



**Women
in
Portugal**



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FOREWORD

Portugal has applied to join the European Community and negotiations on its membership are now under way.

In our ten countries, we still know too little about each other. It is important for us to get to know Portuguese women a little better even before they join us. This report tries to help by setting out facts, figures and addresses.

We do not claim that this is an exhaustive piece of scientific research. Far more detailed and technical surveys are being produced to inform the Commission and provide a basis for its work. The aim of "Women of Europe" in bringing out this report is to throw out a bridge between women in the European Community and those who, we trust, will soon be joining us.

Women of Europe

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1.

I N T R O D U C T I O N

In addition to the problems experienced by European women in general, Portuguese women have to contend with the difficulties that arise in a country that has lagged behind others in economic development, a country that shares with other Mediterranean countries the cultural traditions that have made so deep an impact on family structure, relationships between the sexes and the image of women in society.

Despite the sexist proverbs in common currency such as "na casa manda ela, mas quem manda nela sou eu" (she's the boss in the home, but I'm her boss), "nao provam bem as senhoras que se metem a doutoras" (steer clear of women who go to the university) and "da mulher a casa, do homem a praça" (woman at home, man outside), the fact is that at least in the eyes of the law there have been great advances in the status of women since the 1974 revolution, above all since Parliament's approval of the new Constitution for the Republic in 1976, a formal declaration of democratic values - especially for women.

The search for ways to end discrimination against women is now a formal requirement embodied in the Constitution. Clause 13 states that:

"1. All citizens shall enjoy the same dignity in society and shall be equal before the law.

"2. No person may enjoy privileges or advantages, nor be placed at a disadvantage, deprived of a right or exempted from a duty, by reason of his or her lineage, sex, race, language, place of origin, religion, political or ideological beliefs, education or financial or social status."

The general principle of equality formally stated in this clause is reaffirmed when discussing the fields in which discrimination against women is most commonly found: the family (clause 36) and work (clause 53).

There are more or less direct references to women in other parts of the Constitution. It is a subject to which we shall return.

The Constitution is the basic point of reference for almost every effort to achieve de facto equality between the sexes, whatever the field.

Nevertheless, the equality being sought is broader in scope. There is a demand for consistent equality in every aspect of everyday life. The realities of everyday life, regrettably, have not kept pace with Portuguese law. It is well known that in Portugal - as in other countries - there is a wide gap between equality as prescribed by law and equality in practice. There is much to be done to eliminate the discrimination that still exists and, to achieve this, attitudes must change.

Going beyond formal expressions of political resolve, a body whose aim is to achieve equality in practice has been set up, the "Committee on Women's Status". Answerable to the Prime Minister's personal staff, its terms of reference are to promote the sharing of responsibility by men and women in every sector of Portuguese life.

This desire for change, expressed at home in government and parliamentary policy, has been confirmed by Portugal's external policy. Many international conventions have been ratified, including the United Nations Convention on the elimination of all forms of discrimination against women.

2.

<p style="text-align: center;">THE GEOGRAPHICAL, ECONOMIC AND POLITICAL PICTURE</p>
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Portugal is 34,831 square miles in area. Geographically, it forms the western part of the Iberian Peninsula, with about 500 miles of coastline. The territory of Portugal is not only the mainland but includes the archipelagoes of the Azores and Madeira in the Atlantic, which have an autonomous status. The enclave of Macao in the Far East is also administered by Portugal.

Until 1974, the year of the Portuguese revolution, Portugal also had overseas territories. The process of decolonization was spread out over a period of years, but as each territory gained its independence there was an immense influx of population to mainland Portugal. At the same time, profound changes were taking place in Portugal's economic and social structure.

The differences between North and South are marked, as they are between the coastal area in which the cities and major towns are located and the inland regions.

Most of these differences lie in the structure of agricultural holdings and the level of economic development. In the northern part of the country, farms tend to be small and family-run; in Alentejo in the South, accounting for almost two thirds of the country, the large landed estates are either in private ownership or are owned by farming collectives set up after the 1974 revolution, or by cooperatives.

There is also a wide divergence between the more highly developed and populated coastal area and the inland areas.

The different climates in the North and South and in the coastal and inland regions have led to differences in the products grown, environment and natural resources. The North and the coastal area possess more natural wealth and have achieved a higher level of economic development, as well as having a firmer industrial base.

The current economic position of Portugal is still to a great extent the result of the changes introduced after the 1974 revolution. In the new political situation, structural and shorter term difficulties in the Portuguese economy have been aggravated, being reflected to a marked degree in the balance of payments position, inflation and unemployment.

The economic priorities for 1980 were to curb inflation and stimulate investment in production, maintaining a satisfactory level of economic growth that is not too heavily dependent on public spending.

Despite growing industrialization, especially after the introduction of the Government's new industrial policy in 1972, Portugal is still a country with a strong agricultural tradition.

Its chief products are wine, potatoes, wheat, maize, oil and apples. Agriculture, forestry and fisheries account for about 15% of the country's gross national product. The main industrial products are textiles, ship-building and agri-foods.

Politically, the principles underlying the structure of the Portuguese State are the same as in other democratic countries in Western Europe. It has a semi-presidential type of representative democracy.

There are eight political parties with Parliamentary representation. The Democratic Alliance is now in power, a coalition of three parties: the Democratic Social Party, the Democratic and Social Centre and the Popular Monarchist Party. The Socialist Party reached agreement with the Union of the Left for Socialist Democracy and the Independent Social Democrat Alliance to form the Republican Socialist Front, but this has now been dissolved. The Communist Party has formed the United People's Alliance together with the Portuguese Democratic Movement. The Popular Democratic Union, with only one seat in Parliament, is not a member of any coalition.

3.

**IMPORTANT DATES IN THE HISTORY OF
WOMEN'S EMANCIPATION IN PORTUGAL**

1822 - First Liberal Constitution.

Under this and the Constitutions that follow, the sexes are equal before the law, although they make no specific reference to women. Women are given the vote but in practice they do not exercise it.

1867 - Enactment of the first Civil Code.

1891 - First woman to graduate in medicine: Amelia Cardia.

1909 - Foundation of the League of Republican Women.

1910 - Fall of the monarchy and establishment of a republic.

The Divorce Law allows divorce in Portugal for the first time. The law treats husband and wife as equals in respect of grounds for divorce and rights to the children.

The offence of adultery treated in the same way, whether committed by husband or wife.

The new laws on marriage and affiliation based on equality of rights; women no longer required to obey their husbands.

1911 - The Constitution for the Republic enacted.

Women allowed to become civil servants.

Dr. Carolina Beatriz Angelo, a widow, votes in the elections for the Constituent Assembly on the grounds that she is the head of her family, since the sex of the head of the family is not specified in the law. This leads to a change in the law.

The first woman university professor (philology): Carolina Michaelis de Vasconcelos.

1913 - First woman to graduate in law: Regina Quintanilha.

Law nº 3 of 3 July gives the vote to male citizens provided that they can read and write.

1914 - Establishment of the National Council of Portuguese Women.

1917 - The "Portuguese Women's Crusade" founded by Ana de Castro Osorio to press for Portuguese intervention in the first world war.

- 1918 - Dissolution of the League of Republican Women.
- 1920 - Girls allowed to attend classes in boys' secondary schools for the first time.
- 1924 - First feminist congress.
- 1926 - Establishment of the "New State" run on authoritarian lines.
Women allowed to teach in boys' high schools.
- 1928 - Second feminist congress.
- 1931 - Women with a degree or certificate of higher education given the right to vote.
Decree 19694, 5 May: the only qualification that men need to vote is the ability to read or write.
- 1933 - The new Political Constitution establishes the equality of citizens before the law except for women, "in view of the differences deriving from her nature and the interests of her family" (clause 5).
- 1940 - Signing of the Concordat between Portugal and the Vatican, under which Portuguese couples marrying in the Catholic Church may not divorce.
- 1946 - An amendment to the election law laying down new principles.
- 1948 - Ban on the National Council of Portuguese women.
Publication of "Women of my Country" by Maria Lamas.
- 1959 - Any Portuguese woman marrying a foreigner may retain her own nationality if she wishes (Law of 28 July 1959).
- 1966 - National Assembly ratification of International Labour Office Convention nº 100 concerning equal remuneration for men and women for work of equal value.
- 1967 - Introduction of a new Civil Code, establishing that the husband is the head of the family and has full powers to make decisions relating to conjugal life and the children.
- 1968 - Law 2127 gives men and women the same political rights without distinction. Nevertheless, inequality persists in local elections since only heads of families may vote or stand for election.

- 1969 - The principle of "equal pay for equal work" introduced into Portuguese law.
Married women may leave the country without their husbands' consent.
- 1970 - Setting up of working group for women's participation in economic and social life, within the Ministry for Corporations and Social Security. The group conducts preliminary research on discrimination in public and private law and proposes amendments to family law and legislation on women's employment.
- 1971 - First woman member of Government: Maria Teresa Lobo, Under-Secretary of State for Social Welfare.
- 1973 - Setting up of "Committee for Social Policy on Women", continuing the work of the previous group.
Publication of "New Portuguese Letters" by "the three Marias", Maria Velho da Costa, Maria Isabel Barreno and Maria Teresa Horta.
- 1974 - Revolution of 25 April and establishment of democracy.
Three laws passed to give women access to diplomatic careers, magistracy and positions at every level in local administration.
Abolition of some of the provisions of the Concordat; civil divorce now possible for couples married in the Catholic church.
- 1976 - Husband's right to open his wife's correspondence abolished (Decree Law 474, 16 June 1976).
Approval of 90 days' maternity leave (Decree-Law 112, 7 February 1976).
Family planning advisory units set up in health centres (by order of Secretary of State for Health, 16 March).
Age ceiling for applicants for civil service abolished.
New Constitution, establishing equal rights for men and women in all fields, adopted on 25 April.
- 1977 - Institutionalization of the Committee for Women's Status under the Council of Ministers (Decree-Law nº 485/77, 17 November).
- 1978 - Revised Civil Code comes into effect.
- 1979 - Decree-Law 392, establishing equal rights for men in women at work and in employment.
First woman prime minister.
- 1980 - Establishment of a Parliamentary Committee on Women's Status.
United Nations Convention on the elimination of discrimination against women ratified.

4.

