

Democracy without motherhood? Public space and gendered discourses in Swiss postwar politics

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„We are a generation of women reared on the idea of equality, yet when we become mothers the whole concept collapses around our ears“ (Rebecca Abram: Three Shoes, One Sock and No Hairbrush“, 2001

In 1998 the birth rate in Switzerland was a low 1,46 children per woman of so-called childbearing age. Already a fifth of women between the ages of 20 and 50 years were childless, the number steadily growing. Female employment is a low 58%, only 25% among women with children under the age of 6. 10% of all families were patch-work families where the couples lived together with children who were not the offspring of their union. The divorce rate in Switzerland was 45% and still rising, and the working poor were found chiefly among single mothers with small children. These are the facts which place Switzerland more or less alongside any other modern industrialized country.¹

Motherhood statistics as usual then? Not exactly. Public space is defined, claimed and occupied by words. Constitutional, political and legal debates mark its boundaries. These debates and discourses are not always obvious. Visible and invisible terms help create public space – and sometimes it is enlightening what is spelt out and what is not. The term „welfare state“, for example, did not appear in the Swiss constitution until the newly revised version in 1999.² There were some clauses which gave the first indication that the Swiss Confederation considered itself a State with a social welfare role.³ But the matter was far from being clear. This ambiguity continued in the new Swiss Constitution, where article 41, paragraph 2, states: „State and Cantons undertake that everyone should be protected against the economic consequences of age, disability, illness, accident, unemployment, maternity, loss of parents and widowhood.“ However, this constitutional undertaking cannot be used as a basis for direct claims to state services.⁴

¹ Bundesamt für Statistik, Sakke 2002.

² Häfelin/Haller (1993:48).

³ Häfelin/Haller (1993: 48).

⁴ BV 1999, Art. 41, Abs. 4.

It is by virtue of the same ambiguity that the principle of the protection of motherhood is set out in the Constitution, yet still awaits legal implementation. Although Switzerland was in 1864 the first European country in which motherhood was defined in industrial law, there existed no regulations to compensate for the consequent loss of earnings of the so-called “Mutterschaftsschutz”, because it simply forbade pregnant women and young mothers to work (for 6 weeks).⁵ The most recent referendum on the protection of motherhood, a motherhood insurance bill in June 1999, was rejected by a large majority of Swiss citizens.⁶ Thus Switzerland in 2002 is the only remaining European country not to give legal effect to the protection of motherhood. This social „miscarriage“ is comparable only with Switzerland’s record on the democratic front, in failing – until 1971 - to grant Swiss women the right to vote.⁷

Switzerland presents a paradox. Politically the Swiss decision-making process is very open, democratic and transparent. It presents a system where people from different cultures and backgrounds live peacefully together, where the average income is among the highest in the world and where direct democratic participation guarantees a strong national identification with the State. At the same time, Switzerland has a rather underdeveloped social welfare state. Unemployment benefits were introduced only in 1977 and mandatory health insurance in 1996. Switzerland has one of the lowest social mobilities in industrialized countries and looking at the history of failed social protection bills it seems as if direct democracy is no guarantee of social welfare. In fact, social equality and political participation can be very often in conflict.⁸ As in the U.S., the distinction between the public and private spheres is strong - and freedom to participate politically coexists with the „freedom“ of extreme poverty (or extreme wealth for that matter). It is due to this strong separation of spheres (political and economic) that motherhood in post-war Switzerland was never defined as public but always as private.⁹

Maternity, public space and legal discourse in Switzerland form a difficult relationship.¹⁰ “One man one vote” leaves no space for mothers. In the Swiss context, maternity is not understood as a social function extending beyond the 9 months of pregnancy and the subsequent nursing stage. Motherhood is an exclusively female task and – in the legal context – cannot be separated from the female body. „Parental leave“ is a term unknown in the Swiss dialect – the word is taken from high German and has no counterpart in the spoken language.

⁵ Joris/Witzig (1986).

⁶ Vox, Juni 1999.

⁷ Stämpfli (1994).

⁸ Stämpfli (2000).

⁹ Wecker (1996).

¹⁰ Pateman (1992).

