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This dissertation, directed and approved by the candidate's committee, has been accepted by the Graduate Committee of The University of New Mexico in partial fulfillment of the requirements for the degree of

Doctor of Philosophy in American Studies

American Women and Swedish Women:
Changes Since World War II

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1973

AMERICAN WOMEN AND SWEDISH WOMEN:
CHANGES SINCE WORLD WAR II

BY

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B.A., University of Minnesota, 1962

M.A., University of Minnesota, 1964

DISSERTATION

Submitted in Partial Fulfillment of the
Requirements for the Degree of
Doctor of Philosophy in American Studies
in the Graduate School of
The University of New Mexico
Albuquerque, New Mexico

July, 1973

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AMERICAN WOMEN AND SWEDISH WOMEN:
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Kay Frances Reinartz

ABSTRACT OF DISSERTATION

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SWEDISH WOMEN AND AMERICAN WOMEN: CHANGES SINCE WORLD WAR II

Kay Frances Reinartz, Ph.D.
Department of American Studies
The University of New Mexico, 1973

This work is an investigation into changes in women's status in Sweden and the United States since the Second World War. Status has been measured through objective examination of legal, educational, and employment factors. A brief history of social developments and the women's movement in each country over the past three decades is included.

An interdisciplinary approach is used throughout the study which draws upon a wide variety of materials in English and Swedish including court cases, histories, government documents, sociological studies, numerous unpublished Swedish studies, statistical data, and a series of conversations held with Swedish experts in Sweden during 1971-1972.

The data show that Swedish women's position under the law has been substantially better than American women's since the 1930's. Today Swedish women enjoy total equality of legal rights with men. Viewed as a whole, today in the United States women's legal position is at a point not far below men's; however, there are distinct exceptions to this rule, most notably the married woman's rights in the areas of domicile, name, and consortium. Sexual differentiation in the law of support, minimum age of contract, and criminal law is standard throughout most of the states. The type of legal system observed in each country has exerted a strong influence on women's

status and the ease of thoroughgoing reform.

In terms of general level of attained education as well as proportion of the female population obtaining advanced education, American women are better off today than Swedish women--just as they were in 1945. In terms of constituting a proportion of those persons completing education at various levels, Swedish women's contemporary rates compare favorably with American women's below the graduate level. However, a larger proportion of professional graduates and workers are female in Sweden than in the United States. In both countries women tend to cluster in the same curricula--humanities, education, and health fields--and prepare themselves for the same few occupations--office and commercial work, lower level teaching, health occupations, and social services.

In general, the situation of women within employment is the most similar in the two countries with the female labor force being concentrated in a few occupations sex-labeled female that are typically among the lowest in status and pay. Rapid expansion of the female work forces in both countries since 1950 has resulted largely from the influx of married and older women. Cultural values, educational systems and philosophies, as well as political and economic history have exerted considerable influence on the educational and employment patterns in both countries.

Because of the complexity of status it is impossible to flatly state that women's position is better in one country than the other. However, the rate of progress from 1945-1970 in every area investigated has been greater in Sweden than the United States, where essentially no progress has been realized in education and only mild progress in the legal and employment areas.

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SYMBOLS USED IN TABLES

"	Repetition
--	Magnitude nil
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ABBREVIATION AND TRANSLATION OF
COMMONLY USED TERMS

AMS	Arbetsmarknadsstyrelsen--National Labor Market Board
ILO	International Labour Organisation
LO	Landsorganisation--Swedish Confederation of Trade Unions
OECD	Organisation for Economic Co-operation and Development
SACO	Sveriges Akademikers Centralorganisation--Professional Workers Union
SAF	Svenska Arbetsgivareföreningen--Swedish Employers' Confederation
SIF	Svenska Industritjänstemannaförbundet--White-Collar Workers in Industry Union
S.O.U.	Statens offentliga utredningar--Official State Swedish Publication
TCO	Tjänstemännens Centralorganisation--White-Collar Employees Union

PREFACE

After almost a half century of relative indifference to women's position in the United States, the late 1960's marked a surge of renewed interest in this topic and the rapid development of a dynamic women's liberation movement geared toward awakening the public to the reality that American women do not in fact enjoy complete equality in most areas of the society. Over the years American women have been led to believe that they have more equality than women elsewhere. I was initially attracted to the idea of comparing American women to Swedish women because of this myth and the reputation that Swedish women have acquired in the postwar decades of being among the world's most liberated women. One of the goals of this study has been to discover to what degree these claims describe myth and reality. The post World War II period has been selected because in both countries it has been characterized by an unprecedented massive move of married women out of the home and into the work force. Perhaps the key question is--has women's integration into the economic life of each nation been accompanied by an improvement in their general position?

The initial consciousness-raising phase of the new women's movement has passed in the United States and it is time for serious analysis of the realities of women's status in order to gain insight into how appropriate changes can be made. Hopefully, this cross-

cultural analysis will be a useful contribution in this area.

The conclusions reached in this dissertation are based upon a wide variety of materials including sociological studies, histories, government documents, and conversations. Most of the Swedish data was gathered during ten months spent in Sweden in 1971-1972. Because of the comprehensive nature of the topic, indeed women's status embraces all aspects of the life of a nation, this study is by necessity limited in its approach to the problem. The goal has been to objectively present a picture of the basic legal, educational, and occupational changes in women's position in the two nations over the past thirty years with special emphasis on the current situation. There has been no effort to deal in depth with the complex of sociopsychological factors behind many of the developments, although sociological interpretation is used throughout. Moreover, there has been no attempt to separately discuss American non-white and ethnic groups, although at times their patterns differ substantially from national averages.

Any attempt to compare social data from different nations is difficult at best. In addition to the usual problems arising from basic differences in national methods of compiling statistical data, an additional problem was created in this study by the fact that over the past thirty years the Swedish Central Bureau of Statistics has made several major changes in the kinds of data collected and how they were reported. In some instances, particularly in education, this has made it difficult to trace developments. At other times desired cross-cultural comparisons have not been possible because similar data are simply not available in both countries or not in

comparable form. In view of the fast changes taking place in the postwar period every effort has been made to compare data for the same date and to make this report as current as possible. However, this goal has been only partially realized because of the technical problems involved in keeping abreast of rapid developments in fifty states and a foreign country.

A number of people in the United States and Sweden have contributed time, energy, and ideas toward making this study as meaningful and useful as possible. I am deeply grateful to Richard F. Tomasson for encouraging me to undertake this work, assisting me in securing research funds, and offering valuable criticism, guidance, and encouragement. Thanks are also due to other committee members Joel Jones and Frank Szasz for reading the manuscript. I am greatly indebted to Robert R. Stitt for his constant support throughout the entire undertaking, particularly in reading and criticizing the manuscript, and assisting in preparation of the numerous tables and figures. I wish to also thank Mariann Tiblin, Scandinavian Bibliographer at the University of Minnesota Library for her numerous suggestions regarding the form of Swedish citations and for reading the Swedish sections of the manuscript.

In Sweden formal assistance was provided by the Sociological Institute of the University of Göteborg and Rita Liljeström. I am grateful to Asta Ekenvall for the opportunity to work at the Women's History Archive in Göteborg, and I am indebted to Inger Westberg, librarian of the collection, for her cheerful help in locating sources and in answering numerous questions. Special thanks are due to Manne Wickström and Agneta Sverkel-Osterberg of the Swedish Central Bureau

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Kay F. Reinartz

Minneapolis, Minnesota
June 1973

CHAPTER I

INTRODUCTION

The position of woman is, in any society, an accurate gauge of its development.

Erik Gustaf Geijer (1783-1847)

That the United States and Sweden today are among the most highly developed Western democracies is hardly debatable. The high standard of living of the population of both nations can be verified by such data as the per capita gross national product and value of industrial production, as well as the number of conveniences and luxuries such as automobiles, telephones, and television sets per 1,000 inhabitants. Since World War II both countries have experienced unparalleled economic and technical expansion. These basic similarities in the two societies facilitate their comparison in spite of significant differences in size, history, and political systems.

There are a number of basic differences between the two countries relevant to the status of women that are worth noting here. The United States has had a consistently higher birth rate since the 1920's together with a higher marriage rate and lower median age of marriage.¹ In both countries women live longer than men, although the differential between the sexes is greater in the United States, 7.5 years, than in Sweden, 4.7 years (1970

figures).² Moreover, today men in both countries suffer a higher incidence of death from cardiovascular and other stress-connected ailments than women. Similarly, men have higher suicide, alcoholism, and criminal offense rates.³

As Geijer⁴ has pointed out, knowledge of women's position in a civilization reveals much about the society in general and is one index to its cultural roots, values, and state of progress. Indeed, to understand the position of women in a given society calls for comprehensive knowledge and understanding of the subtleties of the cultural life of the country. However, this requires a substantially larger project than the present study which only attempts to concentrate upon three aspects of woman's place and participation in national life--under the law, in education, and in work. These areas have been selected because they together with the political system form the foundations of a society and determine in a very real way the breadth of opportunity for personal fulfillment as well as the autonomy permitted an individual within the civilization. Although these institutions do not actually create the subjective social attitudes that have been responsible for women's traditional inferior status, they reflect, embody, and perpetuate these attitudes.

To be truly complete this study should include analysis of women's role in political life. However, this aspect has not been included here in view of the complexity of the discussion arising from the basic differences in the two national political systems--Sweden has a constitutional limited-monarchy of the English parliamentary type which works exclusively through a well-defined five-party

system, while the United States maintains a constitutional representative federal system which works partially through a two-party system. However, there are plans to include a chapter on political factors in a longer version of this work which will appear later. For those who are interested in pursuing the topic of women in politics the following works can be recommended for the United States: Martin Gruber, Women in American Politics: An Assessment and a Sourcebook, and Peggy Lawson, Few Are Chosen: American Women in Political Life Today; and for Sweden see Ruth Hamrin-Thorell, Ulla Lindström, and Gunvor Stenberg, editors, Kvinnors röst och rätt.⁵

Swedish Family and Labor Market Policies

As a reaction to the economic depression, early in the 1930's there was hostility in Sweden toward efforts aimed at achieving sexual equality. However, improvement in the economic situation brought a change in mood and with it the institution of the first of a series of social reforms which over the past thirty years have gradually enhanced the equality of the sexes and in many ways directly benefited women by removing some of the disabilities placed on them by tradition. The most important of these reforms in the early phase were the National Pensions Act of 1935 providing equal pensions for women and men, the Competency Act of 1936 establishing the right of female civil service workers to sick leave benefits in association with time taken off for pregnancy and childbirth, and the 1939 Act forbidding the firing of a woman worker on the grounds of engagement, marriage, pregnancy, or confinement. In 1945 these benefits were extended to all areas of employment including domestic service.⁶

The Depression in Sweden was accompanied by a sharp decline in the national birth rate that alarmed many Swedes and prompted Alva and Gunnar Myrdal to discuss the problem and how to resolve it in their 1935 book Kris i befolkningsfrågan (The Population Crisis).⁷ According to demographers' predictions, if the birth rate of the thirties continued the population would decrease at an ever accelerating rate in the coming decades until it reached the point of "national suicide." The Myrdals answered the question of how this could be avoided with a progressive challenge: "If we want young people to marry earlier and bring up more children then we must change the living conditions to make this prospect much more attractive."⁸ In their book they suggested large scale social reforms directed at leveling out the economic burdens of child rearing and increasing the general social security of the entire population. Gradually a national family policy was formulated to relieve parents of some of the economic burdens of children through a public program of collective assistance and grants for specific material goods. Later, assistance took the form it has today--direct flat-rate cash child allowances (barnbidrag) to all mothers regardless of personal economic circumstances. Traditionally, social help for children in Sweden has been given to the mother since it goes to all children--whether or not they are born in-wedlock. Recently there has been discussion of issuing barnbidrag grants to both parents jointly as a gesture of their equal responsibility as parents.⁹

An important concern of Swedish family policy from the beginning has been the health of mothers and children. In 1937 complete pre- and post-natal care for mothers and children was made

available throughout the country in special clinics free of charge to all. Eventually, cash grants became available to all expectant mothers to relieve them of some of the expenses connected with pregnancy and childbirth. Today all new mothers automatically receive this grant when their babies are born and may receive part of it in advance if they wish. Additional aid in solving some of the problems common to parents was introduced in 1938 in the form of cash allowances for the care of all children whose parents or guardians were in straited circumstances and state subsidization of the training and wages of visiting home helpers who were made available to assist families when the homemaker was unable to manage alone because of sickness or other reason.

The importance of family planning and a woman's right to help govern her own reproductive life was also recognized. In 1938 the law prohibiting the sale of contraceptives was repealed and a woman's right to therapeutic abortion on medical, humanitarian, and eugenic grounds was established. Sex education became universally established in the schools in 1956 and counseling was made available to adults through various organizations, the most important being Riksförbundet för sexuell upplysning (RFSU) (The Swedish National Association for Sex Education).¹⁰

Contemporary family policy includes the basic foregoing features as well as several additional facets. The most important of these are a housewife's right to national sickness insurance benefits, which she may draw if she is too ill to discharge her duties in the home, and subsidized holidays for housewives and other women suffering from overwork. Subject to a means test, women, especially

mothers in need of a rest, are provided with a free round-trip ticket to a resort in Sweden where they may stay at reduced cost. If their income warrants, they may stay free of charge at one of the special vacation homes maintained by the state at the seashore and other attractive places in Sweden. The 1960 Supplementary Pensions Act is worth mentioning here in that it qualifies many women excluded under the old rules that required that the would-be pensioner must have secured the job for which he qualified for a pension before he was thirty years old.¹¹

Another important government program of particular interest to women has been in the area of housing. For the past six years government committees have been working on plans for the creation of reasonably priced service apartment complexes which are especially designed to fit the needs of single-parent and two-working-parent families by the inclusion of comprehensive services including in-complex child supervision, grocery and other service shops, public services-- post office and bank, reception and telephone answering service, recreational facilities, and meal service.¹² Part of the idea behind these plans is to combat the isolation of the small urban family and to provide multi-services to relieve working parents of many of the onerous housekeeping chores that they are typically burdened with in their after-working hours. In many ways women would benefit the most from this form of housing since the vast majority of single-parent families are headed by women,¹³ and in the working-couple marriage the wife typically carries the brunt of the housework. Only a few complexes with limited services, generally called kollektivhus, have been built so far, but there are plans for extensive construction

of this type of housing in the future.¹⁴

Unquestionably, the most important factor behind the rather rapid changes in women's status in Sweden in recent years in education and work life has been the full employment policy pursued by the government since the 1930's. A specifically egalitarian philosophy was interjected into the government's labor market policy as a result of the labor shortages that have been the normal condition in Sweden since the late 1940's. Originally, the labor market policy was confined to simply relieving unemployment pressures during recessions with public works projects. Gradually the policy began to play the role of stabilizing factor in economic policy and the original ideal of full employment expanded into affording the worker "full, productive and freely chosen employment."

By the late 1960's a series of labor market policy programs had evolved to aid in realizing this goal and adapting the country and the work force to the rapid structural changes taking place in the economy. The most important of these programs which are equally available to both sexes include: employment exchanges, pre-vocational practical orientation, vocational guidance, and disablement resettlement. Measures developed for the rehabilitation and employment of the unemployed include vocational training or re-training, relief work, unemployment funds, and transfer grants so that the unemployed person--woman or man--might move to where work is available. As early as 1961 the National Labor Market Board (AMS) adopted a program designed specifically to aid women in joining the work force by providing job counseling and training, as well as child care supplements during training and other support.¹⁵ In 1968 a new, considerably

expanded labor market program was adopted by the government which explicitly affirms the principle of equality between the sexes thus: "The objectives of the labour market policy are to be the same for male and female labour. The resources of the authority are not to be applied to separate measures for men and women."¹⁶

The American Tradition of Social Laissez Faire

The period since the Depression in the United States has been relatively free of interest and efforts to equalize the status and opportunities of the sexes in the sense that they have been realized under Sweden's comprehensive social welfare and employment programs. Exceptions to this rule have been the institution of the federal Social Security system in 1935, applying equally to all workers, and the Fair Labor Standards Act of 1938, establishing a minimum wage and forty-hour week for women and men alike working in interstate commerce. The Second World War briefly focused attention on the problems of working wives and mothers, and between 1942 and 1944 attempts were made in many places to arrange child care and other services to ease the double burden of these women and keep them in the work force. The end of the war brought these labor market policies of the government and private industry to an end.¹⁷

In keeping with the tradition of government non-involvement in areas deemed private, there has been little support by the federal or state governments of extensive family and labor market policies of the Swedish type that would ultimately enhance equality between the sexes. The areas of family planning and job training are typical. For example, knowledge of contraceptive techniques became

widespread in the 1930's and birth control information clinics cropped up around the country. By 1943 there were 549 such clinics; however, only about a quarter were publicly supported.¹⁸ Moreover, many states maintained statutes totally banning the sale and dispensation of contraceptives, and it was not until 1971 that the last of these laws were thrown out by the United States Supreme Court. However, there are still states where contraceptives cannot be legally sold to teenagers or unmarried persons. Legal abortion has been almost totally inaccessible to the average woman throughout the United States until around 1970. Although by 1970 sex education programs had been introduced into the public schools in a few states, these were the exception. There has been no effort by the federal government to promote sex education for the public.

Publicly subsidized job training reflects a similar reluctance on the part of the government to become greatly involved in providing needed public social services. Thus, with few exceptions government-sponsored vocational and job training programs and such services as child care for mothers-in-training have been limited to those in poverty or recognized as "disadvantaged."¹⁹ On the other hand, while America has enjoyed much prosperity in the postwar era, broken only moderately by intermittent recessions until the end of the 1960's, there has never existed a labor demand of the Swedish magnitude. Thus, this stimulus to government interest in encouraging women to prepare for and remain in the work force, in spite of marriage and raising a family has not been present. Similarly, a consistently high fertility rate has not made it necessary to encourage people to have children, as in Sweden.

In the area of aid to parents and particularly working mothers virtually no benefits or relief measures have been available except economic support under the Federal Aid-to-Dependent-Children program and various state and county level welfare programs. The lack of supportive programs in this area prompted the President's Commission on the Status of Women to recommend in 1963 that a number of adjustments be made, the most important to women being the provision of maternity benefits to compensate a working woman for loss of income due to childbearing, child care tax deductions, tax deductions for dependents of single working women, and the extension of unemployment insurance to small establishments and nonprofit organizations--both of which characteristically hire numerous women--and to household workers.²⁰

The Cultural Theme of Equality

Both the United States and Sweden today maintain the ideal of the equality of all people as an integral part of their national philosophy, although historically this is a new idea in Sweden compared to the United States. Seymour Martin Lipset has pointed out that in the United States equality of the sexes "does not mean equality in condition, but rather universalistic treatment in all sectors."²¹ The principle of basic human equality is the keynote of the Alva Myrdal report to the Social Democratic Party, Towards Equality, in which it is interpreted as meaning that "all men have the same right to live a full and satisfying life." The report emphasizes that universalistic treatment is central to this ideal as is the right of each citizen to "equal freedom of choice to shape his own future."²²

Summarized

In recent years the specific inclusion of women in the ideal of equality has been officially reiterated in both countries, and it is not difficult to find top officials mouthing the slogans of equality. Thus, in 1970 Olof Palme, Swedish Prime Minister since 1969, told the Women's National Democratic Club in Washington, D.C.: "In the long term programme of the party I represent, The Social Democratic Party of Sweden, we say that the aim over the long run must be that men and women should be given the same rights, obligations, and work assignments in society. This fundamental idea is today embraced by almost all political parties in Sweden."²³ In his official statements Palme has repeatedly emphasized, as did his predecessor, Tage Erlander,²⁴ that in Sweden the question of women's position is not viewed as a problem of emancipating women from their antiquated role, but of emancipating both sexes.

In the United States the need for concern with men's role has not yet permeated official ideology, although the need to promote women's opportunities for self-actualization has. In 1960 John F. Kennedy stated "We are at the beginning of an era when . . . men and women everywhere will have it within their power to develop their potential capacities to the maximum."²⁵ In 1964 Lyndon B. Johnson focused more specifically on the situation of women when he remarked "My whole aim in promoting women and picking out more women to serve in this administration is to underline our profound belief that we can waste no talent, we can frustrate no creative power, we can neglect no skill in our search for an open and just and challenging society. There is no place for discrimination of any kind in American life."²⁶ In the same vein Richard M. Nixon emphatically declared in

1971 "In the United States we have got to have the best people in positions of leadership . . . if a woman has that capacity we want her. . . ."27 However, there has been serious question of Nixon's sincerity. For example, when asked by a reporter why only 150 women had been appointed to the more than 10,000 top supervisory posts in the administration, and sixty-three of these to the same art commission, Nixon coolly replied "This administration is proud of its record in so far as putting women in top positions of responsibility. . . ."28

A show of good faith in his support of the idea of equality for American women was made by Kennedy in establishing in 1961 a Commission on the Status of Women, headed by Eleanor Roosevelt, to assess the position of American women and the functions they perform in the home, the economy, and the society and to make recommendations for needed legal, political, economic, and social reforms to advance women's position. The Commission's report, American Women, appeared in October 1963. By 1969 similar state level commissions had been established in all of the fifty states.²⁹ Although it was not immediately discernible the work and report of the Kennedy Commission marked a turning point in the history of improvement of women's position in the United States in the modern era.³⁰

Inspired by the American Commission's work,³¹ the Swedish Social Democratic Party in 1964 undertook an investigation of women's position in Sweden which appeared under the title Kvinnans jämlikhet. Ett framtidsprogram (Women's Equality: A Program for the Future).³² Like the American study it surveyed women's current status and made a number of recommendations for needed improvements. This report

formed the basis for the 1968 Swedish report to the United Nations, The Status of Women in Sweden, written by the secretary of the original 1964 committee, Maj-Britt Sandlund. The Swedish 1968 report is much more a program for the future than the American report which is a factual discussion of the status quo and its failings. It reflects a very progressive philosophy on sex roles, and has been endorsed by the Social Democratic Party as its official program for the future improvement of women's position in Sweden. In comparison the American report appears very conservative in many ways. However, the fundamental difference in outlook embodied in these reports is basically a reflection of the mood of each country at the time the reports were written and the developments--or lack of developments in the American instance--of the previous decades.

The Development of a Modern Feminist Consciousness
in Sweden and the United States

Although there were steps being taken since before World War II to gradually equalize women's and men's positions in Swedish society, the change was slow. The massive move of women into the work force resulting from the energetic recruitment program undertaken by the government to relieve labor shortages revealed to many people in Sweden two facts about women's position. First, on the labor market women as a rule were clustered in the low-wage and subordinate positions. Secondly, married women joining the work force had simply taken on a second job since little help in the home was provided by most husbands. In 1956 Alva Myrdal and Viola Klein focused attention on the new situation of the working wife in their book Women's Two Roles: Home and Work.³³ However, recognition that

women were indeed fulfilling two roles did not relieve the pressure. What was needed was a focusing of public attention on the problem.

Throughout this period the main organization showing consistent concern for women's position was the over eighty year old Fredrika-Bremer-Förbundet, a feminist organization originating in the women's rights movement of the last century. However, this group had become very establishment over the years and in many places functioned almost as much as a social club as a reform oriented organization. It did not take the initiative in calling for an improvement of women's basically exploited position on the labor market in the postwar era.

All feminist sentiment was not dead in Sweden, however. At the University of Uppsala Karin Westman-Berg, Docent in Literature, was holding informal seminars on sex roles in society. Her classes were composed mainly of young women interested in the "woman question" (kvinnofrågan), as the issue of woman's position was called at that time in Sweden. Westman-Berg herself had been a student of the noted Swedish writer and feminist Elin Wägner, and had a well-developed feminist consciousness which she passed onto many of her students.³⁴ One of her students was Eva Moberg, who in 1961 wrote a short biting essay "Kvinnans vilkorliga frigivning" (The Conditional Emancipation of Woman), in which she argued that women and men could not be considered equal until women became as financially and socially autonomous of men as men are of women. Moreover, women would not be able to be truly independent until the responsibilities for both running a home and supporting a family were equally shared by woman and man. Regarding women's two roles Moberg declared:

We should stop hammering on the concept of "women's two roles." Both men and women have one main role--as human beings. To care for offspring is part of the human role by necessity and moral duty, but also a rich asset, a delightful experience, and much more.³⁵

Moberg found it absurd that women should be permitted to compete with men on the labor market on the condition that they maintained their traditional functions within the home and family. In 1962 Moberg expanded her ideas in the book Kvinnor och människor (Womankind and Humankind).³⁶ Moberg's ideas were very controversial, and she was the butt of widespread personal attacks. However, her essay launched the contemporary era of feminism in Sweden and the following discussion known as the "sex role debate."

In 1962 another important book appeared, Kvinnors liv och arbete (Women's Life and Work) in which Swedish and Norwegian social scientists examined the problem of women's social and economic position from various aspects.³⁷ This was a serious fact book which documented the realities of women's unequal position in Swedish and Norwegian society and assumed the role of bible of the heated discussion that ensued throughout the 1960's, mainly on the pages of Sweden's many newspapers and in a number of so-called sex role debate books.³⁸ Actions such as demonstrating or picketing never took place in connection with the debate. In the larger cities study groups formed with the object of studying the problem through the book Kvinnors liv och arbete. A significant factor in later official endorsement of the issue was the participation of Olof Palme, then Minister of Education, but soon to become the new Prime Minister of Sweden, in one of these study circles.³⁹

Much of the sex role debate focused on the three typical views

of the roles and relations of the sexes that Edmund Dahlström describes in Kvinnors liv och arbete as traditional, moderate, and radical. The traditional position finds the conventional wife-mother role as sufficient for most women and worthy of more respect than it generally is publicly accorded in Sweden; the moderate (Myrdal-Klein) position endorses the two roles concept; and the radical (Moberg) position espouses a single role for both sexes in the home and on the labor market.⁴⁰

Gradually the initial hostility to Moberg's ideas and the notion of the changing roles of the sexes diminished and by 1970 many of the basic ideas had become self-consciously incorporated into the ideology of the government, the trade union movement, the press, the National Labor Market Board, and all of the political parties.⁴¹ The need to equalize women's opportunities and treatment on the labor market has been a main point in all of these programs. The official government view is expressed in The Status of Women in Sweden thus:

The question of women's rights must be viewed as a function of the whole complex of roles and divisions of labour imposed on both women and men by upbringing, tradition and practice. . . . The aim of reform work in this area must be to change the traditional division of labour which tends to deprive women of the possibility of exercising their legal rights on equal terms. . . . If women are to attain a position in the society outside of the home which corresponds to their proportional membership of the citizen body, it follows that men must assume a greater share of responsibility for the upbringing of children and the care of the home. A policy which attempts to give women an equal place with men in economic life which at the same time confirms woman's traditional responsibility for the care of the home and children has no prospect of fulfilling the first of these aims. This aim can be realized only if the man is also educated and encouraged to take an active part in parenthood and is given the same rights and duties as the woman in her parental capacity.⁴²

By the end of the 1960's the theoretical battle had been won and allegedly today a Swedish public official would not dare to support the notion of the traditional roles in public, nor would the press.⁴³ Although this official endorsement of the progressive ideas in the sex role debate is only lip-service, in many ways it has had salutary effects on concrete efforts to improve women's status, as will be shown in the following chapters.

In contrast to the steady Swedish movement toward realization of some kind of ideology of sexual equality and minimization of differentiation, in the United States very little was happening in the postwar period. Indeed, if anything the country was experiencing its strongest reaffirmation of the traditional sex roles of the century, as was exposed by Betty Friedan in 1963 in her important book The Feminine Mystique.⁴⁴ Friedan also noted that American women's representation in decision-making positions in political and work life had diminished rather than increased since the Depression, although more women, including a very large proportion of married women, were gainfully employed than ever before. However, there were no public protests from American women to their lack of representation in politics and professions or to the pressures of having to fulfill two roles because of lack of equitable distribution of homemaking tasks between husband and wife when they were both gainfully employed. The situation was such at mid-decade that Alice S. Rossi was prompted to declare:

There is no overt antifeminism in our society in 1964, not because sex equality has been achieved, but because there is practically no feminist spark left among American women. . . . Young women seem increasingly uncommitted to anything beyond early marriage, motherhood and a suburban house. There are

few Noras in contemporary American Society because women have deluded themselves that the doll's house is large enough to find complete personal fulfillment within it.⁴⁵

Less than six short years later American women were demonstrating for repeal of restrictive abortion laws in Santa Fe, picketing the New York Times in protest of sexually segregated "want ads," and crowning a sheep Miss America in Atlantic City--among other things--to inform the nation that they were interested in more than the doll's house and expected to do battle with the forces of society until they were accepted as persons rather than women. Women across the country were banding together to make it known that they too wanted their share of the American dream and access to the recesses of the society to which the doors were theoretically open to all, but actually rather tightly closed to women in many instances. American women seemed to wake up overnight to the fact that their status had been steadily deteriorating.

Rossi observed that the feminist movement in the United States has always been the strongest when it is allied with other social reform movements.⁴⁶ The contemporary feminist resurgence fits this pattern. The stage had been set for a revival of feminist interest throughout the 1960's by the various reform movements, the most important being the civil rights movement, black movement, and peace movement. Many women's consciousnesses were raised by the less than equal treatment and opportunities for leadership and responsibility they were accorded within the very groups that had made the goal of equality and justice for all their watchword. Rather than stay in the backroom manning the coffee pots, the women literally came out of the kitchen and onto the speakers platform.

When not accepted in a policy-making capacity they broke away into feminist caucuses.

Juliet Mitchell has observed that impetus for the American women's movement also came from the counter-culture "politics of experience" and sharpened political sensibility that produced many of the activist groups of the 1960's. She has also noted that an additional, and perhaps the most important factor behind the American women's movement, was the "discontent of middle-class, often middle-aged, women, who, told that they live in a matriarchal society . . . nevertheless found themselves unable to get professional jobs or rise anywhere on the vocational ladder."⁴³ Betty Friedan's book The Feminine Mystique was largely about these women.

In many ways the appearance of Friedan's book signaled the beginning of the renewal of feminist consciousness in the United States. However, its immediate influence was not comparable to Eva Moberg's 1961 essay and it did not spark a sudden, heated public debate, although it did make the national best-seller lists. The establishment of "women's liberation" as a recognized public social issue by the early 1970's came only after energetic organizational efforts and publication of feminist issues through a basically hostile mass media system that was only too willing to emphasize the bizarre and sensationalistic and to ignore, or at best underplay, the many serious issues being brought to the fore by feminist writers and speakers. The term "women's liberation" is parallel to the Swedish "sex roles" in that it has come to symbolize the political and social issues involved as well as the activists.

The founding of the National Organization for Women (NOW)

by Friedan and other professional women in 1966 was followed about two years later by the outcropping of feminist organizations across the country representing a wide spectrum of political and philosophical feminist persuasions. In spite of the often very negative coverage by the press and television networks, the women's movement spread quite rapidly after 1968. By 1972 it was not unusual to find women's liberation groups in small towns as well as cosmopolitan centers.

As a whole, the body of feminist literature that has appeared in the United States has not dealt with "women's rights" issues and specific criticism of social and economic institutions as much as the Swedish literature, but has been more psychological in nature. While the Swedish discussion has involved itself almost exclusively with "common, impersonal adversaries--capitalism, and sex-role socialization,"⁴⁸ the most important and controversial American writing such as Kate Millett's Sexual Politics, Shulamith Firestone's Dialectics of Sex, and the collection Women in Sexist Society: Studies in Power and Powerlessness, edited by Vivian Gornick and Barbara K. Moran, probe deep into the cultural foundations of the social institutions and habits that have created the patterns of inequity under the law, on the labor market, and in political life.⁴⁹ However, there is also great interest in concrete issues that fairly closely parallel the Swedish issues including legal and economic equality, abortion reform, public supported child care, and greater opportunities in political life. In contrast to Sweden, where the discussion of women's status expanded to include men also by the late 1960's, the American debate has remained more traditionally feminist in philosophy and the focus is still mainly on women's role,

women's oppression, and society's multi-level "sexploitation" of women. There is beginning a discussion of the limitations placed on men by the traditional role and society;⁵⁰ however, the point that women suffer more limitations from the present system is not buried in the general discussion as is the case in Sweden.

The very recent trends in the two countries suggest that the debate may be moving in new directions. The American move appears to be toward more objective examination of the patterns and products of the psychological attitudes toward the sexes, while Sweden's debate seems to be moving away from the objective and sex role approach toward a more overtly feminist and psychological, in short, American point of view. In 1971 Grupp 8 and other politically radical feminist-socialist groups began to appear in Sweden. These groups are not fully satisfied with the sex role approach to the issue and feel that it tends to cloud the issue of women's basic exploitation. However, with these groups a radical socialist political philosophy often takes precedence over feminist goals. Since 1972 there appear to be emerging groups that are less political and more feminist in their orientation, such as Kvinnoligen at Lund. These women are interested in exploring the deeper psychological ramifications of the sex roles and women's position.⁵¹

Unlike Sweden, American political parties, government, and various social agencies have not willingly taken up the feminist issue and incorporated it into their official ideologies. The American debate is fraught with a degree of tension and at times hostility that appeared in Sweden only briefly in the first days after the appearance of Eva Moberg's essay and was directed mainly

at Moberg. In the United States the hostility is widespread and often is directed at any and all women and even men who express sympathy with the ideals of women's liberation. However, the rather strong pressure being brought to bear upon the establishment to enforce new anti-discrimination legislation and to reconsider hide-bound sexist practices in the labor market and business world are having an effect in many instances and there appears to be a gradual acceptance of the idea that women should be treated with greater fairness and be accorded more opportunities. Although animosity toward women's liberation is gradually diminishing, the acceptance of the idea of radical change in sex roles appears to be meeting greater overt resistance than in Sweden and it is unlikely that it will be officially endorsed by the government and other established agencies and institutions of the society to the same extent for some time to come.

The very existence of the Swedish sex role debate and the American women's liberation movements are evidence that the two societies have not fulfilled their promise of equality to women. The following chapters will explore the degree to which this ideal has been realized and some of the obstacles that have impeded progress.

CHAPTER I

NOTES

¹These factors are discussed in detail in Chapter IV, pp. 393-405.

²Sveriges officiella statistik (S.O.S.), Statistical Abstract of Sweden, 1972 (Stockholm: Statistiska centralbyrån, 1972), Table 51, p. 79; and U.S. Department of Commerce, Bureau of the Census, Statistical Abstract of the United States, 1972 (Washington, D.C.: Government Printing Office, 1972), Table 74, p. 55.

³See United Nations Department of Economic and Social Affairs, Statistical Office of the United Nations, United Nations Demographic Yearbook, 1971 (New York: United Nations, 1972), Table 33, pp. 728-44; Statistical Abstract of Sweden, 1972, Table 300, p. 272; Table 316, p. 285; Table 338, p. 298; and Statistical Abstract of the United States, 1972, Tables 228, p. 146, Table 240, p. 150.

⁴Cited in James Rössel, Women in Sweden (Stockholm: The Swedish Institute, 1965), p. 1.

⁵Martin Gruberg, Women in American Politics: An Assessment and Sourcebook (Oshkosh, Wis.: Academic Press, 1968); Peggy Lawson, Few are Chosen: American Women in Political Life Today (New York: Houghton Mifflin, 1968); and Ruth Hamrin-Thorell, Ulla Lindström, and Gunvor Stenberg, Kvinnors röst och rätt (Stockholm: Allmänna Förlaget, 1969).

⁶Maj-Britt Sandlund, The Status of Women in Sweden (Stockholm: The Swedish Institute, 1968), pp. 17-22, 53-63. The following discussion of family policy is based on Sandlund unless otherwise noted.

⁷Alva Myrdal and Gunnar Myrdal, Kris i befolkningsfrågan (Stockholm: Bonniers, 1935). For an English version of the ideas in this book see Alva Myrdal, Nation and Family (New York: Harper & Bros., 1941).

⁸Anna-Lisa Kälvesten, "Family Policy in Sweden," Marriage and Family Living 17 (Aug. 1955), p. 250. This article includes

a discussion of the impact of the Myrdals' book on Sweden and the formulation of the early family policy.

⁹ Conversation with Sören Kindlund, Administrator, Department of Social Welfare, Stockholm, May 1972.

¹⁰ For further discussion of sex education in Sweden see Birgitta Linnér, Sex and Society in Sweden (New York: Ranttheon Books, 1967).

¹¹ For further details of contemporary family policy of particular benefit to women see Oscar E. Standberg, ed., Social Benefits in Sweden, 1970 (Stockholm: The Swedish Institute, 1970), pp. 2-3, 10-11, 31-36, 58-67. A good general discussion of the development of Swedish social programs including discussion of the policies aiding women is Albert H. Rosenthal, The Social Programs of Sweden: A Search for Security in a Free Society (Minneapolis: The University of Minnesota Press, 1967).

¹² For a discussion of Swedish efforts to provide convenient service housing see Sandlund, p. 20, for early efforts and the following series of government publications for reports of the activity of the government service housing committee. Boendeservice 1, Statens offentliga utredningar (S.O.U.), 1968:38 (Stockholm: Allmanna, 1968); Boendeservice 2, S.O.U., 1970:68 (contains the goals of the committee); Boendeservice 3, S.O.U., 1971:25. For an informal discussion of the value service housing is seen to have for Swedes of all ages see Arbetsmarknadens Kvinnonämnd, Service i Bostadsområdet, (Stockholm: Arbetsmarknadens Kvinnonämnd, maj 1970).

¹³ See Arbetsmarknadens Kvinnonämnd, Woman in Sweden in the Light of Statistics (Stockholm: Arbetsmarknadens Kvinnonämnd, 1971) Table 1:12, p. 13; and Council of Europe, "Single Parents with Dependent Children," report presented at the Twelfth Conference of European Ministers Responsible for Family Affairs, held in Stockholm, Sept. 1-3, 1971, pp. 2-11. (Mimeographed.)

¹⁴ Conversation with Sven Thiberg, architect and member of the government committee on planning service housing, Stockholm, May 1972.

¹⁵ For more details of these programs see Sandlund, pp. 70-82.

¹⁶ Ibid., pp. 72-73.

¹⁷ Margaret Mead and Frances Balgley Kaplan, eds., American Women: The Report of the President's Commission on the Status of Women and Other Publications of the Commission (New York: Charles Scribner's Sons, 1965), pp. 87-88.

¹⁸ Carl N. Degler, "The Changing Place of Women in America," in The Woman in America, ed. by Robert Jay Lifton (Boston: Houghton Mifflin Co., 1964), p. 206.

¹⁹For a brief description of these programs see "Federally Funded Manpower Programs," in Mary Bach Kievit, Review and Synthesis of Research on Women in the World of Work, ERIC Information Series No. 56 (Washington, D.C.: Government Printing Office, 1972), pp. 47-48.

²⁰Ibid., pp. 62-64.

²¹Seymour Martin Lipset, The First New Nation (New York: Basic Books, 1963), p. 229, note.

²²Alva Myrdal et. al., trans. by Roger Lind, Towards Equality: The Alva Myrdal Report to the Social Democratic Party (Stockholm: Prisma, 1971), pp. 14-15.

²³Olof Palme, "The Emancipation of Man," Address given at the Women's National Democratic Club, Washington, D.C., June 8, 1970, p. 2. (Mimeographed.)

²⁴See Tage Erlander, "Förord," Kvinnans jämlikhet. Ett framtidsprogram (Stockholm: Tiden, 1964), p. 506.

²⁵John F. Kennedy, Denver, Colorado, Oct. 14, 1960, cited in Mead and Kaplan, p. 8.

²⁶Lyndon B. Johnson, Washington, D.C., April 13, 1964, cited in Mead and Kaplan, p. 160.

²⁷Richard Nixon, August 6, 1971, U.S. President, Public Papers of the Presidents of the United States (Washington, D.C.: Office of the Federal Register, National Archives and Records Service, 1953-), Richard M. Nixon, 1971, p. 865.

²⁸Nixon, June 1, 1971, ibid., p. 691.

²⁹See Citizens Advisory Council on the Status of Women, Women in 1970 (Washington, D.C.: Government Printing Office, 1971).

³⁰For a partial summary of reforms that have been directly attributed to the work of the Commission in the 1960's see Mead and Kaplan, pp. 161-71. Many of the American reforms discussed in this study directly or indirectly relate to the work of the Commission, although this is not always noted.

³¹Comment in conversation, Lisa Mattson, Chairwoman, Social Democratic Women's Federation, Stockholm, March 1972.

³²Kvinnans jämlikhet. An English translation of this program was made in 1964, and, although hard to find, may be available from the Socialdemokratisk Kvinnoförbundet, Stockholm.

³³Alva Myrdal and Viola Klein, Women's Two Roles: Home and Work (2d. ed.; London: Routledge & Kegan Paul, Ltd., 1968).

³⁴Westman-Berg has been an important driving force behind the new feminism in Sweden and an amazing number of its leading spokeswomen are her former students. This is historically interesting in that through her the old (suffrage) and new feminist movements in Sweden are linked.

³⁵Eva Moberg, "Kvinnans vilekorliga frigivning," in Unga liberaler. Nio inlägg i idébatten, ed. by Hans Hederberg (Stockholm: Bonniers, 1961), p. 72.

³⁶Eva Moberg, Kvinnor och människor (Stockholm: Bonniers, 1962).

³⁷Edmund Dahlström, ed., Kvinnors liv och arbete (Stockholm: Studieförbundet Näringsliv och Samhälle, 1962). Much of this study has been translated and appears in Edmund Dahlström, ed., trans. by Gunilla Anderman and Steven Anderman, The Changing Roles of Men and Women (London: Gerald Duckworth & Co., Ltd., 1967). The portions dealing with Norway appear in English in Harriet Holter, Sex Roles and Social Structure (Oslo: Universitetsforlaget, 1970).

³⁸Among the more important books in the Swedish sex role debate of the 1960's are Ingrid Fredriksson, ed., Könsroller. Debatt om jämställdhet, Verdandi debatt, nr 19 (Stockholm: Prisma, 1965); Barbro Backberger, Det förkrympta kvinnoidealet, Tribunerien (Stockholm: Bonniers, 1966); Per Holmberg, ed., Kynne eller kön? Om könsrollerna i det moderna samhället (Stockholm: Rabén & Sjögren, 1966); and Rita Liljeström, Jämställdhetens vilkor (Stockholm: Sveriges Radio, 1968).

³⁹Conversation with Annika Baude, Stockholm, May 1972. Baude remarked that a number of the persons that took part in this study group, which met at her house, have ascended to influential positions in Swedish political and trade union life since 1965. Although I have no proof at this time, it is easy to speculate as to the positive effects this fact had on the acceptance of the tenets of the sex role debate into union and political party programs.

⁴⁰Dahlström, Kvinnors liv och arbete, pp. 17-70. For this discussion in English see Dahlström, Changing Roles, pp. 170-205.

⁴¹For expression of this philosophy in the trade unions see TCO:s familjepolitiska grupp, Familj och samhälle. Rapport från TCO:s familjepolitiska grupp (Stockholm: Prisma, 1970); Sveriges Akademikers Centralorganisation (SACO), "SACO och familjefrågan," Stockholm, 1971. (Mimeographed.) Landsorganisationen (LO), The Trade Unions and the Family: A Report by the LO Council for Family Questions (Stockholm: Prisma, 1970). Undoubtedly the strongest and most radical expression of the need for changing the sex roles and improving women's position is Sveriges Socialdemokratiska Kvinnoförbund, Familjen i framtiden. En socialistisk familjepolitik (Stockholm: Sveriges Socialdemokratiska Kvinnoförbund, 1972).

⁴²Sandlund, p. 4.

⁴³Palme, p. 9.

⁴⁴Betty Friedan, The Feminine Mystique (New York: Norton, 1963), chap. 2.

⁴⁵Alice S. Rossi, "Equality Between the Sexes: An Immodest Proposal," in The Woman in America, p. 99.

⁴⁶Ibid., p. 101.

⁴⁷Juliet Mitchell, Women's Estate (New York: Pantheon Books, 1971), p. 52.

⁴⁸Cherie Register, "Feminist Ideology and Literary Criticism in Sweden" (unpublished Ph.D. dissertation, University of Chicago, 1973), p. 47.

⁴⁹Kate Millett, Sexual Politics (Garden City: Doubleday & Co., Inc., 1970); Shulamith Firestone, The Dialectics of Sex (New York: Morrow, 1970); and Vivian Gornick and Barbara K. Moran, eds., Woman in Sexist Society: Studies in Power and Powerlessness (New York: Signet, 1972).

⁵⁰One of the first and best contemporary discussions of men's role and its limitations as well as the need for change is Myron Brenton, The American Male: A Penetrating Look at the Masculinity Crisis (London: George Allen & Uwin, Ltd., 1967). Since 1971 the discussion of the male role in the United States has tended to follow the pattern set by women's liberation in ways, with men's consciousness-raising groups and the development of an ideology of "men's liberation." The most articulate spokesman for this movement has been Warren T. Farrell. See Warren Farrell, "Public Testimony to the New York City Commission on Human Rights," in Women's Role in Contemporary Society: The Report of the New York City Commission on Human Rights, September 21-25, 1970 (New York: Avon Books, 1972), pp. 731-66. Farrell, "Women's and Men's Liberation Groups: Political Power Within the System and Outside of the System," paper prepared for delivery at the 1971 Annual Meeting of the American Political Science Association, Chicago, Sept. 7-11. (Mimeographed.); and Farrell, "Men: Guidelines for Consciousness-Raising," Ms., 1 (Feb. 1973), pp. 12ff. This article is part of Farrell's forthcoming book, "Beyond Masculinity."

⁵¹Key books in the new wave are Maud Haud and Barbro Werkmäster, Frihet, jämlikhet, systerskap. En handbok för kvinnor (Uddevalla: Författarförlaget, 1971); and Irene Matthis and Dick Urban Vestbro, eds., Kvinnokamp (Stockholm: Gidlunds, 1971). For a discussion of the new phase see Ulf Boëthius, "The New Feminist Movement," in The Swedish Dialogue, ed., Margaret Ekström (Stockholm: The Swedish Institute, 1972); and Register, chap. 1.

CHAPTER II

THE LEGAL STATUS OF WOMEN IN SWEDEN AND AMERICA

We do not discuss women's legal position much today in Sweden. That battle was won long ago.

Folke Schmidt, 1972

The law is basic to the definition of an individual's or a group's position in society. Close examination of the realities of women's position under Swedish law proves Folke Schmidt, Professor of Family and Labor Law, at the University of Stockholm, to be accurate in his description of women under the law in Sweden today. In fact, most of the inequities that were pronounced at the beginning of this century were removed well before World War II. Unfortunately, this is not the case in the United States where, as Professor Leo Kanowitz has shown in his authoritative book Women and the Law: The Unfinished Revolution, there are still numerous legal areas in which women are either not recognized as people or are arbitrarily treated differently than men.¹ It is not the purpose of this essay to analyze and compare every minor point of inequity under Swedish and American law. For although Swedish women, indeed, have equality in general there do exist numerous small differentiations based on sex, if not in the law itself certainly in the practice of the law.² The discussion will concentrate on areas of the law that differentiate

between the sexes and which deny women the full rights and responsibilities accorded males. Areas of the law that differentiate between the sexes but do not exist in both countries will be discussed as fully as seems appropriate in view of the importance of the subject.

It is ironical that in the United States, where equality between the sexes has been an openly expressed ideal for many more years than in Sweden, even basic equality under the law has not been realized to the extent that it has in Sweden. Indeed, in the last century American feminist thought and action served as a source of inspiration, mainly through Fredrika Bremer, for Swedish feminists in their struggle for greater equality in all areas of life and work.

Bremer, a prominent Swedish intellectual, did not openly champion Swedish women's legal and political emancipation before she went to America in 1849-1851. Inspired by the women and men she met in the United States who believed in equality of the sexes and women's rights, Bremer returned to Sweden a firmer advocate of women's rights than when she left. Shortly after returning she wrote about her American experience in Homes of the New World. In addition to praising American women's great independence, she maintained that in America intellectual differentiation between the sexes was practically nonexistent. In her second book Hertha, a radical novel attacking Swedish society and government for their suppression of women, Bremer demanded the immediate legal emancipation of women and the right to full participation in education, work and political life.³

Understanding of the differences between the present day

status of women, particularly married women, in Sweden and the United States is facilitated by a basic knowledge of the systems of law followed in the two countries. The kind of law system is important for women since it determines how women, single or married, are legally defined and how changes can be made to improve their position. The American system is a combination of common and statutory law, while Sweden and the other Nordic countries have a unique essentially statutory legal system. In my judgment the dominant influence of common law in America has been responsible for the continuing inferior legal position of American women compared to Swedish women.

Common Law v. Civil Law and Woman's Legal Status
in the Last Century

Common law has been defined by R. W. Cooley as the traditional unwritten law which

has its origins in ancient customs, expressive of legal rights, which have been transmuted into positive law by decisions of courts of justice. . . . A great proportion of the rules and maxims which constitute the immense code of the common law, grew into use by gradual adoption, and received from time to time, the sanction of the courts of justice, without any legislative acts or interference.⁴

Whenever an area or subject exists that is not covered by statute, common law rule is automatically applied.

The body of law in the United States is composed of a combination of English common law and statutory law from the Revolutionary period, civil law of European origins, and customs and principles that evolved from the American experience in North America. American jurisprudence, composed of constitutional provisions, state and federal legislative acts, and court decisions

is known as common law or statutory law according to the form of the law.⁵ Regarding the office of statutory law in America the U.S. Supreme Court has said that "the great office of Statutes is to remedy defects in the common law as they are developed, and to adapt it to the changes of time and circumstances."⁶ Because of the multi-level legal system, realizing nationally uniform legal reforms for women or any other group in the United States is an extremely complex and arduous task involving as many as fifty-two sets of laws each of which must be individually changed.

The majority of legal differentiations, and all too often discriminations, between males and females in the United States have sprung from the feudal common law theory that marriage destroyed a woman's separate identity. Under common law, discriminations based on sex alone, without marriage as a factor, were limited mainly to the public area such as exemption from suffrage and jury service on the same basis as males. In the area of property rights and contracts as well as suing rights and criminal law, single women were essentially equal to males. Marriage radically transformed a woman's status. Under the feudal system the idea of the total assimilation of the wife into the husband's identity, called coverture, evolved based partially on the biological idea of the unity of flesh of husband and wife and partially on the fact that the wife was legally defined as her husband's chattel. Blackstone describes the doctrine as follows: "By marriage, the husband and wife are one person in law; that is the very being or legal existence as the woman is suspended during the marriage, or at least incorporated and consolidated."⁷ In our era American justices have openly admitted that

the doctrine of the fictional oneness of the married couple "has worked out in reality to mean . . . the one is the husband."⁸

Coverture severely limited the married woman in her personal rights and freedoms. For example, she lost the management and control of her real property to her husband and the right to contract with third parties including her husband. She could not sue or be sued in her own right. Her husband was held responsible for her misdemeanors. Since it was assumed that she acted only under orders from him, he, not she, was prosecuted for the misdemeanor. While coverture gave a husband almost total control over his wife as his private property, which indeed she was regarded in the eyes of the law, it also burdened him with a heavy liability for her support and care.⁹

From the viewpoint of the position of women, American legislative history of the past 130 years can be seen as the intermittent production of statutes generally upgrading women's legal status and returning to married women rights and legal powers which common law stripped them of upon marriage. This process of restoration began in 1839 when the first of a series of Married Women's Acts was passed in the various states with the goal of establishing property and contract relations between wives and husbands and eliminating the procedural disabilities of married women. However, as Kanowitz has pointed out, there are numerous areas in the law prescribing unequal treatment for married women which were unaffected by the Acts.¹⁰ A surprisingly large number of basic legal inequities, particularly under family law, still remained after World War II because of these unchallenged areas of discrimination and because

the state-by-state reforms of the Married Women's Acts lacked uniformity and completeness.¹¹ Thus, there continues to exist even today pockets in which the common law rule is applied in the absence of statutes modifying it. Table 1 summarizes the course of American women's historic legal progress.

While the form and origin of the American legal system is fairly clear there has been a great deal of controversy over the years as to exactly what kind of legal system the Scandinavians use. Observing that the Nordic system has a great deal more in common with Continental than Anglo-Saxon law, Jacob W. Sundberg, Professor of Law at the University of Stockholm, has concluded that the system is basically a civil law system in which the law of the land has been built up in codes.¹² In contrast, other experts have reached the opposite conclusion. In 1960 Neils Pontoppidan flatly insisted "that the Scandinavian countries cannot be counted among the so-called civil law countries."¹³ In exasperation many critics seem to have given up trying to determine what kind of legal system the Scandinavians use and simply agree with law Professor Bernhard Gomard of the University of Copenhagen that "the question whether Scandinavian law is a civil or common law system is not meaningful . . . no intelligible answer can be given to that question."¹⁴

The more cautious analysts, like Folke Schmidt, have found it "to have much in common both with systems based on Roman law and with those based upon common law."¹⁵ In the same vein another Swede, Hilding Eek, has declared that "It may be correct to state that the Scandinavian legal systems constitute a third system which presents some features of both systems. Historically, the affinity

TABLE 1.--Milestones in progress toward legal equality in the United States

- 1838 Kentucky grants widows school vote. First voting rights for American women.
- 1839 Married Women's Property Act, Mississippi. Married women are given the legal right to dispose of their own property and earnings.
- 1867 First state law establishing maximum working hours for women enacted in Wisconsin. The first of a series of "protective" state laws applying only to women.
- 1869 Women in Wyoming Territory win the right to suffrage and jury service to become the first women in the modern world to have the right to vote.
- 1878 Woman suffrage amendment first introduced into the U.S. Senate.
- 1890 One-half of the states grant women the "school vote" and a few tax and bond suffrage.
- 1900 Most eastern states give married women the legal right to their own earnings and property. However, in some states married women still have no legal right to their earnings or even the clothes they wear.
- 1908 The "Brandeis Brief" is accepted in an Oregon case setting the precedent of limiting women's hours of work on the rationale that long hours are detrimental to women's health.
- 1919 19th Amendment giving women suffrage is passed by Congress.
- 1920 19th Amendment is ratified and becomes law.
- 1922 The Cable Act gives married women independent citizenship.
- 1963 Equal Pay Act guaranteeing equal pay becomes federal law.
- 1964 Civil Rights Act is passed including Title VII prohibiting discrimination in advertising, hiring and promoting employees on several bases including sex.

Sources: Eleanor Flexner, Century of Struggle (New York: Atheneum 1968); and Leo Kanowitz, Women and the Law (Albuquerque: University of New Mexico Press, 1969).

with common law seems evident. On the other hand, much of the law, at least today, is written law--statutory law--and reflects strong civil law influences."¹⁶ Thus "the law" in Sweden is a single body of statutes, Svea Rikes Lag, bound into a single volume, updated annually, and uniformly applicable in all parts of Sweden. The sheer existence of the law as a single set of statutes makes legal reform in Sweden relatively simple compared to the United States.

The key to the basic differences between the civil and common law approaches to defining the marriage relationship, economic responsibilities, and interpersonal relationships of the spouses as well as a host of miscellaneous laws that appear to arbitrarily differentiate between the sexes appears to be that "the chattel theory of the wife, the basis for the property concept of marriage, has never obtained in the civil law."¹⁷ Since the merger theory of the husband and wife, central to common law, was never a part of civil law, all marital relations are worked out on the basis of two individuals with obligations to each other and to third persons. Naturally then, under civil law a husband is never responsible for his wife's torts or personal debts since the wife's integrity as a separate person survives marriage. Moreover, because the wife is not the husband's property he has no basis for recovering damages for loss of consortium, that is, loss of the wife's personal services, affection, and society.¹⁸ Because neither individual is submerged under civil law the idea of mutuality is central in dealing with issues such as responsibility for family support and community, for example, household-connected debts and communal ownership of the common goods. Interestingly, Harriet Daggett has found

that the "idea of mutual contribution to a joint fund," which is the basis of modern community property laws that apply in Scandinavia and a few American states, had its beginning in a custom of the Germanic tribes. If a woman fought at her husband's side, she was entitled to her share of the spoils. This custom rested on recognition of individuality and equality of effort.¹⁹ The civil law concept of the marital relationship is quite evident in the Swedish 1920 Marriage Code and in contemporary reforms. However, in the marriage code of the last century it was less apparent.

While Sweden never really had a true common law system, in the nineteenth century both single and married women suffered various legal disabilities of the kind typical under common law. However, Swedish women's lack of legal capacity sprang from their legal classification as minors with no legal rights, together with children and idiots, rather than from their legal definition as chattels as was the case under common law. This technical point was important since it gravely limited the position of single women as much as married women, which common law coverture did not, and influenced (and greatly simplified) the means by which women's position could be improved. Thus, under the Old General Code single women had no more legal capacity to contract, engage in business, or manage their own affairs than did their married sisters. In short, the affairs of all Swedish women were placed in the hands of male relatives throughout their entire lives except in the case of widows who were deemed legally and personally competent.²⁰ In 1856, after a long struggle, single women were granted their majority at age twenty-five and in 1884 the legal age was set at twenty-one

for all males and single females.²¹ Naturally, achieving legal capacity gave single women the power to manage their own affairs and act as independent legal persons.

Married women continued to exist as their husbands' wards until 1921. As his wife's legal guardian a husband had total authority over her in all official matters. Thus, the Swedish husband represented his wife in all legal affairs and had the exclusive authority to decide domestic issues such as choice of domicile, and education and upbringing of the children.²² Prompted by a variety of pressures, including feminist thought from such spokeswomen as Fredrika Bremer and Ellen Key, throughout the second half of the nineteenth century statutes similar to the American Married Woman Acts were enacted with the object of protecting the wife from misuse by her husband in his administration of her property and person. However, by granting married women their legal majority at age twenty-one the 1920 Code of Marriage swept away most of married women's legal disabilities in one swift action.²³ The highlights of Swedish women's progress toward equity under the law are summarized in Table 2.

In addition to being aided in their struggle for legal equality by a legal system that facilitated comprehensive reform, Swedish women's drive for progressive reforms has been promoted by other factors. The most important of these have been the relative insulation from social pressure that a written law system provides and the basically progressive philosophy governing the Swedish courts' interpretations and applications of the law. Daggett has pointed out a key advantage of written law over common law:

TABLE 2.--Milestones in progress toward legal equality in Sweden

- 1845 Daughters are granted the right to inherit equally with sons.
- 1852 The first "protective" Factory Act stipulating maximum working hours for women and children in factories is passed.
- 1858 Single women are permitted to attain their legal majority at age 25, if they apply for it.
- 1862 Women are granted local municipal suffrage. First voting rights.
- 1863 Single women automatically attain legal majority at 25.
- 1872 The law requiring that a single woman (even if she were past 25) have the official approval of her guardian or eldest male relative of her choice of marriage partner is repealed.
- 1874 Married women are given the legal right to dispose of their own property, and to retain earnings from any paid work they may do.
- 1884 Unmarried women are declared of age at 21 on par with men. Married women continue to be their husband's legal wards until 1920.
- 1914 Marriage Reform Committee is formed with a woman member.
- 1919 Swedish women are given the right to vote and serve in the Riksdag.
- 1920 New Swedish Code of Marriage is enacted giving husband and wife equal responsibilities and obligations as well as privileges and rights. Married women obtain their legal majority at age 21 same as single women and men and most of their legal disabilities are removed.
- 1949 Under the new Parents and Children Code parents are recognized as co-guardians of their children.
- 1950 The Citizenship Act permits a Swedish woman to retain her Swedish citizenship in the event of marriage to an alien.
- 1963 Married women may be known by their own surnames rather than their husbands'.

Source: History of Swedish Women, compiled by the Swedish Federation of Business and Professional Women (Stockholm: Wiksells, 1954).

A codified system of law, while affected certainly by court decisions and legislative addenda, does not suffer in quite the same degree from the fluctuations of the public concept of the social mores as does the common law. Neither is it a victim of economic cycles reflected in the court's attitude to such a telling extent.²⁴

Moreover, she finds that codes, just as constitutions, serve to preserve the basic ideas of justice and equality and permit a more reasoned and scientific "evolution of status than could be expected to result from the sporadic and unrelated efforts of legislature and judge unanchored by a definite outline."²⁵ These features of written law can work to great advantage in determining women's status under the law, since public opinion and accepted mores--which have never been noted for their progressiveness--are rather minor influences. This is quite the opposite from the situation under common law which is highly vulnerable to the pressures of popular opinions.

There traditionally have been several important basic differences between the Anglo and Nordic courts in their reading of the law and views of the function of the law that have had a strong influence on the degree of legal equality accorded females. Gomard has pointed out two differences: 1) In Anglo countries statutes are more narrowly interpreted than in Scandinavia where the "general reasoning behind a statute--the spirit of the statute--may well have important effects on parts of the law not directly regulated by that statute"; and 2) Scandinavian courts are more disposed to overrule precedents than are Anglo courts, particularly when the precedents are forty to fifty years old.²⁶

An additional key force has been the accepted view of the

proper place of the law in relationship to social change. Folke Schmidt has emphasized that in modern Sweden legislation has been long recognized as an appropriate instrument for reform. The legislature is felt to be in a better position to be aware of social changes and the need for legal reforms to match than any other agency in the society; thus it has been generally accepted that "the sooner [it] interferes to meet new needs the better."²⁷

This philosophy was clearly expressed in 1969 by Minister of Justice Herman Kling when, in discussing the proposals for further revision of the marriage laws, he officially commented:

legislation is one of the most essential instruments which society possesses in meeting people's desires or in channeling development into new paths . . . there is no reason to abstain from using marriage and family legislation as one of the several instruments in reform efforts toward [creating] a society where . . . equality between men and women is a reality.²⁸

The above hardly represents the traditional American attitude toward the proper role of legislation in relation to social change. Justice Frankfurter's 1954 ruling on a case in which the Supreme Court upheld the constitutionality of barring women by law from certain occupations, such as bartending, lends insight into why the American courts have been generally unprogressive in altering women's legal status. Frankfurter stated:

The fact that women may now have achieved the virtues that men have long claimed as their prerogatives and now indulge in vices that men have long practiced, does not preclude the State from drawing a sharp line between the sexes. . . . The Constitution does not require legislatures to reflect sociological insight, or shifting social standards, any more than it requires them to keep abreast of the latest scientific standards.²⁹

Daggett pointed out in 1947 another obvious, yet little recognized fact of American law that has had a profound effect on

maintaining the traditional legal position of the married woman. Family law is among the most important aspects of the law, certainly from the viewpoint of proportion of the population affected by it, however, "it is more backward than perhaps any other field of law. . . ." She accounted for this lag by observing that family law usually has no pressure group to advance it. In the areas of business, education, and even religion, there are paid representatives and lobbyists. In contrast, the family law area, which does not generally involve a financial return to any organized group, must depend on civic-minded persons and organizations that, in addition to the problem of reaching a consensus in this often controversial area, rarely have the time or money to present a strong front to legislatures. Daggett also observed that few law schools have even recognized the need for training informed lawyers with a social consciousness of basic domestic legal problems. Thus conventionally "cases involving family law often reflect ignorance or indifference, a hit-or-miss treatment, and a lack of fundamental policy." Moreover, because family law cases are frequently "messy" and unprofitable they have traditionally been relegated to beginners or less successful lawyers.³⁰

Thanks largely to the enactment of a progressive Marriage Code in 1920, by World War II Swedish women enjoyed relatively complete equality with men under the law. Differentiation still remained for married women in the area of nationality, name, guardianship of children, and a few fine points within the economic responsibility section of the Marriage Code. Except for the last, all of these were equalized by 1963. Unfortunately, this has hardly been

the case in the United States where the slow and cumbersome process of restoring the rights women have traditionally been stripped of upon marriage under common law is still going on today just as it was in 1945 and 1880. As will be shown in the following discussion a great deal of progress has been made in the past twenty-five years; however, the job is still far from complete.

Because of the general importance of the 1920 Swedish Code of Marriage to equalization of Swedish women's legal status with men's it will be discussed first, followed by an exploration of sexual differentiation in the legal age of contract and married women's treatment in the areas of legal nationality, name choice, domicile, guardianship of children, support, right to contract, property rights, and divorce. Following this the differentiated treatment of women under criminal law, particularly abortion, and a survey of the progress American women have made in attaining the right to serve on juries will be presented.