P O P U L A T I O N

1. Home Population

(Estimate)

Year	Total Population	Male	Female
1970	9,013,700	4,269,500	4,744,200
1975	9,633,100	4,557,300	5,075,800
1980	9,965,900	4,719,700	5,246,200
1985	10,265,800	4,867,900	5,397,900

2. Total births per 1,000 population

1976-80	19.39
1981-85	18.74

3. Total deaths per 1,000 population

1976-80	10.40
1981-85	10.58

4. Infant mortality - stillbirths per 1,000 births

1973	49.8
1975	39.0
1979	26.0

5. Maternal mortality

1970	0.73%
1975	0.42%
1979	0.30%

Marriages in 1975, by age of husbands and wives

	<u>Men</u>	<u>Women</u>
		under 15: 293
under 20	7,500	15-19: 26,513
20-24	50,332	50,475
25-29	30,444	14,620
30-34	5,062	3,510
35-39	2,378	1,994
40-44	1,671	1,487
45-49	1,399	1,307
50-54	1,243	1,055
55-59	953	701
60-64	914	630
65-69	667	341
70-74	366	151
75 and over	196	48

Source: INE - Demographic Statistics: 1975

Resident population - breakdown by marital status and sex - 1975

Unmarried	2,081,475	2,137,170
Married	1,898,495	1,972,725
Widowed	97,335	338,985
Divorced	4,700	11,535
Legally separated	7,160	11,545

Source: INE - Demographic Statistics: 1975

<u>1975</u>	Marriages celebrated	103,125	(non-Catholic	20,614)
<u>1976</u>		101,885		
<u>1977</u>		91,403		
<u>1978</u>		81,111		
<u>1975</u>	Marriages dissolved	42,334	(by death	40,782)
			(by divorce	1,552)
			(by separation	670)

5.

WOMEN AND EMPLOYMENT

5.1 The legal picture

The Constitution lays down certain principles specifically relating to women, as well as other principles that are not associated solely with women but have a bearing on female integration in the world of work. The principles are:

- the universal right to work (clause 51, paragraph 1).

- freedom to choose one's calling or employment . . . (clause 51, paragraph 3).

- the right of all workers, without distinction on the grounds of age, sex, race, nationality, religion or ideology, to remuneration for their labour based on its quantity, nature and quality, in pursuance of the principle of "equal pay for equal work", guaranteeing the right to live with dignity (clause 53, paragraph a).

- the right to education and technical and vocational training (clause 51, paragraph 2).

- the right to equal opportunities in the choice of calling or employment and in access to responsibility, work or a vocational category, without discrimination on the grounds of sex (clause 51, paragraph c).

On the subject of freedom to choose one's occupation, even before the new Constitution was approved three Decree-Laws had given women access to the diplomatic career, the magistracy and positions at every level in local administration.

It was Decree-Law 192 of 20 September 1979 that established the legal framework, thus ensuring that the principles set out in the Constitution could be translated into practice in the outside world and in labour law. It is the fundamental instrument in this domain, mainly because it creates the appropriate machinery to be used in applying the rules and principles to everyday life. We shall take a closer look at this decree, because of its great importance and the broad field it covers.

In the field of equal pay, the decree confirms the principle stated in the Constitution, "equal pay for equal work", and then adds that the objective criteria used in job descriptions must be the same for both men and women. In evaluating situations in which their earnings differ, these criteria must be applied.

A woman worker who feels that she has been the victim of discrimination in matters of pay must in her claim to the courts specify the male worker by comparison with whom she feels she has suffered discrimination. Her employer must then prove that the wage difference is justified by some factor other than her sex.

The principle of "equal pay for equal work" had been introduced into Portuguese law before the decree: in 1966, Portugal ratified International Labour Office Convention 100 on equality of remuneration for men and women workers for work of an equal value. In, Portugal's domestic legislation, the principle was restated in the legal code as it relates to individual contracts of employment.

On the subject of vocational guidance and training, Decree-Law 392 of 1979 places a duty on the State to promote, encourage and coordinate vocational guidance and training for women. It gives priority to girls in this 14-19 age group, to girls aged 20-24 if they have no qualifications or certificate of education at the minimum school leaving age level, and to women bringing up their children alone. It also guarantees access to vocational training courses for women, the percentage being laid down annually by the Minister of Labour. The decree also covers the return to employment of women after a break in their careers, with the help of vocational guidance programmes, retraining and refresher training.

Dealing with job vacancy advertisements and other forms of advertising linked with preselection and recruitment, the decree states that no restriction, requirement or preference may be stated if it is based on the sex of applicants.

The decree states that the clauses of collective agreements are null if they create occupations or job categories specifically for male or for female staff or if the rates of pay established for men and women in the same or equivalent job categories differ.

In the previous year, on 2 June 1978, Decree-Law 121 had been introduced to forbid any differential between men and women when fixing minimum wage levels in collective bargaining, stating that any clause conflicting with this rule in collective or individual agreements would be null and void.

All these rights are guaranteed by allowing both individual workers who feel they are the victims of discrimination and their representative bodies to press claims in the courts.

If legal action is taken, the employer must not take sanctions or any other action against the woman worker making the claim. If - over a period of up to one year following legal action - the employer adopts such sanctions, however, she will be entitled to compensation.

To help implement this decree in practice, the Ministry of Labour has set up a "Committee for Equality in Work and Employment", on which the Government, management and the unions are represented.

We have discussed this decree in rather more detail, but it is not the only legislation that touches on women's employment.

First of all, there are decrees establishing safeguards for women in matters of pregnancy, childbirth and the care of their children; we shall be taking a closer look at these in a separate chapter.

No distinction is made between men and women in the remaining body of employment legislation, except by regulations on the working of night shifts which refer specifically to women.

We shall also discuss the regulations on part-time employment, since so many women see a part-time job as a means of reconciling the need to work with their family responsibilities.

Working hours are regulated by Decree-Law 408 of 27 September 1971. In the chapter on night work, clause 31 states:

- "1. The employment of women on night work in industry shall be authorized only:
 - a) in cases of force majeure preventing the industrial establishments from operating normally;
 - b) in cases when the work has to do with raw materials or materials which are subject to rapid deterioration when such night work is necessary to preserve the said materials from certain loss.
- "2. The conditions under which night work is permissible, as specified in sub-paragraph b) above, may be laid down by collective contracts of employment.
- "3. When authorization is given as specified in 1. above, it shall not extend to women during pregnancy or during a period of three months following childbirth."

Clause 32 of that decree goes on to state that clause 31 does not apply to women holding responsible positions of a managerial or technical character, or to women employed in health and welfare services who are not normally engaged in manual work.

There is general recognition today that these measures are inappropriate. They follow very closely the guidelines laid down by ILO Convention 89 on night work by women in industry, ratified by Portugal in 1963. The original purpose of this Convention was to give women a measure of protection and, by promoting their health and safety, to safeguard their children and families. People are now questioning the need for special protection for women other than in matters associated with maternity, since it is seen as having an adverse effect on her status in the world of work.

Portuguese legislation will undoubtedly be amended, not only to bring it in line with the revision of ILO's Convention 89 but also in response to the need to update and systematically reformulate labour law in general.

On the subject of part-time working, a distinction should be made between the public and private sector.

Part-time employment in the public sector is regulated by Decree-Law 167 of 29 May 1980, which states:

"The only persons entitled to apply for the working arrangements specified in this decree [part-time employment] are civil servants who have completed at least three years' full-time employment for the authority and who satisfy one of the following conditions:

- a) they have one child or grandchild aged under 12 whom they wish to bring up under their own direct and personal care;
- b) they need to look after a child or grandchild whose disability or specific situation calls for special attention and direct care by the parent or grandparent;

..."

The private sector is governed by Decree-Law 409, 17 September 1971. Clause 43 states:

- "1. Collective agreements on employment shall set out the arrangements for part-time working wherever this is feasible in view of the nature of the activities or occupations covered by the agreements.

- "2. Before acceptance of the arrangements for such part-time working, the parties to collective agreements must clarify the preferences of women workers with family responsibilities, workers with diminished working capacity and workers also attending establishments of secondary or higher education.
- "1. The remuneration paid to employees allowed to work part-time must be no less than the ratio between their part-time working hours and the working hours for those in full-time employment."

Both these pieces of legislation reveal an obvious concern to reconcile working life with family responsibilities.

We feel that there is a significant difference of terminology between the two, probably linked with the passage of time between the two bills. In dealing with the subject of family responsibilities, the 1971 decree still referred specifically to "women workers", since the attitude at the time was that care of the children and the home was the sole province of the wife and mother. By 1980, however, no distinction was made between men and women workers in this respect, in line with the new measures introduced in family law.

5.2 The current situation

5.2.1 **Employment**

The rate of female employment has undoubtedly been rising in Portugal over the past few years, although not as fast as might have been expected.

The rise started in 1970, a time of profound changes to the country's economic structure and, above all, the introduction of a new industrial policy.

In contrast to the steady growth rate in female employment in the rest of Europe since the beginning of the century, in Portugal the employment of women gradually declined up to 1960. Over the same period, the number of women who might in fact qualify as having an occupation - a category consisting almost exclusive of women in the home, who were not defined as part of the working population - increased consistently.

Trends in women's employment

	WORKING POPULATION		% OF POPULATION IN EMPLOYMENT		WOMEN WITH AN OCCUPATION
	Women	Women + men	Women	Women + men	
1940	678,000	3,050,000	16.9	31.3	2,283,000
1950	737,000	3,289,000	16.8	30.0	2,525,000
1960	606,000	3,423,000	13.1	38.5	2,894,000
1970	857,000	3,396,000	19.0	39.4	2,310,000

Portugal's policy on a new structure for its industry was not the only factor influencing the trends: the growing involvement of women in the working world was brought about by other reasons as well. Massive emigration, especially to other European countries, and the extension of the period of military service as a result of the colonial wars markedly reduced the pool of available manpower.

The female labour force, therefore, could be said to have two features: its access to the labour market when there is a shortage of men, and the way it is strongly influenced by short-term changes in the economy.

There was a very clear shift from male to female labour in the agricultural sector. In the absence of husbands, fathers or eldest sons, many women had to take over responsibility for a smallholding: the figure for women working in the primary sector rose from 105,930 in 1960 to 173,505 in 1970.

In industry and the service sector, the shift was not so marked. In industry, the largest increases in absolute terms were in textiles, clothing and footwear (+56,000), in other words the sectors that have traditionally employed a large proportion of women. Despite the fact that these are not growth sectors in terms of job creation, they accounted for 63% of the increase in female employment in the manufacturing industry in general.