The symbiosis of „female body" and "maternity“ forms a point of reference which defines policy for both sexes, not only for women.

„Men do politics while women are nursing“ – A short history of motherhood in Switzerland

Switzerland is one of the oldest democracies of the world. Yet the failure to recognise the equal democratic status of women was long regarded as an unimportant problem of democratic theory. The fact that the public area was inaccessible to Swiss women was, however, directly connected with the highly developed civic rights of men. We identify three reasons for this phenomenon:

First of all, Swiss democracy was not based on the French Revolutionary ideals of republican liberty and equality, but drew rather on pre-1789 communal traditions in which the identity between soldier and citizen played an important role.¹¹ Secondly, women in Switzerland's direct democracy were obliged to co-operate closely with the state. After all, the people were the state – never mind that the people exclusively male. A decision by the people carried more weight than a government decree. Opposition to a people's bill was far more difficult than protesting against a parliamentary majority.¹² Thirdly, the model of people's democracy supported an ideology of equal *rights* rather than equal *opportunities*.

The prevailing state metaphor of Switzerland as a home, led by its fathers and cared for by its mothers, enjoyed special popularity.¹³ Women could claim influence in the so-called private sphere of family life, but had to abstain from participation in politics. This kind of gender dualism was more than just mere discourse. It corresponded to a political reality which was based in the Swiss constitution. Political and legal regulations supported gender specific division of labour on the basis of “public sphere male” and “private sphere female”. And this concept was internalised even by the Swiss women's movement and its identity policies.

In 1945 for example, the Swiss Federation for Woman's Suffrage campaigned for the introduction of political equality for Swiss women on the basis of gender dualism. Characteristically the Federation used the unconnected occasion of the Federal vote of November 25th 1945 over a new constitutional provision on the "protection of the family". "Why do men alone decide on questions which are so important for the mothers of our people? Women demand the right of codecision on every issue affecting the welfare of their families."¹⁴ This argument, however, was double-edged. The individual right of each human

¹¹ Stämpfli (2002).

¹² Hardmeier (1998).

¹³ Mesmer (1988).

¹⁴ Poster by the Swiss Federation for Women's Suffrage, 25.11.1945, see Gosteli (1999:800).

being to political participation featured less in all Swiss discussions of women's suffrage than the conviction that women **as women** should get involved in politics. What might be seen at first sight as a feminist position, looks on closer scrutiny more like a discriminatory reassertion of inequality. In 1945 women was a term very often used simultaneously to describe women as mothers and housewives. Naturally the so-called equivalence of home and state in the post-war period proved to be an illusion. Nevertheless it counted as a valuable argument within the Swiss women's movement. Especially since – due to the experience of the second world war – social rights began to attach themselves to gender.¹⁵

This phenomenon was not merely Swiss. The Beveridge Plan of the postwar British Government, for example, gave legal effect to the social conviction that the man's role as breadwinner and head of the family should be underpinned by the design of the social security system. At the same time, however, maternity was also built into the British system. In Switzerland the trend towards a gender-segregated social policy went a step further. It was wives not mothers who could claim social protection from the state. It did not take long for 1945's dedicated mothers of the people to be transformed into nice wives. After the war the Swiss feminists held predominantly to the concept of dualism - marriage as an image for the state. Swiss feminists built their political strategy for women's rights in the public sphere on the complementarity of male and female characteristics. Interestingly enough, it was not maternity and reproduction which were seen as the female counterpart to the male roles of production and political representation. It was the institution of marriage which represented the state in microcosm. Consequently, married women enjoyed high status, independently of whether or not they had children. And again, the fact that it was wives rather than mothers who were granted legal recognition was a matter of more than just ideology and outlook. In the social security system created in Switzerland just after the war, it was the wife rather than the mother who was granted pride of place.

The degree to which the social legislation favoured the position of wives, as distinct from mothers, or women in general, was amazing. After 1945, how could things reach such a state?