The Swedish Law of Marriage

Until this century, for almost 200 years the marital relation and married women's status in Sweden was defined by the tenets of the Old General Code of 1934.³¹ In the twentieth century the Code has undergone two rounds of revision--1909-1918, and 1959-1969. In each round interest has been focused on how to harmonize the marital relation with the realities of modern life in two areas: 1) the conclusion and dissolution of marriage; and 2) the legal effects of marriage with special regard to the economic relations. These revisions have had salutary effects on married women's legal

status. The first bout of reform resulting in the 1920 Swedish Marriage Code was paralleled by similar actions in the other Nordic countries.³² Howard Sussman has described the 1920 Code as a law

built on a compromise between the principle of spousal equality in the economic sphere and the demands of the judgement that, because the economic benefits of a marriage were seen as the result of the labors of both spouses both spouses ought to share equally in those benefits when the marriage is dissolved. The compromise is embodied in the rule that each spouse owns and administers his own property. . . .³³

Jacob Sundberg has pointed out that the Code was bourgeois and liberal in its approach to marriage.³⁴ Economically, marriage under it meant two things: the creation of a marital right to the other spouse's property in a system of deferred community property and the economic duty of the spouse that is better off to give support to the other spouse in so far as he or she needs it. The liberal aspect of the Code freed marriage from the traditional religious approach and liberated the wife from the Old General Code endorsed dominance of her husband.

The egalitarian mood of the Code is evident in the first article which defines the legal obligations of the husband and wife as identical: "The husband and wife owe each other faithfulness and assistance. They shall work together for the welfare of the family."³⁵ In her 1968 report to the United Nations on The Status of Women in Sweden, Maj-Britt Sandland stressed that "the spouses are invested with identical rights and obligations" throughout the Swedish Marriage Code.³⁶ This is simply accomplished by using the word "spouse" throughout the Code instead of "husband" or "wife," although at times, in view of the traditional sex roles in the marriage relation, it is fairly evident which partner is being

referred to. Nonetheless, as Sundberg has observed, the drafters' pre-occupation with the idea of sexual equality over the years "has provided a buffer which saves the law from most of the trouble which might otherwise arise."³⁷

The second period of marriage law reform in Scandinavia began in 1957 when official committees were appointed in all of the Nordic countries to revise and update the marriage laws. The modifications suggested by the Swedish committee dealt mainly with technicalities regarding qualifications to marry and the handling of property within marriage, and did not constitute a thoroughgoing reform of the 1920 law. Briefly, the Swedish proposals covered the following topics: 1) reduction of the legal age of marriage without parental consent for males to twenty; 2) removal of some of the technical impediments to marriage, for example, history of epilepsy or mental illness; and 3) revision of the marital goods and separate property rules.³⁹ Folke Schmidt reports that the committee's proposals regarding the legal effects of marriage "met with a chilly reception" in Sweden and Denmark although they were quite well received in Norway.³⁹ In 1968 and 1969 Sweden amended its 1920 Marriage Code regarding legal age to contract marriage, the publication of banns, and the removal of some technical impediments to marrying--all rather safe uncontroversial changes. Three amendments on judicial separation and divorce and inheritance were also enacted.⁴⁰ These will be discussed in the section on divorce as will the property proposals.

Because there is not a single marriage law for the entire United States, but fifty different sets of state family laws it

is not possible to summarize and evaluate the reforms in the American marriage laws here as has been done with the Swedish Code. Comments on modifications in various state statutes will be made in connection with discussion of specific legal disabilities.

Legal Age of Contract

Under English common law both males and females, regardless of marital status, attained their legal majority at age twenty-one. In 1940 this common law rule was in effect in forty of the forty-eight United States--nineteen by statute and twenty-one without statute. The remaining eight states recognized legal age as twenty-one for males and eighteen for females.⁴¹ These ages have remained in effect until very recently when, following the lowering of the voting age to eighteen, with the passage of the Twenty-sixth Amendment to the United States Constitution, a trend has begun toward lowering the legal age of majority for both sexes to eighteen.⁴² An interesting idiosyncrasy of the regulations regarding legal age has been the persistence of certain states in prescribing a different age of majority for a married female than for her single sister or a married male. In these states a woman may attain her full legal rights at age eighteen if she is married.⁴³ In the case of a young couple this differentiation can ironically illustrate the irrationality of many of the American sex-based legal distinctions. Thus, in a marriage where both parties are under twenty-one but at least eighteen the wife may be the only person of legal age--because the law has apparently found women more mature and legally competent at an earlier age--yet she would be subject to the authority of her

minor-status husband in such vital areas as control of their mutual property and choice of their domicile. Moreover, he would be deemed solely responsible for the couple's economic support--a great deal of responsibility for someone the law does not recognize as mature enough to be legally competent. The Swedish situation under the law in this instance is refreshingly free of such contradictions in the basic outlook.

In Sweden single women have attained their majority at age twenty-one the same as males since 1884.⁴⁴ However, until the passage of the Marriage Act of 1920 married women were legally minors until twenty-five years old.⁴⁵ In July 1969, the legal age of majority for both sexes, regardless of marital status, was lowered from twenty-one to twenty.⁴⁶

In contrast to legal age of majority, which is founded upon assumptions concerning mental and emotional capacity, the historical bases for sexual differentiation in minimum marriage age are traditional assumptions concerning the physical capability to reproduce. Accordingly, common law set the marriageable age at twelve for females and fourteen for males.⁴⁷ Throughout the period 1945-1971 the general age of contracting marriage without parental consent in the United States has been eighteen for females and twenty-one for males. However, in 1945 nineteen states allowed females to marry below sixteen years of age without parental consent and four at age twelve. Only five states allowed males to marry with consent below age sixteen. Seven states prescribed the same minimum marriage age for both sexes. By 1971 nine states had equal requirements. In 1971 only two states allowed males and eleven states females

to marry below age sixteen; in no case were girls under fourteen allowed to marry. In 1971 the most common state minimum age of contracting marriage with parental consent was sixteen for females and eighteen for males.

Since 1970 there has been a movement throughout the states to sexually equalize the age at which marriage can be contracted without consent by lowering the male age to eighteen. Again, this trend is probably the result of lowering the voting age. At the time of writing (November 1972), five states had made the marriage age eighteen for both sexes while others had set it uniformly at nineteen or twenty. Several states had lowered the age of consent for males from twenty-one to twenty or nineteen, thus leaving it one to two years higher than for women.⁴⁸ Changes are happening so rapidly in this area that many additional modifications have undoubtedly been made since this writing.

In Sweden, as in America, there have been a number of changes in the Swedish marriage age regulations over the years. In the last century the statutory minimum legal age for contracting marriage with parental consent was as low as fifteen for women, although it never fell below eighteen for males. In 1892 the minimum age for women was raised to seventeen and in 1948 it was statutorily set at eighteen for females and twenty-one for males for contracting marriage without special dispensation from provincial administrative authorities.⁴⁹ On July 1, 1969, eighteen became the legal marriage age for both sexes.⁵⁰ At present the legal age to contract marriage without consent in Norway is eighteen for females and twenty for males and in Denmark eighteen for females and twenty-one for males

according to national Marriage Acts of 1918 and 1922 respectively.⁵¹

Kanowitz has suggested that two sociological assumptions underlie the tradition that because of their assumed earlier physical and emotional maturity it is correct and justifiable to allow females to enter into marriage without restraint at an earlier age than males: "the married state is the only proper goal for womanhood"; and "the male, and only the male, while not to be denied the benefits of marriage, should also be encouraged to engage in bigger and more useful pursuits."⁵² Basically society, at least in the United States where over fifty percent of the states still have a lower marriage age for women than for men, continues to see no great harm or waste in the early channelization of young women into childbearing and homemaking. Young men, on the other hand, should be deterred from early rash commitments to domestic responsibilities which might impede the development of their personal qualities and rob them of a breadth of choice in occupation and life-style.

Nationality

On the subject of married women's nationality, the United States government extended legal equality to women over a quarter of a century before the Swedish government. Since the passage of the Cable Act in 1922 men and women in the United States acquire citizenship in the same way, that is by naturalization, by being born in the United States (in which case the parents need not be American citizens), or by being born abroad of American parentage. Either parent may be an American to confer United States citizenship upon the child. However, the American father of an out-of-wedlock child born of an alien

outside of the United States must acknowledge his paternity for the child to be a United States citizen. A married woman's citizenship does not automatically follow that of her husband. Thus, if a woman, who is an American citizen, marries an alien she retains her citizenship until she chooses to renounce it by declaring allegiance to another government. An alien spouse does not automatically receive citizenship upon event of marriage to a United States national but must go through naturalization procedures. An alien spouse may become a citizen whether or not the marital partner desires or qualifies for United States citizenship.⁵³

Two years after the passage of the Cable Act in the United States the Swedish Riksdag passed the Swedish Citizenship Act founded on the traditional assumption of a wife's subordination to her husband. Under this Act a Swedish woman automatically lost her citizenship upon marriage to an alien. Her children, even though born in Sweden, were citizens of their father's country. The marriage of a Swedish male to an alien woman had no such consequences. His wife automatically became a Swedish citizen and their mutual children, whether born in Sweden or abroad, were automatically Swedish citizens.

In June 1950, after years of pressure from women's interest groups, new regulations were adopted. Under this new act a married woman is no longer found subordinate to her husband and does not automatically lose her Swedish citizenship upon marriage to an alien, but must give formal consent to assumption of his citizenship. Similarly, the alien wife of a Swedish male no longer automatically acquires Swedish citizenship upon marriage, but must

comply with the standard requirements for naturalization. However, women and men do not receive completely equal rights under the 1950 Act.

In the matter of children's citizenship the 1950 Act maintains sexual differentiation. The Swedish law continues the patrilineal tradition of tracing a child's identity through its father rather than its mother or both parents equally. Thus, unlike the Cable Act, which gives both American parents identical powers in determining a child's citizenship, the Swedish Act decrees that a father's citizenship is preferred. The Act provides that the following persons shall be deemed Swedish citizens by birth:

1. Any child born in wedlock whose father is a Swedish citizen.

2. Any child born in wedlock in Sweden, of whose parents only the mother is a Swedish citizen, provided that the father is not a citizen of any state or that the child does not automatically acquire the father's citizenship by birth.

3. Any child born out of wedlock whose mother is a Swedish citizen.

The Act also provided for means by which married women who had lost their Swedish citizenship under the 1924 Act could recover it if they applied by 1955. Identical citizenship acts went into effect in Sweden, Norway, and Denmark on January 1, 1951.⁵⁴

A Married Woman's Name

A married woman's name in the United States

A most natural development of the ancient common law theory

of the fictional unity of the husband and wife into one which "has worked out in reality to mean that the one is the husband"⁵⁵ was the practice of a married woman being identified by her husband's surname upon marriage. Kanowitz has pointed out that this custom is the epitome of coverture and evidence of the wife's chattel status.⁵⁶

In his comprehensive survey of American regulations regarding a married woman's name Kanowitz does not cite any statutes that specifically dictate that a woman must change her name immediately upon incidence of marriage. The fact that many states hold this view of a married woman's name emerges from statutes restricting a married woman's right to change her name with the same freedom accorded males and single women, divorce rules, and a series of court rulings.

Over the years many courts have refused a woman's request to be allowed to be known by her maiden name after marriage. A comparison of the wording of such rulings in 1881 and 1965 illustrates both how little official thinking has changed on the issue over the years, and, once again, the heavy reliance of the American judiciary system upon precedent regardless of social changes. Thus, in 1881 the New York court ruled in a case involving a married woman's request to hold a bank account in her own name: "For several centuries by the common law among all English speaking people, a woman upon marriage takes her husband's surname. That becomes her legal name, and she ceases to be known by her maiden name."⁵⁷ Similarly, in 1965 the Illinois court refused a married woman's petition to be known by her family name rather than her husband's on the basis of "the long-established custom, policy and rule of the

common law among English speaking peoples whereby a woman's name is changed by marriage and her husband's surname becomes as a matter of law her surname."⁵⁸

Common law has the unusual rule that an individual may change his or her name for whatever reason he or she wishes by simply adopting and using the new name, as long as it is not used for fraudulent purposes.⁵⁹ This rule is stated in general terms and does not include any qualifications regarding sex or marital status, or any groups of people that are exempt. However, court rulings in a variety of cases ranging from divorce to applications for a direct name change suggest that in the past American women have not been generally allowed the right to free-will-name-change that the law implies. The written statutes of several states expressly deny a married woman the right to change her name. For example, the Kentucky statute states: "Any person at least twenty-one years of age, who is not a married woman, may have his name changed by the county court of the county in which he resides."⁶⁰ Similarly, the Iowa law allows the court to certify a formal name change for "any person, under no civil disabilities, who has attained his or her majority and is unmarried, if a female. . . ."⁶¹

Furthermore, many state statutes directly or indirectly clarify that if a married man changes his name his wife's and minor children's names also change. There are no provisions for the wife to indicate her approval of the name change which will automatically change her name too; although, if she wishes to change her name she must have her husband's approval for this action even though his name will not be affected. Apparently children have more rights

than their mothers in these cases, for some statutes provide that children over sixteen do not have to assume the father's new name unless they so choose.⁶²

Generally in the case of divorce the court will give a woman whatever name she requests at the time of the divorce. However, throughout the fifty states there are scattered various peculiar laws in this regard. Some states forbid a divorcee to use a name other than her former husband's if she has minor-age children. Under some divorce statutes a wife has a right to judicial name change only if she is the successful plaintiff in the case. If she is the defendant this right is denied. Lawmakers creating these statutes apparently viewed a woman being forced to continue to be known by her former husband's name as an appropriate "punishment" for the woman since she was the "guilty" party to the divorce and her being allowed to drop her ex-husband's name as a "reward" for being the innocent party.⁶³ This rule is tantamount to the law admitting that the custom of stripping a woman of her identity through the marital name change is punitive.

If a married woman changes her name informally using the general common law rule or formally through the courts, it appears, in Kanowitz's opinion, that she may not change her name against her husband's wishes; he always retains the right to prevent, by injunction proceedings, her attempts to use a name other than his. In his 1969 survey of the American situation regarding legal changes in a married woman's name Kanowitz pointed out that up to that time the courts throughout the country had uniformly rejected the married woman's efforts to change her name through procurement of a court

order if her husband objected to the change.⁶⁴

Since 1970 the traditionally conservative rulings have continued, but there is growing evidence that this outlook may be counterbalanced by a more progressive viewpoint in some quarters. In 1971 the Alabama Supreme Court maintained that a married woman might be withheld her voting rights if she refused to register in her husband's surname. The Court declared that the "state requirement that a woman assume her husband's surname upon marriage has a rational basis and seeks to control an area where the state has a legitimate interest."⁶⁵ In contrast, in 1972 a Maryland court stated that a married woman need not be registered for voting in her husband's surname since, although a married woman is free to adopt her husband's surname upon marriage, "the mere fact of marriage does not as a matter of law, operate to establish custom and tradition of the majority as the rule of law sending upon all."⁶⁶ Moreover, this ruling made it clear that a married woman's name does not automatically become her husband's, but that she is free to use her own name subsequent to the marriage.

There are no federal laws regarding a married woman's name and what policy is followed within the federal agencies varies from department to department, apparently upon the inclination of the personnel involved with the situation or their supervisors. Thus, the Department of Internal Revenue has no objections to a joint income tax return filed by a married couple listing different surnames. On the other hand, the United States Passport Office appears to be concerned with maintaining the common law custom.⁶⁷

Kanowitz believes that "the probable effects of this unilateral

name change upon the relations between the sexes, though subtle in character, are profound. . . . The change of a woman's name upon marriage represents the destruction of a major facet of her personality. . . ."68 However, the tradition of a woman losing her own name and acquiring her husband's upon event of marriage is very strong in the United States and very few men or women find this custom anything but acceptable and "correct." Kanowitz has aptly pointed out that most people are confused, shocked, or indignant with the very idea of a married woman not adhering to the custom. As one of those non-adhering women I can testify that that is exactly people's response, coupled often with questioning, hostility, or sharp criticism. However, it appears that many young women are interested in retaining their own names after marriage.⁶⁹ If this mood is maintained there may be some rapid legal changes in this area in the near future. Naturally, social custom will change more slowly.

A married woman's name in Sweden

In Sweden, because of the reliance upon statutory law the issue of a married woman's name has not had the hazy, even contradictory quality found in the United States. Up to 1963 a married woman was clearly required by law to assume her husband's surname.⁷⁰ However, when the Swedish Riksdag decreed in 1963 that a married woman might be known by a surname other than her husband's it was not innovating as much as reverting to a previous social condition. Records show that from the Middle Ages to the end of the nineteenth century there was little use of surnames among the Swedish commonfolk, hence a

married women was not known by her husband's name. Both spouses were known simply by their given names. Sometimes their alliance was noted through such devices as the addition of his trade to her name. The development of surnames and the custom of a married woman taking her husband's name began with the aristocracy and in the cities and filtered down to the common people, until by the turn of the twentieth century it was common practice among all classes. However, parish records show that in 1900 married women still frequently registered for the census under their own family names. Similarly, christening records reveal that the parents of the newborn were registered by their respective separate family names as late as 1915. In general usage, by 1910 a married woman's legal identity consisted of her given name and husband's surname followed by född (born) and her own family name, for example, Inger Andersson född Dahlgren.⁷¹

In 1915, as part of the early reforms in the Marriage Code, it became the married woman's legal right to use her husband's surname--this had never been established by statute previously. On the other hand, in certain cases a husband had the right at the time of marrying or divorcing to forbid his wife from using his name. In 1920 a wife became obligated to use her husband's surname through the Marriage Code decree that "When the marriage is celebrated, the wife shall accept her husband's family name. She may use her own name and that of her husband combined, if she reports the matter. . . ." ⁷² The prescribed form for a double surname required the use of the född as described above--a rather cumbersome form at best.

In 1941 pressure began in Sweden to accord married women the

options available to their Danish sisters since 1923, that is, the right of a wife to be either known exclusively by her own family name or to use her surname in conjunction with her husband's-- without the clumsy född.⁷³ The proposal for liberating the Swedish woman from obligatory identity with her husband's name was brought before the Riksdag repeatedly in the 1940's. In 1952 the Swedish Housewives Union (Sveriges Husmodersförengars Riksförbund) began pressuring the Riksdag and the proposal was passed in 1954. However, the proposal was soon absorbed into a general analysis and discussion of Swedish name laws and thus was not acted upon until 1963. In May 1964, as a result of Nordic cooperation, Norway replaced a 1923 statute requiring a married woman to obtain a license to keep her own name with a rule simply requiring the woman to inform the solemnizer of the marriage of her intent to keep her own name.⁷⁴

The 1963 law now in effect in Sweden provides that a woman upon marriage acquires her husband's surname if she has not given notice to the census authorities that she wishes to be exclusively known by her own surname, or to use her name in conjunction with his. If she does not give notice at this time she cannot change her mind later and decide that she wants to use her own surname rather than her husband's; however, if she files such notice but later decides to switch to her husband's name, either in conjunction with hers, or alone she might do so by giving notice. A wife also has the right to use her surname together with her husband's as her legal identity either in hyphenated or non-hyphenated form. The use of född, as prescribed under the old law, has been dropped.

If a husband wishes to carry his wife's surname, either

exclusively or in conjunction with his own, he may do so by applying to the central name authority. Under the present system, to assume his wife's name a husband must go through a lengthy procedure and pay a fee. The current discussion revolves around whether the procedure for the husband should not be identical to that for the wife. It is thought that this change, which would be the final step in achieving true legal equality in Sweden in the area of men's and women's names, will be officially made in the near future.⁷⁵

There has never been a custom of free-will name change as under English common law, and even today, unless one bears one of the very common names such as Andersson or Johansson, it is very complex and difficult for anyone to change his or her name in Sweden except through marriage.

Birger Möller, Folk Party Riksdagsman and champion of sexual equality in the Swedish Riksdag, told me that the battle on the floor of the Riksdag over these changes regarding the married woman's name and the right for children of a marriage to be given the mother's rather than the father's surname, if the couple so agree, was long and fierce. Family connections have long been important in traditionally class conscious and patriarchal Sweden. Thus, knowing "who" someone is, that is, to whom she or he is related, is viewed as more crucial than in the United States.⁷⁶ I was constantly impressed with the ordinary Swede's extensive knowledge of the family relations of public figures.⁷⁷

In practice the incidence of a married woman being known by her family surname alone did not appear to be particularly widespread in Sweden in 1972, certainly not to the extent that it is in Denmark,

where married women seem to exhibit the greatest independence in Scandinavia in this matter. Undoubtedly, this is because until ten years ago the practice was not legally permitted. The most common name form, other than a wife using her husband's name alone, is the combination of the wife's and husband's family names often joined with a hyphen. This form was legally acceptable prior to the 1963 reform.

Remarks on women's names
and title practices

Although customs regarding women's titles are not governed by the law, but tradition, it seems appropriate to pause here and observe how Sweden and the United States differ in their titling of women since these practices are revealing of women's social status.

Throughout Scandinavia the Anglo-Saxon custom of a married woman being known by her husband's full name prefixed with Mrs.--the "Mrs. Him" form--has never been widespread. It seems to have been used relatively briefly by the middle and upper classes at the end of the nineteenth and in the early twentieth centuries. Today in Sweden, as in the rest of Scandinavia, the custom of referring to a married woman with the "Mrs. Him" form is rarely encountered in general usage. However, in situations such as formal invitations, one can still find the form "herr och fru --" in use especially among the conservative elements of the clergy, academic professions, and old aristocracy.

Among these groups it is still possible to occasionally observe another old custom--the use of a special "wife's form" of

occupational title. Under this system, for example, a doctor is called doktor; a doctor's wife can be known as doktorinna which translates roughly as "doctor's wife." A woman doctor would be called doktor and even in quite recent days was accorded lower status than the doktorinna. Margareta Vestin, a firm supporter of sexual equality at the National Board of Education, informed me that this custom was common a mere twenty years ago--a remarkable indication of the degree to which the Swedish woman's status depended upon her husband in the very recent past. However, today few outside of the clergy use it and it is generally regarded as a pretentious and archaic fashion.⁷⁸ While there has never been an equivalent title custom in the United States, the contemporary social pattern of determining the occupation of a married woman's husband at the first opportunity upon initial acquaintance is essentially the equivalent. In each case a woman's status depends upon her husband's occupation and status.

In both the United States and Sweden, as in many other countries, there has existed the custom of using titles to differentiate women as married and single. Males, naturally, have not been subjected to this differentiation since their social position has never been dependent upon condition of marriage as has been the case for women. As a part of the effort in both countries to remove practices that artificially differentiate between the sexes there has been a movement to establish a feminine title that is as devoid of marital connotations as the ordinary masculine title.

The Swedes took the lead on this matter when the Justice Department issued a memorandum in 1957 that all adult women were to

be titled fru (traditionally meaning Mrs.) regardless of marital status. This memorandum was underwritten by the trade unions--LO, TCO, SACO--Swedish Housewives' Union, the women's federations of the various political parties, and others. In 1958 the women of the Electrical Power Board proposed that all women employees be called fru.⁷⁹ There was apparently no more action on the idea until September 1965, when Dagens Nyheter announced that in the future all women over twenty-one would be titled fru regardless of their marital status. The paper's proclaimed goal in doing this was to help place women on a more equal footing with men. Hence, fru would no longer indicate a married woman, but an adult woman. Olof Langerkrantz, executive editor of Dagens Nyheter and a prominent Swedish literary critic and poet, commented that women are "insulted" by society when it distinguishes between married and unmarried women but not so for the men. He explained the reasoning behind the traditional title forms:

Miss is innocent, Miss is a virgin. Then along comes the man and the blessing of Society and Miss matures to Mrs.; if the man does not come, the Miss becomes an "old Miss" (old maid), something left along the side of the road, withered, dried. Wherever one turns in the Western World, women are regarded primarily as sexual beings and secondarily as human beings. . . . The emancipation of women is just starting. In the United States, in France, in Italy and West Germany a modern discussion about the role of women has barely started. But even most of us Swedes are still governed by ideas from the past.⁸⁰

Although within a few hours of Dagens Nyheter's announcement several other leading Swedish papers declared that they were following suit, it does not appear that they collectively had much success. The traditional titles indicating marital status seem to continue being the preferred titles in Sweden today. I discussed the generalized

use of fru with a number of women in Sweden and they all agreed that it had not "taken." Elizabeth Husmark and Karin Wilhelmson, who produce a domestic-issue oriented radio program called "Family Mirror," felt that it never really came into use in the spoken language--or in daily life interactions--but has been mainly confined to the papers. On radio and T.V. titles of any kind are usually avoided and visiting personalities are referred to by their full name sans title rather than with surname only.⁸¹ This is one common way of avoiding the issue. Asta Ekenvall, administrator of the Göteborg University Library, told me that she had polled her women employees in 1970 as to what kind of title they preferred and the vast majority came out in favor of the traditional titles. It appeared that single women objected the most since they feared that men would think that they were married, that is unavailable.⁸²

In the United States the maritally neutral feminine title Ms. was publicly introduced in 1970 when the National Organization for Women (NOW) made it a program point at its national convention, and already has had more impact than the Swedish fru experiment. In 1971 a new slick feminist magazine appeared, it's name--MS. It is difficult to judge at this point how much impact MS. has had in spreading the use of the title, however, it has put it into the public eye. The new title has been taken up in the United States with amazing speed considering that it has not been underwritten by any official agency as highly established and respected as Dagens Nyheter. No major newspapers have announced a policy of using Ms., however it appears more frequently each month in a wide variety of papers and magazines. One place it does not appear in the papers is

the society notes section. Here the "Mrs. Him" form is standard. This is an indication that the conservative elements in the United States bent on maintaining traditional social forms are similar to the Swedish group. While many American women appear to welcome the new title as a relief from the sexism implicit in the traditional Miss and Mrs., there are undoubtedly an equal number who respond to the title with hostility. The arguments against its use are similar to the Swedish arguments against the generalized use of fru--it obscures who is available for marriage and who has achieved marriage.

It would appear that although a maritally neutral title was first thought of and introduced in Sweden, it has been more successfully adopted by a cross section of the American population. I believe that this is because American women had a direct hand in selecting and promoting the new title. Neither of these points are true of the Swedish fru campaign. In Sweden the women themselves had little hand in the selection of the so-called neutral title. Moreover, the title is not actually neutral at all since it has carried the denotation of marriage for centuries. This is a lot of history to expect people to forget. They will not forget it easily or soon, and I do not expect the Swedes to be successful in their campaign unless they find a new, truly neutral title for all women.

Married Women's Choice of Domicile

Domicile has been legally defined as the "place where a person has a settled connection for a certain legal purpose, either because his home is there or because it is assigned to him by law."⁸³

In everyday life this means that one's domicile is where one lives or has her (or his) permanent home to which, whenever she is absent, she plans on returning. One's domicile is important in determining the availability of many civil rights, privileges, and obligations as well as court jurisdiction to hear and decide specific types of legal questions. Among the rights dependent upon locale of domicile are the right to vote, to hold and run for public office, to qualify for resident rate of tuition at state educational institutions, and to receive welfare assistance. Common legal matters that must be dealt within the jurisdiction of one's legal domicile include divorce suits, probate affairs, guardianship procedures, jury duty, and taxation of personal and intangible property.⁸⁴

Naturally, free choice of domicile seems to be the most sensible arrangement for adults. Indeed that has been the case in Sweden since 1920. Before the enactment of the Swedish 1920 Marriage Code a married woman in Sweden was, like her American counterpart, barred from maintaining a domicile apart from her husband. However, this restriction sprang from her ward status and not because she was legally submerged into her husband. For over one half of a century both partners in a Swedish marriage have had equal rights in the selection of the family residence and in the establishment of independent residences. Similarly, in Denmark and Norway the wife's domicile is legally independent of her husband's, and in case of disagreement over the location of the common family residence she is not obligated to accept her husband's choice any more than he is obligated to accept hers.⁸⁵

In the United States unmarried females and all males, regardless

of marital status, have the right of "domicile by choice" which means that they are free to establish or change their domicile at will. Only married women are denied this freedom. Under common law the legal fiction of the oneness of the husband and wife naturally conferred on the man the "natural and indisputable right" to choose the place of domicile. In almost all of the states the common rule is that a wife's domicile automatically follows that of her husband regardless of where she resides or what she believes or intends to be her domicile.⁸⁶

In recent times the courts have gone to great lengths justifying the common law stance while trying to play down the subordination of the wife to the husband that is the essence of the rule. The favorite rationalization is that the husband's legal obligation to support the family justifies his singular right to select the place of living--implying that employment of the husband is the sole crucial factor deciding residence in every family--when in actuality many factors influence the decision such as proximity to relatives or friends, climate, geography, or even health. The "sanctity of the united family" has been another often invoked rationalization. An Arizona Supreme Court ruling in 1953 is typical: "The principal is not based on the common law theory of the merger of the personality of the wife with that of the husband; it is based on the theory that one domicile for the family home is still an essential way of life."⁸⁷

Since the early 1940's most states have permitted a married woman to maintain a separate legal domicile "for cause," that is, separation pending divorce, which implies that the woman is living

apart from her husband because of his misconduct prompting a separation or divorce. In this case the wife is apparently entitled to strike out on her own because her husband is guilty of destroying the unity of the home which the domicile law is concerned with protecting and maintaining. In all states a woman can establish a separate domicile once divorce proceedings have begun. In 1945 a few states permitted separate domicile for a few other reasons, such as voting, jury duty, public office, or taxation.⁸⁸ Progress in the area of equality in choice of domicile has been slow as Table 3 giving the data for 1950 and 1965 shows. It should be noted that in 1963, at the time of the investigation of the status of American women by President Kennedy's Commission, only thirty states permitted a married woman to maintain a separate domicile for one or more reasons other than "for cause," and only four states accorded her full freedom of choice. Accordingly, the 1963 Commission strongly recommended:

The traditional rule that the domicile of a married woman automatically follows that of her husband is inconsistent with the partnership principle of marriage and contrary to the universal trend toward legal equality of men and women. . . . We note that the potential impact of domiciliary rules on the family is extremely complex, particularly in a Federal system, and therefore urge that further study of this aspect of domicile be made, with a view to liberalizing the existing rules governing domicile of married women.⁸⁹

Kanowitz has pointed out that common law domicile rules can cause a great deal of personal and often economic hardship for married women. For example, if a woman owns property in the state where she resides which happens not to be the state where her husband lives she will be taxed at the rate of her husband's state, which may be higher than the rate in the state in which she and her

TABLE 3.--Survey of state laws governing domicile of married women in the United States, 1950, 1965

State	Separate domicile for all purposes						
	Wife living apart from husband			Separate domicile for:			
	Without Limitation	With his consent or acquiescence	For cause	Voting	Jury duty	Public office	Probate Taxation
All States 1965	4	22	43	15	5	6	7
1950		20	43	12	4	5	3
Alabama							x
Alaska			x				
Arizona		y x	x	x			
Arkansas		y x	x				
California	x		x	y x			
Colorado			x				
Connecticut		y x	x	x			
Delaware	x	y x	x				
District of Columbia		y x	x				
Florida			x			x	
Georgia		y x	x				
Hawaii	x	y x	x				
Idaho			x				
Illinois		y x	x				
Indiana		y x	x				
Iowa			x				
Kansas			x				
Kentucky		y x	x				x
Louisiana			x				x

TABLE 3--Continued

State	Separate domicile for all purposes		Wife living apart from husband		Separate domicile for:				
	Without Limitation	With his consent or acquiescence	For cause	For cause	Voting	Jury duty	Public office	Probate	Taxation
Maine			x		y x		y x		x
Maryland			x						
Massachusetts			x		y x				
Michigan			x		y x				
Minnesota			x		y x	y	y x		
Mississippi									
Missouri		y x	x						
Montana			x						
Nebraska			x						
Nevada		y x	x		y x	y x	y x	x	y x
New Hampshire	x	y x	x						
New Jersey		y x	x		y x	y x	y x	x	y x
New Mexico		y x	x		y x	y x	y x		
New York		y x	x		y x	x	y x	x	x
North Carolina		y x	x		y x				
North Dakota			x		y x				
Ohio		y x	x		y x				
Oklahoma									
Oregon		y x	x						
Pennsylvania			x		y				
Rhode Island			x						
South Carolina		x	x						x
South Dakota			x						
Tennessee		y x	x						

TABLE 3--Continued

State	Separate domicile for all purposes		Separate domicile for:					
	Without Limitation	Wife living apart from husband	With his consent	For cause	Voting duty	Public office	Probate	Taxation
Texas				x				
Utah								
Vermont				x	x			
Virginia		y x		x	y x			y x
Washington		y x		x				
West Virginia		x		x				
Wisconsin				x	y x	x		
Wyoming				x				

Key: y = 1950; x = 1965

Sources: Book of the States, 8 (1950-51), p. 342; ibid., 17 (1968-69), pp. 349-50; and Margaret Mead and Frances B. Kaplan, eds., American Women: Report of the President's Commission on the Status of Women (New York: Charles Scribner's Sons, 1965), Table 9, p. 243.

property are both located. Similarly, the married woman is barred from establishing residency and thus becoming eligible for in-state tuition at a state university if she leaves her husband's state to pursue her studies. While the incidence of a married woman actually living apart from her husband in a healthy and ongoing marriage may have been infrequent in the last century, in today's mobile society there are numerous instances when a husband and wife may not live in the same state for extended periods of time although the marriage is not dissolved nor is there any plan to dissolve it. In Kanowitz's opinion, the maintenance of a law which gives only one spouse, the husband, the right to determine the legal home of the couple is inconsistent with the spirit and intent of the Married Women's Acts. He feels that despite what the courts say in rulings to the contrary, American domicile laws reflect the theory of the wife's subordination to her husband and are useless today as a tool to maintain family unity. Thus, the most significant everyday effect is to deprive a married woman living away from her husband of specific government benefits and to create technical problems for third parties, such as creditors, seeking to sue the wife.⁹⁰

Guardianship of Children

Under common law a mother had no rights over her children during the lifetime of their legal father. The father was designated as the "natural guardian" and had almost total authority over their upbringing, education, and religious training. Furthermore, he was entitled to their earnings and was the trustee, but not the usufructuary, of their property.⁹¹

In the United States in 1945 fourteen states⁹² and the District of Columbia did not accord both parents equal rights of natural guardianship over their minor children during marriage; but if the marriage were dissolved by divorce, neither parent had any legal advantage over the other as to custody. The court was to be guided by the best interests of the child.⁹³ Thirty-four states, however, did accord equal rights of natural guardianship to both parents throughout the marriage and let the best interests of the child guide the court's disposition of its custody upon event of divorce of the parents. On the other hand, six states and the District of Columbia preferred the father when a trustee of the child's property was to be appointed; nine states authorized the father to appoint by deed or last will a guardian to have charge of the person of his minor child after the father's death, subject to the mother's right to succeed the father as the natural guardian if she survived him. In no state was a father any longer permitted to will his children to a stranger without the mother's valid consent as had been the case earlier. Finally, seven of the thirteen states that authorized the surviving parent to appoint a testamentary guardian for a minor child's property reserved this right for the father only with the mother's written consent.⁹⁴

A wave of reform legislation reduced the number of states recognizing the father as the preferred natural guardian to six in 1956.⁹⁵ However, in 1963 the President's Commission of the Status of Women found the situation unchanged from 1956 and officially recommended that "the guardianship of children . . . should be vested jointly in both parents, as is the prevailing rule in the

United States today."⁹⁶

Traditionally, throughout Scandinavia a father's authority over his in-wedlock children took precedence over the mother's just as it did in Anglo-American realms. In 1949, with the revision of the Parents and Children Code, the principle of equal rights of natural guardianship was established in Sweden.⁹⁷ Today, in all the Scandinavian countries both parents share the duty to care for the person of the child and the power to decide on its personal affairs. In Sweden the parents share rights over the child's property, while in Norway and Denmark the father is recognized as the legal administrator of the child's property, when the parents live together. He acts as trustee rather than usufructuary and is entitled only to the income and profits necessary for the child's maintenance and education.⁹⁸

Married Women and the Law of Support

Support regulations and practice in the United States

Throughout the United States the universal rule regarding family support is that the husband has the primary obligation except in those states that require the wife to support her husband "under certain circumstances."⁹⁹ Surveying American family laws in 1935 Chester Vernier found that seventeen states had special provisions requiring the wife to share in support responsibilities. The statutes were basically of three types: 1) Those that required the spouses to share the obligations of mutual respect, fidelity, and support; 2) those that stipulated that the wife must support her husband if he is physically or mentally disabled; and 3) those which

obligated a wife to support a husband who would probably become a public charge.¹⁰⁰

Paul Sayre, conducting a survey in 1943 of the statutory support obligations placed on the husband and wife at that time, concluded that a husband's and wife's respective common law duties to support and to render services were "fantastically unchanged, through succeeding generations when the nature of the family and the other rights and duties of husbands and wives apart from their families have clearly changed."¹⁰¹ Monrad Paulsen also observed that "it is startling that the great nineteenth-century movement toward the legal equality of the marriage partners has left the duty of the husband to support his wife so little changed."¹⁰²

By 1950 twenty-one states had modified their family laws to declare the wife and her property liable for family necessities but without altering the husband's primary responsibility. Moreover, ten states actually required the wife to support her husband if he had no property or was unable to support himself because of infirmity. In the other four-fifths of the country the wife was free of this obligation. However, there has been some progress in equalizing this responsibility; in 1963 over half the states made a wife secondarily liable for support if her husband were unable to discharge this duty because of physical or mental disability.¹⁰³ Although these states make a gesture toward the concept of shared responsibility for support one has to agree with Paulsen that "the creation of a duty in the wife only when disaster strikes the husband falls a good deal short of treating the sexes equally."¹⁰⁴

Over the years during which the primary support responsibility

has remained solely on the husband's shoulders, a series of rationalizations for this situation have been offered, ranging from the wife-as-property¹⁰⁵ (which the husband-as-owner has an obligation to care for) explanation to the biological-differences-between-the-sexes argument. In the latter it is stressed that the woman's reproductive role keeps her by necessity near the hearth while the male, being stronger, can pursue the hunt and general food-gathering activities.¹⁰⁶ In his 1956 study of American support rights and duties between husband and wife Paulsen noted that in real life the husband's legal obligation to support the family is fairly ineffective and a "wife living with her husband has almost no remedy to enforce her right to support except her personal persuasiveness." He is forced to qualify that she has "almost" no remedy since self-help and the right to pledge the husband's credit for necessities are theoretically means of enforcing her right to a livelihood from her spouse.¹⁰⁷ Except in rare cases, in practice the exact nature of the husband's support obligations are never clarified until the marriage has broken down.¹⁰⁸

It is significant that in 1972 twenty-nine states allowed a wife to claim nonsupport as valid grounds for divorce, while only two states granted a husband these grounds.¹⁰⁹ Kanowitz points out that the archaic nature of these rules is all the more amazing in view of the basic changes in the husband-wife relationship wrought by the Married Women's Acts and other equalizing legislation. However, he stresses that the fundamental American rule of support has in fact three significant functions. First, it is of great importance to the creditors of a family, since a wife

has the legal right to bind her husband's credit for household necessities and her personal needs within "reasonable" limits. In most states a wife cannot be held responsible for her husband's debts. Secondly, the rule is crucial in determining the "nature, extent, and allocation of financial obligations when the marriage is terminated through judicial separation or divorce." Thirdly, the role of support has a significant effect in defining the relationship between the husband and wife.¹¹⁰ A wife is clearly placed in the position of childlike dependence while a husband is accorded inordinately exclusive power over the family's affairs including management and control all of the family's assets and property, even in the community property states.

In 1963 the President's Commission on the Status of Women made it clear that it considered the question of whether a wife should be gainfully employed or remain at home a private affair to be decided privately and not by the larger society. However, it also declared that when a wife did work outside of the home it was reasonable that she help contribute toward her own support and that of the children. However, if it were desirable or necessary for the wife to remain in the home the husband was seen as necessarily bearing the full responsibility for family support. In its report the Committee recommended:

In view of the childbearing and homemaking functions of the wife the Committee believes the husband should continue to have the primary responsibility for the support of his wife and minor children. However, in line with the partnership concept of marriage, the wife should be given some legal responsibility for sharing in her own support and that of her children to the extent that she has sufficient means to do so.¹¹¹

Although revisionist, the Committee's recommendations reflect

a traditional concept of the family unit and sex roles and in comparison to the contemporary Swedish view of the family appear very conservative indeed. It is Kanowitz's opinion that the chief impact of the adoption of this rule would not be on spouses in an ongoing marriage, but on third parties such as the family's creditors.¹¹² In no way does the Committee suggest that the wife should acquire "sufficient means," that is go out to work, to be able to share in self and family support. Moreover, it does not emphasize the need for fathers to take a more active part in rearing their children as is the Swedish stance.¹¹³

Naturally, one must seriously consider the social and legal milieu when contemplating radically modifying support responsibility if "support" continues to be defined purely in economic terms. In the United States we must contend with the realities that, although open in theory, in fact the higher level and better paying jobs simply are not available to very many women, hence their average earning power is below the average male's. Other negative social and cultural factors are the still dominant opinion that young children are best cared for in their own home by their mother--not either mother or father or a responsible third person--lack of adequate childcare facilities, and, perhaps most important of all, a reluctance on the part of the average husband and father to share equally with his wife the burdens and duties of homemaking and childrearing even though she may be working full-time. That the United States is ripe for legal equalization of the family support responsibility is unquestionable; however, this reform should be preceded by efforts to improve the above mentioned conditions so that

the wife-mother will not find herself simply loaded down with one more burden.

Support regulations and practice in Sweden

As in so many areas involving the family, the Swedish law regarding support duty in marriage is explicitly egalitarian. The partnership concept of marriage as well as the idea of shared responsibility for seeing to the family's well being is announced at the beginning of the 1920 Marriage Code: "Husband and wife owe each other faithfulness and assistance. They shall work together for the welfare of the family."¹¹⁴ Folke Schmidt has explained that this wording was chosen to avoid perpetuating the traditional sex-based division of functions within the family and initiating a new era of "masculine supremacy in all economic matters of any importance," as well as not involving the public authorities in the task of settling domestic differences.¹¹⁵

The Marriage Code is very explicit that the husband and wife have equal responsibility to contribute to the support of the family. Thus, Chapter 5, Article 2 states:

With money, by activity in the home, or otherwise, husband and wife are, each according to his ability, bound in duty to contribute to the maintenance of the family according to what may be considered fitting to their conditions of life. For this maintenance that which is required for the joint management of the home and for the education of the children, in addition to provisions for the personal needs of husband and wife, shall be considered.¹¹⁶

Undoubtedly the most interesting aspect of this clause is how it defines support. Activity in the home such as child care and house keeping are duly recognized as valid support contributions, an idea

not found in any of the fifty sets of American marriage laws.

The law further provides safeguards for a spouse who may find him- or herself alone in supporting the family because of the partner's irresponsibility. The law provides that:

If a spouse is guilty of open neglect in performing his duty to contribute to the support of the family, he shall, if the other demands it, be ordered by the court to advance contributions for expenses incurred in maintaining the family, the meeting of which is customarily devolved upon him or which the court finds should be entrusted to him, under the circumstances.¹¹⁷

Furthermore, if one of the spouses during a single calendar year contributes more to the maintenance of the family than is his or her fair share, according to the conditions given in Article 2 of Chapter 5, he may obtain compensation from the other partner for the amount of the expenses covered. Suit for recovery must be brought within one year of the year for which the compensation is sought. Each of the spouses is equally powered to obligate the other and creditors may turn to either spouse for payment of normal household bills regardless of which spouse actually made the purchase or contract. This mutual responsibility also holds in Denmark and Norway.¹¹⁸

The law of mutual support requires the economically secure spouse to provide for the poorer partner if he cannot care for himself. Thus Article 3 provides that:

If the contributions of a spouse, according to Article 2, are not sufficient to provide for his own needs besides the expenses he must meet for the maintenance of the family in accordance with the customary living conditions of the couple, the other spouse shall be in duty bound to supply him with the necessary means in suitable amounts. A right to such contributions, however, cannot be exercised by a spouse, who has shown inability to handle money or who, for some other reason, should not handle the disbursements.¹¹⁹

If a couple separate because of dissension, the duty of mutual support continues until the divorce is final.¹²⁰ Naturally, because of the equal support responsibility nonsupport does not exist as grounds for divorce for either spouse.

The Parents Code of 1949 rests on the assumption of the mutuality of family support obligations. Only a single clause is provided clarifying the duty of parents to support their children: "Each of the parents should contribute to the costs of support of the children according to ability."¹²¹ It should be noted that in addition to not differentiating between the parents, this wording also makes no distinction between the responsibility of the married and unmarried parent.

In a report to the King-in-Council¹²² concerning the revision of Swedish family law presented in 1969, Minister of Justice Herman Kling criticized the 1920 Marriage Code for maintaining traditional roles in marriage. Concerning the Chapter 5 clauses referring to support he commented: "Although both spouses are given equal status under the letter of the law, it is plain that the legislators anticipated a fixed division of roles as a norm, the husband as a gainfully-employed family provider and the wife as tied to housework."¹²³ He emphasized the importance of making appropriate changes in the Marriage Code to move away from this idea of fixed roles to a rule which would aid in creating "a society where every adult individual can take responsibility for himself or herself without being economically dependent on relatives and where equality between men and women is a reality."¹²⁴ He urged that in the new marriage code presently being developed support

provisions should be included mainly for sake of guaranteeing the care of minor children. Kling actually called for the removal of the provisions dealing with spouses' mutual personal and economic obligations since these rules are seldom referred to in proceedings between spouses unless the dissolution of their marriage is at hand. Spouses who live apart because of incompatibility without having requested a decree of separation or divorce sometimes bring maintenance proceedings; however, even these proceedings are rare."¹²⁵

Married Women's Contract Rights in Sweden and
America

In the area of freedom to contract women in Scandinavia have enjoyed total equality with men regardless of their marital standing throughout most of this century, in contrast to uneven and often only partial contractual freedom in many of the American states.

Statutes limiting a married woman's right to contract existed in Scandinavia until early in this century. The Draft Civil Code of 1826 limited the wife's right to contract as follows: "As being placed under the guardianship of her husband, a wife is not legally entitled to enter, without his consent, into any agreement. Consequently she is not allowed to conduct a business enterprise."¹²⁶

The 1864 Freedom of Trade Ordinance, however, permitted a married woman to enter a trade or run a business on her own on the condition that she had her husband's permission and he accepted all responsibility for her obligations.¹²⁷ These limitations, which were prevalent through Scandinavia, were removed gradually in the latter part of the nineteenth century, culminating with the Marriage Code reforms of the 1920's.¹²⁸

Thus, well before World War II Swedish women uniformly enjoyed a freedom of contract still withheld in one form or another from American women in about twenty percent of the states today.¹²⁹ Briefly, in contemporary Sweden no restrictions are imposed on a wife acting as a guarantor for either her husband or third parties. Married women enjoy the same rights as single women and males to sue and defend suits independently without authorization, consent, or joinder of their husbands because of the partnership-between-consenting-adults concept of marriage. Similarly, marriage has no limiting effect of women's right to freely and independently engage in business, commerce, or a profession.

However, certain limitations do exist on spouses' contracts, with the object of protecting the spouses from one another and their creditors from both of them. Thus, one spouse may not irrevocably appoint the other to administer his or her property.¹³¹ Spouses may not contract to diminish their mutual support obligations toward one another or their common children. Further, they are not allowed to depart from family law rules that "give expression to ethical or social principles."¹³² They may, however, contract on support responsibilities and related matters with the understanding that their agreements are subject to modification by the court if they are deemed "manifestly unreasonable" for either spouse.¹³³ It should be noted that all of these restrictions apply to both husband and wife equally.

As far as progress in achieving complete freedom of contract rights for married women the United States could be said to be approximately fifty years behind Sweden and Scandinavia--provided

that the Equal Rights Amendment is ratified and goes into effect by 1975. If it fails to be ratified it is hard to say how many more years or decades will pass before the areas of inequity in married women's contractual rights will be eliminated. In 1945, 30 percent of the states (sixteen) restricted married women's contracts in one way or another.¹³⁴ A decade later J. R. Currie declared prematurely that the practical importance of the problem of common law limitations on married women's capacity to contract in the United States "is no doubt approaching the vanishing point as a result of the progressive removal of restrictions. . . ." ¹³⁵ However, ten years after Currie's observation, Kanowitz was able to find ten states (20 percent) that still restricted married women's contracts--only six less than twenty years earlier.¹³⁶

Just after the Second World War the most prevalent contract limitations were on married women's right to convey their separate property without their husbands' co-signature, restrictions on their right to freely engage in independent business ventures, and restrictions on their right to act as guarantors.¹³⁷ As late as 1950 five states continued to limit the appointment of women to positions of trust such as executor or administrator, and six states imposed special restrictions on women who married while serving in these offices of trust.¹³⁸ Today the most typical limitations on married women are in the capacity to act as guarantors for third parties (without husbands' joinder) or for a husband and their inability to bind their separate estate by any contract of suretyship. Thus, vestiges of old common law disabilities are still widespread. In at least one state today married women are still not allowed to sue

or be sued in their own name or to serve in positions of trust.¹³⁹

The right of married women to freely engage in professions or business without formal spousal assent has been a strangely persistent problem. Although this disability has been limited to a minority of the states in the postwar period, it is significant since it represents a major limitation on married women's freedom of action and right to engage in pecuniary remunerative activities. Moreover, it is another official underwriting of the subordinate status of married women that is totally out of keeping with modern life and expectations regarding the employment of educated and trained women. In 1945 six states had "free trader" or "sole trader" statutes which required married women to apply to the court for approval to engage in independent business.¹⁴⁰ In 1972 five states still had such statutes.¹⁴¹

All of these laws relegate married women to the status of dependent minors rather than mature capable adults and as such are demeaning. For example, under the Florida "free dealer" statute a married woman who wishes to start her own business must appear in court and recite her name and age to the court, as well as "her character, habits, education and mental capacity for business, and briefly set out the reasons why such disabilities to engage in her own business should be removed." Further revealing the paternalistic attitude of the law toward women, the Florida statute provides that the judge shall decree a woman at liberty to become a "sole dealer" only if he is "satisfied that the removal of the disabilities of such married woman will be for her permanent interest or benefit. . . ."¹⁴² Nowhere in the United States is an adult male required to

justify his desire to go into business or prove that he is capable of conducting such a business even though he may be illiterate or have an I.Q. of sixty unless, of course, he is applying for a loan, which is quite another matter. In Phillip Frances' opinion, today the "free trader" requirements for married women are not generally strongly enforced and seldom are women's applications refused.¹⁴³

Although this may indeed be the case, the requirement is in fact arbitrary differential treatment for males and females and is demeaning as well as inconvenient for women and not in keeping with other freedoms accorded women in society in the areas of work today.

Married women's right to contract has improved rather rapidly since 1966 as the result of a series of court rulings. The most important of these changes to date has been the 1971 U.S. Supreme Court ruling in *Reed v. Reed* when for the first time in American judicial history it was decreed that the equal protection clause of the Fourteenth Amendment to the U.S. Constitution applies to women and protects them from arbitrary legal discrimination. The case involved an Idaho statute discriminating against women serving in positions of trust. The law in dispute required that if two or more persons qualify for the position of legal administrator males must be preferred over females.¹⁴⁴

Property Rights in Marriage

Property rights in marriage: Sweden

Until the passage of the 1920 Marriage Code, matrimonial property in Sweden was governed by ancient rules that were modified in the latter half of the nineteenth century.¹⁴⁵ What is important

about this old law is that the concepts of community property and separate property were already a prominent part of the rule.

In addition to communal property, husband and wife could hold separate property; however, everything was administered by the husband until late in the last century when the wife was accorded the right to manage certain types of community property as well as her own property. Over the years a system emerged in which five categories of property can be distinguished: 1) separate property of husband, administered by him; 2) communal property, administered by the owner (husband); 3) community property, administered by the wife; 4) separate property of the wife, administered by the husband; and 5) separate property of the wife, administered by the wife. It is interesting to note that the sixth possible arrangement--the husband's separate property administered by the wife--was not acknowledged.¹⁴⁶ It is also worth note that at this point the husband's superior position in the marriage was acknowledged more openly in Sweden and Finland than elsewhere in Scandinavia by the legal custom of the law using the term "owner" in reference to the administrator of the community property, whereas the other Nordic countries simply referred to the matrimonial goods as "community property."¹⁴⁷

The present day Swedish system of matrimonial property relations lies someplace between the community property system and the American version of the common law separate property system. The 1920 Marriage Code envisions the wife liberated from economic dependence upon her spouse, but having a right to ultimately share in her husband's earnings and property just as he has in hers. One could call it a deferred community property rule. Throughout the

marriage each spouse has separate finances, administers his or her own income and property, and is liable for personal debts out of his or her own assets.¹⁴⁸ However, the spouses are mutually and singly responsible for the debts that they have undertaken together and household-connected debts, whether the liability arises from a joint transaction or from one spouse assuming liability on a debt previously undertaken by the other alone.¹⁴⁹ The wife enjoys a privileged position with respect to household debts. Thus, the Marriage Code provides that "if the creditor wants to sue the wife for the amount [of the household debt], he must start proceedings within two years from the day of payment, or, if the debt is to be paid on demand, from the day it was incurred. If this time elapses, the right to sue her is lost."¹⁵⁰ The rule that each spouse is liable only for his own debts allows creditors to collect only up to the full amount of the debtor spouse's share of matrimonial goods and separate property upon dissolution of the marriage. Although the debts may exceed this amount, the other spouse's share of the matrimonial goods or separate property may not be touched.¹⁵¹

Upon dissolution of the marriage through death of one of the partners or divorce the law of community property comes into play. The marital community-of-property is composed of the combined property of the two spouses and is called giftorättsgods.¹⁵² All of the spouses' assets and liabilities, including property owned separately before the marriage and goods and the property inherited after the conclusion of the marriage, are a part of the giftorättsgods with two statutory exceptions of separate property (enskid egendom). The first is property declared separate by a marriage settlement

drawn up before or after the conclusion of the marriage and property acquired by a spouse through inheritance, will, or gift with the specific stipulation that the property is to be held separate. The second exception applies to legal rights (rättigheter) "that cannot be transferred or otherwise are of a personal kind."¹⁵³ This generally refers to the rights of an author, composer, or artist to his unpublished work.¹⁵⁴ The spouses have considerable power to depart from the statutory regulations if they draw up a property settlement. This way they may entirely eliminate the principle of giftorättsgods from the marriage.¹⁵⁵ However, since the consent of the other partner is required a premarital settlement is undoubtedly the most advantageous from the co-operation standpoint.

In theory a married person in Sweden has the same rights in managing and disposing of his or her separate property as does a single person in a comparable situation. However, in practice a spouse's freedom of action regarding his giftorättsgods is curtailed by the Marriage Code requirements that they are not "unduly diminished to the detriment of the other spouse."¹⁵⁶ Selling or even giving away separate property is defined as detrimental action. The courts closely control this area since all transfers of land titles are officially registered. A similar rule banning diminishment applies to tools, furniture, and other movables required for daily living of the family.¹⁵⁷ A spouse may be awarded damages at the time of the marriage's dissolution or upon proof that the other spouse did indeed diminish his share of the giftorättsgods. Moreover, the written consent of both spouses is required if one wishes to sell or mortgage his own real property that is subject to become

giftorättsgods upon dissolution of the marriage.¹⁵⁸

As a rule, the giftorättsgods is divided equally and split between the spouses upon dissolution of the marriage through death or divorce. A spouse's statutory share is one-half of the giftorättsgods, which in the event of death goes to the estate of that spouse and is passed to his heirs. A will cannot increase the surviving spouse's portion by diminishing the heirs' statutory one-half. The rule that each spouse is liable only for his debts allows creditors to collect only up to the full amount of the debtor spouse's share of the giftorättsgods and separate property upon dissolution of the marriage. Even though the debt may exceed this amount, the other spouse's share of giftorättsgods or separate property may not be touched.¹⁵⁹ In 1969 an attempt was made to increase the surviving spouse's inheritable amount by guaranteeing the surviving spouse a specific amount (if it were available in the estate) although this might leave the heirs with less than the statutory half.¹⁶⁰

In its 1968 report to the Riksdag regarding modifications in the 1920 Marriage Code, the revision committee made extensive recommendations on the management and disposal of giftorättsgods. Most of the suggestions were geared toward tightening the spouses' control upon each other's giftorättsgods. The actual effect of these suggestions would be to even further limit the individual's freedom to dispose of separate property during the marriage. Apparently the Riksdag is not interested in solving the marital property problem by trying to restrict the partners' freedom of action in disposing of their property, for none of these proposals were acted upon.¹⁶¹

Indeed, they do seem to aim more at decreasing the spouses' independence and personal freedom rather than increasing it as is the proclaimed goal of the reform movement.

Property rights in marriage:
the United States

Within the United States two types of matrimonial property systems exist. In the majority of the states and the District of Columbia the common law system prevails by which each spouse maintains his earnings and property separately. In eight states, all found in the West or Southwest, the earnings and assets acquired by spouses during the marriage, except through gift, will, or bequest are owned in common. As might be expected, the common law system is the direct descendant of English common law, while the community property systems in seven states--Arizona, California, Idaho, New Mexico, Nevada, Texas, and Washington--evolved from the Spanish-American civil law system; Louisiana's came from the French civil law system.¹⁶²

The common law idea of matrimonial property evolved from the requirements of an agricultural feudal society that viewed the husband as the head of the family and overseer of his wife, as he was of all of his property. Under common law the husband enjoyed an "estate by marital right" interest in his wife's property throughout their marriage, which meant that he enjoyed full possession of his wife's real and personal property, including control of rents and profits and the right to sell the land without her consent.¹⁶³ Throughout American history the common law rule in either a pure or slightly modified form has defined the property relationship of

husband and wife.

As a result of strong feminist pressure, in the second half of the nineteenth century most of the United States adopted some kind of Married Women's Property Act, which somewhat restored the property rights women lost upon marriage under common law. The Minnesota statute (1947) is a typical example of these reforms:

All property, real, personal and mixed, and all choses in action, owned by any woman at the time of her marriage, shall continue to be her separate property, notwithstanding such marriage; and any married woman, during coverture, may receive, acquire, and enjoy property of every description, and the rents, issues and profits thereof, and all avails of her contracts and industry, free from the control of her husband, and from any liability on account of his debts, as fully as if she were unmarried.¹⁶⁴

The Married Women's Acts generally alleviated a wife's legal subjugation to her husband as well as her right to contract, to manage and control her separate property, to sue and be sued without her husband's joinder, and to be gainfully employed and retain her earnings.¹⁶⁵

Several factors have worked to prevent these Acts from realizing the goal of total legal emancipation; these include the Anglo-American legal tradition of strict construction of statutes that derogate common law, the culturally biased interpretations of judges reared in the tradition of "natural male dominance," and the lack of uniformity resulting from the fact that the Acts were enacted on a state by state basis.¹⁶⁶

It is Kanowitz's opinion that married women's legal emancipation is more advanced in the area of property rights than in most other spheres.¹⁶⁷ A glance at some facts, however, suggests that the situation in this area is less than satisfactory in that many American married women still do not have full rights. In 1945

three states--Maine, Mississippi, North Carolina--and the District of Columbia still maintained intact the ancient common law stand on matrimonial property under which the husband has total control of his wife's separate property and receives the entire income during the marriage.¹⁶⁸ In 1945 ten states required the husband's signature to legalize deeds to his wife's separate real estate. In 1963 eight states still required that the husband join his wife to render valid any conveyance of her separate property. In fifteen other states the wife had the legal power to independently transfer absolutely her rights and her representatives' rights in her real estate; however, such transfers of title in no way affected her husband's legal interest in her land unless he joined her conveyance with his signature. In short, in 1963 only twenty-five states accorded married women the same power to convey real property that was enjoyed by single women and men.¹⁶⁹ In 1969 four states still required the husband's signature for any kind of conveyance of the wife's real property.¹⁷⁰ Unfortunately, at the time of writing current state-by-state survey data were unavailable.

In 1945 fifteen states had no express statute declaring a wife's earnings as separate property; thus they were legally under the control and management of her husband, although in practice a wife's earnings were generally handled as separate property.¹⁷¹ Today a working wife's income is held as separate property in all of the common law states.¹⁷² In the community property states the rule is different. As long as a wife maintains her earnings as separate they are under her exclusive control and she is not required to help contribute to the support of the family even though

she may earn more than her husband. However, as soon as she mingles her earnings or other assets with the community property, for example, makes house payments or places her money in a joint savings account, control is generally turned over to the husband whose property they are now considered since he holds ownership and management rights over all of the common property accumulated throughout the duration of the marriage.

On the other hand, the husband's earnings are held separate whether they are mingled with the common property or not; hence the wife, whether she works outside of the home or not, has no legal right to any part of her husband's earnings or property during the existence of the marriage other than the right to be supported "reasonably well."¹⁷³ Thus, if the wife does not have earnings or property of her own she is totally dependent upon her husband's personal generosity and beneficence for anything she receives above and beyond her bare support needs. A husband is never required by law to use his entire income supporting his family.¹⁷⁴ Moreover, in most of the common law states today common property that is accumulated by the spouses during the marriage is owned by the husband and legal title at death is distributable to his heirs with the exception of the widow's statutory share--usually from one-third to one-half--unless the property is expressly placed in joint ownership by deed or contract or is provided for in a will.¹⁷⁵ The rationale behind this is that since the husband is legally bound to support the family, it is justified that he should have ownership and control over all of the communal assets since these are the resources from which he meets his obligation.¹⁷⁶ In

contrast to this system is the community property system held in eight states.

The legal system that developed in continental Europe while the English were evolving their complex of rules known as common law did not recognize the fictional unity of husband and wife. Instead, a partnership approach was used in legally defining the marriage relationship and the management of the property of the partners.

The community property system came into the United States with the American conquest of northern Mexico and annexation of French-colonized Louisiana Territory. The system was originally introduced into Mexico by the Spanish colonizers, who had inherited the basic idea from the Visigoths during their occupation of Spain in the fifth century. Five of the community property states--Arizona, Nevada, California, New Mexico and Texas--were once part of Mexico which follows the community property system; after this territory became a part of the United States, the Anglo people living there or moving in simply adopted the Mexican matrimonial property system in order to maintain uniformity. In the late 1860's Idaho and Washington territories also adopted the community system.¹⁷⁷ During the 1930's and 1940's several states adopted community property systems on a temporary basis with the goal of gaining the federal income tax economic advantage of income-splitting which was accorded married residents of community property states. However, all of these states returned to the common law system after the passage of the Revenue Act of 1948 allowing all married couples to file a joint income tax return.¹⁷⁸

The community property system today theoretically recognizes equal ownership by husband and wife of all property they earn and accumulate during the marriage, except that which is acquired through inheritance, bequest, or gift. Some states recognize rents, issues, and profits realized from separate property during the marriage as part of the separate property, while in other states these gains are viewed as part of the community property. All property and assets acquired prior to the marriage are always separate property.¹⁷⁹

One would assume that under the community property system there would be few problems involving inequity between the spouses; however, this has not been the case. In the areas of administration of the community property, the wife's earnings, and inheritance the community property laws have treated the wife and husband differently.

During the marriage the earnings of both spouses are considered community property; however, since the husband in six out of eight states has exclusive control and management rights over the community property he has effectual control of his wife's earnings. The rationale for this differentiation goes back to the support rule requiring the husband's primary responsibility for the economic support of the family. Since he has this responsibility it is deemed proper that he should have control over all of the community property, including his wife's wages, to fulfill this responsibility.¹⁸⁰ The effect of this rule is to create the situation prevalent in the United States before the passage of the Married Women's Acts in which the wife has no legal right to manage or control her property or earnings. A few of the community property states, such as California (1951), have modified this rule to restore

the wife's right to control and manage community property she has earned.¹⁸¹

It occurs to one that a simpler and more equitable way of solving the problem of how to incorporate the working wife's income into the family support pool would be to simply make both spouses equally responsible for the support of the family according to their means and to manage the community property in partnership. This approach seems intrinsically more logical than legally placing a wife's earnings in her husband's hands so that he might, in turn, support her and their children with this money together with anything he might earn.