The more advanced sectors of industry - non-electrical machinery, metal manufacture, vehicles, etc. - were those with the highest growth rate in the number of women employed by comparison with industry as a whole, even though the percentage shift to female labour continued to be lower than in traditional industries.

Employment between 1960 and 1970 - breakdown by economic sectors

	NUMBER EMPLOYED					
	1960			1970		
	Men	Women	M + W	Men	Women	M + W
Primary	1,338,595	106,426	1,445,021	824,055	178,795	1,002,850
Secondary	783,043	175,664	958,707	756,660	264,660	1,021,320
Service	591,402	320,513	911,915	753,635	386,020	1,139,655
TOTAL	2,713,040	602,603	3,315,643	2,334,350	829,475	3,163,825

	% variation		% growth in female employment		
	Men	Women	M + W	1960	1970
Primary	+ 38.4	+ 63.0	- 30.6	7.4	17.8
Secondary	- 3.4	+ 50.7	+ 6.5	18.3	25.9
Service	+ 27.4	+ 20.4	+ 25.0	35.2	33.9
TOTAL	- 14.0	+ 37.7	- 4.6	18.2	26.2

Source: INE - Population Census

The service sector was the only area to record a significant increase in the volume of employment in the 1970s (+ 25% between 1960 and 1970). Even so, female employment rose more slowly than male employment (+ 20.4% and + 27.4% respectively), reducing the shift towards female labour in the sector. This contradicts the generally held belief that the employment growth rate in the service sector has been greater for women than men.

The year that marked a turning point in the trends we have described was 1974.

The internal upheavals brought about by the 25 April revolution and the repercussions of recession in Europe profoundly affected Portugal's production and employment structure.

Emigration suddenly dwindled: the average annual outflow was 140,000 between 1960 and 1973, but no more than 40,000 a year between 1974 and 1978. The loss of the Portuguese colonies and demobilization brought more than 100,000 members of the armed forces back onto the labour market as well as 125,000 civilian ex-colonials of working age. The result was a great upsurge in the demand for jobs at a time when few jobs were available.

It is against this background of imbalance on the labour market that the problems of women and employment should be viewed.

After 1974, there was a fall in the level of women's employment, especially among industrial white collar workers, with a 5.7% drop between April 1974 and April 1976 compared with a 1.2% increase for men in the same category.

A breakdown by economic sector shows that the largest number of job losses occurred in the areas of highest female employment - textiles and clothing. The production structure of these sectors was weak and manufacturers found it hard to cope with the changes, especially the fixing of minimum wage levels. In addition, however, the sectors in which the percentage of female employment fell most sharply, or in which the discrepancy between the levels of employment of men and women was greatest, were the more advanced, dynamic branches of industry such as metallurgy, engineering, plastics and various manufacturing industries.

Women working in the service sectors were the least affected by the downturn in female employment.

The factors already mentioned, combined with the growth in the female working population and the fact that women had access to only part of the labour market, meant that women were more likely to be unemployed than men.

The position in 1980 is unclear since statistics are not available on the various fields in which women are employed, but we shall try to give a general picture of the current trends and the legal picture.

In the second half of 1980, the total population of Portugal was 9,423,000: 4,462,000 male and 4,961,000 female. The working population, excluding the military, was 4,303,000, made up of 2,523,000 men and 1,780,000 women.

In other words, women accounted for 52.6% of the total population but only 41.3% of the civilian work force. The proportion is even smaller when the total working population is taken into account, since the armed forces consist almost exclusively of men.

Women in employment represented an even lower percentage of the working population (i.e. those in employment plus the registered unemployed), because of the higher - and rising - rate of unemployment among women.

In the second half of 1980, the overall volume of employment and unemployment remained almost the same (with a mere 1.4% increase in jobs) as in the same period in 1979, with a slight reduction in female employment and a small increase (+2%) in male employment.

Structure of the civilian working population (second half of the year)

Civilian working population		1979 1980		Percentage variation
		x 1,000		
1		2	3	4
Civilian working population	M+W	4,251	4,303	+ 1.2
	M	2,489	2,523	+ 1.4
	W	1,762	1,780	+ 1.0
Civilian working population in employment	M+W	3,906	3,961	+ 1.4
	M	2,371	2,419	+ 2.0
	W	1,535	1,542	+ 0.4
Civilian working population - unemployed	M+W	344	340	- 1.1
	M	117	103	- 12.0
	W	227	237	+ 4.4
First job seekers	M+W	198	177	- 10.6
	M	63	50	- 20.6
	W	135	127	- 6.0
Other job seekers	M+W	146	163	+ 11.6
	M	54	53	- 1.9
	W	12	110	+ 10.9
Work force by comparison with total population, %	M+W	45.5	45.6	
	M	56.2	56.5	
	W	35.9	35.8	
Unemployment rate, %	M+W	8.1	7.9	
	M	4.7	4.1	
	W	12.8	13.3	

Civilian working population in employment
breakdown by economic sector and sex

(Estimated figures)

x 1,000

Economic sector	MEN		WOMEN		TOTAL	
	n°	%	n°	%	n°	%
<u>Primary sector</u>	562	23.2	543	35.2	1,105	27.8
Agriculture, livestock farming, forestry and hunting	520	17.0	541	35.0	1,061	26.8
Fisheries	20	0.8	54	35.0	1,061	26.8
Mining	22	0.9	1	0.0	23	0.6
<u>Secondary sector</u>	1,031	42.6	393	25.5	1,420	35.9
Manufacturing industries	651	26.9	378	24.5	1,029	25.6
Electricity, gas and water	17	0.7	4	0.3	19	0.5
Building and public works	363	15.0	9	0.6	372	9.4
<u>Service sector</u>	821	33.9	604	39.5	1,430	36.1
Wholesale and retail trades, restaurants and hotels	282	11.7	184	11.9	466	11.8
Transport, storage, communications	135	5.6	25	1.6	160	4.0
Banks & financial institutions, insurance, property, business services	59	2.4	21	1.4	80	2.0
Government service, national defence	154	6.3	72	4.7	226	5.7
Education	30	1.2	109	7.0	139	3.5
Health & veterinary medicine	24	0.9	49	3.1	73	1.9
Other services	137	5.7	149	9.7	286	7.2
Total	2,419	100	1,542	100	3,961	100

Source: INE - permanent employment survey. Portugal (mainland). Second half of 1980.

The service sector is the area in which women are best represented, since they account for 39.5% of its work force, compared with 35.2% in the primary and 25.5% in the secondary sector.

From the statistics, it would seem that there has been a sharp rise in the proportion of women employed in the primary sector - from 17.7% to 35.2% between 1970 and 1980. In fact, however, this is because women working in the sector (in farming, for instance) started to declare themselves as belonging to the working population in 1977; before that time they had looked on themselves as housewives.

There is no breakdown on the statistics for women employed in the manufacturing industries in 1980. Taking the figures for 1970, however, it may be observed that women accounted for only a small percentage of the total industrial work force but at the same time they held more than half of the jobs in "textiles, clothing and leather" (64.4%). An even higher proportion, two thirds of the work force, employed in the "food, drink and tobacco" industry, was female. Women were poorly represented in the rest of industry.

Large numbers of women were employed in the service sector as a whole, but not in "Government service and national defence" (8.6% of those employed in the sector); on the other hand, many women came under the statistical heading of "personal and domestic" (34.4% of those employed in the service sector) and "social and similar services" (16.6%).

The figures for 1970 are generally applicable to 1980, since there was no significant change in the structure of employment in the service sector over the period.

Civilian working population in employment
breakdown by occupational category and sex - 1980

(Estimated figures)

x 1,000

Economic sector	MEN		WOMEN		TOTAL	
	nº	%	nº	%	nº	%
Science and liberal professions	98	4.0	118	7.7	216	5.5
Senior officials in the public and private sectors	43	1.8	5	0.3	48	1.2
Clerical workers	253	10.5	183	11.9	436	11.0
Employees in distributive trades	171	7.0	116	7.5	287	7.2
Specialist service workers	147	6.0	215	13.9	386	9.7
Persons engaged in farming, fishing and similar occupations	538	22.2	539	35.0	1,077	27.1
Non-agricultural manual workers	1,166	48.2	339	22.0	1,505	38.0
Total	2,419	100	1,542	100	3,961	100

Source: INE - Permanent Employment Survey. Portugal (mainland).
Second half of 1980.

Looking at the breakdown by main socio-occupational categories, we note that 35% of all working women come under the heading of "persons engaged in farming, fishing and similar occupations". As we have seen, this high percentage is due to the fact that women began to think of themselves as members of the working population from 1977 on. It is no coincidence that, in a more detailed breakdown of status within each occupation, such a high proportion of women in this category comes under the heading of "unpaid family helpers".

Large numbers of women are included under the headings of "clerical workers", "specialist service workers" and "non-agricultural manual workers".

Finally, 7.7% of women members of the working population who are in fact employed are scientists or members of the professions, although women are poorly represented in the group of "senior officials". The fact that "science and the professions" number more women than men confirms the theory that the higher the level of education attained by a woman the more likely she is to work. The trend is not reflected, however, in the composition of the group of "senior officials". This shows that traditional attitudes towards the place of women in the working world are persisting in top management and in society as a whole, with the result that women are systematically excluded from positions of responsibility and managerial posts.

The figures on the employment status of unskilled workers show that most female manual workers are "employed", representing 60.7% of the total employed female labour force (see table on following page).

Civilian working population in employment
breakdown by occupational status and sex

(Estimated figures)

x 1,000

Occupational status	MEN		WOMEN		TOTAL	
	nº	%	nº	%	nº	%
Employers	82	3.4	6	0.4	88	2.2
Self-employed	462	19.0	144	9.3	606	15.3
Employees	1,736	71.8	936	60.7	2,672	67.5
Unpaid family helpers	121	5.0	446	28.9	567	14.3
Others	16	0.7	10	0.6	26	0.7
Total	2,419	100	1,542	100	3,961	100

Source: INE - permanent employment survey. Portugal (mainland).
Second half of 1980.

Despite the minute number of "women bosses", those that exist are in the service sector, especially in the distributive trades, catering/hotels and personal and domestic services.

As already pointed out, 74% of unpaid family helpers and other unpaid workers are women, 28.9% of the whole female work force in employment. The great majority work in agriculture.

