State Policy and Gender System in the Two German States and Sweden 1945–1989

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Generally, visions seem rare in the first two decades of West German postwar gender politics. This observation is all the more acceptable when questions of equality are considered. According to current accounts, proposals aimed at promoting equality vanished from the political agenda after a short revival in the immediate postwar years in order to give way to an almost undisputed promotion of the male breadwinner family. Due to destruction and defeat, motherhood and domesticity became key issues of West German social reconstruction and therefore, married women in particular were expelled from the labour market and reduced to their duties in home and kitchen.¹ It is understood that only in the early seventies did young women take up equality as a central theme again, when they started to struggle for legal abortion.²

In fact, compared to Sweden and East Germany ideology and practice of the male breadwinner family remained remarkably strong in West Germany. And of course the picture outlined above portrays important characteristics of postwar West German gender politics and discourses, especially of the early years in the 1950s. But it conceals contradictions and important dynamics of change, especially between 1955 and 1970. Focussing on married women’s gainful employment I will demonstrate that already at the end of the fifties, new visions of women’s equality came up with the emerging prosperity and the constant labour shortage. I will show how these visions were translated into politics during the sixties, and how they were finally implemented in legal frameworks in 1969.

Starting in 1955, the attitudes towards married women’s gainful employment underwent a specific social and ideological re-evaluation. In the early sixties, this process turned into an affirmative public consent about married women’s work. More and more people accepted that even despite economic reasons wives and mothers wanted to go on with their gainful employment because of a ‘personal need’, in order to have their own money or to be more independent from their husbands. In the early sixties it became widely agreed that so long as wives and mothers fulfilled their family duties, they had the right to work outside their homes. The introduction of part-time work in shop floors, industries, and offices became a public key issue, all the more as many employers were desperately seeking for women workers. Yet, the change of values went far beyond agreements forced by the labour market. It also gave rise to claims for equality for (married) women in the workforce as well as in society in general. The most important demand which resulted from these ideas was the call for part-time work for highly qualified women in the Civil Service, such as teachers and lawyers. This was demanded by women’s organisations who achieved their


aim in 1969. Reflecting the notions and realities of married women's employment since 1955, the emergence of the women's lobby, and its political struggle for 'practical equality' (praktische Gleichberechtigung) in the Civil Service law down to 1969, I intend to revise the widespread opinion that the West German women's movement entered the doldrums for more than 20 years. By identifying the main actors, ideas, agencies, and strategies in the political struggle for reform, my article will also explain why ideas of women's Gleichberechtigung in the sixties challenged female concepts of gainful employment without attacking the male breadwinners' dominance.

The political struggle for part-time work in the Civil Service provides a prime example of how visions about gender relations became policy and then legislation in West Germany. To understand the dynamics of this process, one has to visualize the pluralistic social and relatively complex political system of the FRG. Unlike in Sweden and in the GDR where central state institutions, bureaucrats, or selected independent groups played an important intervening part in promoting gender visions and politics in the sixties, a West German case study has to deal with many different actors not only of all areas of society but also on the federal and national levels. Especially in matters of education and teaching, the federal governments of the Länder were responsible for the Civil Service personnel, and they had their own strategies for solving the principal problems according to the different parties in power or to the Länder's individual needs. They could even introduce legal reforms opposite to national politics. The national government itself had the authority to issue directives but could only intervene in federal legislation, if it proved unconstitutional. Parties, trade unions, and women's organisations had special committees on the Länder level too, where they followed their own interests. As we shall see in this case study, the promoters of part time work in the Civil Service were lucky to rely on this structure. They used it and profited a lot from federalism, but still: to reconstruct and understand the proceedings remains complicated.

4 See also the study by Irene Stoehr, Der Mütterkongress fand nicht statt. Frauenbewegungen, Staatsmänner und Kalter Krieg, in: Werkstatt Geschichte 1997, No. 17, pp. 66–82.

5 See the studies of Christina Florin/Bengt Nilsson and of Gunilla Budde in this volume.

6 An overview of the history and the political system of the FRG can be found in: Wolfgang Benz (ed.), Die Geschichte der Bundesrepublik Deutschland, Frankfurt/M. 1989.
In order to make the developments comprehensible I will first outline in general the most important economic, social, and political changes concerning married women's gainful employment in the West German fifties and early sixties. In the second part of this article I will reveal in detail, how the discussion about part-time work in the Civil Service came about. The growing public agreement on married women's gainful employment and the lack of teachers changed ideas about women's rights in the Civil Service first of all in one of the federal state governments. This is why I will turn to the federal level. Here, I will analyze the reasons for the labour shortage in teaching professions, and how it challenged the federal state's attitudes towards its married female teachers. I will also identify who exactly carried out the first part-time reform in the Civil Service in 1960. In the third part, I will switch back to the national scene and follow the formation and policy-making of the impressive women's lobby. I will explain, why from 1964 on a new notion of women's 'practical' Gleichberechtigung became an important public issue and how it was promoted and finally implemented in the legislation of the Civil Service, the biggest and most powerful West German employer, in the state bureaucracy itself. In contrast to the response at the federal state level, this claim had no allies in the national state government and administration. Nevertheless, after five years of struggle against the state, parties, trade unions, and national civil servants syndicates, the lobby achieved its aim and abolished the state's traditional concept of the Civil Service as an almost exclusively male domain.