Glaring inequities in the area of inheritance furnish another illustration that community property, as it is interpreted in the United States, is less than ideal. Up to 1961 a wife's rights of survivorship in New Mexico were substantially inferior to her husband's. Formerly if a wife died intestate leaving husband and children, her husband inherited the entire community property which would be divided among the children only upon his death. In contrast, if a husband died intestate his wife inherited only one-half of the community property with the balance being divided immediately between the children and herself.¹⁸² Today in New Mexico a husband still retains the right to will away from his wife his one-half of the community property, while his wife is unable to do this. All of her share must go to her husband upon her death regardless of what she might direct in a will.¹⁸³

Another example of the form legal discrimination takes under American community property laws is found in California's rule

regarding inheritance tax on community property. Under the rule, revised in 1969, a widow was taxed for the community property that she inherited from her husband. In contrast, a widower inherited the equivalent portion tax free.¹⁸⁴ Widows continued to be taxed for community property inheritance if they received a power-of-attorney in connection with the property until 1965. Widowers have never been so taxed.¹⁸⁵ The situation in California today is still not equitable regarding right of survivorship; thus, when the husband dies whether or not he has a will, the community property is subject to probate and payment of debts. Not so in the case of the wife's death. Her share of the community property which the husband inherits is subject to neither debt payment nor probate (if she leaves no will), but passes directly intact to her husband. This, of course, means that he receives a larger lump sum than his wife would in comparable circumstances.¹⁸⁶

Discussions of the two American marital property systems always end with a debate over which is the preferred system. From the viewpoint of equality and a wife's rights as a true partner in a marriage the consensus is that the community property system is more favorable, although the economics of the two systems are surprisingly similar today as they are practiced in the United States.

Harold Marsh, after conducting a systematic comparison in 1952 of spouses' succession rights in community property and common law marital property states, cautiously concluded that "the wife's interest in the so-called statutory 'separate' property of the husband in a majority of the common law states is afforded a protection

nearly equal to that given to her interest in the community property jurisdictions."¹⁸⁷ However, he endorsed community property as the better system because of the positive effects it can have on the everyday relationship between the spouses--sociopsychological as well as economic.¹⁸⁸ This opinion was echoed by Sayre when he found that the "notion of community property has many elements of equality for husband and wife and other factors that give dignity and separate protection to the wife far beyond the legal notions of dower and the right to support that the common law conceded to married women."¹⁸⁹

Acknowledging the complexity of the task of regulating matrimonial property rights because of its interrelationship with a maze of other laws and rights including inheritance, divorce, and family support, the President's Commission on the Status of Women did not endorse a particular matrimonial property system in its 1963 report. Instead the following general recommendations were made together with the admonition that the various states should review their family laws in view of the equality between the sexes they accord or prevent:

Marriage is a partnership to which each spouse makes a different but equally important contribution. This fact has become increasingly recognized in the realities of American family living. While the laws of other countries have reflected this trend, family laws in the United States have lagged behind. Accordingly, the Committee concludes that during marriage, each spouse should have a legally defined and substantial right in the earnings of the other spouse and in the real and personal property acquired as a result of such earnings, as well as in the management of such earnings and property. Such rights should survive the marriage and be legally recognized in the event of its termination by annulment, divorce, or death.¹⁹⁰

The latter half of the 1960's witnessed a surge of activity

toward reforming married women's property laws in the United States. Perhaps the equalizing of the Texas statutes is the most symbolic of the real change in climate regarding American woman's traditionally economically subordinate position in marriage. Texas, long a conservative bastion on the subject of sexual equality, showed in 1969 how simply legal inequities can sometimes be removed by amending its marital property law by merely inserting "spouse" throughout the statute where "husband" and "wife" used to stand. The same amendment also called for joint management of community property.¹⁹¹

Divorce

Divorce American style

As in other areas of domestic relations, divorce statutes are within the jurisdiction of state law in the United States. This makes it impractical to examine each law here as carefully as the Swedish Code will be examined; however, general tendencies of the state divorce statutes and patterns of change over the past twenty-five years can be examined. In 1945 every state but South Carolina provided means for dissolving marriage on the basis of a variety of grounds in the more liberal states to adultery only in New York. The most common grounds were founded on the principle of "misconduct and guilt" and were, in descending order: adultery, cruelty (physical), desertion, alcoholism with impotency, felony conviction, and failure to provide. Mental cruelty and incompatibility did not appear on the statutes of a single state in 1945, although by 1971 almost every state had added these humane grounds. The trend in the 1970's seems to be toward so-called "no-fault" divorce rules

that are similar to the Scandinavian rules in that misconduct and guilt are eliminated as factors in divorce.¹⁹²

A tally on divorce statutes in effect in 1945 gives the following picture: twenty-eight out of forty-eight states granted divorce to either spouse on the same grounds; sixteen states extended exclusive grounds for divorce to a husband--all of them dealing with his wife's personal conduct, sexual and social; and thirty states extended exclusive grounds for divorce to a wife for nonsupport. In 1971 twelve states still extended a husband exclusive grounds on the basis of wife's sexual conduct and twenty-seven allowed a wife to file for nonsupport. Two states extended the right to divorce for nonsupport to husbands as well as wives.¹⁹³

Transgressions of the double standard of sexual morality have always loomed large in the area of divorce in the various American statutes. Earlier this century at least three states made a single act of adultery by a wife adequate ground for her husband divorcing her. Kentucky upholds this ground even today.¹⁹⁴ In 1945 fourteen states allowed a husband to use his wife's "unchaste condition" at the time of marriage, that is, the wife's pregnancy without the husband's knowledge, as grounds for securing a divorce and one, West Virginia, allowed the husband an annulment on this basis. In 1971 twelve states still recognized such grounds.¹⁹⁵ In all of the states having such statutes a husband's right to divorce his wife is expressly withheld if the husband himself is the agent of the woman's pregnancy, except in Georgia where apparently a man can divorce his wife for being pregnant with his child if he did not know about her condition at the time of their marriage.¹⁹⁶

In no case is a wife allowed divorce or annulment on comparable grounds, in spite of such practical considerations as the considerable expense of child support that the husband may be responsible for if he is the agent of another woman's pregnancy at the time of his marriage to his wife. Such information might conceivably influence the woman's decision to marry the man. However, in contrast to the male's privilege she is not allowed an annulment or divorce if she discovers these facts after they have married and does not like the economic, psychological, or emotional dynamics involved.

The over-concern with the sexual ownership concept of marriage has led to some ironical state laws such as the Louisiana statute, still in effect in the 1950's, that recognized adultery as sufficient ground for immediate absolute divorce, while an attempt on the life of a spouse only warranted a year's separation of bed and board, after which a divorce might be obtained if no reconciliation had been reached.¹⁹⁷ Iowa makes a gesture of equality by providing that "the husband may obtain a divorce from the wife . . . when the wife at the time of the marriage [is] pregnant by another than the husband, of which he [has] no knowledge, unless such husband [has] an illegitimate child or children then living, which at the time of the marriage was unknown to the wife."¹⁹⁸ While the man's fathering of a child unknown to his wife may save her from being divorced for her own pregnancy, she may not use his clandestine paternity as grounds for divorcing him as he may her pregnancy for divorcing her.

In addition to the above widespread sexually differentiated patterns of divorce grounds, there are a number of arbitrary points

of differentiation that, although not of great practical importance, are philosophically important as they are further proof of the American legal system's traditional endorsement of differential treatment. Kanowitz has pointed out a number of these, such as Alabama's law allowing a wife to divorce her husband who becomes a drug addict, but denying a husband the same privilege if it is his wife who becomes addicted. While most states recognize chronic drunkenness as grounds for divorce for both sexes, Kentucky makes an interesting distinction between what constitutes justifiable grounds for each sex. Thus, a wife may divorce her husband if his alcoholism has been accompanied by a wasting of his estate and failing to provide suitably for his family; however, a husband may divorce his wife simply on the basis of her drunkenness without the necessity to show additional negative factors.¹⁹⁹

Throughout the period being examined the state divorce rules governing a waiting period before remarrying have not made distinctions based on sex, with one exception--Louisiana. In 1945 this state's requirements were definitely punitive and more severe for women than men. Thus, if the plaintiff were male he was required to wait twelve months before remarrying, while a female plaintiff must wait twenty-two months. If the defendant were male fourteen months was his requirement in contrast to twenty-four months for a female defendant. Today in Louisiana males have no statutorily defined waiting period while the woman must wait ten months before remarrying.²⁰⁰

In the question of alimony there are more sexually differentiated regulations in the various states. Today all states permit alimony

and child support to be required of a husband even though the divorce may be granted to the husband, except in certain states where if the wife's adultery is the divorce ground she may be denied alimony. Many states require the court to consider the size of the wife's estate before granting alimony, prohibiting the grant if her estate is adequate for her own support. Fifteen states permit alimony to be granted to a husband with limitations.²⁰¹

In 1963 the President's Commission on the Status of Women recommended legal research and analysis with the goal of forming firm proposals for reform of state laws affecting marriage and divorce. The areas included:

1. The effect of according married women the same right as married men to establish a separate domicile on marital status, rights and obligations, on alimony and support, on custody and visitation of children.
2. Minimum marriage age for males and females.
3. Alimony, support, and property settlements. Such a study should include not only the law and practice pertaining to the rendition of alimony and support decrees, but also methods of locating persons responsible for the support of dependents.²⁰²

By 1968 there was evidence of a noticeable growing interest in the various state legislatures in family and property laws and particularly the basic sexual inequities they often endorsed. Undoubtedly, this interest was the product of a combination of factors, the most prominent being the investigations and recommendations of the President's Commission on the Status of Women, the formation of state commissions on the status of women, as urged by the President's Commission, for the purpose of studying women's status in each state, and, most important of all, the atmosphere of criticism of discriminatory and sexist legal practices generated by the American women's liberation movement. Since the late 1960's

each year more state legislatures have created legislative advisory groups to study the laws and practices involved in family and property law, and to evaluate if they reflect and properly meet current social needs. For example, by 1967 such studies had been undertaken in California, New York, Maine, Michigan, Massachusetts, New Jersey, South Carolina, and West Virginia. New York and California legislatures have already made concrete revisions in their marriage and divorce statutes, as are other states too numerous and too rapidly working at this time to enable an up to date report.

Divorce Swedish style

Even before adoption of the divorce rules embodied in the 1920 Marriage Code Swedish divorce statutes from the last century were essentially devoid of any differential treatment of the sexes. Under the Old General Code divorce was based on the principle of "misconduct and guilt" and could be obtained in one of two ways: 1) the couple could jointly submit a petition for dispensation to the King; or 2) the innocent spouse could sue for divorce on the grounds of adultery or malicious desertion.²⁰³ The present statutory provisions date from 1915-1920 and are similar to those of the other Nordic countries.²⁰⁴

The fundamental assumption of the 1920 Marriage Code, that each of the spouses is a free, equal, and responsible person, is present in the divorce law which recognizes disruption as the basis for divorce. The 1920 Code accepts the premise that when two persons are convinced their marriage no longer fulfills its purpose they should have the legal means of dissolving it. The traditional element

of guilt has not been totally eliminated, however, and plays a role in the area of material divorce settlement and custody of children. Article 1 of the Code on separation and divorce stresses the incompatibility approach of the law: "Husband and wife, who, on account of deep and constant discord, are unable to continue their marital existence, may secure a court order for separation upon mutual agreement."²⁰⁵ In this instance the spouses themselves judge the character of the disruption and the court is forbidden to investigate but must take their word for it. After a year of judicial separation, during which period it is the "duty of each spouse to contribute to the other's support, . . ." the couple's divorce becomes final.²⁰⁶ The procedure is similar when one of the spouses opposes the divorce. In this instance, however, the plaintiff must prove that a "deep and lasting disruption" has "been caused by disparity with respect to temperament and outlook."²⁰⁷ According to Folke Schmidt the plaintiff's burden of proof is not heavy.²⁰⁸ In addition to incompatibility the specific grounds for divorce are: three years of voluntary separation, malicious desertion, presumption of death, bigamy, contagious venereal disease, threatening the life of the other spouse, more than three years sentence to hard labor for crime, alcoholism, and insanity. Adultery is the sole ground on the principle of "moral misconduct and guilt."²⁰⁹ Although alimony was important in the last century, today it is less common.

Schmidt stresses that in practice today an alimony claim must have some justification. Generally, if the wife is in good health and capable of working she will be awarded alimony only during

a brief adjustment period and not on a permanent basis. If the wife is older (past fifty), in poor health, or has no skills by which to earn her living--because she has been a housewife her entire life--the husband will probably be ordered by the court to pay her a decent alimony regardless of her capacity to earn a living.²¹⁰ In the matter of material support the principle of guilt has been traditionally rather important and it is provided in the law that "alimony shall not be granted to the spouse who bears the principle guilt for the divorce."²¹¹ In practice, other than denying alimony when the divorce is granted on the grounds of the wife's adultery, the divorce courts of recent years have not let the idea of guilt influence their decisions because of their basic philosophy which sees both spouses as to blame for the disruption of the marriage.²¹²

The Code also provides for punitive damages, which is another contradiction of the Code's philosophy of avoiding the concept of guilt. Thus, a spouse can be ordered by the court to pay the other damages if the "guilty" party has seriously injured the marriage or when a previous decree of separation was based on neglect of responsibilities to the other spouse. The courts have been less reluctant to consider the idea of guilt in this instance than in regard to alimony since punitive damages can be used to compensate a deserted wife in the fact of the community property rule that requires that all assets be divided equally upon dissolution of the marriage.²¹³

The 1968-1969 Marriage Code revisions affected Swedish divorce by expanding the grounds of incompatibility to generally include any reason the couple finds as valid for them and by extending the right

to judicial separation to situations where previously adultery would have been the ground for divorce. This latter change was made in response to a widespread desire for access to a quiet, non-sensational divorce in cases involving adultery.²¹⁴

The Swedes claim that in a divorce the question of which parent receives custody is determined by the child's best interest. It is prescribed in the Parents and Children Code (1949) that guilt may be considered as a decisive factor in determining custody only in cases where both parents have equal qualifications. In that case the blame-free parent might be favored. Schmidt and Strömholm comment that in practice the mother is generally considered more fit to care for the child and in the overwhelming majority of cases she receives custody of the couple's children. Only in the case of a teen-age boy might the father hope to achieve custody.²¹⁵

It is my impression that the incidence of a father receiving custody of one or more of his children is more common in the United States than in Sweden. The only Swedish instance of a father receiving custody with which I am personally familiar involves a teen-age boy, whose mother is an advocate of eliminating traditional sex roles, which is hardly a typical situation. I did meet with the Männens Rätts Föreningen (The Men's Rights Association), a band of divorced men whose long-range goal is marriage and divorce law reform, and whose immediate function is to help other men in the process of getting a divorce. The anger and bitterness of most of the men I met seemed to focus on two issues--the community property arrangements provided by the 1920 Marriage Code (which stripped many of them financially) and the practice of largely ignoring the father

when assigning custody of the children. The payment of alimony was also an issue but not as paramount as the first two, perhaps because in the younger marriages it is less common than formerly.

Unquestionably, divorce is more readily available in Sweden than in the vast majority of the United States. Two Swedish critics, Torgny Segerstedt and Philipp Weintaub, have observed that the lightening of the burdens of family responsibility by the Swedish social welfare program has relieved husband and wife of many of the traditional family functions and responsibilities. This has simplified and facilitated the way to divorce.²¹⁶ Furthermore, it appears to be the conclusion of contemporary Swedish legal experts that in a normal divorce the present law tends to favor the wife--if she chooses to make full use of her prerogatives under the law. It is possible that she would receive custody of the children, remain in possession of the family home (in a country with a chronic housing shortage this is no small matter), receive child support, and possibly alimony for herself. Moreover, if her husband were a man of assets she might well profit a great deal more than he from the compulsory equal division of the common property. The only specifically sexual differentiation under the law of divorce is that the wife may not remarry for ten months after the divorce unless she was living apart from her husband for one year prior to the final decree. This is to avoid confusion as to paternity of a child she might have in that period. The ex-husband is not subjected to a waiting period before remarriage. Schmidt and Strömholm's final comment on the Swedish Divorce Code is that "the days of masculine predominance in matrimonial matters are irrevocably gone."²¹⁷

Swedes today, however, are not totally satisfied with their 1920 rules and the token revisions of the 1960's. In his 1969 call for thorough revision of the marriage laws, Minister of Justice Herman Kling drew attention to the aspects of the present divorce rules that "are not in accord with the concept of marriage as a form of voluntary cohabitation by independent persons."²¹⁸ Kling stresses that the future law of marriage must, among other things, remove the concept of blame that favors the so-called "innocent" party with child custody and alimony and punishes the "guilty" party by denying these rights, must be as readily available when only one of the partners desires the divorce as it is when the desire is mutual, must eliminate the awarding of alimony, and must modify the marital property rights. Basically, he feels that when a couple mutually agrees on dissolution of the marriage immediate divorce should be granted. In other cases the statutory year of separation should be retained. He concedes that total elimination of alimony is difficult at this stage and support should be awarded the spouse who must care for young children in the home or, because of lack of adequate vocational training or other reasons such as old age, has special difficulties in getting work.²¹⁹

Schmidt points out that Kling's 1969 proposition setting forth guidelines for a complete overhaul of Swedish marriage laws directly following the rather minor changes enacted in the 1920 Code by the Riksdag in 1968-1969, is a direct reflection of the contemporary social mood in Sweden where "the revolt against traditional views and the urge for a radical reorientation are stronger . . . than in the other Scandinavian countries."²²⁰ Under Kling's

enlightened guidance there are very real possibilities for penetrating changes in this decade. It is well worth while to pause for a moment and examine the essence of Kling's proposition which is undoubtedly among the most progressive ever officially put forth in a modern western nation. The greatest significance of the proposition to the status of women in Sweden is the new philosophy toward marriage on which it is built. Kling sums up the philosophy behind the suggested reforms as follows:

The law of the future should attach more weight than the present Code does to the principle that marriage is a state of life in common of two independent individuals based upon free will. . . . A new law should . . . as far as possible be neutral as regards different forms of cohabitation and different moral ideas. . . . As far as married people are concerned, the rules should be so drafted that the spouses can maintain a high degree of independence during the marriage. . . . The function of the law in this respect is to solve practical problems and not to give privileged status to one form of cohabitation over others.²²¹

In his guidelines Kling points out that although both spouses are accorded equal status under the letter of the law in the 1920 Code, the wording anticipates traditional sex role dictated divisions of work and interests. Thus, he finds that much of the Code appears to be out of date; indeed, he comments that "on several points there are substantial strains between the value judgments on which the legislation is built and the views on role division between spouses in a marriage and on family ties which are held by growing groups of people, especially the youth."²²²

Kling introduces his suggestions for specific changes that should be made in the marriage law with a concise and refreshingly clear statement (for a political statement), on the changes in Swedish society and life that prompt these changes. Thus, he points

to the common pattern of both wife and husband sharing the bread-winning responsibility. Equality of men and women on the labor market is no longer a utopian ideal although it is not yet a totally realized goal either. Society has taken over a substantial share of the cost of raising and educating children. Progressively fewer people are dependent upon their relatives supporting them in case of personal disaster, hardship, or old age because of the presence of social insurance and other security arrangements. In general social change has meant continuing personal liberation and growing security. He concedes that since that is a period of transition there are still many people in the middle-age and older group who are living and will continue to live their lives according to the traditional pattern; however, he is convinced that legal provisions are needed if marriage is to continue to fulfill its function in the future. Perhaps most remarkable of all is his endorsement of legislation as an appropriate tool to effect the ideal of economic independence and equality between the sexes.

The following points are briefly the most important ones that Kling believes should be included in the Swedish future law of marriage:

1. The state should be neutral and uninvolved with the kind of life an individual citizen chooses for private life--there should be no statutes that create "difficulties or inconveniences for those who bring up children and establish a family without marrying."

2. Registration with civil authorities should be adequate to constitute a legal marriage.

3. Divorce laws should give greater freedom to the spouses

to decide for themselves if they wish to remain married or divorce. Procedures should be simplified and special rights to damages or immediate divorce now accompanying divorce won on special ground such as adultery, should be eliminated. The question of blame or guilt in divorce should be completely erased.

4. Compulsory mediation should be removed and this office placed in the hands of non-clergy personnel.

5. The principle of no alimony should be upheld with alimony given only in unusual cases--long marriage, illness, old age.

6. Change the present rules on matrimonial property with the goal of limiting their scope of application and according each spouse greater freedom and independence to dispose of separate property during the marriage.

7. Reform in the matrimonial inheritance laws to coordinate with the changes in matrimonial property and to increase the portion inherited received by the surviving spouse--lessening the children's portion.²²³

Women Under Criminal Law

In the area of criminal law as in the area of family law American women cannot claim the freedom from sexual differentiation that Swedish women enjoy. There is virtually no sexual differentiation in Sweden under criminal law except in the matter of abortion. Therapeutic abortion has been carefully controlled and limited throughout the period since World War II, thus restricting women's freedom of control over their own bodies while men are not so bound. As in other areas of the law Swedish married women's equality under

criminal law springs from the civil law view of each spouse as an independent free agent, whereas the differential treatment of married women under American criminal law almost uniformly springs from the old common law unity-of-spouses notion. Outstanding exceptions to this American rule are the state laws requiring heavier criminal penalties for female offenders than for male offenders for the same crime.²²⁴ Even the most dedicated rationalizers of the differential treatment of women and men under American law have a hard time justifying this legal disparity that is glaringly discriminatory and oppressive.

A basic awareness of American married women's legal disabilities under criminal law is necessary for a full picture of American women's legal status. The law of tort, consortium, conspiracy, presumed coercion, and the "unwritten law" will be briefly surveyed followed by a comparison of the developments in legal abortion over the past twenty-five years in the two countries. Because of the lack of precise Swedish data, the area of sexual crimes--prostitution, rape, seduction, and enticement--will not be dealt with here.

An earlier discussion showed that limitations on a married woman's contractual capacity in the United States are found in less than twenty-five percent of the states; however, Kanowitz has shown that throughout most of the states traditional limits of the married woman's legal capacity springing from coverture continue to be significant today, particularly the criminal law doctrine of interspousal immunity. Regarding the effect coverture had on a married woman's traditional responsibility in torts, Kanowitz comments that:

Ordinarily, in Anglo-American law, if one person causes physical injury to another, as a result of the first person's negligence or willful misconduct, the injured person is permitted to obtain legal redress from the person who caused the injury. At one time under the common law, though a married woman was theoretically liable for the injuries she inflicted in this manner, that liability was of limited significance since the law attributed her misconduct to her husband.²²⁵

Today only a couple of states observe the wife's immunity from suit for tort damages. In these places a husband must be involved in suit for damages for which his wife is responsible. However, only nineteen states have interpreted the Married Women's Acts to authorize redress action by either spouse for a tort committed through intent or negligence by the other spouse.²²⁶

In modern times the courts have rejected the traditional fictional oneness of the married couple as the rationale for these laws and substituted "the need to preserve domestic tranquility." Kanowitz is convinced that the more probable motivation for maintaining these laws is the possibility of collusion between husband and wife in asserting and prosecuting claims for injuries since they could mutually benefit from damages received from an insurance policy. Moreover, while the doctrine of inter-spousal immunity no longer discriminates against the wife as severely as it once did when the husband did almost all of the automobile driving (auto accidents are the most common occasions of injury), or felt less inhibited in using physical violence against his wife than is generally true today, it still stands as evidence of coverture and prevents the spouses from operating as free and separate individuals in all aspects of their lives.²²⁷

In Scandinavia there is nothing comparable to the doctrine

of inter-spousal immunity and each spouse is fully responsible for his own torts. Moreover, either spouse is entitled to redress for torts committed against him by the other spouse whether through intent or negligence.²²⁸

While numerous American tort regulations forbid spouses from recovering damages for physical injuries inflicted upon one another, consortium rules allow at least the husband to recover damages for impairment of his wife's companionship. Under American law husbands and wives have a "relational interest" in one another, legally designated as "consortium." Consortium interests have been variously defined to include either economic or non-economic interests or both. Thus, in *Smith v. Nicholas* consortium is defined as including the "exclusive right to the services of the spouses and to his or her society, companionship and conjugal affection."²²⁹ Other definitions have rejected the non-tangible aspects of consortium and concentrated on the loss of "services." Under common law rule, still in effect in most of the United States today, a husband--but not a wife--may recover damages for loss or impairment of consortium. Modern commentators have surmised that the practice of allowing a husband damages for loss of consortium, including services and society, while denying a wife this right, existed "either because she had no such right or because she was denied any remedy for an invasion thereof."²³⁰ Others have emphasized the master-servant nature of the husband-wife relationship, a favorite argument of earlier courts, in justifying the husband's proprietary right to his wife's services since under common law wives, unlike their husbands, are not entitled to their spouses' services and have no right to bring action for its loss.²³¹

In 1950 in the case of *Hitafter v. Argonne Co., Inc.*, the District of Columbia Circuit Court of Appeals abandoned the traditional one-sided view of consortium and ruled that the interests of the husband and wife in each other's society and services is equal.²³² However, few jurisdictions have followed the *Hitafter* precedent and continue to rule according to the old common law rule. By 1964 twenty jurisdictions had repudiated the *Hitafter* position.²³³ On the other hand, Dean Prosser is convinced that the trend is definitely toward the *Hitafter* stand. In 1964, he found twelve jurisdictions that had adopted this approach.²³⁴ The trend appears to be following Prosser's predictions, but it is a slow process and at this time the vast majority of the states continue to deny a wife the right to damages for loss of her husband's consortium. It should be noted that in numerous instances state courts have declared that they feel that it is the place of the legislature not the judiciary to change this ancient rule.²³⁵

While the consortium rule recognizes the husband and wife as separate people, the doctrines of spousal conspiracy and presumed coercion are like tort law in that they are based on the idea of the ascendancy of the husband in the marriage. Throughout the United States the crime of conspiracy has been broadly defined as "a combination between two or more persons to do or accomplish criminal or unlawful acts, or to do a lawful act by criminal or unlawful means."²³⁶ Because of the common law fictional unity of spouses, in all but four of the United States today a husband and wife cannot be found guilty of the crime of conspiracy.²³⁷ Since 1960 federal courts have rejected this rule by virtue of the U.S. Supreme Court

ruling in *United States v. Dege*.²³⁸ Chief Justice Earl Warren's dissent to the majority opinion is a significant indicator of the inordinate influence that precedent, regardless of how ancient it may be, has in the American legal system. Thus, Chief Justice Warren declared that he was not convinced that "a rule accepted by so many people for so many centuries [could be] so lightly dismissed." Furthermore, he felt that "the power to depose belongs to Congress not to this Court."²³⁹ Kanowitz has emphasized that in addition to the fact that this rule places a wrong-doer--the wife in a conspiracy case--out of the reaches of criminal law, the greatest significance of this law is that it is a contemporary legal endorsement of the principle of male superiority and woman's subordination.²⁴⁰

In most of the states a wife may be exempted from punishment for certain crimes on the basis of a one thousand year old doctrine called presumed coercion. In 1941 the Oklahoma Supreme Court defined this common law rule as follows:

Where a crime, with some exceptions, was committed by a married woman, conjointly with or in the presence of her husband, prima facie she was not criminally liable, as it was presumed that she acted in obedience to his command and under his coercion.²⁴¹

Interestingly, this rule does not spring from the fiction of coverture, as one might expect, but from the desire of the administrators of the English legal system of many centuries ago to save married women accused of certain crimes from the death penalty.²⁴² Kanowitz's survey in the late 1960's shows that the doctrine of presumed coercion is still very much alive and has been accepted or reiterated in several states since 1950.²⁴³ On the other hand, in some cases, such as *People v. Stately*, California, 1949, the courts

have attempted to reject the principle.²⁴⁴ In this instance complete rejection was not possible since the principle was upheld by state statute which accords a married woman the right to defend herself against criminal charges on the grounds that she had committed a crime at the command of her husband.²⁴⁵

Perhaps the most peculiar law of all that differentiates between the sexes relies on a legal invention known as the "unwritten law" defense. The law apparently invoked in this instance is the all-time favorite in the masculine mystique--"the law of the jungle." Under this law in a number of the states a man may kill his wife's lover and not be prosecuted because the "unwritten law" defines the action as justifiable homicide; however, a wife is not accorded the same privilege in case she kills her husband's lover.²⁴⁶ The New Mexico statute is typical and clarifies the circumstances when the "unwritten law" defense is applicable.

Upon a prosecution for murder or manslaughter, in addition to other defenses which may be offered, it may be shown as a complete defense that the homicide resulted from the person's use of deadly force upon another who was at the time of the homicide in the act of having sexual intercourse with the accused's wife. In order for this defense to be available to the accused, the accused and his wife must have been living together as husband and wife at the time of the homicide.²⁴⁷

As Kanowitz has rightly pointed out, the one-sidedness of the "unwritten law" defense is another obvious example of the American legal system's endorsement of the double standard.²⁴⁸ Moreover, not only is the male officially allowed to feel a greater anger and resentment when faced with his wife's infidelity than she is when confronted by his sexual transgression, but laws like these seem to actually approve and encourage the male indulging in extreme

violent behavior.

Abortion and the Law

Abortion legislation and practice in the United States

In the United States abortion has been regulated by state statutes and federal laws governing the use of the mails, interstate commerce, and importation of materials.²⁴⁹ The history of American abortion legislation begins in the nineteenth century and continues being made each day as the country moves through a period of reform and revision in the 1970's. Revision has been forced upon many reluctant states by the January 1973, U.S. Supreme Court ruling invalidating all of the state abortion laws that will be discussed below. Today the states are occupied with developing new regulations within the Supreme Court's guidelines.

As in most other areas of American law, English common law has been the foundation of the various abortion statutes. From colonial days until the passage of the first state abortion law in Connecticut in 1821, the American legal attitude toward abortion was identical to English common law, which ruled that the deliberate aborting of a child after "quickening"²⁵⁰ was: 1) "murder or manslaughter if the child died after birth"; or 2) "a misdemeanor if the child was stillborn."²⁵¹ If the fetus were aborted before quickening the act could be punished as an attempted felony or as assault and battery if the pregnant woman had not given her consent.

As a part of the humanitarian movement of the mid-nineteenth century, American society began looking to the government for protection of the health and safety of the citizens.²⁵² Three

specific factors aided in including abortion reform within this movement: dislike of the back-street abortionist, the great danger associated with any kind of surgery in the pre-Lister period,²⁵³ and the energetic efforts of arch moralists such as Anthony Comstock,²⁵⁴ who worked tirelessly to impose their code of morality upon the nation.²⁵⁵ Lawrence Lader is convinced that the American abortion laws of the last century directly reflect a "Puritanical obsession with sin." This "attitude, resting firmly on the belief that if an unmarried girl becomes pregnant she must be punished," resulted in strict regulation of contraceptive information and devices and abortion procedures since both eliminated the visual product, hence evidence of her breaking the double standard code of morality. Lader has pointed out that the American abortion laws that existed up to 1973 were an inheritance of Victorian puritanism and were based upon premises that have long been discarded by society.²⁵⁶

Following Connecticut's lead, in the 1840's and 1850's other states quickly passed laws restricting abortion to cases requiring it to preserve a woman's life. Four states--Louisiana, Massachusetts, New Jersey and Pennsylvania--did not permit legal abortion under any conditions under their original statutes.²⁵⁷ The main characteristic of these early laws, indeed, all American laws before 1967, was their vagueness. The Association for the Study of Abortion noted in an analysis of these laws that they "do not state whether an objective, subjective, or good faith interpretation" of such key terms as "life," "health," and "unlawful" is meant.²⁵⁸

In this century very little was heard about abortion until 1936 when Frances Taussig wrote Abortion, Spontaneous and Induced:

Medical and Social Aspects.²⁵⁹ In 1942 a conference on abortion held under the auspices of the National Committee on Maternal Health concluded that little more could be done to legally repress abortion and, most importantly, called for widespread sex education of the American people in anatomy and physiology and as well as contraceptive techniques. In 1955 the Planned Parenthood Federation of America met to discuss illegal and therapeutic abortion.²⁶⁰ A survey of the state abortion statutes on the books at that date showed that all of the states permitted abortion. The main difference between the states was the extent to which abortion was found justified beyond saving the pregnant woman's life. Briefly, in 1955 abortion was sanctioned in the United States under the following conditions:

1. Forty-five states only to save the life of the woman.

Six of these also permitted abortion to save the life of the unborn child (induced premature delivery). Two expanded the concept of "life" to include "to preserve the life or health of the woman."

2. Two states "to prevent serious or permanent bodily injury."

3. Two states "to preserve the life or health of the woman."

4. Fourteen states on the basis of medical recommendation as well as the "peril of necessity."²⁶¹

The Arizona law, taken almost verbatim from the California Code, was typical of the most commonly found rule, which limited abortion to saving a woman's life.²⁶²

A person who provides, supplies, or administers to a pregnant woman, or procures such woman to take any medicine, drugs or substance, or uses or employs any instrument or other means whatever, with intent thereby to procure the miscarriage of

of such woman, unless it is necessary to save her life, shall be punished by imprisonment in the state prison for not less than two years nor more than five years.²⁶³

Throughout all fifty states and the District of Columbia the performing of non-authorized abortion operations has been traditionally deemed a criminal act subject to prosecution. The general rule was that the state carried burden of proof to verify that an abortion was unwarranted. However, circumstantial evidence, such as showing that the woman enjoyed good health prior to the abortion, was recognized as adequate proof. Twenty-two states did not have a rule governing burden of proof. It is interesting that of the states permitting therapeutic abortion only three required that the operation be performed only by or under the direction of a licensed physician.²⁶⁴ Throughout this century, until the very recent abortion reforms, all of the states punished those who attempted abortion with one to fourteen years imprisonment and fines running from \$100. to \$1,000. In a number of states the pregnant woman was seen as a victim rather than an accomplice to the offense of abortion and there was no provision to prosecute her. No aborted woman has ever been prosecuted under any of the American criminal abortion codes.²⁶⁵

After extended debate throughout the 1960's several states adopted statutes that were more specific and somewhat less restrictive than the old laws. Between 1967-1971 eleven states adopted new rules that closely followed the American Law Institutes Model Abortion Law. The model reads as follows:

A licensed physician is justified in terminating a pregnancy if he believes that there is substantial risk that continuance of the pregnancy would gravely impair the physical or mental health

of the mother or that the child should be born with grave physical or mental defect, or that the pregnancy resulted from rape, incest, or other felonious intercourse.²⁶⁶

Under the Model Penal Code Sect. 207.11 unjustified abortion is defined as follows:

A person who purposely and unjustifiably terminates the pregnancy of another otherwise than by a live birth commits a felony of the third degree, or, when the pregnancy has continued beyond the twenty-sixth week, a felony of the second degree.²⁶⁷

Oregon's law, based upon the suggestions of the American College of Obstreticians and Gynecologists, is similar to the American Law Institute's model.²⁶⁸ By 1971 four states--Alaska, Hawaii, New York and Washington--placed no legal restrictions on grounds for which an abortion might be performed by a physician, and the decision for the operation was left to a woman and her doctor. Table 4 summarizes the indications for legal abortion recognized under state abortion laws in 1971.²⁶⁹

In January 1973, the U.S. Supreme Court invalidated all of the state abortion laws in a landmark ruling in which abortion was essentially removed from the realm of criminal law and made a private matter between a woman and her doctor. This ruling will be discussed later.

The specifics of the so-called liberal abortion laws included time limits varying from sixteen to twenty-six weeks. Some states had no time limit. Residency requirements varied from unspecified to four months. Eleven of the states required some sort of consultation with doctors and review boards beyond the pregnant women's private physician. Six states required parental approval when the woman was a minor and two the husband's consent.²⁷⁰ Abortion costs

TABLE 4.--Legal indications for abortions in the United States, 1971

State	Year adopted	Life	Saving Mother's				Fetal deformity	Forcible rape	Statutory rape (age)	Incest
			Health	Physical health	Mental health	Physical health				
Alabama	1951	x	x							
Alaska	1970	Abortion legal for any reason if performed in hospital by M.D. on "non-viable fetus"								
Arizona ^a	1865	x				x			x	
Arkansas	1969	x	x				x			
California ^a	1967	x		x			x(15)	x	x	
Colorado ^a	1967	x	x	x		x	x(16)	x	x	
Connecticut	1860	x								
Delaware ^a	1969	x	x	x		x			x	
Dist. of Col.	1901	x	x							
Florida	1868	x								
Georgia ^a	1968	x	x			x		x(14)		
Hawaii	1970	Abortion legal for any reason if performed in hospital by M.D. on "non-viable fetus"								
Idaho	1863	x								
Illinois	1874	x								
Indiana	1838	x								
Iowa	1843	x								
Kansas ^a	1969	x	x	x		x		x(16)	x	
Kentucky	1910	x								
Louisiana	1914	x								
Maine	1840	x								
Maryland ^a	1968	x	x	x		x			x	
Massachusetts	1845	x								
Michigan	1846	x								
Minnesota	1851	x								

TABLE 4--Continued

State	Year adopted	Saving Mother's					Fetal deformity	Forcible rape	Statutory rape (age)	Incest
		Life	Health	Physical health	Mental health	Health				
Mississippi	1966	x								
Missouri	1835	x								
Montana	1864	x								
Nebraska	1873	x								
Nevada	1861	x								
New Hampshire	1848	x								
New Jersey ^a	1849	x								
New Mexico	1969	x		x		x	x	x(16)		
New York	1970					Abortion legal if performed by M.D. in first 24 weeks				
North Carolina ^a	1967	x	x			x			x	
North Dakota	1943	x				x				
Ohio	1841	x								
Oklahoma	1910	x								
Oregon	1969	x		x		x	x	x(16)	x	
Pennsylvania	1860									
Puerto Rico	1913	x								
Rhode Island	1896	x								
South Carolina ^a	1970	x		x			x			
South Dakota	1929	x								
Tennessee	1883	x								
Texas	1859	x								
Utah	1876	x								
Vermont ^a	1867	x							x	
Virginia ^a	1970	x		x			x			

Unlawful abortion is a felony--no definition of "unlawful"

TABLE 4--Continued

State	Year adopted	Saving Mother's				Fetal deformity	Forcible rape	Statutory rape (age)	Incest
		Life	Health	Physical health	Mental health				
Washington	1971	Abortion legal for any reason if performed in a hospital by M.D. on a "non-viable fetus"							
West Virginia	1848								
Wisconsin	1858								
Wyoming	1869								

^aPatterned after American Law Institute Model Abortion Law.

^b"non-viable fetus" is defined as one which cannot survive outside the womb. Generally, the fetus does not become viable until after the sixth month.

Source: Richard L. Worsnop, Abortion Law Reform, Educational Research Reports No. 4 (Washington D.C.: Congressional Quarterly, Inc., July 24, 1970), 557; and Book of the States 19 (1972-73), p. 405.

varied from \$145.00 to \$700.00 according to data collected by the U.S. Department of Health, Education and Welfare.²⁷¹

The dozen states that had reformed their abortion statutes based upon the American Law Institute's Model Code before the 1973 ruling did so with the hope of making abortion easier to obtain, thus eliminating the need for resorting to dangerous illegal operations. However, this goal had not been achieved since the cost of the hospital and surgical fees as well as the psychiatric consultations required in some states placed safe therapeutic abortion beyond the pocket-books of all poor women and many middle class women without personal resources. Furthermore, physicians and hospitals in many instances had shown reluctance to handle abortions either on moral grounds or because they felt uncertain of their liability under the new laws.²⁷²

At the present time comprehensive statistics regarding legal or illegal abortions in the United States are not available. A system for gathering abortion data is required by law in fourteen of the sixteen states with recently reformed laws; however, reporting is still not uniform or complete.²⁷³ Thus, sample surveys and local hospital records are the only source of data on therapeutic abortion rates in the United States during the past thirty years. Table 5 below shows the hospital abortion rates for New York City since World War II, and Table 6 gives some indications of ethnic and racial patterns as found in a 1963-1965 Professional Activities survey (P.A.S.). Robert E. Hall found from a mail survey of sixty American hospitals between 1957-1962, that an average of 1,039 therapeutic abortions per 522,600 deliveries were performed, or a ratio of 2.0 hospital abortions per 1,000 live births.²⁷⁴ The findings of a

Professional Activities Survey conducted in selected hospitals provide a sample of the indications for which therapeutic abortions have been performed in the recent past in the United States and are summarized in Table 7.

TABLE 5.--Therapeutic abortions and rates, from hospital fetal death records, New York City

Year	Number of Abortions	Ratio/1,000 Live Births
1945	720	5.1
1950	565	3.5
1960	290	1.8

Source: Christopher Teitze, "Therapeutic Abortion in the U.S.," American Journal of Obstetrics and Gynecology, 101 (July 15, 1968), p. 785.

TABLE 6.--Therapeutic abortions in P.A.S. hospitals by region and ethnic group, United States, 1963-65

Region	Deliveries		Therapeutic Abortions	
	Actual	Adjusted ^a	Number	Ratio
Northeast	330,747	318,738	795	2.5
North Central	515,327	519,751	477	0.9
South ^b	81,639	92,274	185	2.0
West	139,891	136,841	550	4.0
White	977,314	961,676	1,895	2.0
Non-white	90,292	105,928	112	1.1

^aAdjusted for deliveries in Roman Catholic hospitals.

^bRelatively few hospitals participated in the survey compared to other regions.

Source: Teitze, "Therapeutic Abortion in the U.S.," pp. 784-85.

TABLE 7.--Abortions in P.A.S. hospitals by indication, United States, 1963-1965

Indication	1963		1964		1965	
	No.	Ratio	No.	Ratio	No.	Ratio
Deliveries	307,434		349,129		411,041	
Abortions, indication not stated	62	0.20	139	0.40	148	0.36
Psychiatric	174	0.57	192	0.55	314	0.76
Rubella (Gr. measles)	18	0.06	313	0.90	103	0.25
Other	163	0.44	179	0.51	229	0.56
Total	390	1.27	823	2.36	794	1.93

Source: Teitze, "Therapeutic Abortion in the U.S.," pp. 785-86.

While there is no way of accurately reporting illegal abortions, various estimates are available. In 1955 the Planned Parenthood Federation was told that between 200,000 and 1,200,000 illegal abortions were performed annually in the United States, a ratio of between 50 and 300 per 1,000 live births.²⁷⁵ J. R. Abernathy estimated that there were 698,914 illegal abortions performed in 1955, or a ratio of 173 per 1,000 live births. He estimated that 829,202 (235/1,000) were performed in 1967.²⁷⁶ Early in 1968 Michael S. Burnhill projected the illegal abortion rate to be between 650 thousand and 1.3 million yearly.²⁷⁷

The pressure for comprehensive abortion reform in the United States grew rapidly during the 1960's as popular attitudes, including those of Catholics, changed with amazing speed.²⁷⁸ By 1970 a number of legal and legislative challenges had been made of state abortion rules with mixed success. On April 21, 1971, a Federal District Court decision in *United States v. Vuitch* was reversed by the U.S.

Supreme Court when the 1901 District of Columbia abortion law was found neither unconstitutionally vague nor in violation of the right of a woman to determine her reproductive life, as had been found by the lower court. However, the ruling that the prosecution carries the burden of proof that the abortion is not necessary for preservation of a woman's life or health substantially reduced a doctor's legal risk in performing an abortion operation. Furthermore, the Court ruled that "health" included both psychological and physiological well being, and that a patient may qualify for therapeutic abortion on psychological grounds without having a previous history of mental illness. In general, the area of abortion has been troublesome to the courts and several appeals to the Supreme Court have had problems in establishing court jurisdiction and procedures.²⁷⁹

On January 27, 1973, the U.S. Supreme Court decision in the case of Roe v. Wade, involving an 1859 Texas statute, invalidated all of the state abortion laws with one sweep by revoking the state's interest in abortion during the first trimester of pregnancy and restricting the state's interest during the second trimester to the health of the mother and in the third trimester to the health of mother and fetus.²⁸⁰ Briefly, the ruling bans all residency requirements, endorses clinic abortions, and leaves the decision of abortion to the woman and her doctor through the sixth month. State regulation is permissible after the first three months of pregnancy, but is limited to regulations designed to preserve and protect maternal health including the qualifications of the abortionist and where the operation may take place, for example, in a hospital rather than clinic. Hospital committees with the power to superimpose

their judgment on the woman's personal physician are expressly forbidden. In the third trimester the state may prohibit abortion.²⁸¹

The present reforms in the American abortion statutes brought over from the last century reflect a sharp break with precedent and traditional thinking. Up to the time of the Supreme Court ruling--which was unexpected in all quarters--legal reforms had been enacted on a state-by-state basis, and only after heated battles. Impetus for abortion reform has come from the American women's movement and the Zero Population Growth wing of the ecology movement. However, support of abortion reform has enjoyed support beyond the committed women's groups. Indeed, a 1971 study of abortion and public opinion in the United States found that legalized abortion on demand has been supported the most widely by persons described as: "non-Catholic, male, well-educated, establishment."²⁸² Perhaps this explains why abortion reform has been accomplished with amazing speed compared to typical social reforms dealing with domestic issues.

The conservative forces favoring the old attitude toward abortion have gathered under the masthead of "Right-to-Life," and undaunted by the Supreme Court decision are waging a vigorous campaign across the United States for a Federal Constitutional amendment guaranteeing human and life rights for the unborn fetus. Meanwhile, most of the states are preoccupied with clarifying the application of the new ruling in their state and creating whatever regulations they feel necessary. By spring 1973, it appeared that some states were attempting to closely regulate abortion and limit its availability more than is permissible under the 1973 decision guidelines. Undoubtedly, in the future there will be many court challenges of

such unconstitutional state regulations. In the final analysis, the greatest importance of the 1973 Supreme Court decision is its basic recognition of the individual woman's personal autonomy and the privacy of the physician-patient relationship.

Abortion legislation and
practice in Sweden

In view of the relative liberalness of Swedish abortion statutes of the past thirty years compared to the traditional American regulations, it is ironic that earlier the reverse was true. The first Swedish law on abortion can be traced to the old Västergötland thirteenth-century rule forbidding any form of induced abortion. During the fifteenth century heavy penalties were levied on breakers of this law, and in the seventeenth century the death penalty was decreed as just punishment. The great General Code of 1734 preserved the death penalty until 1864 when the law was liberalized and the punishment reduced to a maximum of six years of penal servitude. Although Swedish abortion rules were amended in 1890 and 1921, under no condition could a therapeutic abortion be legally performed. However, in practice the operation had been unofficially sanctioned by the medical profession for extreme medical indications. The number of illegal abortions rose sharply in the 1920's and by the mid-1930's many Swedes were alarmed by the fact that over seventy women a year were known to die from complications accompanying criminal abortions. Hoping to reduce the number of criminal abortions, a commission was appointed in 1934 to study the problem of new abortion legislation.²⁸³

The work of this committee resulted in the passage of the 1939 abortion law which is still in effect in amended form today. Abortion reform took place in the other Nordic countries about the same time as in Sweden, with Iceland leading the way in 1934 and Norway bringing up the end in 1960 when it made official a long observed liberal interpretation of the old law. Amendments have been added to the various statutes so that they are today comparable to Sweden's. The Swedish and Danish rules tend to favor medical indications while the Norwegian rules lean heavily on social and humanitarian indications.²⁸⁴

The medical, humanitarian, and eugenic indications for which therapeutic abortion is available are similar to those defined in the American Law Institute's Model Penal Code. Medical conditions exist "when, because of disease, deformity or weakness in the woman, the birth of the child would endanger her life or health."²⁸⁵ In addition to purely medical indications, social inferences are present in this clause. It has been stated that the drafters of the law had the exhausted and worn-out mother in mind when formulating this paragraph.²⁸⁶ The humanitarian paragraph covers situations "When the woman was impregnated under certain conditions set forth in the penal code, particularly if she was made to submit to intercourse against her will, as in rape; or if she was impregnated before she was 15."²⁸⁷ In certain of these cases, such as rape, the abortion is authorized only if the father of the expected child is prosecuted, thereby guaranteeing that the procedure is within the law.²⁸⁸ Eugenic indications are found to exist "When there is reason to believe that the expected child will inherit a mental disease, mental

deficiency and/or a severe disease of deformity of other nature, either from its mother or its father."²⁸⁹ If the eugenic indication results from hereditary defects from the mother's side it is usually required that she be sterilized at the time the abortion operation is performed.²⁹⁰ The law is discriminatory here since if the hereditary defect originates from the father's side the law does not require that he be sterilized, as it does the woman.

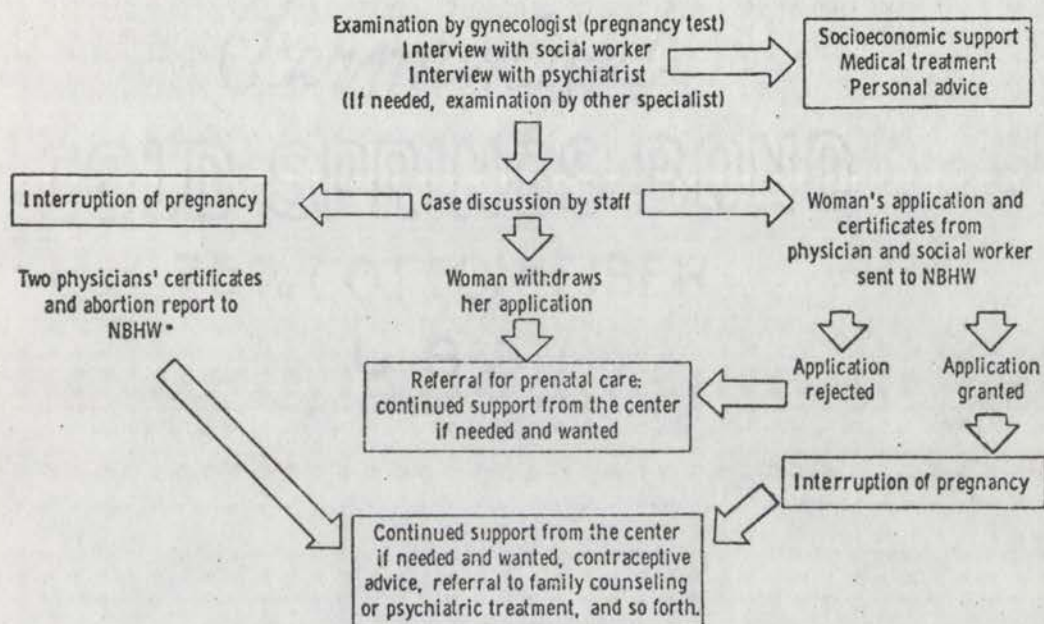
The statute has been amended twice since its inception. In 1946 an additional sociomedical indication was added to the above which became known as the "anticipated weakness" clause: "Abortion is also permissible when, in view of the woman's living conditions and other circumstances, it can be assumed that the birth and care of the expected child will seriously undermine her mental or physical health."²⁹¹ The important aspect of this ground is that disease, bodily defect, or weakness need not actually exist at the time of the recommendation for abortion. The strong possibility of future development is enough.²⁹² This indication is not found in the American Model Penal Code. In June 1963, another paragraph was added underwriting abortion "When there is reason to assume that the child will suffer from severe disease or deformity because of injury during fetal life."²⁹³ This clause is aimed at cases in which the fetus may have been injured by infection (e.g. German measles), drugs (e.g. Thalidomide), roentgen rays or Rh-sensitization. This indication is present in the American Law Institute's Model Penal Code.

It has been officially pointed out that "purely social" indications are not adequate grounds for a legal abortion according to any of the present Scandinavian laws. However, the borderlines

between medical, sociomedical, and social indications are not clearly defined in the laws but are left to the physicians, examining boards, and committees to decide. It is impossible to understand the exact meaning of such vague terms as "serious danger" or "potential weakness" in connection with evaluating the social influences on health, hence over the years there have been rather wide individual and local variations in interpretation.²⁹⁴ Contrary to popular belief abroad, abortion has never been available on request in Scandinavia, although each request is given careful and humane consideration.

For years the Scandinavian abortion centers have been praised throughout the world by those seeking abortion reforms in their own land, as the model of a humane realistic approach to the problem of unwanted pregnancies. Figure 1 illustrates the procedure followed by a woman in Sweden applying for abortion at a consultation center. All applications must be made in person by the pregnant woman or her parents or guardian if she is under twenty-one.²⁹⁵ A special aspect of the Swedish procedure is the requirement that the woman applicant submit a number of personal documents. These include a detailed biographical sketch covering "all the circumstances in the woman's life bearing on the application for abortion."²⁹⁶ This document is required to include details about her family history, parents, childhood environment, sexual development, children, finances, sexual life, and dwelling place. The woman may not write this highly personal paper herself but a relative, such as a husband, or a social worker writes it from the details that he or she might be able to gather on the woman's life.²⁹⁷ The pregnant woman is never seen

FIGURE 1
PROCEDURES FOLLOWED IN APPLYING FOR AN ABORTION
AT A SWEDISH CONSULTATION CENTER



*NBHW: National Board of Health and Welfare.

Source: Robert E. Hall, ed., *Abortion in a Changing World*,
I (New York: Columbia University Press, 1970), p. 319.

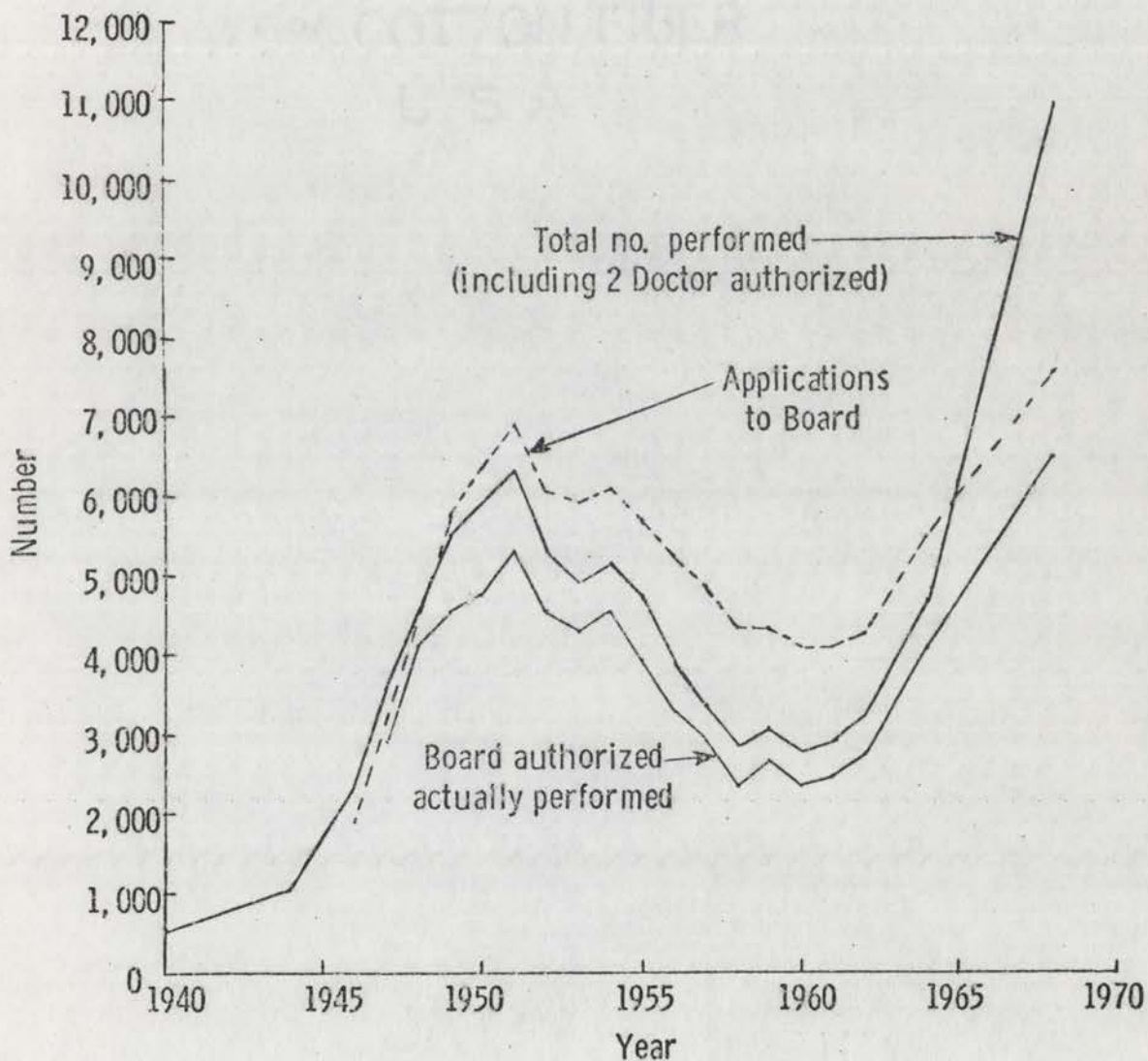
in person, the decision on her application being made strictly on the basis of the documents submitted.²⁹⁸ These and other aspects of the procedure rules have been severely criticized in Sweden as dehumanizing and impersonal. Approval of an application may be made by either two doctors or the State Medical Board. Until the late 1960's most cases were referred to the Board. There now appears to be a trend toward doctors taking increasing responsibility for the decision. Naturally, the doctors making the decision greatly

expedites the procedure and helps avoid a hazardous late abortion operation. If permission is obtained the abortion must be performed in a public hospital by a staff surgeon without any special fees before the end of the twentieth week of gestation, although this is extended to the twenty-fourth week in special cases.²⁹⁹

Ever since the passage of the 1939 law therapeutic abortions have been closely controlled and at no time have all applications been granted. Figure 2 shows the ratio of granted applications for the past thirty years. It should be noted that about the mid-1960's the number of applications rose as did the percentage of applications granted. In fact, there were twice as many legal abortions performed in 1967 as in 1964. Accompanying this rise has been a sharp increase in the number of abortions granted on the basis of the two-doctor permission. Moreover, the statistics show that there has been a significant increase in the number of requests granted to unmarried and first-pregnancy women. Figure 3 shows the change in the indications for which abortions have been performed. Disease, earlier the main ground, has become insignificant while "anticipated weakness" is the most rapidly increasing indication used.

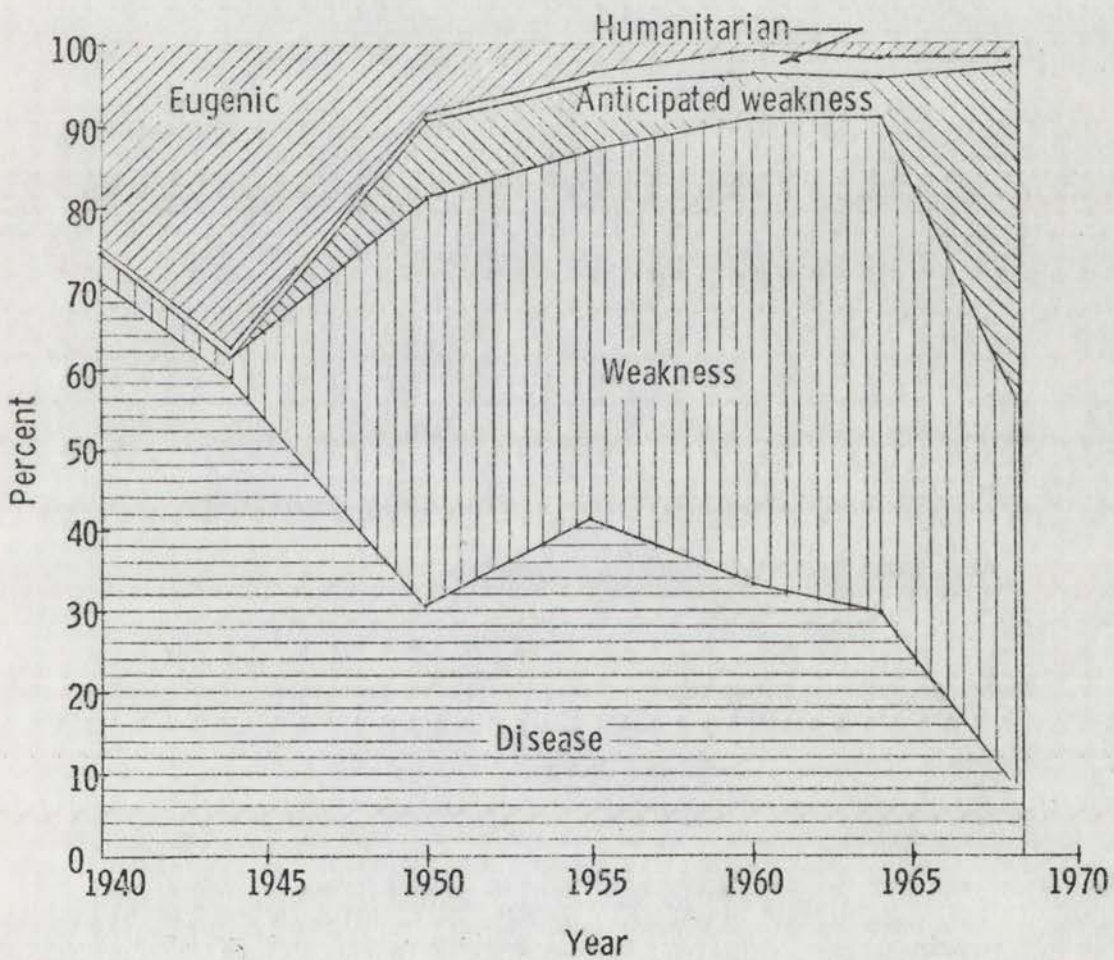
In trying to account for this rather dramatic shift in the pattern of legal abortions Daniel Callahan has suggested four influences: 1) the existence of the 1965 official committee, which suggests that revision is just around the corner; 2) a more tolerant attitude among doctors, many of whom were rather negative toward abortion until recently; 3) the absence of organized effective opposition; and 4) the substantial increase in the number of women applying for abortion.³⁰⁰

FIGURE 2
 NUMBER OF ABORTIONS APPLIED FOR AND PERFORMED:
 SWEDEN, 1940-1970



Sources: Therapeutic Abortion and the Law in Sweden (Stockholm: The Swedish Institute, 1964), p. 9; ibid. (rev. ed. 1971), p. 2.

FIGURE 3
INDICATORS FOR LEGAL ABORTIONS: SWEDEN, 1940-1968



Sources: Therapeutic Abortion and the Law in Sweden (Stockholm: The Swedish Institute, 1964), p. 9; ibid. (rev. ed., 1971), p. 2.

Gunnar af Geijerstam in 1967 offered two explanations for the form therapeutic abortion practice has taken in Scandinavia. The first is the desire to combat maternal death and serious illness resulting from illegal abortions. The second reason is fairly unique to the Nordic countries and is linked with their relatively well developed social welfare system. The Swedish ideal is that only wanted children should be born, thus the effort is to promote the use of contraceptives and in the event of an unwanted pregnancy place society's welfare resources at the woman's disposal and through various kinds of support try to change an unwanted pregnancy to an accepted, indeed, welcome one. The official feeling is that only after the society's resources, such as personal counseling and economic and housing aid, have been offered should an operation be considered. It is important to note that urging the unmarried woman to marry the child's father is not a part of the counseling program. The ideal is to create a genuinely constructive and therapeutic setting where social and medical assistance is given to the woman whether she aborts or not.³⁰¹

One of the initial motivations for abortion reform in Sweden and forces molding the present day outlook was the desire to destroy the criminal traffic in illegal operations. There is some question if this goal has been realized. A Swedish government investigation of illegal abortion in the 1940's concluded that in 1930 there had been about 24,000 illegal abortions performed on Swedish women and in 1949 there had been about 10,000.³⁰² In 1971 the government-sponsored Swedish Abortion Committee reported that because of liberal interpretation of the 1939 abortion statute in recent years few

Swedish women find it necessary to resort to illegal operations.³⁰³ Estimates made by members of the Ministry of Justice in the late 1960's set the number of illegal abortions performed annually in Sweden at between 2,500 and 5,000.³⁰⁴

However, studies done elsewhere in Scandinavia suggest that over the past three decades the Nordic laws have failed to eliminate, or even reduce, according to some experts, criminal abortion. A Danish expert finds it difficult to estimate the increase in illegal operations, however he is convinced that in Denmark "the number is very high, perhaps 12,000 yearly."³⁰⁵ This would be more than twice as many illegal as legal abortions. In Norway Dr. Per Kolstad has observed that "We must surely be allowed to reckon at least 15 to 20 percent of all women whose applications for abortion in hospitals are refused, have an abortion performed elsewhere--in many cases by a quack, in spite of the risk thus involved."³⁰⁶ In view of the clandestine nature of illegal abortion it is hard to determine who is correct regarding criminal abortion rates in Scandinavia. However, it appears that the Swedes are alone in their optimistic estimate regarding the elimination of criminal abortion.

