

In Favour of the Equality in the Higher Education: the Policies of the Universities in the Spanish Educational System

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Abstract

The Organic Law 3/2007, of 22 March 2007 on effective equality between women and men that is considered in the Directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002, concerning equality, makes the public institutions guarantee the inclusion of the gender perspective in the public policies and preserve the recognition of the role of women in the economic, historical and cultural spheres. In this sense, the Ministry of Education has an essential role regarding the development of the European laws in order to reach the effective equality between men and women.

However, 38 public universities have been analyzed in this study through the different websites from the Spanish universities and we conclude that the existing data that we have about the current situation of the women in the scientific field and, in general, in the University, has not implied their promotion in the academic world (although the feminine representation in the University has experienced a big change in the last years). What is more, from the information about the different Spanish universities, we can state that there is little unanimity about calling or describing the structures they have (there are names like offices, observatories, commissions, units of equality...).

Consequently, the aim of this study is to present a panoramic situation in the Spanish universities that work in favour of the women. The objective is also to display the similarities and differences among universities in order to create a debate about the equality policies that are developed in the Higher Education.

1. Introduction

One of the fundamental principles of Community Law is the equality between men and women. Since the European Economic Community (EEC) Treaty, signed in Rome in 1957, the matter of the equal opportunities for women was introduced in the article 119, which established the principle of the same salary received for the same sort of work for both men and women. From then on, throughout the seventies, the treaty was widened and some modifications and the application to the training programmes for the employment and the Social Security were introduced.

In 1995, the Commissioners group on Equality was created. It had a very close relation to the European Parliament, the Advisory Committee on Equal Opportunities between men and women and with the European Women's Lobby (which is used to connect the several women organizations of all Europe and the European institutions that tackle the equal opportunities).

Afterwards, the Amsterdam Treaty came into force on 1st May 1999. It became a milestone with reference to the European Union equality policies. Later on, the general framework to ensure equal treatment for men and women as regards access to employment, vocational training and career advancement, as well as working conditions was established on 25th November 1999.

Consequently, the different programmes carried through the European sphere drag a load of measures, decisions, proposals, recommendations and communications from the European Institutions, which create the gender policies in the European Community.

2. Development

There have been different Community Programmes that explain the progress made by the European Union in respect of Equality between men and women. Here we give the main keys:

- The First Community Action Programme for promoting the equality of opportunities for women (1982 – 1985): its aim was to look over the legislation and to make people become sensitive to this matter and make them change their minds. This European Programme also introduced proposals related to positive actions and some revision measures concerning the tributary regime. At this point, the professional responsibilities and working tasks distribution is already considered, as well as in the social and family areas.
- The Second Community Action Programme for promoting the equality of opportunities for women (1986 – 1990) keeps the same tendency, but it incorporates proposals to ensure the agreement among social agents. In the same way as the previous point, the core idea is focused on the job market, the social security and the European competences, but it widens the variety of education measures and the reconciliation with the private/family life.
- The Third Community Action Programme for promoting the equality of opportunities between men and women (1991 – 1995) keeps the previous principles concerning the job market with others with social content. This programme emphasises the contributions made by women to the society.
- The Fourth Community Action Programme for promoting the equality of opportunities between men and women (1996 – 2000) sets out the gender mainstreaming, understood as the application of the gender dimension to all the actions and policies of the European Union and its member states. Thanks to this programme, a specific committee is created which is composed for the member states representatives and headed by the representative of the Commission.
- The Fifth Community Action Programme for promoting the equality of opportunities between men and women (2001 – 2005) sets some measures, decisions, proposals, recommendations and communications from the European Institutions.

As we can appreciate, there has been an evolution and a progress in the European policies in the last 30 years to contribute to the gender equality. In particular, in Spain, the Organic Law 3/2007, of 22 March 2007, makes allusion to the 'Parity on the government bodies representation to guarantee the equality of opportunities and non-discrimination based on sex, for both professors as well as for students and the staff of administration and service'. Additionally, with this law, the public powers are forced not only to guarantee the mainstreaming concerning the gender perspective in the public policies, but also to preserve the recognition of the women's role in the cultural, historical and economic areas. In the same law, the equality concerning the research is promoted, as well as the creation of specific structures that enable the universities to guarantee the development of functions related to the principle of equality between women and men. In this sense, the Spanish universities are obliged to respond to this order, so they started to make some bodies or organizations official in order to support and guarantee the effective equality between men and women in the Higher Education.

It is obvious the effort that the Institutions make in order to create the structures with specific responsibilities concerning the matter of equality. In this study, which aim was to find out the current situation of the Spanish universities, 38 public universities were analysed. The results conclude that most of them are developing the 1st Plan of equality between men and women (e.g. Universidad Carlos III de Madrid), some of them are implementing the 2nd Plan of equality between men and women (e.g. Universitat de Barcelona), and some others are still in the process of diagnosis of the women situation at the university (e.g. Universidad de Las Palmas de Gran Canaria). Finally, as an exception, there's a university that is already implementing the 3rd Plan of equality between men and women (e.g. Universitat Autònoma de Barcelona).

3. Conclusions

The gender policies in Spain take into consideration the concepts of mainstreaming and the equality of opportunities between women and men as a priority that comes from the European social policy. So currently, the legal mandate that forces the Spanish universities to take responsibility for the gender matters is effective and, in the last years, a majority of the Spanish universities have started up on

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organise and build new structures to develop different plans and organisms of equality between men and women.

For the first approach to the analysis of the organisms for the equality in the Higher Education it can be considered that the Spanish universities are making huge efforts to organise different structures; however, the information is very scattered and it does not exist any coordination between them.

Additionally, the main keys to develop the general principles that emanate from the laws are the creation of these bodies or Units of Equality in a national, regional or local level, the developed programmes, the strategic plans efficiently executed, the services of quality and the cooperation between different agents. Nevertheless, there are big differences between all these units of equality of gender. Here we present some of the most significant differences:

- Not all the plans of equality are effective, if we consider the definition of 'Plan of equality' described in the Organic Law for the Effective Equality of Women and Men (Art. 46.1.): '*an organized set of measures, adopted after diagnosing the situation, with the aim of reaching in the companies the equality of treatment and opportunities between women and men and eliminating the discrimination based on sex*'.
- After analysing the 38 public universities through the websites from each institution, we can state that the majority of the universities have already started up on the functioning of the 1st Strategic Plan or some of them have implemented the 2nd (or even the 3rd) Plan of Equality.
- There are other considerable differences related to the denomination and the bond/dependence with the university structure. The denomination takes different shapes: units of equality, commissions, secretariats, offices and even observatories. In any case, all of them are responsible bodies for the coordination, the proposal, the monitoring and the valuation of the compliance of the law concerning the equality between women and men, as well as the compliance of the plans and/or measures proposed from the law and from the own university in order to promote and reach the effective equality in all the areas of the university life/environment.

As a final conclusion, we can state that it is obvious that the Spanish universities have taken the initiative to reach the equality of opportunities between women and men, but it is also evident that there are still many things that have to be done. The legislation has helped change the institutional sense of social justice in the academic world, but at the same time it is necessary that the structures give support and coverage in order to help or make disappear the inequalities. It is also important to enable women to have the same conditions and the same possibilities to access and stay in all the university areas. Otherwise, it is not possible to go through the inequalities and have an impact on our society.

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