Regime in itself, and should be added to Esping-Andersen’s model, while others categorize the EAWM as a form of the Conservative

States' Regime or a mixture of the three Regimes. Others such as Ian Gough and Ian Holliday contest the terminology and the concept of the Welfare East Asian Model, arguing it should be defined as a "Productivist Welfare Regime", since Welfare policies are subordinate to the State economy (Choi 2007, 4). In addition, the East Asian Welfare Systems are not homogeneous, even though they share similar features.

c. Jane Lewis' Male-Breadwinner Model

We have seen earlier that the Welfare Regimes classification of Esping-Andersen was making a causal relationship between the Welfare system and the labour market participation. Welfare systems are defined and clustered according to their degree of commodification. Every impactful theory receives praises but also a fair amount of criticisms, and scholar Jane Lewis pinpointed the main flaw of Esping-Andersen's theory: the concept of commodification totally ignores the gendered division of work. By division of work, we here refer to the paid and unpaid labour, the latter often being looked down upon or forgotten in socio-economic analysis of State Regimes. The division of work is an important topic in anthropology but more specifically in gendered studies, as this division is still a present-day issue in many societies. Men are more often found being in the paid labour and women usually do the majority of the unpaid labour. Therefore, Jane Lewis question the accountability of Three Worlds theory, as the commodification indicator that was used is not enough to evaluate a Welfare Regime:

“Commodification has proven difficult for many women seeking a degree of autonomy via wage-earning, while de-commodification via social-security systems is likely to result in women carrying out unpaid work. In other words, “welfare dependency” on the part of adult women is likely to result in the greater independence of another person, young or old.” (Lewis 2000, 38 cited Lundqvist 2011, 7)

On the grounds of the Three Welfare Regime theory, Lewis developed a slightly different typology, which takes in account the gendered (de-) commodification that may exist within any Welfare Regime. She divided Welfare States into three different kinds of breadwinner model. The “strong male-breadwinner model” such as in the United Kingdom, the “modified or moderate male-breadwinner model” like in France or Germany and the “weak male-breadwinner model” represented by Sweden. Her classification of male-breadwinner model relies on three factors: the participation women in labour market, particularly in regards to full-time employment, the taxation and social security system in place and the state of public childcare. The Three Worlds theory can and should fill its gaps with Lewis’ Male-breadwinner model as it tackles “one of the central issues in the structuring of welfare regimes: the problem of valuing unpaid work that is done primarily by women providing welfare, mainly within the family, and in securing those providers’ social entitlements” (Lewis 1992, 60).

2) Political Factors

a. A « party in power » in Japan and Sweden

Japan and Sweden have opposite Welfare Regimes, however they share a similar, peculiar political life for Democratic States: both countries have been ruled with almost no discontinuity by the same political party. In Japan, the Liberal Democratic Party (LDP) has been leading the country from 1955 to 1994, 1996 to 2010 and again from 2012 onwards. The LDP was founded on November 15th 1955 and is the major conservative party of Japan. The LDP ideology is overall conservative and capitalist-based, also often compared to the American Republican Party. Since its taking over the Japanese political scene, the LDP has been following a few general goals: a rapid, export-orientated economic growth, a support to high-technology and scientific research, and a strengthening of the US-Japan cooperation. The longevity of the LDP is mainly due to the success of its industrial policies and the economic miracle that lasted from the 1950's until roughly 1990. The LDP has been shaping Japanese politics for nearly 60 years, and therefore the EAWM should be attributed to the LDP.

In Sweden, the oldest political party, the Social Democratic Party (SDP), has been ruling the government since 1932, with the exception of being in the opposition from 1976 to 1982 and again from 2006 to 2014. The keys of the SDP's longevity are the success of the Social Democratic Welfare throughout the years and a stress on innovation

and “programmatic renewal” (Sainsbury 2007) of policies over blindly following the State ideology. The SDP has been quick to respond to emerging contemporary challenges (Sainsbury *ibid*). Overall, social policies take a certain turn depending on Welfare Regimes, and are constructed and deconstructed by the successive ruling parties. Japan and Sweden are united in their differences and thereby represent two interesting cases of almost “no discontinuity party in power”. This party dominance allowed the ruling parties to inscribe their policies in a rather long-term plan, and to consolidate their Welfare Regime throughout the past decades.

b. Gender Equality in the political discourse

In Japan, the issue of gender equality appears in the media in the 1970’s with the Women’s movements, however it clearly became a political matter in the mid-1980’s with a realization on the gender inequalities in economic participation and a growing concern for the future demographic of Japan. Later on, with the Asian Economic Crisis in 1997, the question of women’s participation into the labour market and since the 2000’s, it has been recognised and pointed out as a severe problem that Japan, one of the top OECD country, should overcome. Overall, the importance of gender equality is gaining visibility in Japan, even though it is always evoked in filigree with demographic and economic issues. As a matter of fact, the importance of gender equality in itself has been oscillating back and forwards the political scene, making Japan suffer from a discontinuity in its gender policies. However, despite the criticisms targeted toward the

inconsistency of Japanese political stand on gender equality, we should not deny that the LDP has been flexible and trying to adapt gender policies to issues at stake. One would assume that during the few non-ruling years of the LDP, more women-friendly actions were taken. Nevertheless, under the 3 years ruling by the Democratic Party of Japan (a centrist party) from 2009 to 2012, no drastic Welfare policies changes have been noticed.

In the case of Sweden, it is fundamental to understand that the State and its Welfare policies were build on the concept of Stateness, Universalism and Equality. The concepts of Universalism and Equality are particularly relevant in the case of gendered relations and are the reasons behind the relatively easy implementation of gender-equal, women and family-friendly policies in Sweden, which faced very little opposition. Gender equality is a major concern in many welfare reforms and a part of the State ideology. Sweden's family policies have been cutting through different policy spheres, and that is since the beginning of the twentieth century. Sweden reformed its marriage law in 1921, placing husbands and wives on an equal foot and imposing mutual support (primarily financial) and an equally division of property. Since then, debates on gender equality have been evolving until reaching its *summit* in the 1960's, when Swedish scholars and feminists established that the gendered division of roles is a social construction and not a natural determinism. Gender equality appeared as one essential pillar to build on a modern society.

Moreover, gender equality as a problem in itself was coupled with an already demographic concern. In 1934, Gunnar and Alva Myrdal, two Swedish sociologists and politicians, proposed a singular pro-natalist program for Sweden, as the country's fertility rate was declining since the beginning of the twentieth century². They identified a positive correlation between women's economic participation rate and the fertility rate, which marked the beginning of pro-natalist and pro-women's economic participation in Sweden. If the main concern was the demographic issue, it was rapidly outstripped by gender equality.

Another aspect strongly linked to the power of gender equality discourse in each country is the continuity or discontinuity of laws and State policies' goals. With its individual taxation system in the beginning of the 1970's, and its switch to a Dual Breadwinner Model, Sweden set the most important ground for gender-equality to grow. Olof Palme, Prime Minister of Sweden from 1969 to 1976, introduced the concept of "*jamstalldhet*" (gender equality) in 1972 and institutionalised it as an official field of governmental policy. Debates by scholars, women's movement but also within the government progressively developed and evolved the question of gender-equality and how it should be addressed, resulting in more proactive measures, incorporated in the law and policies in the 1980's and 1990's. Sweden also adopted the concept of gender mainstreaming in 1994, later on introduction in 1995 through the Beijing Action Plan and

² Gunnar and Alva Myrdal, *Crisis in the Population Question*, published in Sweden in 1934. Explanations can be found in Norman Ginsburg, *Division of Welfare: A critical Introduction to Comparative Social Policy*, 1992.

in the European Union in 1999. Gender mainstreaming relies on the idea that the question of gender equality should be taken in account in every political area and be taken in account in every policy making-process. Unlike Sweden, Japan does not proactively comply into gender mainstreaming, which is only mentioned as one goal behind Japan's Official Development Assistances (ODA) but not a national objective. These observations must be kept in mind while looking upon the gender policies and each country's tentative to bridge the gender gap on economic participation.

Chapter 4. TAXATION SYSTEM

1) Japan

The taxation system is certainly the representative feature of the Japanese male-breadwinner model. Until World War II, Japan had a family-based taxation system, with unique taxes per household unit. In 1949-1950, General MacArthur appointed Carl Shoup, an American economist, and six other economists to revise the Japanese Tax System. The Shoup mission concluded in the creation of an individual-based tax system. However in 1961, the taxation system was revised in order to back up the Japanese Family Model, the Japanese male-breadwinner ideology that emerged as a guarantor of economic growth. In December 1961, the governmental Tax Commission proposed a Spouse exemption system, which will be immediately adopted. With the exemption taxes, the Japanese tax system became a unique kind of individual taxation system.

