



**Revisiting the concepts of Contract and Status  
under changing Employment, Welfare and  
Gender Relations**

6<sup>th</sup> – 8<sup>th</sup> October 2005

Room 221

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# 1. Executive summary

The workshop proved to be a very lively and controversial discussion from the first presentation and throughout the meeting.

Some of the key questions that emerged from these discussions were about whether:

1. The concept of contract should be used metaphorically as a heuristic device or, whether it should be applied empirically to examine real existing contracts?
2. Does contractualism imply equal relations between parties, as proposed by the 'original position' in political theory? Or, are contracts always about unequal relations, as is the case in real existing contracts?
3. Why should we even consider using this type of concept? What is it about social change that has made us resort to these kinds of terms? Is it because social relations have become an increasing individualisation and calculation of benefits by the parties involved? Does this imply a decline of civic spirit and the role of solidarity?
4. And, what are the strengths and weaknesses of alternative concepts for comparative research such as employment and welfare regime models, or the capabilities approach?

Some of the conclusions from our discussions were:

1. The specification of contract depends very much on previous non-contractual relations. This implies examining the importance of questions such as trust and solidarity.
2. Contracts are always incomplete, and in a process of renegotiation, as it is impossible to stipulate all conditions and unforeseen events.
3. One of the advantages of using the concept of contract was that it forced us to look at the legal, moral, economic and sociological basis of regulating relationships both at the macro and micro level.
4. The concept of contract draws attention to the increased marketisation of many social and political relations.

## 2. Scientific content of the event

All advanced industrial societies are in the process of reforming their employment and welfare arrangements. This represents an attempt to modernise social, economic and political institutions established in the post-war period, and before. Modernisation has been seen associated with the movement towards a more contractual and individualised society. In contrast to a more traditionalist society, where political and economic relations were governed by social status; in modern societies these relations are more likely to be governed by contract. These issues stem from political debates dating back to the 1870s. However, the concept of contract has been applied to a wide number of heterogeneous topics; some legal scholars have claimed that the original liberal conception has now lost its meaning as legal decisions increasingly take account of the social status of the parties concerned.

The concepts of contract and status have been central to the historical development of sociological, political, and legal thought. In recent years we have witnessed a revived interest in these ideas across disciplines including economics, history, demography and social policy. This can be seen in the number of publications using these ideas to talk about changing social and economic relationships in terms of employment, welfare state reforms, household and demographic changes experienced in most advanced industrialised societies.

The workshop examined the concepts of contract and status in relation to changing employment and welfare arrangements in Europe. We focused on how these contractual relations are being renegotiated at the individual household level as well as at the macro institutional level and the prospects for future developments. The aim of the workshop was to generate a critical reflection of the development and usefulness of these ideas for future research.

The workshop opened with an paper from the Swedish historian Professor Yvonne Hirdman. She had originally developed the concept of the 'gender contract' in her work on the role of trade unions in the development of the welfare state in Sweden. She outlined the key aspects of her approach using the concept of contract in as a metaphorical and political device to capture attention to the gendered nature of welfare and work arrangements and how these had been reformed in the previous century. Her paper raised considerable controversy and a very lively debate from colleagues who questioned the basic validity of using the concept of contract to capture these relations as being highly reductionist and over structural.

This presentation was then followed by Professor Michel Lallement who talked about the use of contract in French legal theory and industrial relations research. He explored the difficulty many labour lawyers had at the turn of the 19<sup>th</sup> century in clarifying the exact nature of the labour contract and whether or not this could even be considered a contract at all comparable to other types of contract. He drew on the work of Durkheim to bring out the importance of the non-contractual relations as essential in providing the basic premise on which parties attempt to make contracts, as well as the fact that contracts were always incomplete and required repeated negotiation.

This session was concluded by Dr Jacqueline O'Reilly drawing on earlier comparative research on the use of part-time employment and the growth of women's paid work she focused on the concept of gender conflicts around women's time and responsibilities in the home and the workplace and how the state in different societies has sought to regulate this with a variety of leave and care provisions. These types of

arrangements are what we usually refer to when talking about real contracts. She raised the questions for debate as to how far can the concept of a gender contract can be used to explain change over time, i.e a movement between different gender models for example from the male breadwinner model to the dual earner model, or adult worker model as identified by Professor Jane Lewis. Second, how well could this concept describe the differences we observe between societies, and how we might try and account for these.

The afternoon session commenced with a paper from Professor Ann Orloff. She examined the change in social policy away from maternalist policies where mothers were increasingly expected to be in the labour market in paid employment, whilst the status of motherhood was being undermined. In this session Professor Rosemary Crompton presented some recent cross-national comparative research on Britain and Portugal looking at why so many Portuguese women worked full-time despite a lack of care provision, and yet at the same time held many traditionalist attitudes towards the importance of the family. She was also interested in looking at the differences in class pointing out that that traditional breadwinner family models were more common and received more support from lower income families.