For a long time, all attempts at reform or technical innovation in social security failed in Switzerland because of the majority of the male electorate. It is true that in 1925 this majority approved a constitutional article on the introduction of decent old-age and survivors' benefits, but in 1931 the same electorate threw out the bill drafted to translate that article into law. So at the outbreak of war Switzerland had almost no welfare provision. It was clear that in order to guarantee social stability, the men had to be cared for when mobilised for national defense in 1939. The Federal Council therefore decided to use the extraordinary powers, which it obtained shortly after the outbreak of the second world war, to carry a social bill through legislation without a referendum. Wage and earnings protection was introduced in December

¹⁵ Luchsinger (1995).

1939 for all men. That way the government insured the wages and earnings of men called into the army and claimed the right to insure all men who were at the same time both workers and citizens. These should be protected “against the economic consequences of military service” both in “peacetime and in war”¹⁶ Thus the man was placed at the heart of all public services, which up to now were – in the social area - extremely limited. He was the “family breadwinner” independently of his marital status and of whether he had children or not. To guarantee the gainful employment of men was seen by the political leaders of the time as a necessity which must be supported in times of economic crisis. The officials responsible for the wages and earnings regulations aptly summed up the significance of a social security system which would “support the “man/citizen/potential national serviceman” in the “event of unemployment”: “These Regulations reassured every national serviceman that society did simply accept his personal sacrifice, but looked after him and provided for at least the subsistence needs of his family. Thus the wage and earnings regulations helped considerably not only to boost men’s willingness to do military service, but also to maintain social peace and avoid conflicts, which could easily have arisen following six years of war. Beyond that, it strengthened social sensibilities and reinforced feelings of a common bond between all social strata and all regions. One need only recall the events of 1918 and 1919 to recognise the enormous progress which had been achieved in social insurance for Swiss men liable for military service.”¹⁷ Following the years of economic crisis in the Thirties, gainful employment for the male workforce was regarded both as a given and as a political necessity. It served as a safety valve and guarantor of civic peace.

Not only the psychological, but above all the material impact of the wage and earnings regulations was designed to strengthen substantially the male breadwinner and family father. The leading official again offered a telling comment, in 1941: “The compensation for loss of earnings is thought of mainly as a family allowance. It is based, therefore, on the normal case of the married military man, who receives help and a living wage. The additional child allowance is set relatively high set, so that families with children are favoured to a considerable degree”.¹⁸ The regulations obstructed broader access by women to the job market. Married men were protected and could claim generous insurances while women profited from that system only indirectly, through marriage. The social policies left no space for women as individuals: not only were the wages and earnings of women not protected but also access to better paid jobs was denied to women. First came the serviceman and the citizen, women could not claim either status. Although deeply unjust, general acceptance of the new social policy was high.

¹⁶ Kriegswirtschaftsbericht „War Report“ (1950:1051).

¹⁷ Kriegswirtschaftsbericht „War Report“ (1950:1053).

¹⁸ Holzer (1941:75).

Both social democratic and centre-right parties argued for social policies which were exclusively male oriented and supported the model that married women and mothers should be “freed” from the labour market. The main political actors and institutions such as the government, the parliament, the parties, the unions and the interest groups worked in favour of “returning the women to their house and children”. Ideology and economic interests went hand in hand. Female competition in times of high unemployment was unwanted, female childcare should stay unpaid and social provisions should stay scarce. While all gainfully employed persons, men and women, married or single, paid taxes and social security contributions on a proportional basis, benefits were dependent on gender and marital status.¹⁹ The anticipated loss to the labour market of soldiers posted to the border did not materialise, and so the economic need for higher labour force participation by the women married to them also evaporated. Thanks to the wage and earnings regulations, the employment rate of married women - since the 1930s a constant stumbling block for the politicians and economists preoccupied with guaranteeing male full employment - could be elegantly held down. The share of married women in the total of gainfully employed persons sank between significantly 1900 and 1950 and recovered only in the economic upswing of the 1960s, thanks to the growing service sector.

A 1945 report on the Swiss war economy noted with satisfaction: "The wage and earning regulations had an extremely favourable political impact on the population. It is in large measure thanks to these regulations that the trend of marriage ceremonies took a completely different course in the Second World War than in first." The "bonus of 40,000 marriages and 77,000 children"²⁰ was fully in accordance with the pro-natal family policy which Switzerland had carried over from the 1930's. This war-inspired model of material security for the man as a family breadwinner provided Switzerland's only welfare legislation.

