

Gendering Brexit



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A few introductory remarks: Unpacking a complex matrix



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Crisis

Decreasing levels of trust

Rise in populism

Skepticism

The People vs Elites

Austerity

NEMIES

www.surrey.ac.uk/politics

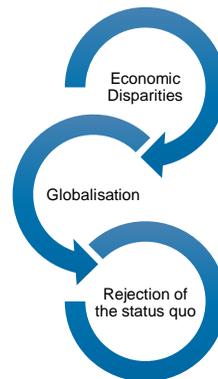
2

The EU Referendum Campaign Affect, Trust and Activation



3

Activation of the Left Behind



4



What work is gender doing?

Suella Fernandes (MP)

“We have a woman leading Britain as we leave the EU. ...

No-one can say that a woman’s voice will not be a the decision-making table”

Stella Creasy (MP)

“Don’t let Brexit be an excuse for inequality”

Methodology



**Scoping the campaigns' footprint:
What were the key themes?**



Policy / Issue	Vote Leave			Vote Remain		
	Mentions	Ratio	% of mentions	Mentions	Ratio	% of mentions
All gender equality policies	17	17/866	1.96%	14	14/226	6.19%
All social policies	92	92/866	11.32%	70	70/226	30.97%
All mainstream/ high salience	757	757/866	87.41%	142	142/226	62.83%

Brexit as Crisis: The reification of binaries

High Politics

- National interest
- Security
- Economics
- Trade

Low Politics

- Social Policy
- Environment
- Social Cohesion

Saliency

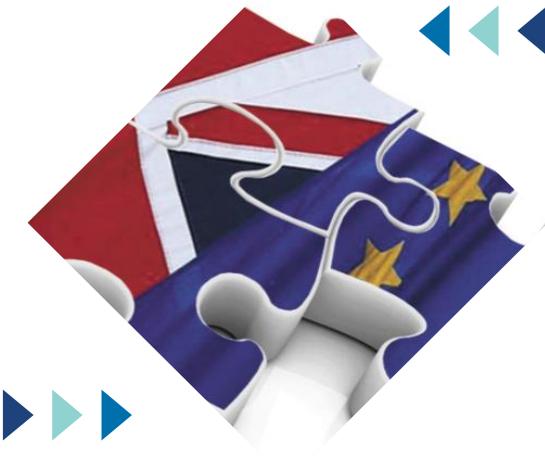


Representation



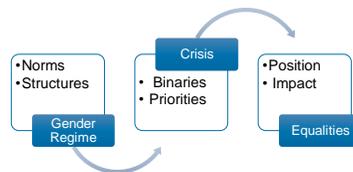
Consequences

Gender as Scandal The Untold Story of Brexit



As Hozic and True (2017: 217)

Brexit has been extensively defined by 'the paradox of men's dominance of the Brexit campaign and women's rise in the political crisis that ensued after the referendum vote'.

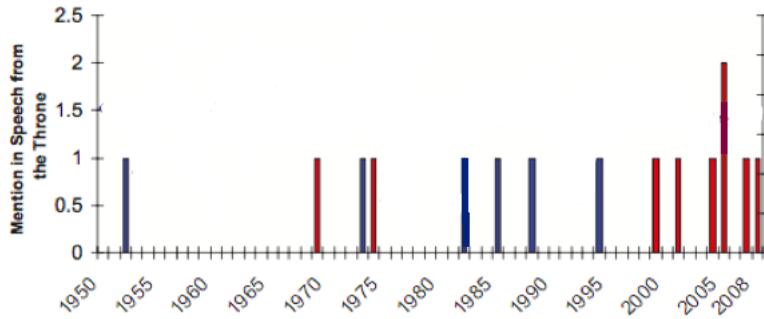


UK as a Gender Actor & EU Law



(Annesley, C and Gains, F, 2013) Investigating the Economic Determinants of the UK Gender Equality Policy Agenda” *BJPIR*.