Family politics and the politics of gender equality are clearly mirrored by labour market politics towards married women. Taking the latter as an indicator for the legal standard of equality, an account of the situation in the early West German fifties turns out badly. The standard of women's education and qualifications was low. Most women were employed in unskilled occupations in the productive and agricultural sectors. In general, 

7 Only at the end of the fifties did the number of women in the services sector grow to the second biggest sector employing women. The productive sector remained in the first
women's unemployment rate was much higher than men's, but especially married women suffered from discrimination. Those who were employed had to justify their "double income". Out-of-work wives and mothers with small children had the lowest chances of finding a new job and were the last to profit from the take-off of the *Wirtschaftswunder*. Official labour market policies did nothing to improve their situation. When the percentage of unemployed married women and mothers rose higher and higher, labour administration officials (*Arbeitsverwaltung*) defamed them as the "false" unemployed and tried to expel them from unemployment benefits.8 "Work" was the man's affair, and the best task for a married woman was seen as finding a job for her husband. Under these premises, marriage involved a high risk for women on the labour market. Only in 1955 did industrial tribunals declare as unlawful what had been commonly practiced: now, a woman's marriage was no longer allowed as grounds for automatic dismissal. But still, employees tried to avoid giving jobs to married women and mothers as long as they could.9 First they wanted to save eventual expenses caused by special rights for women such as the regulations of Mütterschutz in case of childbirth or the right for women to take an extra day off every month, if they had to care for a household (*Hausarbeitstag*).10 Even if in most of the Länder the *Hausarbeitstag* did not have to be paid as a normal workday, employers were keen to avoid it. Furthermore, money was not the only argument they used. Industrial production was especially seen as a 'masculine world' where only a 'masculine constitution' could satisfy 'masculine norms'. Mothers did not belong and were not welcome in


10 This German peculiarity was introduced by the Nazis in 1943 in order to encourage women to work in the war industry. After the war both parts of Germany retained these regulations. For the debates and politics concerning the *Hausarbeitstag* see the German-German comparison by Carola Sachse, Ein "heisses Eisen". Ost- und Westdeutsche Debatte um den *Hausarbeitstag*, in: Gunilla Budde (ed.), *Frauen arbeiten. Weibliche Erwerbstätigkeit in Ost- und Westdeutschland nach 1945*, Göttingen 1997, pp. 252-285.
even the traditional branches of female industry.\textsuperscript{11} The situation in the services trade was no better. Hairdressers as well as grocers’ shops would not take on women over the age of 25, and banking as well as insurance managers were certain that married female counter clerks damaged the institutions’ dignity.\textsuperscript{12}

Legislation in the Civil Service promoted the same gender hierarchies. The state vigorously privileged male breadwinners and almost exclusively reserved the status \textit{Berufsbeamter} (lifelong employment and high state pensions) for men. This tradition which withheld both status and state benefits from most of its female civil servants went back to the early 19th century.\textsuperscript{13} Arguing that women could not serve state and husband alike they had only been accepted when unmarried. This so-called \textit{Zwangszölibat} for women in the Civil Service had been legally abolished by the Weimar Constitution in 1919, but according to Nazi legislation from 1937, which remained in force down to 1953, West German female civil servants could be dismissed when they married, if their husbands seemed able to provide for them.\textsuperscript{14} The state used these policies in order

\textsuperscript{11} The Director of the Federal Labour Administration of North-Rhine Westfalia (\textit{Landesarbeitsamt NRW}, hereafter quoted as LAA NRW) stated: “... der Industriebetrieb stellt auch in diesen Wirtschaftszweigen eine ausgesprochen von Männern geprägte Welt dar, in der für die Arbeitsleistung die männliche Konstitution und männliche Wertmaßstäbe gelten.” Many employers were sure, “daß Frauen als Mütter nicht in die Erwerbsarbeit gehören.” See report of the LAA NRW to the Central Labour Administration (\textit{Bundesanstalt für Arbeitsvermittlung und Arbeitslosenversicherung}, hereafter quoted as BAVAV), May 23, 1955, Bundesarchiv Koblenz (hereafter quoted as BAK) B 119/1045, p. 53. For the continuity of this argument, see Kathleen Canning, Languages of Labour and Gender. Female Factory Work in Germany, 1840—1914, Ithaka, 1996.

\textsuperscript{12} Report: “Niederschrift über die Arbeitsgemeinschaft der Dienststellenleiterinnen der Frauenvermittlung in Krefeld”, Januar ist, 1950, Hauptstaatsarchiv Nordrhein-Westfalia (hereafter quoted as HStANW), LAA NW, No. 236, p. 86.


to save salaries as well as employments, and to flexibilise its female workforce: Many women who had to quit their job as civil servants continued working for the state as employees, without prospect of promotion or protection against wrongful dismissal and for much less money. The German mail and telegraphic administration, the biggest employer of female office officials, used this strategy right up to the end of the Second World War.\textsuperscript{15}

This discrimination against married women on the labour market has never been undisputed. But until the end of the fifties it was almost unanimously agreed that—except in highly qualified occupations—gainful employment should play a minor role in women’s lives. Especially married women and mothers should only work when they necessarily needed the money for economic reasons. It is not surprising that Conservative parties and the Churches shared this opinion. But even Social Democrats as well as trade unionist women agreed and did not refer to socialist ideals of emancipation, when they fought for better working conditions. As Robert Moeller has shown, this was mainly due to the Cold War. To insist on socialist traditions in gender politics could easily be interpreted as having something in common with East German communists and therefore was to be rejected.\textsuperscript{16} Instead, West German social democrats were persuaded, that women in the ‘free’ part of the divided nation were to be protected as workers only so long as the male breadwinner system lacked efficiency and failed to support a family on a single income.\textsuperscript{17}

Ironically, these arguments were disproved at the end of the fifties, when for the first time increased male wages made it possible for families to live solely on the income of the male breadwinner.\textsuperscript{18} Even despite discrimination, the female workforce had risen steadily once the peak of unemployment had been overcome in 1952.\textsuperscript{19} The labour shortage, which in