There have been incidents in the past decade to suggest that the relative tightness of the Swedish therapeutic abortion control continues to force Swedish women to seek illegal abortion, although they may tend to take the form of foreign abortions, notably in Poland and Eastern Europe. This practice became a national issue in 1965 when a Swedish student association began organizing abortion trips to Poland for students. The Swedish government suppressed this traffic by declaring the women securing abortions

abroad--in countries where the pregnant women was committing no crime under the statutes of that nation--liable for criminal prosecution under the Swedish abortion law. Many Swedes shared the opinion of one of the most outspoken opponents of the action against Swedish women obtaining foreign abortions, Jan Myrdal, son of Alva and Gunnar Myrdal, that it was absurd for these women to be tried in Sweden for an act committed abroad where it was not considered a criminal act, when this was the only instance in which Swedish citizens were so prosecuted.³⁰⁷

After 1965 some distinct changes began appearing in official and public attitudes toward abortion. The great furor over the Poland abortion trips marks the turning point since it led to the formation of the official Abortion Committee to study the Swedish abortion statutes and practices and make recommendations for possible reform. Similar committees were simultaneously formed in the other Nordic countries.³⁰⁸ The change in many ways took the basic form of a shift in emphasis away from the idea that somehow it should be difficult for a woman to get a legal hospital abortion, to greater concern for her situation and needs as an individual and the fate of the child who might be unwanted. A follow-up study of 249 women who were refused abortions by the National Health Board in Sweden revealed that the unwanted children had a significantly higher rate of personality and social disorders, such as mental illness and delinquency, than children that had been wanted.³⁰⁹ The results of this study were published and caused a great deal of discussion in Sweden that reflected a new kind of concern for the unborn child. Perhaps a child would be best off not being born if it were not wanted since

under these conditions it had a diminished chance for a good adjustment to life.

In addition to these other factors, there has been continuous pressure from Swedish women's and youth organizations for liberalization of abortion laws since 1965. Their core arguments have been that the present statutes and practices do not accommodate all women who want abortions, subject the woman to indignities through probing investigation into her personal life--unheard of for any other type of operation--and are generally overloaded with bureaucratic red-tape. The feeling is that the decision to continue or interrupt a pregnancy should really be left to the woman herself. Broad social and cultural factors underlie the mid-1960's challenge of abortion practices. Of foremost importance is the chronic housing shortage which makes it difficult for couples to find adequate accommodations in which to begin a family, the ever-increasing length of time young women are spending in completing their formal education, the general impact of an active family planning campaign, and a growing women's liberation movement stressing an individual woman's right to freedom of choice and self-determination.³¹⁰

The 1965 Abortion Committee's carefully researched and thought-out report appeared in 1971. Basically, the Committee vetoes the idea of repeal of all abortion laws in favor of some manner of formal regulation in order to safeguard the woman's health and interests. The Committee is convinced that laws should exist mainly to avoid the dangers of abortions performed too late and to ensure that the woman receives full counseling and every means of assistance the society has to offer before she makes the choice of

whether to terminate her pregnancy or not.³¹¹

Regarding the subject of abortion itself the Committee finds that it is time for society to place more confidence in the pregnant woman's sense of responsibility to her unborn child, society, and herself. The main point of the report is that a woman should not be made to bear a child that she does not feel prepared to accept and care for at that time in her life. The Committee emphatically recommends abolition of the present prohibitions against abortion and refers to the present prohibitions as evidence of society's failure to be responsible to the woman. Rather than penalizing a woman who finds herself with an undesired pregnancy, society should give her every means of support to help her evaluate her circumstances and decide if it is wiser to take on the responsibility of parenthood or to abort at this time.³¹²

The present type of abortion counseling agencies, although much admired from abroad as a model, are sharply criticized in Sweden for not offering long term assistance and limiting their services only to the woman who wishes to terminate her pregnancy. The Committee feels that the woman should be offered comprehensive social and psychological counseling in addition to the presently offered physical and health care, and that these services should be available at the same center for both wanted and unwanted pregnancies. As a part of their call for speedy improvement in family planning and general contraception services, thereby preventing the necessity for abortion through good contraception technique, the new center should offer multi-services including contraception and counseling, and advice for new parents or expectant parents. Emphasis is placed

on the importance of recognizing the man's involvement in the reproductive process and his need to be given advice and guidance regarding how he can best support the woman in the case of abortion, pregnancy, and childbirth. Moreover, the man should be given the opportunity to learn infant and child care and be allowed to remain with the woman while she gives birth.³¹³

The Committee strongly emphasizes that it does not endorse ready abortion as a new method of birth control per se, but as an appropriate "last resort" measure because of the health strain involved in an operation. However, abortion legislation is endorsed for protecting the woman against the activities of unqualified persons. Thus, it recommends that all abortions be performed in public hospitals without special charge to the woman by a staff surgeon who is legally protected by rules for guidance of his action in performing an abortion in a particular case. The Committee further recommends clarification of the circumstances warranting therapeutic abortion. The choice to abort or not is felt to be a private matter between the surgeon and the pregnant woman; however, recommendations call for special hospital boards, including lay members, whose task it will be to guarantee her legal security and protect her right to an abortion. The Committee points out that the "question of surgical intervention should be judged from the assumption that she is not obligated to accept the continuance of her pregnancy" rather than the reverse which is presently the case.³¹⁴

The Committee is convinced that it is impossible to word the law to cover all of the conceivable circumstances in which abortion would be appropriate, thus the provisions of the draft law are worded

to cover the widest range of circumstances possible and allow scope for weighing the reasons why the woman should not have the operation. Rather than setting a fixed time limit for the execution of the abortion operation, as under the present law, it is recommended that the community protect the woman by giving her the legal right to an abortion as early in the pregnancy as possible with the procedure that is the least traumatic to her system. Free pregnancy testing is recommended as a means by which early detection of pregnancy would be facilitated.³¹⁵

In view of its recommendation that abortion no longer be regarded as a punishable offense, the Committee feels that no regulations are necessary other than those to protect the pregnant woman's right to a hospital abortion by a qualified physician free of special charge. The present application procedures are sharply criticized for being of little value to the woman who needs personal support and assistance in analyzing her situation rather than impersonal cross-examination of her private life. The currently required sheaf of special documents are found by the Committee totally uncalled for as are other forms of special treatment that distinguish the woman seeking abortion from individuals seeking other types of operations.³¹⁶

Gunvor Bergström, criminal lawyer and secretary of the 1965 Abortion Committee, said in March 1972, that whether the recommendations and legal draft of the Committee are introduced onto the floor of the Riksdag in the next year or two or not is a political question. The subject of revision and liberalization of the present statute is a highly controversial topic in Sweden today, with much opposition

coming from the state church and the conservatives. She felt that the currently weakened position of the Social Democratic Party would hold back speedy review and action on the abortion law by the Riksdag.³¹⁷

Jury Service in the United States and Sweden

The Swedish court system does not use a jury in the same way as the American system. The nearest equivalent is the use of lay assistants to district judges. District courts have a single judge who holds court in the district subdivisions. He is assisted by a committee of eighteen citizens who are elected for six-year terms. These assistants are unpaid, but the job carries much prestige. They, together with the judge, pass judgment on questions of law and evidence. If the assistants disagree with the judge and at least seven are present and unanimously dissent they may overrule the judge. Women have been allowed to serve as lay assistants from the beginning and today actually tend to dominate these posts since those who are housewives have the time and possibility to do this time-consuming, non-remunerative work.³¹⁸

Because the jury system is a key aspect of the American court system participation in jury service is an important part of first-class citizenship. In many ways the history of American women's progress toward full equality under jury service since World War II symbolizes her general progress under the law in this period.

On February 7, 1966, three federal district court judges ruled that "Jury service is a form of participation in the processes of government, a responsibility and a right that should be shared

by all citizens, regardless of sex."³¹⁹ The occasion was the White v. Crook case in which the Alabama statutory exclusion of women from jury service was decreed a violation of the Fourteenth Amendment equal-protection clause. Today, women are eligible to serve on both federal and state juries in all states. The present situation was preceded by an arduous struggle.

According to early English common law juries were made up of males only, except in special cases involving a woman's pregnancy whereupon a jury of matrons was impanelled.³²⁰ Wyoming Territory was the first place in the United States to allow women to serve on juries. By virtue of a 1869 statute Wyoming women were made eligible for both suffrage and jury service, which were construed to be synonymous by the citizens of the territory. The unprecedented Wyoming act brought almost worldwide criticism, but the men of Wyoming upheld women's right to equal participation in civic activities of the territory. When Wyoming received statehood in 1890 women's right to jury service was revoked, not to be restored until 1949. In 1898 Utah became the first state to make women eligible for jury service. At the time of the passage of the Nineteenth Amendment, 1920, only six states allowed women to serve on juries. The adoption of the woman suffrage amendment stimulated interest in making women eligible for jury work and in the following five years fourteen states passed laws allowing women to sit on juries. Twenty-five years later, 1945, women were eligible to serve on state and federal juries in twenty-nine states and the District of Columbia and excluded in seventeen states.³²¹

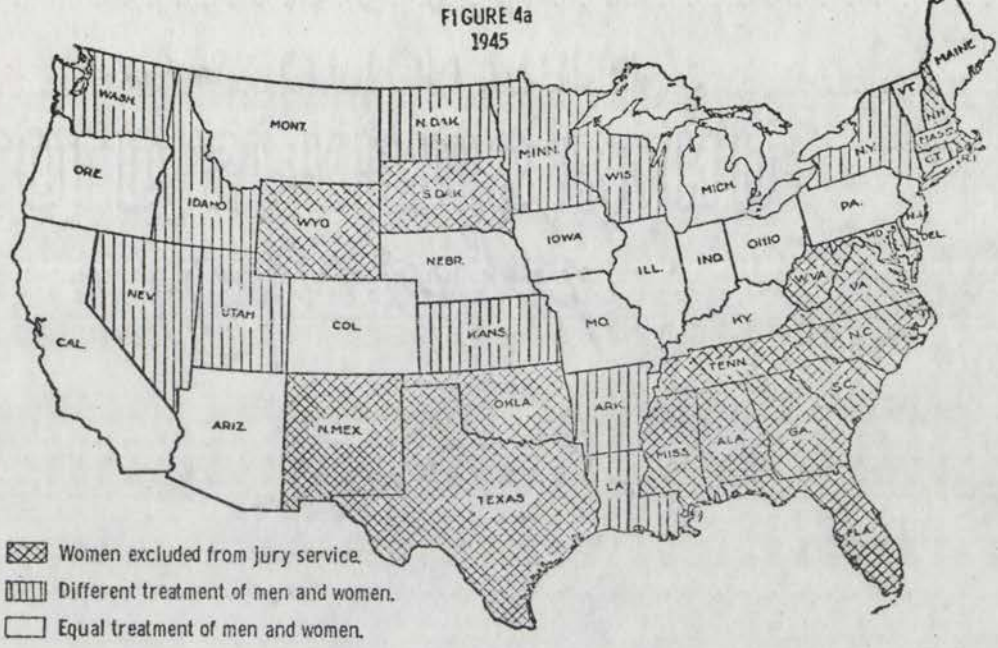
Throughout this century basically two kinds of jury service

have been available to women in the various states: compulsory and voluntary service. Compulsory service means that women are required to serve under the same conditions as men, subject to exemption or release from duty by the presiding judge for reasonable grounds. In some of the states so-called "compulsory laws" permit women but not men exemption for family responsibilities. Voluntary or optional service has been available only to women and permits a woman to refuse jury duty solely on the basis of sex. Figure 4a shows the various capacities in which women served on juries in the United States in 1945. By the beginning of 1950 thirty-eight states, Alaska, and the District of Columbia had removed sex disqualification from their jury laws. This meant that two out of three American women were eligible for either compulsory or volunteer jury service. Three states--Alabama, Mississippi and South Carolina--resolutely resisted all efforts to realize jury service equality until the historic invocation of the equal-protection clause of the Fourteenth Amendment in *White v. Crook* in 1966.

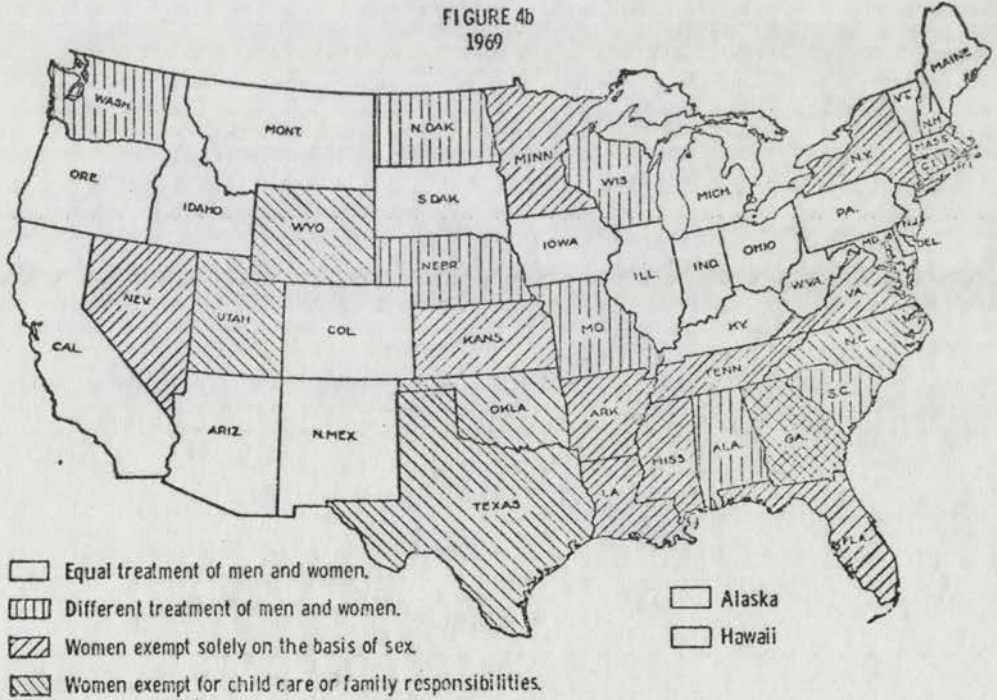
From 1955 to 1965 essentially no progress was made in achieving jury service equality. The 1957 Federal Civil Rights Act stands as the sole significant event of the period. Actually, American women's civil rights received a setback in 1961 when the U.S. Supreme Court ruled in *Hoyt v. Florida* that the Florida statute requiring women to register in order to be eligible for jury service was constitutional both in letter and application. The Court stated:

In neither respect can we conclude that Florida's statute is not "based on some reasonable classification," and that it is thus infected with unconstitutionality. Despite the

FIGURE 4
WOMEN'S PARTICIPATION IN JURY SERVICE:
UNITED STATES, 1945, 1969



Source: Book of the States, 8 (1945-46), pp. 341-42.



Sources: Book of the States, 17 (1968-69), p. 395; and Mead and Kaplan, American Women, Table 8, p. 342.

enlightened emancipation of women from restrictions and protections of bygone years, and their entry into many parts of a community life formerly considered to be reserved to men, Woman is still regarded as the center of home and family life. We cannot say that it is constitutionally impermissible for a state, acting in pursuit of the general welfare, to conclude that a woman should be relieved from the civic duty of jury service unless she herself determines that such service is consistent with her own special responsibilities.³²²

Kanowitz points out that in connection with this ruling the Court readily admitted that the requirement to register in practice excludes the vast majority of women from the possibility of ever being called for jury duty since "women, like men, can be expected to be available for jury service only under compulsion." However, the Court also rejected this argument from the defense as "being beside the point."³²³

The year 1966 heralded a rapid movement out of the doldrums. The March 2, 1966, New York Times noted in an article titled "Women in Congress Score Jury Sex Bias," that eight female "congressmen" had written to the Attorney General urging an end to discrimination in Federal and State court juries, and pointing out that many federal district courts had not fully applied the 1957 Civil Rights Act making women eligible for federal jury work in all states irrespective of state statutes regarding female jury service.³²⁴ This action followed the February 7, 1966, *Crook v. White* ruling on the Alabama woman-exclusion law. The significance of the application of the equal protection under the law clause of the Fourteenth Amendment in this case is reflected in the fact that six states hastened to amend their voluntary jury service statutes to put women on the same basis as men. Figure 4b illustrates the situation of American women in regard to jury service in 1969. Another milestone in the struggle was the

passage of the 1968 Federal Jury Selection and Service Act. The full significance of this Act is best understood in the light of women's status regarding service on federal juries.

Up to 1957 only in states where women were qualified for state jury service were they compelled to serve on federal juries under the same conditions as men. In all other states they were barred. The Civil Rights Act of 1957 removed women's disqualifications for federal jury service in all states. One of the effects of the 1957 Act was to stimulate some states to remove sexually differentiated reservation clauses from their jury service statutes. From the earliest days some states had limited and restricted women's jury service in various ways such as allowing them to serve on petit but not grand juries and barring them from sitting for trials involving certain types of crimes, for example, condemnation cases. Other states had restricted women by excluding them from jury service in places where the "courthouse facilities" (toilets) were not appropriate for women, or requiring women to register with the Clerk of Court before their names could be placed on the jurors list. Because many federal district courts lagged in implementing the 1957 Act, the Committee on Civil and Political Rights of the President's Commission on the Status of Women together with the Judicial Conference and the Department of Justice recommended enactment of further legislation to assure that procedures for selecting the names of qualified persons for jury service do not systematically or deliberately exclude any group from the jury panel, including reasons of sex, race, political or religious affiliation, or economic or social status. The 1968 Federal Jury Selection and Service Act fulfilled this need.

In the opinion of E. Boyd Steele, Head of the Civil and Political Status Branch of the U.S. Women's Bureau, the most controversial issues regarding women on juries today involve the procedures being used to select women jurors and the proportion of women on juries. In 1971 the U.S. Court of Appeals for the Third Circuit ruled in the U.S. v. Zirpolo case that the system used in Newark, New Jersey, in selecting grand jury jurors was discriminatory against women. This system involved sexually segregating and limiting the number of women's names on the jurors list, resulting in a jury consisting of nearly 80 percent males although the state of New Jersey's population is over 50 percent female.³²⁵

In the Louisiana Supreme Court ruling in 1970 in Louisiana v. Alexander,³²⁶ upholding the constitutionality of the state law requiring women to register before being placed on the jurors list, the court system revealed that the progressive judicial outlook reflected in the 1966 White ruling and 1968 Act was not universal. Significantly, the Louisiana court did not discuss the issue but merely cited Hoyt v. Florida, which involved a law similar to the Louisiana statute. In light of the U.S. Supreme Court ruling in Reed v. Reed, November 22, 1971, in which it was declared that the equal protection clause of the Fourteenth Amendment to the U.S. Constitution protected women against arbitrary discrimination under the law, the Florida and Louisiana rulings might well be re-examined.

Kanowitz is convinced that the problem of the moment is to settle upon guidelines to be used in determining whether women, although eligible for jury duty, should be excused for reasons and

by means denied to men. He points out that it is questionable to allow women to determine that jury service is "consistent with their own special responsibilities" yet not allow men this prerogative. Men obviously have special responsibilities. For example, under the traditional nuclear family arrangement these include holding a job and earning a living for themselves and their families. The low jury service fees still typical in most places would obviously represent a hardship for a man and his family if and when he were called to jury service.³²⁷

State statutes allowing women an exception by defect of sex and/or family responsibilities are another example of the all too common practice in American society of classifying all women in a single group, thus ignoring their individual differences in lifestyles, interests, and needs. The type of reasoning reflected in the Hoyt ruling rests on the assumption that all women fall into the single category--women, married, and mothers of young children. The fact that statistically the majority of American women today do not fall into this class is ignored. The suggestion that all women regardless of their personal situations and life-styles are somehow intrinsically "different" from males is implied in the fact that the majority of the state voluntary jury service laws indicate that merely being female is enough to warrant exemption from jury service. It is Kanowitz's opinion that:

Constitutional questions aside, laws that permit women to be excused from jury service on the basis of their sex alone or not to serve unless they volunteer freeze the position of women as second class citizens in the field of political rights. Like the generally lower marriage age for girls as compared with boys, though such laws reflect certain valid policies, they also express present day vestiges of male supremacy doctrines.³²⁸

Legislation Guaranteeing Equality

In the 1960's the Swedish and American governments took unprecedented steps toward guaranteeing equality of treatment under the law for women and men. Most of this action dealt with the very concrete issue of economic activity--equality of opportunity for work and pay. The Swedish government has been the most conservative in this matter, limiting its legal action to endorsing the principle of "equal pay for equal work" by the act of signing the International Labour Organisation (I.L.O.) Convention No. 100 on Equal Pay in 1962.³²⁹ The United States government, undoubtedly under the influence of the wave of reform instigated by the Civil Rights Movement and general minority group agitation, began at this point with the passage of the 1963 Equal Pay Act, but went beyond it to broadly prohibit sexually discriminatory employment practices in hiring and promoting by employers, employment agencies, and labor organizations with Title VII of the 1964 Civil Rights Act. Moreover, this Act provides for legal redress in the courts in the form of money damages and injunctive relief for victims of such practices.³³⁰ The implications of this legislation on women's work will be more fully explored in the chapter dealing with women and work.

Discussions in Sweden and the United States in the 1970's indicate that legislators in both countries are willing to consider the possibility of eliminating discrimination in areas beyond the labor market. Thus far, the Swedish Riksdag has been willing only to consider the problem of racial discrimination, whereas American legislative bodies have dealt with racial discrimination and have gone on to confront the realities of entrenched sexual discrimination.

Congressional ratification of the federal equal rights amendment (ERA) to the U.S. Constitution in 1972, and passage of numerous state equal rights statutes as early as 1963 are evidence of this.³³¹

In 1966 Sweden, cooperating with Nordic legislative reform, established a committee to consider the necessary modifications in national laws required if Sweden were to ratify the United Nations Convention on the Elimination of All Forms of Racial Discrimination. The Swedish endorsement of the Convention, which went into effect in 1971, included only two forms of racial discrimination: 1) statements or other communication threatening, insulting or exposing to hatred, persecution or contempt a person or group of persons because of their race, color, creed, or national or ethnic origins; and 2) refusing anyone goods or services because of race, color, creed, national, or ethnic origins. The Swedish legislation specifically omits certain provisions that are included in the U.N. Convention, the most important of which are discrimination in employment and housing.³³² While Sweden's cooperation in this convention is important since it marks the first time the government has officially recognized the existence of discrimination and the law as an appropriate tool for controlling it, from the viewpoint of women's status the form in which the law was passed signals a defeat. The Folk Party proposed that "sex" be included as one of the forms of discrimination that were being expressly forbidden by the law; however, this suggestion was ignored.³³³

In 1970 the Folk Party introduced motions into both the first and second chambers of the Riksdag calling for the establishment of a law to eliminate sex discrimination in the labor market. The motion

was not taken up and in November of the same year the Folk Party re-introduced the motion into both houses which resulted in an active debate on the floor of the second chamber. However, the motion died there. In January 1971, the Folk Party again introduced the motion into the new unicameral Riksdag. Nothing beyond discussion took place since the party in power, the Social Democrats, have not taken up the issue and until they do the motion can go no further unless the present government falls from power.³³⁴

In January 1972, the Folk Party introduced a motion on men's rights, more as a consciousness-raising action than a serious proposition. The motion basically dealt with the dramatic differences in women's and men's life patterns in such areas as longevity, crime, suicide, alcoholism, and heart disease--all of which are higher for men than women except longevity. Moreover, the basically dehumanizing conditions men are faced with working in the modern bureaucratic technical system were emphasized.³³⁵ There has been no action on this motion.

The Swedish Constitution is currently being studied by an all-party committee whose task is to revise and modernize the document. In the spring of 1972 Gabriel Romanus, Folk Party Riksdagsman from Göteborg, pointed out that the Folk Party has introduced into the revisions the concept of equality of treatment under the law regardless of race, color, creed, age, sex, philosophy, national origins, language, personal condition, social standing, or wealth.³³⁶ Romanus told me that he and his colleagues in the Folk Party, who are working to improve Swedish civil rights including specifically the rights of women, have been much inspired by American efforts

and have patterned their motions for sexual equality after American motions.³³⁷ If resistance to basic Constitutional guarantees of equality for the sexes is as persistent in Sweden as it has been in the United States it will be a long time before Swedish women enjoy this statutory security. At present they, like American women, have no legal guarantee of equality of treatment.

In 1923, just three years after the Nineteenth Amendment to the United States Constitution became law (after a fifty-year struggle), the following amendment was proposed to Congress: "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex." Resolutions proposing an equal rights amendment have been introduced in every Congress since 1923, and hearings were held by the House and Senate Judiciary Committees in 1948 and 1965 respectively. The amendment received repeated favorable reports by the Senate Judiciary Committee over the years and was passed twice by the Senate, in 1950 and 1953. However, both times it was passed with the "Hayden rider" which effectively destroyed the amendment since the rider provided that the amendment "shall not be construed to impair any rights, benefits, or exemptions now or hereafter conferred by law, upon persons of the female sex."³³⁸ In practice the amendment with this rider could easily be interpreted as an endorsement of the status quo.

In 1971 the amendment without the Hayden rider passed the House but not the Senate before the end of the session. In May 1972, after forty-seven years of effort, it passed both houses and was sent out for the requisite three-fourths state ratification. By May 1973, thirty states had ratified the amendment--eight short

of the needed thirty-eight.³³⁹

All of the contemporary knowledgeable sources agree that the Fourteenth Amendment which provides that no state shall "deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws," and the "due process" clause of the Fifth Amendment guarantee women equality under the law.³⁴⁰ However, in the past these amendments have not been interpreted to apply to women in cases involving sexual discrimination. In 1963 the Committee on Civil and Political Rights of the President's Commission on the Status of Women noted that "In no 14th amendment case alleging discrimination on account of sex has the United States Supreme Court held that a law classifying persons on the basis of sex is unreasonable and therefore unconstitutional."³⁴¹ In contrast, the Supreme Court and other high courts have regularly upheld state statutes that differentiate between the sexes.³⁴² On the basis of careful study of a series of rulings in the 1960's Kanowitz has concluded that there might be a change beginning the traditional interpretation of the Fourteenth Amendment to include sex discrimination. However, he concedes that there is very little to indicate that this will be a speedy or comprehensive change.³⁴³ Moreover, in the few positive rulings that have been recently handed down, such as *Reed v. Reed*, the Supreme Court's ruling on sex discrimination has been very restrictive and can in no way be understood as the statement of a broad, general, new policy. It is this fact that persuaded Professor Kanowitz, probably the leading expert on women and the law in the United States, to change his opinion regarding the need for the equal rights amendment in 1970.

He moved from a position opposing the amendment since the Fourteenth and Fifteenth Amendments already guaranteed women equality, which is the opinion expressed in his book in 1969, to serving as a key witness in the Senate Judiciary Committee hearings prior to the Congressional vote on the amendment.³⁴⁴ He and the official memorandum prepared by the Citizen's Advisory Council on the Status of Women have repeatedly stressed that while the courts may in the future interpret the Fourteenth Amendment to cover sex, enactment of the equal rights amendment would ensure that equality and in no way would be detrimental.³⁴⁵

Traditionally in the United States the courts interpret constitutional amendments in light of the intent of Congress. The intent and meaning of the equal rights amendment can be ascertained from the Senate Judiciary Committee reports which have been the same in recent years. The effects the amendment would have on present laws differentiating between the sexes are briefly:

1. The amendment would restrict only governmental action, and would not apply to purely private action. What constitutes "state action" would be the same as under the Fourteenth Amendment and as developed in Fourteenth Amendment litigation on other subjects.

2. Special restrictions on property rights of married women would be unconstitutional; married women could engage in business as freely as a member of the male sex; inheritance rights of widows would be the same as for widowers.

3. Women would be equally subject to jury service and to military service, but women would not be required to serve in the Armed Forces where they are not fitted any more than men are required

to so serve.

4. Restrictive work hours for women only would be unconstitutional (for example, maximum hours, night work, and weightlifting restrictions on women).

5. Alimony laws would not favor women solely because of their sex, but a divorce decree could award support to a mother if she was granted custody of the children. Matters concerning custody and support of children would be determined in accordance with the welfare of the children and without favoring either parent because of sex.

6. Laws granting maternity benefits to mothers would not be affected by the amendment, nor would criminal laws governing sexual offenses become unconstitutional (for example, rape, prostitution).³⁴⁶

Although Congress and the states are authorized by the amendment to create any necessary implementing legislation, the amendment would be generally self-operative as were the Fifteenth and Nineteenth Amendments when they were passed. Briefly, all laws that deny rights or restrict freedoms of one sex only will be rendered unconstitutional and all laws that confer rights, benefits, and privileges on one sex alone would apply to both sexes equally and will not be unconstitutional. Laws which could not possibly apply to both sexes because of physiology will be unaffected.³⁴⁷

Summary and Conclusions

In 1945 there existed few sex-based legal inequities in Sweden's Book of the Law. With the granting of the married woman the right to retain her own name after marriage, the right to retain her Swedish citizenship if married to an alien, and the co-guardianship

with the father of her in-wedlock children the Swedish woman achieved equality under the law, with the only exception being the lesser responsibility for community debts in divorce, the right to inherit the throne, and the obligation to serve in the armed forces. The community debt point will undoubtedly be taken care of in the current revision of the Code of Marriage. At this time it is difficult to say when the right-of-succession and military obligation will be equalized as there does not currently appear to be great interest in these issues.

The rather good situation in the statute book does not mean that there are no unofficial practices in Sweden that do indeed discriminate against women; however, they are out of the realm of the written law. The question of if and when the Riksdag will see fit to legally prohibit sex discrimination or if this clause will be included in the new Constitution when it appears, which may well be many years, is difficult to predict at this time. The Swedish government has not made a practice of using the law to govern activity such as discrimination. It prefers that these practices die out through change in public attitudes. On the other hand, the enactment of the somewhat limited anti-racial discrimination law in 1971 is a precedent that may pave the way to dealing with sex discrimination in a similar way. Moreover, the Social Democratic Party's present goal of realizing equality of all people in Sweden expressly includes sexual equality.³⁴⁸

Viewed as a whole, today in the United States women's legal position is only slightly inferior to men's. However, there are distinct pockets in which women's status is quite inferior to men's, and there are definitely regional patterns with the Southeast (Old

South) standing out as the least progressive area in the country. Women have achieved the highest degree of equality in the area of married women's contract and property rights. However, even here, in spite of the Married Women's Acts, clusters of rules and judiciary decisions maintain the effects of the old common law rule with new rationalizations. Ironically, the community property states are among those that still withhold from the wife freedom of control over her share of the mutual property, thus exposing these states as being less than the married woman's utopia that they are touted to be. Women have also achieved a degree of success in the matter of jury service, equal pay for equal work, work opportunities, and the right to abortion. This is not to say that total equality is an accomplished fact in these areas, for it is not at this time of writing; however, the legal principle has been established.

The tenacious hold of the common law outlook is most apparent in the matter of married women's choice of domicile, married women's names, wife's right to damages for loss of consortium, the law of support, and sexually differentiated minimum age of contract. In Kanowitz's opinion the most important area in which the American legal system directly discriminates against women is in the regulation of sexual conduct which in almost every case maintains the traditional double standard of morality outlook.³⁴⁹ Inferior or non-person treatment of women under criminal law is an area of the law that carries a sadistic flavor. In all there are still over one thousand individual state laws that discriminate against women on the books.³⁵⁰ The type of legal systems adhered to in Sweden and the United States have had a dynamic influence on the method and efficiency of comprehensive

legislative reform efforts past and present.

Although ratification of the equal rights amendment to the U.S. Constitution will not be realized in 1973, as had been hoped by its supporters, undoubtedly ratification will be achieved within the required seven-year period. However, experts have noted that in practice it could be less than the panacea reformers hope for. Kanowitz has pointed out that a "functional analysis" approach to the amendment by the courts could prevent the new law from fundamentally changing the present legal status of American women.³⁵¹ In view of traditional judiciary resistance to acknowledging that women are persons under the law with full citizenship rights it is entirely possible that this interpretation will be adopted. Ironically American judges and legislators have persisted in justifying differential treatment under the law by emphasizing distinctions between the sexes that are the result of unequal treatment in the past. Thus, the vicious circle has continued.

However, on May 16, 1973, the U.S. Supreme Court ruling in a case involving denial of army fringe benefits to dependents of female members of the armed services suggests that a break with historical precedent may be finally coming to the American courts in the area of women's status. Justice William J. Brennan speaking for the majority (8-1 in favor) declared that the United States:

has had a long and unfortunate history of sex discrimination. Our statute books gradually became laden with gross, stereotypical distinctions between the sexes, and, indeed throughout the 19th century the position of women in our society was, in many respects, comparable to that of blacks under the pre-Civil War slave codes.³⁵²

The recognition of new precedent is suggested by the Court's citing

as ground for the new decision the 1971 Reed v. Reed decision, in which it was found that a male may not be automatically preferred over a female in the administration of an estate when each is equally qualified. The Court's reference to the need for the equal rights amendment to the federal constitution to clarify the issue suggests that the courts may be becoming more willing to accord women equal treatment than in the recent past. However, the ruling was essentially a limited opinion in that all rules and practices that arbitrarily differentiate between women and men on the basis of sex were not recognized as unconstitutional sex discrimination.³⁵³

In view of the rather substantial legal inequities for women that still remained in the United States after World War II one would expect that the past twenty-five years would have been marked by vigorous activity to remove these final disparities. However, after a flurry of activity at the end of the 1930's, until the 1960's the period was remarkably quiet. In the period 1938-1943, forty-three enactments effecting 138 legislative changes in the fields of family, property, and political law took place either removing some of women's remaining civil disabilities, enlarging their rights and duties, or directly equalizing rules applying to the sexes.³⁵⁴ However, the U.S. Women's Bureau, among others, noticed early in the 1950's that "a sort of apathy seems to affect women's organizations and other bodies that previously have been active in achieving law reforms." The Women's Bureau further observed that the "coordinated effort of all interested groups, working with the legislative service agency within a state where vestiges of outdated law still bear on the status of women, might

lead quickly to legislative action ridding the statutes of discriminatory provisions."³⁵⁵

The next decade marked another change and in 1961 forty-seven state legislatures considered bills to improve or modify women's legal situation. Almost every phase of women's property and family rights were affected and there was a noticeable effort to remove peculiar local statutes, many of which had been on the books since colonial days.³⁵⁶ Although most of the proposals died with the adjournment of the state legislative bodies, it was a beginning and an indication that the mood of the country's women was changing or possibly there was new and more militant blood coming into the traditionally concerned organizations.

This portent of change at the beginning of the 1960's was soon fulfilled, not only with successful legislative activity to remove inequities in the basic family and property laws, but more importantly with the unprecedented events of the establishment of President Kennedy's Commission of the Status of Women, enactment of the 1963 Equal Pay Act, and passage of Title VII of the 1964 Civil Rights Act forbidding sex discrimination in employment practices. After careful study of American women's legal status the Political and Legal Rights Committee of the President's Commission recommended that the government undertake further study and make appropriate proposals for reform including the areas of married woman's domicile, marital rights and duties, alimony and support, property settlements, divorce and family law, minimum age of consent and contract, and sexual differentiation in criminal law and corrections.³⁵⁷

One must face the question of why American women allowed over

fifty years to lapse after achieving suffrage before seriously returning to the job of removing the inequities remaining under common and statutory law that were the legacy of the last century.

Kanowitz has made a number of astute observations. He points out that it may well be as writers such as Simone de Beauvoir have claimed, that women have been conditioned by life and history to see themselves as "the other" and have thus lost the desire or even the capability of imagining themselves as fully equal with men on any level.³⁵⁸ Furthermore, in the United States the interest and emphasis has been on the psychological and social deterrents to women's fulfillment as individuals rather than on social institutions and political structures, as has been the focus in Sweden. This is observed in the far-reaching appeal of such feminist books as Betty Friedan's Feminine Mystique, Kate Millett's Sexual Politics, and Shulamith Firestone's Dialectics of Sex.³⁵⁹ Kanowitz had also rightly pointed out that the legal inequities that remain on the books, particularly in the area of family law, are seen by some women as advantages, that is, privileges, which they do not want to lose--such as freedom from responsibility for self- or family-support within marriage, regardless of their ability to work, and unconditional right to alimony in divorce.

I am convinced that much of American women's apathy has been the result of simply not being informed about the discriminatory nature of many of the laws governing them and blind faith in the favorite American fantasy that there is naturally more freedom and equality in their country than in any other nation in the world. Thus, regardless of their status, many American women are convinced

that it has to be better than that of women elsewhere. Moreover, often a woman following the traditional woman's role will not be in direct contact with the law until a time of stress, such as death, at which time discriminatory laws governing inheritance or portioning of community property become known to her. However, because of the stress of the occasion and/or age, the woman frequently is in no condition to object to the inequities under the law being applied to her. In the area of work there are comparable negative factors present. For example, many of the women who have to work to support themselves and their families are aware of the basic inequities in pay and promotion prevalent at their place of employment, but they are often too insecure about losing their jobs--which they can ill afford--or too busy with family responsibilities to take the time and energy to challenge discriminatory practices.

Much of the contemporary impetus for reform of discriminatory legislation is coming from an intelligent, educated, and informed group of working women who have the means and ability to know of the inequities under the law and to organize to overcome them. It is this group of women, whose life-styles often radically depart from the traditional dependent and homebound housewife-mother role, who have the greatest opportunity to learn of the legal inequities before they are in an emergency situation and are the most likely to object to the limiting, demeaning, and subordinating implications of such laws. In most states women's political caucuses have been formed to promote women's general legal and political interests in the state legislatures. In many places similar women's groups are forming within the ranks of the traditional political parties.

In Sweden, as in America, most of the formal organized activities to effect official changes have been carried out by an elite of better educated and more affluent women. The over eighty year old Fredrika-Bremer-Förbundet has led in this work. In the modern period most of the organized activity to rectify the law took place in Sweden immediately after World War II when women pressured for removal of the last inequities for married women. After a period of relative inactivity in the legal area, around 1965 organized activity began on a small scale concerning abortion reform. This activity has become stronger and more forceful since 1970, largely as the result of the formation of group 8 and other Swedish feminist-socialist groups. No interest has been shown in extending the right-to-succession of the throne to female heirs, probably because the monarch is relatively insignificant today and the basic politically radical orientation of the pressure groups. Concern about the throne is too conservative an issue for these women. There has not been any organized action by women in Sweden in the past three decades of the caliber of the contemporary organization of American women for legislative reform, partly because there have been few areas of inequity remaining on the books as has been shown and partly because the political parties tend to take the lead in initiating and bringing about legislative reforms.

Naturally, achieving equality on paper does not guarantee that practice will automatically follow suit. However, the law is basic in the life of a nation and without its declaration of the fundamental equality of all citizens regardless of sex it is difficult to conceive of realizing this goal in social and cultural patterns.

CHAPTER II

NOTES

¹Leo Kanowitz, Women and the Law: The Unfinished Revolution (Albuquerque: University of New Mexico Press, 1969). This is unquestionably the best authority for the United States. I am deeply indebted to Dr. Kanowitz for his numerous references to legal sources and his learned interpretation of the laws affecting women in the United States.

²An example of such a legal inequity is found in the 1920 Swedish Code of Marriage clause regarding responsibility for debts. The wife is given privileges in relieving herself of debt responsibility that are not accorded the husband. 1920 Swedish Code of Marriage, ch. 7, art. 3. An example of the arbitrarily differentiating customs still very much alive in connection with the practice of the law in Sweden is found in the Supreme Court tradition followed in using different forms when referring to a female or a male plaintiff or defendant in the court records. A female is referred to by her first name only after her full name is initially recorded. A male is also initially identified by his full name, but subsequently by his surname only, or initials if there is a desire to protect anonymity or to differentiate husband from wife if they are both involved in the same case. The same pattern is followed in the Swedish Courts of Appeal. We in the U.S. have long recognized that the use of one's first name in a formal situation where ordinarily the surname with or without a title would be standard form indicates inferior status. The familiar examples of this usage in the U.S. are in reference to black men and women (particularly in the South), and children regardless of race. See Nytt Juridiskt Arkiv (NJA) (Stockholm: Norstedts, 1969), Cases from the Supreme Court, compare p. 113 with p. 425, and (1970), p. 507. See also Svensk juristtidning, Cases from Courts of Appeal (Stockholm: Norstedts, 1969), pp. 14-15, and (1971), p. 27. Information provided by Gunnel Hedberg, student of law and teacher at the Swedish School of Library Science, University of Lund.

³For a full discussion of woman's position in Sweden in the last century and American influences on Swedish feminist thought see Gunnar Qvist, Kvinnofrågan i Sverige 1809-1846 (Göteborg: Akademiförlaget, 1960); and Qvist, Fredrika Bremer och kvinnans emancipation (Göteborg: Akademiförlaget, 1969). The most thorough exploration of Bremer's American journey is Signe Alice Rooth,

Seeress of the Northland: Fredrika Bremer's American Journey, 1849-1851 (Philadelphia: American Swedish Historical Foundation, 1955). Another articulate Swedish feminist (male) who spent time in America is the much overlooked C. J. F. Almqvist. See Karin Westman-Berg, Studier i C. J. L. Almqvists kvinnouppfattning (Göteborg: Akademiförlaget, 1964).

⁴Roger W. Cooley, Brief Making and the Use of Law Books (St. Paul: West Pub. Co., 1926), p. 5.

⁵U.S. Department of Labor, Women's Bureau, Legal Status of Women in the United States of America, Women's Bureau Bulletin No. 157 (Washington, D.C.: Government Printing Office, 1938), p. 5.

⁶Munn v. Illinois 94 U.S. 113,134; 24 S. Ct. 77 (1876).

⁷Blackstone, Commentaries on the Law of England (Philadelphia: J. B. Lippincott & Co., 1859), p. 433, cited in Kanowitz, p. 35.

⁸United States v. Yazell, 382 U.S. 341,361 (1966) (Black dissenting).

⁹For a full discussion of married women's disabilities under common law see Kanowitz, pp. 35-99.

¹⁰Kanowitz, p. 40.

¹¹Harriet S. Daggett, "Reflections on the Law of the Family," Annals of the American Academy of Political and Social Science, 251 (May 1947), p. 120.

¹²Jacob W. F. Sundberg, "Civil Law, Common Law, and the Scandinavians," Scandinavian Studies in Law, 13 (1969), p. 204.

¹³Neils Pontopiddan, "A Mature Experiment: The Scandinavian Experience," American Journal of Comparative Law, 9 (1960), pp. 344-45.

¹⁴Bernhard Gomard, "Civil Law, Common Law and Scandinavian Law," Scandinavian Studies in Law, 5 (1961), p. 27.

¹⁵Folke Schmidt, Preface to Scandinavian Studies in Law, 1 (1957), p. 5.

¹⁶Hilding Eek, "Conflict of Laws in Swedish Courts," International and Comparative Law Quarterly, 20 (1971), pp. 605-06.

¹⁷Daggett, p. 293.

¹⁸Ibid., pp. 293-94.

¹⁹Daggett, p. 120.

²⁰Qvist, Fredrika Bremer och kvinnans emancipation, p. 275.

²¹Folke Schmidt, "The Prospective Law of Marriage," Scandinavian Studies in Law, 15 (1971), pp. 195-96.

²²Lester Bernhardt Orfield, The Growth of Scandinavian Law (Philadelphia: University of Pennsylvania Press, 1953), p. 291.

²³James Rössel, Kvinnorna och kvinnorörelsen i Sverige 1850-1950 (Stockholm: Norstedts, 1950), chaps. 3, 4, and 6.

²⁴Harriet S. Daggett, "The Civil-Law Concept of the Wife's Position in the Family," Oregon Law Review, 15 (1936), p. 292.

²⁵Ibid.

²⁶Gomard, p. 37.

²⁷Folke Schmidt and Stig Strömholm, Legal Values in Modern Sweden (Stockholm: Norstedts, 1965), p. 70.

²⁸Herman Kling, Abstract of protocol on Justice Department matters held before the King-in-Council at Sofiera on August 15, 1969, dealing with the revision of current family laws, Stockholm 1970, p. 3. (Mimeographed.)

²⁹Goesart v. Cleary 335.U.S. at 466 (1954). (Emphasis supplied.)

³⁰Daggett, "Reflections on the Law of the Family," p. 120.

³¹Schmidt, "The Prospective Law of Marriage," p. 194.

³²Reformed marriage laws very similar to the Swedish Code were enacted in Denmark 1922; Norway 1917 and 1927; and Finland 1929. Ibid.

³³Howard S. Sussman, "Spouses and Their Property Under Swedish Law," American Journal of Comparative Law, 12 (1963), p. 582. This is the best discussion of Swedish marital property rights in English.

³⁴Jacob W. F. Sundberg, "Marriage or No Marriage: The Directives for the Revision of Swedish Family Law," The International and Comparative Law Quarterly, 20 (April 1971), p. 223.

³⁵1920 Swedish Code of Marriage, ch. 5, art 1.

³⁶Maj-Britt Sandlund, The Status of Women in Sweden (Stockholm: The Swedish Institute, 1968), p. 48.

³⁷Sundberg, "Marriage or No Marriage," p. 225.

³⁸Sandlund, pp. 49-51.

³⁹ Amendments similar to those in Sweden were made to the marriage statutes in Denmark and Finland in 1969, and Norway in 1969 and 1970. See Schmidt, "The Prospective Law of Marriage," p. 194. For a good discussion of the Danish amendments see Inger Margrete Pedersen, "Recent Trends in Danish Family Law and Their Historical Background," International Comparative Law Quarterly, 37 (1971), pp. 332ff; and Pedersen, "Matrimonial Property Law in Denmark," Modern Law Review, 63 (1965), pp. 137ff. There do not appear to be any discussions of the new marriage laws of Norway and Finland available in English at this time.

⁴⁰ Schmidt, "The Prospective Law of Marriage," p. 208.

⁴¹ The Legal Status of Women in America, p. 33.

⁴² For a detailed state-by-state survey of United States marriage laws as of January 1, 1945, see The Book of the States, 6 (1945-46) (Chicago: The Council of State Governments, 1945), p. 343; and for a survey as of October 1, 1971, see Book of the States, 19 (1972-73) (Lexington, Kentucky: The Council of State Governments, 1972), p. 409.

⁴³ The Legal Status of Women in America, p. 33.

⁴⁴ Orfield, pp. 290-91.

⁴⁵ Sandlund, p. 15.

⁴⁶ Birgitta Linnér, "PM om Familjejuridik och samlevnad" Stockholms stads familjerådgivningsbyrå, våren 1972. (Mimeographed.)

⁴⁷ Kanowitz, pp. 10-11.

⁴⁸ Book of the States, 19 (1972-73), p. 409.

⁴⁹ Sandlund, p. 16.

⁵⁰ Linnér, p. 2.

⁵¹ United Nations, Secretariat, Bureau of Social Affairs, Population Branch, Survey of Legislation on Marriage, Divorce and Related Topics Relevant to Population (ST/SOA/29) March 9, 1957, pp. 14-16.

⁵² Kanowitz, p. 17.

⁵³ Book of the States, 8 (1950-51), p. 369.

⁵⁴ 12 Citizenship Act of June 22, 1950 (No. 382) Concerning Swedish Citizenship, 1201.1.

⁵⁵ Whitt v. United States, 261 F 2d. 907 (6th Cir. 1959).

⁵⁶Kanowitz, p. 41.

⁵⁷Chapman v. Phoenix National Bank of the City of New York, 85 437 (1881). (Emphasis supplied.)

⁵⁸People v. Lipsky, 327 Ill. App. 63, 63 N.E. 2d. at 6470 (1965). (Emphasis supplied.)

⁵⁹Kanowitz, p. 5.

⁶⁰Ky. Rev. Stat. par. 401.010 (1964). (Emphasis supplied.)

⁶¹Iowa Code, Ann. par. 674.1 (1947). (Emphasis supplied.)

⁶²Kanowitz, p. 46.

⁶³Kanowitz, p. 43.

⁶⁴Kanowitz, p. 43.

⁶⁵Forbush v. Wallace, 92 S. Ct. Md. 1197 (1971).

⁶⁶Stuart v. Board of Supervisor of Elections, 295 Md. A. 2d 223 (1972).

⁶⁷My husband and I have been filing a joint income tax return in this manner since 1969 and have never received any objection or complaint from the Department of Internal Revenue. Tax refund checks are made out to both of us in our respective names. However, when I applied for a passport in my own name in 1971 I was refused because I was a married woman. Various court rulings, the most recent being 1947, were cited by the Passport Office as justification of this action, in the absence of any official regulations. I was finally issued a passport in my husband's name with my own name included as an alias. However, there are indications that the powers that are concerned with maintaining tradition in the Passport Office are relenting. A married acquaintance recently requested a passport in her name and received it without question.

⁶⁸Kanowitz, p. 41.

⁶⁹This generalization is based upon both the occasional notices in the newspapers of married women not assuming their husbands' surnames, or their resuming their own names after marriage. Of course, the fact that these instances are considered newsworthy indicates that they are still unique. For example, see "Married, She'll not be Mrs.: Couple to Keep Own Names," The Minneapolis Star, Dec. 17, 1971, p. 6B; and "Happily Married, but Alters Name," [St. Paul] Pioneer Press, Sept. 30, 1971, p. 8. Moreover, as a result of furnishing information to women who wish to learn more about how they might retain their own names in marriage I am aware of the many young women who are interested in following this practice. The most usual person who calls me is a young woman

who is about to marry and does not wish to take her husband's name.

⁷⁰1920 Swedish Code of Marriage, ch. 5, art. 15.

⁷¹"Förslag till namslag," Svensk namnbok, Statens offentliga utredningar (S.O.U.), 1964:14, pp. 127-32.

⁷²1920 Swedish Code of Marriage, ch. 5, art. 8 & 15.

⁷³The Danish law of marriage of June 30, 1922, did not oblige a wife to carry her husband's name. Indeed, in certain cases such as annulment of the marriage or considerations of the man's occupation, the wife was actually forbidden to use her husband's name. "Förslag till namslag," pp. 200-02.

⁷⁴Ibid.

⁷⁵"Förslag till namslag," p. 201; and a conversation with Gunnel Hedberg in Göteborg, Fall 1971. At present a husband wishing to assume his wife's name must go through the standard procedure for a name change as prescribed by Swedish statute which involves getting permission to use the new name from everyone in Sweden presently using the name. Moreover, the husband may not acquire his wife's name if it is one of the very common Swedish names as classified by the state name authority. This government concern over increasing the number of persons using the already all too common surnames, such as Andersson or Larsson, does not extend to forbidding a wife from assuming her husband's surname if it is on the "too common" list, or protecting children from being tagged with this name.

⁷⁶Conversation with Birger Möller, Folke Party Riksdagsman from Göteborg held in Stockholm, March 1972. Others, including Jacob Sundberg, emphasized the importance of names in signifying family connections within Swedish social and political life.

⁷⁷Dorrie Gager, a graduate student in sociology at the University of Göteborg, from India--a highly class conscious society--was similarly impressed with this characteristic of Swedish society.

⁷⁸Conversation with Margareta Vestin, Stockholm, March 1972. These impressions were collaborated by other Swedish informants.

⁷⁹"Släktnamsfrågan" (Fact Sheet on Women's Names and Titles in Scandinavia) prepared by Gunnel Hedberg for the Kvinnohistoriskt arkiv, Göteborg from S.O.U., 1964:14, Dec. 1971, pp. 1-2. (Typewritten in Swedish.)

⁸⁰Olof Langerkrantz, Editorial, Dagens Nyheter, September 10, 1965, p. 7.

⁸¹Conversation with Karin Wilhelmson and Elizabeth Husmark of the Family Mirror Program, Sveriges Radio, Stockholm, May 1972.

- ⁸²Conversation with Asta Ekenvall, Göteborg, January 1972.
- ⁸³Restatement, Conflict of Laws, par. 9 (1934), cited in Kanowitz, p. 46.
- ⁸⁴Kanowitz, p. 47.
- ⁸⁵United Nations, Secretariat, Commission on the Status of Women, Legal Status of Married Women (ST/SOA/35,1958) (New York, 1958), p. 22.
- ⁸⁶Kanowitz, p. 47.
- ⁸⁷Arizona at 309; 256 P .2d at 250 (1953).
- ⁸⁸Book of the States, 6 (1945-46), p. 4342.
- ⁸⁹The President's Commission on the Status of Women, Committee on Civil and Political Status, Report of the Committee on Civil and Political Status (CCPR Report) (Washington, D.C.: Government Printing Office, 1963), p. 23.
- ⁹⁰Kanowitz, pp. 48, 52.
- ⁹¹United Nations, Legal Status of Married Women, p. 22.
- ⁹²Alabama, Arkansas, Colorado, Georgia, Iowa, Massachusetts, Michigan, Minnesota, New York, North Carolina, Oklahoma, Vermont, Virginia, Wyoming.
- ⁹³Book of the States, 6 (1945-46), p. 341.
- ⁹⁴Book of the States, 6 (1945-46), p. 341; and Ibid., 8 (1950-51), p. 371.
- ⁹⁵Alabama, Georgia, Louisiana, New Mexico, North Carolina, Texas.
- ⁹⁶CCPR Report, p. 23.
- ⁹⁷Schmidt and Strömholm, p. 71.
- ⁹⁸United Nations, Legal Status of Married Women, p. 22.
- ⁹⁹Monrad G. Paulsen, "Support Rights and Duties Between Husband and Wife," Vanderbilt Law Review, 9 (1956), p. 709.
- ¹⁰⁰Chester G. Vernier, American Family Laws (Stanford: Stanford University Press, 1935), p. 109.
- ¹⁰¹Paul Sayre, "A Reconsideration of Husband's Duty of Support and Wife's Duty to Render Services" Virginia Law Review, 29 (1943), p. 857.

- 102 Paulsen, p. 710.
- 103 CCPR Report, p. 22.
- 104 Paulsen, p. 712.
- 105 Blanche Crozier, "Marital Support" Boston University Law Review, 15 (1915), p. 28.
- 106 Kanowitz, p. 69.
- 107 Paulsen, p. 735.
- 108 Kanowitz, p. 71.
- 109 Book of the States, 19 (1972-73), pp. 410-11.
- 110 Kanowitz, p. 71.
- 111 CCPR Report, p. 22. (Emphasis supplied.)
- 112 Kanowitz, p. 73.
- 113 Sandlund, pp. 3-9.
- 114 The Marriage Code [of Sweden] of 11th June, 1920, J. Thorsten Sellin, trans. 1920, brought up to date by the Rome Institute, The Uniform Laws of the Nordic Countries (Rome: Editions Unidroit, 1963), ch. 5, art. 1.
- 115 Folke Schmidt and Stig Strömholm, p. 41.
- 116 1920 Swedish Code of Marriage, ch. 5, art. 2.
- 117 Ibid., art. 6.
- 118 See for Sweden, 1920 Code of Marriage, ch. 5, art. 12; Denmark, Act. No. 56, March 18, 1925, Section 11; Norway, Community Property Act, May 20, 1947, art. 7. United Nations, Legal Status of Married Women, pp. 76-77.
- 119 1920 Swedish Code of Marriage, ch. 5, art. 3.
- 120 Ibid., art. 7.
- 121 Åke Malmström, Föräldrarätt (Stockholm: Institute för rättsvetenskaplig forskning, nr 14), p. 18 and note 1.
- 122 The term King-in-Council is used in Sweden to refer to the government in general. Actually, the King has very little personal power and this term is more of a gesture of respect for the King and a holdover from old traditions.

¹²³Kling, pp. 3-4.

¹²⁴Ibid., p. 3.

¹²⁵Ibid., p. 22.

¹²⁶"Lagkomitténs förslag till allmän civillag" Stockholm 1926, explanatory notes, p. 27. (Mimeographed.)

¹²⁷Folke Schmidt, "The Prospective Law of Marriage," Scandinavian Studies in Law, 19 (1971), pp. 195-96.

¹²⁸Ibid.

¹²⁹Kanowitz, pp. 55-59.

¹³⁰United Nations, The Legal Status of Married Women, pp. 75, 79, 89.

¹³¹1920 Swedish Code of Marriage, ch. 8, art. 7.

¹³²Ibid., ch. 8, art. 1.

¹³³Ibid., ch. 5, art. 10.

¹³⁴Delaware, Colorado, Florida, Nevada, North Carolina, Pennsylvania, Texas, Louisiana, Nebraska, Alabama, Indiana, Arkansas, Idaho, Oklahoma, South Dakota, Oregon. The Book of the States, 6 (1945-46), pp. 341-42.

¹³⁵J. R. Currie, "Married Women's Contracts: A Study in Conflict-of-Laws Methods," University of Chicago Law Review, 25 (1958), p. 227.

¹³⁶Alabama, Arizona, California, Florida, Georgia, Idaho, Indiana, Kentucky, Nevada, North Carolina. Kanowitz, pp. 55-59.

¹³⁷Book of the States, 6 (1945-46), pp. 341-42.

¹³⁸The Book of the States, 8 (1950-51), p. 372.

¹³⁹For example, Maryland limits a wife's right to sue or be sued without husband's joinder. See Kanowitz, pp. 55-59.

¹⁴⁰The Book of the States, 6 (1945-46), pp. 341-42.

¹⁴¹California, Florida, Nevada, Pennsylvania, Texas. Book of the States, 19 (1972-73), p. 409. For a more detailed discussion of "free trader" statutes and the liabilities of wife and husband for debts connected with the wife's independent business see Philip Frances, The Legal Status of Women, Legal Almanac Series No. 53 (New York: Oceana Pub., Inc., 1963), pp. 11-12.

¹⁴²Florida Stat. Ann. pars. 62-63 (1941).

¹⁴³Frances, p. 11.

¹⁴⁴Book of the States, 19 (1972-73), p. 401.

¹⁴⁵Sandlund, p. 50. See also Familjerättskommitten betankning, S.O.U., 1964:34, p. 35.

¹⁴⁶Antti Suviranta, "Allocation of Taxable Income and New Wealth Between Spouses," Scandinavian Studies in Law, 7 (1963), p. 157.

¹⁴⁷Ibid., p. 159.

¹⁴⁸Sussman, p. 554.

¹⁴⁹1920 Swedish Code of Marriage, ch. 7, art. 3 and 4.

¹⁵⁰Ibid.

¹⁵¹Ibid., ch. 13, art. 3 and 4. See also Sussman, p. 575.

¹⁵²1920 Swedish Code of Marriage, ch. 6, art. 1.

¹⁵³Ibid.

¹⁵⁴Sussman, p. 556.

¹⁵⁵Sussman, p. 564.

¹⁵⁶1920 Swedish Code of Marriage, ch. 6, art. 3.

¹⁵⁷Schmidt and Strömholm, p. 43.

¹⁵⁸Sussman, p. 560.

¹⁵⁹1920 Swedish Code of Marriage, ch. 13, art. 2, 3 and 12.
See also Sussman, p. 575.

¹⁶⁰According to the 1968 amendment the surviving spouse is entitled to matrimonial property above the statutory half up to the amount of four basic units. These units are identical with those defined in the legislation on old age pensions. In December 1970, one basic unit was equivalent to \$1,280. Schmidt, "The Prospective Law of Marriage," p. 216.

¹⁶¹Ibid., p. 207.

¹⁶²The Legal Status of Women in America, p. 7.

¹⁶³CCPR Report, pp. 15-16.

164 Minn. Stat. Ann. par. 519.02 (1947).

165 Kanowitz, p. 40.

166 Joseph Warren, "Husband's Rights to Wife's Services," Harvard Law Review, 38 (1925), pp. 421, 423. See also Homer H. Clark, Cases and Problems on Domestic Relations (St. Paul: West Pub. Co., 1965), p. 322.

167 Kanowitz, p. 60.

168 Book of the States, 6 (1945-46), pp. 341-42.

169 Ibid.; and Frances, pp. 10-11.

170 Alabama, Florida, Indiana, North Carolina, Book of the States, 18 (1969-70), 408; and CCPR Report, p. 16.

171 Delaware, Kentucky, Maryland, Maine, Mississippi, Montana, New York, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Vermont, Virginia. Book of the States, 6 (1945-46), pp. 341-42.

172 Book of the States, 11 (1950-51), p. 322.

173 Daniel J. de Benedicts, Legal Rights of Married Women (New York: Simon & Schuster, Inc., 1969), p. 19.

174 CCPR Report, p. 16.

175 Traditionally the statutory share was defined by the conventions of dower and curtesy. The wife's traditional dower right gave her a one-third interest for life in all real property owned by her husband during his lifetime. The husband's traditional curtesy right gave him a life estate in all of his deceased wife's real property. Dower and curtesy rights remained attached to any property owned at any time during the marriage even if sold, unless both spouses signed the deed of conveyance. In 1966 twenty-two states provided either dower, curtesy, or a statutory equivalent interest in the other spouse's property. Of these sixteen provided a statutory dower. From the available data, which is not complete for the entire United States, it appears that in the late 1960's 10 percent of the states still maintained sexually differentiated statutes regarding the inheritance rights of spouses. For a full discussion of inheritance rights of spouses and a state-by-state survey of state laws as of 1963 see Frances, pp. 27-32.

176 Kanowitz, p. 68.

177 The Legal Status of Women in America, p. 7. See also Kanowitz, pp. 62-63.

178 Kanowitz, p. 62.

- 179 Ibid.
- 180 Book of the States, 8 (1950-51), p. 371.
- 181 Kanowitz, p. 65.
- 182 Book of the States, 14 (1962-63), p. 414.
- 183 N.M. Stat. Ann. par. 29-1, 29-1-9 (1953).
- 184 Phillip P. Martin, and Ralph G. Miller, "Estate Planning and Equal Rights," California Bar Journal, 36 (1961), pp. 613, 615.
- 185 Cal. Rev. & Tax. Code par. 13551, 13694.
- 186 Cal. Prob. Code, par. 202. See also Kanowitz, p. 67.
- 187 Harold Marsh, Marital Property in Conflict of Laws (Seattle: University of Washington Press, 1952), p. 186.
- 188 Ibid.
- 189 Sayre, pp. 857, 859.
- 190 CCPR Report, p. 18.
- 191 Book of the States, 17 (1968-69), p. 396.
- 192 See Book of the States, 6 (1945-46), pp. 344-45; and ibid., 19 (1972-73), p. 410.
- 193 Ibid., a useful state-by-state survey of American divorce laws as of Jan. 1, 1945, is found in vol. 6, pp. 344-45, and a survey showing the laws as of Oct. 1, 1971 is found in vol. 19, p. 410.
- 194 Examples can be found in the following cases: McAllister v. McAllister, 71 Tex. 695, 696, 10 S.W. 294, 295 (1888); Prendergast v. Prendergast, 146 N.C. 225, 59 S.E. 692 (1907); Ky. Rev. Stat. par. 403.020 (1963).
- 195 The following states granted a husband a divorce for his wife's unchaste character in 1945 without providing the wife with the corresponding privilege: Alabama, Arizona, Georgia, Iowa, Kansas, Kentucky, Mississippi, Missouri, New Mexico, North Carolina, Oklahoma, Tennessee, Virginia, Wyoming. See Women's Bureau, Legal Status of Women: Analysis of Sex Distinctions, 5, Jan. 1, 1944. (Mimeographed.) In 1971 all of these states, except Iowa and Kansas, still granted a husband a divorce on the grounds of his wife's chastity. Book of the States, 19 (1972-73), pp. 410-11.
- 196 Georgia Code Ann. pars. 301-102 (5) (152).

197 Daggett, "Reflections on the Law of the Family," p. 120.

198 Iowa Code. pars. 598-9 (1962).

199 Kanowitz, p. 97. See also Ky. Rev. Stat. par. 403.020 (3&4) (a&b) (1963).

200 Book of the States, 6 (1945-46), pp. 344-45; and ibid., 19 (1972-73), pp. 410-11.

201 Ibid.

202 CCPR Report, p. 70.

203 Folke Schmidt, "The Leniency of the Scandinavian Divorce Laws," Scandinavian Studies in Law, 7 (1963), p. 111.

204 Although the present divorce rules are a part of the 1920 Code of Marriage they date from 1915 when, as the first installment in the revised marriage law, they were enacted. The Norwegian rules are found in the Statute on the Dissolution of Marriage, 1909; The Danish, Icelandic, and Finnish laws are somewhat later, dating from the 1920's. Schmidt, "The Leniency of the Scandinavian Divorce Laws," p. 110.

205 1920 Swedish Code of Marriage, ch. 11, art. 1.

206 Ibid., ch. 5, art. 7.

207 Schmidt, "The Leniency of the Scandinavian Divorce Laws," p. 110.

208 Ibid.

209 1920 Swedish Code of Marriage, ch. 11, art. 3-13.

210 Schmidt & Strömholm, p. 45.

211 1920 Swedish Code of Marriage, ch. 14, art. 26.

212 Schmidt, "The Leniency of the Scandinavian Divorce Laws," p. 116.

213 Ibid., pp. 209-10.

214 The committee decided that the portal clause of chapter 11 was too imprecise, hence after the words "unable to continue cohabitation because of a deep and lasting disruption," was added "or for other reasons." Ibid., p. 117.

