

A Study Exploring the Protection of Women's Rights from the Perspective of Equal Pay, Abortion Rights, and Anti-sexual Harassment

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Abstract: The equality problem between women and men is a knotty problem long-standing. We cannot deny that men generally are more robust than women, so in ancient times, women were not allowed to go out, which means women were under the protection of men and had fewer rights. This stereotype still takes root in many people's minds, resulting in women living in the shadow of men. Women should share the same rights as men. Namely, women should be paid the same if they do the same work as men; women have the right to abortion. Based on these two controversial issues, this paper focuses on protecting women's rights and talks about the development of institutions engaging in protecting women's rights and laws related to women's rights. Finally, the paper also looks at some strict measures against sexual harassment, considering how to protect women's rights. However, there is still a long way to go for actual equality between women and men.

1. Introduction

Biologically speaking, men have been physically stronger than women, which is reflected in how our societies have formed and evolved. During the pre-historic period, men were responsible for hunting food, while women took up the roles of homemakers and looked after the offspring. Since hunting was much more dangerous and physically demanding, men were accorded greater respect, while the role of women was often overshadowed and overlooked. On top of being physically inferior to a man, a woman also bore the burden of childbirth, making her even more vulnerable. It meant that a woman was at the mercy of a man for protection and was also ironically at the most significant risk from a man. We all know that power corrupts, and whosoever holds excessive power decides the terms. This skewed power dynamic of the pre-historic ages sowed the early seeds of discrimination and violence against women for thousands of years to come.

Until the early half of the 20th century, women were oppressed in almost all corners of the world. But the worst women have endured in societies with weak or no law and order. That's why we see more atrocities toward women during times of war and civil rights or any form of instability. Therefore, it is incumbent upon us to strengthen women's existing rights and form new ones to offer better protection from social evils. However, it is equally vital to have women as decision-makers while developing these laws. Otherwise, they may lead to biased or flawed outcomes, which we will see in the following points.

2. Equal Pay

In the 15th century, women were forced to withdraw gradually from work and labor because of their lack of strength and the need to care for children. Even when a job was available, female workers received far less pay than men or none at all. By the 20th century, women's difficulties in obtaining employment and salaries improved, but they remained dependent on their husbands and fathers. It was not until 1965 that women had the right to work freely but still could not achieve equal pay with men.

As per the Equality Act 2010, men and women in the same employment capacity performing the

same work should be paid equally unless otherwise justifiable.

However, the ground reality is different. According to a report published by the European Commission, the gender pay gap situation in the EU is pegged at 13% in 2020, which means women earn 13% lesser than men[1]. The statistics have witnessed barely any change in the past decade, which makes it even more shocking. In Germany, Austria, Estonia, and Latvia, the gap is more than 18%. If men and women are doing the same work for the same amount of time, then why does discrimination still persist? The answer is more complex than it may seem. Even from the perspective of the global labor force, according to the International Labour Organization's data in 2022, the total rate of women who participate in working or looking for jobs is below 47%, but for men, the rate goes up to 72%. In some poor countries, such as Iraq, the gap between women in unemployment and men in unemployment is 21.5, with women who are neither employed nor carry out any activity to find a job accounting for 32.8%.

Achieving equal pay for men and women requires national legislation to regulate the behavior of companies and employers. Western Europe is a world leader in equal pay for men and women. According to the World Economic Forum's Global Gender Gap Report 2021, Western Europe currently closes 77.6% of the gender gap and is expected to achieve gender equality within 52.1 years. Four of the top five countries in gender equality are Western European countries, namely Iceland (first place), Finland (second place), Norway (third place), and Sweden (fifth place). Among them, Iceland is the most gender-equal country in the world for the 12th consecutive time, eliminating 89.2% of the gender gap. It is also the first country in the world (in 2018) to pass legislation requiring equal pay for men and women[2].

Western Europe's high gender equality ranking cannot be separated from its efforts to pay men and women equally for equal work. Most Western European countries have legislation mandating equal pay for men and women for equal work. According to the legal database provided by the International Equal Pay Coalition (EPIC), almost all countries in Western Europe cover equal pay for equal work in their national legislation. The provisions include a definition of equal pay for equal work, provisions for dealing with violations of equal pay for equal work and are constantly being improved[3].

Although there are examples of success in Western Europe, there are still many countries and regions where women are not free to work and are not paid the same as men. There is still a long way to go to achieve equal pay for men and women and gender equality worldwide.

3. Abortion Rights

The right to abortion should be a basic right for women, considering those who were raped and became pregnant choose not to give birth. Legal restrictions on abortion will not decrease the cases of abortions. Instead, it will force women to risk their lives to seek illegal institutions or ways to have abortions. The World Health Organization reported that 23,000 women die of unsafe abortion yearly, and a vast majority of women who choose to do insecure abortion have significant health complications.

In 1973, winning the Roe v. Wade case marked that women in America would be entitled to have an abortion during the first three months of their pregnancy[4]. This case sparked a debate in the United States about whether abortion rights should be protected. Abortion, in the opinion of pro-lifers, should be prohibited. Pro-choice advocates favor maintaining abortion both accessible and legal. Of course, some believe that the right to abortion should be conditionally protected[5].