It came as no surprise that in 1945 the old-age pension scheme and social insurance policy, the “Alters- und Hinterlassenenversicherung, AHV” based itself on the model of the breadwinnig man with a non-earning wife. While this model worked in favour of all women who stayed married until they were 62, it created worst case scenarios for all women who reminded single or got divorced. Smaller earnings, smaller pensions or loss of all pension rights created economic threats that “kept” families together or “encouraged” women to get married. Divorced women lost, with their divorce, not only their claim to the AHV contributions of their husband and got only the minimum, but they lost also any claim to the pension entitlements accumulated during the years they lived together.

¹⁹ Studer (1998).

²⁰ Kriegswirtschaftsbericht „War Report“ (1950:1053).

Being a single or divorced woman meant in Switzerland in every case substantial financial losses. This social unfairness of the marriage-dependent social security remained a model until long after the war and was only abandoned with the new marriage law in 1986, thanks to the pressure of the well organised women's movement in Switzerland.

Motherhood and Politics

What did this mean now for the post-war development and public status of women? It meant little representation of women in politics, economics, science and society. The discrimination was truly dumbfounding. Married women enjoyed a well endowed life and social acceptance, while unmarried and divorced women were socially stigmatised and economically deprived. Motherhood as such did not exist. It was a by-product of the legally facilitated and marriage-based Swiss society. But motherhood as such had no claim to social protection. The Swiss welfare regulations created not only a gender based unsocial and unequal system but discriminated actively against the access of women to political and economic power.

How firmly this mainstream dualist ideology was embedded in Swiss society can be seen in the message from the Federal Council to Swiss voters in 1957 on women's suffrage: after first seeking to excuse the Government's failure, over a period of 30 years, to achieve the vote for women, with the explanation "It is clear that questions with such wideranging implications call for particularly careful consideration and study", the message went on to say "It is intrinsic to the nature of this issue that almost all areas of our legal system, public and private law, and social and economic relationships, will be affected by women's suffrage. A great many legal, legislative, political and psychological questions arise in this regard. The principal difficulty lies however in the fact that we have little experience to draw on in this area, so that it is difficult to judge what the consequences might be of giving women the vote, or indeed of granting of full political equality, in public and private law, at the federal, cantonal and communal level. It is equally difficult to foresee the repercussions of this new political order on the woman herself, her family and the whole economy."²¹

The Federal Council consequently committed itself to a whole catalogue of exclusively male rights, which would not be affected by the introduction of women's suffrage. Regarding the nationality of Swiss women in bi-national marriages, the Government insisted that women had to take on their husband's nationality and could not pass Swiss nationality on to her children. In the face of government authority Swiss women had no individual access to nationality, citizenship or social insurance. And the Swiss government made clear that this gender-biased legal system would continue even after the women got the right to vote.

Likewise the Government repeated that political equality by no means implied the right to equal pay, equal education and equal opportunities.²²

These exclusions were justified by the Federal Council not least on the basis of the special position of women in the family: "Since the family represents the source of human community, and in particular of the state, the legal status of the woman as a citizen, including her right to participate in shaping the decisions of the state and in the guidance of the state affairs, are closely related to her position in the family."²³ Exactly these considerations legitimised the almost Aristotelian understanding of democracy. In the position of head of household and family, the "pater familias" - in the Swiss context "the soldier and citizen"-decided for the community. So it came as no surprise that the Swiss Government argued in 1957 in favour of women's suffrage with the following remark: "It is true that our democracy makes larger demands on the competence of citizens. But even Swiss women will meet these demands without having to neglect their duties as housewives and mothers."²⁴

So in the eyes of the Federal Council, women could participate in politics mainly because they would nevertheless still be good housewives and mothers. What – in our modern eyes – seem like medieval arguments regarding women's positions, was reality in Switzerland until not very long ago. As in all traditional societies, human rights, when defined in a collective context, seem to discriminate mostly against women's rights. In the Swiss context, women as individuals had a meager existence in state regulations: marriage was the entry to public life and not the individual right of a citizen in a democracy. Mothers had virtually no public space at all: regulations concerning motherhood and social protection were embedded within the institution of marriage and in civil status. And since the Second World War, motherhood as such no longer played an important role, whether in reality or in public discourse.