215 Schmidt and Strömholm, p. 46.

216 Torgny T. Segerstedt and Philipp Weintraub, "Marriage

and Divorce in Sweden," Annals of the American Academy of Political and Social Science, 272 (Nov. 1950), p. 185.

²¹⁷Schmidt and Strömholm, p. 46.

²¹⁸King, p. 7.

²¹⁹Ibid., pp. 6-14.

²²⁰Up to now family law reform work has been conducted in Scandinavia on a cooperative basis. In 1969 the Danish Folketing (parliament) adopted the Danish Minister of Justice's declaration that the marriage law should be thoroughly investigated with the object of reform. In 1971 it was still not clear how far the Nordic countries are willing to go in a radical revision of their family laws. See Schmidt, "The Prospective Law of Marriage," pp. 205-07.

²²¹Kling, pp. 1-4.

²²²Ibid.

²²³Ibid., p. 3. After completion of this study the report of the Swedish Marriage Revision Committee arrived. The Committee's recommendations for the new Code of Marriage are essentially identical with Kling's. See Familj och äktenskap S.O.U., 1972:41.

²²⁴Kanowitz, pp. 167-72.

²²⁵Ibid., pp. 75-76.

²²⁶Hazel Armenta Straub, Comment, "Conflict of Laws--Interspousal Immunity," West Virginia Law Review, 68 (1966), pp. 407-08.

²²⁷Kanowitz, pp. 76, 79.

²²⁸United Nations, Legal Status of Married Women, p. 22.

²²⁹Smith v. Nicholas Bldg. Co., 93 Ohio St. 101, 112 N.E. 204 (1915).

²³⁰S.W. 2d 540 (Mo. 1963).

²³¹See Note, "Judicial Treatment of Negligent Invasion of Consortium," Columbia Law Review 61 (1961), pp. 1341, 1343, note 10 and cases cited therein.

²³²Hitaffer v. Argonne Co., Inc. 183 F. 2d 811 (D.C. Cir. 1950).

²³³William L. Prosser, Handbook of the Law of Torts (3rd ed.; St. Paul: West Pub. Co., 1964), p. 918.

²³⁴Ibid.

²³⁵Kanowitz, p. 84.

²³⁶See *Commonwealth v. Donoghue*, 250 Ky. 343, 347, 63 S.W. 2d 3, 5 (1933); *Krulewitch v. United States*, 336 U.S. 440, 447 (1949). (Mr. Justice Jackson concurring). Cited in Kanowitz, p. 85.

²³⁷California, Colorado, Illinois, Texas. In some states the question of the legal ability of a husband and wife to conspire has not come before the court, thus it is difficult to say exactly what position these states would take when confronted by the issue, but it can be assumed that the common law stand would be the norm.

²³⁸*United States v. Dege*, 364 U.S. 51 (1960).

²³⁹364 U.S. at 57-58.

²⁴⁰Kanowitz, p. 88.

²⁴¹*O'Donnell v. State*, 173 Okla. Cr. 1, 117 P. 2d 139 (1949).

²⁴²Kanowitz, pp. 89-90. See also Rollin M. Perkins, Criminal Law (Brooklyn: Foundation Press, 1957), p. 800.

²⁴³Kanowitz, p. 91. See also Note, "Husband and Wife: The Common Law Presumption of Coercion," Oklahoma Law Review, 3 (1950), pp. 442-44.

²⁴⁴*People v. Stately*, 91 Cal. App. 2d Supp. 943, 206 P. 2d 76 (1949).

²⁴⁵Kanowitz, p. 91.

²⁴⁶Ibid., p. 92.

²⁴⁷N.M. Stat. Ann. par. 40-2-4 (7) (1953) (Repl. 1964).

²⁴⁸Kanowitz, p. 93.

²⁴⁹Roy Lucas, Analysis of Abortion Laws in the United States (New York: Association for the Study of Abortion, Inc., 1969), p. 2.

²⁵⁰"Quickening" is the traditional term for the point at which the fetus becomes physically active in the womb. As late as 1947 (Arkansas) and 1956 (Mississippi) evidence of old common law reasoning remained on American statute books in the form of the stipulation that criminal abortion was not committed until quickening of the child. Lawrence Lader, Abortion (New York: The Bobbs-Merrill Co. Inc., 1966), p. 86.

²⁵¹Richard L. Worsnop, Abortion Law Reform, Educational Research Reports No. 4 (Washington, D.C.: Congressional Quarterly, July 24, 1970), p. 556.

²⁵²Lader, p. 87.

²⁵³Until Joseph Lister introduced antiseptic technique in 1865 the incidence of death resulting from surgery connected infection was extremely high. Worsnop, p. 557.

²⁵⁴Anthony Comstock (1840-1915) brought about federal and state laws suppressing literature and other works deemed obscene. By securing the post of chief federal obscenity inspector he very actively molded government policy which eventually led to the outlawing of contraception information in many places. He founded the New York Society for the Suppression of Vice, and lent support to the establishment of the Watch and Ward Society of Boston. Worsnop, p. 557.

²⁵⁵Edward A. Duffy, The Effect of Changes in the State Abortion Laws (Washington, D.C.: Government Printing Office, 1971), p. 3.

²⁵⁶Lader, p. 89, 92.

²⁵⁷Worsnop, p. 557. For the text of all of the original state abortion laws as well as amendments up to 1961 see Eugene Quay, "Justifiable Abortion--Medical and Legal Foundations," Georgetown Journal, 49 (Spring 1961), Appendix A, pp. 447ff.

²⁵⁸Worsnop, p. 557.

²⁵⁹Frances Taussig, Abortion: Spontaneous and Induced, Medical and Social Aspects (St. Louis: C. V. Moxby Co., 1936).

²⁶⁰Planned Parenthood Federation of America, Inc., Abortion in the United States, ed. by Mary Calderone (New York: Paul B. Hoeber, Inc., 1958), p. 6.

²⁶¹See Fowler Harper's summary of the main principles in American abortion statutes in 1958, Planned Parenthood, Appendix A, pp. 187-95.

²⁶²Zad Leavy and Jerome M. Kummer, "Criminal Abortion: A Failure of Law," American Bar Association Journal, 50 (1964), p. 52, note 2.

²⁶³Ariz. Rev. Stat. Ann. par. 13-211 (1956).

²⁶⁴Planned Parenthood, pp. 187-88.

²⁶⁵Ibid., pp. 33-34.

²⁶⁶The American Law Institute's Model Penal Code, Sect. 230.3. See American Law Institute, Abortion (Philadelphia: American Law Institute, 1962), pp. 189-92.

²⁶⁷Ibid.

268 The Oregon statute reads as follows: "In determining whether or not there is substantial risk . . . account may be taken of the mother's total environment, actual or reasonably foreseeable." "Statement on Therapeutic Abortion," American College of Obstetricians and Gynecologists Newsletter, 12 (July 15, 1968), pp. 1-2. For the exact wording of the new liberal state abortion laws see Robert E. Hall, ed., Abortion in a Changing World, 1, (New York: Columbia University Press, 1970), pp. 130-32. This work is a two volume collection of papers presented at the International Conference on Abortion held at Hot Spring, Virginia, Nov. 17-20, 1968.

269 One of the best bibliographies on recent changes in the U.S. abortion statutes has been prepared by Yale University School of Law Library. See "Bibliography: Abortion--Selected Recent Writings," compiled by S. C. Smith, Selected New Acquisitions, 13, No. 5, New Haven, Jan. 1970. (Mimeographed.)

270 Lucas, pp. 5-7.

271 Duffy, p. 11.

272 Worsnop, pp. 547-48.

273 Duffy, pp. 4-5. The U.S. Department of Health, Education and Welfare, Public Health Service Center for Disease Control has developed the "Abortion Surveillance Report" with the goal of assembling uniform statistics on hospital abortions. These reports have appeared in mimeographed form for internal use since 1969 and should soon be available to the public.

274 Robert E. Hall, "Therapeutic Abortion, Sterilization and Contraception," American Journal of Obstetrics and Gynecology, 91 (Feb. 15, 1965) p. 342.

275 Planned Parenthood, p. 120.

276 J. R. Abernathy, B. C. Greenberg, and D. C. Horvitz, "Estimates of Induced Abortions in Urban North Carolina," Demography, 7 (Feb. 1970), p. 27.

277 Hall, Abortion in a Changing World, 2, p. 44.

278 For a discussion of changing American attitudes toward abortion see Judith Blake, "Abortion and Public Opinion: The 1960-1970 Decade," Science, 171 (1971), pp. 540-49.

279 Book of the States, 19 (1972-73), p. 405.

280 Roe v. Wade, 70 Sup. Ct. 18 (1973).

281 Opinion in the case of Jane Roe et. al. v. Henry Wade, Law Week, 41 (January 23, 1973), pp. 4213-4233; and "Resume of Ruling on Abortions," The Minneapolis Star, Jan. 27, 1973, p. 10A.

282 Blake, p. 548.

283 "Therapeutic Abortion and the Law in Sweden," Fact Sheets on Sweden (Stockholm: The Swedish Institute, 1971).

284 Denmark enacted a liberal abortion law in 1939 and Finland in 1950, Lader, pp. 117-119. For the best detailed discussion of the abortion situation up to 1950 see Abortfrågan, S.O.U., 1953:29. For a discussion of Danish abortion regulations in English see Vera Skalts and Magna Nørgaard, "Abortion Legislation in Denmark," and Henrik Hoffmeyer, "Medical Aspects of the Danish Legislation on Abortion," in Abortion and the Law, ed. by David T. Smith (Cleveland: Western Reserve University, 1967), pp. 206-411. For Finland see K. Niemineva and O. Ylinen, "The New Law Concerning Therapeutic Abortion in Finland," Fourth International Conference on Planned Parenthood (London: International Planned Parenthood Federation, 1953), pp. 76-82; condensed in International Journal of Sexology, 7 (Nov. 1953), pp. 81-82; and "Finland: Laws, Statutes, Etc., Interruption of Pregnancy," International Digest of Health Legislation, 2 (1951), pp. 559-61. For Norway see "Norway: Laws, Statutes, Etc., Interruption of Pregnancy," International Digest of Health Legislation, 16 (1965), p. 148ff; and Johannes Andenaes, "A Presentation of Data Concerning Abortion from Other Nations," University of Chicago Conference on Abortion (Spring 1958). (Mimeographed.) A good, however brief, recent survey of the various Nordic laws and their social history is found in Daniel Callahan, Abortion: Law, Choice and Morality (London: Macmillan Ltd., 1970), pp. 184-217.

285 Fact Sheet.

286 Dr. Gunnar af Geijerstam commenting on the Swedish abortion law at the 1955 Planned Parenthood Conference on Abortion in the United States. Planned Parenthood, p. 25.

287 Fact Sheet. Fifteen is the age of statutory rape in Sweden.

288 Planned Parenthood, p. 25.

289 Fact Sheet.

290 Geijerstam in Planned Parenthood, p. 26.

291 Fact Sheet.

292 Geijerstam in Planned Parenthood, p. 26.

293 Fact Sheet.

294 Hall, Abortion in a Changing World, 1, pp. 316-17.

²⁹⁵In the case of a two doctor authorization, one doctor must be the surgeon who will perform the operation and the other must be a hospital chief staff doctor, medical officer, or physician of equal rank. A doctor may perform an emergency abortion operation for disease or deformity followed by a full report to the proper authorities. Only the Board has the authority to approve abortions on eugenic grounds or because of serious potential deformity in the child, or when the woman is mentally incapable of giving valid consent to the operation. See Fact Sheet.

²⁹⁶Fact Sheet.

²⁹⁷Ibid. Other required documents include birth certificate, a certificate of health from a licensed Swedish physician, reports from other physicians or psychiatrists who have treated the woman, extracts from the records of hospitals where the woman has stayed in connection with previous ailments, and possibly testimonials from "involved" individuals such as husband or lover, or other friends or relatives. In case the pregnancy has resulted from a felony such as rape the case must be tried in court before the abortion can be granted. Naturally, amassing all of this data often takes much time, hence the twenty-week time limit not infrequently expires before all of the documents are completed, especially when the pregnancy is discovered late. See Fact Sheet.

²⁹⁸Geijerstam in Planned Parenthood, p. 26.

²⁹⁹Fact Sheet. Time limits vary throughout the Nordic countries from eight weeks to unspecified. For full discussion see Hall, Abortion in a Changing World, 1, pp. 317-18.

³⁰⁰Callahan, pp. 205-06.

³⁰¹Geijerstam, "Abortion in Scandinavia," paper presented at the International Conference on Abortion, Hot Springs, Virginia, 1968, in Hall, Abortion in a Changing World, 1, pp. 322-23.

³⁰²Abortfrågan, p. 234.

³⁰³The decline in illegal abortions has been reportedly accompanied by a steep drop in the price of illegal abortions which are now thought to cost less than \$100. in Sweden. Callahan, pp. 206-07.

³⁰⁴Rätten till abort, S.O.U., 1971:58, pp. 165-67.

³⁰⁵Lader, p. 120.

³⁰⁶Ibid.

³⁰⁷Frederic Fleisher, The New Sweden: The Challenge of a Disciplined Democracy (New York: Davie McKay Co., Inc., 1967), pp. 235-37.

³⁰⁸ Official abortion reform committees were formed in Denmark and Finland in 1967. In Norway the present law is considered too recent (1960) to allow any conclusions on its long term effects. Hall, Abortion in a Changing World, 1, p. 323.

³⁰⁹ Kerstin Höök, "Refused Abortion: A Follow-Up Study of 249 Women Whose Applications Were Refused by the National Board of Health in Health in Sweden," Acta Psychiatrica Scandinavia, Supplementum, 168, 39 (1963), pp. 12-20.

³¹⁰ Callahan, pp. 204-05.

³¹¹ Rätten till abort, p. 169.

³¹² Ibid.

³¹³ Ibid.

³¹⁴ Ibid.

³¹⁵ Ibid.

³¹⁶ Ibid.

³¹⁷ Gunnvor Bergström, Secretary, 1965 Swedish Abortion Committee. Comment in a conversation, Stockholm, March 1972.

³¹⁸ Orfield, pp. 266-67.

³¹⁹ White v. Crook, 251 F. Supp. 401 (N.D. Ala. 1966).

³²⁰ Kanowitz, p. 28 and note 125, p. 259.

³²¹ The Book of the States, 6-19 (1945-1973). All data in this section is drawn from these volumes unless otherwise indicated.

³²² Hoyt v. Florida, 368 U.S. 57 (1961) (Emphasis supplied.)

³²³ Kanowitz, p. 30.

³²⁴ Ibid.

³²⁵ Book of the States, 19 (1972-73), 409.

³²⁶ Lawrence v. Alexander, 2335, 2nd 891 (1970).

³²⁷ Kanowitz, pp. 29-30.

³²⁸ Ibid., p. 31.

³²⁹ Sandlund, p. 95.

330 For a thorough exploration of the important provisions and interrelations of the Equal Pay Act and Title VII see Kanowitz chaps. 4 and 5, pp. 100-148.

331 For example, in 1963 the state of Washington banned sex discrimination in public employment by executive order and two states, Wisconsin and Hawaii, had laws banning sex discrimination in private employment. For further discussion of these and other such laws see Book of the States, 16 (1966-67), pp. 382-3.

332 Lagstiftning mot rasdiskriminering: Betänkande avgivet av Utredningen angående förbud mot rasdiskriminering; Lag 27, maj 1970 om ändring i brottsbalken, S.O.U., 1968:68.

333 Motioner i Första kammaren, nr 4-5, av herr Helén m. fl. om åtgärder mot könsdiskriminering (Jan. 14, 1970) Bihang till Riksdagens protokoll 1970 I saml. Motion i andra kammaren, nr 1144, av herrar Romanus och Ahlmark, om lagstiftning mot könsdiskriminering på arbetsmarknaden (Jan. 28, 1970) Bihang till Riksdagens protokoll 1970. 4 saml. nr 1144-1153. See also Betänkande i anledning av motioner om lagstiftning mot könsdiskriminering på arbetsmarknaden, m. m., Inrikesutskottets betänkande, 1971:35, Riksdagen, 1971:18 saml. nr 35.

334 Kungl. maj:ts proposition till riksdagen angående godkännande av konvention om avskaffande av rasdiskriminering, m. m.; given Stockholms slott den 27 februari 1970. Proposition nr 87. Bihand till Riksdagens protokoll 1970.1 saml. nr 87. It was suggested by the Folk Party that "sex" be added to ch. 16, par. 8a, pp. 4-5 of this proposition.

335 See Ang. Rättvisa åt männen, väckes av Kerstin Anér (fp), Motion nr 128 (1972); and Ang. Arbetsuppgifternas utformning från könsdiskrimineringssynpunkt, väckes av Kerstin Anér (fp), Motion nr 127 (1972). (Mimeographed copy.)

336 Grundlagsberedningen, 10 kap. "Rättskipning och förvaltning," par. 5 (1972) (Working draft), p. 25. (Mimeographed.)

337 Conversation with Gabriel Romanus, Folk Party Riksdagsman from Göteborg, Stockholm, March 1972.

338 Citizens Advisory Council on the Status of Women, The Proposed Equal Rights Amendment to the United States Constitution: A Memorandum (Washington, D.C.: Government Printing Office, March 1970), pp. 1-2.

339 Information gathered from daily newspapers.

340 Kanowitz, pp. 149-96; Memorandum on the Equal Rights Amendment, pp. 4-10; and CCPR Report, pp. 36-37.

341 CCPR Report, pp. 36-37.

342 Memorandum on the Equal Rights Amendment, pp. 6-9;
see also Kanowitz, pp. 149-96.

343 Kanowitz, p. 149.

344 Conversation with Leo Kanowitz, Professor of Law at the
University of New Mexico, Albuquerque, November 1970.

345 Memorandum on the Equal Rights Amendment, p. 45.

346 Ibid., pp. 9-11.

347 Ibid., pp. 11-13.

348 Alva Myrdal et. al., Towards Equality: The Alva Myrdal
Report to the Swedish Social Democratic Party (Stockholm: Prisma,
1971), pp. 26-27.

349 Kanowitz, p. 200.

350 National Organization for Women, "Women's Rights are Human
Rights!" Minneapolis, 1972, p. 1. (Mimeographed.)

351 Kanowitz, p. 196.

352 "High Court Rules Women in Service are Entitled to Dependents'
Benefit," Minneapolis Tribune, May 15, 1973, p. 1A.

353 Ibid., p. 5A

354 Book of the States, 6 (1945-46), p. 341.

355 Book of the States, 9 (1952-53), p. 345.

356 Book of the States, 14 (1962-63), p. 414.

357 CCPR, p. 27.

358 Simon de Beauvoir, The Second Sex (New York: Bantam
Books, 1953); and Kanowitz, p. 3.

359 Betty Friedan, The Feminine Mystique (New York: Dell
Books, 1963); Kate Millett, Sexual Politics (Garden City: Doubleday
& Co., Inc., 1970); Shulamith Firestone, The Dialectics of Sex (New
York: Morrow, 1970).

CHAPTER III

WOMEN'S EDUCATIONAL ATTAINMENTS

Occupation and education are necessarily closely linked. Thus, women's occupational choices and opportunities are directly influenced by the amount and kind of education they have received before they come to the labor market. This discussion of women's educational attainments will concentrate on the vocational benefits associated with educational achievement rather than the social and cultural values of education. In both Sweden and the United States the maintenance and growth of a highly industrialized national economy depends upon the availability of a skilled work force; the rapid advances in technology demand better educated and trained workers than ever before. These factors, coupled with the tendency of employers to automatically relegate women workers to the lowest level jobs, often regardless of their education, make the educational attainment of women workers of central importance for advancement in the work world.

From almost every perspective Swedish women have progressed a great deal more in the area of educational attainment over the past thirty years than have American women. The reasons for this are basically three: 1) the Swedish educational system has undergone sweeping general expansion and democratization since 1940; 2) American

women's educational opportunities and attainments were already relatively good; and 3) in the postwar period American women's rate of participation in higher education has either remained static or regressed. Tables 8 and 9, marking the milestones in American and Swedish women's progress toward equality of educational opportunity, show that American women have led in achieving entrance into all forms of higher education.

American women's traditionally higher level of attained education is illustrated by the fact that in 1960 (the first year for which Swedish data exist by sex) only 13.5 percent of all Swedish women over twenty-five had completed education beyond the compulsory level, while 42.5 percent of all American women in this age category had accomplished this. Although the differential between the two groups of women appears to be extreme, it is actually relative to the level of educational attainment of the national populations. Comparison of Swedish and American women's educational achievements to men's in Table 10 shows that within the context of their own country the women's rates are close to the national average.

An interesting difference in the national patterns is the fact that in this century, until 1970, women in the United States have led men in terms of overall level of educational achievement, whereas in Sweden the reverse has been true. Thus, in 1940 the median number of school years completed by American men over 25 years old was 8.6, while women completed 8.7. By 1950 the differential between the sexes was greater with women completing 9.6 median years of school--0.6 more than men. In 1960 the median completed by men was 10.3 with women still leading with 10.6. The 1960 Swedish data show

TABLE 8.--Milestones in American women's educational achievements

- 1820 First state university, University of Alabama, accepts women students in a special women's division of the University.
- 1821 Emma Willard opens the first secondary school for girls.
- 1826 Boston Public High School for girls is opened, and is closed again in 1828 when it is decided that its great popularity made it too expensive. Boston Public High School for boys remains open.
- 1833 Oberlin College, Ohio, opens accepting women and men students on the same basis thus becoming America's first coeducational college.
- 1833 Prudence Crandall founds the first school for Negro girls at Canterbury, Connecticut. It is closed by the men of the community with violence and threat to the lives of the teacher and pupils.
- 1837 Emma Willard founds the Willard Association for the Mutual Improvement of Female Teachers. Women had been elementary teachers from the beginning of the 19th century but there were no schools where they could obtain formal training. The object of the association was for the experienced teachers to help the newcomers through an exchange of ideas and teaching experiences.
- 1837 Mt. Holyoke, first women's college is founded, South Hadley, Mass., paving the way for the other women's colleges where women could obtain a quality higher education. These colleges also offer well educated women professional teaching and administrative opportunities and for several decades are the only readily available places of employment for educated women. Girls attending these women's colleges qualify as teachers, hence they functioned as teachers training colleges for a time.
- 1838 Mary Grove Nichols lectures on anatomy.
- 1841 Three women graduate from Oberlin College with the same degrees accorded male students--the first women in the world to achieve this distinction.
- 1848 Maria Mitchell, astronomer, is elected to the American Academy of Arts and Sciences for her discovery of the comet bearing her name in 1847. In 1850 she became the first woman to ever be elected to the American Association for the Advancement of Science.

TABLE 8.--Continued

- 1849 Elizabeth Blackwell graduates from Geneva Medical College, N.Y., (later part of University of Syracuse) to become the first woman M.D. in the United States.
- 1850 Antoinette Brown is ordained a Congregational minister to become the first woman cleric in the United States.
- 1851 Myrtila Miner opens the second school for Negro girls, Washington, D.C., and finds success.
- 1852 Massachusetts becomes the first state to adopt a policy of compulsory education from age five or six to fourteen, generally eight years in duration. By 1900 all of the states, except in the Old South have adopted this policy. Between 1905-1918 the Southern states belatedly endorse obligatory education.
- 1852 Boston Public High School for Girls re-opens. Soon free secondary education is available to girls across the country in public coeducational institutions.
- 1857 Elizabeth Blackwell together with two other women doctors founds an all-woman staffed hospital in New York and establishes the first American school of nursing.
- 1858 The University of Iowa becomes the first state supported college to go coeducational. Around the mid-nineteenth century many of the state colleges and universities begin to admit women students along with the men. The Middle West leads the way with the greatest number of coeducational public and private institutions.
- 1865 Vassar is founded, the first of the private women's colleges to offer a high quality education.
- 1866 First woman earns the doctorate in dentistry (D.D.S.).
- 1868 The Woman's Infirmary Medical School for women is established to facilitate women wishing medical careers since the "men's" colleges are still largely uncooperative, although they do accept women students.
- 1870 Caroline V. Still becomes the first black woman M.D.
- 1872 Charlotte E. Ray becomes the first black woman lawyer.
- 1876 Ellen S. Richards becomes the first woman faculty member at M.I.T.
- 1879 The U.S. Supreme Court admits women to practice at its bar, thus removing the last official barrier to women lawyers

TABLE 8.--Continued

to practice their profession.

- 1881 Alice Freeman is appointed president of Wellesley College becoming the first American woman to preside over an institution of higher education.
- 1953 Oveta Culp Hobby is named to the Cabinet position of Secretary of Health, Education and Welfare, the first person to ever hold this post and the second woman to sit in the President's Cabinet.
- 1970 The policy of sexual segregation in certain institutions of higher education observed in Southern states is challenged as unconstitutional under the 14th Amendment and breaking of the law established by Title VII of the 1964 Civil Rights Act. Southern colleges reluctantly begin to integrate the sexes in these schools.
- 1970 Women's Equity Action League (WEAL) initiates a class action against more than 100 universities charging discrimination against women students and faculty.
- 1972 The Equal Employment Opportunity Act (EEOA) is passed amending Title VII of the Civil Rights Act of 1964 to include employees of educational institutions. Executive Orders 11246 and 11375 strengthen EEOA by forbidding discrimination on the basis of sex by Federal contractors, which includes most institutions of higher education in the United States.
- 1972 The Higher Education Act bans sex bias in all graduate admissions to coeducational public colleges, exempting the undergraduate admissions of private colleges and institutions controlled by religious organizations if the bans would be inconsistent with religious beliefs.

Sources: Flexner, Century of Struggle, chaps. 2 and 8; Frederick Eby, The Development of Modern Education (New York: Prentice Hall Inc., 1952), chap. 21; and U.S. Department of Labor, Women's Bureau, Laws on Sex Discrimination in Employment (Washington, D.C.: Government Printing Office, 1970); and Spokeswoman 7 (April 1973), p. 1.

TABLE 9.--Milestones in Swedish women's educational achievements

1842	By law the six-year coeducational common school is established requiring compulsory attendance from age seven for all Swedish children.
1850	Discussion occurs in the Riksdag on founding a state institution for women's higher education, but no action is taken.
1852	The first woman dentist is allowed to practice under the auspices of a male dentist.
1853	Women are allowed by Royal decree to enter certain lower level teaching positions in elementary schools.
1855	The Women's Association of Göteborg opens the first secondary school for girls.
1861	The first women's teachers college is founded.
1866	The first nurses training course is established.
1870	Women are allowed to earn certain university degrees including the Doctor of Medicine.
1873	Women are allowed to take all academic degrees except theology and high law degrees.
1883	Ellen Fries becomes the first Swedish woman to hold the Ph.D.
1884	Russian born Sonja Kovalevsky is appointed Professor of Mathematics at the University of Stockholm becoming the first woman professor at a Swedish university.
1889	Karolina Widerström becomes the first Swedish woman to receive the M.D.
1891	Women are allowed to enter pharmacy.
1897	Elsa Eschelson becomes the first Swedish woman Doctor of Law and is appointed lecturer of civil law at Uppsala University.
1909	The Nobel Prize in Literature is awarded for the first time to a Swedish woman, Selma Lagerlöf, who at the same time is elected one of the Eighteen Members of the Swedish Academy.
1909	Emilia Fogelclou becomes the first woman to take a degree in theology from a Swedish university. However, she is not allowed to be ordained and practice the ministry because the State Lutheran Church does not recognize women clerics.
1918	Women teachers are allowed to be administrators at state

institutions of higher education (högskolor), but not at the universities.

- 1928 Girls are admitted to state secondary schools (real and gymnasium) for the first time. In practice many of the secondary schools refuse female students pleading lack of room for girls after all of the boys seeking entrance have been accommodated.
- 1928 Flickskolor (girls schools), offering a highly domestically oriented training, are taken over from private hands and adopted as part of the public school system as lower secondary education reserved for girls. Sexually segregated public schools continue to exist until 1970 when they are phased out as part of the revamping of the entire Swedish educational system.
- 1944 Elin Wägner, long famous for her feminist activities as well as her work as a writer, journalist, and speaker is elected one of the Eighteen Members of the Swedish Academy.
- 1947 Higher level teaching and administrative positions in public secondary schools are made available to women for the first time.
- 1951 Hildur Nygren becomes the first woman to hold the Cabinet position of Minister of Education and Ecclesiastical Affairs.
- 1961 Women are permitted to be ordained ministers in the State Lutheran Church.

Sources: Swedish Federation of Business and Professional Women, History of Swedish Women (Stockholm: Wiksells, 1954), pp. 1-35; and Marie Nordstrom, "Kvinnan i den akademiska utbildningen i Sverige från 1870," University of Göteborg, Göteborg, 1967, pp. 1-2. (Typewritten.)

TABLE 10.--Level of attained education: Sweden and the United States, 1940-1970
(percentage of the population over age 25 having achieved the compulsory level of further education, by sex)

SWEDEN				
Year	% attaining only the obligatory 7-9 years		% attaining education beyond the compulsory level	
	Men	Women	Men	Women
1940	..	..	..	..
1950	..	..	..	..
1960	85.1	86.5	14.9	13.5
1965	83.6	84.3	16.4	15.7
1970	80.3	79.7	19.7	20.3

UNITED STATES				
Year	% attaining more than 8 years but less than 12 years*		% attaining 12 years (high school graduate)	
	Men	Women	Men	Women
1940	65.8	69.6	22.6	26.3
1950	70.7	74.2	32.5	36.0
1960	76.0	79.5	39.5	42.5
1965	81.2	83.7	48.0	49.9
1970	85.5	87.0	56.3	56.6

*In the United States regulations stipulate the ages during which children shall attend school rather than the number of years of schooling required per se. The average student will attend ten years of school by age sixteen, the standard minimum age for leaving school. Unfortunately, the available data does not show the amount of attained education at grade ten which would make the American information more strictly comparable to the Swedish data.

Sources: Derived from Statistical Abstract of the United States, 1965, Table 147, p. 112; ibid., 1969, Table 151, p. 106; and ibid., 1971, Table 166, p. 112. Swedish data has been furnished in unpublished form by the Central Bureau of Statistics.

that in that year 14.9 percent of all Swedish men over 25 years old had more than the basic school education (6-8 years) compared to 13.5 percent of the women. Unfortunately, it is not possible to compute medians from the available Swedish data.¹

A glance at the figures for young people shows that the lower average for women in 1960 was the result of limited educational opportunities in the past rather than the present day situation. Thus, among the 15-24 age group 30.6 percent of the women as compared to 19.6 percent of the men had completed school at least through the junior secondary level (realskola, 9 years). In 1970, 74.0 percent of all women 15-24 had finished school at least through the junior level while 57.7 percent of the men had reached at least this level. The sharp rise in the attained education of young people reflects the great expansion of the educational system in the 1960's. By 1970 the relatively higher rate of educational attainment among young women had begun to show in the total population and in that year a slightly larger proportion of all Swedish women age 15-69, 20.3 percent, than men, 19.7 percent, had completed education at least through the junior secondary level--a phenomenon unprecedented in Swedish educational history. In 1970 an American educational first was also realized when for the first time men and women over 25 had the same median number of school years completed--12.2 years.²

Although these general figures do not make it clear, it should be understood that American women's traditionally higher median years of schooling compared to American men's and Swedish women's present move toward the same position in relationship to Swedish men does not mean that the women dominate higher education. The fact is that

women as a whole have simply tended to stay in school longer than men at the lower and middle levels of the educational system. Table 11 showing women's proportional enrollment at various educational levels makes this pattern clearer. Because the ratio of males born is slightly higher than females in both countries, girls naturally constitute less than half of those attending the obligatory elementary schools. Sexual differentiation begins to show up on the secondary level.

In order to understand the difference in the patterns of attained education for Americans and Swedes, as well as the national differences between men and women, it is helpful to know something about the philosophy of education and form of the public school systems in the two countries. For the person not born wealthy, educational opportunities are as dependent upon what is available within the existing school system as upon her own ability, motivation, and interests. Until the massive school reforms of the 1920's, and even more the 1960's, a Swedish young person's social and economic background clearly determined how much education she or he would receive. In the United States these influences have been present in a diminished form, at least below the college level, because of the well established comprehensive public school system.

National Educational Systems

School in Sweden

Until the 1960's, when the Swedish state school system was overhauled with the goal of democratizing it, the Swedish system was basically the same as that found in most West European countries:

TABLE 11.--American and Swedish women attending various kinds of schools, 1940-1970
(by percent of total enrollment)

School	1940	1945	1950	1955	1960	1965	1970
	Sweden						
Folkskola	53.0	48.9	48.4	48.3	48.1	48.3	48.6
Realskola	36.6	39.8	44.6	48.1	50.1	50.4	52.2
Gymnasium ^b	35.0	35.7	40.1	39.2	43.7	47.6	42.9
Fackskola	.	.	.	.	40.0	39.0	51.0
Higher Education	20.9	37.8	29.0	36.5	33.5	36.3	37.2
Teachers Training	55.7	68.4	60.3	58.9	78.5	..	80.1
Vocational	..	41.0	..	..	36.9	39.0	46.5
Folkhögskola	62.1	60.4	67.0	69.7	64.0	54.3	54.1
	United States						
Elementary	48.6	48.5	48.6	48.4	48.4	48.6	48.8
High School	51.0	50.5	49.7	49.4	49.4	49.8	49.6
Higher Education	47.1	49.9 ^a	31.5	33.6	34.5	38.2	40.6
Vocational	44.2	54.4	49.0	48.9	48.9	54.3	..

^aData for 1945 are not available. This figure is for 1944.

^bIncludes the technical and commercial gymnasium from 1955.

Sources: Statistical Abstract of Sweden and Statistical Abstract of the United States, annual reports, 1940-1970, education tables; and unpublished data supplied by the Swedish Central Bureau of Statistics.

dual tracks with one type of schools for the social elite that prepared their children (mainly the sons) for the learned professions, and another for the common people that prepared their offspring for carrying on the ordinary business of life.³ Sweden differed from the other countries in that it had a long tradition of agitation for a comprehensive school system that was geared toward giving children from all social classes a common school experience with a curriculum that emphasized social and political goals over simply academic achievement. The desire was for increased equality of educational opportunity and general social mobility. In 1842 the first move was made toward realizing liberal goals with the establishment of the free, public, compulsory six year folkskola (common school), and the stipulation that all persons attend school from the age of seven. However, evidence shows that in spite of the six-year requirement as late as 1937, when seven years became compulsory, many Swedes were receiving only four or five years of school.⁴

Throughout the last century and into the second quarter of this century females in Sweden were denied the right to secondary education in the public schools. Although the folkskola was coeducational girls were not allowed to attend state supported intermediate and upper secondary schools (realskola and gymnasium). Daughters of the well-to-do could get a fair secondary education at the private secondary girls schools that were established as early as 1831. The cost of these schools automatically eliminated the ordinary girl except for the few that could win scholarships.⁵ Because of the lack of public secondary education for girls between 1871-1903, the number of girls enrolled in secondary schools never went over 100 annually

although there were between 500 and 900 boys enrolled every year. Between 1900-1914 ten more girls schools received accreditation resulting in 218 girls graduating with secondary diplomas in 1912 compared to 1,467 boys. By this time private girls schools were receiving financial aid from the state and community.⁶ In 1927, after heated debate and much opposition, the principle of coeducation was introduced into the public schools and the state assumed the responsibility of providing various kinds of secondary school opportunities for girls.⁷ In many cities the state realskola and gymnasium were thrown open to girls as well as boys; however, in practice, a substantial number of these schools turned away female applicants with the most common rationalization being that there was no room for more students.⁸ Ironically, the major effort to provide public secondary education for girls was the state's program, beginning in 1927, of gradually converting the private flickskolar (girls intermediate schools) into public institutions--retaining the sexual segregation principle.⁹ Although initially hailed as a great step forward, the formal institution of public supported sexually segregated schools in the long run has worked against Swedish women's educational opportunities.

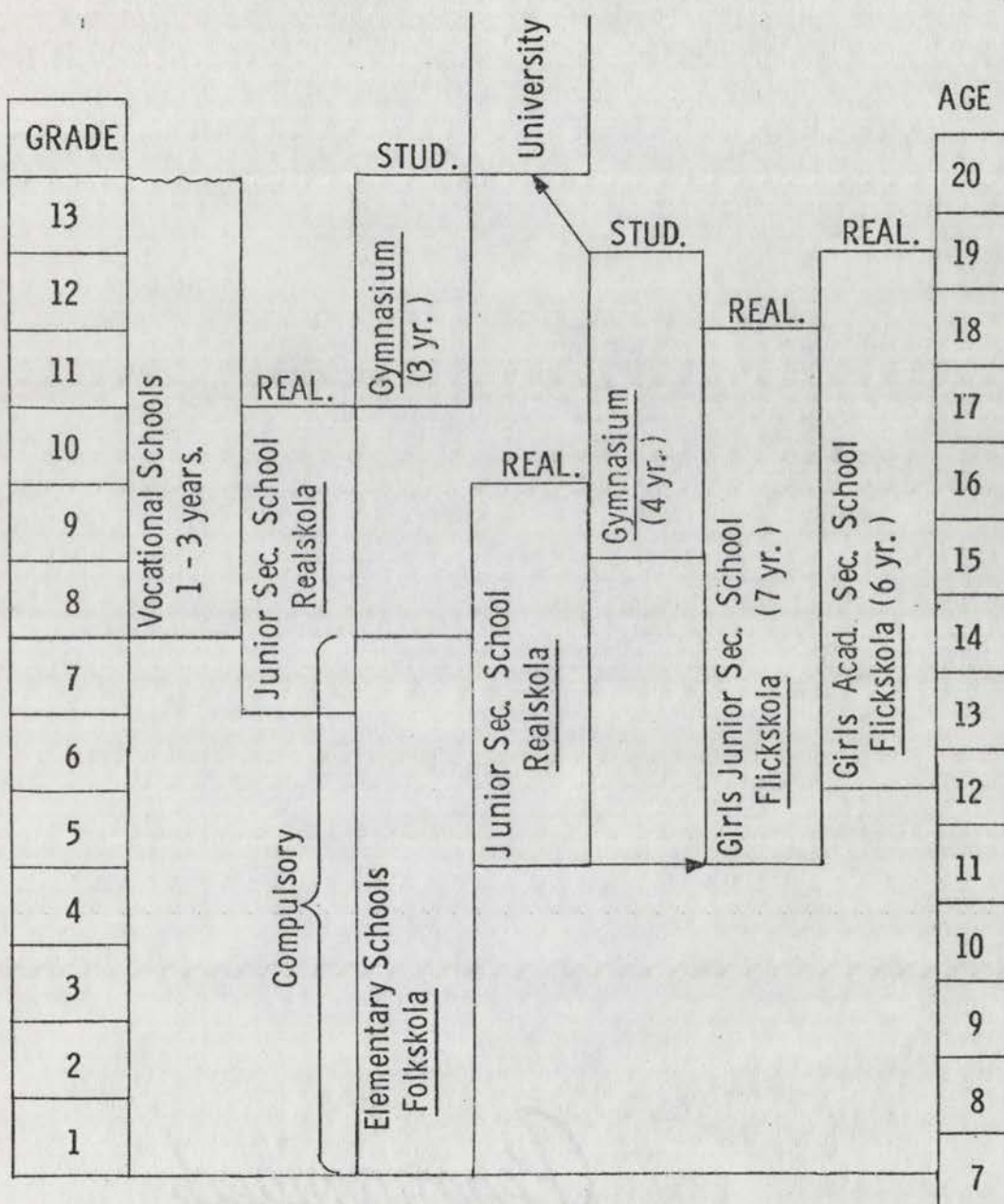
After 1937 compulsory education was extended to seven years throughout the country and eight years in some of the large cities. The number of years of schooling beyond the compulsory school to qualify for entrance to the university varied between three and six years. Under this system the state provided a maze of separate schools offering assorted types of education of varying lengths and prestige for different goals. Figure 5 illustrates the various

paths available through the school system. After four years of primary education at the folkskola (usually age eleven) all students were streamed into one of three distinct types of institutions:

1) the folkskola, which after three years qualified them to either enter a vocational school or the labor market; 2) the flickskola, which after a five- to seven-year course qualified girls for entrance into a vocational school or the labor market, or, if they had taken the academic course, to take the realexamen¹⁰ and enter the gymnasium (through part of the period girls had to attend the realskola for a time before the realexamen regardless of the length of time in the flickskola); or 3) the realskola, which after a four- to five-year course qualified students for the realexamen and entrance into the gymnasium (this was the route of the elite), or, if they took the practical course, for vocational school and work.¹¹ As can be seen not all of the schools qualified the student to proceed to the academic gymnasium and hence to higher education.

Upper secondary education was not compulsory, but was made available by the state in the form of the classical academic gymnasium which was geared almost exclusively to preparing students for passing the prestigious studentexamen, the passport for entrance into the university and various institutes of higher education. From 1951 the handels gymnasium (commercial secondary school), two years, and tekniskgymnasium (technical secondary school), three years, also offered secondary education. There has been a vigorous vocational school (yrkesskola) program available to post-folkskola students for many years. Vocational schools have been readily available throughout most of Sweden; however, gymnasiumer have been traditionally

FIGURE 5
GENERAL ORGANIZATION OF THE SWEDISH SCHOOL SYSTEM
FROM 1927 TO THE REFORMS OF THE 1960'S



STUD. - Qualifies to take Studentexamen.

REAL. - Qualifies to take Realexamen.

Source: Adapted from Sammanfattning av allmän organisationsplan,
S. O. U. 1945:62, Bilaga 6, p. 83.

found only in urban centers and thus have been inaccessible to rural and small town dwellers.¹²

Basically, this conglomeration of schools existed because a comprehensive secondary school comparable to the American high school did not exist. Richard F. Tomasson has pointed out that "This complexity was the net result of attempts to increase both the length of common schooling in the folkskola and the educational opportunities for those in the lower social groups, for those living in rural areas, and for girls, while there was at the same time a reluctance to give up select academic schooling beginning at an early age."¹³ Tomasson stressed that the class-linked highly selective and elitist quality of the traditional Swedish system has been the most successfully eliminated at the grundskola (common compulsory school) level with the new reforms.

Stimulated by the desire to apply to education the key Swedish ideal of universal sharing of the general welfare system, in 1962 the Riksdag legally established a nine-year obligatory comprehensive school (grundskola) after almost forty years of discussion.¹⁴ This school had been experimented with since 1955 and all of the folk and realskolor were scheduled to be eliminated by 1972. Moreover, by the mid-1960's action had begun to provide more alternatives for secondary education than the traditional academic training of the gymnasium. The most popular alternative has been the fackskola (continuation school) geared toward preparing the student for entering the labor market immediately upon graduation. The most recent plan is to gradually consolidate the various secondary schools including the fackskola into a single comprehensive gymnasium similar to the

American high school. The studentexamen was eliminated in 1968 in favor of a certificate of completion of studies.¹⁵ An important part of the expansion of the gymnasium has been to more fairly distribute the schools throughout the country than under the old system where they tended to be clustered in the larger towns.¹⁶

For the sake of further clarifying the complex Swedish educational system and what happened to girls in it, the routes through the system available to girls from 1927 up to the reforms of the 1960's will be briefly traced. Reference to Figure 5 will make this discussion more intelligible. The Swedish girl wishing to complete twelve years of formal education had quite a variety of alternatives. She might attend the folkskola for six years, then the realskola four years, pass the realexamen and proceed to a three-year gymnasium. On the other hand, she might take one of the alternatives available after four years at the folkskola. She might: a) enter a five-year realskola, pass the realexamen and then proceed to the three-year gymnasium; b) enter a five-year flickskola and then proceed to a four-year gymnasium; c) take a six- or seven-year course at the flickskola and proceed to the three-year gymnasium. Throughout the 1940's and early 1950's a girl could not proceed directly from the flickskola to the gymnasium, but was required to attend the realskola for a time, even if she had completed six years at the flickskola. This was because the curriculum and standards of the flickskola, with their strong housewifery-preparation orientation, were not officially considered adequate preparation for the gymnasium.¹⁷ If a girl took a route to the gymnasium that included the flickskola, she went to school one year longer than girls and boys who went to the coeducational

schools, hence was twenty rather than nineteen when she completed her secondary education.

While many persons in Sweden will deny that the flickskolor were inferior schools, the fact remains that they were, in Roland G. Paulston's words, "separate but equal state supported secondary schools for girls only."¹⁸ Investigation suggests that in the final evaluation these sexually segregated schools, like the racially segregated "separate but equal" American schools, were somewhat less than equal in the quality of educational experience given to the girls attending them. Flickskolor offered "a higher training for girls in household arts," and were distinctly less academic than the coeducational realskolor, which they supposedly paralleled.¹⁹ The curriculum emphasizing the arts as well as domestic and commercial skills was free from exams and in modern educational jargon would be definitely called "soft." For many years upon completion of a six- or seven-year course a girl at the flickskola was given a standard leaving certificate (normal skolkompetens) rather than being qualified to take the realexamen, which would open the doors to higher schools including the academic gymnasium.²⁰ Eventually the flickskola was given a more academic curriculum and was linked directly to the gymnasium although, as has been noted, the girls entering the gymnasium from the flickskola rather than the realskola were older and had attended school more years to get to the same point than had the realskola students.²¹

From 1927 until the late 1950's, when both the realskola and flickskola began to be phased out, each year more public realskolor accepted female students (although technically all were coeducational

from 1927). In 1945 of all girls attending school at the intermediate level 37.0 percent were in sexually segregated schools. By 1955, 31.6 percent of all girls at this education level were in the flickskola and by 1960 only 24.7 percent remained.²² At the end of the 1950's there were still over fifty flickskolor in Sweden with over 24,000 pupils.²³ In 1970, after at least ten years of "phasing-out," there were still 900 girls attending flickskolor.²⁴

In Sweden the question if the flickskola really provided "separate but equal" education or inferior educational opportunities is quite controversial and today a point on which many Swedes will be strongly defensive. The fact is that just before World War II many girls in Sweden were still being denied an opportunity for secondary education because of lack of facilities because in case of more applicants than places male applicants were conventionally given priority. Paulston is convinced that the education of girls in Sweden was largely neglected even after the 1927 reforms and that the authorities were aware of this neglect but chose to overlook it.²⁵ The first real opportunity for girls to an equal education has come with the establishment in the 1960's of the nine-year grundskola and the comprehensive gymnasium which required the elimination of the old maze of schools including the flickskola.

Paulston has observed that the establishment of public sexually segregated schools at such a late date as 1927 was motivated by the Swedish male's aversion to coeducation that sprang from fear of economic competition on the limited job market, as well as firmly established traditions and prejudices that often took the form of lack of interest in and low opinion of women's intellectual

capabilities.²⁶ In the final analysis it does appear that a girl attending the flickskola was prepared for very little beyond housewifery or a low-level "dead end" job. All things considered, the failure to first provide girls with an opportunity for secondary education, followed by the establishment and maintenance of the state flickskola for over forty years constitute the greatest acts of institutionalized discrimination against Swedish women in the area of education in this century.

The American School System

The American school system during the period under examination lacks the complexities of the Swedish system because by 1940 it already was essentially what the Swedes hope to have by the mid-1970's-- a democratic school system ostensibly offering equal educational opportunity to all. Almost from its inception the American public school system has adhered to the philosophy of providing a general education for all through a comprehensive school. This was the goal for both elementary and secondary levels already in the last century when most states began requiring children to attend school from ages six to sixteen.²⁷ Although the early American high school was meant to provide a general education when it was first founded in 1821, it tended to be academic and college preparatory in its orientation in the last century, somewhat like the Swedish gymnasium.²⁸ However, in the first two decades of this century reforms similar to those now taking place in the Swedish system were enacted and the genuinely comprehensive high school evolved with academic subjects and social development as well as occupational training all being taught under

the same roof. The goal was to meet the needs of the vast majority of the students who would not go on to higher education, as well as the ever growing minority who would continue their education.²⁹

In the United States coeducation has been a distinguishing feature of the public school system from the outset particularly on the elementary level. The very first secondary schools established in mid-nineteenth century followed the practice of private academies and sexually segregated the students. However, this quickly fell out of favor and by 1900 only 2 percent of the country's 6,000 public high schools were sexually segregated, and less than 0.5 percent of all American secondary schools were not coeducational.³⁰ The closest equivalent to the Swedish state supported flickskolor in the United States were the private female seminaries that existed in the middle of the nineteenth century to provide a "practical" terminal education for girls. These schools emphasized reading, writing, and arithmetic, and like the flickskola sought to prepare girls for homemaking duties. This type of school was never state supported.³¹ Historians generally credit the strong nineteenth-century women's rights movement for the early dropping of the special-training-for-girls approach to female education and the rapid integrating of girls into the general high school and standard curriculum. The feminists were very concerned that girls have access to the same kind and quality of education that boys have, thus making them eligible for the full range of opportunities available in higher education and work.³²

Girls in Secondary School

Secondary schooling

The efforts of the early American reformers to achieve equality of educational opportunity for women were successful, and by the turn of the century American women enjoyed a higher median number of school years completed than men. In Sweden the pattern has been quite different with women not beginning to take advantage of their opportunities for secondary education in large numbers until the 1950's. Table 11, page 205 and Table 12 below show that women constituted less than half of the students either enrolled or graduating from the realskola or gymnasium until the

TABLE 12.--Women with completed secondary education: United States and Sweden, 1945-1970
(by percent of all graduating)

Year	SWEDEN		UNITED STATES
	Passing <u>realexamen</u>	Passing <u>studentexamen*</u>	Graduating from high school
1945	47.1	26.2	56.8
1950	48.6	32.4	52.4
1955	52.1	38.1	52.0
1960	52.4	41.2	51.8
1965	50.5	44.0	50.3
1970	53.0	41.3	50.5

*Includes the technical gymnasium from 1950 and the commercial gymnasium from 1955.

Sources: Historical Statistical Abstract of Sweden, Table 201, p. 193 and Table 205, p. 196; Statistical Abstract of Sweden, 1956, Table 346, p. 288 and Table 348, p. 289; ibid., 1966, Table 353, p. 307 and 355, p. 308; and ibid., 1972, Table 363, p. 317; and Digest of Educational Statistics, 1971, Table 68, p. 51.

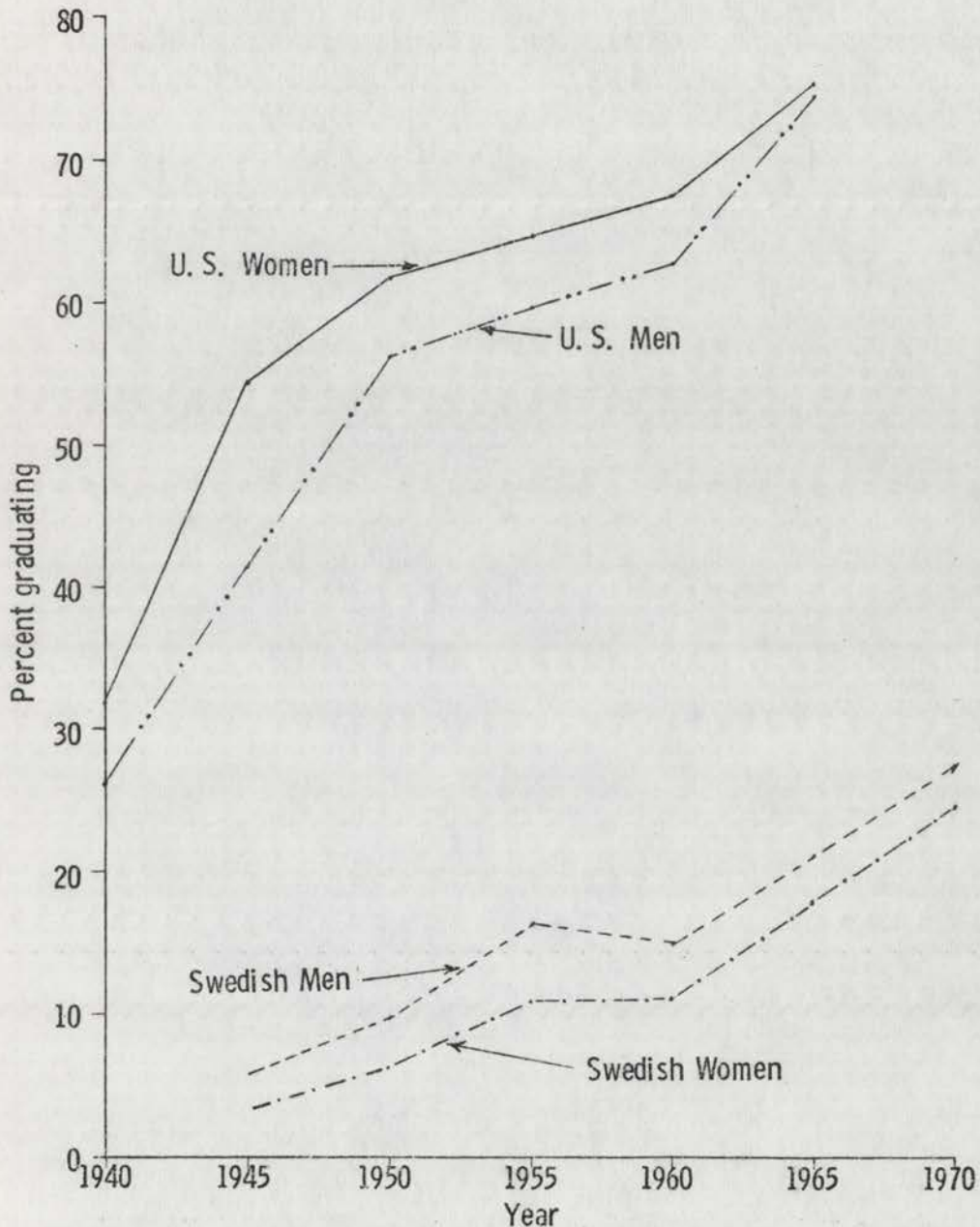
1960's. An exception is found in the proportion of girls passing

the realexamen. Since 1955 girls, in spite of constituting less than 50 percent of the student body, have surpassed boys as a proportion of those graduating from the realskola.

Throughout this discussion it should be kept in mind that although secondary education has been theoretically available to everyone in Sweden in modern times, actually only a small segment of the population has attained this level of schooling compared to the United States. Figure 6 shows that the number of persons of both sexes graduating from the Swedish gymnasium is a relatively small proportion of all nineteen year olds compared to the number of American seventeen year olds graduating from high school.³³ Thus, in 1945 of all American females and males in the seventeen year old age group 54 percent of the females and 41 percent of the males graduated from high school compared to 75 percent of the females and 74 percent of the males in 1970. In contrast, in Sweden in 1945, 35 percent of the females and 6 percent of the males of the nineteen year old age group graduated from the gymnasium and in 1970, 24 percent of the females and 27 percent of the males graduated.

The substantially smaller proportion of the Swedish population obtaining a gymnasium secondary education compared to Americans completing high school can be in large part explained by the different focuses of the two types of schools and the traditional Swedish emphasis on practical rather than theoretical training for the average person after finishing the folkskola. Traditionally, the yrke (vocational) and more recently the fackskolor (specialized) fulfill this educational goal. The American high school is a comprehensive school offering subjects with a wide range of difficulty

FIGURE 6
 RATIO OF HIGH SCHOOL AND GYMNASIUM GRADUATES
 TO POPULATION 17* (US) AND 19 (SWEDEN) YEARS OLD,
 BY SEX: SWEDEN AND THE UNITED STATES, 1940-1970



*Age 17 is the age for which the U. S. Bureau of the Census calculates these ratios.

Sources: Derived from *Digest of Educational Statistics, 1971*, Table 68, p. 51; and *Statistical Abstract of Sweden* for relevant years, education and population tables.

and providing terminal as well as college preparatory training, while the traditionally elitist Swedish gymnasium has been geared toward theoretical studies and a basic university-preparatory curriculum. In fact, the conventional attitude in Sweden has been that when a student passes the studentexamen he or she is at the point of the American college student at the end of the sophomore year. However, as Tomasson has pointed out, the increasing democratization of the Swedish school system and movement toward the comprehensive gymnasium makes this Swedish claim considerably less justified than it once might have been.³⁴

Data given in Tables 11 and 12 and Figure 6 reflect the opposing patterns of sexual differentiation characteristic of the two countries at the secondary school level with a higher proportion of boys than girls finishing the Swedish gymnasium, while in the United States girls consistently outnumber the boys in graduating from high school. However, the Swedish boys' lead had been somewhat greater than American girls'. Thus, in 1945 boys constituted 73.8 percent of all those passing the studentexamen while in 1970 they were 58.7 percent. The highest point for Swedish female secondary students was in 1965, when girls constituted 44 percent of those passing the studentexamen and approximately one-half of the student body--47.6 percent. In this century American girls have constituted approximately one-half (always within 0.6 percent) of all persons enrolled in high school, but more than half of all graduates. Thus, in 1945 boys were only 43.2 percent of the graduates compared to 49.5 percent in 1970. The Swedish data from 1970 and 1971 suggests that a reversal of the fifteen year upward trend in girls' matriculation at the gymnasium has begun. In 1970 girls were only 42.9 percent of those enrolled--the lowest

rate since 1955--and in 1971 their enrollment had again dropped slightly to 42.4 percent. Similar drops are visible in the proportion of women graduating from the gymnasium. It is too soon to determine if this is a general or a short-term trend.³⁵

It is not possible to fully explain from the data just why Swedish women did not pursue secondary education in larger numbers soon after it became available to them in 1927, but waited until the 1950's. Undoubtedly lack of precedent was a strong influence. However, the rapid increase in the proportion of women in the gymnasium after 1950 can be at least partly attributed to the government's program of state-aid introduced in 1946 and expanded in 1953 for able students to carry on studies at the gymnasium. Moreover, Carl-Erik Quensel thinks that this aid program increased the proportion of rural and working class youth in the gymnasium since it included a living allowance for those unable to live at home while attending school.³⁶ These programs, extended to the university in the 1960's, were open to both sexes equally.³⁷ Moreover, the rapidly increasing general Swedish interest in longer education since 1950 has had a salutary influence on parental support of secondary education for daughters as well as sons. A public opinion poll of mothers' attitudes toward their children taking the studentexamen conducted in July 1955 showed that 65 percent favored this much education for both their sons and daughters. A similar poll of parents in August 1963 revealed that slightly more parents favored the studentexamen for girls (84 percent) than for boys (83 percent). In fact, more of the parents openly objected to the studentexamen for boys than for girls (6 percent against boys, 4 percent against girls).³⁸

Although Swedish women have not gone to the gymnasium in as large numbers as men, it is not because of their lack of interest in learning as their support of available alternative forms of education shows. Because of space considerations only the most important of these--the folk high school--will be discussed. In the middle of the nineteenth century Sweden borrowed from Denmark the idea of a unique adult secondary school called folkhögskola and soon established such schools throughout the country to augment the common short elementary education. Today the fölkhogskola still is an important institution in Sweden, and the rest of Scandinavia, and offers one to three years courses preparing students for entrance into training schools for what are recognized in Sweden as semi-professional fields of work, such as nursing, police work, kindergarten teaching, and social work. Table 11, page 205 shows that women have consistently made greater use of the opportunities for further education offered by the fölkhögskola than men.³⁹

The highly academic orientation of the gymnasium compared to the high school can be seen in the relatively greater rate of continuation on to higher education of Swedish gymnasium graduates as compared to American high school graduates. Table 13 shows that since 1950 an average of nine out of ten male gymnasium graduates have continued on to the university compared to six out of ten American male high school graduates. An average of seven out of ten Swedish women graduates have similarly continued, in contrast to less than half of the American female high school graduates. American women's rate of continuation has increased from about half to more than three-fourths that of men's over the past twenty-five

TABLE 13.--American and Swedish students continuing studies, 1945-1970
(Ratio: Newly enrolled students in higher education institutions, fall
to gymnasium students from the immediately preceding spring
commencement)

Year	UNITED STATES		SWEDEN	
	Male	Female	Male	Female
1945	..	32.1	77.8	54.8
1950	56.0	31.3	95.8	66.2
1955	64.5	36.6	..	..
1960	60.5	40.1	98.8	71.7
1965	63.5	45.7	98.1	76.5
1970	80.6	63.1	85.8	73.3

Sources: Abbott L. Ferriss, Indicators of Trends in the Status of American Women (New York: Russell Sage Foundation, 1971), p. 322. Statistical Abstract of Sweden, education tables, for relevant years.

years. In Sweden, on the other hand, the women's rate had remained about 70 percent of the men's rate throughout the entire period up to the late 1960's when it rapidly increased until by 1970 the women's rate was 86 percent that of the men. Undoubtedly, this rapid increase is linked with government programs encouraging students to continue their education which have included offering substantial student loans and liberalizing entrance requirements. These programs are largely responsible for the proportion of males continuing their education after the gymnasium reaching almost 100 percent in 1960 and 1965 and the proportion of females continuing reaching an unprecedented 76.5 percent. The rising unemployment rate among educated people in Sweden in the late 1960's has discouraged students from continuing their education at the university and in 1970 the continuation rate began to noticeably drop.⁴⁰

Curriculum and occupational choices
of girls in secondary school

As has been shown the period since World War II has been marked by the gradual equalization of the amount of education obtained by the sexes in both Sweden and the United States until today there is virtually no difference below the university level. The problem at present is the substantial differences in the type and focus of the education girls and boys select for themselves. Various studies have shown that the secondary student's curriculum and subject-matter choices are linked with what the student expects to do after graduation. For girls this has traditionally been temporary employment followed by marriage, children, and eventually full-time homemaking. Thus, both American and Swedish girls tend to dedicate less time and effort to preparing themselves for occupations than do boys, in spite of expecting to enter the labor market immediately after graduation to a higher degree than boys. Although an exclusively domestic life pattern is no longer a realistic expectation for a young woman, who can expect to work throughout much of her adult life, this fact has not yet made a visible impact on young women's educational choices in either country and girls continue to educate themselves with the assumption that employment will not play a major role in their lives.⁴¹

It is difficult to trace the developments in secondary school girl's choice of curriculum and occupational interest over the past twenty-five years since data from before 1955 are essentially unavailable in either country. In recent years Swedish gymnasium curriculum data have been routinely recorded by the Swedish Central

Bureau of Statistics. In the United States there has been no effort to methodically collect such information; moreover, the research that has been done on the high school and college age student's curriculum interests has concentrated on males, resulting in only scattered information on girls.⁴²

However, available data on girls' curriculum choices in both countries, reveals that they have more limited views of their futures than is characteristic of boys. In 1954-1955 an Educational Testing Service (ETS) study found that two out of five American girls in their last year of high school were enrolled in non-academic--job-oriented--study lines while only one out of four boys were so enrolled. In the same year in Sweden two out of five Swedish girls attending secondary schools were similarly enrolled in occupation-oriented courses, while three out of four boys were so enrolled.⁴³ Vocational choices tend to be sex linked in both countries with girls favoring humanistic, artistic, sociopsychological subjects, and service occupations, while boys favor scientific and technical subjects and technical, commercial, managerial, and administrative occupations.

The traditional streaming approach to study used in the Swedish secondary schools and the Swedish Central Bureau of Statistics recording of the students in each line by sex since 1955 makes it possible to closely examine the sex-linked patterns in study-line choices. The data presented in Table 14 show that females consistently choose the essentially non-occupation oriented humanities and social science lines to a much greater extent than males, who prefer more marketable technical and scientific training. Sandlund has described

the humanistic/social lines as providing little more than preparatory instruction concerning vocational training and totally lacking in practical training that will help the student on the job market after graduation.⁴⁴

TABLE 14.--Women's and men's choice of curriculum in various Swedish secondary schools, 1955-1970
(percent distribution of total enrolled)

Year	Tech./Nat. Sci.		Hum./Soc. Sci.		Business		Total	
	Female	Male	Female	Male	Female	Male	% F	% M
1955	19.2	61.7	69.9	26.8	16.8	11.5	100	100
1960	17.6	70.3	41.2	22.0	41.2	7.8	100	100
1965	20.1	65.5	52.5	17.3	27.4	17.2	100	100
1970	16.2	64.0	63.3	17.5	20.5	18.4	100	100

Sources: Derived from Statistical Abstract of Sweden, 1951, Table 323, p. 262; ibid., 1965, Table 342, p. 297; ibid., 1966, Tables 344 and 345, p. 299; and ibid., 1972, Table 251, p. 308, and Table 366, p. 319; and unpublished data provided by the Swedish Central Bureau of Statistics.