\textsuperscript{15} Nienhaus, \textit{Väter Staat}, pp. 220–245.
\textsuperscript{17} von Oertzen, \textit{Teilzeitarbeit und die Lust am Zuverdienen}, Chap. 1.
\textsuperscript{19} Between 1952 and 1956 the female workforce in gainful employment rose from 4,521,000 to 5,802,000. Compared to 1950, more than 2,3 million women were employed in 1962. Figures: \textit{Statistisches Jahrbuch für die Bundesrepublik Deutschland, 1952–1962}, see also: v. Oertzen, Teilzeitarbeit und die Lust am Zuverdienen, chap. 4.
some regions started as early as in 1954/55 and which did not decrease until 1967 resp. 1972, had a most important impact on working conditions, labour market politics, as well as on attitudes towards women’s gainful employment. By 1955, when employers could no longer avoid taking on married women, the civil status of working women became more and more irrelevant. The percentage of married women in the female workforce shot up. Between 1950 and 1961 it rose from 19 to 35 percent, and in 1970 as many as 50 percent of all women workers were married. Furthermore, the percentage of part-time workers within the female workforce rose from about 4 to 19.3 percent between 1960 and 1970. On the one hand, government and industry encouraged married women to take on jobs by also heavily promoting part-time work; on the other hand, it became obvious that women took their chance not because of economic need, but also because they wanted to work and to earn their own money. The mass media were the first to discover a ‘new female identity’ (Neues Lebensgefühl der Frau) in West Germany. Like women in England, Sweden and the United States, they seemed to have developed a ‘personal need’ to work outside their homes. Thus, they would not necessarily resign from gainful employment when their husbands earned enough money to provide for their families but seek employment and extra income for their own interests. Newspapers, women’s magazines, and radio broadcasting programs featured women’s part-time work as the best solution to make family and gainful employment compatible. So long as wives and mothers would fulfill their family duties (part time) gainful employment was no longer seen as evil, but as a pleasure and need of women, even if they had to care for a household and did not necessarily need the money.

This “biggest social revolution of our times”, as one newspaper put it already in 1956, compelled a rethinking of gender relations and the meaning of married women’s work. This recognition also indicates that the West Germans had shifted their orientation: Fears and rhetoric that a growing female workforce would lead to ‘eastern’ communist conditions and to the

21 v. Oertzen, Teilzeitarbeit, chap. 4.
22 Ibidem, chap. 1.
death of the German people (Volkstod) received less and less attention. Western ideas were the force behind the change. It was especially Alva Myrdal’s and Viola Klein’s book *Women’s two Roles* that led to an understanding that the proceedings on the women labour market and the observed ‘new female identity’ were part of a structural development in all highly industrialized—western—countries. Myrdal and Klein’s book was well-known years before it came out in German in 1960 and became a bestseller. Widely read, it quickly popularized the new view that married women’s gainful employment was not an evil, but—to a certain limit—their wish and legitimate right.

The expansion of part-time work at the end of the fifties challenged traditional concepts of women’s employment. Almost every public institution, the political parties, and the churches joint in the debate. Women in the Social Democratic Party (SPD) were the first to revise their positions. Following the party’s *Godesberger Programm* of 1959, Martha Schanzenbach, the only female member among the party leaders, carried through a new concept of family policy in 1961. The *Godesberger Programm* marks one of the most important turning points in the party’s history and its transformation into a ‘people’s party’ (*Volkspartei*). Moreover, Schanzenbach’s ideas of a new family policy intended to render the party “socially acceptable” (*gesellschaftsfähig*) and a possible choice for a broader spectrum of voters in order to finally come to power with the next elec-

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23 The West German Minister for the Family, the Catholic Franz Würmel ing (CDU), was one of the most eloquent protagonists of this argument. Practically, he was less powerful and lost more and more influence, when the Ministries of Labour and Economics, both very mighty centres of power, pleaded for more married women workers in the workforce. In 1962 Würmel ing resigned together with the old Chancellor Konrad Adenauer, v. Oertzen, Teil­zeitarbeit, Chap. 1.3. For Würmel ing’s policy on married women’s employment see: Ruhl, Verordnete Unterordnung, pp. 176–198.


tions in 1961. To reach this aim, 'old' socialist ideals like public education were thrown overboard in favour of an explicit “yes to the family”. Chil-

dren should be educated in their families and by their mothers. This also implied the decision against whole-day schools. It is obvious that this concept incorporated conservative values. But concerning wives and mothers, the program did not plead for domesticity. On the contrary, it took into account the changing situation on the labour market and “new demands of the modern industrial society”. Mothers could only be satisfactory educators when they had practical knowledge of the world “out- side” home and kitchen. Furthermore, married women too had a “right” to work. But they should be free to decide if they wanted to have a job beside their family duties. To guarantee this freedom, male breadwinners should be able to provide for the families. Only then would married women have the chance to work when they really wanted to. Therefore, the claim for part-time work played an important part in the family pro-
gram in order to facilitate “emancipation without overtaxing”. This 'soft version' of a socialist emancipatory meaning of gainful employment for married women had a crucial impact on the party’s rise to power in 1966 and 1969. It neither hurt the breadwinners’ privileges nor did it endanger the tangible field of family autonomy. But it attracted women voters and it allowed the party to take over opinion-forming in family politics from the “c”-parties and the Catholic Church, which had dominated the field during the 1950s.

27 Martha Schanzenbach in a committee of the SPD, February 1st and 2nd, 1960, FES, SPD-Fraktion, 3. WP, Nr. 142. See also: Oertzen/Rietzschel, Das “Kuckucksei” Teilzeit-

28 Hety Schmitt-Maass, Die Frau von heute in Familie und Beruf, Manuscript, septem-
ber 9, 1961, SPD-Pressedienst, P/XVI/204, ASD, PV-Referat Frauenarbeit, Nr. 0208.