Analysis of women's employment by age group

A striking feature of the pattern of female employment is its youth. In 1980, an estimated 31.8% of the working population was aged 24 or under, in contrast to the more even age distribution among men in employment. This high proportion of very young women is partly due to the rise in school attendance, a subject to which we shall return later.

After the age of 25, the level of female employment falls back since this is the period in which most women have their children. The lack of infrastructure and day care facilities are reasons why many women give up work and devote themselves entirely to their homes and children. Even those women who stay on in their jobs after marriage tend to leave once they have their first or second child.

In the 35 and over age group, the proportion of working women tends to fall rather than rise even though their children are less and less dependent on them. This trend may be due to the following factors: on the one hand, the fact that they are not specifically trained for a job and lack opportunities for refresher training to encourage and facilitate their return to the labour market, the nature of the work they do (which in many cases offers little satisfaction), poor promotion prospects and social prejudice against working women, as well as prejudice on the part of employers, who prefer to take on younger, unmarried women without children; on the other hand, the absence of facilities to support working women and the lack of interest displayed by husbands in domestic matters. The result of all these factors is that women have to struggle to do "two jobs", a heavy burden that causes them gradually to drop out of the world of work.

5.2.2 Unemployment

As already pointed out, women are more affected by unemployment than men. In the current economic climate in Portugal, this is a growing trend, further confirmation that women form a pool of reserve labour. In a sense it could be argued that the efforts to combat unemployment over the past five years have worked to the detriment of women. An additional factor is that many more women today would like to work, either from financial necessity or out of a desire for financial independence, and are shown in the statistics because they have registered with the employment services.

Rate of unemployment - breakdown by sex

The unemployed as a percentage of the total working population

	1975	1976	1977	1978	1979	1980
Men	5.1	5.9	5.8	5.4	4.6	4.0
Women	6.1	7.9	10.9	12.6	12.9	13.3

Source: INE - Permanent Employment Survey. Portugal (mainland).
Second half of 1981.

It should be pointed out that the overall level of unemployment has remained virtually the same since 1978 but that the decline in male unemployment has been matched by a rise for women.

Total unemployed in civil working population	M+W	340,000	
	M	103,000	30.3%
	W	237,000	69.7%
Unemployed seeking first job	M+W	177,000	
	M	50,000	28.2%
	W	127,000	71.8%
Other job seekers	M+W	163,000	
	M	53,000	32.5%
	W	110,000	67.5%

The highest rate of unemployment is among first job seekers, and within this group girls easily outnumber boys. Even so, this group is now smaller than the group of people looking for new employment. The proportion of the latter rose to the record level of 48% in the second half of 1980 (43.1% in 1978 and 42.4% in 1979).

Out of a total of 237,000 unemployed women, 127,000 are looking for their first jobs, i.e. 53.6% of total female employment; 110,000 in this group of unemployed have worked before, i.e. 46.4%.

Basically it is women who have brought about these structural changes. A comparison of the figures in the second halves of 1979 and 1980 shows that whereas there has been a significant drop in the number of first job seekers (- 10.6%), there has been an increase of 11.6% in other unemployed people, mainly because of the female component (+ 20.9%).

A breakdown of those out of work and the type of employment they are looking for reveals that unemployment is concentrated in industry and the service sector; it is virtually non-existent in the primary sector. This sector, especially agriculture, has traditionally been the area of "concealed" rather than registered unemployment, one sign being the large number of family helpers. As we have already pointed out, most of the work force in the sector is female.

Rate of unemployment by age group and sex

Age group	Men %	Women %
10-14	16.3	15.7
15-19	10.1	31.0
20-24	6.7	25.6
25-29	3.8	11.5
30-34	4.0	10.3
35-39	1.2	8.0
40-44	0.5	5.3
45-49	0.5	5.3
50-54	1.0	1.6
55-59	-	1.1
60-64	0.9	1.6

Source: INE - Permanent Employment Survey. Portugal (mainland).
Second half of 1981.

Comparing the number of women jobless with total unemployment, the highest percentages are to be found in the youngest age groups, in other words the groups in which the female work force is largest.

In confirmation of the point we have already made, the number of women seeking new jobs does not rise at an age when their children are growing up.

5.2.3 Earnings

Even though, as we have said, the law forbids the payment of differential wages for the same or equivalent work on the grounds of sex, we should take a rather closer look at the true position, since equality may be enshrined in law but not practised in real life.

Based on the official definition of "low wages", we find that in January 1972 about 44% of the non-agricultural work force were low wage-earners; by January 1978, the proportion had fallen to 25%. Within this group, there was a marked disparity between the percentages of men and women, a reflection of the tendency for the female work force to be less skilled and the greater concentration of women in the lower paid sectors of employment.

In 1978, for example, men earning low wages accounted for 14.1% of the male population, whereas the percentage for women was 54.1%. These discrepancies are substantial, but the gap is narrowing.

Percentage of low-paid workers in non-agricultural employment
- breakdown by sex - 1972-1978

Year	Total	Men	Women
1972	43.7	28.6	82.5
1974	41.4	27.7	76.9
1975	34.6	21.6	71.6
1976	28.5	18.5	58.4
1977	25.6	15.1	57.1
1978	23.5	14.1	54.1

Source: Survey on "Earnings categories: 1972 to 1978" -
Ministry of Labour Statistical Department.

In 1972, women earned an average of 53% of the wages paid to their male counterparts; by 1977, they were earning 72.1%. This progress was basically due to the introduction of a statutory national minimum wage for both sexes in 1974. At the time, it was estimated that approximately 48% of non-agricultural workers benefited from the measure. The minimum wage was increased in June 1975 and, this time, it was calculated that about 22% of workers earned less than the minimum wage (9% of men and 61% of women). When the wage was again increased in 1977, 11% of the non-agricultural work force benefited (6% of men and 27% of women).

We should point out that three minimum wage levels have been established in Portugal: the one described, a statutory minimum for agricultural workers and a minimum for domestic workers. No figures are available on the latter two, but there is no doubt that women have been the greater benefactors from the introduction of these measures. In the agricultural sector, women do the lowest paid work, and virtually everyone working in domestic service is female.

The discrepancy between the percentage of male and female low paid workers is smallest among the under-18s. The gap starts to widen in the 18-19 age group and is very wide after the age of 20, since women's promotion prospects are so much poorer than men's.

The proportion of low paid wage-earners in the blue collar work force is sizeable, especially among unskilled women workers. In 1977, 5.7% of male white collar workers earned less than the minimum, compared with 14.1% of their female counterparts, but 17.8% and 70.5% of male and female blue collar workers respectively were paid less than the minimum wage.

5.2.4 Vocational training

The status of vocational training for women is far from satisfactory.

In 1976, there were 16 adult vocational training centres, the essential aim being to provide job skill courses for unqualified adults. The centres offered in 28 types of course, grouped under three main headings: building trades, mechanical engineering and services.

In the period from 1973 to 1976, women took courses in only 4 of these 28 subjects, none of which were taken by men: typing, shorthand typing, machine drawing and architectural drawing.

The percentage of women attending adult vocational training courses by comparison with the total number of trainees was 11% in 1973, falling gradually to 5.9% in 1973 (when there were only 83 women trainees).

At present, the vocational training courses are designed almost exclusively to train people for jobs that have traditionally been a male preserve. The typing and shorthand/typing courses were ended in 1977 because of the shortage of secretarial jobs on the labour market. A point to bear in mind is that many of the courses are run in centres where the accommodation and other facilities were not originally intended for girls.

As things now stand, 13 centres offer 26 subjects, with girls taking only three of the courses: structural steelwork, milling tool operation and, very recently, building (4 girls).

When faced with the choice of vocational training, women are influenced by various considerations: the nature of the courses themselves, most of those chosen leading to what are traditionally considered as women's jobs; the real job prospects on the market if they decide on a course in a less feminine subject; and the fact that the facilities in the centres are not designed for girls. An additional factor is that the general and the technical/vocational education available does not really prepare girls to meet the demands of the working world.

All these factors explain at least in part why women find it so difficult to gain access to the labour market and point to the problems that must be solved.

5.2.5 **Community facilities**

A good network of community facilities for the care of young children is obviously vital if women are to play a part in the world of work, since they will enable mothers to reconcile their working lives with their family responsibilities.

Although a publicly funded pre-school system exists, it does not yet meet the demand. In 1978, there were 1,026,118 children in Portugal aged 6 or under, but day care facilities for only 93,504 (9%). Furthermore, no more than 8 out of every 100 children with such places were in official pre-school units.

Type of child care unit	Nº of children attending units	Nº of units
Privately run	48,655	805
Run by the authorities	7,964	83
Attached to a company	6,788	155
Profit-making	30,367	510
Total	93,504	1,553

Source:: IFAS (Family and Social Action Institute)

It should be pointed out that, according to clause 120 of Decree-Law 49 408 of 24 November 1969, employers have a duty to set up, or help to set up, infrastructure of value to the community, to include creches, nursery schools and similar units if the company is large enough to justify them.

In response to the needs expressed by working mothers, in 1978 plans were launched for new types of facilities to counteract the difficulties arising from the lack of social infrastructure. Among these are "Amas", a service provided in the home for people with certain specified needs; family-run creches; mini-creches run or supported by the local authorities; and child care units providing facilities not only for play but also for education, depending on the age group. These projects have not come into being.

In the city of Lisbon in 1975, there were 7 publicly run centres with 500 places and 28 private centres with 2,230 places.

In 1978, 237 recreation centres provided facilities for 9,660 school age children, with practical and financial support from the authorities.

Decree Law 530 of 20 October 1980 on social policy for the family (not yet in effect) states in clause 6:

"It is one goal of family policy to encourage the creation of infrastructure, to include creches and kindergartens, providing recreational facilities for children and mothers and caring for children while their parents are at work."

WOMEN AND EDUCATION

6.

Clause 73 of the Constitution enshrines the right of every citizen to education and culture.

The Portuguese educational system is divided into:

- pre-schooling** - optional and free of charge for children aged 3 to 6;
- primary education** - universal, compulsory and free of charge (six years' education);
- secondary education** - optional and free of charge for the first three years, token charges being made for the next two years;
- pre-university** - for those who aspire to continue their studies;
- higher education** - optional and at token cost, covering studies leading to the baccalaureate, diplomas, decrees and post-graduate decrees.

The system also includes special education for handicapped children and adult education in literacy and basic academic subjects. A national plan for adult basic education is now being drawn up.