At first glance one might conclude from this that more Swedish female than male students are looking toward continuing onto higher education after graduation. However, a 1963 study of motivation for courses taken at the gymnasium found that girls preferred a general gymnasium education over other forms of secondary schooling, not because they intended to go on to the university but because they felt that they learned "things which they will always have a use for later on."⁴⁵ It was the conclusion of the study that the girls were uncertain as to what use their education would be to them. Moreover, Husén and Boalt have pointed out that another reason for the gymnasium's attraction for a larger proportion of girls than boys seeking secondary education is the fact that

girls on the average do better in foreign languages which today are the key to study in the gymnasium as well as the university.⁴⁶

Further insight into the reasons for the substantial sexual differentiation in choices is found in a 1969 study of post-gymnasium graduates. In this year 23 percent of the females and 11 percent of the males chose the straight academic line. When the women were asked why they had chosen a specific line they admitted that it was generally because of their personal interest in the specific subject matter, for example, foreign languages or mathematics, and they had not thought about what they were going to do with it after graduation. However, when asked if they felt they had made the right choice and would again choose the academic line if they were to do it over 53 percent of the women emphatically said "no." Only 39 percent of the men so responded. From other comments from the men the researchers concluded that young men think more about their futures than do young women because they are earlier convinced that the wrong kind of training can be a major disaster to their lives.⁴⁷

In Sweden there has traditionally been a greater emphasis upon obtaining practical occupational training while in school than in the United States; thus, within the context of Swedish society girls' more frequent choice of non-occupational curricula accompanied by their lower rate of continuation on to higher education adds up to lack of planning for the future.

A solid background in the sciences is necessary for both entrance into higher education and employment in many of the new fields of work that have opened up with the technological advances since the Second World War. Occasional studies done over the past

years show that American high school girls, like Swedish girls, have traditionally favored humanities and social sciences and consequently have taken science and technical courses substantially less often than have boys. In the mid-1950's studies by ETS and the United States Office of Education showed that in almost every science course--biology being the outstanding exception--boys predominated with girls constituting between 20-40 percent of the students. Similarly, in the mid-1950's 28.1 percent of the Swedish students studying natural sciences were girls.⁴⁸ It would appear that the pattern of sexual differentiation in subject choice is changing more quickly in the United States than in Sweden, if a sample study done by the United States Office of Education in 1964-1965 is an indication of trends. This study found that 46.5 percent of all students enrolled in all high school science courses were girls, who also constituted 44.6 percent of all mathematics students.⁴⁹ In 1964 Swedish girls constituted 30 percent of those enrolled in the science curriculum at the gymnasium.⁵⁰

The business (office skills) and commercial curriculum is both American and Swedish secondary school girls' primary choice for occupational preparation. This pattern was pronounced earlier in the United States, thus, in 1955, 35 percent of all American high school girls were taking a business course of study compared to only 17 percent Swedish secondary school girls. However, just five years later 41 percent of the Swedish girls were taking the business line, undoubtedly prompted by the promise of the ready jobs in business and industry that were the product of the prosperity and rapid economic and industrial expansion Sweden was experiencing at

that time. In spite of plentiful job opportunities the business curriculum has not been attractive to boys and in 1955 only 9 percent of American high school boys and 12 percent of Swedish boys selected it. In 1960, when Swedish girls' preference for office work dramatically shot up, Swedish boys' interest dropped by 25 percent. In recent years in Sweden fewer girls are electing business than formerly while the number of boys interested in it is steadily, if slowly rising.⁵¹ Unfortunately, there are no American data for recent years, but on the basis of women's distribution on the labor market it can be safely assumed that business continues to be a popular choice for girls' occupational training.

Vocational training is useful for the person who wishes to take up employment immediately after secondary school graduation, as is typical of more women than men. However, women appear to select this form of education to a lesser degree than do men in both the United States and Sweden as Table 11, page 205 shows. Throughout the period American women in comparison to men have made greater use of this form of training than have Swedish women. However, it should be noted that the Swedish fackskola, which provides specific white-collar occupational training, is becoming very popular with Swedish young women, who choose their curricula following the same patterns typical of the gymnasium. The relatively greater emphasis upon job training in secondary schooling in Sweden is illustrated by the fact that in 1960, 37 percent of all secondary school age females and 47 percent of males were in vocational courses of at least five months duration compared to only 9 percent of American females and 14 percent of males of the equivalent age group in 1955.⁵²

Because of the American emphasis upon a general education at the high school level not all American high schools or communities offer vocational training facilities and those that do frequently offer a wider choice of the typical "male occupations" than "female occupations." Moreover, all over the country there are state supported sexually segregated vocational schools. For example, there are seventeen such schools in New York City--six for women and eleven for men. As might be expected the men's schools offer training in areas which are generally well-paid, open to advancement, and have strong union support. Of the seventy-seven different technical courses offered, women may take only thirty-six. Ironically, females are barred from even the professional cooking and waiting courses. Even within the coeducational vocational schools women students are denied entrance to such classes as men's clothing design and manufacturing.⁵³

The information available regarding subject choice in the vocational school reveals that in the United States girls overwhelmingly choose the traditional women's occupations and the boys choose the men's. In fact, in 1955 almost all of the females enrolled in federally aided vocational programs were taking the home economics course geared toward training them to be homemakers rather than qualifying for a paid job. Only 16 percent of the girls were taking trade and industry courses and within this area they were concentrated in the traditionally feminine fields--practical nursing, cosmetology, and food services. Ten years later there was a noticeable change in women's choices. Only about half of the women were enrolled in the home economics course. Office occupations

attracted almost another third. Only 10 percent chose to prepare for work in trade, industry, or distribution, and 2.8 percent for the health occupations.⁵⁴ Of course, women's tendency to go into these women's fields is somewhat augmented by the unavailability of a wider range of subject choices at the vocational school because of the sexual segregation policies.

In Sweden, where vocational training is readily available and there are no sexual segregation policies of any kind, the pattern of choices is very similar to the American. In 1960 domestic occupations and commercial work--clerical and sales--tied as the girls' first choice in the vocational line with each attracting 36 percent of the girls. Home nursing attracted another 10 percent. Sixteen percent chose trade and industrial training; however, almost one-half of these women were concentrated in textiles and needlework while most of the others were training to be hairdressers. Women tend to take the shorter--less than one year--courses that only qualify them for medium-low level jobs. Recent data show that this pattern has held fairly constant through 1970 with only nursing markedly increasing and domestic occupations decreasing. It should be noted that, as in the United States, much of the training received by Swedish women in vocational schools is not intended to further a career but is to be used in the woman's own home.⁵⁵

Data on trends in the development of the study body of the vocational and fack schools and the gymnasium suggest that there may be a reversal of the typical sexually differentiated pattern beginning in Sweden. Since the mid-1960's females have been turning more to occupational training and away from the academic gymnasium,

while males are going the other way. Thus, in 1970 56 percent of all post-grundskola girls were taking vocational or white-collar job training and 44 percent were in the gymnasium, while 51 percent of the boys were in occupational training courses and 49 percent were in the gymnasium.⁵⁶ Distribution data show that the shift of the girls from the gymnasium to the fackskola totally accounts for this change. Indeed, the rapidly growing popularity of the fackskola with girls has caused Swedish observers to express the fear that it will become the new "girls school." The main concern is that this trend has lowered the proportion of girls obtaining an academic, university-preparatory education and thus decreased the pool of potential professional women workers, while the caliber of training offered at the fackskola guarantees that these women will not be able to advance beyond a medium-level job.⁵⁷

It is worth noting that it has been found that women in the United States have a higher rate of academic achievement on every level of education than do men, while after the folkskola level men do better than women in Sweden.⁵⁸ Norwegian sociologist Harriet Holter links this with lack of confidence and low self-image which is evident in women's characteristically lower estimation of their work than men.⁵⁹ In the United States high school educators over the years have been fond of accounting for girls' higher grades by pointing out that girls take "soft" courses, such as business, while boys take "hard" courses such as science, to a greater extent. The contention that girls favor the "soft" courses because they are undemanding, not because of cultural or occupational considerations has been proven unfounded. It has been established that intellectually

superior high school students generally elect more "tough" course than the poorer students. However, James Conant found in 1958 that a larger percentage of boys than girls he studied elected "tough" classes--physics, trigonometry--but he attributes this to social conditioning and poor counseling that did not give the girls a sense that women trained in science and mathematics were needed and wanted.⁶⁰

Young women's vision of their future

Examination of Swedish and American women students' expressed occupational interests over the years shows that although girls still overwhelmingly choose to follow the traditional women's fields of work there is a shift away from domestic interests taking place. In both countries health services, teaching, and business/commercial have held the lead as most popular choices. This is the most observable in the United States where historical data are more available.

In a study conducted just after World War II American high school juniors asked to rank their choice of occupation produced the following ranking in order of highest interest: general office worker, stenographer-secretary, housewife, nurse, and artist. The same question asked of the same group of women as college juniors showed a small increase of interest in the professions. This study also showed that marriage and full-time homemaking were anticipated by the majority of high school juniors (62 percent) and even more college juniors (76 percent). Only 3.5 percent of the college women wished to combine marriage and a career; 16.7 percent were considering career with marriage and 1.4 percent would be satisfied with either

marriage or a career outside of the home (8.2 percent were non-committal.) The young women's responses to inquiries why they did not consider selecting one of a series of professional training courses directly reflect their involvement with the notion of marriage as the central focus of their lives.

Lawyer: "Too difficult for a woman after she is married."

Physician: "Too much schooling. I don't want to be a career woman" (junior bio-chemistry major).

Librarian: "Too difficult for a woman after she is married."⁶¹

An ETS study conducted in 1956 showed that one-fourth of the high school senior girls polled elected office and clerical work as their preferred post-high school occupation. The females and males with the ability to do college work ranked their occupational choices in the following order:⁶²

Males

engineering
physical sciences
business
liberal arts
health professions
(medicine and dentistry)

Females

health professions (nursing
and laboratory technician)
education
business
liberal arts
fine arts

Similar studies of young women's future expectations completed in the 1960's reflected a marked change in attitudes toward home-making as a career, although high-level professional careers were still not attracting many women. Thus, only 14 percent of a group of high school juniors polled regarding their future plans said that they expected to be housewives; about 50 percent expected to have careers in nursing, teaching, and office work--all fields not requiring advanced training beyond college. Another study of 1960 high school graduates found even less interest in the domestic role.

Only 2 percent of the women, then college freshmen, indicated "housewife" as their future career and 6 percent looked forward to careers in the prestige professions or natural sciences. Four years later 8 percent of the same group anticipated being housewives and only 4 percent looked to a career in the prestige professions.⁶³

Unfortunately, early studies of Swedish girls future expectations are non-existent. However, a study of the future plans of sixteen year old 1961 grundskola school graduates tells us that less than half of the girls had any plans for pursuing higher education, while eight out of ten boys did have such plans. A follow-up study three years later showed that six out of ten males were in fact involved in obtaining advanced training while fewer than three out of ten females were so occupied. About one-tenth of the women had taken courses at the university, but had dropped out to work or be housewives in their third year. Five years later over half of all of the girls had married or were living in an equivalent domestic arrangement, compared to less than one-third of the men.⁶⁴

This study came to the same conclusion as the American studies and that of Norwegian sociologist Wilhelm Aubert--young women, even on the university level, tend to seek the least time and effort demanding forms of education. Thus, university women's rate of dropout in favor of secretarial training or practical nursing is typically quite high. Moreover, Aubert observed that young women are very oriented toward living for now rather than the future, and they often find that they can fulfill their immediate life expectations without an education--indeed, it is seen by many as a hinderance.⁶⁵

While the above Swedish study did not include candidly asking

the women students if they expected to be housewives as the American studies typically do, the women's post-graduation life patterns show that a sizeable proportion of them anticipated the traditional woman's role. On the basis of casually discussing future plans with Swedish young women during my visits to gymnasiumer in Göteborg and Stockholm in 1971-1972, it seemed to me that few of them were self-consciously interested in marrying or becoming housewives, although many expressed interest in having families.

The first detailed data regarding the Swedish school girl's view of her future work are from the mid-1960's and provide a comparison of the preferences of grundskola females and males after an interval of one year. As part of the new grundskola, Swedish students in their eighth and ninth years of school (age fifteen and sixteen) are given vocational orientation which is recognized as important in determining their future work. The student chooses two different jobs at which she or he works for three weeks. The choices made by the girls and boys detailed in Table 15 show the same kind of sexual differentiation as in the United States.

Figure 7 compares American and Swedish female secondary students' occupational choices in the 1960's in terms of percent distribution. Teaching ranks in first place being chosen by between 20-25 percent of the women in both countries, but there the similarity ends. As a whole American women's choices follow a more traditionally "feminine" line than Swedish women's. Thus, office work ranks second and housewife third with health fields being the only other occupation to attract over 3-6 percent. The natural sciences fall into the last place with the professions just one rung above. In

TABLE 15.--Swedish secondary students' occupational choices, by sex 1965-1967
(in order of preference)

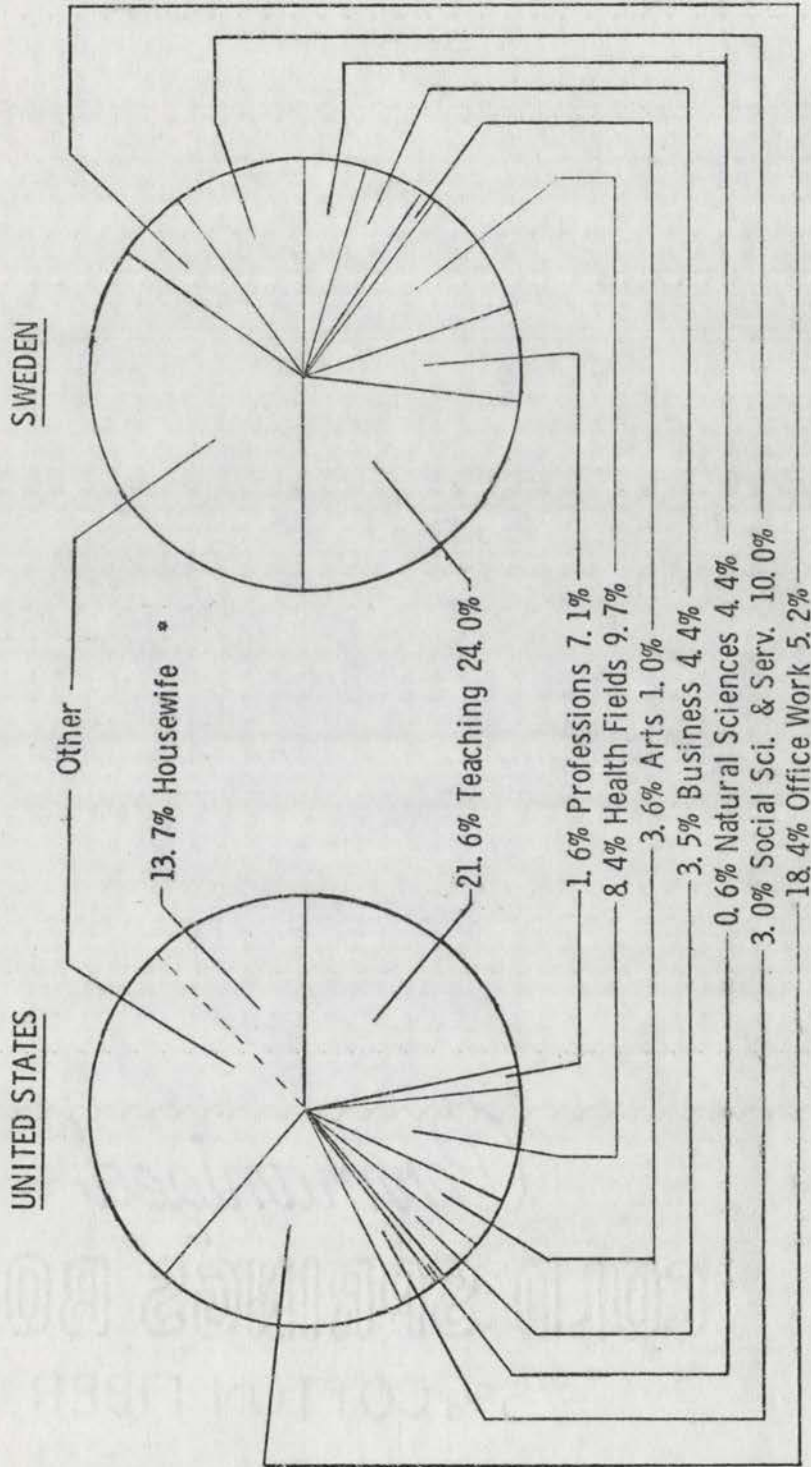
		Boys		Girls	
		1965/66	1966/67	1965/66	1966/67
1.	Engineering, construction & metal industries			1. Health and medical services	
2.	Electrical trades			2. Teaching	
3.	Technical trades			3. Domestic & restaurant	commercial/office
4.	Commercial office work			4. Commercial office	Domestic & restaurant
5.	Armed forces			5. Hygiene & cosmetics	Accounting and technical clerical work
6.	Woodworking	Accounting & technical office work		6. Account & technical clerical	Hygiene & cosmetics
7.	Accounting & technical office work	Civil security, protective work		7. Artistic and literary work	
8.	Food manufacturing	Woodworking		8. Other health and medical services	
9.	Civil security, protective work	Artistic and literary work		9. Sales	
10.	Artistic and literary work	Food manufacturing		10. Shorthand & typing	

Sources: Skolungdoms studie och yrkesplaner 1966, Statistiska meddelanden UU7 (Stockholm: statistiska centralbyrån, 1967), p. 14.

contrast, professions rank in fourth place in Swedish women's occupational choice, preceded by natural science and health professions in second and third positions. The arts, rather popular with American women, fall into the last place with Swedish women--1.0 percent. The category of housewife was not included in the Swedish study; however, in view of Swedish young women's basically non-domestic self-image it is unlikely that as large a proportion would have verbalized this ambition as in the American group. The basic pattern that emerges from Figure 7 is that American women's choices tend to be limited to fewer fields and to avoid the sciences and professions, while, comparatively, Swedish women's interests are more evenly distributed over more fields and the sciences and professions are favored. Not surprisingly, these same basic patterns are found in women's distribution in academic fields of study as will be shown in the section on women in higher education.

While the most prominent among the factors determining girls' and boys' curriculum and occupational choices is undoubtedly the pervasive power of traditional views of sex roles, the influence of the existing distribution of women on the labor market and the advice of secondary school vocational guidance counselors are also important.⁶⁶ Young women's lack of female models in many of the traditionally "male" occupations undoubtedly, plays a major role in discouraging girls from considering those areas, while vocational guidance counselors' usual practice of channelizing girls and boys into the conventionally sexually differentiated occupations in both countries has been of little help in changing the status quo. There has been a concerted effort in Sweden since the late 1960's to end

FIGURE 7
CHOICE OF OCCUPATION OF FEMALE SECONDARY STUDENTS:
SWEDEN (1967) AND THE UNITED STATES (1960)



*Housewife as an occupational choice was not reported in the Swedish study.

Sources: Folger, Astin, and Bayer, *Human Resources and Higher Education*, p. 286; and Skolungdoms studie och yrkesplaner, 1967, Statistiska Meddelanden U7 (Stockholm: Statistiska centralbyrån, 1967), p. 14.

the practice of counseling youth into occupations traditional to their sex.⁶⁷ In the United States the problem similarly became recognized as serious enough to warrant public discussion by the mid-1960's when the United States Women's Bureau began sponsoring conferences across the nation focusing attention on the need to change the approach to the occupational counseling of girls.⁶⁸

Efforts to Equalize the School Experience

Education is one of the most important means for changing Society.

The First Report on Equality
Social Democratic Party
Sweden, 1971

In 1969 the Joint Committee on Equality Questions of the Social Democratic Party and the Landsorganisation (LO) (Swedish Confederation of Trade Unions) began its first report with the above proclamation. This philosophy is highly evident in the goals of both the new public education system and some of the specific programs that have either already been incorporated into the standard school curriculum or are presently in the experimental stage. Only the most important will be briefly dealt with here. Those will include the new official study plan, the elimination of traditional sexual segregation in handicraft classes, introduction of compulsory home management skills training, the new approach to vocational counseling, experimentation with teaching awareness of sex role channelizing, systematic examination of textbooks for sexism, and experimental introduction of a quota plan to attract males to nursery and kindergarten teachers training.

There is some activity of a comparable nature in the United

States today on the state and individual school levels. It is difficult to nationally evaluate the extent of this work since at this point it is still largely being undertaken on a volunteer and unofficial scale. However, the work in one state, Minnesota, will be assessed as will be the nationwide efforts to detect and eliminate sexism from textbooks.

Realization of sexual equality ideals
in the Swedish public schools

Traditionally in this century the Swedish National Board of Education has drawn up a master plan laying out the goals and curriculum for the public schools throughout all of Sweden. This master plan, the Läroplan, is the schools' and teachers' handbook. In the three different Läroplaner that were used sequentially between 1919 and 1969 little was said about democratic principles in education and nothing was said about equality, especially between the sexes. This is not surprising considering the fact that many young Swedes were attending sexually segregated schools through much of the period.

However, in 1969 a new Läroplan appeared establishing the guidelines for the newly overhauled public school system. Perhaps the most remarkable aspect of this handbook on curriculum, from the standpoint of women's status, is its explicit endorsement of the principle of equality as central to the schools' goals in educating the youth. In the opening section of the new Läroplan this ideal is clearly announced:

According to the goals and guiding principles of the curriculum, schools should work for equality between the sexes in the family, on the labour market and within the community as a whole. This should be done through equal treatment of boys and girls in the work at school and by counteracting traditional attitudes to the

sex roles and stimulating pupils to discuss and question the differences which exist between men and women in many fields in respect to influences, jobs and wages.⁶⁹

The statement is explicit that equal treatment means not only giving girls and boys the same classroom experience but includes deliberately stimulating both sexes' interest in all subject fields and, most importantly, placing the same social expectations on both sexes.

The plan further declares: "Schools should work on the assumption that men and women will have the same role in the future, that preparation for the role of parenthood is equally important for boys and girls, and that girls have reason to be as interested in a vocation as boys."⁷⁰

Teachers are given general directions regarding how to deal with sex roles in the classroom. They are instructed to concentrate in the lower grades on counteracting stereotyped ideas of the sex roles, and are given details on how to bring the sex role question into classes on the home, children, and society by using films, TV, radio, newspapers, and so on. At the higher academic levels discussion of the question of sex roles within their psychological, social, and economic contexts is recommended. Teachers are urged to make the discussions of the consequences of traditional sex roles on the labor market, the family, and public life interesting and stimulating to the students and arouse in them a sense of concern because of both personal involvement and the effect on the welfare of the community as a whole. Detailed suggestions are given regarding when and in what types of classes specific issues should be brought up for discussion and analysis. Literally all classes from geography (differences in perception of masculine and feminine in different

cultures, women's status in different lands) to languages (sex role attitudes in different texts and literary works) are found appropriate for discussion of sex roles.⁷¹

The long range goal appears to be both the specialized study of sex roles as a part of the social science curriculum and integration of analysis and discussion of the issue into as many other subjects as possible on the grundskola level. On the secondary level it seems at the present time to be reserved for the shorter and more vocational courses of study such as medical services, and social, business, and homemaker lines. It is not specifically recommended for the academic line.⁷² Since most of the first lines mentioned are dominated by women, the average male secondary student is probably not exposed to much sex role discussion under the present plan.

The fact that parents are from a different generation and generally hold more traditional ideas regarding sex roles than those expressed in the Läroplan is taken into account and teachers are urged to stimulate parents' interest in the sex role question. Teachers are urged to make the parents aware of the importance of creating an atmosphere in which both girls and boys can naturally make work choices unprejudiced by outmoded self-concepts.⁷³ Ingvar Carlsson, Minister of Education, reported in 1970 that the new curriculum on sex roles was receiving some negative responses for being too ambitious. The feeling of the critics was that the grundskola should aim toward maintaining the status quo and that the students are too young to have a critical understanding of the issue.⁷⁴

The 1960 Läroplan's goals were not totally unprecedented. In the early 1960's the first concrete steps were taken to equalize

the educational experience of girls and boys in the public schools with experimental integration of the various handicraft (slöjd) classes. Traditionally, Swedish grade school children have been required to take some slöjd training each year from grades three to nine in the grundskola (and old folkskola). Two slöjder have been offered: textile handicrafts, and wood and metal working. Naturally, under the conventional system girls took textiles and boys took wood and metal working. In the experimental classes from 1962 girls and boys took both textiles and wood and metal working in sexually integrated classes. The response from students and teachers was very favorable and in the 1970-1971 school year common classes for girls and boys in all of the slöjder became compulsory throughout Sweden.⁷⁵

In introducing the newly integrated classes pains were taken to inform the parents and allay their apprehensions regarding the ostensible switching of work and skills. A school principle described the parents' response as follows:

Virtually all parents we asked took a positive attitude to the experiment. We received many visits from parents to the slöjd classes during the first weeks, and more than one mother or father could be seen to smile at the sight of their children in such an unfamiliar work situation. Yet the most positive of all was the children's own favorable reaction to the change. For them the new slöjd had become even more enriched, and above all it turned out that differences of achievement between pupils didn't have anything at all to do with sex. The boys often sewed their own athletic uniforms. Many knit gloves and mufflers. Some even made one or more pairs of trousers that they used in school. The girls learned to use tools that were brand new to them. They sawed and planed, hammered nails and glued things together. Many learned how to carve and lathe and made beautiful, functional bowls.⁷⁶

The students are required to take the slöjder a specific number of hours a week with the time over the year being divided equally between

textiles and wood and metal working. The girls and boys are taught together at all stages.⁷⁷

In grades seven through nine students are free to take the slöjd of their choice. A study done in 1970-1971 shows that at this time most of the girls and boys were still choosing the handicraft traditional for their sex with a few more girls taking wood and metal working than boys taking textiles.⁷⁸ This study was done the year common slöjd became compulsory. Although many schools had already tried integrated classes, the idea was still very new in 1970, and realistically girls and boys can be expected to continue being guided by traditional thinking for some time. It will be more informative to see what the students' free choice will be in 1977, after they have had several years of common slöjd experience before they reach the elective stage.

Perhaps even a more important change in the curriculum has been the requirement that in the eighth and ninth grades both sexes, again in integrated classes, must receive instruction in household management and family affairs. The guiding principle behind this move is the idea that every person, regardless of sex, should be taught how to totally care for his or her own day-to-day needs and those of others including cooking, sewing, mending, washing, ironing, infant and child care, and generally managing a household including selecting and maintaining furniture, appliances, and fixtures. Classes in the basic domestic skills have been available to both sexes for many years in the Swedish schools. Dr. Per-Erik Brolin, administrator for the Göteborg Schools told me he took cooking in 1938 as a school-boy. However, only in 1970 did a more sophisticated version of these

earlier classes become mandatory for all. It seems to be the consensus that the presently required number of hours (only a few a week including a total of ten in infant care over the year) are not enough, and that this program must be expanded in the future.⁷⁹

This does not mean that these classes are instantly eliminating the traditional sex role division of household chores. I talked to more than one married couple in which the husband readily admitted that although he had learned "everything he needed to know" at school he put the burden of the household chores mainly on his wife, even though she worked full-time and did not want to do all of the housework herself. The wives complained of lack of cooperation from their husbands and mentioned pressure from relatives, especially their husband's mother, to assume the greater part if not all of the responsibility for the housework, again even though they had full-time jobs. However, it is a beginning and I was impressed with the frequency with which I met couples in which the husband took full responsibility for the cooking and shopping. All of these men said that they had first become interested in cooking while taking it in school. Men seemed to be quite involved with rearing their children and I never had the feeling that for a man to care for children in Sweden was considered unmanly or inappropriate. In addition to trying to modify sex roles by teaching young people a variety of skills the problem of sexism is being directly attacked.

One of the first dynamic attacks on sexism in public school education was made in the area of sex role stereotyping in school books. In this move Sweden was actually following Norway, where the problem was first recognized and discussed in 1957.⁸⁰ In Sweden

Ingrid Fredriksson, presently of the Ministry of Education, undertook the early work. In 1964 she wrote a short article analyzing and criticizing the sex role stereotypes reinforced in grundskola children's readers.⁸¹ In 1965 and 1967 two other writers produced quantitative analysis of sexism in school books. Unfortunately, their use of complex sophisticated statistical methods rendered their results incomprehensible to the lay person and thus limited the use of their studies.⁸² In 1968, under the sponsorship of Arbetsmarknadens Kvinnonämnd (Joint Female Labor Council), a union sponsored agency, Fredriksson undertook a methodical comprehensive examination of the textbooks used in the Swedish public schools. Combining qualitative and quantitative methods she produced in 1969 Könsroller i läroböcker.⁸³ This study was not as difficult to realize as it might first appear to an American since all public schools in Sweden use the same textbooks. Fredriksson keynoted her study with the 1962 Läroplan's expressed goal that the schools should "lay the groundwork and develop such qualities in the students, that in a time of great progress, can only increase and strengthen the democratic principle of tolerance and cooperation between sexes, nations and peoples."⁸⁴ Although this is not a definitive study it is a solid handbook for discovering and analyzing sexist practices in textbooks. Valuable discussions of what constitutes textbook sexism and how to recognize it are included.

The study was generally well received and influenced the Ministry of Education to establish a textbook review board in 1971, composed of persons elected by the local public school boards, for the purpose of evaluating textbooks to determine if they meet the new standards of equality put forth in the 1969 Läroplan. Fredriksson,

who is working with this review board reported that it was quite unsatisfactory, when I spoke with her in the spring of 1972. The board members are overloaded and underpaid and, worst of all, do not have a clear idea of what constitutes sexism or really what they are looking for in the books. After all, the members have no special qualifications or training to serve on the board which really needs a panel of trained experts. Moreover, the board receives texts when they are in the galley proof phase of publication which makes substantial changes in content expensive and thus unattractive to the publisher. As of March 1972, not a single textbook had been actually rejected by the board. The most that seems to be accomplished is that the board informs the publisher of the changes that should be incorporated before the book is reprinted--which may be several years. Although there are plans for revising the present review system, Fredriksson did not hope for any substantial change before the spring of 1973. Fredriksson commented that the authors of the textbooks suffer from the same problems as the members of the review board. They have been informed of the new Läroplan goals but, because of their "typically culture-bound bourgeois backgrounds they tend to be deeply indoctrinated in the belief of the correctness of traditional sex role differentiation," hence do not understand what they are supposed to be doing to eliminate these biases.⁸⁵ In the fall of 1972 a group from Karen Westman-Berg's seminar on sex roles at the University of Uppsala begin investigating university textbooks, but no report was available in the spring of 1973.⁸⁶

I examined a number of school texts in the fall of 1971 and

found the contents a mixed bag ranging from little or no indications of sex role differentiation to very conventional projections of females and males performing only sexually stereotyped tasks; for example, females only doing such things as caring for baby, cooking for the family, being pretty, and shopping for a hat. The beginning Swedish language readers offer the greatest contrasts with the newly written books being the most free of sexism--often they are illustrated with nonhuman, that is, non-sex-identifiable, figures. As a whole, books that were written earlier and are going through reprinting follow conventional patterns for roles and attitudes.⁸⁷

The influence of the new Läroplan goals and the pressure that the mere existence of the book review board represents is beginning to show here and there. For example, the history text for ninth grade world history features pictures of a female Egyptian mummy and Valentina Teresjkova, the Russian astronaut who was the first woman in space, on the front and back covers. Inside the book woman's participation in cultural history is similarly acknowledged although in a rather ideal superficial manner. Another example of the effort to integrate the new goals into all courses is found in the 1971 appearance of a medium-difficulty reader for English language classes entitled The Emancipation of Woman featuring a wide selection of short readings on figures from English and American women's history.⁸⁸

Vocational counseling has long been recognized in Sweden as a means by which the traditional sexual occupational clustering of women and men on the labor market can be broken down. Brodin assured me that for years elementary and secondary school counselors have been urged to suggest to students, particularly female students, fields of

work that are conventionally pursued mainly by the opposite sex. However, this approach, which has been non-directive but supportive with information only, has not been very successful in breaking down the usual occupational differentiation. Girls tend to overwhelmingly choose to go into the "feminine" fields and the boys to the "masculine" fields. This record has been studied and as a part of the new goals to diminish sex role differentiation a revised public school counseling program, beginning in 1972-1973, will substantially increase the number of study/vocational counselors and follow an affirmative action program that is firmly committed to dealing with the problem of sexual differentiation in study and work choices. The goal is to actively challenge conventional ideas about the sexual appropriateness of study lines and occupations with facts, discussions, and exercises with the goal of making the students aware that they do not need to be bound to the present patterns of choice in the school system and on the labor market.⁸⁹ In the new Läroplan counselors and teachers are admonished that "When receiving career guidance, girls should be clearly instructed that women can make important contributions in scientific, mathematical and technical fields. Girls displaying natural talent or interest in such subjects ought to be positively encouraged to cultivate their ability and interest."⁹⁰

Perhaps in the long run the government funded sex role project headed by Margareta Vestin of the National Board of Education will have the greatest impact in implementing the Läroplan's goals for sexual equality. Vestin says that progressive-minded persons at the National Ministry of Education and the National Board of Education worked for twenty years to get the philosophy of sexual

equality written into the Läroplan. After this achievement it took two more years of hard work to get the government to agree to fund the project to implement the Läroplan goals. In 1970 it was funded for three years with some assurance that funding will be extended. While many factors contributed to the acceptance of the goal of promoting the sexual equality ideal in the schools, probably the general mood of openness to experimentation and change accompanying the current overhaul of the public school system and the Social Democratic Party's publication of its equality program strongly underwriting education as an appropriate tool for change were among the most influential in securing backing for actually putting the ideals to work.

The sex role project involves many people and the work is being carried out in a variety of places around Sweden. The main activities of the project in the early 1970's include formulating a program for functional sex role education training for in-service teachers in all fields and the teachers training colleges, developing quality training and techniques for social studies teachers (who are to teach entire units on sex roles), and developing text materials, including supplements covering sex roles, for the presently used texts in various subjects taught in the schools.

In the summer of 1971 the first workshop on sex role awareness and education for public school in-service teachers began. Throughout the following 1971-1972 school year time was dedicated to the topic of sex roles at short one to four day teacher conferences. Lack of adequate teachers to lead the instruction in sex roles and lack of adequate books and other teaching materials are the two

greatest shortcomings here. These will develop in time in 1972. Vestin stressed that at this stage the biggest problem is simply convincing the teachers to alter their own attitudes toward the traditional sex roles. She is convinced that they must be shown how complex the subject is, and through factual information and stimulation of their interest in the problem hopefully their prejudices and fears will be slowly broken down. However, there is much organizing and training left to be done and realistically very little has been accomplished at this point.⁹¹

Vestin's remarks were corroborated by in-service teachers I met. In a discussion with two teachers in Göteborg in December 1971, I learned that teachers of social studies, and social life and welfare classes were dedicating class time specifically to the discussion of sex roles, although the teachers had not been supplied with teaching materials. In the opinion of my informant, himself a social studies teacher, many of his colleagues in social studies did not really understand what they were supposed to be doing. Moreover, the language teacher (Swedish and French) with whom I spoke said that to her knowledge there had been no attempt up to that time to make teachers in general aware of the Läroplan ideals of equality and their responsibility to integrate sex role discussions into their classes regardless of subject matter. She had heard of no in-service training programs for persons teaching her subjects in Göteborg. She was sensitive to the sex role issue and found that the textbooks prescribed for her classes reinforced the traditional sexist biases and projected men and women in the conventional roles.⁹²

In contrast, the textbooks used in the Swedish language classes

for foreigners that I attended in Göteborg are reasonably free of conventional stereotypes and from time to time actually show women and men in nontraditional roles, for example, a woman doctor (with a female nurse), or a house-husband caring for his family while his wife happily supports the family. These texts are less than ideal, but they are definitely moving away from the conventional approach to sex roles.⁹³

Naturally, the National Board of Education is aware of the resistance to the whole idea of challenging the traditional sex roles that many teachers' harbor. In the spring of 1972 a survey was undertaken by the National Board to determine to what extent and with what success the sexual equality goals were being implemented in a sampling of Stockholm schools. Investigator Karin Westman-Berg reported that school administrators tended to laugh at the sexual equality ideas of the Läroplan and would not take it or her investigation of the school's efforts in this area seriously. However, some of the teachers, particularly the young women, were making concerted efforts to apply the goals while other teachers reflected confusion as to what they were supposed to be doing. They neither understood the concept of sex roles nor how they could or should incorporate it into their usual teaching.⁷⁴

The sex role project's main experimentation with development of classroom teaching materials and techniques for eventual use by the regular teaching staff has been carried on by a study group at the Pedagogical Institute, Göteborg, headed by Hans Dahlgren. In 1970 Dahlgren began developing a pilot mini-course on sex roles for upper division grundskola students, and in 1971 began using it

with classes. The stated goals of the course are:

1. to give the students information on contemporary Swedish society, where men and women are shown in different occupations and leisure activities.
2. to give the students an understanding of how important one's sex is in today's society.
3. to stimulate the students to begin discussing the sex role question on the basis of given information and from their own point-of-view.⁹⁵

A variety of approaches are used in the class including texts, slides, group work, reports, and independent projects. The text for the class is an eight-page mimeographed booklet containing brief comments on the typical patterns of sex role differentiation found in Swedish society at school and on the labor market. An exercise section asks the student to consider such basic questions as "Why do boys and girls choose different lines of study in school?" "Do you think that it is right or wrong for boys and girls to choose differently?" and "List as many differences between boys and girls that you can think of." Dahlgren and his associates have developed a number of simple tests by which they hope to assess the individual student's attitudes toward the traditional sex roles before and after the course, which at present consists of only six hours of class work spread out over less than two months.⁹⁶

By the second year of the project a couple of alternative and better privately produced texts had appeared. Two of these were produced with a grant from a private party and the Fredrika-Bremer-Förbundet, a very old established Swedish feminist organization.

These books consist mainly of statistical data on women and men in education and work and clippings from Swedish and international newspapers, and go by the titles Tjejer och killar (Guys and Dolls) (2 vols. fact book and study book) and Kvinnan i samhället (Woman in Society).⁹⁷ Although these books are admittedly little more than cut-and-paste works they are useful in providing real materials that are observable every day for starting discussions on sex roles. Ironically, in the spring of 1972, there were still no plans in the project master plan for developing appropriate texts. So far this work is being left to whatever private individuals come up with.

Three groups of students have been exposed to the course. Although Dahlgren did not have a final report when I spoke with him in June 1972, he could say that as a whole the course showed the boys to be more conventional and conservative in their outlook toward sex roles than girls. There seems to be a pattern of more boys being in favor of maintaining the traditional roles after the course is over than at the beginning, whereas for girls it is the opposite with more girls being in favor of diminishing the conventional sex roles after the brief round of consciousness-raising than before. Dahlgren also spoke of patterns of polarization and hostility between the sexes taking place in the classroom as a result of the discussions. This fact made the teachers wary of the course and many expressed reluctance to continue teaching it after the experiment was completed in the spring of 1972.⁹⁸

Dahlgren felt the project was the merest beginning in exploring how to approach teaching critical sex role awareness as a classroom subject. However, the project ended in the spring of 1972 and he had

no plans for continuing it, although he agreed that much more work is needed to develop a good classroom approach. He felt that the lack of good text materials and adequate teacher training were two of the greatest drawbacks.

The total dominance of women in teaching the lower grades and preprimary children has long been a concern to the National Board of Education. However, with the new goal of breaking down the old sex role notions in children it has been the target of fresh concern, and for the first time steps are being taken to remedy it. In July 1970, the National Ministry of Education announced that the government was initiating a quota system during the 1971-1972 academic year in an effort to achieve a more uniform distribution of women and men in certain fields of study and work. The two occupations selected for the unprecedented experiment in Swedish education were kindergarten teacher training for males and administrative EDP (computer work) for females.

Under the plan 15 percent of the vacancies in preprimary education are held for qualified male applicants. In 1969-1970 men constituted less than one percent of those studying to be kindergarten teachers, thus even 15 percent would be a great increase.⁹⁹ Academic standing and practical experience with children from the standard criteria for admission to the preprimary teachers training school; however, under the experimental program men are allowed to enroll with less strict academic and practical experience records. The first groups under the new system included sixty-two men compared to nine the year before. They constituted less than 6 percent of the total class. Forty-six of the men would not have qualified for

the program if they had not been given grace points on the basis of sex; only sixteen of the men made the grade by ordinary competition standards. A follow-up study is being made to determine such things as the men's motivations for going into preprimary teaching and how they found out about the quota program.¹⁰⁰ Unfortunately, no detailed information on the women in the EDP program is available.

Using quotas in the public schools is without precedent in modern Sweden and I found many educators and administrators who felt ambivalent about the experiment. Moreover, they stressed that while the women that went into the EDP training program ranked above the average male applicant in academic record and other qualifications the men entering the preprimary course were generally less qualified than women who were passed over because of the quota set-up. This fact, of course, simply reflects the cultural fact that since women's work carries less prestige (and pay) than men's the forty-six men below the standard qualifications applying for the program were probably men who did not have the ability or personal resources to succeed in one of the more lucrative and prestigious men's fields and were attracted to preprimary because it was something they could get into. On the other hand, the women attracted to the "man's field" of EDP were brighter and more aggressive than average women because it would take these qualities plus much self-confidence to aspire to an occupation generally populated by men with few female role models to follow. These facts are little more than an externalization of the dynamics of power and status in the society that follows a sexual line of demarcation.

American efforts to equalize the
educational experiences of the sexes

Although an official program as clearly dedicated to the ideals of sexual equality as the Swedish one does not exist in any of the fifty states there is a great deal of activity on the local and state level toward promoting the goal of equality in the educational experience. It is impossible to survey here all of the activities; however, the work of the Emma Willard Task Force on Education in Minnesota will be reviewed as an example of one approach used that illustrates the philosophy and methodology characteristic of much of this work across the country.

Typical of the American move to remove sex role stereotyping from the public schools, the Emma Willard Task Force began in 1971 as an independent group of women with raised-feminist consciousness who were convinced that it would do very little good to try to break down the barriers--be they legal, social, or psychological--keeping women out of a multitude of areas of work, study, and life in the United States if the basic sexism underlying the present system were not attacked at the root. They focused on the educational system and subjected all aspects of the school experience to analysis and criticism including: textbooks, course requirements or exclusions, teacher attitudes, sexist classroom practices (for example, having the girls stay after class to clean up the room while the boys are excused), and study and vocational counseling practices. After a few months of visiting school classes, usually social studies, in response to requests for someone to speak on women's liberation, The Emma Willard Task Force on Education evolved the following

program to combat sexism in education.

1. Sexism in Education--a handbook created by the Task Force geared toward informing the reader about sexism in American society and schools and arousing interest in combating this negative phenomenon. This book evolved from a packet of materials that developed in the early speaking engagement phase.

2. Human Relations--The Task Force is involved with the Minnesota Human Relations program that includes requiring all Minnesota public school teachers to take a sixty-hour course in human relations in order to be recertified for teaching in Minnesota. The Human Relations project personnel have not been eager to accept sexism as a valid part of the course; however the Task Force is making headway in showing them that sexism is a social problem.

3. Workshops--The Task Force organizes workshops for any group that wants one including organizations, schools, and conferences as well as organizing periodic sessions themselves for the purpose of bringing teachers together for an exchange of ideas on sexism in the public school and what can be done to eliminate it in terms of curriculum changes, teacher attitudes, sports programs, and text-book revision.

4. Courses--Speaking to Public School Teachers--The Task Force offers in-service training courses for social studies teachers and is setting up professional growth courses for all teachers. Sessions to develop awareness and understanding of sex role issues are being arranged for school staffs.

5. Co-ordinating--The Task Force works with and co-ordinates the efforts of other organizations also interested in and promoting

the elimination of sexism in the schools.

Although the philosophy of the Emma Willard Task Force is not as concisely expressed as the goals of the Läroplan, and carries a distinctly American flavor, it is obvious that the ideals coincide.

We, as women, are very concerned that all students have an equal opportunity to decide their educational curriculum. The emphasis can no longer be to fit the student into the society, but instead must allow human beings to develop and choose interests with freedom and responsibility. . . . Along with the current discussion of student rights must come female rights--the rights of a female to have equal opportunities to develop to her full potential. At the present time, this is not happening.
 . . .

We are concerned that girls and boys must NOT be stereotyped at an early age, thinking that girls cook, sew and take care of children when they are adults, and boys don't do any of that "stuff" but are the only ones responsible for bringing home the paycheck. We think this is a very untrue picture of women and men and see no reason for the schools to perpetuate the myth. . . .

We are living in an age when we are attempting to put into practice the principle that all people have the right to equal opportunity. . . . Women are entitled to equal educational opportunities, men also. Therefore we ask the Board of Education to immediately begin a study of sexism in the schools.¹⁰²

The educational proposals expressed in Sexism in Education, like the Läroplan, deal with the need to create awareness of the sex role issue in the classroom and to sexually integrate domestic science and shop classes. The Task Force recommendations essentially parallel the Läroplan's clarification of when and where the sex role question should be brought up in the school curriculum; and, like the Swedish plan, ambitiously declare that the issue must be brought up in every kind of class. The subjects are discussed with greater detail than in the Läroplan, however. The proposals also call for open access to home economics and shop electives to both sexes, and institution of a course on "basic survival skills"--cooking basics, household maintenance, auto mechanics--as an integral part

of every student's education from the earliest grades in school. Today many high schools still forbid girls from even taking shop and boys home economics. Moreover, thorough revision of textbooks and a review of vocational counseling approaches to female and male students is called for to eliminate present practices that channel girls into the "feminine" curriculums and occupations and the boys into the opposite, without taking into consideration the individual students interests, abilities, or desires. This point calls for instruction for all students on how to recognize discrimination and how to file a formal legal complaint with the appropriate agencies. Furthermore, a comprehensive program in sex education is underwritten as imperative for the public schools.

In addition to serving the function of the Läroplan in laying out the goals for equalized educational experience the handbook Sexism in Education also generally covers the purpose of Dahlgren's leaflets for his sex role awareness training class and the three booklets produced by Centerwall et. al. for the Swedish schools. Rather than the heavy emphasis on reproducing newspaper clippings and other items from the mass media, which fills up a great deal of space but fails to really probe, the Task Force book stresses critical analysis of the culture and makes exhaustive recommendations as to where and how to find current materials from daily life to use for discussion. Like the Swedish books, Sexism includes statistical data on discrimination on the labor market, in the professions, and in the society in general. However, it also includes essays on a variety of subjects ranging from the exclusion of woman from "man's history of the world and nations," to the basic sexism implicit in

certain usage within the English language. Parent's voices represented as are minority peoples including grade and high school students themselves. Some of the material refers to phenomena found in Minnesota, since the handbook was written for use in that state; however, most of it is equally applicable anywhere. Space is dedicated to consciousness-raising techniques appropriate for classroom use including quizzes, games, projects, and discussion-openers. Much of this material is quite sophisticated. A substantial bibliography on books and articles dealing with research on sexism in and out of the schools is included as well as a mini-course on women's liberation and a catalogue of tapes that are available for class use through the Emma Willard Task Force.

It is obvious that a great deal more time and thought went into this publication than the Swedish Centerwall et. al. cut-and-paste product. However, it is far from an ideal work and would undoubtedly be criticized by some for stressing women's liberation, as such, too much. The Task Force justifies this by commenting that although it is natural to talk about human rather than women's problems, this approach runs the risk that women's particular problems and interests will be swept under the rug as they have been so often in the past.

The limiting if not actually destructive effects on self-image and future ambitions that sex role stereotyping typically found in school textbooks has on children has been recognized in America as in Sweden. The first of a rapidly increasing stream of articles and books dedicated to analysis and criticism of school books began in 1969 with the analysis of five modern social studies

textbooks for grades one through three.¹⁰³ Because there are no standardized texts for the entire United States, each state and in some cases the local school district selects its own texts. This makes the methodical examination and evaluation of textbooks for the entire country a gargantuan task and one that has not been attempted as such. Up to the present two approaches have been commonly used. First, a selection of books, especially elementary readers, that are widely used throughout the country is reviewed. Second, the required textbooks and the most popular elective books for a specific state are reviewed.

At the moment I know of no official government funded textbook review board such as exists in Sweden; however, in schools all over the United States ad hoc committees are being formed upon the initiative of concerned teachers or at the instigation of such pressure and action groups as the Minnesota Emma Willard Task Force on Education for the purpose of reviewing the textbooks used in that institution or school district for objectionable sex role biases. Often censoring for other forms of discriminatory images, such as color or ethnic background, is taking place simultaneously. In the fall of 1972 the Minnesota State Board of Education allocated a small fund for the review of history books being used in Minnesota public schools for sexist bias. This may well indicate that the educational establishment is now ready, at least in some places, to assume responsibility for this important job.

It would appear that the United States is generally moving in the same direction as Sweden in terms of the kinds of concern for the experiences and sex role conditioning that young people are

presently subjected to in the schools. However, there are great differences. As a whole, at this stage the emphasis in the United States is still strongly on the female side of the issue and the limitations the present approach imposes on her, which are admittedly greater for the girl than the boy in both countries. In Sweden the official outlook does not focus specifically on females but discussed both sexes in the same terms. Moreover, some of the goals shared by the two countries have already been achieved in Sweden, as in the case of compulsory common slöjd classes and training in domestic skills for both sexes.

Perhaps the most important difference is that in Sweden the government has begun to support the ideas of actively promoting sexual equality and breaking down humanly limiting sex role differentiation through the facilities of the public schools. This means that there is money and paid personnel available to do the developmental work necessary to effect the changes the equality ideal requires. Generally, in the United States most of the work is still being done on a voluntary basis by interested individuals and groups. Without state support or generous private financing, programs are definitely limited in how far they can progress. With continued pressure public support will probably come in the United States; however, when it comes it will be neither uniform nor universal because of the decentralization of the American public school system.

Before one is unduly impressed with the sweeping reforms for equality in the educational system that the Swedes have been able to achieve in the past five years, as compared to the embryo American efforts, one should bear in mind some basic differences in the

organization and administration of the national school systems which facilitates enlightened reform in Sweden and all too often holds it back in the United States. Because the Swedish public school system is organized under a central authority in Stockholm, hence removed from pressures of local conservatism, it is easier to achieve uniform national educational reforms than in the United States. Under the American system the public schools are loosely organized under state departments of education in each state, but retain a high degree of autonomy within the respective school district. This fact makes all suggestions for innovation subject to local scrutiny and all too often rejection because of the unfamiliarity of the ideas or personal bias of school board members and parents. Moreover, changes for the entire country cannot be made with one move as in Sweden, but require the reform action to be repeated innumerable times.

Much of this local retention of power under the American system is linked with local tax support of the school. Greater centralization of school administration may come with increased federal or state funding; however, in view of tradition and practical problems it seems unlikely that the nation's schools will be administered from a single central authority, as is the case in Sweden, in the near future. Thus, any innovations to remove sex role differentiation will have to come the traditional American way, on local initiative and accompanied by the usual struggle with conventional prejudices and inertia.

American and Swedish Women and Higher Education

The rule is simple: The higher the fewer.

Anne Sutherland Harris
U.S.A., 1970

The educational spectrum for women in Sweden and the United States shows that the longer the education beyond the secondary school the smaller the proportion of women. Naturally, this means that the professions and higher level jobs in business and industry are automatically closed to most women. While today relatively little official sexual discrimination exists at institutions of higher education, especially in Sweden, the force of the traditional sex roles including accepted prejudices and stereotypes observed by both the women and men students as well as the staffs of colleges and universities, work to maintain sexual clustering of college students in certain fields of study just as they are later clustered on the labor market.¹⁰⁴

In order to fully understand the patterns of women's achievements in higher education since World War II in Sweden and the United States, it is necessary to look at the last twenty-five years in the perspective of the preceding fifty years. This perspective is important for it reveals significantly more divergence in the national patterns than might otherwise be perceived. Based on the comparative rates of increase in representation in higher education Jessie Bernard has divided the story of academic women in the United States into four periods: 1) 1850-1900, 2) 1900-1920, 3) 1920-1930, 4) 1930-1960.¹⁰⁵ For the purpose of more accurately showing patterns of change divided into five periods: 1) 1850-1900, 2) 1900-1920, 3) 1920-1940, 4) 1940-1948, 5) 1948-1970. For sake of comparison the Swedish

history has been divided into approximately the same periods.

From the one-room schoolhouse to
the university: 1850-1940

The first period, running from about 1850 to 1900 in the United States and 1860 to 1900 in Sweden, was characterized by slow steady progress for women into virtually all disciplines and all forms of higher education. This was the time of pioneering as women broke down the prejudice barriers keeping them out of higher education and thus out of the professions and positions of power and influence. In both countries expansion of women's higher education opportunities was a part of a greater reform movement that, in addition to women's rights, included temperance, labor organization, prison reform, and, in the United States, abolition. Moreover, in the United States for the first time--but not last--war exerted a major influence on women's educational opportunities as state colleges and universities, largely deprived of their male student body by the Civil War draft, turned to admitting women for survival's sake.¹⁰⁶

This was a time of enthusiasm. Florence Converse's description of the teachers in the new American women's colleges such as Vassar and Smith, that were established to provide women with the opportunity for a quality education comparable to that available at the private men's colleges, applies equally to the Swedish pioneers:

The women who came to teach in the women's colleges in the '70's and 80's and 90's knew themselves on trial in the eyes of the world as never woman had been before. And they brought to that trial . . . heady enthusiasm and radiant exhilaration and fiery persistence.¹⁰⁷

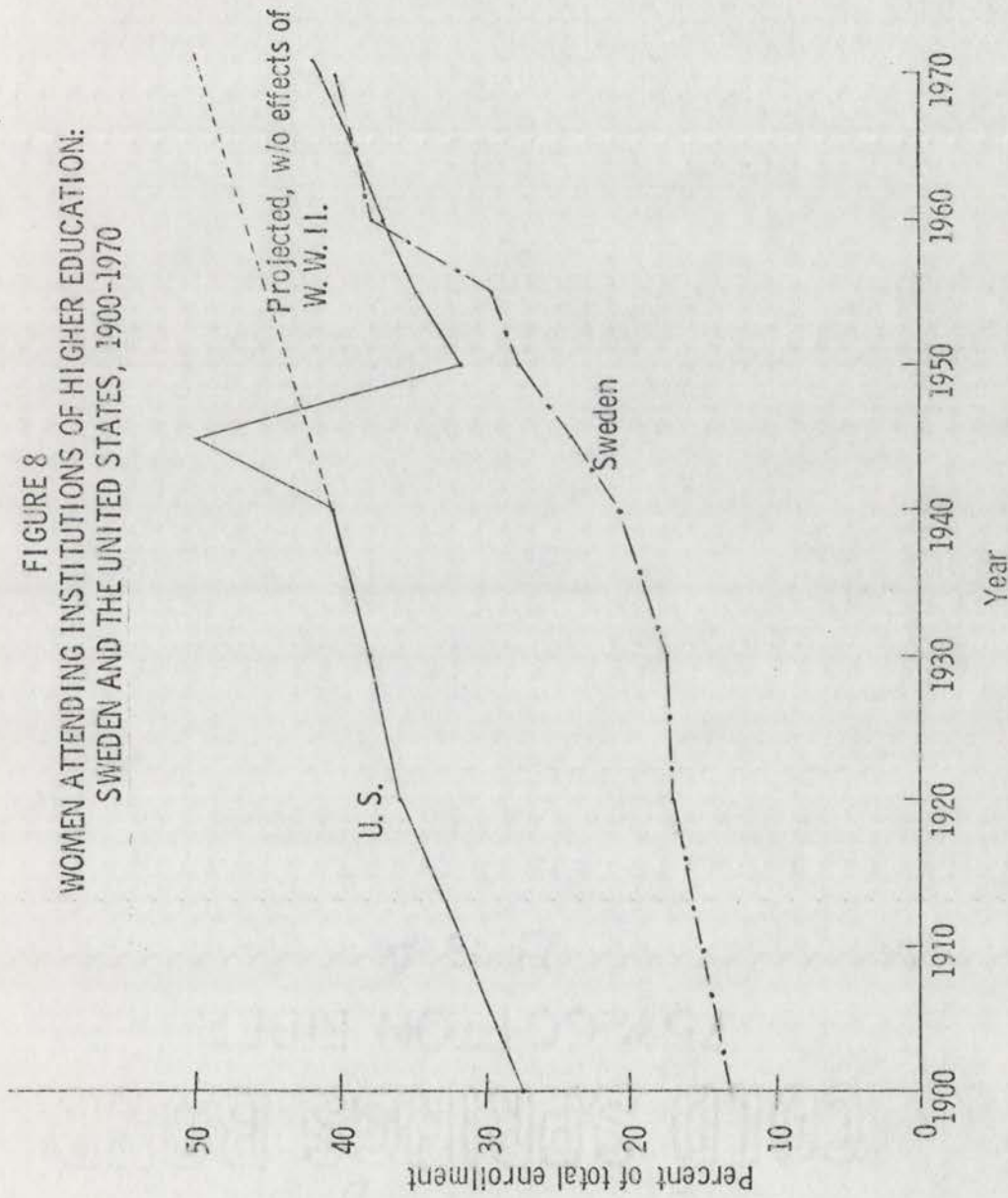
The series of milestones noted in Tables 8 and 9, pages 197 and 200 reveal that the United States led the way in educational

advancement both chronologically and literally. It has already been mentioned that the Swedish feminist leader Fredrika Bremer gained much of her inspiration for demanding equal opportunity in education and civil rights while visiting the United States in 1850.

The second phase, 1900-1920, was marked by accelerated growth and consolidation of gains as Figure 8 shows. At the turn of the century American women already constituted almost one-third of the students attending institutions of higher education. In this period their representation increased by 33 percent and in 1920 four out of every eleven students were women (35.9 percent). In contrast, at the turn of the century women constituted only 13 percent of the Swedish student body; however, they enjoyed a 30 percent increase and in 1920 every sixth student enrolled in Sweden was a woman (17 percent).¹⁰⁸ Undoubtedly, the high feminist consciousness stimulated by the battle for suffrage that was won in both countries in 1919-1920¹⁰⁹ together with other legal and social reforms, such as have been discussed in Chapter II, contributed substantially to women's progress in higher education in this period. Women were thinking about their responsibilities to country and society and contributions they could make outside of the traditional domestic realm. Moreover, World War I affected women in both countries by bringing them out of the home and into work more than ever before.¹¹⁰ Once they began working they learned to appreciate the value of a good education.

Toward the end of the decade reform pressure died down in America and women's idealism in higher education showed itself in

FIGURE 8
WOMEN ATTENDING INSTITUTIONS OF HIGHER EDUCATION:
SWEDEN AND THE UNITED STATES, 1900-1970



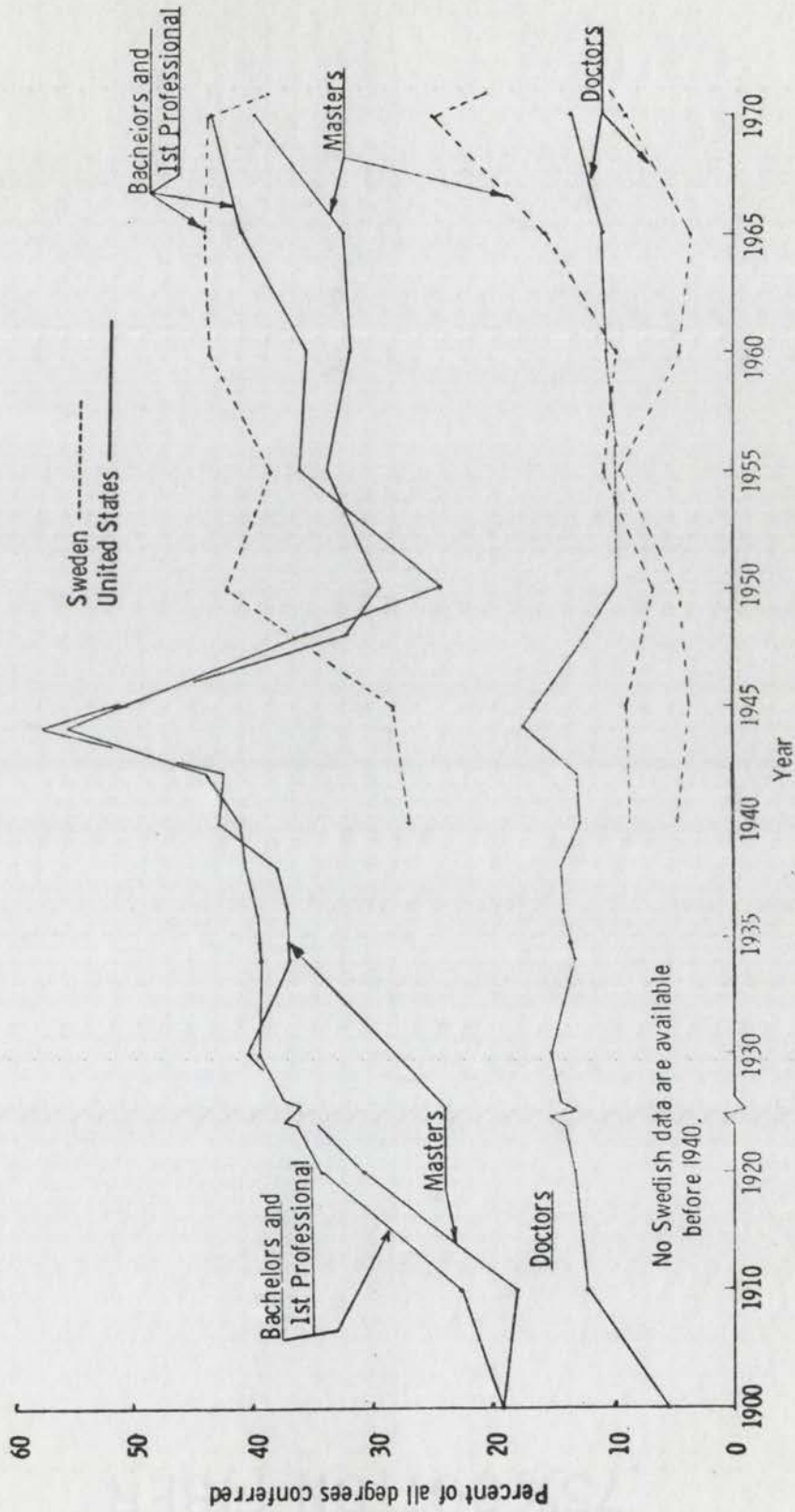
Sources: Historical Abstract of Sweden, Table 209, p. 200, and Table 210, p. 202; Statistical Abstract of Sweden, 1961, Table 328, p. 266; ibid., 1966, Table 351, p. 305; ibid., 1971, Table 359, p. 313; and Digest of Educational Statistics, 1971, Table 89, p. 68, and Table 103, p. 77.

a new form, in the so-called home economics movement. The women involved with this activity were intensely service--although not necessary reform--oriented and worked through the state land-grant college and universities to establish their programs to do good through the dissemination of practical applied science.¹¹¹

Between 1900-1930 the proportion of women enrolled in higher education institutions in both countries was considerably higher than that receiving degrees. Compare Figures 8 and 9 for the United States. Unfortunately, figures on recipients of degrees are not available by sex before 1940 for Sweden; however, Husén and Boalt have verified this pattern for Swedish women by studying Swedish university dropout rates. They found that in 1910, 60 percent of all women attending the Swedish universities eventually dropped. By 1920 this rate had fallen to 34 percent and continued to diminish until it reached a rate approximate to that for men.¹¹² The high female dropout rate characteristic of this period in both countries has been explained by women's tendency to prepare themselves for elementary school teaching, which earlier in this century did not require a full academic course of study in either country. After 1930 American standards for teacher training were steadily elevated until by the 1950's virtually every state required a full four or even five year college course (beyond secondary school) for certification.¹¹³ Thus, in both countries changes in teachers' preparation has been accompanied by an evening out of the ratio of women and men enrolled at the university and receiving degrees.