The concept of the spouse exemption is the following: 380,000 yens will be deducted, every year, from the income of the taxable breadwinner of the family (husbands in their great majority) whose spouse earn less than 1.03 million yens yearly. The Tax Commission justified the adoption of this “dependency tax deduction” as a way to relieve male breadwinner who are fully responsible for their full-time housewives and children, but also as a way to reward housewives for their unpaid labour. Up until these days, the

spouse exemption has not been changed, as contemporary supporters of the tax system sees this exemption as a way to encourage couples to have more children.

The Japanese taxation system is representative of the East Asian Welfare Model and contributed to the Japanese Miracle with an effective repartition of paid and unpaid labour between men and women. However, since the 1990's and especially the Asian Financial Crisis of 1997, critics have emerged around the male-breadwinner model and its taxation system. A first critic addressed to the spouse exemption is that contrary to the assumption that marriage affects the ability of a man to pay his taxes, and that therefore men need a financial compensation via taxes deduction; marriage actually enhances the purchasing power of a husband since the wife is performing unpaid labour. A second critic concern the unfairness of the taxation system, which gives preferential treatment to households with full-time housewives, whereas working wives have to assume both the burden of housework and child rearing (a burden even more important in Japan, a country retaining a strong masculine and gendered vision on the division of work). Under the current Japanese tax system, all workers are entitled to a standard 380,000 yens basic exemption. If a wife works but earns less than 1.03 million yens per year, the household can also perceive the spouse deduction tax of 380,000 yens, thereby the couple can obtain a 1.14 million yens tax deduction. This former and latter critics coupled together demonstrate how full-time housewives are achieving domestic work for free, without having negative impact on their households' economic power, and thereby there is no need for a preferential tax treatment for household with a single male-breadwinner.

A third critic targets the theory implying that the exercise of paid labour by women has a negative impact on fertility rate, as it has been proved through empirical experiences of industrial countries that a greater labour-force participation of women contributes to improve the fertility rate. Lastly, we cannot omit the unfairness of the gendered division of paid and unpaid labour, this tax system being a reproductive factor of inequality between men and women. Because of its existence, the tax created a 1.03 million yens glass ceiling for women's income and employment opportunity, in both the minds of the employers and the employees (Morinobu 2014). The spouse tax exemption system is certainly the key perpetuating factors of inequalities in Japan and it complemented by the Japanese pension system, which also advantages full-time housewives turned widows who receive financial benefits on top of their monthly pension, without ever having to contribute to the National Pension Fund. On the other hand, working women will only perceive their own pension money and no benefits if their husband happens to pass away first.

If in the past, the Japanese taxation system was meticulously integrated into a greater scheme for economic growth, it is no longer *ad hoc* with the economic situation in Japan. Moreover, with the declining fertility rate and the debates around the gendered division of work, politicians are seriously considering modifying the Japanese tax system. In June 2013, during a speech on his “Japan is Back” strategy, Prime Minister Shinzo Abe proclaimed his determination “to encourage women to break through the glass

ceiling, and along with this, I will prepare the infrastructure to make that possible”³. The government also promised to “explore tax and social security policy options with a neutral impact on people’s choice of work patterns” as part of its commitment to “create an environment where men and women can strike a balance between work and child rearing.” (Morinobu 2014).

If Japan reforms its taxation system, it would have to choose between an individual-based or family-based taxation system, and both systems have their advantages and downsides. In Germany married couples can either opt for an individual or joint taxation system and in France, family-based taxation is based on a quota system. Japan needs to find which system would suit best its society. Today, 25 out of the 29 member States of the OECD have choose a form of individual-based taxation system. But given that the “*Abenomics*” aim to improve the participation of women in the working force, keeping an individual-based system seems to be the most rational choice. In a household, if both spouses are taxed, it will give an incentive for women to work. Japan already has an individual-based taxation system, but the abolition of the spouse exemption is a necessity to promote gender equality, and incite women to work. A reform of the taxation system would also symbolically bring in the concept of “gender mainstreaming” into Japanese public policies; it would broaden the reach of pro-gender equality actions.

³ Shinzo Abe, Economic Policy Speech, June 19th 2013, Guildhall City of London

So far, two alternatives to the spouse deduction system have been proposed: first of all, using the money normally allocated to spousal exemption to create a childcare support system (a tax credit for dependent children). A second proposition is to replace the spouse exemption by a higher basic exemption for all the taxpayers. On top of these two propositions, the new government plans to deduct childcare expenses. In 2015, babysitting will be classified under “visiting childcare services” and women will be able to solicit babysitting support from childcare assistance programs.

2) Sweden

“We should stop hammering in the concept of 'women's two roles'. Both men and women have one lead role, that as human beings. The role as human beings entails, as a necessity and as a moral obligation, but also a sweet experience and much else, taking care of your offspring.” (Moberg 1961, p.14 English translation and cited Lundqvist 2003)

The publication of the book “The Conditional Release of Women” (1961) by Eva Moberg, feminist activist and writer, revived a debate on the fundamentals of the Swedish family model, thus far neglected. Certainly, numerous reforms were enacted for the past few decades, but the 1960's were marked by the rising issue of the gendered division of work. It has been observed that despite the family policies passed during the last decades, there were still problematic legal and social factors holding back women from being more integrated into the labour force. In 1960, two members of the Social Democratic Party

proposed a motion that would review the entire policy field including familial and labour market policy. Their motion was discarded by the Parliament, as well as another motion by the head of the Social Democratic Women's Association, Nancy Eriksson, written together with other members of the Social Democratic Party. They pointed out the lack of provision of public childcare and that bringing up children should not be primarily women's burden. Eriksson and the other co-writers of this motion also shared their concerns about the future of Sweden, predicting the country would not be able to maintain both an economic growth and a stable or rising fertility rate. Because there is a negative impact for women or the household in general to have children, women would choose to work over bearing children, as they cannot yet balance their family and work life.

Despite the discard of these motions, a real and strong sex-role debate emerged in the 1960's. Women movements started to ask for a change in the political system and the family model and their claims converged with the labour market parties that were concerned with the maintenance of the economic growth. Consequently, Eriksson gained the support from part of the Parliament and in 1962, a Family Policy Commission was appointed. A first decision made by the commission was to increase the number of public day care centres in 1963, and consequently the amount of funds for the creation of day care centres increased. By 1965, it appeared clear that the focal point of the Commission would be social justice that is here to be understood as the freedom, the possibility for families and particularly for women to have both children and a dual-income family.

Rapidly, the issue of the joint taxation system, that have been contested a few times already since the after World War II, came again as a taxation system that needs to be reformed. Following the family policy commission, and the debates going on between feminists and civil movements, a family taxation commission was appointed in 1965. In 1967, a government commission report came to this conclusion:

“Joint taxation may be seen as leading to imbalances between families with and without children, as well as between families where both spouses have gainful employment and those in which only one of the spouses has an income while the other is working in the household. Recently, labour market policy aspects have been raised against joint taxation. The joint taxation of spouses has been said to impact negatively on married women's propensity to take part in the labour market. Such an effect of taxation would be unfortunate with the shortages in the labour market and at a time when married women constitute the only major labour reserve of importance”. (Government commission report of 1967 p.52 English translation and cited Lundqvist 2003).

The joint taxation system is clearly one of the main barriers to the access of gender equality or at least gender-neutrality in the welfare policies and the labour market. All these intense debates during the sixties finally resulted in the reform of the Swedish tax system. In 1969, the family taxation commission presented its final report urging for a change in the taxation system. The same year, the Social Democratic Party (SDP) Congress established that Sweden should aim toward a gender-neutral ideal. The SDP had the great ambition to reform policies in various fields such as labour market policy,

social, educational, tax, and housing policy. But first, the gendered division of work that produce and reproduce inequalities between men and women should be fought at the roots of the problem: the family entity. Individual social insurances should be based on individual incomes. The taxation system needed to become an individual system.

The call of the family policy commission was heard and approved by the SDP Congress of 1969 and therefore in 1970 a bill proposing a new taxation system was passed: taxation will now be based on individual and not on household. At the same time, a reduction of the taxes was passed as a way to keep a certain financial stability for the population, especially the less favoured ones, despite the new taxation system. The new individual taxation system was implemented in 1971 and based on the tax system reformed; sociologist Rita Lijeström introduced the Swedish dual-breadwinner model. Women and men will be subjects to an individual taxation system and the Welfare policies and the labour market will be gender blind, in short, men and women will be held equally responsible for the paid and the unpaid labour.

We saw that the process of abolishing a symbol of the discriminative, traditional, and gendered division of work went through different stages: recognition, debate, acceptance and finally implementation of a neutral law. Contrary to Sweden, Japan has yet to reach a real debate on a national level upon its taxation system, and the involvement of women movements and female politicians appears to be a fundamental difference between the two countries. Yet, is it the explanatory factor for the Japanese case?