The final session of the day involved three papers focusing on the area of employment and education from younger scholars. This session looked at the changing world of work contracts and the type of challenges these posed to traditional employment relations. Dr Vanessa Gash who looked at the growth in the use of temporary employment contracts in Europe. Dr. Karin Schulz-Bushoff outlined her comparative European research project on self-employment drawing attention in particular to gender differences in the types of people who go into self-employment in Europe and the gendered nature of occupational segregation and its consequences in these countries. The final paper of the session was given by Dr. Cristina Solera who focused on the Italian case and the role of education as an 'insurance' for later life cycle choices.

The papers presented on Friday morning focused on the generational changes in the expectations about relational contracts. Professor Marlis Buchman examined the historical shift in partnership ideals in the 20<sup>th</sup> century based on content analysis research of personal advertisements in a range of Swiss newspapers from 1900-2000. Her work showed how the cultural template of what was considered to be a suitable marriage partner changed significantly during by the 1970s when the qualities required of partners were ones more closely associated with emotional intelligence rather than hardworking material characteristics. In other research she has also identified similar patterns emerging in the way job advertisements have been framed suggesting that there is a broader cultural change in the expectations individuals have about professional working life and intimate social relations.

Professor Renate Siemenska then went on to examine the nature of the gender contract and how it had changed in the Polish case since the end of the communist regimes, both in terms of the implications for changes as the macro political and economic level as well as at the micro individual level.

Professor Bill Jordan continued the theme of contractual relations and expectations in his presentation of comparative research on Polish migrants to western Europe. He argued that patterns of migration varied by economic status and gender. But what was particularly striking was the assimilation of migrants into the particular societal regime to which they had migrated. He illustrated this using the cases of Germany, Britain and Italy.

Professor Johnthan Gershuny used the concept of a gender contract in a metaphorical way to illustrate how the traditional fairy tale of Cinderella had been inverted to that of Allerednic, meaning that where as traditionally the poor housemaid dreamed of being redeemed by 'Prince Charming', the reality for many women today was that they were moving from the status of being highly educated women expected to provide all the housework tasks. This marked a historical change in the expectations and lived experiences of couples today.

In the session entitled 'Negotiating responsibilities within the household: care, incomes and employment', Dr. John MacInnes and Dr. Tizano Nazio presented their work on Work, childbirth and time pressure in Europe, using their analysis of the European Community Household Panel survey. This presentation resulted in a lively discussion of the meaning and validity of measures such as fertility rates and their implications for discussions about the need for pension reform. The theme of managing competing time pressures was continued in the presentation by Professor Tanja van der Lippe and Dr. Laura den Dulk who discussed the results from their extensive study of 'Dutch workers and time pressure'. These were further elaborated on by Dr. Philip Wotschack's presentation on 'Household governance and Labour Supply' illustrating the use of innovative qualitative techniques to explore household decision making. The day was concluded by a more general presentation of changes in welfare policies and the growing use of contractualism in public sector policies related to care provision and family services by Professor Trudie Knijn who examined the growth of 'Contracts with the family'

The Saturday morning session on Macro social change to the Social contract was opened by Professor Jelle Visser who returned to many of the opening themes of the workshop in his discussion of the theoretical and empirical basis of contract in relation to employment and welfare states. Professor Celia Valenti examined recent reforms in Spain and their implication to personal as well as welfare and employment contractual relations in her paper on the role of social movements. Professor Jane Lewis who was due to present her work on 'Gender Equality Policies and the Adult Worker Model Family' was unable to do so due to illness that meant her leaving earlier than anticipated. In examining Future Directions of Social Change Professor Hobson looked at the role of economic citizenship, fertility patterns and birthstrikes and compared the role of competing concepts such as the capabilities approach, as an alternative to the contractual approach. Professor Jackie Scott concluded this session by providing an outline of the research being conducted under the ESRC research programme 'Changing Lives, structures and public opinion'. Her presentation provided an overview of research being conducted in the UK and links to other European research networks as potentials for future collaborations.

### **3. Assessment of the results, contribution to the future direction of the field**

Overall the participants were all very enthusiastic about the very lively discussions we had had and the general organisation of the workshop. Many commented that it was one of the best workshops they had attended in years. Some of the younger participants thanked the organisers saying that they had learnt a lot in such a short amount of time. There was a good mix of both younger and more experienced scholars that many benefited from. Other participants also commented that there was an exceptionally healthy balance of men and women represented at the meeting, which tends to be unusual. The interdisciplinary representation at the workshop was also commented upon where we drew from work by sociologists, economists, historians and demographers from ten countries, including the US.

Our discussions illustrated the controversial nature of this concept, both in terms of theoretical development and practical empirical application, in particular to comparative cross-national research of changing work and welfare relations, which all participants are currently undertaking.