In the third period, stretching from 1920-1940, American women continued flocking to the colleges and universities in ever

FIGURE 9
EARNED DEGREES CONFERRED ON WOMEN:
SWEDEN AND THE UNITED STATES, 1940-1971



Sources: Historical Abstract of Sweden, Table 208, p. 199; Statistical Abstract of Sweden, degrees obtained tables, annual reports since 1950; Federal Security Agency, United States Office of Education, Biennial Survey of Education in the United States, 1942-44; Statistics of Higher Education, 1943-44, Chapter 4 (Washington, D. C.: Government Printing Office, 1944), Table 1, p. 37; Digest of Educational Statistics, 1971, Table 103, p. 77.

increasing numbers, as did the men. Thus, women's overall gain as a proportion of the student body was only about one-half of the rate of the previous twenty years (total gain 11 percent). In contrast, in Sweden women's progress in terms of proportion of enrolled students continued to increase at only a slightly lower rate than in the prior period (total gain 21 percent). Thus, by 1940 one out of every five Swedish university students was a woman, while in the United States two out of every five students were women.¹¹⁴

Close examination of the patterns of Swedish women's continued education after secondary school graduation (studentexamen) shows this period to be less favorable than the statistics might first suggest. As has been clarified earlier, until very recently in Sweden the studentexamen was viewed, not as the American high school graduation--a finishing of one's basic education--but as specific preparation for higher education. At the beginning of the twentieth century the average woman taking the studentexamen intended to continue her education at the university or a professional school, for there were few other educational alternatives available to women in Sweden at that time. Thus, the ratio of women taking the studentexamen and subsequently beginning university studies the following autumn remained fairly constant until the 1930's when a substantial increase in the number of women taking the studentexamen was accompanied by a drop in the proportion of women continuing on to higher education. The number of male students taking the studentexamen also increased in the 1930's; however, the proportion of men going on to higher education did not suffer a slump as in the case of women, but increased proportionately. The rather wide disparity between the number of

male and female students taking the studentexamen and the proportion continuing higher education remained quite large until the late 1960's when the two groups somewhat equalized.¹¹⁵

One explanation for this pattern is that after the studentexamen women were choosing the alternative less academic forms of education that were gradually becoming available to them in the late 1930's and 1940's with the opening up of courses formerly reserved for men only and the founding of new alternative-education schools that were part of the massive revamping of the Swedish education system. Undoubtedly, the widespread unemployment of the Depression years including the popular movement to legally bar married women from holding down jobs had a discouraging effect on young women contemplating the investment of time and money in higher education preparing them for careers.¹¹⁶ Moreover, the outbreak of World War II in 1939 interrupted the stream of women and men into the Swedish universities.¹¹⁷

Bernard has suggested that the tapering off of the vigorous expansion of the proportion of American women seeking higher education as compared to men that characterized the 1930's can be attributed to women's lessening interest and enthusiasm as the sense of commitment and energy of the suffrage-inspired feminism of the first two decades of the century wore off. The excitement, dedication, and even glamour that characterized the first generation of women in higher education diminished as the country began to take for granted women's right to higher education. This waning of interest and commitment is most apparent in the decreasing proportion of masters and doctors degrees going to women after 1930. The proportion had been steadily increasing from the last century to the point that in 1930

women earned an all time peacetime high of 40.4 percent of all masters and 15.4 percent of all doctorates conferred. Moreover, post World War I disillusionment among the middle class (which included the majority of college-going women) was also a factor as many of the Progressive reforms of the first decade of the century failed to materialize and those that did were disappointing.¹¹⁸ Finally, as in Sweden, the effects of the Great Depression worked against women in many ways including influencing families to decide that there was not enough money to educate daughters as well as sons (who, naturally, usually have first priority). Moreover, women graduates had more difficulty than even men in finding employment since men were widely preferred on the Depression job market.¹¹⁹

Except for the beginning decline in the proportion of American women earning masters and doctorates, the situation for women in higher education in both Sweden and the United States in 1940 generally looked as favorable as ever. American women's enrollment was increasing at a rate of 0.6 percent and Swedish women's by 2 percent annually. Swedish women were earning over one-fourth of all first degrees although they constituted only one-fifth of the student body. American women were also earning first degrees at a slightly higher rate than they were enrolled--two-fifths of all conferred. On the masters or second degree level American women were also doing much better than Swedish women and 38.2 percent of all such degrees awarded in the United States went to women while in Sweden women earned less than 10 percent of all second degrees. On the doctorate level the disparity between women in the two countries was less, with Swedish women earning 4.8 percent of all

doctorates, probably the highest proportion up to that date, and American women earning 13 percent--a 16 percent drop for 1930. Since the data for graduate degrees earned by women in Sweden are not available before 1940 it is impossible to tell if and how rapidly Swedish women were progressing on the graduate level at this time.¹²⁰

The masculinization of American
education and the feminization
of Swedish education: 1940-
1970

It is difficult to predict how women's higher education patterns would have developed in the United States if World War II had not occurred; however, historical perspective shows that war-connected developments had a substantial and long-term impact on women's higher education. Undoubtedly, the war has been the single most influential force of the century on American higher education patterns. The G.I. Bill of Rights for war veterans was the main objective factor responsible, while the massive reaffirmation of domestic values for women, that seemed to be partially a psychological reaction to the war experience, was the major subjective factor. In neutral Sweden the early years of the war, 1939-1942, had a brief depressant effect on women's participation rates followed immediately by a period marking the most rapid expansion of women's participation into all types of higher education ever experienced in Sweden.

The G.I. Bill of Rights, subsidizing higher education for all of those who had served in the United States armed forces, put higher education within the reach of large numbers of American men who otherwise could have never considered it. Since only military contributions to the war effort qualified an individual for this

benefit, Rosie the Riveter and her millions of sisters who had supported the war effort on the home front in war industries and general maintenance of the society were automatically out. A glance at the proportion of the students enrolled after the war who were veterans shown in Table 16 reveals the overwhelming impact of the G.I. Bill on American enrollments.

TABLE 16.--Women and veterans enrolled in college: United States, 1940-1950
(percent of total enrollment)

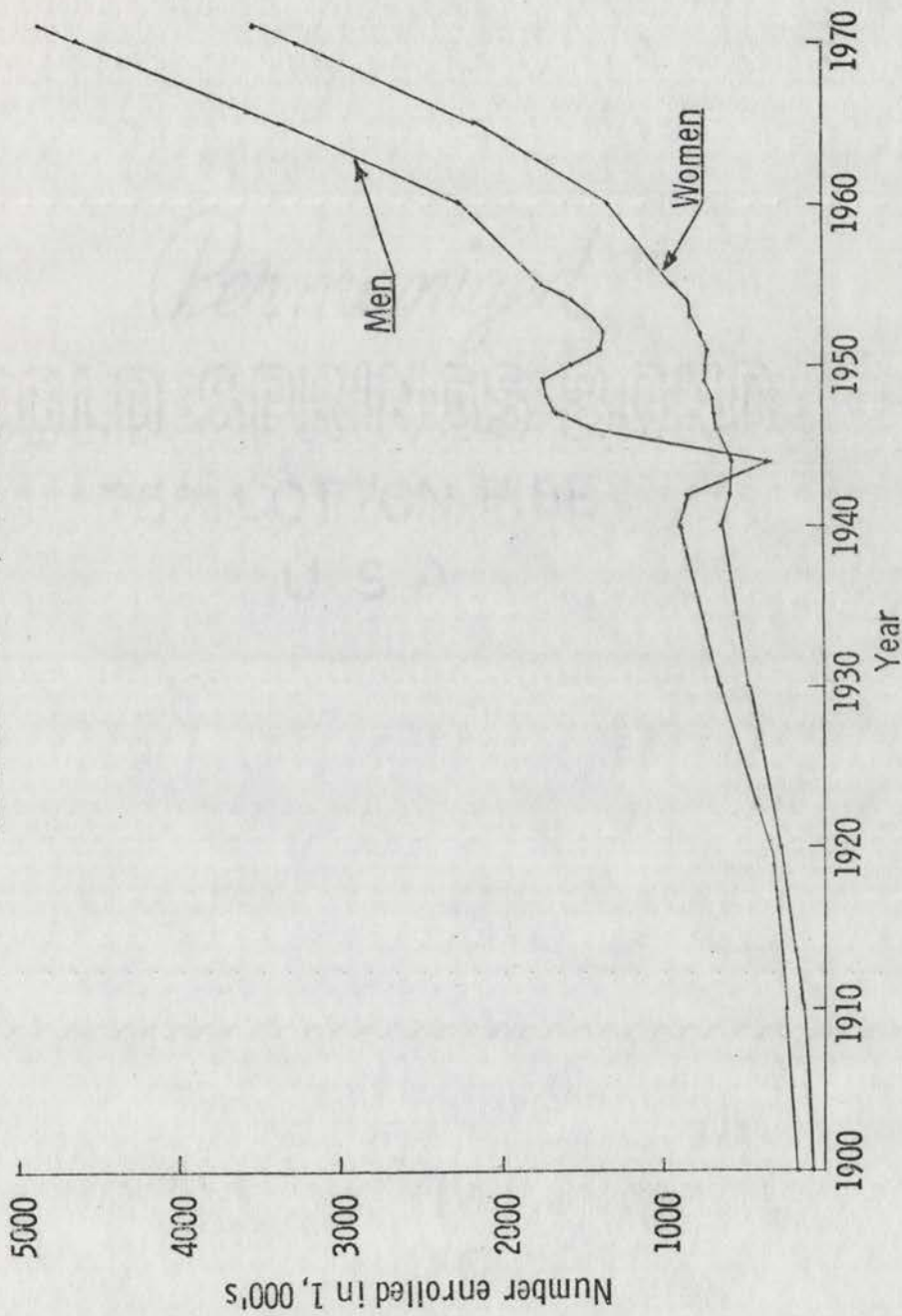
1940		1942		1944		1946		1947		1948		1949		1950	
wo.	vt.	wo.	vt.	wo.	vt.	wo.	vt.	wo.	vt.	wo.	vt.	wo.	vt.	wo.	vt.
40	--	42	--	50	--	32	52	29	48	29	42	29	35	31	25

Sources: Derived from Statistical Abstract of the United States, 1949, Table 150, p. 124; ibid., 1952, Table 146, p. 123; and ibid., 1953, Tables 142 and 143, p. 126.

Natalie Rogoff Ramsøy, who also noted the tremendous impact of the war, has described this return to male dominance of American higher education as the "masculinization of American education." She also pointed out that the post Korean War renewal of the G.I. Bill in 1953 blocked a possible quick recouping for American women of the position that they held in higher education before the Second World War.¹²¹

Between 1940 and 1944 the proportion of women on American college campuses skyrocketed, with a total 29 percent increase, as the men left en masse for military duty. However, two years later, as the veterans came streaming home and straight into the colleges, women's proportional representation experienced a 36 percent drop.

FIGURE 10
COLLEGE ENROLLMENT BY SEX:
THE UNITED STATES, 1900-1971



Sources: Biennial Survey of Education, 1942-44, Table 1, p. 37; and
Digest of Educational Statistics, 1971, Table 103, p. 77.

The wave of veterans crested in 1948 and in that year there were fewer women on American college campuses in proportion to men than at any time since the last century. It should be noted that during the war years of World War II and later during the Korean War the absolute number of women in college decreased as is shown in Figure 10. Thus, women's dramatic proportional increase in enrollment was purely the product of the draining off of the men.

Although there has been a gradual increase in the proportion of women attending college in the United States since 1949, an average of 0.3 percent gain annually, it was not until 1970--fully thirty years after World War II--that American women were as large a proportion of the study body as they had been in 1940. In short, it took three decades to recover from the effects of the war. Figure 8, page 268 projects the development of American women's enrollment rate if it had continued to increase throughout the postwar years at the average 1920-1940 rate. Interestingly, it would have made the 50 percent mark about 1970. Regarding the role of the G.I. Bill in shaping this lopsided postwar pattern it could be said that because the G.I. Bill was extended only to those who had served in the armed forces and bypassed those making a substantial contribution in a civilian capacity it was unquestionably the single most "discriminatory" official action of the century affecting women's opportunities to higher education. Although the intent of the Bill was not discriminatory--women in the armed forces also qualified for it--the sex role lines into which war work typically falls caused it to be de facto discrimination. Naturally, who received the G.I. Bill of Rights was determined by the basic

cultural values that prompt a nation to highly value and generously reward the "spear carriers" of a war and place a lower value on the work of those "keeping the home fire burning"--including making more spears.

While the G.I. Bill substantially increased the sheer number of men in college it also made higher education available to the sons of the urban working class, who normally have only limited opportunity for advanced education.¹²² Moreover, the United States Bureau of the Census has found that the precedent of married men attending the university set by the G.I.'s led to the acceptance of the married student with a working wife "putting him through" which, in turn, has increased the proportion of men from less affluent backgrounds obtaining higher education in the decades since 1950.¹²³ This finding on the higher representation of men than women from lower socioeconomic backgrounds has been confirmed in other American studies.¹²⁴ It is very possible that the mass education of men from all classes following the war set a precedent that helped motivate a larger proportion of subsequent generations of male high school graduates to consider seeking higher education. Young women had no such precedent to inspire them. Indeed, the overwhelming dominance of the college campus by males could well have had the negative effect of making women feel that the university is a man's world and not appropriate for them as women.

Swedish studies show that there, too, men from lower socioeconomic backgrounds seek and attain advanced education at a higher rate than do women from the same background. This pattern applies to the gymnasium as well as the university since secondary

education has traditionally been a more exclusive education in Sweden than in the United States.¹²⁵ Looking at the university level a 1961 survey of gymnasium students showed that only 19 percent of the men from Social Group III (working class) had no plans for continuing their education as compared to 37 percent of the women. In 1969 a similar survey showed that 40 percent of the men and only 10 percent of the women had plans for more schooling. A review of the backgrounds of newly registered university students in 1969 showed that 11 percent of the men and 7 percent of the women came from the working class.¹²⁶

Another investigation revealed the markedly limiting effect class background has on the choice of major, particularly in the case of working class women. Thus in 1956 only 5.2 percent of these women chose to study for one of the prestige professions (half the rate for upper class women) compared to 43.7 percent of the men from the same class. By 1969 these rates had dropped for both sexes being 4.0 for women (again half the rate for upper class women) and 15.7 percent for men. These data also reveal that the dynamic of sex is a stronger influence than class. Thus, a larger proportion of working class males than upper class females chose the prestige professions, although they were elected by the majority of upper class males.¹²⁷

Harriet Holter has found the same patterns in Norway, and hypothesizes that since the universities are virtually free in Scandinavia home values and attitudes, not money, are the explanation as much as in the United States. Holter assumes that the disproportionately smaller number of girls from lower income

backgrounds is the result of parents differentiating between sons and daughters in the amount of support given to educational aspirations. Holter links this differentiation with the relatively traditional sex role norms of parents in low status occupations.¹²⁸

In Sweden the Second World War seemed to have a momentary effect on women's rate of enrollment in higher education; however, compared to the United States the influence was slight and short-lived, and in general since 1940 Swedish women's representation in higher education has increased at an unprecedented rate. The impact of the war was felt sooner in Sweden because of its closeness to the European war theater. Although Sweden was officially neutral throughout the war, by 1939 Swedish men were being conscripted in large numbers to create a standing army.¹²⁹ The following comparison in Table 17 of first degrees earned by women in Sweden and the United States during the war years reflects the national variations in the timing of the war impact and the difference in the scale of the impact.

TABLE 17.--Earned degrees conferred on women (bachelors and first professional): Sweden and the United States, 1938-1950 (percent of total awarded)

1938		1940		1942		1944		1946		1948		1950	
Sw	US	Sw	US	Sw	US	Sw	US	Sw	US	Sw	US	Sw	US
23	41	27	41	26	44	24	56	26	57	33	35	42	24

Sources: Nordström, "Kvinnan i den akademiska utbildningen i Sverige från 1870," Table 2, pp. 15-16; Historical Statistical Abstract of Sweden, Table 208, p. 199; and Statistical Abstract of the United States, 1949, Table 149, p. 124; and ibid., 1955, Table 147, p. 125.

Actually between 1940 and 1950 Swedish women realized a 33

percent increase in enrollment while American women experienced a 29 percent decrease, resulting in a reversal of their relative positions. Figure 8, page 268 shows that in the last thirty years the proportion of Swedish women in the total enrollment has essentially doubled, while after American women's war-connected losses and slow regains are calculated their overall gain in terms of proportion of the total enrollment has been a mere 1.0 percent since 1940. Thus, today two out of every five students attending college in both Sweden and the United States are women.

While the drastic drop in the proportion of women attending American colleges in the late 1940's can be directly attributed to the effects of the war, it is more difficult to completely explain why there was not a more complete recovery after the wave of veterans taking advantage of the G.I. Bill passed through the colleges by the mid-1950's. Of course, the renewal of the G.I. Bill for the benefit of the Korean veterans prolonged the artificially increased number of males in the colleges, however, their numbers were small compared to the post World War II influx. Betty Friedan and others have amply commented on the massive endorsement of domestic values and a turning away from careers that characterized the postwar period.¹³⁰ It has been hypothesized that after the war men as well as women turned to domestic values as an antidote to the basic violence and disruption of private life and values that were a central part of the war experience for many Americans. What this amounted to in practice was strong pressure on women to focus their interests on family values and essentially enact a nineteenth-century domestic role, while the men worked in the fast-changing world of

the twentieth-century.¹³¹

A survey of both popular magazine articles and more scholarly literature for the late 1940's through the 1950's reveals a mass of literature, including Dr. Spock's widely read treatise on baby care, touting domestic values for women either openly or by such devices as focusing on the real or hypothetical negative effects on family life of the mother working or engaging in similar activities outside of the home.¹³² Perhaps Ferdinand Lundberg and Marynia F. Farnham's misogynistic Modern Woman: The Lost Sex, appearing in 1947, is the single work that most completely represents the psychological pressures being exerted on American women in the postwar period to turn away from seeking high level careers and thus the educational training required by them. Lundberg and Farnham became almost evangelically fanatical in their unequivocal endorsement of marriage and motherhood as the only possible role for a "normal healthy" woman; the career-minded woman was panned as hopelessly neurotic and "lost" in modern society.¹³³

The impact of the domestic self-image on young women's thinking was observed by John H. Bushnell in the following evaluation of the future role identities of Vassar undergraduates in the mid-1950's:

The validation of femininity and full realization of the potential of womanhood is thought to reside almost exclusively in the realm of marriage and family. . . . That the female should attempt, in her thinking, to usurp the prerogatives of the male is a distasteful notion which would seriously disrupt their own protected role of helpmate and faithful complement to the man of the house. For these young women, the "togetherness" vogue is definitely an integral theme of future family life, with any opportunities for independent action attaching to an Ivy League degree being willingly passed over in favor of the anticipated rewards of close knit companionship within the home that is to be.¹³⁴

This evaluation of the level of interest and ambition of these undergraduates is especially significant since it describes a group of unusually bright academically able young women. The lessening of interest in high level careers that is implicit in the above picture of the Vassar undergraduate is most evident during the twenty-year period, 1940-1960, in the declining proportion of all advanced degrees going to women illustrated in Figure 9, page 270.

The rapid expansion of Swedish women's higher education since the war years has been largely the result of a revamping of the education system and government action programs throughout the 1950's and 1960's to democratize and extend education to the masses. The benefits for women of the student loans for secondary school students available in the late 1940's and increased in the 1950's are seen in the sharp jump in the proportion of women in the university student body from 29.4 percent in 1955 to 37.7 percent just five years later. In 1965 a generous student grant and interest-free loan program was instituted for students pursuing higher education. This program together with decentralization of the university system, liberalization of registration rules to accept adult-special students over twenty-five years old, and the creation of such aids as child care centers at the colleges has brought higher education realistically within the range of many more women.¹³⁵ Undoubtedly, the good labor market situation since the 1950's and the active sex role debate that began early in the 1960's helped raise women's awareness that they should do more to consciously plan their lives and have higher expectations than had been conventionally the case.

Graduate study

Only the very best of the good women students go to graduate school. Out of these only the hardest survive.

Anne Sutherland Harris
U.S.A., 1970

The patterns of educational attainment for Swedish and American women on the graduate level have been quite dissimilar with American women receiving advanced degrees at a consistently higher rate than Swedish women. Follow-up studies of graduates in both countries have clarified not only that men pursue advanced studies at a higher rate than do women, but that post-graduate women tend to simply register for courses rather than begin degree programs. In recent years a few more Swedish women than men can be found continuing studies immediately after graduation. However, most of these women are not working toward advanced degrees, but have graduated with a first degree with a special teaching orientation (fil. mag.) and are taking the teachers college course required for teaching certification.¹³⁶ Although there are no Swedish data on part-time study, a 1958 American survey showed that American women are more likely than men to enroll part-time for graduate study.¹³⁷

At the time of writing systematic Swedish data regarding women's participation patterns in graduate study and academic work were virtually nonexistent outside of the statistical abstracts, although a large study on women in higher education in Sweden that has promised to be as comprehensive as anything to ever appear in Sweden will soon be forthcoming.¹³⁸

The best way to determine women's graduate participation rates with the available data is to look at earned degrees conferred.

Unfortunately, Swedish degree data does not exist by sex before 1940. As Figure 9, page 270 shows from 1910 to the Second World War women and men in the United States earned the masters degree at about the same comparative rate as they earned the baccalaureate, with the proportion of both degrees going to women ever increasing. By 1940 a little less than 40 percent of both degrees were being earned by women. After the dislocations of the war years evened out in 1955, women's masters degree rates remained lower in comparison to their bachelors rates than had been characteristic in the prewar era and only about one-third of all masters degrees earned annually went to women. As the proportion of bachelors degrees going to women increased rather rapidly in the early 1960's the gap between the two degree levels widened until the late 1960's when women's masters rates accelerated rather suddenly bringing the 1970 rate almost up to the 1930 rate--40.4 percent--the highest point of the century. However, the 1970 differential between the bachelors and masters being earned by women was greater (3 percent) than in 1930 (1.2 percent) with women earning proportionately fewer of the second degrees. Over the thirty-year period since 1940 American women realized a total increase of only 4.1 percent in the proportion of masters degrees earned by their sex.

In contrast to the United States, where women have consistently earned second degrees¹³⁹ at a rate approximate to their first degree Swedish women's rate for second degrees (fil. lic.) has averaged 30 percent or more below their first degree rate. In 1940 women earned only 8.9 percent of all second degrees. This rate remained fairly constant up to 1955 when it rose to 10.9 percent only to

drop in the next five years. In 1960 a steady upward trend began which resulted in one quarter of all fil. lic. degrees going to women in 1970--a total increase of 180 percent from 1940.

In both countries the doctoral level is the point at which women drop out at the highest rate, with this pattern more pronounced in Sweden. In 1940 Swedish women earned only 4.8 percent of all doctorates compared to 13 percent earned by American women. However, in the interim Swedish women's rates have gradually climbed to a high point of 9.0 percent in 1970. In contrast, American women's rates steadily dropped from 1940 to 1955 when they began to slowly increase again, as they had throughout the first decades of the century. By 1970 they were only at the 1940 point which was below the peacetime high of the century which came in 1930--15.4 percent. Preliminary American data indicate that by 1972 the 1930 level had almost been reached. Overall from 1940 to 1970 Swedish women realized a 87.5 percent increase in proportion of doctorates earned, while American women realized a total 2.3 percent increase. Thus, in 1970 the Swedish world of graduate study was still substantially more of a man's world than the American, and two out of five first degrees, one out of four fil. lic., and only one out of eleven doctorates went to women; whereas in the United States two out of every five bachelors and masters degrees and one out of every seven doctorates went to women.¹⁴⁰

The rates with which women earn advanced degrees in the fields in which they dominate as undergraduates is a good indication of the high female attrition rate at the end of an education plateau. Anne Sutherland Harris and others have noted that the majority of

women drop out of the educational game not during a course of study but after completing one stage, most dramatically after the second professional degree in the United States¹⁴¹ and after the first degree in Sweden. The high attrition rate after the first degree is generally attributed to women's tendency to prepare for occupations that do not require advanced training beyond the first degree, such as teaching or social work. Table 18 provides a selection of fields in which women are highly represented in one or both countries. Briefly, what these data tell us is that in general the proportion of second degrees going to women in both countries is moving closer to the proportion of women earning first degrees in these fields. The proportion of doctorates going to Swedish women is similarly changing, while in almost every field American women are losing more ground on the doctoral level today than in 1945--the notable exception is social work.

The typically erratic nature of the patterns is illustrated by the American humanities in 1970. This is a field in which women are highly represented, and they earned almost the same proportion of the M.A.'s as they did the B.A.'s; however, their proportion of the Ph.D.'s showed a 56 percent drop from the M.A. level as well as being below the 1945 level. One of the most dramatic indicators of Swedish women's academic status on the higher levels is their negligible representation on the doctoral levels in dentistry and pharmacy--two fields in which they have been making strong inroads on the lower level. Persons holding the doctorate in these two medical fields teach at the professional schools. As a later section will show Swedish women have been even less present on the faculties of institutions of higher education than have their

TABLE 18.--Women earning advanced degrees in selected fields in which women are highly represented:
Sweden and the United States, 1945 and 1970
(by percent of total degrees conferred in the field and percent change)

Degree	B.A. & 1st Prof.		Masters		Bachelors		Doctorate	
	1945 ^a	1970	1945 ^a	1970	1945 ^a	1970	1945 ^a	1970
Field								
HUMANITIES								
Sweden	43.4	72.8	11.5	28.3	(-74)	8.3	(-28)	23.1
U.S.	52.9	47.0	40.5	44.4	(-23)	23.2	(43)	19.3
SOC. SCI.								
Sweden	**	39.8	**	30.9	(+2)	**	(-22)	10.5
U.S.	37.5	37.3	38.1	35.5	(-48)	13.0	(-65)	13.0
NAT. SCI.								
Sweden	29.8	29.8	12.5	21.1	(-58)	3.3	(-74)	9.7
U.S.	26.6	27.4	18.2	20.9	(-32)	8.8	(-52)	9.1
EDUCATION								
Sweden	51.7	71.6	**	**	(-39)	16.1	(-63)	**
U.S.	71.7	75.0	43.9	55.3	(-26)	20.3	(-63)	20.3
DENTISTRY								
Sweden	39.1	42.8	.	.	.	0.0	.	0.0
U.S.	2.9	0.9	.	.	.	.	.	.
PHARMACY								
Sweden	25.7	35.9	.	16.6	(-52)	0.0	(-12)	1.2
U.S.	21.3	18.8	10.3	16.6	(-52)	4.5	(-56)	13.9
SOCIAL WK.								
Sweden	54.8	69.4	69.0	61.7	(-11)	11.1	(-8)	36.0
U.S.	77.6	77.9	69.0	61.7	(-11)	11.1	(-8)	36.0

^aThe 1945 data for the United States is actually for 1947, the first year in which degrees earned were broken down by field and sex.

Sources: Historical Abstract of Sweden, Table 208, p. 199; Statistical Abstract of Sweden, 1971, Table 367, pp. 318-19; Federal Security Agency, Office of Education, Earned Degrees Conferred by Higher Educational Institutions, 1947-1948, by Robert C. Story, Circular No. 247 (Washington, D.C.: Government Printing Office, Nov. 1948), Table D, pp. X-XI; and Statistical Abstract of the United States, 1972, Table 211, p. 133.

American sisters.

Where women are in higher education

We expect women who come here to be competent, good students, but we don't expect them to be brilliant or original.

Graduate Student Advisor
U.S.A., 1970

In spite of overall progressive participation rates in higher education over the past twenty-five years, women in Sweden and the United States have tended to remain concentrated in a few fields of study with American women being the most extreme example of this pattern. Since the war the Swedish pattern, which was comparatively diversified in 1945, has become more like the American which is virtually unchanged.

As Table 19 demonstrates in 1945 American women receiving bachelors and first professional degrees were concentrated in four fields of study; education, humanities, social sciences, and natural sciences.¹⁴² Over 15 percent of the women were in each of these fields except for natural science in which 9 percent of the women took their degrees. Two other fields attracted over 5 percent of the women: business and commerce 6.4 percent, and home economics 7.5 percent. The behavioral sciences of sociology and psychology accounted for only 4.7 percent and 3.7 percent respectively, and nursing 3.5 percent.

In 1970 American women were more concentrated than ever in education, humanities, and the social sciences. These three fields accounted for 85.9 percent of all women graduating with first degrees. The women distributed in natural science had declined

TABLE 19.—Earned degrees conferred on women (bachelors and first professional) in selected fields of study: Sweden and the United States, 1945, 1970
(by percent of all women students and percent of total degrees conferred in field)

Field of Study	SWEDEN		UNITED STATES	
	% of all women stud.	% of total in field	% of all women stud.	% of total in field
THEOLOGY ^b				
1945	--	--	1.0	..
1970	0.3	25.8	0.1	4.4
LAW				
1945	1.4	6.6	0.4	3.8
1970	1.1	23.3	0.3	5.6
MEDICINE				
1945	8.2	15.5	0.8	11.2
1970	4.1	24.7	0.2	5.6
HUMANITIES ^c				
1945	21.6 ^a	43.4	20.1	52.9
1970	27.0 ^a	72.8	33.2	47.0
SOCIAL SCI.				
1945	..	..	15.4	37.3
1970	15.3 ^a	38.6	16.7	29.6
NAT. SCI.				
1945	3.6 ^a	29.8	9.0	29.6
1970	7.5 ^a	29.8	6.9	27.4
ENGINEERING				
1945	0.7	1.5	0.2	0.6
1970	1.4	7.4	0.1	0.8
ECONOMICS				
1945	1.0	5.0	1.4	14.5
1970	1.2	14.3	0.5	10.9
DENTISTRY				
1945	10.1	39.1	0.1	2.9
1970	2.5	44.4	0.0	0.9
PHARMACY				
1945	7.3	25.7	0.5	21.3
1970	3.0	42.7	0.3	18.8
VETERINARY MED.				
1945	0.2	8.3	0.0	5.3
1970	0.2	2.8	0.0	7.5

TABLE 19.--Continued

Field of Study	SWEDEN		UNITED STATES	
	% of all women stud.	% of total in field	% of all women stud.	% of total in field
AGRICULTURE				
1945	--	--	0.2	3.3
1970	0.1	11.3	0.1	5.2
FORESTRY				
1945	--	--	0.0	0.7
1970	--	--	0.0	0.8
SOCIAL WORK				
1945	7.5	54.8	2.2	77.6
1970	4.2	69.4	0.9	77.9
PSYCHOLOGY				
1945	..	..	3.7	56.1
1970	0.1	54.5	4.3	43.5
EDUCATION				
1945	37.8 (43) ^a	83.0 (52) ^a	22.2	71.7
1970	32.5 (54) ^a	91.0 (60) ^a	36.0	75.0
OTHER				
1945	1.0		23.0	
1970	2.5		5.0	
TOTAL				
1945	100.0		100.0	
1970	100.0		100.0	

^aThese Swedish figures include students graduating with fil. mag. which qualifies them to teach at the gymnasium after they take a certification course at the teachers college. The proportion of women students earning the fil. mag. is as follows: humanities: 1945 38%, 1970 65%; social science: 1970 12%; natural science: 1945 53%, 1970 44%. The influence of these degrees on the percent distribution of women in education--if they were counted with education--is noted in parenthesis under education. The Swedish figures given under education are for those graduating from the teachers colleges prepared to teach elementary school (grades 1-9).

^bU.S. Data is from 1947, earliest year for which data by sex is available.

Sources: Historical Abstract of Sweden, Table 206, p. 197, Table 208, p. 199; Statistical Abstract of Sweden, 1971, Table 364, p. 316, Table 367, pp. 318-19; Earned Degrees Conferred, 1947-48, Table D, pp. X-XI; and Statistical Abstract of the United States, 1972, Table 211, p. 133.

to 6.9 percent and only four other fields could claim over 3 percent of the women students: psychology 4.3 percent, nursing 3.2 percent, home economics 3.0 percent, business and commerce 2.8 percent. Study of Table 19 shows that compared to 1945 today American women's attraction to the so-called prestige professions is down at every point as is their present distribution in almost every other field of study including those in which the proportion of women to men has increased. In addition to the three leading fields, only psychology and sociology attracted a larger proportion of the university women in 1970 than in 1945.

In Sweden, as in the United States, education attracts the largest number of women students with humanities running second. Thus, in 1945, 38 percent of all women in college graduated from teachers training colleges and another 5 percent of the women in the humanities and natural sciences received a bachelor of arts with special teaching preparation (fil. mag.) making a total of 43 percent of the graduates prepared to teach elementary or secondary school. The second greatest concentration of women was in the humanities, 21.6 percent. Most of the remaining women graduates were rather evenly distributed over four professional fields: dentistry 10.1 percent, medicine 8.2 percent, social work 7.5 percent, and pharmacy 7.3 percent. Compared to the United States, women's percent distribution in these selected professions is impressive. At no time has American women's distribution in these professions been more than 1.0 percent of the total, with the exception of social work which was 2.2 percent in 1945. On the other hand, in 1945 there were three fields in which no Swedish women appeared: theology,

agriculture, and forestry. This situation has not occurred in the United States since early in this century.

By 1970 the distribution pattern of Swedish women had become more like that of American women with a higher concentration in fewer fields than previously, although women were represented in all fields of study offered at the universities. Education accounted for even more of the women graduates than twenty-five years earlier, with 33.5 percent graduating from teachers colleges and another 20.2 percent earning bachelors degrees with special teaching orientation to make a total of 53.7 percent prepared to teach. The social sciences and humanities attracted women in larger numbers than earlier and together with education accounted for three out of every four women students graduating from college. Four other fields accounts for almost all of the other women graduates: social work 4.3 percent, medicine 4.1 percent, natural science 3.8 percent, and pharmacy 3.0 percent.¹⁴³ Specific occupation majors are still noticeable. However, the percent distribution of women student's earning their degrees in the more prestigious professions is substantially dropping, although the proportion of women to men in these fields is steadily increasing. The fact that a smaller proportion of the total number of men students are also earning degrees in these professional fields merely reflects the fact that in the last twenty years the Swedish university has diversified and begun offering a wider range of training than earlier.¹⁴⁴ One could say that overall the distribution pattern for Swedish women graduating from college is becoming more like American women's has been all along with increasing concentration in a few fields that have been traditionally

recognized as "feminine" in the United States and growing popularity of non-vocational majors in the liberal arts.

Table 20 shows that in the years since the war Swedish women have steadily made headway in a variety of fields including several traditionally considered "male," while American women's progress has been slow and uneven, or, in some cases such as engineering and dentistry, there has actually been regress. In 1971 Swedish women were a larger proportion of the graduates in all of the fields of study presented here than were American women including economics in which American women were well in advance in 1945. Education is the sole exception to this generalization; American women have held their lead in this field. The sharp drop in American women's representation immediately after the war may be simply attributed to the influx of veterans and the policy of veteran's preference that was widely observed by university admissions offices across the country since women's rates rise again in 1955.¹⁴⁵ However, part of the responsibility for the slow rate of increase after 1955 must be placed on the women and their lack of interest in careers.

Perhaps what has been most remarkable about Swedish women's progress is their success in making inroads into the traditionally exclusive "men's fields," particularly dentistry, pharmacy, and engineering. In the United States women have been barely visible in dentistry, while they have been making slow steady progress in pharmacy. In contrast, in Sweden women have consistently constituted over one-third of all pharmacy graduates since 1950, and if the present rate of increase in the proportion of women in dentistry continues dentistry will soon be a "feminine" profession as it is in Eastern Europe. Interestingly, I often heard people in Sweden

TABLE 20.—Earned degrees conferred on women (bachelor's and first professional) in selected fields: Sweden and the United States, 1930-1971 (by percent of all degrees in field)

Field	1930		1945 ^a		1950		1955		1960		1965		1970		1971	
	SW	US	SW	US	SW	US	SW	US	SW	US	SW	US	SW	US	SW	US
Law LLE	0.4	4.8	6.6	3.8	12.4	6.6	15.5	3.5	9.3	2.5	17.7	3.8	23.3	5.6	17.1	5.6
Medical Dr., M.D.	3.4	4.6	15.5	11.2	15.4	2.9	16.5	5.2	22.0	5.6	25.4	6.7	24.7	5.6	27.6	8.5
B.S. Nat. Science	..	..	38.8	29.6	30.6	17.5	23.8	20.7	30.6	21.2	27.7	25.8	31.3	27.4	27.1	27.4
Engineering	0.4	0.02	1.5	0.6	1.7	0.3	1.7	0.3	1.7	0.4	5.1	0.4	7.4	0.8	6.0	0.8
Economics	..	..	5.0	14.5	3.1	7.6	2.8	10.3	8.0	9.0	10.6	9.8	14.3	10.9	18.8	10.9
Dentistry	9.1	2.1	39.1	2.9	13.8	0.7	20.7	1.1	22.2	0.8	34.0	1.1	44.4	0.9	42.8	0.9
Pharmacy	4.2	7.8	25.7	21.3	25.8	7.6	35.7	10.9	64.7	11.9	35.1	14.0	42.7	18.8	35.0	18.7
Veterinary Med.	..	..	8.3	5.3	..	1.5	10.3	1.5	5.6	2.2	6.6	5.6	2.8	7.5	27.0	7.5
Social Work	29.0	67.6	54.8	77.6	39.5	66.4	..	66.2	67.1	61.0	58.2	71.4	69.4	77.9	66.6	..
Education ^b	..	98.3	51.7	71.7	70.2	63.3	64.6	71.8	88.6	75.3	67.0	75.2	59.6	75.0	64.3	75.0

^aThe earliest available official U.S. data on earned degrees conferred by sex is from 1947-48, thus the listed 1945 figures for the U.S. are really for this later date.

^bSwedish data include graduates of teachers colleges and students earning bachelor's degrees with a special teaching orientation (*fil. mag.*) leading to teaching at the gymnasium.

Sources: Sweden: 1930 data are from Moberg and Quensel, *Studenternas sociala ursprung, betyg i studentexamen vidare utbildning, yrkesval m.m.*, S.O.U., 1949:48, pp. 314, 318; other years are from *Statistical Abstract of Sweden* for relevant years, education tables; and *Statistiska meddelanden*, 30 (Stockholm: Statistiska centralbyrån, 1972). United States: 1930 data are from M. Newcomer, *A Century of Higher Education for American Women* (New York: Harper & Bros., 1959), Table 12, p. 179; other years are from *Earned Degrees Conferred Summary Data*, annual reports, 1947-1970; and *Statistical Abstract of the United States*, 1972, Table 211, p. 133.

comment that dentistry is a "natural" field for women because of their relatively smaller hands and greater manual dexterity when compared to men. While the proportion of women in engineering in the United States has not changed since 1945, Swedish women have increased their proportional representation by threefold. However, this is still a scanty 6.0 percent of the total. Although there is no official information, there are indications from objective complaints from Swedish female engineering students that women's slow progress in engineering, as compared to other fields, may be partly due to discriminatory practices, such as the engineering college's failure to place senior women student engineers in field experience posts with the standard rate of pay--an important and standard part of the Swedish engineer's educational experience.¹⁴⁶

Perhaps what impresses one the most in comparing American and Swedish women's rates of progress in the professional fields shown in Table 20 is the generally steady increase in all fields for Swedish women, while American women's representation, except for war-connected fluctuations, has remained incredibly static, particularly in certain fields such as law, dentistry, and medicine. Medicine is a good example. Since the turn of the century women have comprised about 5 percent of all classes graduating from American medical schools. During the war years they rose to 11.2 percent only to drop to an all time low for this century of 2.6 percent in 1950. Since then they have stabilized out to the standard 5 percent in spite of the fact that the number of women applying for admission to medical school has tripled since 1930 while men's applications have only increased by 29 percent.¹⁴⁷ Interestingly, in

1971 the proportion of women in medical school jumped to an unprecedented peacetime 8.5 percent--a 51 percent increase in a single year. There might well be a connection between medical school admission practices and recent investigations of institutional policies discriminating against women. This area will be discussed later.

Women on Faculties

While discussing women in the higher levels of academia it is natural to look at their representation on faculties of institutions of higher education since a majority of doctorates, especially in the humanities and social sciences in which there are high concentrations of women, will most likely be employed as college teachers if they are to work in their field of study. While a number of good studies of academic women have appeared in the United States in the last decade, research on women in academia is virtually nonexistent in Sweden.¹⁴⁸ Lack of such vital Swedish data as women's representation on faculties of departments dominated by women students as well as space will limit this discussion to the basics.

The pattern of consistent increase for Swedish and decrease for American women typical of the other areas of higher education in the postwar era does not apply to women on faculties as Table 21 demonstrates. American women's representation on faculties has been consistently higher, which is appropriate considering their greater propensity to earn advanced degrees for many decades longer than Swedish women, but has increased substantially only in the past decade. In contrast, Swedish women's proportional representation increased remarkably between 1940 and 1950 only to steadily decline

in the following years to the point that in 1970 they were a smaller proportion of faculties than in 1940.

TABLE 21.--Women on faculties of institutions of higher education: Sweden and the United States, 1940-1970 (by percent of total faculty)

Year	SWEDEN		USA
	Excluding teacher colleges	All instit. of higher ed. including teachers colleges	All instit. of higher ed. including teachers colleges
1940	2.4	12.6	26.2
1950	3.2	17.7	19.3
1960	4.8	13.0	19.5
1970	4.7	12.2	28.6

Sources: Calculated from Historical Statistical Abstract of Sweden, Table 211, p. 204; S.O.S., Statistiska meddelanden U 1970: 6 (Stockholm: Statistiska centralbyrån, 1970), pp. 36-39; Sveriges Statskalender for 1960 and 1970 (Stockholm: Almqvist & Wiksell, 1960, 1970); Digest of Educational Statistics, 1971, Table 103, p. 77; and Office of the President, Economic Report of the President, January 1973 (Washington, D.C.: Government Printing Office, 1973), Table 33, p. 156.

However, this gross data does not reveal the whole story of women's status on college faculties. In June 1970, Bernice Sandler testified before the House Special Subcommittee on Education that women on faculties of institutions of higher education in the United States are unevenly distributed, concentrated in the lower ranks and in part-time positions, and found in institutions or programs considered low prestige by the academic establishment such as state and junior colleges.¹⁴⁹ Although no detailed data exist, the fact that Swedish women are employed mainly on the faculties of teachers colleges rather than universities and professional schools suggests that their

status is comparable to American women's. The doctorate is not required for most faculty positions at the Swedish teachers colleges, and they have even lower prestige than their American counterparts since the training course is not as long in duration and does not warrant an equivalent of the baccalaureate. Moreover, there are no advanced degrees in education. As more persons with advanced education become available the academic calibre of the Swedish teachers college faculty is rising.¹⁵⁰

While there has been no attempt to methodically review the rank and salary of all female faculty in the United States, there have been reliable sample studies.¹⁵¹ The only Swedish data of this nature available is through Sveriges Statskalendar (State Employees Directory) which lists all faculty since they are classified as civil servants under the Swedish system. John Parrish reported on the 1960 distribution of women faculty at ten high-endowment and ten high-enrollment institutions in the United States his findings compared with the Swedish data in Table 22 below.

Of course, if it is to be accurately determined from rank distribution whether women are indeed being discriminated against more information must be known about the individuals involved such as academic background, professional experience, and scholarly productivity. Samples of such detailed data available in the United States generally show that when all factors are considered the patterns of discrimination are even more apparent than the simple rank distribution suggests. For example, the Kansas State Teacher's College study (1970) found that at Kansas State women in all ranks below professor had longer average periods of service than their

TABLE 22.--Women faculty at selected United States institutions of higher education, 1960, and all Swedish universities, 1960 and 1970 (by rank and percentage of total faculty)

UNITED STATES, 1960				
Rank (descending)	Prof.	Assoc. Prof.	Assist. Prof.	Instructor
Type of Instit. High endowment ^a (pvt. & state)	2.6	7.5	8.5	9.8
High enrollment ^b (state)	4.3	10.1	12.7	20.4
SWEDEN, 1960, 1970				
Rank (descending)	Prof.	Bitr. Prof.	Univ. lekt.	Docent
All Swedish Univ. 1960	0.7	.	14.1	5.3
1970	1.2	6.3	14.3	6.8

^aHigh-endowment institutions surveyed: Chicago, Columbia, Cornell, Harvard, Johns Hopkins, M.I.T., Northwestern, Princeton, Stanford, and Yale.

^bHigh-enrollment institutions surveyed: Berkeley, C.C.N.Y., Indiana, Illinois, Michigan, Michigan State, Minnesota, N.Y.U., Ohio, and Pennsylvania State.

Source: John B. Parrish, "Women in Top Level Teaching and Research," American Association of University Women Journal (Jan. 1962), p. 2.

male colleagues: Professor--men 19.4 years, women 15.3 years; associate professor--men 10.70 years, women 14.3 years; assistant professor--men 4.5 years, women 7.2 years; instructor--men 2.5 years, women 3.7 years.¹⁵² Studying trends in 1970 Malcom Scully found

that the gap between the sexes in academic rank--and better paying jobs--is still increasing in the United States at this point.¹⁵³

In contrast, on the basis of the 1960 and 1970 Statsskalender

information the gap appears to be gradually closing in Sweden.

Studies of American women's salaries have conclusively proven that academic women working full-time earn less than men with comparable qualifications. This does not even include patterns of economic exploitation such as hiring many women to teach introductory courses on a part-time basis, although they may teach as many hours or more than full-time faculty, rather than hiring fewer instructors at full-time pay rates and fringe benefits. Faculty wives, an all too often captive labor source, are the most frequent victims of this pattern.¹⁵⁴

In her 1969 study of The Woman Doctorate in America Helen Astin learned that over one-third of her respondents had found employer discrimination a problem hindering career development with salary differentiation being the most common complaint, and promotions, tenure, and seniority following. Contrary to popular myth, the women who complained of sex discrimination the most strongly were not professionally unsuccessful. Indeed, Astin found them to be the most productive and committed segment of the academic women studied. Apparently because of her high aspirations and accomplishments this type of professional woman is less able and likely than other female doctorates to accept the fact that she may be judged by an irrelevant criteria such as her sex rather than her background, achievements, and ability.¹⁵⁵

The cluster pattern of women faculty at the lower ranks in Sweden suggests that there is discrimination in promotion in that country too; unfortunately, there are no data available at this time to verify this. It is certain, however, that women and men holding

the same rank receive equal pay because faculty positions are classified as civil service jobs, hence are governed by standardized and graded salary schedules. Moreover, by rule each person's grade and accompanying salary are public knowledge, thus irregularities are easily detected.¹⁵⁶

Sexual Discrimination in Academe?

Our general admissions policy has been, if the body is warm and male, take it; if it's female, make sure it's an A- from Bryn Mawr.

Dean of Graduate Admissions
University of Chicago, 1970

Inevitably the question arises today if women are discriminated in admissions and economic support in graduate study. There have been no studies of this question done in Sweden up to now and I was solemnly assured by officials of the Swedish University Chancellery, as well as representatives of the academic community at the Universities of Göteborg, Stockholm, and Uppsala, that "of course women are not discriminated against in the Swedish universities. Everyone is treated the same here."¹⁵² My early suspicions--based on the small proportion of women going on for graduate degrees, their scanty representation on university faculties, and their typical clustering in the lower ranks--that these were simply expressions of honored myths and did not describe the real situation may be verified in the near future in a study underway at the University of Lund. A preliminary report of this unprecedented study of women in a Swedish university reveals the basic pattern of rank clustering already described as well as apparent discriminatory practices in the hiring of graduate assistants. For example, it has been found

that at the University of Lund, where women constitute 50 percent of the students in science, they hold only 16 percent of the research appointments and stipends.¹⁵⁸ Undoubtedly, the full report will produce similar revelations.

Studies of American women in academia over the past twenty years have produced widely differing opinions concerning discrimination against women in the universities. As early as 1947 Marguerite Wykoff Zapoleon accused the universities of using quotas when admitting women to graduate school, passing over the highly qualified women in favor of less qualified men, and preferring men in awarding fellowships and assistantships.¹⁵⁹ Many since have rejected these ideas as paranoid or unfounded, notably Bernard (1964), Astin, (1969), and Folger and associates (1970). As a whole, these commentators are convinced that available data in the area of graduate admissions and financial aid, which they readily admit are unsystematic and superficial, prove that there is no ostensible discrimination in American colleges. Not surprisingly, most of the works refer to the same two or three studies in supporting their conclusions.¹⁶⁰

Since 1970 there have been concerted efforts to methodically collect comprehensive data on the admission of women and minorities to graduate schools, and their graduate school experiences. Today virtually every college has made or is making an investigation of women's status, usually at the instigation of women graduate students and faculty. Perhaps the best of these studies has been done at the University of Chicago. This study, like most of the others, found that it is easier for a man than a woman to get into graduate school

(the grade point average of women accepted into graduate school was significantly higher than of men) and receive financial aid in the form of a fellowship or assistantship. Moreover, numerous other, generally unofficial, discriminatory practices abound ranging from using quotas (particularly prevalent in professional schools such as medicine or law) to male administrators sending out letters to women's colleges instructing department heads to discourage women from applying to graduate school at all because a particular department head is convinced that women who enter graduate school directly after graduation are "poor risks."¹⁶¹

The study concluded that much of the discrimination against women was not found in an objective policy as much as the subjective prejudiced attitudes of faculty advisors and teachers. The Chicago study, like many others, notably Berkeley, attempts to document some of these attitudes that have such a devastatingly negative effect on women's self-image, ambitions, and preparation for high level careers. Here is a sample:

A pretty girl like you will certainly get married; why don't you stop with an M.A.?

I know you're competent and your thesis advisor knows you're competent. The question in our minds is are you really serious about what you are doing?

Any woman who had got this far [doctorate] has got to be a kook.

You're so cute. I can't see you professor of anything.

Have you ever thought about journalism? [To a woman planning to get the Ph.D. in political science.] I know a lot of women journalists who do very well.

You're very attractive. You'll get married again. We have to give fellowships to people who really need them. [This to a young widow with a five year old child to support, who could not continue graduate study without financial aid.]

The following analysis of the graduate student women of the University of Chicago effectively sums up the powerful influence this kind of comment can have on women pursuing higher education:

Comments such as these can hardly be taken as encouragement for women students to develop an image of themselves as scholars. They indicate that some of our professors have different expectations about our performances than about the performance of male graduate students--expectations based not on our ability as individuals but on the fact that we are expected to be decorative objects in the classroom, that we're not likely to finish a Ph.D. and if we do there must be something "wrong" with us. Single women will get married and drop out. Married women will have children and drop out. Married women with children ought to stay at home and take care of them rather than study and teach.¹⁶²

To my knowledge no attempt has been made in Sweden to determine if such negative attitudes are rampant within the universities. However, from my own informal observation at the Universities of Göteborg, Uppsala, and Stockholm I would conclude that they are. Here are a sampling of attitudes I overheard expressed about Swedish women students by faculty members:

We were are so happy that it [a special college attracting exclusively women students] was nearby the university. The girls were all from the best families, very beautiful, and gave us something to do on weekends.

I don't find that any of the women graduate students in this department are very capable or confident. They seldom make much of a contribution.

Oh, the women students don't care if they find jobs or not, they just want to get a husband and a child. It [the depressed job market] doesn't make any difference to them--it's these poor guys who have worked so hard these years that we are concerned about. [This is from a law professor concerning the depressed condition of the job market for graduating lawyers.]

In verifying that women are not discriminated against in admissions in the United States it is typically pointed out that about the same or greater percent of female as male applicants are

accepted. This sounds fair enough until one considers that in most fields substantially more men will apply than women and that, as Harris and other recent commentators have pointed out, "women students are, to start with, a much more highly preselected group than are men graduate students."¹⁶³ Generally, unlike male applicants the middle and low range female student is eliminated before application. Thus, if applicants are accepted solely on the basis of academic qualifications, a larger proportion of the women than the men will be accepted.

In Sweden Husén and Boalt similarly found that the average marks of women admitted into institutions of higher education are consistently higher than those of men accepted into the same field of study. As in the United States, this is especially evident in the professional schools such as law, medicine, or dentistry. Husén and Boalt account for this by the fact that male students are given extra qualifying entrance points for serving in the military (eleven months duty).¹⁶⁴ Since women are not even allowed in the military in Sweden this admissions practice is by definition discriminatory against women. However, this is the sole detectable discriminatory admissions practice and all applicants to graduate and professional schools are judged impartially on the basis of grades alone. Letters of recommendation, personality evaluations, and interviews that are favorite decisive factors in the United States and that allow free play of any possible prejudices including sexism in selection of candidates, are never used in Sweden. Regarding the reliance upon these kinds of materials it has been said that "the Swedish University System, and educational system in general abhors all informal and

discretionary methods of selection, when selection is necessary."¹⁶⁵

In the area of financial aid the American data are again contradictory with older studies finding that women receive financial aid in the form of fellowships and assistantships at the same rate as men and the more recent studies finding that women receive aid less often than do men.¹⁶⁶ When this second conclusion is reached it is usually rationalized by women's allegedly higher attrition rate, which makes a fellowship a bad investment, and by the fact that there are fewer fellowships available in the fields attracting many women, for example, humanities and social sciences. However, Eli Ginzberg's findings refute the assertion that women who drop out of graduate school are a total loss. Indeed, he finds that the vast majority continue to have an active relationship to the world of work.¹⁶⁷ Harris points out that there are not enough accurate data on graduate student attrition rates to justify the claim that women's far outstrips men's.¹⁶⁸

Similarly, accurate attrition data is not available for Sweden. As to the question if Swedish female graduate students are discriminated against in the area of financial aid, the preliminary Lund report already mentioned suggests that they are, at least in the area of research assistantships. There is presently no information available regarding fellowships; however, under the 1965 national educational grant program women do receive completely equal treatment.¹⁶⁹

Recent American legislation protects women on college faculties from discriminatory practices for the first time in the history of American labor legislation. As it was originally passed Title VII

of the 1964 Civil Rights Act prohibited sexual discrimination but exempted all educational institutions with respect to the employment of individuals connected with the educational activities of such institutions. However, the March 1972, amendment to the Act extended its protection to include all faculty and staff members of institutions of higher education. Executive Order 11246 as amended by Executive Order 11375 strengthened the ban by forbidding sex discrimination by all Federal contractors, which literally includes all state and many private collegiate institutions as well as numerous corporations that hire large numbers of academic personnel. Under the law the Office of Contract Compliance reviews charges of discrimination. Moreover, the Executive Order requires all institutions holding Federal contracts over \$10,000 to "take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to race, color, religion, national origins, or sex."¹⁷⁰

Thus, the machinery to combat sex discrimination in education is available in the United States and in January 1970, the fight began when the Women's Equity Action League (WEAL) initiated class actions against more than 100 universities and colleges for discriminating against women. Since then numerous other institutions have been charged and affirmative action programs have begun at many to rectify the situation regarding unequal pay, promotion, and employment opportunities for academic women.¹⁷¹ There is no legislation forbidding discrimination against women in Sweden beyond a general guarantee of equal pay for equal work which does not apply to university faculty because they are not hourly wage earners.

Granting that there is indeed institutional and individual discrimination being practiced against women in the universities this cannot totally account for the substantially lower participation rates of women at all academic levels when compared to men. In the final evaluation, self-selection is the central factor keeping women out of higher education and training for the prestige occupations. This fact has been recognized and commented on in both Sweden and the United States. However, as Norwegian sociologist Harriet Holter has noted, most of the available literature deals with the United States.¹⁷²

Folger, Astin, and Bayer's findings on American women would appear to apply equally to Swedish women. They found the lack of female models with whom young women can identify in the prestige professions combined with a general lack of encouragement from parents, teachers, school counselors, and the society at large encourages girls to develop a low self-image and reduces the likelihood of a girl seriously considering dedicating her life to a demanding high level job that involves long training.

However, women's role expectations in the period since World War II appear to be changing. There are recent studies that suggest that American women are in a transition period moving from basic idealization of the self-image of wife and mother in the home to working wife and mother. The future plans of the group of girls already noted in Figure 7, page 238 is indicative. As high school juniors a sizable proportion of this group chose "housewife" as their future occupation, but by the time they were college juniors substantially fewer were interested in this job. In 1964 Hewer

and Neubreck found a similar conservative attitude among younger women. Their sample of freshman women had a negative view of the working mother and favored the traditional wife-mother role for women.¹⁷³ A couple of years later Rossi found that although her sample of women graduates (B.A.) tended to anticipate and accept the traditional role for themselves they expressed admiration for women who achieved intellectually and professionally.¹⁷⁴ Similarly, in a 1963 study of factors predicting career patterns for women Mary Crowley found that in general the adult women she was working with, including full-time homemakers, had a favorable attitude toward working wives and mothers.¹⁷⁵

Interestingly, these and other studies seem to indicate that younger women--high school girls and college undergraduates--adhere more to the traditional view of sex roles than do post-graduate women. In spite of the conservative tone of younger women's responses regarding their future expectations Folger, Astin, and Bayer conclude that as a whole national attitudes toward women pursuing high-level careers and combining careers, marriage and motherhood are rapidly changing. Indeed, they expect that the next decades will show more American girls aspiring to professions that require a long education and a high level of commitment and more girls actually being encouraged in this direction.¹⁷⁶

The available data suggests that American young women have a more conservative view of their future and role than they will meet in reality, as will be shown in the next chapter's discussion of women and work. On the other hand, Swedish girls have a less domestic view of their future activities and role than is justified by reality

as had been shown in the earlier discussion of women's post-gymnasium life patterns. In neither case do the young women seem to be accurately perceiving their future roles and activities-- perhaps the best indicator of all that both countries are indeed in a state of profound transition regarding "woman's place" and the sex roles.

Summary and Conclusions

Throughout the Swedish and American educational systems the rule the-higher-the-fewer has applied to the education of women with particularly limiting effects on the educational attainment of Swedish women. By 1970 the proportion of young women achieving educational objectives in both Sweden and the United States was approximately the same at all stages below the graduate level. However, the level of attained education of the female population in general was considerably higher in the United States than Sweden because of the substantially different national patterns of development of general educational opportunities over the past fifty years. Cultural values and economic and political history have exerted considerable influence on these patterns in both countries.

In the United States democratic ideals have permeated the philosophy of education both officially and privately since early in the last century. By 1850 these ideals came to include providing opportunities for secondary and higher education for women as well as men from all backgrounds. Since the turn of the century women have outnumbered men in graduating from high school, while men have maintained their lead in higher education by constituting three out of every five

students attending college. American women's attainments on the graduate level have been considerably smaller. Because of the educational benefits of the G.I. Bill in the period following World War II, American women's proportional participation in higher education decreased on the bachelor's level to the turn of the century rate. As a result of a complex of social factors, prominent among which was a waning of women's commitment to high-level careers, the proportion of women earning advanced degrees dropped to the rate of the early decades of this century and remained low until the late 1960's. While American women had recouped most of their war aftermath losses on the bachelors and masters levels by 1970, they had made essentially no overall progress during the previous twenty-five years. These factors affecting American women's educational achievements over the past years coupled with unprecedented expansion of educational opportunities for everyone in Sweden have resulted in the remarkably parallel situations for women in the two countries today.

In contrast to the United State's early democratic ideals, in Sweden the idea of making education beyond the primary school required, indeed even available to the masses, was not accepted in principle until the 1920's when secondary education became tokenly available for girls. The institution of the state supported "separate but equal" girls' schools in 1927 was essentially endorsement of a discriminatory education system that held women back. Although advanced education for women has definitely not been a goal of the government until very recent times, compared to the United States, the traditionally small proportion of Swedish

women achieving an advanced education can be attributed largely to the lack of the necessary basic preparatory education. The massive secondary education reforms of the 1940's and 1950's, including financial aid for needy students desiring a gymnasium education and the opening of alternative forms of secondary education, greatly increased the number of women with secondary education and potentially prepared for higher education. The expansion and liberalization of the university system in the 1960's, again including generous financial support for students, has lessened the elitist quality of Swedish higher education and attracted many women as well as men to the colleges and universities.

The overall effect of these reforms, most of which have taken place since World War II, has been an unprecedented rate of progress in improvement in Swedish women's level of attained education. On the other hand, the proportion of the total population going onto higher education continues to be somewhat lower than in the United States. It should be noted that in 1970 it did not appear that the Swedish goal in the foreseeable future was for everyone to have a gymnasium secondary education; the ideal is that after primary school young people should be distributed between the gymnasium and various vocational and specialized schools.¹⁷⁷

In both countries women students have tended throughout all stages of the educational process to cluster in a few curriculums, notably humanities, social science, and business and have prepared themselves for only a few occupations--business/office work, lower-level teaching, health occupations, and social services. This pattern appears to have intensified in the last two decades. The

forces of tradition together with a general lack of support from parents and school advisors help perpetuate the sexually differentiated patterns in education as well as occasional blatant discriminatory practices, especially prevalent in the United States.

An important difference between the countries is the level at which the government is presently focusing its interest to equalize the educational and social experiences of women and men. In the United States most of the official action is taking place on the college and university level. The new laws requiring equality of treatment of faculty, staff, and students were enacted largely as the result of college level pressure and have been invoked in specific cases mainly in institutions of higher education, although elementary and secondary schools are also covered by them. The only organized American attempts to bring about greater awareness of sex roles, social conditioning, and women's history on the sub-collegiate level have been through volunteer efforts, while on the college level there has been a move toward formulating academic credit courses and even college majors under the general heading of Women's Studies. In contrast to these Women's Studies programs, that attempt to approach the issue of sex roles from every conceivable angle ranging from women's history to the use of women in the mass media as an object for ornamentation and selling (sexploitation), Swedish university level efforts to touch on sex roles have been quite limited. Moreover, in Sweden studies of sex roles have been largely confined to two main disciplines--family sociology and literature--and are only offered at Uppsala and Göteborg and then only on the graduate level or for non-credit. In 1971-1972 Gunnar

Qvist initiated an unprecedented graduate credit seminar on women's history. In short, in Sweden all of the official attention has been focused on the lower levels, especially the elementary school where there is an official plan to methodically integrate sex role discussions into almost every type of class.

Perhaps the greatest difference between America and Sweden regarding the problem of woman's traditional cultural oppression and the limitations of the sex roles is one of approach in the area of education. In the United States efforts are presently geared toward either resolving physical problems involved, inequities in study opportunities or faculty pay because of traditional discriminatory practices, or toward trying to learn more about the problem through research and analysis. While there is certainly research on sex roles in Sweden, most of the energy is presently directed toward using the schools for changing the society including changing the sex roles and people's perception of them to form a more democratic society. Minister of Education Ingvar Carlsson's summary of the Swedish goals for the new democratic school system is indicative of the Swedish philosophy:

It must be an educational goal that those who have passed through school have so democratic an attitude and are so conscious of the demands that they have a right to make that they do not accept undemocratic treatment and discrimination when they enter into a career. . . . One goal for the school is to instill in pupils the will to bring active influence to bear. . . . This will also hold when it comes to changing society in the direction of equality between the sexes.¹⁷⁸

The overall increase in the level of attained education for Americans, including women, in this century is not so much a reflection of the high value that Americans place on intellectual

development as much as respect for educational attainment as a symbol of success and progress. This has been particularly true for men as is shown by a study of 1958 B.A. graduates' motivations for enrolling in graduate or professional school. The men gave their reasons pursuing advanced degrees in the following order: 1) career objectives, 2) better job, 3) intellectual interest. In contrast, women gave intellectual interest as the primary motivation with better job and career objectives falling into second and third place.¹⁷⁹ A similar study of Swedish students studying for the fil. lic. (second degree) in 1967 shows that Swedish men are still not quite as career oriented as their American counterparts. Thus, the men ranked their top motivations in the following order: 1) interest, 2) work reasons (which can be interpreted as both career and job improvement), 3) encouragement from professors. Swedish women's motivations followed this order: 1) interest, 2) encouragement, 3) work reasons.¹⁸⁰ While this study shows a distinctly intellectual motivation for graduate study among this group of Swedish students, there seems to be a trend toward the American evaluation of higher education as the Swedish university loses its elitist aura.

There has been remarkable similarity in the economic and technological factors responsible for the expansion of higher education to women in Sweden and the United States. Affluence, public and private, has played a major role: enough private affluence to educate daughters as well as sons and enough public affluence to extend and improve the educational system and provide generous financial aid to needy students at all levels. Moreover,

private affluence or the lack thereof has been augmented by the development of the tradition of students "working their way through college"--a well established and honored custom in the United States by World War II and rapidly becoming accepted in Sweden during the 1960's and 1970's (summer work is well established, although working-while-studying is still uncommon). As the two countries have become increasingly complex technological societies the need for intelligent, highly trained, specialized personnel has grown and the person with only a basic education has been increasingly displaced. Furthermore, there has been a trend, especially strong in the United States, toward "professionalization" of occupations by establishing a college or a professional school degree as a main requisite for the worker. With these developments in the work force requirements of the two nations the kind and quality of education obtained by a worker is more important than ever before. If the present pattern of congregation of women on the bottom rungs of the occupation ladder is to change, women will have to be encouraged and counseled in new directions during their school years as well as develop new images of the kinds of work appropriate for their sex.