Chapter 5. GENDER EQUALITY LAWS AND CONVENTIONS

1) Japan

Until the 1980's, the question of gender equality was evoked only in the Constitution, in the Article 14, which prohibits discrimination on the basis of sex, without much further indications, and in the Article 24 on the equal rights of husbands and wives; gender equality was almost a non-existent concept in Japanese law. In the early 1980's, the Japanese feminist movements were fairly weak politically, but they were able to use the emergence of transnational and international feminist groups and the new international standards for gender equality to pressure the Japanese government to take more concrete measures in the name of gender equality. By publically pointing out the backwardness of Japan behind other first world countries, Japanese feminists were able to obtain external support, and thereby the creation of a singular form of indirect external pressure, "*kansetsu gaiatsu*" in Japanese (Gelb 2003, 12). First of all, feminist journalists, female members of the Japanese Assembly (named the National Diet, *Kokkai*) and transnational Women's groups made the Japanese Government sign the Convention on Elimination of Discrimination Against Women (CEDAW). The CEDAW was adopted on December 18th 1979 by the United Nations and came into force on September 3rd 1981. The main ideas are summed up by the article 2 of the Convention:

“States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake: (a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realisation of this principle; (b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women; (c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination; (d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation; (e) To take all appropriate measures to eliminate discrimination against women by any person, organisation or enterprise; (f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women; (g) To repeal all national penal provisions which constitute discrimination against women.” (Article 2, Part I, CEDAW of the United Nations, December 18th 1979)

The decision to sign and ratify the CEDAW was partially due to the activism of Women's groups in Japan which “threaten” to embarrass Japanese government on the international scene if the Convention was not signed, but another reason for the ratification of the CEDAW was the desire of the Japanese government to be more

recognised and accepted as a modern nation on a global scale. Because Japan signed and finally ratified the CEDAW in 1985, the government had to show that the Convention affected and questioned how gender equality is represented in national policies.

However, Japan did not ratify the Optional Protocol of the CEDAW (OP-CEDAW), which allows individuals to fill in complaints to the Committee on the Elimination of Discrimination against Women, if they have been personally wronged or if they are reporting grave violations to the Convention. The ratification of the OP-CEDAW has led to many legal decisions and sanctions against member States on domestic violence, parental leave, and crimes against women. The article 11 and 13 are rather coercive towards the member States, as they require the States to prevent any ill-treatment or intimidation action, which would prevent people from fill in complaints. The States are also required to inform their citizens about the CEDAW and its Protocol and to facilitate complaints. Sweden has ratified the OP-CEDAW, but Japan seems reluctant to agree on this Protocol. Nevertheless, the ratification of the OP-CEDAW by Japan could help the country to palliate to its major weaknesses when it comes to gender policies: control and enforcement.

Going back to 1947, the Japan's Labour Standard Law established that men and women should receive equal pay for equal work. Studies led in 1980's showed that the ratio of women to men's hourly wage was only of 54%; women were earning half the salary of men for the same work. There was an obvious discrepancy between the equal treatment stated in the law, and the reality. Facing this blatant unequal situation, feminist

movement instigated the enactment of the Equal Employment Opportunity Law (EEOL). An advisory council made of officials from the Ministry of Labour Women's Bureau women's movements activists and unions leaders as well as leaders of *Nikkeiren*, the Japanese Business Federation, gathered to elaborate the EEOL, which was then sent to the National Diet and voted. The EEOL, which came into effect on April 1st 1986, carried strong ideas and its main aims were to:

“Promote equal opportunity and treatment between men and women in employment in accordance with the principle contained in the Constitution of Japan ensuring equality under the law; foster measures for women workers, including the development en improvement of their vocational abilities, the provision of assistance for their re-employment, and attempts to harmonise their working life with family life; and thereby to further the welfare and improve this status of women workers”. (English translation of the Chapter 1. General Provisions of the EEOL in Nakano Mami 1996).

During the years following the enactment of this law, the number of women in the workforce has steadily increased from about 15.5 millions in 1985 to 20.1 millions in 1993 and 27.6 million in 1997⁴. In 1997, women were making for 41% of the workforce, but more than 60% of the rise in women's participation is due to part-time or non-regular employment. Despite the apparent encouraging numbers, the EEOL proved to be counterproductive. The EEOL aggravated the gendered division of paid labour in Japan, which confines women to part-time jobs and strongly incite them not to be full-time

⁴ Source from the Ministry of Health, Labor and Welfare in Nakano Mami (1996)

workers if they cannot place their work before their family life. How is it possible that the EEOL, which stated aim was the equal economic opportunity for men and women by harmonising the work and life balance, begot a diametrically opposite result?

The EEOL was put into effect not long after the Workers Dispatch Law of 1985, which regulates the subcontracting of dispatched person, a practice that became common in the growing automobile and electronic industries; and after a new provision of the Labour Standard Law which de-regulated the working-hours system, allowing employers to make their employees overwork, on holidays and even late at night, without having to pay for their extra working time. These successive laws improving and inciting the employment of temporary or part-time workers opened the door to a massive hiring of women as part-timers by companies. Despite the principles stated in the EEOL, the companies still considered women less apt to be in full employment than men, as they need to take care of their family life. Even before the EEOL, women were seen as “fill the gap workers”, temporary labour in case of male workers shortage. But the EEOL institutionalised the division of the labour force into two groups, the core male group and “the other consisting of a large number of peripheral workers who can be readily replaced” (Osawa quoting Hanami 1991), which led companies to formalise a dual-career track employment system: the managerial (*sōgōshoku*) or the clerical work (*ippanshoku*). The managerial track, that is full-time employment, requires long hours of work and a dedication to the company. The managerial track was made too tough for many women with a family life or planning to build a family, therefore women, either by themselves or on the directives of their company, started working in the clerical, part-time work. Yet, a

number of women did want to pursue a professional career through the managerial way, and they were therefore incited to put aside their private life and delay or abandon the idea of getting married or having children. The five years following the enactment of the EEOL, the number of women pursuing a managerial career as well as the number of women in 4-year college degree increased, whereas the level of fertility started to steadily decrease. The EEOL also sharpened the unique M-shaped curve of the Japanese labour market (figure 1 below). Women are pressured to take on clerical work, quit their work to take care of their children for a few years and come back again to work after 40 years old, most of the time to take on part-time jobs. The Japanese labour participation curve strikes us by its singularity, when but side by side the Swedish participation rate of women (figure 2). It should also be mentioned that the Swedish wide parabolic curve up is representative of the common economic participation in other developed countries.

Figure 1 : Age-specific female labour force participation rate

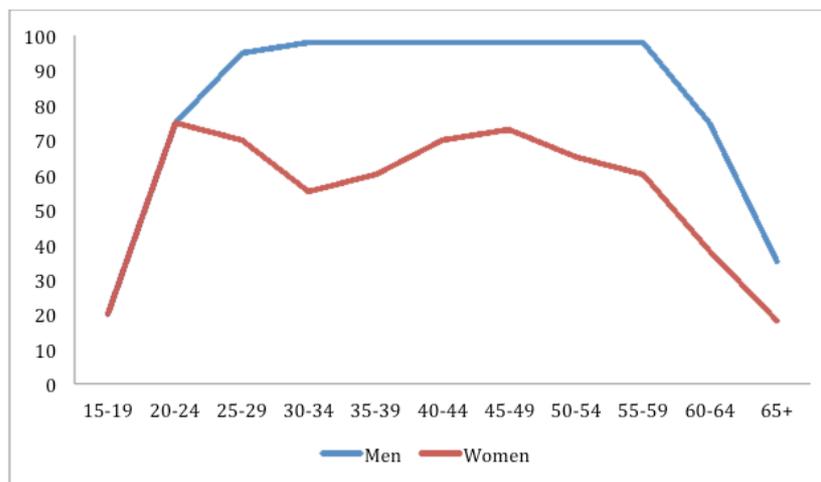
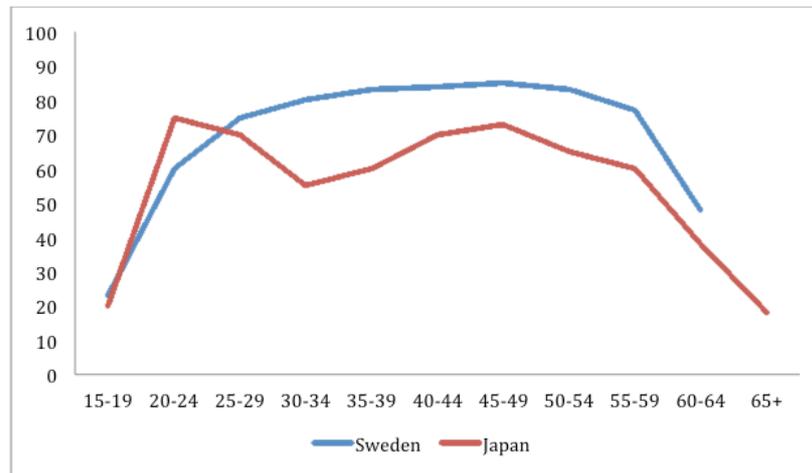