There were plans for some of the papers presented to be published in a special issue of a journal possible *Social Politics* or *Work, Employment and Society*. Also commissioning editors from Oxford University Press have expressed interest in publishing an edited volume of a selection of these papers.

Some of the participants have prepared collaborated research programmes to develop these ideas to be funded from the European Union and the Anglo-German Foundation.

## 4. Final programme

|                         |   |
|-------------------------|---|
| Thursday<br>11.00-13.00 | Jacqueline O'Reilly Opening address<br><b>Challenging the Gender Contract: Politics and policies in comparative perspective</b><br>Yvonne Hirdman ' <i>Gender contract: a theoretical concept for analysing reproduction and change in gender-relations.</i><br>Michel Lallement 'The ambivalence of the concept of contract'<br>Jacqueline O'Reilly 'The concept of a gender contract in question' |
| 13.00-14.00             | Lunch   |
| 14.00-16.00             | Ann Orloff "Farewell to Maternalism?": Explaining transformations in gendered policy logics and social politics<br>Rosemary Crompton 'Gender Contracts, Family and Class'   |
| 16.00-16.30             | Break   |
| 16.30-18.00             | <b>The Changing world of Work Contracts – new challenges to traditional employment contracts?</b><br>Dr. Vanessa Gash 'Temporary Employment contracts and social status'<br>Karin Schulz-Buschoff 'New Opportunities or New Risks? Self Employment in Europe'<br>Cristina Solera Women's work Histories in Italy: Education as Investment in Reconciliation?  |
| 20.00-22.30             | Dinner Terraces Restaurant overlooking Brighton Palace Pier <b>8pm</b>  |
| Friday<br>9.30-11.00    | <b>Generational change in expectations about contracts</b><br>Marlis Buchman 'Historical shift in partnership ideals in the 20th century.'<br>Renate Siemenska 'Gender Contract in New Political and Economic Situation'  |
| 11.00-11.30             | Break   |
| 11.30-13.00             | Bill Jordan 'Migration, Work and the Social Contract'<br>Jay Gershuny 'Social mobility effects of the changing gender contract'   |
| 13.00-14.00             | Lunch   |
| 14.00-16.00             | <b>Negotiating responsibilities within the household: care, incomes and employment</b><br>John MacInnes & Tizano Nazio 'Work, childbirth and time pressure in Europe: dynamic evidence of traditional sex-differences. A competing risks survival analysis of the ECHP.'<br>Tanja van der Lippe and Laura den Dulk 'Dutch workers and time pressure'  |
| 16.00-16.30             | Break   |
| 16.30-18.00             | Philip Wotschack 'Household governance and Labour Supply'<br>Trudie Knijn 'Contracts with the family'   |
| 19.00-22.30             | Dinner Casa Don Carlos Spanish Tapas Bar 5 Union Street in the Lanes. Tel: 327177 <b>7pm</b>  |
| Saturday<br>9.30-11.00  | <b>Macro social change to the Social contract</b><br>Jelle Visser, Changing role of contracts in modes of labour market governance<br>Celia Valenti 'Social movements challenging the existing contractual arrangements'<br>Jane Lewis 'Gender Equality Policies and the Adult Worker Model Family'   |
| 11.00-11.30             | Break   |
| 11.30-13.00             | <b>Future direction for Social Change</b><br>Barbara Hobson 'Economic Citizenship and Capabilities'<br>Jackie Scott 'Changing Lives, structures and public opinion'   |
| 13.00-14.00             | Meeting closes & Lunch  |

Speakers will give a 20 minute presentation, allowing approximately half an hour for a collective discussion in each session.

## 5. Final list of participants

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## 6. Statistical information on participants

| Country         | Number of participants | Percentage |
|-----------------|------------------------|------------|
| UK              | 5                      | 21.7%      |
| The Netherlands | 4                      | 17.4%      |
| Germany         | 3                      | 13.0%      |
| Italy           | 2                      | 8.7%       |
| Spain           | 2                      | 8.7%       |
| Sweden          | 2                      | 8.7%       |
| France          | 1                      | 4.3%       |
| Poland          | 1                      | 4.3%       |
| Switzerland     | 1                      | 4.3%       |
| Austria         | 1                      | 4.3%       |
| USA             | 1                      | 4.3%       |
| Total           | 23                     | 100%       |

There were a total of 23 participants from 10 countries including Germany, France, Italy, Spain, Sweden, the Netherlands, Poland, the UK, the US and Switzerland.

The age range of the participants was fairly evenly distributed with three broad categories

### Age distribution

|          | Number | %  |
|----------|--------|----|
| Under 40 | 6      | 26 |
| 41-50    | 9      | 39 |
| 51+      | 8      | 35 |

### Gender

|       | Number | %  |
|-------|--------|----|
| Men   | 7      | 30 |
| Women | 16     | 70 |