

Gender equality: Adrift in the Brexit backwash



*What is at stake for gender equality as we approach Brexit? Over the years, European legislation has provided a number of important standards based on the principle of gender equality. In this blog, **Julie MacLeavy (University of Bristol)** writes that leaving the EU constitutes a risk to gender equality as the UK has no comparable influential institutions to those furthering equality at the European level.*

Following the EU referendum result, the longevity of the EU's equality framework has been in doubt. Notwithstanding the ongoing need for policies that go beyond the labour market (or the reconciliation of work and family in the lives of women), European legislation has provided a number of important employment standards based on the principle of gender equality (e.g. equal pay and equal treatment in occupational pension schemes, pregnancy and maternity rights, equal treatment for part-time workers). In this respect, the EU is an organisation that supports specific powers and state capacities in the pursuit of gender equality. Its 'gender machinery' includes both formal legally binding norms, institutional actors and expert networks, as well as informal statements, declarations and practices that enable feminist bureaucrats to progress the principle of gender equality in member states. Leaving the EU thus constitutes a risk to gender equality as the UK has no comparable influential institutions to those furthering equality at the European regional level.

Reflecting on the historical development of national equality legislation is useful in pointing towards which rights or resolutions are vulnerable as a consequence of the deregulatory agenda proposed. Whilst UK legislation on race discrimination, equal pay and disability pre-date EU Directives in these areas, priority was historically afforded to business interests over the principles of equality and justice in the labour market. It is as a result of EU law that the domestic regime has been developed to include protection against all forms of discrimination and to guarantee rights the rights of workers through the introduction of working time protections, the protection of agency, fixed term and part-time workers, and the institution of health and safety measures amongst many other initiatives. The EU has thus been pivotal in establishing a gender regime in which workers are afforded certain rights and protections. In a period of global deregulation, it has facilitated the increase of women in the public economic sphere and helped close the gender gap in employment (although there remains variation in the uptake of employment related to both social class and area).

Following the removal of EU structures, a post-Brexit government would have the legal autonomy to rescind the policies and instruments that have until now 'softened' the neoliberal gender regime jeopardising moves towards gender equality. While [Theresa May](#) promises a great expansion in worker rights, there is no explicit reference to women and the exact policy instruments and preventions to ensure their employment rights after Brexit. Instead, the negotiations are about securing the UK's economic and political power in a (gender)neutral way. The absence of the gender reflects statements by [Michael Gove](#) and [Boris Johnson](#) in the run-up to the election specifying an ambition to remove the 'red-tape' that was costing the country £600 million per week through the eradication of working time regulations, staff protections and state-sponsored benefits, including parental and maternity leave, and health and safety enactments. Similar proposals were made by Conservative MPs Christopher Chope and Priti Patel, as well as David Cameron's former adviser [Steve Holton](#). Moreover, the group [Economists for Brexit](#) made a case for Britain to leave the EU based on the potential cost savings to be achieved through the eradication of gender equality and working time rights, along with changes to health and safety regulations which found party support.



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With European legislation and regulation on gender equality framed as inhibiting economic growth, the post-Brexit environment is likely to see the simultaneous intensification and erosion of gender. Should the UK government deregulation fail to enact sufficient legal protection to compensate for the removal of EU laws, directives and charters, the prior neoliberal tendencies of individualisation and the transfer of reproductive responsibilities towards the feminised spaces of communities and families – renewed in part through the implementation of austerity measures in recent years – will no longer be restricted by the promotion and implementation of gender equality policies. At the same time, deregulation and the reprivatisation of social reproduction are likely to affect not just women, but a number of feminised individuals upon whom the burden of additional care work falls. The dimensions of class, race and ethnicity mean that any change in the gender regime will affect constituted groups differently. In this sense, Brexit indicates the significant intensification of the practices that reflect and reproduce gendered labour and economic inequality.

Making the case for Europe's democratic values and its commitment to social justice will depend on both the popularisation of a feminist campaign in which gender equality as a main goal is rendered legitimate, as well as the incorporation of a feminist ethic within the auspices of the state. This latter task is becoming increasingly difficult given the support expressed for the repatriation of European powers by previously [pro-European factions](#). However, Brexit could pave the way for the promotion and implementation of gender equality initiatives that go beyond the EU's gender mainstreaming strategy as a transformative policy tool. In spite of the gains made by the EU on gender equality and human rights, entrenched gender roles sustain the dynamic of women's disadvantage and thus need to be addressed. Activities that raise public consciousness of the gender conventions that underlie continued patterns of discrimination are a start and may, in turn, allow new forms of solidarity to come to the fore.

*Note: the above draws on the author's [published work](#) in the journal *Space and Polity*. This article gives the views of the author, not the position of LSE Brexit or the London School of Economics.*

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