Figure 2 : Labour force participation by country and age group of women



Source: The Japanese Gender Equality Bureau Cabinet Office

As stated earlier, the advisory council to the National Diet was composed of Women's movements activists and bureaucrats, most of them women and/or pro-gender equality. But the council was also composed of leaders of the *Nikkeiren*, which buffered the ambitions of the former group. As a result, “the deliberations on the bill went on amidst great confusion and bewilderment; heated opposition from both labour and management resulted in a law 'with its teeth taken out of it’” (Imada 1996, 2 cited Gelb 2003, 50). The EEOL of 1986 asked for a voluntary compliance of the employers to the new law but established almost inexistent obligations or penalties in case of infringement (Gelb 2003 49). Consequently, the EEOL lacked in coercion, as there were no punitive measures for violation of the new agreements made upon hiring conditions, vocational training or dismissals. In that sense, part-timers or temporary workers, a majority of women, do not have the resources to protest against a potential dismissal and companies

did not feel entitled to any responsibilities toward them. The EEOL also did not succeed in reducing sexual discrimination at work. An Equal Opportunity Mediation Committee (EOMC) was created but a case of sexual discrimination or harassing cannot be taken in front of the committee without the consent of the two disputing parties. The numbers speak for themselves: in 1985, 3.3 millions of women were working less than 34 hours per week (that is, part-time job) but in 1993, the number nearly doubled, reaching 6.2 millions. In 1993, nearly 75% of the part-time workers in Japan were women.

The EEOL was a disappointment for activists, but it also rekindled the flame, the ardour of feminist groups, increasing their lobbying power over the years. In 1996, Japanese women were earning 63.5 per cent of men's wages, which shows a nearly ten points increase since 1980. But, when looking into the percentages by age group, the gap is proportionally growing: women in 20-24 years old group earn 91 per cent of men's wages, 75 per cent at 30-34 age group and 52 per cent at 50- 54 age group (Gordon 1998). At the time, Japanese women groups which are members of the Committee on the Elimination of Discrimination against Women were signalling that the conditions of Japanese women did not improve since the EEOL of 1986 was passed. The Osaka-based Working Women's International Network (WWIN) has also been complaining over the inefficiency of the EEOL to the United Nations Human Rights Committee, using *kansetsu gaiatsu* to gain the attention of mass media and pressure the Japanese government to reform the EEOL. Feminist groups such as The Women's Circle or the Working Women in the Shosha Trading Companies even brought multiple critical reports

on the EEOL to the Commission on the Status of Women (CSW) every year since the enactment of the law. According to these reports, the EEOL worsened the situation for female workers. In 1995, six thousands Japanese women (activists, scholars, journalists, politicians...) attended the 1995 Fourth International Women's Conference in Beijing.

Once again, *Kansetsu Gaiatsu* has proven to be efficient against the Japanese government's reluctance to listen to the claims of Women's groups. In 1995, the Health, Labour and Welfare Ministry (MHLW) stipulated in one of its White Paper that the EEOL indeed showed its limits, and that it should be reformed. An Advisory Committee on Women and Minors Problems was appointed to reflect on the subject. The Committee gathered 20,888 opinions from employers and employees, particularly from female workers. The majority of the people interviewed were in favour of a reinforcement of the law (Gelb 2003, 58). In 1997, amendments of the EEOL were enacted and came into force in 1999. One of the major changes implemented with the amendments is the possibility for an employee to fill in a complaint for sexual harassment and bring his case in front of EOMC without the approval of his superiors.

Again in 2006, new amendments to the EEOL were passed. Looking back at the original law and comparing it with the 2006 EEOL, several improvements can be noticed. First of all, the EEOL now prohibits discrimination on the basis of sex (a term that replaces “discrimination against women”), an equalitarian term promoting gender-equal society. Indirect discriminations such as disadvantageous treatment of pregnant women and women with children going back to work, forced retirement because of pregnancy,

childbirth or marriage, are clearly stated and prohibited. According to official data provided by the Ministry of Health, Labour and Welfare (MHLW), 90.8 per cent of the claims taken to the Equal Employment Opportunity Offices of Prefectural Labour Bureaus concerned women who have been forced to retire or simply dismissed because of the pregnancy or childbirth (Nakakubo 2007). “*Ninshin risutora*”, either a forced retirement or a change of employment status because of a women's pregnancy, is still a common practice in Japan, despite the EEOL. With the 2006 revision, complaints over discriminative treatments are now as legit as sexual harassment and complaints can be taken in front of the Equal Opportunity Mediation Committee. Looking at the 2014 Gender Gap Report, Japan ranks 53th in term of pay gap for a similar work. Women now earn 68 per cent of men's wages, when it was 63.5 in 1996 and only about 53 per cent in 1980. The several reforms of the EEOL are positive improvements and should be continued.

The Basic Law on Gender Equal Society (BLGES) was passed in June 1999, and it is the last major tentative to balance work and family life. The BLGES is the result of the Advisory Council for Gender Equality and was strongly motivated by *kansetsu gaiatsu*, in this instance by the Fourth World Conference on Women in Beijing of 1995. Basic Laws are usually intended to draw the main issues, which should be targeted by the Government throughout the different mandates, and above other policies. The BLGES calls for gender equality in the name of “human rights” and the adoption of BLGES was praised by the United Nations. The BLGES had two significant results, the first one being

the creation of the Office for Gender Equality and the Council for Gender Equality (replacing a Headquarters for the Promotion of Gender Equality created in 1994, which had limited functions), merged into a Gender Equality Bureau in 2001. Established by the Japanese Cabinet, the Bureau aims to promote Gender-Equal Society by backing up the expansion of Women's Participation in politics, publishing policies suggestions and annual White Paper on the work-private life balance, the conditions of women at work and violence toward women. Despite it lacks of coercive powers, the Bureau being purely an advisory council, the Bureau introduced more reflections and policies recommendations for the Japanese Government. Secondly, the BLGES incites local governments to establish basic plans for the promotion of gender equality. Again, actions for gender equality are purely suggested to local government. Nevertheless, the enactment of the BLGES opened a way to the reform of previous laws such as the EEOL.

Japan must overcome a last structural obstacle to ensure the good implementation of the gender equality goals, that is the lack of coerciveness of its gender policies. We have seen in this part that policies in the 1980's and 1990's (EEOL, Child Care Leave Law) lacked in coerciveness and despite the several proclamations on the prohibition of sex discrimination in the employment process and at work (especially concerning maternity and child leave), no real means of control exists apart from the EOMC, which only litigate conflicts brought by an employee against its employer. The comparison with Sweden is here clearly relevant, as the country adopted more coercive and proactive gender policies.

2) Sweden

The year 1975 was declared International Women's Year by the United Nations. This initiative by the U.N was to incite its members to create Equality commissions to study the situation of women in their own country. Sweden followed the suggestion and appointed a committee to work on the integration of gender equality in the socioeconomic sphere, to improve the equal access to employment and the equal access to the political participation. The committee published a report on the same year, report which highlighted that gender equality reforms and policies made until the mid-1970's begot a reduction in working hours, a facilitation of the domestic labour, an increase in the number of women involved in university level studies, a constantly increasing number of women in the workforce, a better understanding of children care and the importance of a paternal presence and a increasing awareness of how the gendered division of work and roles is a constructed concept rather than a biological one (Lundqvist 2011, 78). But the report also emphasis on a few areas where there is room for improvement, the shortage of childcare facilities being the most important problem which should be addressed. The following year, in 1976, the principle of gender equality was for the first time codified into the Constitution.

In 1979, a minority of liberal parliamentary ministers proposed a law on Gender Equality. Even though the concepts of gender equality and neutrality has been

institutionalised through a reformed taxation system, welfare policies, and global changes in the working environment, Sweden did not have a specific law on gender equality until the end of the 1970's and as we have seen, the principle of gender equality was not even codified into the Constitution. The purpose of this bill of law was to better protect individuals against gendered discrimination but also to incite employers to create a gender balance and women-friendly workplace environment. In order to do so, the bill proposed to create a national equality Ombudsman and an equality board made of representatives with various specialties to supervise the development of gender equality and the implementations of measures into the labour market. The equality board would also campaign and hold informative sessions for companies to raise awareness. As the bill of law had a few supporters, only parts of the propositions were adopted, and the scope of intervention was divided between labour market parties and the equality Ombudsman and board. This resulted in the Equal Opportunity Act in 1980, which created a Gender Equality Ombudsman and two sets of provisions.