29 In 1961, the Party got more votes than ever before, and especially the number of women voters rose, so that the Conservative Chancellor Adenauer lost its absolute majority. Nevertheless, Christian Democrats and Liberals were ready to cooperate and remained in power. The Social Democrats came to power in 1966, when the Conservatives left their small Liberal partner and agreed to a ‘grand coalition’. After the elections of 1969, Willy Brandt became the first West German Social Democrat Chancellor, now cooperating with the Lib-
erals himself. See Heimann, Die sozialdemokratische Partei Deutschlands, p. 2193.
Furthermore, Social Democrats were joined by the Protestant Church. From these quarters fears were expressed that women could soon get too much pleasure from their gainful employment and could be ready to refuse their family duties completely if nobody intervened with attractive offers to combine both ‘fields of duty’. Therefore, the Protestant Church pleaded to acknowledge married women's right to work and to promote part-time arrangements.\textsuperscript{30} The social background of this argument was a severe shortage of manpower in nursing, and especially church-owned hospitals and homes suffered from it. Young women left the profession when they married, because nursing was still very much connected to celibacy.\textsuperscript{31} Demanding changes within the profession and for a public appreciation of married women's work, the Protestant Church became a very important protagonist in the process of changing values. Like all the other voices of the public discourse on married women's work, it called for an acceptance of a new role model for married women which facilitated being wife, mother, and employee. The Conservative parties were not happy to give up their concepts of domesticity, but they saw they had to adapt themselves to the new conditions for better or worse. When in 1966 the Conservative/Liberal Government published the first official report about women's situation in work, home, and society (Frauenenquéte) it came to the conclusion, that the unchallenged ideal of the married housewife ("Nur-Hausfrau") of the 1950s belonged to the past.\textsuperscript{32}

II. Federal advances, 1958–1960

Part time work in the Civil Service had been discussed since 1958. As I mentioned before, the subject first came up in the federal governments of the Länder. In Lower Saxony, state bureaucrats calculated as early as in 1956 that there would soon be a severe shortage of young academics. For the most part, these problems resulted from the gendered regulations in

\textsuperscript{30} "Denkschrift über die Teilzeitarbeit der Frauen", in: \textit{Die Mitarbeit} 14 (1965), Nr. 6, pp. 88–96.


\textsuperscript{32} Bericht der Bundesregierung über die Situation der Frauen in Beruf, Familie und Gesellschaft, \textit{Verhandlungen der deutscher Bundestag}, 5. WP, Drs. V/909.

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the Civil Service law. It was true that from 1953 on married women could not anymore be forced to quit the Civil Service. Nevertheless, a lot of them did so after some years of marriage. Women teachers left their jobs after an average period of service of only 10 years, and even this would decline to seven years. In the meantime, the percentage of female students rose dramatically, especially at teacher-training colleges, where in 1957 70% of all students were women.\footnote{Statistical survey, students at teacher training colleges, sommer 1957, Nds HStA, Nds. 400, Acc. 121/81, No. 27, p. 28.} Presuming that more or less all women teachers would marry and leave their jobs after a short period, the state more and more needed young teachers to keep the schools going, and much greater numbers than could be trained for the job.

When the situation was discussed within the federal government, it soon emerged that the Civil Service had to be changed profoundly in order to meet these structural problems. Concerning teachers, the Länder themselves were responsible for the Civil Service, and more than half of the federal civil servants were teachers. Male students in particular were being attracted less and less to teaching in primary and vocational schools because it was poorly paid and had a low prestige.\footnote{Hartmut Horn, \textit{Volksschullehrernachwuchs—Untersuchungen zur Qualität und Quantität}, Weinheim, Berlin, Basel 1968, see also: Dagmar Hänsel, Frauen im Lehramt. Feminisierung des Lehrberufs?, in: Elke Kleinau/Claudia Opitz (ed.), \textit{Geschichte der Mädchen und Frauenbildung}, vol. 2: Vom Vormärz bis zur Gegenwart, Frankfurt/M. New York 1996, pp. 414-433.} In relation to the diminishing average of periods of service, training for women teachers did not only seem too expensive, but also a waste of resources. In addition, women teachers apparently no longer accepted the state's traditional practice in gender personnel policies. Part-time work for married women teachers was already an established institution, but not within the Civil Service. If women wanted to reduce their working hours, they had to waive their status and privileges as civil servants and to continue teaching as employees. Obviously, women preferred to resign completely rather than teach under such bad conditions: only five percent of all women teachers worked as employee "assistants" (\textit{Hilfslehrer}). More reasons for this low rate were well known: beside the low prestige of their status they earned much less than their civil servant colleagues. On a half-time job as
employee they only got one third of the salary of a full time civil servant

When Lower-Saxony politicians decided to incorporate part-time work for women teachers in the new federal Civil Service law, most sections of the administration appreciated the reform. Only the Ministry of Finance protested. In his opinion, the new regulation violated two basic (male, C.O.) principles of the Civil Service code: First, the “complete devotion to the profession” (*volle Berufshingabe*), and second, “total loyalty” towards the state. In addition, regulations of employment and pension were misused. According to the Federal Treasurer the state could not accept the division between state service and “private service”. Introducing part-time work into the Civil Service law would create a new “type” (*Typus*) of civil servant, who would not feel obliged to unconditional loyalty towards the state. But on the other hand, if the state accepted part-time civil servants, it had nevertheless to undertake to provide (fully) for their old age. To back up these arguments of “costs” for the state the Ministry of Finance referred to common prejudices about married women’s gainful employment: wives and mothers already had a full time job at home, and any additional gainful employment would result in early retirement and high costs. Therefore, the Ministry of Finance (CDU) pleaded for upholding the status quo.36

Typically for the period, he did not win this struggle. The ministry of the interior, chief official of all federal civil servants, as well as the ministry of culture and education (SPD) both succeeded in isolating the Federal Treasurer, not only by clever political bargaining and by emphasising the dramatic labour shortage. In the meantime they produced another line of argumentation, which reminded the state of its duty towards women and mothers in a new way.37 Hitherto, the state had forced his fe-

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35 Petition of Erna Scheffler, former Judge of the High Court and now President of the German Association of Women Academics (DAB), May 7, 1965, concerning the part-time work of civil servants, in: Archive of the Trade Union, DGB-Archiv, DGB 24.11, Abteilung Frauen, 24/4290.