The official statistics for 1970 were that:

- 38.7% of women aged 20 and over were unable to read and write;
- 64.6% of illiterates aged 20 and over were women;
- 92.1% women aged 20 and over had not gone beyond primary education;
- only 6.4% of women had received any secondary education, only 1.8% having completed the period of secondary education.

It is obvious, therefore, that the opportunities for women to specialize or choose a career were minimal before that time.

The current level of adult education will gradually raise the literacy rate for the population as a whole.

From 1970 on, other forms of discrimination between the sexes in the schools were eliminated step by step through the introduction of co-education, universal compulsory education and the same syllabus for boys and girls, a process that has now spread to every level of primary education.

The most marked differences that still persist occur when boys and girls move up to secondary education and have to opt for a specific type of education. In 1975, girls accounted for:

- 46.8% of pupils in secondary education in general;
- 57.6% of pupils in secondary schools specializing in arts subjects;
- 53.2% of pupils in lycées (grammar schools);
- but only 37.4% of pupils in schools specializing in technical/vocational subjects.

It has been noted that, in higher education, girls tend to take up arts, social sciences and natural sciences.

7.

WOMEN AND THE FAMILY

7.1 The legal picture

Certain clauses of the Constitution specifically relate to the family. Clause 36 is not the only measure concerning the family, but it is the most significant.

"Article 36 (The family, marriage and affiliation)

1. Every citizen has the right to found a family and enter into marriage on an equal footing.
2. The conditions and effects of marriage and the dissolution of marriage by death or divorce, whatever the manner in which it has been celebrated, are defined by law.
3. Husband and wife have equal rights and duties in terms of their civic and political capacity and the maintenance and care of their children.
4. Children born out of wedlock may not be discriminated against on that account, and neither the law nor the authorities may use discriminatory terms to describe their relationship to their parents.
5. Parents have the right and duty to bring up their children.
6. Children may not be separated from their parents unless the latter have failed in their fundamental duties towards them; such separation shall always be as a result of a court decision."

The principles set out in the new Constitution - especially the equality of husband and wife and non-discrimination against illegitimate children - directly contradicted the provisions of the Civil Code that had been in force up to that time, in which a discriminatory concept of the family prevailed, as it did in the principles embodied in the 1933 Constitution.

7.1.1 **Marriage**

The 1966 Civil Code placed the wife in a position of inferiority within the family. She had to defer to her husband's authority both in personal and property matters and in relation to her children.

The Code stated that the husband was the head of the family and, as such, had the final decision on all matters associated with conjugal life. He could intervene in his wife's exercise of a profession or trade, administer the joint property, including his wife's own personal property, and reach all decisions concerning the children. For her part, the wife's duty was to run the home, her privilege being to take her husband's name and nationality.

On the introduction of the new Constitution, the Civil Code had to be amended. This was done by Decree-Law 496 of 25 November 1977, which came into effect on 1 April 1978.

The basic principle on which the reform of family was based was equality between husband and wife in all aspects of family life.

In the set of provisions regarding the institution of marriage, the age at which girls are entitled to marry was raised to 16, the same as for men. Before that time, girls were allowed to marry at 14.

The preamble to Decree-Law 496 contains the following statement:

"It was important that the principle of formal equality between the sexes should be applied, but it was just as important to prevent the marriage of those who have not attained the level of psychological maturity called for in an act of such gravity. A further reason for its prevention was that a woman who marries at such a tender age might forfeit her further education and training, the lack of such training being a frequent cause of future discrimination."

The momentous changes, however, have been in the effects of marriage:

"Clause 1671 (Equality of husband and wife)

1. Marriage is based on the husband's and wife's equality of rights and responsibilities.
2. The direction and care of the family are the responsibility of both husband and wife, who must come to an agreement as to the ordering of their communal life with due allowance for the welfare of the family and for the interests of each member."

This new law went even further in establishing equality by abolishing the traditional apportionment of tasks between husband and wife. Clause 1676, defining the duty to contribute towards household expenses, states:

"The duty to contribute towards domestic expenses is incumbent upon both husband and wife, in consonance with the potential of each one. This contribution may be made by either by an allocation from his or her resources or by his or her domestic work or by his or her maintenance and care of the children."

In other words, the law makes a basic distinction between the two ways of contributing towards the maintenance of the family: financial, with a contribution out of wealth or income, on the one hand; and, on the other, the contribution of work done directly for the family. The husband and wife may contribute in either manner, sharing the duties in any way they think fit.

It is important that this provision implicitly recognizes the economic value of housework and the care of the children as being equivalent to the value of paid employment.

The family name

According to clause 1677 of the Civil Code, either the husband or the wife may add up to two of the partner's names to his or her own. In principle, the partner's surname is not relinquished except in the event of divorce or widowhood on the remarriage of the widow or widower. Even then, the law allows a person to retain the name of the former spouse if there are good reasons for so doing.

Family's place of residence

The family's place of residence must be jointly decided by the husband and wife, with due allowance for their work, the children's interests and the need to safeguard the unity of family life.

If the partners cannot agree, either one may go to the court to ask the magistrate to settle the matter.

Property

Under Portuguese law, there are three formal arrangements for the property of the partners to a marriage: all the assets owned by either party form the joint property of the husband and wife; only those assets acquired after marriage are jointly owned; and the assets of each party are separately owned.

Those about to marry are free to choose the arrangement which they wish to adopt on marriage. They may opt for one of the three systems defined by law or reach an individual agreement if they prefer. If they express no preference, the law states that the system applicable to marriages celebrated on or after 1 June 1967 will be the second arrangement, under which property accruing after marriage is jointly owned, although each partner retains ownership of the assets held before marriage as well as property received after marriage in the form of a gift or inheritance.

All these rules apply to both men and women, with no discrimination whatsoever against the wife.

The administration of assets

Under Portuguese law, there is strict equality in that each partner is entitled to administer his or her own assets as well as the assets more specifically associated with himself or herself such as earnings from employment or inherited property.

The partners to the marriage jointly administer other shared property. Either one may perform routine acts of administration but the agreement of both is needed when major decisions have to be taken. The law makes special provision for the family home and each partner's tools of the trade, a safeguard that has proved invaluable for women in practice. Neither spouse may sell the family home (or assign rights to the home) without the other's consent. These rules also apply to leases and letting.

Debts of the husband and wife

Under clause 1690 of the Civil Code, "the husband and wife may contract debts without the spouse's consent". The general principle is that sole responsibility for indebtedness lies with the spouse who has contracted the debt and that it must be repaid out of his or her own property and, on a subsidiary basis, out of joint property (although due notice must be given in this case).

Clause 1691 of the Civil Code, however, lists a number of debts for which both partners are liable. Repayment must be made first out of the joint property and secondarily out of the property owned separately by both of the partners without distinction.

Filiation

Going even further than the constitutional principle of the equality of husband and wife, a very important principle is established: that no discrimination should be made against children born out of wedlock. Just as the husband and the wife have the same rights and duties in respect of their children, all children have the same rights whether or not their parents are married.

According to paragraph 1, clause 1796, of the Civil Code, the relationship between the mother and child is created by virtue solely of the child's birth. Paragraph 2 goes on to discuss the paternity of the child, stating that if the mother is married the presumption is that her husband is the father of the child. If the mother is unmarried, paternity is established by recognition.

Before Decree-Law 496 of 1977 came into force, maternity was established by virtue of the birth of the child only in the case of married women. Unmarried mothers had to recognize the child, either voluntarily or by court order.

The system has now been standardized, its application no longer depending on the mother's marital status.

Paternity is still established by presuming that the mother's husband is the child's father, but - and this is the departure from the former system - it is far easier to challenge the presumption under clause 1839 of the Civil Code. Paternity may be challenged by the presumed father, the mother, the child or even by the attorney acting for the State at the request of the real father if the courts consider that his request is well founded.

Parental authority

As already pointed out, the father and mother have the same rights and responsibilities towards their children.

In marriage, parents exercise their parental authority by mutual agreement. If they cannot agree and if the points of disagreement are of special moment, the law allows them to go to the court in an attempt to reach a compromise.

In the event of the divorce or legal separation of the partners to a marriage and their property, the court must make an order as to the exercise of authority. If the divorce or separation is by mutual consent, the two must reach agreement as to parental authority, the agreement then being subject to the judge's approval.

The only interests taken into consideration by the judge are the children's; for example, the court does not have to determine which of the parties caused the breakdown of the marriage.

7.1.2 **Divorce**

After the 1974 revolution, a "pro-divorce" movement came into being to press for the abolition of the ban on divorce in Catholic marriages imposed after the signing of the Concordat by the Portuguese Government and the Vatican in 1940 and, in 1966, its embodiment in the Civil Code.

On 15 February 1975, an additional protocol to the Concordat was signed, amending its clause XXIV.

Decree-Law 261 of 27 May 1975 introduced this change into domestic law, and it was confirmed when the Civil Code was revised.

Under Portuguese law there are two types of divorce: by mutual consent and divorce by court order (on specific grounds).

A divorce by mutual consent is allowed if the partners have been married for at least three years and if they are in agreement as to alimony, parental authority over under-age children and the arrangements as to the family home.

In other cases, an application for a divorce may be made by one of the spouses on any of the specific grounds recognized by law.

A divorce not reached by mutual consent may be one of two types: a divorce on the grounds of misconduct, when one of the parties has failed in his or her conjugal duties; or a divorce on the grounds of the irretrievable breakdown of the marriage without either party being at fault. This condition is satisfied if the husband and wife have in fact been separated for six consecutive years, if one of the parties has been absent for at least four years without sending news, or in the event of a deterioration in the mental faculties of one partner for a period of over 6 years.

When the divorce is by court order rather than mutual consent, a declaration must be made as to which of the parties has been at fault, and this has an effect on the property.

In no part of the divorce law is there any discrimination against women.

7.1.3 Rights of inheritance

The law on this subject, in common with the law in the other fields already discussed, makes no distinction between men and women.

Inheritance is a matter of special concern to women, since they tend to outlive their husbands. It is a problem, then, that we shall discuss in greater detail, mainly as it affects the status of the surviving spouse.

Under the former legal system, if a person died intestate the surviving spouse came after the relations in the descending and ascending line and the brothers and sisters in precedence. If the children were the heirs, the survivor was entitled only to the use of the income from the estate during his or her lifetime.