The first provision emphasis on the prohibition of sex discrimination against men and women and encourage a gender-neutral society, whereas the second set of provision is inciting proactive measures to promote gender equality in the workplace. The provisions on the prohibition of sex discriminations can be found the EU anti-discrimination legislation written in the Treaty of Amsterdam in 1997 and in anti-discrimination directives in 2000. The Equal Opportunities Act was later on incorporated into a Discrimination Act in 2009, which encompasses all types of discriminations that can be made against an individual. The Equal Opportunities Act is a proactive law aiming

to supervise and control the gender-neutrality of work opportunities, yet the two sets of provisions can be contradictory. The second set of provisions on proactive measures encompasses the possibility for a discriminated employee to fill in a complaint against its employer, who will have to pay a financial compensation and invalid its decision concerning the said employee. Employers are also monitored by the Ombudsman, and shall actively follow equal gender working opportunities and conditions. All companies with more than ten employees shall make up yearly action plan to promote gender equality and balance of the work and family life. On top of this year action plan, the employer should provide and analyse of the paid wages to its employees as well as their performance value to the Ombudsman. Without being too coercive, the Equal Opportunities Act established a stricter control and stronger communication on the issue of gender equality toward enterprises. In practice, the Ombudsman displays a few disadvantages: the employers' action plans are often not precise and information are lacking on cost calculations and the actual feasibility of wage adjustments.

Moreover, these two sets of provisions are problematic in the European Union context. Sweden has adopted a mixture of radical proactive measures and anti-discriminatory laws to reach gender equality, however the EU holds on conservative anti-discriminatory rules. Svensson and Gunnarsson (2012) give the example of an ordinance, which obliged the increase of female professors employment in Swedish universities, the ratio men to women being disproportionate in this work field. The European Court of Justice (C-407/98) considered the ordinance discriminatory because it was seen as a form of positive discrimination toward women to advantage them. The tension between radical

active measures and conservative passive guarantees of equal treatment operates at both a national and international level, and it is a challenge to overcome if gender equality is ever to be obtained (Svensson and Gunnarsson *ibid*).

Nevertheless, Sweden has found an effective way to control and enforce the application of the law through the creation of an Equality Ombudsman. The Ombudsman first duty is to inform, educate and cooperate with public institutions, private companies and organisation to sensitise people to the prohibitive character of sex discrimination against men and women and encourage them to take on proactive measures. The Ombudsman also follows international and European developments, reports and keeps links with international organisations over the issue of gender equality. With all the on-field information collected from companies and by keeping in touch with international activities, the Ombudsman often discusses gender equality-related matters with the Government. In Sweden, proactive measures are multiple: preferential treatment such as the use of quotas, the parental leave insurance imposing an set leave length for both parents, incentives to apply a positive discriminative recruitment of women in workplaces. Unofficial quota systems within political parties, corporate boards and institutions have been used and debates are on-going, to determine whether or not this practice should be put into the legislation.

Looking up the Swedish example, it is worth contemplating the transferability of the Equal Opportunity Act to Japan. However, if Japan was to apply more radical and

proactive measures, it would be spared the national/international conflict of ideas. The resistance against proactive measures would come from within the Japanese Government itself. Japan has been almost solely ruled by the LDP, which conservative and pro-enterprises ideology might hold back the Government from taking proactive, coercive measures such as the Ombudsman in Sweden, which supervise companies' doings through annual control, visits and imposed strategy plans. However, the Swedish example of the Liberal Party, which was the first to adopt a quota system, shows us that political parties are not necessarily sticking to certain preconceived ideas of what they should be. The LDP could take on ground-breaking decisions to boost gender equality in Japan.

Later on in 1988, the government presented a Five-Year Action Plan for Gender Equality. The first goal of this action plan was the economic independence of women and economic equality. To do so, the policy aimed to diminish the income differences between genders. The second goal was to achieve equality in the labour market and an even distribution of housework between men and women. Despite the fact that 83 per cent of women aged 18 to 44 were employed in the mid-1980's, more than half of them worked part-time and only 4 out of 52 occupational fields were gender-balanced. The objective was to reach a gender-balanced background in 10 working fields by 1993. A third goal was to increase the number of women recruited in top posts within the public sector. The fourth aim of the action plan was to reduce the differences in the educational system, and the fifth objective to reach equality within the family. The sixth goal of the plan was to increase women's participation into the workforce. To do so, the Swedish

Government took care of the problem by increasing the number of posts for women in the public sector. From 1988 to 1995, the government aimed to increase the number of women in top public jobs from 20 to 40 per cent and also to achieve gender-balance in all public boards and committees within ten years. However, gender quotas were proposed yet rejected in the final form of the Five Year Action Plan.

Researchers on Welfare State have emphasised the importance of the Swedish Welfare State as employer of women: giving women higher wages compared to private sector and more secure employment. Because of these comparative advantages, it is a rational choice for women to choose to work for the public sector. In 1980's, over 80% of married women were working and 50% of them were working for the public sector in care work. The Five Year Plan of 1988 contributed to the increase of the number of women in public sector and particularly for top public sectors jobs; nevertheless, child and elderly care remains mainly the activity of female workers. The overly biased allocation of public care works to women is surely the most important persisting gender inequality in Sweden. "Sweden has one of the most sexually segregated labour markets in the western world, it is the public sector above all where the work culture acknowledges the right to time to care, and it is there that women are employed" (Lewis 2001, p.164). A Swedish study has shown that this extreme segregation of the labour market contributes to the gender pay gap. There is a positive correlation between the number of female employees and wages differences; in occupational field with female board executives, the pay gap is relatively small (Gonäs and Spant 2004). Women are over represented in the public sector and under represented in the private one; consequently the pay gap between

occupational fields and the gender pay gap within an occupation is strong. The gender pay gap has been increasing in the 1990's whereas it has been steadily decreasing in the public sector, thanks to the nationalisation of care work (see in the following chapter) and gender policies like the Five Year Action Plan. It can be argued that Sweden possesses two labour markets, one for women and another one for men. Swedish gender policies and the individual taxation system have succeeded in increasing women's labour force participation rate, but on the other hand the employment opportunities and the quality of work offered is still unbalanced between women and men.

3) On Women's movements

Women's and civil movements organisations stood out in this chapter as major players in the promulgation of gender equality laws and the ratification of international conventions. Women's movements' discourse and visibility both in the media and on the political level are capital to understand the gender policies led in Japan and Sweden. Let us first look at Sweden. The Swedish Women's movement as a whole is characterised by two fundamental points, which can explain the success of women's movement (Hobson 2003). On one hand, Sweden has feminist formal organisations such as political parties and labour unions and on the other hand, the debates and actions led by women's movement has always been revolving around the question of the work-family life balance and the gendered division of paid and unpaid work. Women's movements firstly appeared

at the beginning of the twentieth century in Sweden and have increasingly be gaining in power and influence through successful actions such as the revision of the Marital Law in 1921 and later on the sex-role debate in the 1960's. As previously discussed, Eva Moberg's book on the conditions of women revived the debate on women's rights for equal treatment in the private and public places and heated debates resulted in a major change of the Swedish taxation system. Hobson reckons it is arduous to tell whether social actions or policies came first, even though we can assume that the proactivity of women's movements since the beginning of the century have built up the ground for the introduction and acceptance of the gender equality concept in Sweden. But it is certain that Swedish women's movement definitely helped to erode the Male breadwinner model.

On the other hand, Japanese women's movements appeared on the political and public scene much later than in Sweden. In the 1950's, women's and feminists' writings started to focus on the rights of the Japanese housewife. Then in the 1970's, the Women's Collective Liberation Movement, a radical movement, started contesting the patriarchal and masculine structure of the traditional Japanese family. Despite radical contestations, observers have qualified this period of women's movements actions as a "Housewife Feminism". The Women's Collective Liberation Movement asked for a better taxation and pension system for housewives (in the case of women would lose her husband or the financial stability of the household would be threaten). However, claims for a neutral division of work and gender equality was nearly absent of the women's movement's discourse at the time. The notion of women's emancipation only appeared in the mid-1980 with the publication of "*Gender*" by Ivan Illich in 1982. The author developed a

Gender Theory, advocating “gender neutral producers” (we shall understand here active workers) as they are preconditions of capitalism and vital for its function. The enactment of the EEOL reinforced the tax and pension scheme in favour of housewives, answering the demands of the Housewife Feminism. But the EEOL and its few contestable provisions also had an unexpected effect on women's movements: the EEOL fuelled the claims of women's and civil movements and built a radical feminism movement. This is maybe the only truly positive repercussion of the EEOL on the Japanese civil society.

“(In Post-war Japan) Women have been granted the ability to enjoy a certain freedom of diversity of lifestyle [...] and the situation of women in general seems to have improved. On the other hand however, oppression against women has become invisible and internalized and the common identity shared by women has been destroyed” (Kanai 1996).