36 Federal Ministry of Finance to the Federal Ministry of the Interior, March 12, 1958, concerning civil servants in part-time work, Niedersächsisches Hauptstaatsarchiv (hereafter quoted as NdsHStA), Nds. 400, Acc. 121/81, Nr. 27.

37 Note of the Federal Ministry of the Interior, April 4, 1958, NdsHStA, Nds. 400, Acc. 121/81, Nr. 28.
male civil servants to do a fulltime job—regardless of their duties at home. If the state itself provoked overtaxing of its female protégés, it was small wonder that it had high costs for providing for this. In the attempt to manage both family and full professional work, women had to neglect one or the other. Both variations were to be avoided. The state needed well rested, fresh and relaxed women teachers and it had to protect the family. Therefore, female civil servants were to be protected in a special way. If mothers were to educate their own children themselves instead of paying for house service personnel, they needed enough time for it. So “complete devotion to the profession” with regard to married women teachers could not depend on time, but on the quality of teaching. And salaried part-time women teachers had already shown that they were able to fulfil their duties equally well as full-time civil servants. If the state wanted to keep its women teachers, and if it needed to encourage more women to take on teaching posts in the Civil Service, it had to improve their prospects.38

This first official plea for part-time work in the Civil Service is a milestone in West German state supportive measures concerning married women’s employment. It insisted that women’s first task was to care for the family, but from this, it deduced the need for special rights to a lifelong professional career. The labour shortage helped to legalise the concept. In 1960, the new Civil Service law passed the Federal Parliament of Lower Saxony with only a few votes against.39 When it came into force in September 1960, women teachers in the Civil Service with children were allowed to halve their working hours for a maximum of 10 years. During these years they got only half of their salary and other benefits, and only half of the years were counted for later pensions.40 In November 1963, 157 out of 11500 women teachers in Lower Saxony had taken on part-time service. 90 of these had declared they would have resigned from their job without this opportunity. As the measure was planned for the longer term,

38 Second note of the Ministry of Education and Culture, March 19, 1958, NdsHStA, Nds. 400, Acc. 121/81, Nr. 27, p. 10.
39 Stenographic reports of the session of the Landtag, 3rd WP, 13th Tagungsabschnitt, 70th session, October 10, 1960, p. 3902.
officials and politicians in Lower Saxony could be content with this result.41

III. From outside to inside parliament:
lobbying for ‘practical’ equality

On the national level, the federal reform was commented on with open discontent. Even the majority of the Länder disapproved of the new regulations in Lower Saxony. Only the southwestern state Baden-Württemberg followed its example and passed a similar reform in 1962. Most officials and politicians felt that honourable and well established traditions had been betrayed for just actual labour market necessities. What was only just acceptable for teachers in federal care would amount to an attack on the state on the national level. And anyway, national civil servants were not teachers but judges, officials in charge for administration, public mail and railways. The national Civil Service was therefore even more a male domain. The arguments against part-time work in the national government and administration were the same as in Lower Saxony. Not only did it cost too much; but to intervene in traditions would amount to intruding on the basic rights of all male civil servants. The national Ministry of the Interior stated time and again that he would never authorize a regulation which undermined not only the principles but also the honour of the Berufsbamtentum as well as the reputation of the state. The trade unions as well as the national syndicate of civil servants Deutsche Beamtenbund (DBB) shared this opinion.

However, in 1964 the situation at schools and universities became a national public issue. Not only did the deplorable situation at common primary schools get public attention, but the system of education as a whole. In addition, the “German Union of Women Academics” (Deutscher Akademikerinnenbund, DAB) and the “German Ring of Women Organisations” (Deutscher Frauenring, DFR) intervened in the debate. Startled by the journalistic campaign complaining about the “German catastrophe in education” (”Deutsche Bildungskatastrophe”), they declared part-time work for

female academics in the Civil Service to be a matter of political principles.\textsuperscript{42} Within a year, \textit{DAB} and \textit{DFR} activated an active and effective women's lobby.\textsuperscript{43} For them, the labour shortage in teaching professions was no longer the reason for claiming part-time work—it became a means to promote women's interests, and, as a central part of it, women's 'practical' \textit{Gleichberechtigung}.

How can we explain the sudden emergence of a non-party and non-confessional women's lobby forwarding for their own interests? I think, there a two main reasons to be considered. From its beginnings in the middle of the 19th century, education had been one of the main themes of the German women's movement. Women teachers have always been among its very first rank in the struggle, and apart from social work teaching had not only presented the most persuasive arguments in favour of a 'female' contribution to the public sphere and well-being. In Prussia, women teachers were also the first to get permissions to study at the university.\textsuperscript{44} Many protagonists of the old women's movement were teachers, and some of them, such as Emmy Beckmann, were important figures who reorganized the women's movement after 1945. In the fifties, Beckmann was not only president of the women teachers' organisation, but also President of the DAB, and editor of a journal on education and teaching, which explicitly linked up with Weimar traditions.\textsuperscript{45} However, without the general change of attitudes towards married women's work and the reform in Lower Saxony, the women's lobby would probably neither have

\begin{itemize}
\item \textsuperscript{43} Both organisations had many members and a functioning network system with annual national meetings. More than 1700 women were member in the DAB and one of its local groups. The umbrella-organisation DFR united almost all local, regional and national women's organisations. Informations were spread by a journal called "Informationen für die Frau" which appeared monthly. From 1957 on, also the DAB had its own journal, called "Mitteilungen des Deutschen Akademikerinnenbundes".
\item \textsuperscript{44} See for example Brigitte Kerchner, \textit{Beruf und Geschlecht. Frauenberufsverbände in Deutschland, 1948–1908}, Göttingen 1992.
\item \textsuperscript{45} See \textit{Mädchenbildung und Frauenschaffen} ed. by Emmy Beckmann, a journal founded in 1951.
\end{itemize}
picked up the call for part-time work in the Civil Service nor the claim for 'practical' Gleichberechtigung. It was the general change that prepared the field for their visions and political demands.