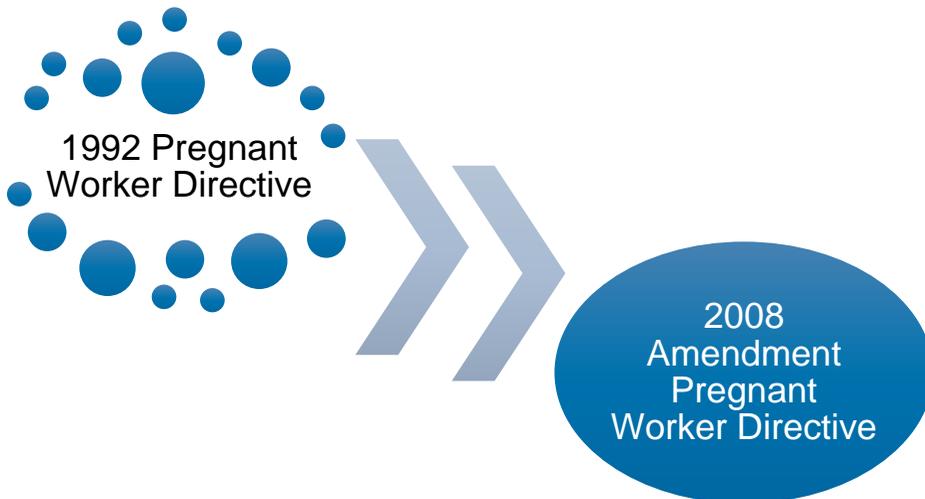
Gender Equality Policy Agenda



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11

Negotiating Maternity Protection



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12

Prior to the 1992 Pregnant Workers Directive



- UK applied a **formal regime of sex equality**, which required the use of a **comparator** in sex discrimination cases.
- For a long time that there could be no claim of sex discrimination on the grounds of pregnancy because there could be no comparison with other workers, as men could not become pregnant.
- *In Turley v. Alders Department Stores* [1980] IRLR 4 the court allowed pregnant workers to be compared to ill workers, which also permitted employers to justify the dismissal of pregnant workers on the ground of productivity.

The negotiations of the Pregnant Workers Directive



- Watering down of the original proposal
- Change of legal basis from equality to health and safety
- The Pregnant Workers Directive is a mere minimum standard safety-net

Main Principle:

Dismissal on the ground of pregnancy is direct sex discrimination / No need for a comparator.

Negotiating the 2008 Amendment Directive

“The proposals put forward by MEPs would be extremely costly to business and also to the public purse” (Davey, Under Secretary of State Employment, 2010)

“The proposals that MEPs put forward are costly for the UK. They are also socially regressive When Member States are trying to **balance their books in difficult times this is the wrong approach to adopt**” (Grayling, Employment Minister, 2011)

Business interest of UK employers



The broader socio-legal context

"Austerity Britain was in breach of four UN human rights agreements relating to women, children, disabled people and economic and social rights. "If you got a group of misogynists in a room and said how can we make this system work for men and not for women they would not have come up with too many ideas that are not already in place,"
(Prof Philip Alston, UN Special Rapporteur on Poverty)

Statement on Visit to the United Kingdom, by Professor Philip Alston, United Nations
Special Rapporteur on extreme poverty and human rights

London, 16 November 2018

What Next?

14 November 2018

TF50 (2018) 55 – Commission to EU27

Subject: **Draft Agreement** on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, as agreed at negotiators' level on 14 November 2018.

Origin: European Commission, Task Force for the Preparation and Conduct of the Negotiations with the United Kingdom under Article 50 TEU.

Objective: Sent to the EU27 Member States, to the Brexit Steering Group of the European Parliament and published on the TF50 website on 14 November 2018.

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Is Brexit opportunity to retrench equality rights?

TUESDAY, MARCH 28, 2017 www.dailymail.co.uk **NEWSPAPER OF THE YEAR 65p**

Never mind Brexit, who won Legs-it!



19

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Conclusions

What does this mean for Equality & Diversity?

- Women are a key constituency that will be greatly affected by Brexit BUT (continue to be) largely ignored
- Equality seen as a second order issue
- Implications for future equality & diversity policies

Key Issues

- Issue of gender/equality remains largely marginal in ongoing discussions about post-Brexit Britain