Kanai identifies three different types of women who coexists in contemporary Japan: the first group is made of women whose fate is predetermined. The second group is their daughters the so-called postwar “feminist generation” and the last group is composed of the grand-daughters the “post-feminist generation” who do not feel attached to any feminist ideas and care more about their materialistic life. Few modern Japanese women have a sense of belonging and duty toward their common ground of femininity. “Female emancipation is only partial [...] most Japanese females are not interested in politics. They make no effort through the ballot box to change Japan's male oriented

society, nor are they much concerned by the discrimination (illegal) which they suffer at work” (Liddle and Nakajima 2000 cited Gelb 2003).

The feminists and women's movements had troubles to formulate pro-gender equality claims and rise above housewives' issues. Until the end of the 1990's, Japanese women's movements were characterised by their decentralised and loosely organised structure. However, positive improvements have been seen since the new Millennium. Working women's groups have developed in Japan, such as the Equal Treatment Campaign 2000, composed of scholars, lawyers, political activists and parliamentary members, a total of 700 persons throughout the country. They gathered numerous surveys and interviews relating the problems of working women, the discrepancy in wage between men and women as well as the impossible balance between their family and working life has been pointed out again. The Josei Union, the first women's union group created in 1995, has been welcoming a constant increasing number of members and was able to make hundreds of complaints being processed to the EOMC. Working women's group and unions, with the support of NGOs and INGOS are leading the pro-gender equality and feminist movements in Japan and are on the frontline to fight corporate discrimination and lobby the government to improve family policies.

Another aspect of Women's involvement into gendered issues is the political participation of women. In Japan, women are nearly absent of the political life. Sweden has been increasing the participation of women into the political life since the 1970's, and the Parliament is now composed of 45 percent of women (Sweden ranks second on the

Global Gender Gap Report). Women in ministerial positions even outnumbered men in 2013, with 52 percent of women. Swedish women have not always been so actively in the politics, and in 1971, only 14 percent of the Parliament was composed of women. The turning point happened in 1972 when the Liberal Party and the SDP recognised the importance of involving women into the political sphere to bring on new issues and goal for gender equality. In order to reach the 45 percent of women in the Swedish Parliament, the Liberal Party, which is a liberal-conservative party and it just should be stressed, decided to regulate the participation of women from their party into the Parliament, with a quota of a minimum of 40 percent in 1972. The SDP decided on a 50 percent, gender neutral quota and other political parties adopted the same quota system in the 1980. The quota system of political parties is not inscribed in the Swedish Constitution but it is a proactive measure taken on directly, voluntarily, by the political parties.

Nevertheless, Kanai asserts that as long as Japanese women do not realise their privileged situation as being part of one of the most developed country in the world, Japanese women will continue to stand on the vertical oppression over women in the “South”. On one hand, mobilised women's movements strongly appealed and shaped the Welfare system and the gender equality discourse of Sweden, on the other hand Japan's women movements have been suffering from a late wake up and little influence power over the Japanese government by itself.

Chapter 6. FAMILY-FRIENDLY POLICIES

1) Japan

a. Parental Leave

Maternity leave (*shussan kyuka*) was established in 1947, and allows a mother to take six weeks of prenatal leave and eight weeks of postnatal leave for single births, and only for single mothers, under certain conditions. In 1992, the maternity leave was transformed into a parental leave through the Parental Leave Act; despite its terminology, the new laws was still reserved to mothers only. The system gave 5,000 yens (about 50 dollars) per month for the first two children of a family and 10,000 yens for the third child. With the Parental Leave Act, sixty per cent of a woman's wages is given as a paid maternity leave for a period of fourteen-week for a single birth and twenty-two weeks for multiple births. In 1995, the Child and Family Care Leave Law (CFCLL) was enacted, giving the rights to parents, regardless of their gender, to an unpaid childcare or nursing leave after the 14-weeks maternity leave ends, until the child reaches one year. In 1999, another amended childcare law gave the right to fathers to take a leave to care for a sick child. The CFCLL was revised in November 2001, and now bans employers to fire or discriminate their employees who would have taken a leave. Employees, who are responsible for children, sick and/or elderly relatives, are entitled to a certain amount leaves, cannot be constrained to overtime work and are allowed to shorten their workdays. These few amendments could be seen as very promising, but this law, as well

as the EEOL, lacked enforcement and coercive procedures. The employers are banned to fire or discriminate their employees yet, the law did not establish any repercussion in case of misconduct.

A study of 1999 has shown that 53 per cent of women took a childcare leave in firms of more than four employees, and 77 per cent of women did so in companies with over thirty employees. Back in 1996, only 44 per cent of women took a childcare leave (Gelb 2003, p116). However, when it comes to paternal leave, a little number of men does take a parental leave. Japan still remains a masculine society, where the unpaid labour of childcare is still seen as women's only work. Moreover some companies refuse to grant leaves to men that would not be married to the mother of their child. Therefore as of 1999, 97.6 per cent of the childcare leaves were taken by women and in 54.4 per cent of the case, because of pregnancy.

In 1999, the country had the lowest birth rate in world, with 1.3 per cent. The new Millennium approaching, the Japanese public opinion started to realise that the quickly decreasing national birth rate coupled with an ever-ageing population is endangering the future of Japan. This realisation coincides and is partially due to the economic recession in which Japan and the whole Asia fell. Since 1997, Japan has been an economic recession and therefore economic reasons behind the decline of the birth rate were identified as such: cost of education and the cost of raising up children, the lack of work financial security and the impossibility to balance the work-family life. The CFLL was revised in 2004 and came in effect on April 1st 2005. The new revised law expanded

the eligibility for child and family care leave, an extension of the childcare leave period and the establishment of the sick Child Care Leave system. Yet, the 2004 revision did not bring any ground-shaking change.

In 2005, the Government was hit by the reality: for the first time, the Japanese population began to decrease as the number of deaths exceeded the number of births. The national birth rate reached its lowest level, with 1.26 per cent (MHLW report 2010). Previously, we have seen that the public awareness around the declining birth rate and the ageing population arose in Japan in the mid/late 1990's. This realisation had measurable impacts on Welfare policies, as we noticed with the parental leave laws and childcare policies. In 2006, the MHLW studied new measures to reverse the ever-decreasing birth rate by appointing an expert group and, in 2008, a final report by this study group on Future Work-Family Life Balance Support came out. Numerous sessions with the Equal Employment Subcommittee, the Labour Policy Council were held to discuss a revision of the CFCLL. A bill was submitted to the National Diet on April 21st 2009 and the law unanimously passed into law on June 24th of the same year.

The outline of the 2009 CFCLL can be divided in 4 different parts. First of all, changing the work style of parents by allowing them to work even shorter hours, be exempted from overtime work and expand the sick childcare leave system. Secondly, the CFCLL aim to promote paternal leave. A study led by the MHLW in 2008 demonstrated that the more a husband is involved in house core and childcare, the more likely the couple will have a second or another child. In the households where the husband does not

spend time on housework and childcare, only 16.3 per cent of the families had a second or a subsequent child. On the contrary, in families where the father spent over 8 hours per week helping with house chores and child rearing, 46,2 per cent of these families had a second or a subsequent child (MHLW 2010). Thirdly, the law aimed to assist workers in balancing work and family care. And lastly, the 2009 CFCLL tried to improve and ensure the effectiveness of the law by establishing a “conflict resolution system” over parental leaves dilemma within companies. It mainly consists in publishing the names of the employers who violated the law and non-penal fines for fake reports.

In 2012, the latest revised version of the Child and Family Care Leave law was implemented, obliging companies to given shorter working hours and no overtime work to their employees until their children reach the age of three. But in reality, 58 per cent of the companies applied the law, as it is once again, a recommendation law that has no sanctionable power. As we have seen with the 2009 version of the CFCLL, the law only installed a system publishing the names of the violators of the law and non-penal fines for companies which submitted fake reports as “punitive measures”. The CFCLL’s flaw is its lack of enforcement and control, and even if the Japanese Government said it would campaign to incite companies to follow the latest revision of the law, we can only wonder how they will succeed in obtaining satisfying results. According to a 2013 study led by the MHLW, the number of women taking on a maternity leave dropped to 83 per cent and only 1.89 per cent of father took a paternity leave. Comparing this number with the

figures of 2003, it appears that the number of men taking a parental leave only increased by 0,33 per cent⁵.