The fight for part-time work of female academics in the Civil Service is an impressive evidence for the existence of a women's movement in the West German sixties, its political cleverness, and its ability to push through their claims. Asking for reform on behalf of academic wives and mothers, professional women terminated the public agreement, that equality between men and women had already been achieved by the end of the fifties. In fact, a new family law and an equality law—both come into force in 1958—had removed the most obvious legal discrimination against women.46 Above all, these reforms put an end to the father's final ballot (Stichentscheid) in family affairs as well as the husband's right to give in his wife's notice. The reform was therefore mainly celebrated as a final break-through to legal equality between men and women. Although structural and social (gesellschaftliche) discrimination still operated, up to 1964 only occasional voices had critizised euphoria and self-satisfaction.47 And even if the women's lobby pleaded for 'practical' Gleichberechtigung now, their concept of equality was far from being egaliterian. It referred to a model of gender difference. But contrary to the fifties, women academics took up the more radical potential of these ideas: women and men were different and had different social tasks, but they were to be given the same rights and chances to participate in social life and power.48 From this perspective, the women's organisations became aware of more complex and subtle forms of not only formal but social discrimination. This is why part-time work in the Civil Service was advanced to a central issue for them. Not only teachers but al-


47 Helge Pross, leftwing outsider and Professor of Social Sciences, was one of them. See for example: Pross, Die halbe Befreiung. Die Frau in der Gesellschaft von gestern und heute, in: Informationen für die Frau 1961, No. 6, pp. 3/4.

most all female professionals working for the state were civil servants. And if they wanted to have children and have time to care for the family themselves, they needed the opportunity to reduce their working hours without losing position, pay, and prestige. Lobbying for this political aim also meant fighting offensively for married women’s right to work outside the home.

The women’s branch of the small Liberal Party (FDP), member of the Government up to 1966, became the political spokesman of the women’s lobby for part-time work in the Civil Service. There was a long established tradition for women academics who were organized in the DAB to join this party. Marie-Elisabeth Lüders, ‘grande dame’ of West German parliamentarism and co-founder of the DAB in 1926, had already been member of the Weimar Liberal Party (DDP).49 In 1964, Lüders was in her high eighties and not actively involved in politics anymore. But many professionals in the DAB had followed her example and joined the liberals as well. Some of them held important positions, for example jurist Erna Scheffler, who was one of the seven judges in the West German High Court, or young chemist and politician Hildegard Hamm-Brücher, who—after successful elections in Bavaria in 1966—was nominated for the executive committee of the Liberal Party (and became State Secretary in the Ministry of Science and Education in Willy Brandt’s first government in 1969).50 It is another important part of the success-story, that—despite the temporary discrimination against married women workers—there was a select number of highly qualified women who had influential key positions in the West German public, political, and social life. Many of them were members in the women’s organisations united under the roof of the Deutsche Frauenring. Due to their common membership in the DAB, they were ready to cooperate crossbench. A few examples give an impressive

49 In the 1920s the DDP was a political forum for professional women engaged in the women’s movement, but unlike most of them, Lüders stayed in the party when it became more and more right-wing and changed its name to “Deutsche Staatspartei” in 1930. In 1948 she joined the newly founded Liberal Party of Berlin (LDP) and was member of the Berlin City Parliament. From 1953 on she was deputy in the German Bundestag. 86 years old, Lüders died in 1966, Irene Stoehr, Marie-Elisabeth Lüders, in: Renate Genth et al, Frauenpolitik und politisches Wirken im Berlin der Nachkriegszeit, Berlin 1996, pp. 289–302.

picture of the intertwining of the female lobby: Jurist Elisabeth Schwarzkopf for example, Christian Democrat, appointed to Ministry of Health in 1961, and executive member of the Protestant women's organisations, promoted part-time work in the Civil Service as well as Hety Schmitt-Maass, former executive of an influential women's bureau in Frankfurt, now press-officer of the Federal Ministry for Education in Hesse. As mentioned above, she was also executive member of the SPD and one of the main supporters of the new Social Democratic family programme. Of course there were teachers involved, such as Hilde Kappus, former deputy principal in the federal state of Baden-Württemberg and now leader of the Liberal Party's national women's branch, as well as Anna Mosolf, co-founder of the Hanover "German Women's Club" in 1946, now officer at the Ministry of Education in Lower Saxony and women secretary of the federal branch of the teachers' syndicate GEW.51

The first manifestations of the growing network took place in autumn 1964, when the Deutsche Frauenring started to organize public debates concerning the crisis of education in West Germany. Unlike the public mainstream debate, the academic women did not focus on the disadvantages and deficiencies of the federal organisation of education. From the beginning, their debates centred around the situation of women teachers and their prospects. Education for young girls had to be improved; but for this, women needed lifelong prospects in their profession.52 Meanwhile, part-time work was generally accepted in most occupations. Only teachers and female academics were especially disadvantaged when they worked for the state. Judges for example where not even allowed to work as employees. If they wanted to reduce their working hours, they had to quit their position completely and seek employment as lawyers.