The new system introduced by Decree-Law 496 of 1977 recognized the role of the nuclear family - the husband, wife and children - and upgraded the surviving spouse to the category of heirs with highest precedence, with the same ranking as the children. If there are no children, the surviving spouse is in the second category together with relations in the descending line. If there are no relations in the direct ascending or descending line, the survivor is the sole heir.

In the same spirit, the surviving spouse is considered to be a legitimate heir even if he or she has not been provided for in a will.

It should be pointed out that the surviving spouse is still in a favoured position by comparison with relations in the descending line; his or her share may never be less than one quarter of the estate, an important factor when there are more than three children.

Under certain circumstances, the surviving spouse is still entitled to live in the family home and to use the family furnishings, whether they were shared with the deceased or whether they were the deceased's own property.

7.1.4 **Nationality**

The passing of Law 37 in 1981 ended the last remaining form of discrimination against women in Portuguese law: in questions of nationality.

The law enacted in 1959 discriminated between men and women on the one hand and, on the other, between children born inside and outside marriage. With the introduction of the principle of equality by the new Constitution, this anomaly had to be removed.

Under the previous system, a foreign woman marrying a Portuguese national acquired Portuguese citizenship, whereas the husband of a Portuguese woman could acquire it only through naturalization or by Government concession on various conditions. A Portuguese woman marrying a foreigner generally had to take on her husband's nationality and forfeit her own.

The law on the transmission of nationality to children differentiated between the mother and the father.

The reformed law makes no discrimination either on the transmission of nationality or on the acquisition of citizenship by marriage.

Clause 1 of the new law, concerning nationality of origin, states that the children are Portuguese if either their father or their mother is a Portuguese national.

Clause 3, on the acquisition of citizenship by marriage, states that "a foreigner marrying a Portuguese national may acquire Portuguese citizenship by making a declaration during the marriage". Here again, men and women are treated as equals under the law.

7.1.5 Taxation

In the field of taxation, the major cause of discrimination against women was the supplementary tax. The traditional view of the family was taken: it was the husband, as the head of the family, who represented the family in all fields, including tax matters. This led to the wife's earnings being taxed at a higher rate and placed married people at a tax disadvantage by comparison with the unmarried.

There is to be a complete overhaul of the Portuguese fiscal system, but interim changes to the supplementary tax were brought in by Decree-Law 183-F introduced on 9 June 1980, the aim being to place husband and wife on an equal footing and narrow the gap between married and unmarried people.

Both partners to a marriage now have the status of taxpayer in their own right. The tax return must be filled in by both, any possible points of disagreement being resolved in the manner stated by law. The husband and wife are also treated as equals in matters of tax deductions and exemptions.

The supplementary tax is not a personal tax but is applied to the joint earnings of husband and wife. It is also progressive, and as such can be said to be against the interests of the family, marriage and the married woman's own career. The system has been maintained, but two different rates of contribution have been introduced, one for married and the other for unmarried taxpayers. The former is at a more favourable rate, thus correcting former anomalies.

7.2 A few facts and figures on the status of Portuguese families

In 1970, the population of Portugal was 8,074,960, grouped into 2,224,015 households of which 1,998,660 were "nuclear families" consisting of parents and children. The average size of family, then, was 3.67 people, the average number of children 1.72.

Breakdown of couples by number of children - 1970

Couples	Number (x 1,000)	%
Without children	527.3	28.8
With children		
1 child	502.5	27.4
2 children	381.1	20.8
3 children	179.2	9.8
4 children	101.8	5.6
5 children	57.4	3.1
6 children	36.6	2.0
7 children	21.7	1.2
8 children	13.4	0.7
9 children and over	10.8	0.6
Total	1,831.1	100.0

Average size of household - 1970

Number of persons in household:

one	10.1%
two	22.2%
three	22.6%
four	18.6%
five	11.3%
six	6.6%]
seven	3.7%]
eight	2.2%] 15.2%
nine and over	2.7%]

There are wide differences in this respect between North and South, with the larger families tending to be in the North and Northwest and smaller families prevailing in the South.

One-child families are particularly common in the towns. In Lisbon, for instance, 41.6% of families have an only child, and the figure for Setubal, the industrial belt of Lisbon, is 38.1%. This is also the area in which there is the highest proportion of married women without children.

The ratio between the number of marriages and the average population in a given period is on the decline. In 1978, the marriage rate was 8.3%.

In 1975, the age of 75% of women and 56% of men marrying was under 25, compared with 69.5% and 44.7% respectively in 1970. The average age of marriage varies not only by region but also by sex. Today men still tend to marry later than women: 53% of women marry between the ages of 15 and 19, whereas only 1.25% of men marry in this age group. This restricts women's opportunities to train for a job and has an adverse effect on their chances of working after marriage or after the period of child rearing.

Another factor of note is that in a country with such a strong Catholic tradition the number of people marrying within the church has been declining since 1970, although the proportion of religious marriages is still high. In 1968, almost 90% of marriages were celebrated in church, but by 1975 this fell to 80%. Once again, there are wide differences in social patterns of behaviour between the North and the South. North of Lisbon, the proportion of Catholic marriages is consistently higher than 90%, whereas it is about 60% in the South. The trend in the capital and its industrial belt differs markedly from the rest of the country: in Lisbon, 43.8% of marriages are celebrated outside the Catholic church.

The current figures on the divorce rate are not very significant as yet, since divorce in Catholic marriages has been possible only since the law of 1975.

Divorce and separation in 1978. Source: INE (official legal statistics)

Divorce by court order	5,091
Divorce by consent following separation	230
Legal separation by court order	1,093
Legal separation by mutual consent	1,248

The divorce rate was at its highest in 1975 and 1976, when thousands of people who had been living apart were at last able to regularize their position by divorce. The divorce rate is now settling down. The highest percentages are to be found in Lisbon and its industrial area, followed by the Southern coast (Algarve), the central coastal area and, lastly, the North and Northwest, where the percentage is virtually nil.

According to clause 68 of the Constitution, "the State recognizes the pre-eminent value of motherhood to society, supporting the mother in her unique role in bringing up her children and paving the way for her development in her chosen calling and her participation in her country's civic life". Another clause states that "women workers are entitled, before and after childbirth, to a period of leave without loss of earnings and other benefits".

Clause 54 stipulates that "it is the responsibility of the State to ensure that workers enjoy the working condition, earnings and rest to which they are entitled, in particular . . . by enacting safeguards for working women during pregnancy and after childbirth . . ."

Women who come within the purview of the law on individual contracts of employment, unskilled women workers on the land and domestic workers are included, as well as women in national, regional and local government service, institutions and public services.

During their maternity leave, all the women covered receive an allowance equivalent to 100% of their average earnings immediately before taking the leave. In the event of miscarriage or stillbirth, the maximum leave of absence from work is 30 days.

On the subject of security of employment, clause 118 of the legal system governing individual contracts of employment (Decree-Law 49 408, 24 November 1969) makes it illegal to dismiss a woman during pregnancy, if this is known to the employer, or for a period of one year after childbirth without proper grounds. If a woman is dismissed under these circumstances, the employer must pay her compensation equivalent to the pay to which she would have been entitled up to the end of the one year period.

Paragraph d) of clause 118 gives women the right to stop work for two half-hour periods during the working day for breast-feeding, without any cut in pay or holiday entitlement.

For the protection of mothers and their unborn children, a 1973 law (nº 186), now being amended, restricts or bans certain types of work such as the frequent and regular handling of specified toxic substances. In addition, no woman is allowed to do any work which might put herself or her child at risk during pregnancy or up to three months after childbirth.

It is the spirit of the law that measures of this type should not have the practical result of restricting women's job prospects. It should be added that the conditions imposed do not prevent a woman from continuing to receive the pay to which she is entitled, nor do they threaten the continuity of her contract of employment.

Child care and the need to reconcile women's responsibilities to their children with their paid employment have been the reason why a few industry-wide contracts of employment now contain clauses giving women more than the 90 days' maternity leave required by law.

Women workers in paid employment (except in the public sector) who are single parents are entitled to an additional 15 days' paid holiday per year, subsidized out of social security funds, to care for children aged up to 3 if they are sick.

Under employment legislation, a mother or father's care for a child or any other member of the family in need is justifiable grounds for absence from work and may not be used as grounds for withdrawing any of his or her rights providing that the period off work is not more than thirty days.

In government service, Decree-Law 165 of 1980 (clause 1) lays down that "civil servants may be absent from work, on furnishing a certificate, for up to 15 days a year to give urgent and vital care during the sickness of the spouse, relations in the ascending or descending line or other members of the family in the direct line". This leave may be increased to up to 30 days a year if the person needing the care is the worker's own or adopted child or godchild aged under 10.

By law, employees in both the public and private sector receive family allowances of 350 escudos a month for one child, 700 escudos for two children and 1,120 escudos for three children. The parents receive 500 escudos for each child after the third, although this may be increased to a maximum of 700 escudos if the family income falls below a certain threshold (the benefits are as laid down by Regulatory Decree 26, 21 June 1981).

The childbirth benefit is now 4,500 escudos, with a nursing allowance of 900 escudos per month until the baby is 10 months old. These benefits are granted to male and female insured workers as well as people who are not in employment and whose incomes are below a certain level.

9.

CONTRACEPTION AND ABORTION

It was not until 25 April 1974 that family planning was seen as a health responsibility.

On 26 March 1976, the Secretary of State for Health decided to set up family planning advice units in every health centre in the country under an overall plan for better health care for mothers. Contraception is now seen as a way of protecting the health of both mother and child, not as a means of controlling the size of the country's population.

The text of the decree runs as follows:

- "1. Since 1965, the World Health Organization has been calling the attention of all countries to the importance of family planning to the health of mother and child. There is clear evidence that family planning brings down the sickness rate and infant and maternal mortality, that it helps to prevent abortion with all its adverse effects on the woman's health and that it contributes to the wellbeing of the family.
- "2. It has been established that the number of abortions in Portugal is large, approximately 100,000 per year, with deleterious effects on the health of mothers. On the other hand, contraceptive methods have been used without medical guidance, leading to problems of inspection and regulation.
- "3. Under these circumstances, urgent steps must be taken to improve matters and, to this end, I order that family planning advice should be made available as part of the maternity care offered in all health centres, insofar as technical resources permit."

The 1976 Constitution, approved one month later, also touches on the subject: clause 67 d) states that it is the duty of the State to promote an awareness of family planning methods and to set up the legal and medical structures that will encourage responsible parenthood.

In the legal field, Decree-Law 542 was passed on 9 July 1976, abolishing the former ban on publicizing contraceptives in specialist magazines.