A 2013 survey by the Japan Trade Union Confederation (*Rengo*) on 525 working fathers revealed that 11.6 per cent of them said they had been harassed at work for asking for a paternity leave, some of them being forbidden by their company to do so, or threaten to undergo repercussions if they do decide to take a paternity leave⁶. This is the evidence that in present Japan, the male breadwinner model is still news, and if maternity leave is accepted, yet a threat to a woman's career, the concept of paternity leave is rejected by part of the population and companies. The number of men helping with house chores has increased in Japan over the years but child caring is still seen as a woman's duty. The Japanese man is a breadwinner.

b. Child and Elderly Care

We have seen that the public awareness regarding the decline of the Japanese population emerged at the end of the 1990's, and its dangers were invoked by the Government and official reports to justify Parental Leave laws. Child Care policies have also been caught in the change with the first noteworthy policy: the Angel Plan of 1994. In 1994, roughly 11 per cent of children under the age of 3 and 32 per cent of children

⁵ Sawako Obara, "Paternity blues: Social hurdles still high for Japanese men seeking hands-on fatherhood", Japan Times, July 28th 2014

⁶ *Ibidem*

between 3 to 6 years old had a place in day care centres (*hoikuen*), 51 per cent of the 3 to 6 year olds were placed in kindergarten (*yochien*). In total, 22,532 day care centres were welcoming 1,593,161 children. In the early 1990's, 60 per cent of the childcare services were public and the other 40 per cent were private.

We should here elaborate on the distinction between day care centres and kindergartens. The *hoikuen*, or day care centres, are welfare facilities where parents can leave their children in case they have to work, are ill or hospitalised, or simply cannot take care of their children. Children are being taken care of by nurse, a lunch is prepared for them and most of the day care facilities are open from 7 am to 6 pm (sometimes up until 10 pm). Day care facilities fees are also proportionally based on the income of the parents. On the other hand, *yochien* are educational institutions where children are taken care of by teachers. Children usually need to bring their packed lunch to kindergarten and school ends at 2 pm. If *yochien* are mostly used by housewives or women working part-time or non-regular jobs, *hoikuen* are preferred by full-time employees, single mothers or fathers, generally people with long working hours. Getting a place in a *hoikuen* was hardly possible and therefore the MHLW launched a five-year plan, called the Angel Plan, in 1994. In 1995, the plan was extended to a ten-year plan. The aim of the Angel Plan was to expand the number of day care centres, a one-third increase of places available in already existing day care facilities, and a three-fold increase of day care centres offering extended hours, and seven-fold increase in centres offering drop-in care (short, non-regular stay of children), and an increase of the regional child rearing support centres (from 236 to 3000), in other words, counselling centres for parents.

However, in 1996, the Health, Labour and Welfare Ministry revised its ambitions and predictions by half and proposed a reform of the Child Care Welfare law at the beginning of the year 1997. The Ministry proposed to open day care institutions to privatisation as a way to reach the firstly promised number of day care centres and by the way reduce the governmental expenses. The mandatory system of State control over childcare centres was replaced by an individual contract system, which begot an increase of private day care centres and more freedom for private institutions. Whereas the law strictly regulates the public childcare facilities, the private childcare centres are deregulated and apply their own program and rules. Few scandals of abuse erupted in the few years following the deregulation/opening to privatisation of the childcare services, and private centres have been criticised for their expensive fees, up to 1,500 US dollars per month (Gelb 2003, p.117). In contrast, a place in public day care facilities is more difficult to obtain, but the facilities are regulated and controlled by the government, and less costly, eventually free of charges according to the proportional fees system. In 1998, still, 70 per cent of women stopped working after giving birth (Gelb 2003), and 24.5 per cent of women who continued to work were using day care centres, the rest of them relying on relatives.

In 1999, a New Angel Plan came in force, with a main goal of increasing the number of children under 3 admitted to day care centres by one third (150,000 places), by 2004. In 2002, 22 per cent of preschool-age children (under 3) were admitted into day

care centres. In April 2004, there were 22,570 day care centres, with 12,090 public and 10,480 privately operated. Nearly half of the day care centres are now privately run. In 2003, The Act to Promote Support for Fostering the Next Generation came into law. The law obliges companies with more than 300 employees to create childcare strategies, such as facilitating temporary and shorter hours work, and on-site day care facilities.

Japanese society has always been expecting women to be caretakers, even before the apology of the Japanese Family Model in the 1960's. Not only housework and child-rearing is the expected primary task for women, but so is elderly care. In the Japanese context, despite the evolution of mores and the growing independence of Japanese women, a woman enters her husband's family by marrying him. The actual fact of leaving the *koseki* to be added to the husband's own family register, added to the symbolic and expectations of the in-law family makes the “*shufu*” (woman married in the family) a subordinate to her in-laws. Explaining the principles behind the Japanese family registry system and the laws revolving around marriage would require writing another paper, therefore we will not discuss further the mechanisms behind the *koseki* system. Traditionally, the *shufu* had the lowest rank in her in-law family and was expected to take care of her in-laws during their older days. Nowadays, even though the expectations are lessen, many wives are still found constrained to dedicate their time to child-rearing and eventually elderly care at the same time, which conflicts with having a full-time job. As the Japanese population is ageing, the problem of elderly care has been receiving more

attention than childcare. In 1989, the government launched its Gold Plan to expand the availability of home care social services (such as home helpers or nurses) to elders. However, according to Margaret Lock (1993), the effect of this Golden Plan was rather limited as the government was reluctant to raise taxes in order to correctly finance the project. In 1997, the government proposed to spend three times more on elder care than on child rearing. If it is positively seen that the government is paying close attention to the problem of its ageing population, it is at the same time neglecting childcare and its burden on women. Contrary to the Swedish Welfare Model, the Japanese Welfare system has a limited budget and provides minimum public services. Therefore, the more money given to elderly care programmes is the less money given to child care services. Elderly care is since then slowly shifting from a private matter to a public one, and the public opinion view on elderly care as a woman's duty is weakening. Despite all this, Lock observed that most middle-aged women continue to feel a sense of duty and obligation toward their in-laws.

2) Sweden

a. Parental Leave

We have seen that on the grounds of the sex-role debates during the 1960's, an individual taxation system as well as a gender-equal family discourse has emerged. During the 1970's, a myriad of welfare policies were passed in order to enhance the life

of Swedish citizens. Starting 1973, social insurance policies flourished: the already existing unemployment insurance was improved, disable pension was also improved, dental insurance created, the sickness insurance, now called “sickness pay”, was raised as well as supplementary pensions and housing aids for low-income household without children created. During the 1970's, two specific kind of welfare policies aimed to achieve gender equality, a gender-neutral division of labour and ensure the feasibility of a work-family life balance, that are childcare policies and parental leave and insurance.

In 1974, Sweden was the first country in the world to introduce a Parental leave instead of the maternal leave, given the opportunity for both mothers and fathers to take care of their new born and even adopted child for 180 days of paid leave at a rate of 90 per cent. The idea of changing the maternal insurance into a parental insurance actually emerged in 1965 in the midst of discussions and reports from the Family Policy Commission. At first the Parental Leave guaranteed 10 days of paid leave to fathers. However, the Parental Leave length and benefits have been extended to reach an equalisation of working and life conditions between families with or without children, small or large families. In 2002, the number of paid days of leave reached 480.

As we have seen, paid Japanese maternal leave has duration of 14 weeks and women are paid 67 per cent of their salary during that time period, and the childcare leave can be of a maximum of one year. Whereas in Sweden, parents may take up to 480 days of leave and are paid 90 per cent of their salary for the first 390 days, a parental leave which can be taken when a child is born or adopted. This leave can be taken by the month but even by

the day or the hour. Parents may take unpaid leave up to 18 months after the end of parental leave (which equals to take a leave when a children is aged 1.5 year to 3 years old) Out of the 480 days allocated to parental leaves, sixty days of parental leave are allocated to each parents and cannot be exchange. This measure aims to incite father to take at least two months of paternity leave. If parents share the transferable part of the parental leave allowance equally, they will get a parental allowance bonus for a maximum of 270 days. For single parents, the full 480 days are entitled to them. One of the parents also gets an extra 20 days leave with the mother give birth to twins.

During the first years of the implementation of the paternal leave, fathers would take only 0.5 per cent of the parental leave days given to them. Now in 2014, they are taking at least a quarter of it, that are the two-months parental leave assigned to them and generally nearly 90 per cent of Swedish fathers take a paternity leave⁷. Alongside the Parental Leave law, other incentive measures were passed to encourage men to take their paternal leave. In 1995, the “daddy month” was introduced, a measure which gives an additional one-month of leave to a household in which both parents took at least a month of leave. In 2002, the “daddy month” policy was extended and two extra months were given if both parents took at least 2 months of leave. Some politicians desire to push the “daddy month” to the next level, by dividing the parental leave equally between women and men.