In order to keep the issue on the public and political agenda, the lobby pursued different tactics on different levels. On the federal level, women in


52 Programme of a public meeting on: "Die Schule und die Stellung der Lehrerin im Bildungsnotstand der modernen Gesellschaft", organized by the DFR, copy from Dec. 12, 1964, women's branch of the FDP, "der FDP-Bundestagsfraktion zur Kenntnis", ADL, A 5-15, Bl. 70.
the liberal factions of the federal parliaments (Landtage) systematically presented the federal governments with parliamentary petitions (kleine Anfragen) about part-time work for women teachers. On the national level, they had all female civil servants, but especially academics in mind. For this purpose, they submitted a comprehensive petition to the national parliament (Bundestag) which effectively attacked the official resistance against reform.\textsuperscript{53} The author was none other than Erna Scheffler, who had just retired as judge from the High Court and become President of the DAB. Scheffler not only declared a feminist war on the principles of the Civil Service with tenure.\textsuperscript{54} She also intended to strengthen the lobby by equipping it with useful arguments for the legal debate. Therefore, the petition was sent to the women's organizations, to women trade union officials as well as to all female deputies in the Bundestag and the Landtage, asking them that "female deputies of all factions should get together on this behalf."\textsuperscript{55}

Scheffler's main point was a change of perspective. Instead of the state's interests and duties she emphasized women's interests and their right for equality regarding other women in the work force as well as male civil servants. From here she argued that women should have the right to work part-time not because of their different sex, but because part-time work correlated with the "social functions and circumstances of life linked to that difference."\textsuperscript{56} Therefore, Scheffler pleaded that not only mothers were to be allowed to work part-time in the Civil Service, but even wives without children.

Scheffler's petition was an important step towards overcoming the Government's resistance, because it challenged the official arguments on the legal level. But from 1966 on, the lobby successfully made the issue a matter of political principle that could not be solved legally. Constant agitation led to a swing of opinion in the most important syndicates. In June 1966, the teachers union (GEW) and the Association of Philologists abandoned their reservations. When half a year later even the influential Deuts-

\textsuperscript{53} Petition by Erna Scheffler, see footnote 35.
\textsuperscript{54} See also: Erna Scheffler, Ist Teilzeitarbeit für Beamtinnen mit dem Grundgesetz vereinbar?, in: Die öffentliche Verwaltung (DOV) 18 (1965), No. 6, pp. 181-183.
\textsuperscript{55} Annexed letter by Erna Scheffler as president of the DAB, may 7th, 1965, DGB-Archiv, 24.11, Abteilung Frauen, 24/4290.
\textsuperscript{56} Scheffler, Petition, p. 3.
The Beamtenbund favoured the reform, the time had come to fight within Parliament. In November 1966 Lieselotte Funcke, member of the DAB and deputee of the liberal faction in the Bundestag, introduced the first draft bill. It suggested that all female civil servants with children up to 16 years should be allowed to apply for halving their work time or for leaving the service for three years in all. In general, the state was to approve these applies.57

The struggle in the different committees of Parliament went on for two years. The lobby outside Parliament was ready to mobilise protests, whenever the project seemed about to fail. And yet another event fostered the project: When the official report on the situation of women in family, work, and society came out in 1966, it gave an important impulse to reform.58 First called for by the SPD in 1962, it had taken years to be completed. In Autumn 1966 the Government issued a large volume of more than 600 pages. It was not to be denied that professional women academics in the Civil Service were the authors of this documentation. All the women’s departments in the administration had contributed comprehensive accounts of the legal status, the situation in the different sectors of employment, education, qualification, and in the families. The report, too, exploded the illusion that women’s status and situation were satisfactorily equalised with the legal reforms of 1958. Hedda Heuser, member of the Liberal Democratic Party (FDP) and deputy in the Bundestag, expressed a widespread view, when she said that the documentation itself presented social criticism, because it showed “the big gap between the common ideas of women’s roles and their real situation in the society”.59

The Government continued to refuse vehemently to fall in with the call for reform; even though the experts in the Ministry of the Interior did not all have the same opinion. A small faction, the ‘constitutionalists’, favoured the law, whereas the majority, the ‘civil servants’, supported the status quo. Powerful in the beginning, the latter faction slowly lost ground. The con-

58 Bericht der Bundesregierung ... See footnote 30.
stant reference to the old principles of the Civil Service gave rise to growing discontent among the women in all parties of Parliament. Women deputies were especially annoyed by the argument that part-time work for female civil servants was to be avoided because it violated the principle of gender equality within the Civil Service. As Social Democrat Annemarie Renger pointed out, the constitutional right for men and women to have access to every public office included equal chances to stay in the Civil Service. Renger became the leading parliamentary promoter of the reform bill, and she managed to engage Elisabeth Schwarzhaupt and Gudrun Enseling from the Conservative Party (CDU) to cooperate. As in the meantime Social Democrats had joined the Government and formed a “grand coalition” with the Conservatives, this meant a very promising combination. And luckily, even the Ministry of the Interior had changed. The new politician in charge, Peter Benda, was a ‘constitutionalist’ and supported the reform. Within this constellation, the women succeeded in persuading the ‘grand coalition’ to introduce a new reform draft bill in 1968 which both parties could accept. Because Christian and Social Democrats held the absolute majority in the Bundestag, it was now only a question of time before it was passed. In February 1969 the reform bill finally passed the Bundestag without a single vote against it.

When Hedda Hauser from the Liberal Party welcomed the law, she emphatically announced a new age for women’s work: “From today on”, she said, “female civil servants will be able to follow their family and professional duties—and, let’s spell it out loudly—at the same time their own inclinations, without a bad conscience that either job or family will suffer from it and without suffering from it themselves.”

63 Heuser said: “... ab heute soll es denn also den Beamteninnen möglich sein, gleichermaßen ihren familiären wie ihren beruflichen Pflichten und—sagen wir das ruhig auch hier deutlich—Neigungen nachzukommen, ohne daß sie ständig ein schlechtes Gewissen haben müssen, ohne daß entweder Beruf oder Familie darunter leiden und ohne daß sie selbst einen Schaden leiden müssen.”, Ibid., p. 11664 D.
Yet, the impressive success of the women’s lobby cannot conceal the political and social compromises which marked the new law. Women of all political parties and women’s organisations had fought together, and they had all agreed that part-time civil servants were not to be promoted so as not to endanger the career of their full-time colleagues. Besides, they did not share the same opinion about Gleichberechtigung. Conservative women stressed that Gleichberechtigung was not meant to weaken the hierarchy of family and gainful employment. In this sense Gudrun Enseling pointed out that “... the aim of every civil servant to have a family and work part time without accepting disadvantages in the profession ... seems a bit too high. The principle, that decision means sacrifice, is also valid in this connection.”