On Jun 24th, 2022, the U.S. Supreme Court overturned Roe v. Wade, giving states the power to enact abortion laws. Arkansas, Ohio, Alabama, Kentucky, Oklahoma, and other states immediately declared abortion to be illegal in their states. The U.S. Supreme Court's decision to overrule Roe v. Wade makes it impossible for women to undergo abortions earlier than 12 weeks and experience more restrictions[6]. In 2022, Ipsos surveyed more than 20,000 adults under the age of 75 in 27 countries. On average, 59% of adults surveyed by Ipsos in 27 countries say abortion should be legal in all or most cases, while 26% say it should be illegal in all or most cases. Those who say it should

be legal outnumber those who say it shouldn't work in 22 countries[7].

While 20 states in the U.S. still protect a woman's right to abortion, and many countries around the world grant legal protection for it, it is admitted that the factors involved in this debate are very complex, the most critical of which is the definition of life. Is an embryo considered an independent life that should be protected or not? Until this issue is resolved, a woman's right to abortion will be difficult to protect completely.

4. Social Institutions and Laws

Since its establishment, the UN has been committed to the advancement of women and the promotion of gender equality, and has adopted the Convention on Equal Remuneration (1951), the Convention on the Political Rights of Women (1952), the Convention on the Protection of Maternity (1955), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1979), and many other conventions that explicitly protect women's rights on an equal footing with men. However, the legal rights are not the same as the real rights that women enjoy in reality. The United Nations, the International Labor Organization (ILO), and various countries are facing many challenges in achieving gender equality in practice.

As the feminist movement continues to grow and women leaders have more of a voice in national governance, the protection of women's rights has received increased international attention. Many international public welfare institutions are established to protect women's rights and to help women. For example, Dress for Success and Planned Parenthood. Dress for Success, an international nonprofit organization, provides women in need with professional outfits, interview preparation, and career confidence. Dress for Success has been empowering women and female financial independence since 1997 and now has more than 150 chapters in 30 countries. Planned Parenthood supports the reproductive health and rights of women in the US and globally[8].

More and more social organizations, both official and civil, are concerned that women should have equal rights with men and rights that are unique to being a woman. With the initiative and help of these organizations, more like-minded people are getting involved, creating a more friendly social environment for the protection of women's rights. With the legal support of countries and the United Nations, the protection of women's rights also has a more solid legal basis and support.

5. Strict Measures Against Sexual Harassment

Sexual harassment (SH) occurs when people are targets of unwanted sexual comments, sexual gestures, or sexual actions because of their actual or perceived gender, gender expression, or sexual orientation[9]. The groups that are sexually harassed are usually the vulnerable groups in society, women and children, as well as the elderly. Among these vulnerable groups, it is usually women who suffer sexual harassment.

For a long time, Western societies, including the United States, have ignored the existence of sexual harassment because it was considered the price that good women had to pay for going out. It has taken a long time for the definition of sexual harassment and related laws to take shape to protect the rights of victims. Over the past four decades, the United States has become the most comprehensive country in terms of anti-sexual harassment regulations and measures through the regulation of fair employment opportunity laws, interpretation by federal courts, promotion by specialized administrative agencies, and discussion by scholars, and has been emulated by other countries. During these decades, the evolution of the regulation of sexual harassment in the United States has gone through several stages: the first stage (1974-1976): sexual harassment was regarded as a personal relationship and the Civil Rights Act was not applied the second stage (1976-1979): sexual harassment was regarded as gender discrimination; the third stage (1980-1986): sexual harassment gradually gained attention. The fourth stage (1986): sexual harassment was regarded as a sex discrimination; the fifth stage (1986-1990): Tilted against the plaintiff (victim); the sixth stage (1991-1993): Tilted in favor of the plaintiff (victim); the seventh stage (1993): The Supreme Court

ruled on sexual harassment in the workplace for the second time; the eighth stage (1994-present): Recent trends[10].

Of course, the United States is a federal country, and each state has its own legal system and judges. In comparison, state anti-sexual harassment laws regulate a much broader range of conduct than federal anti-sexual harassment laws. The most common state anti-sexual harassment law is against sexual harassment in the workplace. Most states have employment statutes that prohibit employers from engaging in sex discrimination, including sexual harassment. These provisions are largely the same as Title VII of the Civil Rights Act, but they are often broader than the latter. For example, the statute of limitations is longer, damages are broader, and the definition of employer is broader. Many state laws require anti-sexual harassment training or notices in the workplace, written sexual harassment complaint procedures, and, in some cases, criminal penalties for sexual harassment. Many state laws require workplace training or notification regarding sexual harassment, a written sexual harassment complaint procedure, and in some cases, criminal penalties for sexual harassment.

6. Conclusion

In the 21st century, cases of women's rights violations are getting more exposure and attention. More women are aware that they may not be living in an equal environment and that there are many unforeseen dangers; they are also aware that they can make an effort to improve the social environment around all women in the world. Of course, it cannot be done without the joint efforts of the country, society, and the world.

This article illustrates the recent advances in women's consciousness and protection of their rights, using examples of achieving equal pay for men and women and legalizing abortion rights. Still, it is also clear that these advances have been limited. Most of these advances have been concentrated in developed countries, and access to these rights is still out of reach for women in some poor developing countries. How all women can be protected is a worldwide issue.

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