⁷ “Why Swedish men take so much paternity leave”, The Economist, July 22nd 2014

However in 2010, the newly elected *Riksdag* (unicameral Parliament), with a majority of the Alliance (centre-right coalition), reintroduced a cash-for-care scheme that was previously established in 1994⁸. The scheme is a voluntary-based project run by municipalities therefore, only one fourth of municipalities adopted the cash-for-care scheme. The scheme provides around 2,000 kronor per month (200 euros) to parents who are staying at home with their children aged between one and three years old. With this scheme, the Alliance aimed to limit the public expenditures on public child care facilities. The scheme has been largely criticised and contested by the opposition (the Social Democratic Party and the Left Party) which sees in this scheme an incentive for households to have only one incomer earner during the early ages of their children, meaning an incentive for women to temporarily quit their jobs. The Social Democratic Party won the recent *Riksdag* elections of 2014, and this new majority is most likely to suppress the cash-for-care scheme.

b. Child Care

One of the key features of the Scandinavian Model is its extensive public health services, particularly child and elderly care which are decentralised to the local governments. Municipalities are multiple public services providers thanks to high taxation topped by an independent tax system granted to local governments, of the

⁸ The cash-for-care scheme was abolished by the Social Democratic Party after its victory at 1994 elections

population and national subventions and grants. As a Liberal Democratic Welfare State, Sweden has a high level of taxation, with 45 per cent of tax revenues as percentage of GDP (appendix 2 and 3, OECD 2013). Per comparison, taxes in Japan are around 28 per cent of tax revenues and the average of taxation percentage to GDP ratio is of 35 per cent in OECD countries.

We can trace back the beginning of the decentralisation of care work to the mid 1970's. In 1972, 11 per cent of children under the age of six had a place in a public day care centre, but in 1980, the number rose to 54 per cent. Within a decade, care work became a public matter (Hobson 2003). The National Board of Health and Welfare provides guidelines and support the development of childcare services (from 0 to 12 years old) to 274 local authorities, which are in charge of administering and planning. In Sweden day care centres or preschool centres provide full-time care for children aged 0 to 5 years old from 7 am to 6:30 pm. All children are then entitled to a place in kindergarten at the age of six years old before entering primary school (which starts in the year the child will turn seven). Out-of-school care centres, also called leisure centres, offer care for before and after school time to children up the age of 12 years old. Child care is mostly a public matter in Sweden, but a small number of private child care facilities exists such as Family-based care provided by women or “babysitters” in their own homes or “mother's clubs” are offering care services for full-time working parents. There are also a few non-profit parent cooperatives and private companies which run their own child care centres as well as religious or secular organisations.

The Social Democratic government of 2001 reformed the provision for childcare, engaging a greater participation of municipalities. Swedish municipalities enjoy a certain degree of autonomy in Sweden, and therefore their agreement to the new childcare provision is solely voluntary. However, municipalities agreeing to these provisions receive compensations from the State. With these provisions, the cost of childcare was revised in relative (a certain percentage of parents' incomes) and absolute terms (maximum ceiling fee) to improve the access to childcare facilities. All municipalities are obliged to give 15 hours of child care per week to unemployed parents or parents requesting a parental leave, and municipalities shall also provide child care places for children over the age of one. In 2004, 92 per cent of 3 years old children and 80 per cent of 5 years old have been placed in public childcare facilities.

By greatly increasing the number of childcare facilities and favoured the employment of women in the public sectors (particularly in care work), Sweden enables the number of full-time working women to increase and offer a work and family balances to Swedish households. However, the price to pay for this policy orientation is a heavy occupational segregation, discussed in the chapter five.

Chapter 7. CONCLUSION

The purpose of this thesis was to compare how Japan and Sweden addressed the economic gender gap through their policies. The starting point for both countries was set in the 1960-1970's, when Sweden and Japan adopted two different taxation systems, in the sake of improving their economic situation. At the time, Sweden was already aware of the importance of gender equality for both its economic and demographic future, whereas Japan fully sized the necessity of gender equality decades later. Sweden has been leading pro-gender equality policies and actions for nearly 45 years whereas Japan, after enhancing a strong Male-breadwinner Model through its taxation system, started to revise its discourse in the mid-1980's, and later on in the end of the twentieth century with the Asian Financial Crisis and the rapid population decline. Throughout my research, I found out that gender (in-) equalities resulted from three types of gender policy that are the taxation system, pro-gender-equality laws and family policies.

Sweden distinguished itself with policies inciting women's participation in the working place, but at the same time policies that are assuring a balance between work and family life. The individualisation of the taxation system set the ground to a genderless division of work, later on back up by comprehensive and gender-equal Parental leaves, a governmental takeover on child care, and a coercive legislation toward gender discrimination at work (Equal Opportunities Act). The assessment of Swedish gender

policies is globally positive, and Sweden has one of the narrowest gender economic gap. By comparison, Swedish gender policies demonstrate better results than Japanese policies. Yet, one peculiar characteristic of the Swedish Welfare system is the over-representation of women in the public sector, which enabled the Swedish government to increase the economic participation of women and to supervise child and elderly care work as a public responsibility. This overly segregated economic market is a double-edged blade; Swedish policies have been mainly focusing on the rate of female participation to the labour force, while disregarding the problem of gender wage gap. Because of its strongly segregated market, Sweden displays a rather severe pay gap based on gender, age and occupational field.

On the other hand, Japan is sticking to a hybrid individual taxation system, which offers tax exemption to household with full-time housewives or part-time working mothers, a policy that created a glass ceiling in the unconsciousness of Japanese women and companies (“women cannot be full-time breadwinners”). With the rise of women's movements and international pressures, Japan adopted a few laws aiming at gender equality (EEOL, BLGES). Nevertheless, Japan suffered for a long time from a discontinuity of the gender equality discourse and a lack of coerciveness and control of the law. The lack of efficiency from gender policies is mainly due to the rather weak representation of women's movements and women in politics, which are preventing Japan from bridging even more the gender gap. The main ascertainment of this paper is the necessity for Japan to reform its key gender policies, first of all the spouse exemption tax

system, and secondly the Equal Employment Opportunity Act (and the accepted belief that women make for the temporary, part-time economic market), in order to go on with other policies in favour of gender equality.

Even if the economic gender gap is clearly more of a severe issue in Japan than in Sweden, Japan and Sweden could learn from each others, as they faces different targeted problems. In 1991, a first EU-Japan Symposium was created, with the objectives of sharing knowledge and promoting policies upon employment and labour issues between the EU and Japan. Held every two years, the Symposia have been dealing with various issues, including equal employment between men and women. A reflection could be engaged on the cooperation between Japan and the E.U, and within transnational Women groups, how efficient it is and what could be improve to serve the interests of each side.

As a general ascertainment, bridging the gender economic gap relies on the ability to adapt pro-gender equality policies to a changing environment. At time, consistency is primordial but occasionally, when change appears to be a necessity, States shall be proactive. I would like to conclude this thesis by quoting Joyce Gelb, who said that “It seems clear that incentives for women to work in the male-dominated (Japanese) economy remain limited even with better family support systems, as long as the fundamental economic structures remains unreconstructed” (2003, 117).

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APPENDIX

Table 1. Gender Gap Index 2014 - JAPAN

RANKS 104 th (out of 142 countries)	Rank	Female-to-male ratio
Country Score Card		
Economic Participation and Opportunity	102	
Labour force participation	83	0.75
Wage Equality for similar work (survey)	53	0.68
Estimated earned income (PPP US\$)	74	0.60
Legislators, senior officials and managers	112	0.12
Professional and technical workers	78	0.87
Educational Attainment	93	
Literacy rate	1	1.00
Enrolment in primary education	-	-
Enrolment in secondary education	1	1.01
Enrolment in tertiary education	105	0.90
Health and Survival	37	
Sex ratio at birth (female/male)	94	0.94
Health life expectancy	1	1.07
Political Empowerment	129	
Women in Parliament	126	0.09
Women in ministerial positions	98	0.13
Years with female head of state (last 50)	64	0.00

Source: The World Economic Forum's Gender Gap Report 2014

Table 2. Gender Gap Index 2014 - SWEDEN

RANKS 4 th (out of 142 countries)	Rank	Female-to-male ratio
Country Score Card		
Economic Participation and Opportunity	15	
Labour force participation	13	0.94
Wage Equality for similar work (survey)	71	0.64
Estimated earned income (PPP US\$)	11	0.94
Legislators, senior officials and managers	44	0.55
Professional and technical workers	1	1.08
Educational Attainment	43	
Literacy rate	1	1.00
Enrolment in primary education	76	1.00
Enrolment in secondary education	81	1.00
Enrolment in tertiary education	1	1.55
Health and Survival	100	
Sex ratio at birth (female/male)	94	0.94
Health life expectancy	111	1.03
Political Empowerment	5	
Women in Parliament	3	0.82
Women in ministerial positions	1	1.30
Years with female head of state (last 50)	64	0.00

Source: The World Economic Forum's Gender Gap Report 2014