This belief can also be found in the law itself. Because many women accepted the ‘sacrifice’ as consistent element of the—different—female role model, they also agreed to leave it to the state how to realize the regulation in detail and how to operate ‘practical’ Gleichberechtigung within the Civil Service. Enseling, who had been a high-ranking official in the public mail for years, knew too well about the difficulties of establishing a system that guaranteed equal opportunities for female part-time and fulltime officials, and for women and men. Nevertheless, she seemed satisfied with an appeal to the official administrations to follow the law to the best of their knowledge and belief. Thus, applying for part-time work, women had to run the risk of driving their professional careers to a dead end.

IV. Conclusions

In 1971 the Civil Service law was changed again. From now on, fathers also could apply for part-time work. Male civil servants had successfully protested against ‘discrimination’—but they seemed to be happy to have achieved it in theory. Actually, very few applied for reduced working time or parental leave. Whereas the number of female civil-servants in part-time work...
time work rose from 3615 in 1969 up to about 28,000 in 1975, male applicants remained a small minority.\textsuperscript{65} Passing the struggle for 'practical equality' in review, this phenomenon seems reasonable. Unlike the debate on \textit{jämställdhet}\textsuperscript{66} in Sweden, the discussions about \textit{praktische Gleichberechtigung} in the West German sixties remained focussed almost exclusively on women. Of course some female protagonists stated that in future men should help a little more in the household, and women's magazines showed brave husbands ironing by themselves and washing the dishes. Yet, nobody in the sixties critizised the structure of these gender hierarchies themselves. On the contrary, the successful fight for part-time work was based on ideas of gender difference which were not meant to attack established gender relations. Its radicalism consisted in establishing special rights for women in the workforce, in order to enable them to follow their family duties and to guarantee their equal access to gainful employment and qualification.

Undoubtedly, the women's lobby achieved a very important aim. Influenced by the changing ideas about married women's work they took the situation of female civil servant teachers as a peg to hang on new visions of 'practical' quality and to translate them into legal regulations. Doing so, they broke down firmly established gender structures in the Civil Service law which had hitherto excluded married women from the benefits of state service. But they did not want to eliminate gender inequality. The implementation of part-time work was just another special right for women which continued their almost exclusive responsibility for the family. Even so one can hardly overestimate how much the law improved the situation of women on the labour market in total. It confirmed that their status as employees as well as the meaning of their work had changed profoundly. Thus, compared to the West German fifties, it was quite a radical reform. The beginnings of the political struggle point to a time of new departures, where in the end women started once again fighting offensively for their own rights. In this perspective, the situation in the early sixties is in some ways similar to Sweden and the GDR. In all of the three coun-


\textsuperscript{66} See the contribution of Christina Florin and Bengt Nilsson in this volume.
tries it was a time of remarkable dynamics, visions, and political actions concerning gender relations. Yet, compared to the declared intention of many Swedish intellectuals and young politicians to change the engrained gender order profoundly and to abolish the social roots of inequality, the West German reform was altogether moderate. The different view of part-time work in the three countries is a telling indicator for this dissimilarity: Swedish protagonists like Alva Myrdal were clearly against women's part-time work, because men and fathers should become equal partners in family affairs instead of staying evening visitors. Therefore, she pleaded for a general shortening of working hours for both men and women, in order to establish a two-breadwinner family. East German officials did not bother too much about father's roles in the families, but they wanted to establish women's social and political 'equality' (Gleichstellung) by integrating them as life-long full-time workers. In West Germany, all participants in the debate agreed that part-time work was the best way to grant new rights to women without infringing the male breadwinner family. Profound critics on this viewpoint had to wait for the seventies. And even then the discourse about equality remained much more concentrated on women and never reached a popularity similar to the Swedish concept of jämställdhet which involved men and women alike. However, the lasting strong position of the male breadwinner model in West Germany is not to be characterized as a sign of standstill but as part of a specific change. At the same time, it was a reminder of the past in two different ways. Even if the West German public was no longer preoccupied with East German gender politics in the sixties, the Cold War still shaped perceptions and evoked a distinctive need for stability. Obviously, a 'stable' male breadwinner status provided for this and thus became 'conditio sine qua non' for accepting gender related modifications in a deeply changing society. In the second place I would like to focus on traditions, discontinuities and continuities concerning the (West) German women's movement. As Christina Florin and Bengt Nilsson have shown, a good

\[67\text{ Ibidem.}\\ \]

\[68\text{ Myrdal and Klein, Die Doppelrolle der Frau, p. 247.}\\ \]

\[69\text{ Almut Rietzschel, Teilzeitarbeit in der Industrie. Ein 'Störfaktor' auf dem Weg zur 'Gleichberechtigung', in: Klaus Tenfelde et. al. (ed.), Arbeiter in der SBZ/DDR, Essen 1999 (in print).}\\ \]
deal of the visions which shaped Swedish gender politics in the sixties dated back to the 1930s, when the German women’s movement suffered a violent backlash, when not only its ideas were driven out but also its promoters. The gap of twelve Nazi years had a crucial impact on postwar women’s politics and its protagonists. Contrary to Sweden, where young women and men took action in the sixties, many women of the West German lobby had studied in the late Weimar or in the Nazi years and were at least in their fifties when they took up the struggle for reform. Personally they were influenced by those ideas of the women’s movement which had promoted concepts of gender difference.70 The credit for having rehabilitated the claim for ‘practical’ equality in the political agenda of the early sixties and for having induced the state to sanction officially that married women had a right to work, is theirs. The call for egalitarian equality in the seventies was carried out by a new generation of women, often more than 30 years younger than their predecessors. They were the first to have no experience of Nazi Germany or only from their childhood, and they felt so little in common with the sedate ladies of the sixties that it took some time for them to rediscover they had common ancestors from the beginning of the century.