

FACT SHEET ON DENMARK

Information supplied by Simm & Rolandsen , based on their paper for the Workshop on Legal Struggles and Political Mobilization around Gender Quotas in Europe, September 2014, Florence.

CONSTITUTION
Constitutional gender equality clause, including constitutional parity provisions.
Denmark has a constitutional monarchy, which means that the Head of State, the monarch, is bound by the constitution. The only reference to gender in the Danish Constitution was adopted in 1953, According to the new law of succession the Head of state (the monarch) succession to the throne was no longer a male privilege but in case the royal family had no male members female members of the royal family could become Head of State. This 'limited gender equality' [begrænset lighed mellem køn] and was confirmed by a constitutional referendum in 1953.
Constitutional reform
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Constitutional/Supreme Court case law on quotas
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NUMBERS
Number of female MPs in both chambers
Denmark has one chamber: [Folketinget] – the Parliament - with 179 members – 2 seats are reserved for the Faroe Islands and 2 seats are reserved for Greenland. Of the remaining 175, 38.9 percent are women (68 members) since the last election in September 2011.
Number of women in boards of biggest publicly listed companies
2009: 18.9 per cent of the boards in all companies; and 9.7 per cent of the boards of the largest Danish listed companies. 2013: 19.3 per cent and 12.8 per cent respectively. 2014: 14.7 per cent of the board members of listed companies were women.

POLITICAL and PARTY QUOTAS
Existence of voluntary party quotas and other schemes
Two political parties, the Social Democrats and the Socialist People's Party did adopt voluntary gender quotas, but only for short periods. Both parties abolished these quotas again at party congresses in 1996, the former mainly by the influence of men, the latter because of young women who no longer saw the need for gender quotas.

Existence of soft measures in politics

NONE

Existence of hard legislated electoral quotas

NONE

Existence of Public board quotas

Legal obligation for gender equality on public boards and commissions exists as one male and one female candidate must be proposed for nomination. The ministries must report back to the Ministry of Equality on these matters and exemptions must be based on 'objective justification'.

CORPORATE BOARD QUOTAS

Existence of soft Corporate Board quotas/measures

Under the influence of debates at the EU level, a 40% gender quota was proposed in the 2011 Government Platform. Instead, a soft law was adopted in Parliament in December 2012 and labelled the 'Danish model'. It obliges private companies to set up goals for gender equality on boards and present policies to stimulate the participation of women in economic governance, including plans for recruitment in order to address the levels below top management. No sanctions were envisaged.

It is illustrative for the Danish political culture that the four centre-right oppositional parties voted against this law.

Existence of hard Corporate Board quotas

NONE

QUOTAS IN OTHER DOMAINS

Legislated or voluntary measures in other domains as executive, judiciary, universities, sports federations, trade union, professions, political party structure, etc.

NONE

CONTAGION and CONNECTIONS

Contagion between different domains within the country

Little contagion effect because of the voluntary nature of the measures, and different power-dynamics between for instance politics and corporations. So, the institutional logic, the social actors involved and the main arguments are different in the three arenas of political governance, parental leave policies, and economic governance.

Connections with other countries/ international dynamics

The recent debate on gender quota in economic boards was inspired both by the Norwegian gender quotas in corporate boards and the proposal for a Directive from the European Commission.

COUNTRY SPECIFICS

Best practice

The Danish tradition for mobilizing social actors was very strong from the beginning of the 1920's until the end of the 1980's.

During the 1970s and 1980s there was a relatively high degree of consensus about gender equality policies across the Left/Right divide, and alliances among women across the political parties played an important role for adoption of gender equality policies.

The Government Platform document from October 2011, 'A Denmark that stands together', includes a section about equality and diversity. Here, two of the proposals directly address gender quotas in relation to childbirth and within corporations. [Both proposals about gender quotas were, however, later withdrawn.]

Failures

Since the 1990s, there has been a growing resistance to gender parity, especially to gender quota, coming from both women and men in liberal, conservative and populist parties based upon strong beliefs in the liberal principles of individual citizens' 'free choice'.

Previous voluntary measures (i.e., charters for companies to sign) have proven unsuccessful by not achieving a significant increase in gender-balanced compositions of company boards.