Since 1977, a growing number of advice centres has come into being and the number of women going to them for help has risen steadily. In 1977, for instance, the 159 centres in existence provided 40,404 advisory sessions; by 1979, there were 250 centres and the number of sessions was 112,326. The estimated number of centres at the end of 1980 was 320.

Clearly the position is not ideal. The distribution of advice centres varies from district to district: Lisbon, for instance, is very poorly served considering its high population density.

The public family planning services coming under the Directorate General of Health are entirely free of charge, and freedom to choose one's own preferred contraceptive method is respected. Sessions are open to all, married and unmarried, although the parents' consent must be obtained for the under-18s.

The contraceptive methods offered are hormone, mechanical, chemical and natural. The centres provide advice on infertility. They do not arrange for the voluntary sterilization of either men or women.

In addition to the publicly run services in health centres, other official bodies offer the same type of help, including:

- the Directorate General of Hospitals, through certain hospitals and maternity clinics;
- the faculties of medicine in Lisbon, Porto and Coimbra universities;
- Santa Casa da Misericórdia, through dispensaries for the mother and child in the Lisbon area, which provides advice on natural family planning methods only.

There are also private bodies working in the field of family planning such as:

- the Family Planning Association, a member of the International Planned Parenthood Federations;
- the Movement for the Defence of Life, which advises on natural methods only.

In the field of family planning it is not enough just to provide advice. People must know that the service exists and be made aware of the value of the help available. For this reason, the Committee for Women's Status has been engaged on a family planning information and education campaign for the past three years.

Opinion surveys have shown that more than 56% of the adult population (15 and over) has some knowledge of the subject. Nevertheless, awareness of the existence of centres is not so widespread: only 40% of those interviewed knew that there were centres in the area in which they lived.

In Portugal, abortion is illegal under all circumstances. The law on abortion has been in force since 1886, the date on which the Criminal Code was enacted. The practice of abortion is punishable by two to eight years' imprisonment (clause 358 of the Criminal Code). This Code is now being revised but the subject of abortion has not yet been tackled. The political parties recognize that the law is not working, since an estimated 100,000 back-street abortions take place every year but only eight cases are taken to court.

10.

**WOMEN'S PARTICIPATION
IN POLITICAL, CIVIC
AND UNION AFFAIRS**

The law does not discriminate in any way against women and their involvement in political and union life.

Besides laying down the general principle that all citizens are equal, the Constitution - in discussing motherhood - states in clause 68 that:

"The State recognizes the pre-eminent value of motherhood to society, supporting the mother in her unique role in bringing up her children and paving the way for her development in her chosen calling and her participation in her country's civic life."

Decree Law 701 of 29 September 1976 ended the one remaining discrimination between men and women: in local elections. We must, therefore, look further to see the reasons for the lack of involvement of women in civic, union and political affairs. Research conducted by the Committee on Women's Status in 1976 showed that the main reasons for the low level of participation by women, apart from their apolitical tendencies, lack of interest and low standard of education, were lack of time and opportunity and the difficulty of coping with the two-fold burden of work and domestic responsibilities, something that affects the whole of a woman's life. Women also lack self-confidence, finding it difficult to reach decisions and take action on their own account or to overcome the traditional social and cultural barriers.

The many elections that have taken place since 25 April 1974 have built up a general picture of the trends in women's political involvement, bearing in mind that they make up 52-54% of the electorate.

In the April 1975 elections for the Constituent Assembly, whose duty it was to draw up the new Constitution, only 8.2% of those elected were women, markedly lower than the proportion of women among the candidates put forward by the political parties, 15.5%. This shows that the party organizers tend to nominate women as candidates in those constituencies in which their party has less chance of electoral success.

In the elections for the Republican Assembly which took place one year later in April 1976, only 4.9% of the successful candidates were women.

When elections were held for the Regional Assemblies of the Azores and Madeira, also in 1976, the percentage of women deputies was slightly higher at 11.6% and 12.2% respectively.

The national elections on 2 December 1979 resulted in the election of 17 women (6.8%). In the most recent national elections on 5 October 1980, out of a total of 250 deputies 16 women were returned. The breakdown by political parties is as follows:

Social Democrats	8
Communists	4
Democratic and Social Centre	2
Socialists	1

When the Government was constituted, the 6.4% percentage rose to 8.8%, i.e. 22 deputies.

The 1980 legislature was the term in which the Committee on Women's Status was set up to act as the parliamentary watchdog on women's affairs.

In local elections, the situation is even more serious than at parliamentary level. After the first elections to be held under the new system, only 6 of the 304 municipal districts had women mayors. This percentage of 1.9% fell even lower - to 1.3% - in the December 1979 elections, with only 4 women mayors in 300 districts.

The situation we have described reveals that, quite apart from the traditional reasons for women's political non-involvement, the parties themselves have not yet taken to heart the cause of true equality between men and women. This explains why women, who are active in the party organizations and in campaigning, most of which is directed at women voters, are so poorly represented among those who then hold office and are responsible for implementing the election promises.

Within the party machinery, women are still relegated to subordinate roles and have no real power at the levels at which decisions are reached and policy formulated.

It is significant that not one of the leaders of the political parties is a woman and, in the party secretariats and central committees, the percentage of women is minimal.

In 1981, the breakdown of women in Parliament by political parties was as follows:

Social Democrats	35%
Socialist Party	36%
Democratic and Social Centre	40.1%
Portuguese Communist Party	20.5%
Portuguese Democratic Movement	40%
Monarchist People's Party	not reported
People's Democratic Union	30.5%
Union of the Left for Socialist Democracy	not reported
Independent Social Democrat Alliance	26.5%

Women are no better represented in Government: the number of Government posts they have held ranges from nil to four, and these are generally at Secretary of State level. There were two women in the first, third and fourth constitutional Governments, while the fifth and sixth included three women and the seventh had four. No woman was appointed to office in the second Government.

The eighth Constitutional Government has 60 members: 15 ministers, 43 secretaries of state and 2 under-secretaries of state. Among these are three women secretaries of state and one under-secretary, 6.7% of total Government membership.

It should be pointed out, however, that Portugal had its first women prime minister during the transition period from August 1979 to January 1980: Maria de Lourdes Pintasilgo, an engineer.

The absence of facts and figures on women's involvement in the unions makes it difficult to give a comprehensive picture. The approximate number of union members is 1,736,638, but there is no breakdown of male and female membership.

The proportion of women union leaders was 12% in February 1981: 450 out of a total of 3,744.

In the 423 unions in Portugal, women were represented among the leadership of 160.

Even in sectors with a high level of women union membership, there is a marked discrepancy between grass roots participation and the number of women in high ranking positions within the unions, as shown by the following table.

Economic sector	total union membership	female membership	female as % of total membership	% of women in union leadership
Food processing	6,975	6,177	89	45
Textiles, spinning and clothing	144,322	95,596	66	24
Service	126,315	70,796	56	29
Carpet-making	6,200	2,920	47	0
Chemicals and pharmaceuticals	49,700	19,532	49	23

Source: CGTP - Intersindical

Women account for 53% of public sector employees, 60% of women working for the Government civil service and only 17% in local Government. Very few of them hold positions at decision-making level. There are 10 women department heads out of a total of 219 posts of this grade.

The diplomatic career was not open to women until 1976, and women have not yet had the time to reach senior positions although it is significant that the number of women in junior ranks is steadily rising.

We are all aware of the role of the communications media in creating stereotyped images and causing those images to persist in the public's mind, as well as the effects of those clichés on society's views of the social role and status of individuals.

In the field with which we are concerned, advertising is of special importance, in view of what is sometimes its improper use of women to sell products.

In 1979, the Committee for Women's Status carried out research on how women are portrayed in press, television and radio advertising. Its findings were that these media still convey a conventional image of women without regard for the evolution in their status in recent times.

The two images most commonly projected are of woman as the housewife and woman as the seductress. In the former case, generally in advertisements for cleaning and food products, her sole concern is shown as housework and looking after the children. In the latter, the image is used to sell beauty products and toiletries, and not just for women. Although it is uncommon for Portuguese advertisers to show women as objects of sexual exploitation, their image is still employed to advertise quite unrelated products.

It has been noted that in the very few cases in which a woman is shown at work, what she is doing is portrayed as an extension of her domestic duties, almost always in a subservient role.

In the light of its research, the Committee on Women's Status drew up a recommendation as to the portrayal of women in advertising, circularized to all advertising agencies, bodies responsible for official announcements and the government bodies concerned.

One of the points covered by Decree-Law 421 of 30 September 1980, known as the "Advertising Code", is the image of women in the media. Clause 8 forbids any advertising that implies discrimination or is offensive on racial, sexual, political or religious grounds or which might be contrary to decency or good taste.

Clause 23 relates specifically to women:

- "1. Advertising must not be the medium for the idea that women are inferior or subordinate to men, nor must it depict women solely in their traditional role as housewives, over-emphasizing that role to the detriment of their other functions and aspirations.
- "2. No advertising is allowed which makes use of the image of women merely as an object to promote goods or services of which they are not the sole consumers."

Clause 26, implementing the requirements of Decree-Law 392, refers to the publicizing of courses of study, a point mentioned when discussing women's employment. Such announcements may make no stipulations associated with the sex of applicants.

A "National Advertising Council" has been set up to act as watchdog over the application of the Code, although it has not yet started work. One representative on the Council is a member of the Committee on Women's Status.

12.

E M I G R A T I O N

In a country with such a strong tradition of emigration, one subject that should be discussed is the problems of women in this field - the problems faced by women who emigrate themselves and by those who are left behind in Portugal when their menfolk leave the country.

Until the 1950s, the great majority of those who emigrated were men in search of work. This was followed by a second wave of emigration, from 1950 on, when their families joined them and when new emigrants took their families with them. Between 1970 and 1979, 392,561 Portuguese citizens emigrated: 177,981 men (58.1%) and 164,580 women (41.9%).

By 1980, the outflow had dwindled considerably to 18,044 (10,638 men and 7,406 women - 41%). Undoubtedly one of the reasons was the introduction of social and economic changes by the 25 April Revolution. Another, in the international sphere, was the general climate of recession and economic crisis.

The largest Portuguese communities outside the country are to be found in the following countries:

Host country	Portuguese community	Year of estimate
Brazil	1,200,000	1978
France	823,000	1979
South Africa	600,000	1979
Canada	240,000	1979
Venezuela	140,000	1976
United States	123,000	1978
West Germany	115,915	1979

The problems of women migrants vary from one host country to another. No research has been conducted specifically in any of the countries listed and we can merely cite what we feel is the consistent experience.