Public space, Motherhood and Women

Both the political and the social public sphere neglected motherhood as an issue of women's rights. The dualist gender approach with its separate, private and public spheres, created a political system and public discourse with a pater and mulier "wife" (not a mater) familias. Equal partners with unequal jobs. The "Leitbild" was "equivalence between state and home". The reality amounted the disappearance of the woman as an individual citizen. The social basis of the consensus oriented Swiss political culture was marriage. Marriage guaranteed

²¹ Botschaft des Bundesrates an die Bundesversammlung über die Einführung des Frauenstimm- und wahlrechts in eidgenössischen Angelegenheiten, 22.7.1957:740ff. (Message of the Federal Council on women's suffrage 1957).

²² idem.

²³ idem.

²⁴ idem.

stability, social reproduction without state help and the absence of women in political, economic and social decision making power positions. The Constitution and Swiss politics ensured the inequality of the sexes sometimes in a more subtle but often in a very open manner. The strong women's history and women's movement in Switzerland were forgotten in the University context and, more generally, women were – until 1971 - virtually non-existent in terms of recognition by officialdom and those in power. It was only after finally winning the basic human right to participate politically that Swiss women went on to achieve big economic, legal and social change within a comparatively short time. Women in politics are now well represented – thanks to direct democracy and a strong feminist movement – motherhood is a regular issue on the political agenda of parliament, executive and party interests and the ancient and patriarchal marriage law of 1912 was finally abolished in 1986. Switzerland is nowhere near the Scandinavian achievement in social and gender equality but it is moving hesitantly in that direction. The Swiss example shows how important formal constitutional changes can be in advancing social change. Swiss women can sigh with relief that they don't have to live in the Fifties and Sixties anymore!

But the disappearance of motherhood, and of women as individuals, behind the institution of marriage has left troubling traces until today. They have been living for so long as the object of legal regulations rather than subjects that it is hard for Swiss women to reclaim public space. Maternity still remains a private issue in public discourse and parliamentary discussions about childcare provisions and maternity insurance policies are still reactionary. Since motherhood historically had no place in state regulations, the Constitution and social policies, mothers themselves begin to disappear.

Motherhood is also a difficult issue for the feminist movement. Since Judith Butler's *Gender Trouble* postmodern feminists seek to find possibilities beyond mere identity politics. Motherhood is still deeply connected with the female body and very often helps constructing a society based on dualism where there is – yet again – no space and certainly no public space for humane policies beyond gender. The conflict between political demands based on identity politics and a non-constructed postfeminist movement is strong and often centres on the issue of motherhood. Because no matter how equally we try to define social policies which give motherhood the necessary public space we create "the other". Since motherhood is so closely connected to the female body, any protection could be seen as a revival of the old and unequal gender dualism. On the other hand where there are no motherhood protections, gender dualism is created economically. The fact remains that maternity does not have any space, certainly no public space in Switzerland. Whereas in Scandinavia generous social policies helped create also a certain gender equality, they are still far away from what feminists would call the ideal society. Motherhood and gender dualism seem to go hand in hand and feminist movements are still searching for the best concept of motherhood in public space. Maternity cuts across the gender specific division of labour. Motherhood as a private matter reconstructs

gender, but motherhood as a public issue evokes horrific historical memories of the Nazi and Soviet regimes. It seems as if there are no real solutions to give motherhood some space – whether in a feminist utopia or in a legal liberal framework. Dualism and Equality, identity politics and poststructuralism have all so far failed to provide a sound basis for the politics of motherhood. Some further thinking on that issue is certainly needed.

Abstract: The following article approaches “space and motherhood” in three ways. First it tells the story of political discourse on maternity in the Swiss post-war period, secondly it reflects upon the relationship between public space, political system and motherhood beyond the historical experience. Thirdly it discusses some political implications for postmodern feminism: loss of motherhood in the public sphere yet again.

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