It goes without saying that integration is far less of a problem in Brazil, with its Portuguese language and heritage, than in other countries.

In France, and to a certain extent in all Western European countries, the problems are mainly associated with housing and integration into society. In the field of employment, almost half of the women work as domestic cleaners, while the remainder tend to have unskilled jobs. Even though their wages are on the low side, women are reasonably satisfied, at least when comparing their position with what it would have been had they remained in their country of origin.

When considering the problems of the women left behind in Portugal after their husbands have emigrated, we find different pictures depending on whether they live in the towns or the country.

Every woman whose husband has emigrated has to cope alone with all the responsibilities which they used to tackle together, or which perhaps the man alone used to deal with. For the rural woman, however, the expatriation of her husband makes far greater demands. The wife in urban surroundings has to assume responsibility for the family and home and is more likely to suffer from isolation, but the woman in a rural area has to shoulder a far broader range of responsibilities: work, the family, social and others.

Overall, it can be said that such women are placed in a situation for which they are ill prepared, without the benefit of community support or facilities.

13.

WOMEN'S ORGANIZATIONS

Portuguese women have no tradition of organizing themselves into pressure groups, although a few exceptions to the rule can be cited from the country's history: the Republican League of Portuguese Women, set up in 1909, and the National Council of Portuguese Women, created in 1914, which played an important part in first making women aware of their civic and political rights and the need for more active involvement in society.

At present there are few independent women's movements, and those that do exist are linked with the political parties or organizations, the unions and religious institutions.

The following is a list of the organizations on the advisory council (Non-Government Organization section) to the Committee on Women's Status:

Aliança Nacional das Associações Cristãs Femininas de Portugal

(affiliated to the Young Women's Christian Association)

Rua Capitão Renato Baptista 81, r/c Esq. Lisbon tel. 55.79.01

Cooperativa Editora das Mulheres

(Women's information and documentation centre)

Rua Filipe da Mata, 115/A, 1600 Lisbon tel. 76.01.20

Departamento de Mulheres da Confederação General das Trabalhadoras Portuguesas - Intersindical Nacional (CGTP-IN)

(Women's section of trades union confederation)

Rua Victor Cordon, 1 - 3º, 1294 Lisbon Codex tel. 32.07.10 /36.32.86

Departamento de Mulheres Socialistas

(Women's section of the Socialist Party)

Rue da Amenda 46, 1200 Lisbon tel. 32.61.71/5

GRAAL

(Portuguese branch of the international Catholic organization of the same name)

Alameda Sto António dos Capuchos 4 - 5º, 110 Lisbon tel. 57.49.15

Movimento Democrático de Mulheres - (M.D.M.)

(Organization affiliated to the International Democratic Women's Federation)

Av. Duque de Loulé 111 - 4º - 1100 Lisbon tel. 55.48.75 / 55.78.53

Mulheres do Centro Democrático Social (MCDS)

(Women's section of the Democrat and Social Centre Party)

Largo do Caldas 5 - 1196 Lisbon Codex tel. 86.11.71

Mulheres Portuguesas Sociais Democratas (MPSD)

(Women's section of the Social Democrat Party)

Rua de Buenos Aires 39 - 1200 Lisbon tel. 60.21.40 / 67.67.57

Obra de Santa Zita

(Catholic organization)

Rua de Santo Antonio a Estrela 35, 1300 Lisbon tel. 66.03.00 / 66.93.12

Organização das Mulheres Comunistas

(Communist women's organization)

Rua Soeiro Pereira Gomes, 1699 Lisbon Codex tel. 76.64.35/6/7

União das Mulheres Antifascistas e Revolucionárias (UMAR)

(Union of anti-fascist and revolutionary women)

Escadinhas de S. Cristovão 13, 1100 Lisbon tel. 86.64.50

União Noelista Portuguesa

(Catholic organization)

Rua Rodrigo da Fonseca 190, 3º Esq. - 1000 Lisbon tel. 65.21.97

14.

**PORTUGUESE WOMEN
AND INTERNATIONAL LAW**

For political reasons, Portugal was long isolated from the international community and played only a minor role in international organizations.

From 25 April 1974, new prospects opened out in this field. As a member of the United Nations and, since 1980, its Security Council, a member of its specialized agencies, a member of the Council of Europe and OECD and an applicant for membership of the European Community, Portugal is now an integral member of the world community.

This factor is important to the status of Portuguese women, since all these organizations, each within its own field, are concerned with the forms of discrimination from which women still suffer.

The following is a list of the international agreements having a bearing on women's status which have been, or are about to be, ratified by Portugal:

United Nations

Universal Declaration of Human Rights - approved in the form of a General Assembly Resolution. It is not an instrument that has to be ratified or signed by nations. The Constitution of the Portuguese Republic states that the Declaration must be the point of reference when interpreting the constitutional and legal measures in matters of fundamental rights and freedoms.

International Pact on Civic and Political Rights - ratified by Law 29, 12 June 1978.

International Pact on Economic Rights - ratified by Law 45, 11 July 1978.

Convention on the elimination of all forms of discrimination against women - ratified by Law 23, 26 July 1980.

International Labour Office

Convention 100 - Equal Remuneration - ratified by Law 29, 12 June 1978.

Convention 111 - Discrimination (Employment and Occupation) - ratified by Law 29, 12 June 1978.

Convention 117 - Social Policy (Basic Aims and Standards) - approval procedures with a view to ratification are now under way.

Convention 122 - Employment Policy - ratified by Decree-Law 54, 31 July 1980.

Convention 103 - Maternity Protection - in course of ratification.

Convention 102 - Social Security (Minimum Standards) - in course of ratification.

Convention 45 - Underground Work (Women) - ratified by Decree-Law 27 891, 26 July.

Convention 89 - Night Work (Women) - ratified by Decree-Law 44 862, 24 January 1963.

Convention 13 - White Lead (Painting) - in course of ratification.

Convention 127 - Maximum Weight that may be carried by a single worker - in course of ratification.

Convention 136 - Use of Benzene - in course of ratification.

U N E S C O

Convention on discrimination in education - ratified by Decree 112, 23 October 1980.

Council of Europe

European Convention on Human Rights - ratified by Law 65, 13 October 1978.

European Social Charter - in course of ratification.

European Community

Portugal is now negotiating to join the European Community and has already adopted measures as laid down in by the European directives relating to women issued on 20 February 1975, 9 February 1976 and 19 December 1978.

15.

THE COMMITTEE ON WOMEN'S STATUS

The Committee on Women's Status is an official body answerable to the President of the Council of Ministers, set up by Decree-Law 485 of 17 November 1977.

Its essential and continuous aim is to contribute towards the change in the ways in which men and women act and think so that every human being will be equal in all respects. It is also to work for the true sharing of responsibilities by men and women at every level of Portuguese life, so that society as a whole will look on motherhood as a vital social function and accept its duty to care for the mother and her family.

The Committee consists of a chairwoman, a technical coordination board and an advisory board, which in turn has two sections: the ministerial section and the non-governmental agency section. The former acts as a link with government departments concerned with women's issues and, through the latter, the Committee is kept informed of the real and topical issues of concern of women in Portugal.

This is some of the work that the Committee has done so far:

- It has helped to draft the bill providing for 90 days' maternity leave;
- It has drafted a revision of law dealing with the status of women in the family and has worked on an amendment to family law.
- During International Women's Year (1975) it drew up a preliminary report on discrimination against women.
- It has proposed changes to labour legislation to eradicate discrimination. These were taken as the basis for Decree-Law 392 of 20 September 1979 guaranteeing women equal opportunities and treatment at work and in employment.
- It has contributed towards the formulation and ratification of the convention on the elimination of all forms of discrimination against women.
- It has proposed the inclusion of measures in Decree-Law 421, 1980, on advertising that will safeguard the image and dignity of women.

- It is cooperating with international organisations and comparable bodies in other countries, representing Portugal at international conferences (U.N. International Labour Office, Organization for Economic Cooperation and Development, Council of Europe, European Economic Community, World Health Organization, etc.)
- It has conducted research on various aspects of the lives of Portuguese women.
- It has informed and educated the public through the media and by the use of audio-visual techniques, publishing booklets on various subjects including family law, social security, academic and vocational guidance, the position of women in the world of work, women's participation in civic and political life, education, family planning, the role of man and woman in society, the history of women, emigration and old age.
- It has arranged seminars on subjects such as motherhood and the domestic role, communication and education in family planning, education outside the schools, family law, children's literature and the transmission of stereotypes.
- It has carried out various projects with the specialist and financial support of international agencies. The focus of these projects has ranged from family planning to changing attitudes towards the roles of men and women. It has cooperated on other projects, including the launching in Portugal of a world enquiry on fertility.
- It has worked closely with other government departments on the training of specialist staff in its own field.

The Committee has set up a specialist information library which is open to the public and provides a legal information service free of charge.

Useful address: Comissao da Condicao Feminina
 Av. Elias Garcia 12 - 1º
 1093 Lisbon Codex - Portugal

16.

C O N C L U S I O N

The lot of Portuguese women is still far from ideal in many fields, but the law has made remarkable strides over the past few years.

Furthermore, we are aiming high, not just for equality in the traditional domains of marriage, work and education, but for equality in the broadest sense: in public attitudes, in the absence of stereotyped ideas, in the image that women and men have of their own role and the role of the other sex.

The growing awareness of the position of women in Portuguese public opinion is a guarantee that this young democracy will show true respect for the rights and duties of each of its citizens, and that this will be for the greater benefit of society as a whole.

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SUPPLEMENTS TO "WOMEN OF EUROPE"

- Nº. 1 - ceased publication, replaced by nº 6
- Nº. 2 - ceased publication, replaced by nº 7
- Nº. 3 -- "Women and Men of Europe in 1978"
- Nº. 4 - "Women in the European Parliament"
- Nº. 5 - "European Women in Paid Employment"
- Nº. 6 - "Women and the European Social Fund"
- Nº. 7 - "Women at Work in the European Community
50 questions - 50 answers"
- Nº. 8 - "Women in Spain"
- Nº. 9 - "Equal Opportunities - Action Programme
1982-1985"
- Nº 10 - "Women in statistics
Statistical data on the economic and social
position of women in the Community"