CHAPTER III

NOTES

¹Unfortunately, data on educational attainment of the general population is not available in exactly comparable forms for the United States and Sweden. In fact, no Swedish data of this type are available before 1960. I am indebted to Manne Wickström of the Central Bureau of Statistics for providing this as well as other unpublished data found in this chapter. The American data are from U.S. Department of Health, Education, and Welfare, National Center for Educational Statistics, Digest of Educational Statistics, 1971, DHEW Pub. No. (OE) 72-45 (Washington, D.C.: Government Printing Office, 1972), Table 11, p. 9.

²Ibid.

³Torsten Husén, Problems of Differentiation in Swedish Compulsory Schooling (Stockholm: Norstedts, 1962), p. 6.

⁴The historical record shows that the government did not support the statutory founding of the six-year compulsory school with adequate funds. Because of the lack of money school facilities were not made available in many places, hence often girls and boys, especially in rural areas, were receiving little or no formal education as late as 1880. Sixten Marklund and Pär Söderberg, The Swedish Comprehensive School (London: Longmans, Green & Co., Ltd., 1967), pp. 4-5.

⁵Riksdagen, Riksdagens skrivelse angående inrättande av kommunala flickskolor den 5 juni 1928, no 356 (1928), p. 13. See also Nils Helger, Barnens rätt. Några synpunkter i ett par aktuella skolfrågor (Uppsala: Lindblad, 1927), pp. 45-46.

⁶Marie Nordström, "Kvinnan i den akademiska utbildningen i Sverige från 1870," University of Göteborg, 1967, pp. 3-4. (Type-written and on file at the Kvinnohistoriskt arkiv, Göteborg.)

⁷Torsten Husén and Gunnar Boalt, Educational Research and Educational Change: The Case of Sweden (New York: John Wiley. Stockholm: Almqvist & Wiksell, 1968), pp. 85-86.

⁸Rolland G. Paulston, Educational Change in Sweden (New

York: Columbia Teacher's College Press, 1968), p. 72.

⁹A few boys have attended the flickskola over the years, usually for sake of geographic convenience.

¹⁰Up to the establishment of the new school system the realexamen was certification of completion of intermediate studies and was a prerequisite for entrance to the gymnasium. The studentexamen was certification of completion of upper secondary studies and was a prerequisite for entrance into most colleges and universities.

¹¹U.S. Department of Health, Education, and Welfare, Office of Education, Sweden: Educational Data, by Margaret L. King and George A. Male (Washington, D.C.: Government Printing Office, 1965), p. 10. Even before the 1963 ruling establishing the nine-year common school, municipalities had the option of requiring more than the statutory seven years and many urban districts did, in fact, have eight- and nine-year common schools before they became the norm for the entire country.

¹²Ibid., pp. 10-18.

¹³Richard F. Tomasson, Sweden: Prototype of Modern Society (New York: Random House, 1970), pp. 99-100. Tomasson's analysis of the old and new Swedish school systems is one of the best concise, yet comprehensive recent discussions and must be recommended for the reader wishing to more fully understand the Swedish system.

¹⁴Paulston, p. 6.

¹⁵In 1967 Jonas Orring stated that the fackskola, founded in 1963, was to exist as a separate school paralleling the new gymnasium and offering mainly theoretical, less academically demanding instruction than the gymnasium. The goal of the fackskola is to attract persons already working to return to school for additional training as well as attract post-grundskola graduates. Jonas Orring, School in Sweden (Stockholm: Skolöverstyrelsen 1967, amended through March 1968), pp. 19-31. When I was in Sweden in 1972 plans had been changed to include phasing out the fackskola and absorbing its functions into the new gymnasium along with the technical and commercial gymnasiumer. Conversation with Per-Erik Brolin, Administrator, Göteborg Public Schools, Goteborg, Jan. 1973.

¹⁶Torsten Husén, stated at a 1967 conference, cited by Leila Sussman, "Summary Review of the Rapporteur," Social Objectives in Educational Planning (Paris: Organization for Economic Co-operation and Development, 1967), pp. 17-18.

¹⁷Paulston, p. 72.

¹⁸Ibid., p. 72.

¹⁹Orring, p. 17.

²⁰Orring, p. 17. For further detailed discussion of the flickskola see Skolutredningens betänkande, Statens offentliga utredningar (S.O.U.), 1947:49, chap. 10; Realskoleutredningen, S.O.U., 1955:53; and Alice Quensel, Svensk flickskola (Stockholm: Wahlström & Widstrand, 1942).

²¹Paulston, p. 55.

²²Figures derived from S.O.S. Historical Statistical Abstract of Sweden (Stockholm: Statistical centralbyrån, 1960), Tables 201 and 202, p. 193; and Statistical Abstract of Sweden, 1961, Table 320, p. 259, and Table 321, p. 260.

²³Orring, p. 17.

²⁴1970 had been set as the official date for the closing of all flickskolor; however, in 1971 there were still a few such schools in operation. Statistical Abstract of Sweden, 1972, Table 354, p. 310.

²⁵Paulston, p. 55, note 59, and p. 70. For further discussion of this subject see Gösta Börjeson, Folkskoleäröverflödet. En kritik och en undersökning (Stockholm: Almqvist & Wiksell, 1926), pp. 20-22.

²⁶Paulston, pp. 55, 72. Earlier writers have also commented on the Swedish attitude of male superiority. See Democratic Sweden: A Volume of Studies Prepared by Members of the New Fabian Research Bureau, ed. by Margaret Cole and Robert Smith (London: G. Routledge, Ltd., 1938), p. 296; and B. J. Bergqvist, "Sweden," in Educational Yearbook of the International Institute of Teachers College, Columbia University: The Expansion of Secondary Education (New York: The Macmillan Co., 1931), pp. 495-96.

²⁷Frederick Eby, The Development of Modern Education (New York: Prentice Hall Inc., 1952), pp. 559.

²⁸Edward J. Power, Main Currents in the History of Education (New York: McGraw-Hill Book Co., Inc., 1962), p. 460.

²⁹National Manpower Council, Womanpower (New York: Columbia University Press, 1957), p. 168.

³⁰Ibid., p. 171.

³¹Ibid., pp. 171-72.

³²Paulston, pp. 45-46. See also Eleanor Flexner, Century of Struggle (New York: Atheneum, 1968), chap. 2.

³³ Although more American high school graduates are eighteen than seventeen, the latter age is used here because this is the age used by the U.S. Bureau of the Census in its studies.

³⁴ Tomasson, pp. 104-07.

³⁵ Data drawn from Tables 11 and 12; and Statistical Abstract of Sweden, 1972, Tables 251, 252, p. 308; Table 363, p. 317; and Table 366, p. 319.

³⁶ Bo Israelsson and Carl-Erik Quensel, Studenternas utbildningsval (Lund: Gleerup, 1958), p. 29.

³⁷ Kjell Härnqvist and Åke Gram, Vägen genom gymnasiet, S.O.U., 1963:15, p. 14.

³⁸ Svenska Institutet för Opinionsundersökningar (SIFO) Stockholm, July 1955; August 1963. Cited in Tomasson, Table 5.2, p. 150.

³⁹ Orring, pp. 92-93.

⁴⁰ Data drawn from Table 13.

⁴¹ See U.S. Department of Labor, Women's Bureau, Expanding Opportunities for Girls: Their Special Counseling Needs (Washington, D.C.: Government Printing Office, 1971), p. 1.

⁴² This fact has been constantly commented on over the past twenty-five years by those few persons who have tried to analyze girls' interests. See Anne M. Cawley, "A Study of the Vocational Interest Trends of Secondary School and College Women," Generic Psychology Monographs, 35 (1947), pp. 185-247; and Helen S. Astin, "Career Development of Girls During High School Years," Journal of Counseling Psychology, 15 (Nov. 1968), pp. 536ff. The first in-depth studies of girls' occupational and subject-matter interests were done in the mid-1950's. See the Educational Testing Service (ETS) final reports of 1954-1955. In 1956-1957 the National Manpower Council surveyed twenty-nine school systems of varying sizes located in cities or counties in different parts of the country and five State Departments of Education supplied comparative information on curriculum and subject-matter choices of girls and boys. The results of this and the ETS studies are summarized in Womanpower, pp. 174-190. There has been no study of comparable depth done in the United States since the 1950's hence much of the discussion is limited to mid-1950's indicators.

⁴³ American data is from Womanpower, pp. 174-78. Swedish figures were calculated from Statistical Abstract of Sweden, 1956, Table 349, p. 290; and unpublished data furnished by the Central Bureau of Statistics.

- ⁴⁴ Maj-Britt Sandlund, The Status of Women in Sweden (Stockholm: The Swedish Institute, 1968), p. 35.
- ⁴⁵ Härnqvist and Grahm, p. 7.
- ⁴⁶ Husén and Boalt, pp. 113-16.
- ⁴⁷ Ann-Marie Sellerberg, "Beskrivning av könskillnader med hänsyn till utbildnings- och yrkesval," in Val av utbildning och yrke, S.O.U., 1971:61, p. 177.
- ⁴⁸ American data are from Womanpower, pp. 174-78. Swedish data are drawn from the Statistical Abstract of Sweden, 1956, Table 348, p. 245.
- ⁴⁹ Digest of Educational Statistics, 1971, Table 45, p. 35.
- ⁵⁰ Statistical Abstract of Sweden, 1965, Table 343, p. 298.
- ⁵¹ Data drawn from Table 14; and Womanpower, p. 183.
- ⁵² Figures derived from Womanpower, p. 183; and Statistical Abstract of Sweden, 1961, Table 315, pp. 254-55.
- ⁵³ Betty Friedan and Anne Grant West, "Sex Bias: The Built-in Mentality that Maims the Public Schools," American School Board Journal, 159 (1971-1972), p. 17.
- ⁵⁴ Womanpower, pp. 183-85; and U.S. Department of Labor, Women's Bureau, 1969 Handbook on Women Workers, Women's Bureau Bulletin No. 294 (Washington, D.C.: Government Printing Office, 1969), Table 104, p. 223.
- ⁵⁵ Statistical Abstract of Sweden, 1960, Table 326, p. 264; ibid., 1971, Table 360, p. 314; and conversation with Brolin, Göteborg, Dec. 1971.
- ⁵⁶ Calculated from Statistical Abstract of Sweden, 1972, Tables 351 and 352, p. 308; and Table 365, p. 317.
- ⁵⁷ See Social Democratic Party Study Group Report, "Women's Equality: A Programme for the Future," Stockholm, 1964, p. 28. (Mimeographed.) This is a translation of Kvinnans jämlikhet. Ett framtidsprogram (Stockholm: Tiden, 1964).
- ⁵⁸ A. Trankell, "Några skillnader i bedömningen av flickors och gossars skolprestasjoner," Folkskolan, 10 (1956); and Womanpower, pp. 183-84.

⁵⁹Harriet Holter, "Kjønsforskjeller i yrkesatferd," in Kvinnors Liv och Arbete, ed. by Edmund Dahlström (Stockholm: Studieförbundet Näringsliv and Samhälle, 1962), pp. 327-75; for a discussion in English see Holter, Sex Roles and Social Structure, (Oslo: Universitetsforlaget, 1970), p. 165.

⁶⁰Conant cited in Alice M. Eagle and E. Robert Kinker, "Do Intellectually Superior Students Take Soft Courses?" The Phi Delta Kappan, 39 (1957-58), pp. 402-04; J. K. Little, "Are Wisconsin Youth Studying Science, Math and Foreign Languages?" Wisconsin Journal of Education (April 1958), pp. 87 ff.

⁶¹Cawley, pp. 231-33.

⁶²Womanpower, p. 181.

⁶³These studies are reported in John K. Folger, Helen S. Astin, and Alan E. Bayer, Human Resources and Higher Education (New York: Russell Sage Foundation, 1970), p. 286-87.

⁶⁴Sellerberg, pp. 198-200.

⁶⁵Vilhelm Aubert, Kvinner i akademiske yrker, Tidskrift for samfunnsforskning nr 4 (Oslo: Universitetsforlaget, 1961). For discussion of the same pattern in American women's post-secondary school choice of education see Folger, et. al., pp. 286-88.

⁶⁶Womanpower, p. 102; and Sandlund, pp. 32-34.

⁶⁷Sandlund, pp. 32-34.

⁶⁸See Gladys Murphy, New Approaches to Counseling Girls in the 1960's, A Report of the Midwest Regional Pilot Conference, University of Chicago, Center for Continuing Education, February 26-29, 1965 (Washington, D.C.: Women's Bureau, U.S. Department of Labor, 1966); U.S. Department of Labor, Counseling Girls Toward New Perspectives, A Report of the Middle Atlantic Regional Pilot Conference Philadelphia, Dec. 2-4, 1965 (Washington, D.C.: Women's Bureau, 1966).

⁶⁹Läroplan för gundskolan, Lgr. 1969, Skolöverstyrelsens skriftserie (Stockholm: Skolöverstyrelsen, 1969), p. 50.

⁷⁰Ibid.

⁷¹Ibid.

⁷²Ibid., p. 51.

⁷³Ibid., pp. 50-51.

⁷⁴Ingvar Carlsson, Minister of Education, speech delivered at the Conference of the Joint Female Labour Council on Sex Roles in Textbooks in Stockholm, Jan. 24, 1970, p. 14. (Mimeographed.)

⁷⁵"Modern Swedish School," a summary from an exhibition of the Swedish school system, Tynneredsskolan, Göteborg, 1971, p. 6. (Mimeographed.)

⁷⁶Birger Wiklund, Nya slöjden bra för vänskapen mellan pojkar och flickor, PM Pedagogiska meddelanden från Skolöverstyrelsen, nr 9 (Stockholm: Skolöverstyrelsen, 1970).

⁷⁷"Modern Swedish School," p. 6.

⁷⁸Margareta Vestin, "Skolan undervisningen och könsrollsfrågorna," underlag för en föreläsning vid Nordiska K:s symposium om könsroller i undervisningen, Stockholm, Oktober 1971, p. 6. (Mimeographed.)

⁷⁹Ibid.; and conversation with Per-Erik Brolin, Göteborg, Dec. 1971.

⁸⁰According to Karin Westman-Berg the first country to draw attention to the problem was Norway through the analysis of Norwegian and German textbooks by Helga Stone, Chairwoman of the Educational Committee of the International Council of Women. Her findings presented at a Fredrika-Bremer-Förbundet conference held in Stockholm in 1957 provided inspiration and set the pattern for most of the studies that have followed. See "Schoolbooks and Roles of the Sexes," Hertha, 5 (1969), pp. 48. (Special number in English.)

⁸¹Ingrid Fredriksson, Är läroböckerna i överensstämmelse med grundskolans målsättningar? (Stockholm: Arbetsmarknadens Kvinnonämnd, 1964).

⁸²See Carin Holmqvist, "Könsroller i samhällsläroböcker" (unpublished thesis, Pedagogiska Institutionen vid Stockholms Universitet, maj 1967); and Jan-Erik Wannert, "Könsroller i läroböcker i hemkunskap och husligt arbete? En innehållsahalys" (unpublished thesis, Pedagogiska Institutionen vid Göteborgs Universitet, maj 1965).

⁸³Ingrid Fredriksson, Könsroller i läroböcker (Stockholm: Arbetsmarknadens Kvinnonämnd, 1969).

⁸⁴Läroplan för grundskolan, Lgr. 1963, Skolöverstyrelsens skriftserie nr 60 (Stockholm: Skolöverstyrelsen, 1963), p. 18.

⁸⁵Conversations with Ingrid Fredriksson, Department Head, Ministry of Education, Stockholm, February, March, and May 1972.

⁸⁶Conversation with Westman-Berg, Minneapolis, May 1973.

⁸⁷Textbooks examined included Swedish readers 1-7 and advanced readers A-D with publication dates ranging from 1964-1971.

⁸⁸For English language reader see The Emancipation of Women, ed. by Margareta Olsson and Christina Stendahl (Stockholm: Läromedelsförlaget, 1971); and for a history text see, Historia i grundskolan: Åk 9, eds., Lars Hildingson and Lennart Husén (Stockholm: Natur och Kultur, 1967).

⁸⁹Skolöverstyrelsen, "Summary of PM on Study and Vocational Orientation of School Children," Stockholm, Skolöverstyrelsen, U-stencil, 16, 1970, p. 1. (Mimeographed.)

⁹⁰Läroplan för grundskolan. Lgr: 1969, p. 22.

⁹¹Conversations with Margareta Vestin, Division Head, National Board of Education, Stockholm, February, March, and May 1972.

⁹²Conversation with Adjunkt Lena Wieslander, Swedish and French language teacher; and Klaus Holmgren, social science teacher, Göteborg, December 1971.

⁹³See Siv Higelin, et. al., eds., Svenska för er. Lärobok för utlänningar, 2 (Stockholm: Sveriges Radio, 1971); and Tomas Hammar, Leva i Sverige. Samhällsorientering för invandrare och svenskar (Stockholm: Sveriges Radio, 1971).

⁹⁴For the report of the two investigators, Karin Westman-Berg and Hans H. Ronge see "Bilaga till Rapport från korttidsförordnade gymnasieninspektörerna i svenska, Hans H. Ronge och Karin Westman-Berg," Uppsala, March 29, 1972. (Typewritten.)

⁹⁵Hans Dahlgren, "Lärarhandledning till manligt-kvinnligt," University of Göteborg, Pedagogiska Institutionen, Project SK, 1971, p. 1. (Mimeographed.)

⁹⁶See Dahlgren, "Elevhäfte till manligt-kvinnligt," University of Göteborg, Pedagogiska Institutionen, Project SK, 1971. (Mimeographed.)

⁹⁷Erik Centervall, Ingrid Strömdahl, and Håkan Wall, eds., Kvinnan i samhället: Studiebok (Stockholm: Läromedelsförlagen, 1971); Erik Centerwall, Gunnar Smoliansky, Ingrid Strömdahl, and Håkan Wall, eds., Tjejer och killar: Faktabok also Tjejer och killar: Studiebok (Stockholm: Utbildningsförlaget, 1970).

⁹⁸Conversation with Hans Dahlgren and associates, Göteborg, May 1972; and Dahlgren, "Redovisning av resultat från ett för-försök.

att medelst information om könsroller förändra grundskoleelevers pryo-val," Göteborg, Könsrollsprojektet, Oktober 1971. See also the National Board of Education, "Woodworking and Metal Work in the Swedish Comprehensive School following the 1969 Revision of the Curriculum," Stockholm, Skolöverstyrelsen, Sept. 16, 1970. (Mimeographed.)

⁹⁹Swedish Ministry of Education, Press communique, July 10, 1970.

¹⁰⁰Ingrid Fredriksson, "Sex Roles and Education," New York University Education Quarterly, (Jan. 1972), p. 73.

¹⁰¹Unless otherwise noted the following discussion is from Emma Willard Task Force on Education, Sexism in Education (Minneapolis: Privately published, 1972), pp. 1-10. For other examples of educational programs or proposed programs in the public schools see Marcia Federbush, "Let Them Aspire: A Plea and Proposal for Equality of Opportunity for Males and Females in the Ann Arbor Public Schools," Ann Arbor, May 1971. (Mimeographed.) For an example of experimentation in private schools see Barbara Harrison, "Feminist Experiment in Education," The New Republic, 166 (March 11, 1972), pp. 13-17.

¹⁰²Emma Willard Task Force, p. 1.

¹⁰³Jamie Kelem Frisof, "Textbooks and Channeling," Women: A Journal of Liberation (Fall 1969), pp. 26-28. For an analysis of elementary textbooks see Women on Words and Images--A Task Force for Central New Jersey NOW, "Dick and Jane as Victims: Sex Stereotyping in Children's Books," Princeton, New Jersey, 1972. (Mimeographed.) This study is a detailed report of fourteen widely used elementary school readers. For a state survey see the following study of thirty recently published elementary school textbooks adopted or recommended for use in California public schools. Marjorie O'Ren, "The Image of Women in Textbooks," in Woman in Sexist Society: Studies in Power and Powerlessness, ed. by Vivian Gornick and Barbara Moran (New York: Basic Books, 1971), pp. 218-25. For a survey of the most recent and popular American textbooks see Janice Law Trecker, "Women in U.S. History High School Textbooks," Social Education, 35 (March 1971), pp. 249ff. Two of the best current bibliographies are Feminists on Children's Media, "Little Miss Muffet Fights Back," New York, 1971. (Mimeographed.); Mary Ritchie Key, "The Role of Male and Female in Children's Books - Dispelling all Doubt," Wilson Library Bulletin 46 (October 1971), pp. 167-76; and Diane Gersoni Stavn, "Reducing the 'Miss Muffet' Syndrome: An Annotated Bibliography," School Library Journal 19 (Jan. 15, 1972), pp. 32-35. This most recent bibliography concentrates on new titles and includes a discussion if books about girls are getting better.

¹⁰⁴ Although the Swedish högskolor (literally high schools but in practice equivalent to American college or professional institutes) and universities have always been classified separately in Swedish data I have combined them in calculating women's attendance and graduation rates. A 1970 Swedish government report on higher education also concluded that there is no natural distinct line of demarcation between the Swedish universities, högskolor and other institutes of higher education, hence they are now officially recognized as equivalent education. This Swedish report exempts teacher training as appropriate for inclusion in the classification of higher education. However, because teacher training (education) is recognized as a standard college degree in the United States and because this field has the greatest concentration of women in both countries, I have chosen to include data for teachers training colleges (excepting förskola--nursery school) with the general data on higher education fully aware that this might engender an outcry of protest from Swedish critics. Since the number of years of education required to qualify to teach lower level elementary school has been rather limited in Sweden, even in recent years, there is some justification for this protest. However, the standards have been raised substantially since 1965 and if this trend continues in the future kindergarten and elementary school teachers in Sweden may well be obligated to complete a full four or even five years college course, after the secondary school, as is presently standard throughout the United States. See Statistiska centralbyrån, Examination vid universitet och högskolor samt antalet personer med vissa examina. Framskrivningar till 1980, Information: prognosfrågor, 1970:1 (Stockholm: Statistiska centralbyrån, 1970), p. 3.

¹⁰⁵ Jessie Bernard, Academic Women (University Park, Pennsylvania: University of Pennsylvania Press, 1964), p. 31.

¹⁰⁶ Linda A. Harmon, The Status of Women in Higher Education: A Selected Bibliography, 1963-72, Iowa State University Library Series in Bibliography No. 2 (Ames, Iowa, 1972) p. iv.

¹⁰⁷ Florence Converse, Wellesley College: a Chronicle of the Years 1875-1938 (Wellesley, Mass.: Hathaway House Bookshop, 1939), p. 87.

¹⁰⁸ Figures are from Figure 8.

¹⁰⁹ The Nineteenth Amendment passed Congress in 1919 and it went into effect in 1920 after the last state ratified it to make the necessary three-fourths majority. In Sweden only the approval of the Riksdag was required hence the 1919 approval of this body made the law immediately effective.

¹¹⁰ For a discussion of the effects of World War I on the status of American women see Elizabeth K. Nottingham, "Toward an Analysis of the Effects of Two World Wars on the Role and Status

of Middle-Class Women in the English-Speaking World," American Sociological Review 12 (1947), pp. 666-75. For a discussion of Swedish developments between 1910-1920 see Rössel, chaps. 5 and 6, pp. 62-86.

¹¹¹Bernard, pp. 32-35.

¹¹²Husén and Boalt, p. 204. They obtained their historical dropout data by studying university records since these figures have not been regularly collected and reported by the Swedish Central Bureau of Statistics.

¹¹³Womanpower, p. 196.

¹¹⁴Data drawn from Figure 9.

¹¹⁵Nordström, pp. 7-8 and Diagram 2, p. 6.

¹¹⁶Sandlund, p. 17. A similar movement to bar married women from paid employment was active enough in the United States during the Depression to secure the introduction of bills into the Massachusetts and Illinois legislatures prohibiting a married woman from working if her husband made over \$1,000 and \$1,600 respectively. Valerie Kincade Oppenheimer, The Female Labor Force in the United States, Population Monograph Series, No. 5 (Berkeley: Institute in International Studies, University of California, 1970), pp. 53-54.

¹¹⁷Nordström, p. 8.

¹¹⁸Bernard, p. 36.

¹¹⁹Womanpower, p. 196.

¹²⁰Data drawn from Figure 9.

¹²¹Nattie Rogoff Ramsøy, "Social Structure and College Recruitment," Colorado University, May 1963, p. 4. (Draft copy, typewritten.)

¹²²Ibid.

¹²³John K. Folger and C. B. Nam, Education of the American Population, A 1960 Census Monograph, (Washington, D.C.: Government Printing Office, 1967), p. 69.

¹²⁴See John A. Folger, "Expanding Higher Education Opportunities--Some Problems and Issues" (unpublished manuscript of the Commission on Human Resources), Washington, D.C., 1966; and Charles E. Werts, "Sex Differences in College Attendance" (unpublished manuscript of the National Merit Scholarship Corporation, Office of Research), Washington, D.C., 1966.

¹²⁵S.O.S., Högre Studier, 1956/57 (Stockholm: Statistiska centralbyrån, 1957), p. 64. See also Sven Moberg and Carl-Erik Quensel, Studenternas sociala ursprung, betyg i studentexamen, vidare utbildning, yrkesval m.m., S.O.U., 1949:48; and Sven Moberg, Vem blev student och vad blev studenten? (Malmö: Gleerup, 1951).

¹²⁶Bengt Gesser, "Inledning," and "Rekrytering till universitet och högskolor i Sverige," in Val av utbildning och yrke, pp. 114-21, 154, 198.

¹²⁷Ibid.

¹²⁸Holter, Sex Roles and Social Structure, p. 162.

¹²⁹Nordström, p. 8.

¹³⁰Betty Friedan, The Feminine Mystique (New York: Norton, 1963), chap. 2, pp. 33-51. See also Alice S. Rossi, "Women in Science: Why So Few?" Science (May 28, 1965), pp. 1196-1202.

¹³¹Philip Slater has made an incisive analysis of these basic domestic patterns and where they had led the Americans that followed by 1970. See The Pursuit of Loneliness: American Culture at the Breaking Point (Boston: Beacon Press, 1970), especially chap. 2, pp. 53-80.

¹³²Popular literature was more anti-working mother than scholarly literature. These articles were the most numerous in the early postwar years. See A. E. Meyer, "Women Aren't Men," Atlantic 186 (Aug. 1950), pp. 32-36, so popular it was also printed in Reader's Digest 57 (Nov. 1950), pp. 80-84; J. Colton, "Why I Quit Working," Good Housekeeping, 133 (Sept. 1951), pp. 53ff; R. S. Guldrun, "Should a Mother Work?" Parents Magazine, 25 (Sept. 1950), pp. 40ff; M. T. Osborne, "Should Mother have an Outside Job?" Better Homes and Gardens, 30 (Jan. 1952), pp. 16-17. The antithesis of this anti-stance began appearing in the slick working women's magazines later in the 1950's. See Polly Weaver, "What's Wrong with Ambition?" Mademoiselle (Sept. 1956), pp. 191ff; Joan Marrison, "24-hr. Mother with an 8-hr. Job," Glamour (Jan. 1956), p. 110ff; "Are Working Mothers the Cause of Juvenile Delinquency?" Charm (Nov. 1956), pp. 124ff; Scholarly literature regularly published both pro and con articles; here are some of the con: Mary Clinch, "Phenomenon of the Working Wife," Social Order, 6 (Oct. 1956), pp. 362-66; Artie Gianopulos and H. E. Mitchell, "Marital Disagreement in Working Wife Marriages as a Function of Husband's Attitudes Toward Wife's Employment," Marriage and Family Living, 19 (Nov. 1957), pp. 373-78.

¹³³Ferdinand Lundberg and Marynia F. Farnham, Modern Woman: The Lost Sex (New York: Grosset & Dunlap, 1947).

¹³⁴John H. Bushnell, "Student Culture at Vassar," in The American College, ed. by Nevitt Sanford (New York: John Wiley, 1962), pp. 509-10.

¹³⁵Examination vid universitet och högskolor samt antalet personer med vissa examina. Framskrivningar till 1980, p. 47.

¹³⁶For example, of the American class of 1961, 42 percent of the male and 25 percent of the female graduates were enrolled in graduate school within one to two years after graduation. J. L. Spaeth and N. Miller, Trends in the Career Plans and Activities of the 1961 Graduates (Chicago: National Opinion Research Center, March 1965); see also U.S. Department of Labor, College Women go to Work: Report on Women Graduates of the Class of 1956 (also includes 1955) (Washington, D.C.: Government Printing Office, 1958), p. 19. Follow-up studies of graduates is a relatively recent activity in Sweden. See the Central Bureau of Statistics series of studies titled Arbetsmarknadsläget ett halvt år efter examen för vissa grupper som examinerats från universitet och högskolor under läsåret, Information i prognosfrågor, 1970:6 (Stockholm: Statistiska centralbyrån, 1970), pp. 25-27; and ibid., 1971:3 (1971), pp. 32-34.

¹³⁷Laure M. Sharp, Five Years After the College Degree: Part I, Graduate and Professional Education, Bureau of Social Science Research (Washington, D.C.: Government Printing Office, June 1965), p. 3; and Bureau of Social Science Research, Two Years After the College Degree (Washington, D.C.: Government Printing Office, 1963).

¹³⁸This study is being carried on at the University of Lund and only deals with women in that university. A brief summary of preliminary findings can be found in Margot Bengtsson, "Är chanserna att försöka mindre för kvinnor?" Hertha 5 (1972), pp. 24-26.

¹³⁹In this study I am comparing the American masters degree with the Swedish fil. lic. since they are both the second degree conferred in a given field. However, it should be recognized that the fil. lic. has traditionally been a somewhat higher level degree than most American universities' masters degrees. Perhaps it would be best to place it somewhere between the American M.A. and Ph.D. I would not agree with some Swedish critics of the American university system that the fil. lic. is equivalent to the American Ph.D.

¹⁴⁰Figures in the above discussion were derived from the data in Figure 9.

¹⁴¹Anne Sutherland Harris, "The Second Sex in Academe," American Association University Professors Bulletin (Fall 1970), p. 290.

¹⁴²Table 19 does not separately list many of the fields of study offered at most American colleges either because these fields do not exist in Sweden or the available data on earned degrees fails to list them separately. Thus, for sake of comparison an inordinately large number of American college majors had to be lumped together under "other."

¹⁴³Statistical data in the above discussion is drawn from Table 19.

¹⁴⁴See Tomasson, chap. 5, p. 130.

¹⁴⁵Marguerite Wykoff Zapoleon, "Education and Employment Opportunities for Women," The Annals of the American Academy Political and Social Science, 251 (May 1947), p. 168.

¹⁴⁶In 1969 Gudrun Ryman of Dagens Nyheter reported that about 300 women engineering students in Stockholm experienced discrimination in their efforts to secure engineering trainee positions--a standard part of the senior course. Either the woman engineer was unable to get any kind of trainee job or she got one at 600 kronor a month salary, while a male student engineer was awarded the standard 2,500 kronor a month salary for the same job with the same firm. Moreover, graduate women engineers with good grades generally have to wait a long time before finding a job, while male colleagues with poorer records are offered work immediately. Review of "Family Mirror," a radio program regularly broadcast over Sveriges radio, Dagens Nyheter, March 9, 1969, p. 4.

¹⁴⁷Zapoleon, p. 168. Admissions data from U.S. Department of Labor, Women's Bureau, Facts on Prospective and Practicing Women in Medicine (Washington, D.C.: Government Printing Office, 1968), p. 168.

¹⁴⁸Among the best recent American studies of academic women are Bernard, Academic Women; Helen S. Astin, The Woman Doctorate in America (New York: Russell Sage Foundation, 1969); Helen Berwald, "Attitudes Toward Women College Teachers in Institutions of Higher Education Accredited by the North Central Association" (unpublished dissertation, University of Minnesota, 1962). See also College and University Business, 48 (Feb. 1970), entire issue is devoted to women in higher education.

¹⁴⁹Bernice Sandler, Testimony given before the House Special Subcommittee on Education, June 19, 1970, cited in Harris, p. 289.

¹⁵⁰Comment by Docent Karin Westman-Berg, who was laid-off herself at the end of 1972 as the result of faculty cutbacks at the University of Uppsala, and subsequently joined the faculty of a teachers college in the north of Sweden.

¹⁵¹In 1970 detailed studies of the status of women students and faculty at individual American institutions of higher education

began to appear. Among the best of these are: Anna M. Babey-Brooke and R. B. Amber, Discrimination Against Women in Higher Education: A 15 Year Survey, Promotional Practices at Brooklyn College CUNY: 1955-1970, All Ranks-Tenured and Untenured, Brooklyn, New York (New York: Brooklyn College, July 1970); Ann Scott, The Half-Eaten Apple: A Look at Sex Discrimination in the University, Buffalo, New York (Buffalo, New York: New York State University at Buffalo, May 1970); University of Chicago, Committee on University Women, Women in the University of Chicago (Chicago, May 1970); and University of California, Berkeley, Subcommittee on the Status of Academic Women on the Berkeley Campus, Report on the Status of Academic Women on the Berkeley Campus (Berkeley: University of California, May 1970).

¹⁵² Virginia Higgins, Chair-one, Kansas State Teachers College, "AAUP Committee on the Status of Women, Report No. 1: Study of the Salaries Paid to Men and Women at K.S.T.C.," Emporia, Kansas, May 21, 1970. (Mimeographed.)

¹⁵³ Malcom G. Scully, "Women in Higher Education Challenging the Status Quo," The Chronicle of Higher Education (Feb. 9, 1970), p. 2.

¹⁵⁴ For a detailed discussion of the salary differential between academic women and men see: Helen Astin and Alan Bayer, "Sex Differences in Academic Rank and Salary Among Science Doctorates in Teaching," Journal of Human Resources, 3 (1968); and Juliet P. Shaffer, "Job Discrimination Against Faculty Wives," Journal of Higher Education (May 1966), p. 2. See also Astin, The Woman Doctorate in America, pp. 104-05; Higgins, "Kansas Report," pp. 4-10; and Scully.

¹⁵⁵ Astin, Woman Doctorate, pp. 106-10.

¹⁵⁶ Sveriges Stateskalender (Stockholm: Almqvist & Wiksells, 1960 and 1970), publishes the rank and salary of all civil servants.

¹⁵⁷ Inga Dahlgren, University Chancellory Office, Stockholm, Feb. 1972.

¹⁵⁸ Bengtsson, p. 25.

¹⁵⁹ Zapoleon, pp. 166-67.

¹⁶⁰ See Bernard, chaps. 3 and 4; Astin, pp. 100-06; and Folger et. al., p. 183-86.

¹⁶¹ Women in the University of Chicago, p. 10. For further evidence regarding the use of quotas see Pauli Murray, Testimony presented before the House Special Subcommittee on Education June 19, 1970, cited in Harris, p. 28. See also Harris, p. 287.

162 Women in the University of Chicago, p. 12.

163 Harris, p. 287. American studies show that in spite of their unquestionable ability, even American honors women are less likely to enroll in graduate school than are men. A study of 1958 honors graduates revealed that 35 percent of the female and only 23 percent of the male graduates were in the high GPA group. However, only 36 percent of the women, but 68 percent of the men enrolled in graduate school. Sharp, Education and Employment, p. 31.

164 Husén and Boalt, p. 202.

165 Gösta Carlsson and Bengt Gesser, "Universities as Selecting and Socializing Agents: Some Recent Swedish Data," Acta Sociologica 9 (1966), pp. 97-98.

166 For discussion of the proportion of fellowships going to women see National Science Foundation, Women in Scientific Careers (Washington, D.C.: Government Printing Office, 1961), p. 7; R. H. Knapp and J. J. Greenbaum, The Younger American Scholar: His Collegiate Origins (Chicago: University of Chicago Press, 1953), p. 72; James A. Davis, Great Aspiration, 1: Career Decisions and Educational Plans During College (Chicago: National Opinion Research Center, 1963), p. 499; Folger et. al., pp. 284-86; Harris, pp. 285-87; and Sharp, pp. 20-25, this is the best presentation supporting the contention that women do not receive financial support at the same rate as men.

167 Eli Ginzberg et. al., Life Styles of Educated Women (New York: Columbia University Press, 1966), 183.

168 Harris, pp. 185-86.

169 Sandlund, p. 43.

170 PL 88-352, 78 Stat. 241 (1964).

171 Harmon, pp. xii-iv.

172 Holter, p. 163.

173 Vivian H. Hower and Gerhard Neubeck, "Attitudes of College Students Toward Employment among Married Women," Personnel and Guidance Journal, 42 (1964), p. 6.

174 Alice S. Rossi, "Women in Science: Why So Few?" Science, 148 (1965), p. 1198.

175 Mary Crowley, "Psychological and Social Factors in Predictions of Career Patterns of Women," Genetic Psychology Monographs, 68 (1963), pp. 309-86.

176 Folger et. al., p. 283.

177 Examination vid universitet och högskolor samt antalet personer med vissa examina. Framskrivningar till 1980, p. 10.

178 Ingvar Carlsson, "Sex Roles in Society," speech given at the Conference of the Joint Female Labor Council on Sex Roles in Textbooks in Stockholm, Jan. 24, 1970, p. 23. (Mimeographed.)

179 Sharp, Table 3.8, p. 32.

180 Bengt Gesser, Högre utbildning och val av yrke, Table 2.18, p. 189.

CHAPTER IV

WOMEN AND WORK

As might be expected the extent of national economic development is the key to the pattern of women's employment in both the United States and Sweden. Ironically, World War II and the Korean War, which have had an overall negative effect on women's participation rates in higher education have also been largely responsible for the expansion of American women's occupational and economic opportunities. The wartime need for a greatly enlarged work force combined with the loss of manpower to military service forced industry to accept women workers and brought married women out of the home and into the labor market as never before. The permanent effect has been a generalized cracking of employer prejudices against women workers and a modifying of the traditional concept of family life and "woman's place." A long period of prosperity and dynamic economic expansion in the post-war years, broken only briefly by periodic recession, has helped consolidate women's occupational gains and maintain a demand for their work.

Similarly, in neutral Sweden the Second World War gave women the opportunity to demonstrate competency in formerly "men only" jobs, since the country built up a heavy defense machine that included drafting twenty to forty-seven year old males to create a standing army.¹ In the postwar era Sweden has almost constantly

enjoyed a "boom" economy that has been accompanied by unprecedented shortages of male workers. This situation has now begun to change; however, for almost two decades these conditions have made women a continuing important labor source. Indeed, as Annika Baude and Per Holmberg observed early in the 1960's "Since these shortages are growing steadily more acute, the goals of greater social and vocational equality for women now undeniably coincide with the objectives of economic policy."² Thus, in Sweden it has been in the interest of employers and the nation not only to accept, but actively recruit women for a wide variety of occupations including those formerly closed to women by custom and prejudice.

Women's degree of participation in the economic life of a modern nation is dependent upon a highly complex interrelationship of factors, some objectively observable, others less so. In this essay only the more objective factors will be dealt with. Since there have been numerous excellent detailed histories and analyses of women and work in both the United States and Sweden, the goal here is simply to trace the basic development of women's occupational status in the two countries over the past three decades and to attempt to account briefly for the social and cultural dynamics behind these developments.³ The following areas will be examined: women's work rates and occupational distribution, changing characteristics of the female labor force, evidence of prejudice and discriminatory practices, and action to alleviate these practices. Tables 23 and 24 furnish a brief summary of the main events of the past century in both countries that have affected women's occupational status.

TABLE 23.--American women's progress toward equality on the labor market

- 1870 Congress legislates that women clerks in the Treasury Department should be graded and paid on the same scale as men.
- 1879 Massachusetts passes the first American law regulating women's hours of employment.
- 1898 The Congressional Industrial Commission recommends that the principle of equal pay for equal work be established.
- 1908 The "Brandeis Brief," prepared in support of Oregon's ten-hour work law applying only to women, sets precedent for such legislation throughout the country with the following reasoning: "She the woman worker is properly placed in a class by herself, and legislation designed for her protection may be sustained even when like legislation is not necessary for men and could not be sustained." (Muller v. Oregon, 208 U.S. 412.)
- 1913 Minimum wage laws for women are enacted in eight states in the West and Midwest. By 1923 fifteen states have enacted similar laws.
- 1915 The New York Court of Appeals decrees that it is legal to prohibit women from night work.
- 1920 Forty-three states have enacted maximum hour laws for women. By 1969 forty-six states have such laws.
- 1921 The U.S. Department of Labor establishes the Women's Bureau to study and alleviate the problems of women workers. Mary Anderson, a Swedish immigrant, becomes the first director.
- 1923 The U.S. Supreme Court finds the District of Columbia minimum wage law for women unconstitutional. No more such laws are enacted by states for ten years.
- 1925 The principle of equal pay for equal work is introduced into Federal Civil Service with a graded job system.
- 1933 The Women's Bureau finds in an investigation of women's working experiences during the Depression that in Tennessee textile mills women are paid as little as \$2.39 for a fifty-hour week and in Connecticut over 100 sweatshops are found hiring young girls for sixty cents to \$1.10 for a fifty-five hour work week.
- 1937 A turning point in minimum wage laws for women is reached with the U.S. Supreme Court finding that minimum wage laws for women and minors are acceptable as a means for protecting an exploited group.

TABLE 23.--Continued

- 1938 The Fair Labor Standards Act (FLSA) establishes minimum wage rates for persons engaged in interstate commerce and requires premium pay for overtime.
- 1962 A Presidential directive instructs Federal agencies to make all selections for appointments, advancement, and training in the Federal Civil Service without regard to sex, except in unusual circumstances justified by the Civil Service Commission.
- 1963 The Equal Pay Act, essentially an amendment to the FLSA, applies to all employees covered by the 1938 Act and specifically prohibits employers from discriminating on the basis of sex in the payment of wages for equal work.
- 1964 Title VII of the Civil Rights Act prohibits discrimination in private employment based on sex as well as race, color, religion, and national origins in industries affecting commerce. This law applies to labor organizations and employment agencies including public employment services, and employers and unions with at least twenty-five members.
- 1966 The Fair Labor Standards Act is amended to include ten million additional workers including many businesses and industries that hire large numbers of women; administrative, executive, and professional occupations are not covered.
- 1967 Executive Order 11375 is signed amending Executive Order 11246 of 1965 to explicitly prohibit discrimination on the basis of sex in federal employment, by federal contractors and subcontractors, and employment on federally assisted construction.
- 1972 The Equal Employment Opportunity Act and Higher Education Act extend the Title VII to include professional workers and teachers and generally strengthen the enforcement powers of Title VII.

Sources: U.S. Department of Labor, Women's Bureau, 1969 Handbook on Women Workers, Women's Bureau Bulletin No. 294 (Washington, D.C.: Government Printing Office, 1969), pt. 2, pp. 251-79; Elizabeth Faulkner Baker, Technology and Woman's Work (New York: Columbia University Press, 1964), chap. 21; Spokeswoman 7 (April, 1972), p. 1.

TABLE 24.--Swedish women's progress toward equality on the labor market

- 1804 A Royal statute is published permitting poor women to support themselves by the manufacture and sale of tallow candles. At this time women are only allowed to engage in a handful of trades for self-support notably selling trinkets and tobacco on the streets. All other trades and business ventures are closed to them by law.
- 1844 Women are authorized to sell glassware on the streets and public squares, provided that set regulations are properly observed.
- 1852 The first Factory Act is passed stipulating the maximum number of working hours for women and minors in factories. It is the first of such "protective" legislation.
- 1864 The Guild system is abolished and a free economy introduced opening all trades and professions to free enterprise. For the first time women may enter all forms of business and trade. Eighty years later about a quarter of all of Sweden's business enterprises are run by women--in the textile industry almost half are woman-managed.
- 1891 Women are allowed to enter the apothecary trade as apprentices and after taking the necessary examinations to practice as registered pharmacists.
- 1925 The Competence Act goes into effect allegedly introducing the equal-pay principle and making women eligible for all civil service positions. However, in practice a number of higher level posts are reserved for men only and the old salaries are retained with a grade level simply being assigned to each existing salary level. Discrimination against women regarding maximum increments is outlawed until 1939 for most jobs and 1947 for public school teachers.
- 1936 All female civil servants are entitled to sick leave with compensation for pregnancy and childbirth.
- 1939 A law is passed prohibiting the firing or laying off of women employees for reason of engagement, marriage, pregnancy, or childbirth.
- 1944 Ortrud Åkerberg-Mann becomes Sweden's first musical conductor when she is appointed director of the Malmö Municipal Theatre orchestra.
- 1945 The Competency Act of 1925 is superseded by improved legislation giving women the same rights as men to be promoted within the civil service according to merit and ability. Moreover,

TABLE 24.--Continued

- no appointments can be reserved for men or women without express government sanction.
- 1947 The Swedish Confederation of Trade Unions (LO) sets up a special Women's Council to work with local women's committees for greater recognition of women workers special problems.
- 1948 LO and SAF (Swedish Employers' Federation) establish a joint committee to investigate the question of equal pay for equal work in industry. After submitting the report the committee continues cooperating on women's labor issues.
- 1948 A Domestic Welfare Committee is established to examine the question of collective measures in residential areas and housing developments such as domestic help centers, collective laundries, and day care facilities.
- 1949 The Worker's Protection Act removes all sexual differentiation in regulations governing the working conditions of employees in private and public sectors except for the prohibition against women working underground and maternity leave privileges for pregnant women.
- 1951 Arbetsmarknadens Kvinnonämnd (Joint Female Labor Council) is founded by LO and SAF to study the problems of women workers and to make recommendations for improvements.
- 1953 The State Committee of Inquiry on Equal Pay for Equal Work recommends the complete application of the principle to salaries in the civil service.
- 1962 Sweden signs ILO Convention No. 100 endorsing the principle of equal pay for equal work regardless of sex. It is applied to hourly workers only leaving salaried workers without legal protection from pay discrimination.

Sources: Swedish Federation of Business and Professional Women, History of Swedish Women, pp. 12-34; and James Rössel, Women in Sweden (Stockholm: The Swedish Institute, 1965), pp. 30-31.

Historical Factors in the Employment of Women

The significant expansion of the female work force in both Sweden and the United States in this century is associated with the fundamental industrial and occupational modifications in the societies that have accompanied their development from basic agrarian economies at the turn of the century to contemporary highly industrialized powers. Industrialization came very late in Sweden compared to other modern nations and did not begin to have a significant impact until the 1870's. Thus, for decades Sweden was behind the United States in industrialization and urbanization; however, it had essentially caught up by the 1960's. At the end of the nineteenth century two out of three Americans and four out of five Swedes lived in rural areas.⁴ In 1950 two out of three Americans and about two out of four Swedes lived in urban areas. The drastic change in occupations of the work force that accompanied this shift is reflected in the fact that in 1900, 37 percent of all American and 55 percent of all Swedish paid workers were employed in agriculture, while in 1960 only 6 percent of American and 14 percent of Swedish workers were so engaged.⁵ The agrarian situation did not afford women many opportunities for gainful employment since much of the work required physical strength beyond the capacity of the average woman and farm wives and daughters were expected to work on their own farms without pay. Increased urbanization benefited women by bringing them into contact with the city's labor market and labor demand.

The long range occupational trend away from farm and manual work seems to have begun earlier and in specific instances been more extreme for women than for men in both countries. By 1900, 81 percent

of the American female labor force was so engaged. The lower degree of industrialization in Sweden is reflected by the fact that in 1910 only 65 percent of the female and 55 percent of the male work forces were in non-farm occupations. Of great importance to the later development of the female work force was the fact that as this century began women in both countries almost totally monopolized several key occupations--nursing, lower level teaching, telephone operating, and office/clerical work.⁶ Although these occupations were small in 1900 their rapid expansion and development into a multitude of kindred occupations in the past seventy years has been largely responsible for the fast growth of the female non-manual labor force as compared to the male.

Manufacturing and services account for most of the American and Swedish economic expansion in the postwar era and for the increasing emphasis on skilled and well educated workers. Moreover, the trend in both countries toward big business and big government relying upon technology and bureaucratic methods of organization has greatly increased the demand for white-collar and professional workers, particularly in technical, managerial, and clerical occupations. Valerie Kincade Oppenheimer in the United States and Gösta Dahlström in Sweden, among others, have shown that the long run effect of these basic trends has been a greatly increased demand for women workers.⁷

It is not surprising that the same fundamental patterns have developed in both countries. A number of analysts have shown that the basic industrial and occupational trends briefly described above are generally characteristic of all industrially developing societies--at least those of European cultural origin. Colin Clark maintains that as the per capita income rises in a society "the numbers engaged

in agriculture tend to decline relative to the numbers in manufacture, which in their turn decline relative to the numbers engaged in services."⁸ The crux of the argument is that as individual real income rises the demand for agricultural products falls and the relative demand for, first, manufactured and then, even more, services rises. He finds that since productivity in agriculture and manufacturing tends to rise faster than productivity in service industries, a static or decreasing relative demand for agricultural products or manufactured goods will result in a decrease in the proportion of the labor force employed in agriculture and manufacturing.⁹ Using an argument based on the relationship between specialization of occupations and increased income Harvey Leibenstein reaches basically the same conclusions as Clark. Moreover, he accounts for the decline in employment in farm occupations and the rapid growth of first manual and then non-manual occupations.¹⁰

In discussions of the increase in the female labor force and particularly the rapidly growing proportion of working wives and mothers in both Sweden and the United States, it has been very popular to cite as causative factors urbanization, lightening of household tasks through technology-created conveniences to such as household appliances and prepared foods, and changes in popular attitudes toward married women working. While urbanization has certainly been a strong influence on a women's work status in both countries, studies have shown that urbanization in itself cannot account for an increase of women in the labor force.¹¹ This is particularly apparent in the United States where substantial urbanization took place from 1920-1940 without a parallel increase in the

size of the female labor force.¹²

Although the modernization of housekeeping chores has certainly lightened the housewife's home work, factual evidence raises some question of the validity of this argument as an explanation for wives taking up gainful employment in the postwar era. For example, Oppenheimer concludes, based on scientific examination of the modernization of housekeeping, that the greatest easing of the traditionally time consuming tasks took place before 1940, not after.¹³ Moreover, in a 1969 study of 1,296 households Kathryn E. Walker found that full-time American housewives spend as much time on household tasks as did women forty years ago and that working wives are able to decrease the amount of time spent on home chores by only one-third.¹⁴ A similar Swedish study found that full-time contemporary housewives spend less time with domestic chores than previously, but, as in the United States, the working wife only decreases her domestic work load by one-third.¹⁵ Juanita M. Kreps has pointed out that modern urban living has placed new time consuming and psychologically as well as physiologically taxing burdens on the homemaker, not the least of which is simply the commuting required to buy the family food and services and in the United States chauffeuring family members.¹⁶

Regarding the claims that attitudes have changed, public opinion polls taken in the United States at intervals since the 1930's show a gradual acceptance of married women working; however, as recently as 1960 almost twice as many American husbands polled disapproved as approved of wives working.¹⁷ Unfortunately, there are no comparable historical data on Swedish attitudes, although a 1961

poll of housewife's reasons for not being gainfully employed suggested that few husbands object to their wives working.¹⁸

In view of the tenuous quality of these popular arguments, I am inclined to support the theory that women's increased gainful employment in both countries since the war is largely the result of increased demand for labor in the old and new industries and occupations that have traditionally employed significant numbers of women workers and an increased willingness of married women to work in spite of possible criticism and inconvenience. Before examining the characteristics of the female work force pause will be made to analyze the impact of World War II on American women's work patterns.

The impact of World War II on American women and work

Early in America's involvement in World War II there was no official interest in recruiting women to the labor force.¹⁹ There was little precedent for such an action. During World War I womanpower had been used a great deal in traditionally male jobs in certain parts of the country; however, this pattern was not widespread and the twenty months America was in the war was too short a time to permanently affect the conventional sexual division of occupations. The movement of women into secondary school teaching stands out as the main exception to this generalization. There was a labor shortage throughout the 1920's, but no pressure developed to draw upon the nation's potential female work force. Early in 1942 the United States had a sizeable group of women and men still unemployed from the Depression slump. By summer most of the readily available labor sources had been utilized and the War Manpower

Commission, after initial resistance, was forced by necessity to take the Women's Bureau's advice and began to recruit womanpower for work in industry across the country.²⁰ To help the working mother, the Children's Bureau initiated a public child care program that at its height accommodated 11 percent of the children of working mothers.

Although there was initially resistance from employers, foremen, unions, and male co-workers, eventually the women were accepted in industry, often with somewhat less than equal treatment. After initial restrictions on the jobs they could prepare for, all federally sponsored courses, including engineering, science, and management traineeships leading to staff and management positions, were opened up to women. By the fall of 1942 women were one-third to one-half of all beginning trainees for machine shop courses and in 1943 about the same proportion of those in advanced classes. However, generally employers' and administrators' conviction that men could not and should not be supervised by women and that women themselves prefer male supervisors kept women in the lower jobs.

Sexual differentiation was the rule rather than the exception in pay and promotion. From the very beginning the Women's Bureau stressed the principle of equal pay for equal work and many unions, too, eventually supported this idea, however, as a means of protecting male workers from being undercut by women workers rather than protecting women from economic exploitation.²¹ In practice it was commonplace for women workers to be paid less than men for the same work, especially at the entry level. Differential treatment was even more evident in promotion to more responsible and higher paying positions. As a rule

a woman was not promoted if there were an available man, even with lower qualifications. When a woman was promoted over a man he was often given the improved salary that he would have received if he had been promoted rather than the woman, although he still worked at this old job. In most instances the women themselves did not press for equal pay since many of them were being paid more for their time and work than ever before in their lives (most had previously done clerical or domestic work--if they had worked at all).

The war dynamically affected both women's work rates and occupational distributions. Between 1940 and 1945, the height of the war effort, the female work force grew from 25 percent to 36 percent of the national labor force. In these years female employment increased by 51 percent and the proportion of women classified as craftsmen, foremen, operatives, and non-farm workers increased by 119 percent, and clerical workers by 85 percent. Women in domestic service decreased by 20 percent. A 1942 survey of 125 war plants revealed women concentrated in the following operations: assembling, machine operating, testing and inspection, wrapping, and packing. Women were also found to be proficient at blueprint reading, welding, riveting, and operating drill presses, milling machines, lathes, punch and forming presses, and other machine tools. The war affected the proportion of women in civil service also with women composing one-fifth of this work force in 1940 and two-fifths in 1945. Many women were able to rise to supervisory positions in the clerical area of work. As a whole, the women were found to like their work and many of the employers and managers recognized their proficiency and excellence.

A poll taken near the end of the war revealing that three out of four women wanted to continue working after the war illustrates how well the women liked their jobs and working itself. Even 57 percent of the married women said that they expected to continue working. However, post-armistice layoffs and women voluntarily quitting shrunk the female labor force from its 1945 high of 38 percent to 27 percent in February 1947. However, at that point the proportion of women in the labor force ceased falling and has been rising ever since, except for a slight drop at the end of the Korean War. By 1954 there were more women in the labor force than during the Second World War.

The greatest impact of the war on women in the labor market was in changing the attitudes of women, employers, and unions. At the height of the war effort three out of every five women workers were married. War work showed many women that they were able to both run their homes and hold down full-time jobs. Indeed, many of them concluded that if they could do this during wartime when overtime was part of the standard work day and housekeeping was especially difficult with rationing of consumer products, they would certainly do it in peacetime. Self-confidence and skills were developed as was a taste for going out to work and earning their own paychecks.

Many employers changed their minds about women workers as a result of the war experience. The welter of difficulties that they were convinced would result from introducing large numbers of women workers into "men's jobs," for example, rampant immorality and breakdown of factory discipline, simply did not materialize. They discovered that at certain kinds of work--repetitive tasks and fine

work--women workers were more productive than men. Moreover, they learned that the traditional preference for younger women was not always justified by the facts, since older women workers generally had lower absentee rates and better overall work adjustment than younger women.

As a rule, the unions were initially quite hostile to the introduction of large numbers of female industrial workers. However, they learned several lessons from the war experience, the most important being that the use of women workers on men's jobs did not necessarily lead to the cutting of prevailing wage scales and that the inclusion of "women's issues," for example, provision of legally standardized plant facilities, did not lessen the union's power but merely broadened the bargaining range of goals. Moreover, as a whole the women who joined the unions were passive and silent and made few if any demands for themselves. On the job women seldom replaced men workers and there turned out to be little actual competition for jobs when returning veterans swelled the male labor supply because many women with a little pressure voluntarily withdrew from the labor force.

While a large proportion of the female war labor force did leave the labor market after the war and many of the women remaining were eased out of the technical industrial jobs that they formerly held, the war had made a substantial impression on the labor market which in the long run accelerated changes in the history of women workers in the American economy. Long cherished myths were challenged by the realities. Above all, the war experience showed that the usual occupational concentration of women was mainly the product of tradition.

Twelve years after the war the National Manpower Council summarized its myth-shattering effects as follows:

It raised fundamental doubts concerning conventional notions about women and their suitability for work. It proved that there were relatively few jobs which they could not perform because of limitations of strength of unyielding social attitudes. It demonstrated that with proper training they could readily reach acceptable and in many cases superior levels of performance. It provided a small number of women with opportunities to rise to positions of authority in which they were effective. Most important, perhaps, World War II made it possible for a large number of women to combine marriage and work, and many found that they preferred this pattern of life.²²

In Sweden women were also highly visible in the extensive civil defense preparations for possible Swedish involvement in the war and in a multitude of jobs conventionally held by males as the men were drawn off to create a large standing army.²³ Unfortunately, peacetime conditions found employers in both countries all too often resorting to their favorite prejudices in hiring and placing women workers.²⁴

Patterns of Women's Labor Force Participation

While women have always worked hard, it is only in the recent period that a goodly number have begun to be paid for their work. In 1900, 20 percent of all American women of working age were in the labor force.²⁵ By 1940 this had only increased to 25 percent; however, by 1970 it had risen to 43.4 percent--a 71 percent increase. Other than war-connected fluctuations, the pattern of increase has been constant (if slow) since the turn of the century. In contrast, the Swedish pattern has been erratic. In 1900, 19 percent, in 1940, 29.3 percent and in 1970, 50.5 percent of all women of working age were working--a 71 percent increase since the war. See Table 25 for the course of this

development. Women who work at least half the number of hours of a normal full-time work week are counted in the statistics as working in both countries; actually, many of these women are working less than full-time.

TABLE 25.--Women in the labor force, selected years: Sweden and the United States, 1900-1971
(by percent of work force and percent of all women of working age)

Year	UNITED STATES		SWEDEN	
	% of wk. force	% all women working age	% of wk. force	% all women working age
1900	18.1	20.4	19.0	19.1
1910	20.9	25.4	21.0	21.2
1920	20.4	23.3	24.0	27.1
1930	22.0	24.3	27.4	30.7
1940	25.4	28.9	26.0	29.3
1945	36.1	38.1	25.2	28.0
1950	28.8	35.7	26.5	29.5
1955	30.2	35.7	..	..
1960	32.3	37.8	30.2	32.0
1965	34.0	39.3	32.0	35.0
1970	36.7	43.4	39.5	50.5
1972	37.4	43.8	..	53.2*

*Swedish working age is here defined at 16-74, elsewhere in the table as 15 and over.

Sources: Per Silenstam, Arbetskraftsutbudets utveckling i Sverige 1870-1965, Table A:5, p. 99, A:10, p. 102, and A:13, p. 104; AMS, Meddelanden från utredningbyrån, 1971:14, p. 6; Statistical Abstract of Sweden, 1972, Table 252, p. 241; and Economic Report of the President, 1973, Table 21, p. 91.

American women are more likely to work full-time than are Swedish women. In 1969 three out of four American and three out of five Swedish women in the labor force worked full-time schedules.

Until very recently more than half of all working wives in both countries worked part-time. In 1969 this changed when 52 percent of Swedish and 41 percent of American employed wives were working full-time. Interestingly enough, married women work full-time more often than single women (37 percent) in the United States, whereas in Sweden the situation is quite the reverse with many more single women (83 percent) working full-time than married women.²⁶

Several factors account for the distinct differences between the two national patterns. Of primary importance in Sweden has been the specific efforts made by both the Swedish government and private enterprise to increase the part-time work opportunities for women since 1958. Prompted by persistent labor shortages the goal has been to attract into the labor force married women who if forced to work full-time would not seek employment.²⁷ The low full-time work rates of single American women are largely the result of the widespread custom among American students of working while studying and in the summertime. Moreover, American women's lower median age of marriage combined with a comparatively longer time spent in school makes their time spent in the labor force as single substantially shorter than for Swedish women who finish school younger and marry older, thus extending their single working years.

While working part-time affords many women an opportunity to work that would not otherwise be possible, taking part-time jobs tends to limit them to low status work, unskilled jobs, or a handful of white-collar occupations such as clerical, sales, or nursing. Part-time jobs usually have limited or no fringe benefits and job security; and the possibility of promotions and pay increases

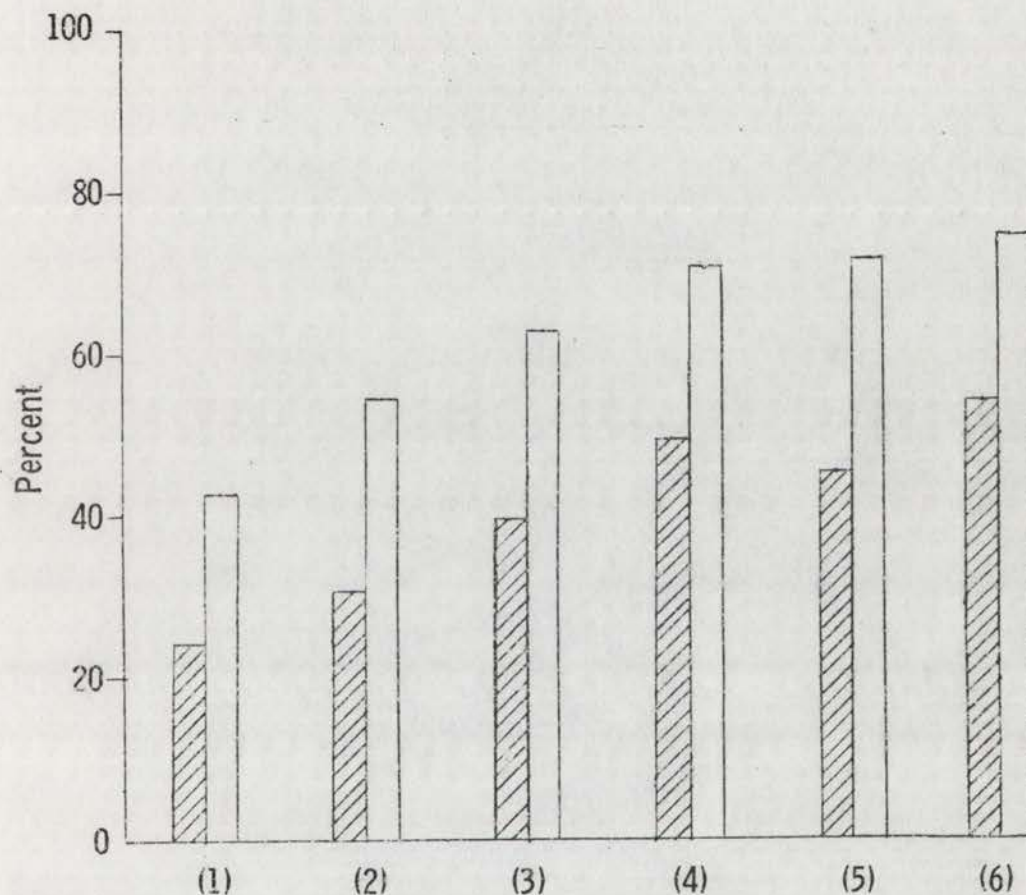
are much reduced for part-time workers, although this has been less true in Sweden than the United States thanks to the efforts of the National Labor Market Board (AMS) to improve conditions for part-time workers.²⁸

While the reasons that women and men work part-time are quite different, the similarities between American and Swedish women's reasons are remarkably similar. In a 1967 survey "studies" and inability to find suitable full-time work were the two major explanations given by American men while Swedish men offered "studies," "will not work full time," and labor market conditions as their leading explanations for part-time schedules. American and Swedish women both stated household duties as their prime rationalization, with "studies" ranking second for American women and "will not work full-time" for Swedish women. Twelve percent of the American women cited unavailability of suitable work as their third ranking reason, while only 7 percent of the Swedish women offered this reason. "Studies" was mentioned by only 4 percent of Swedish women.²⁹

Regardless of age group it has been found in Sweden and the United States that the more years of formal education a woman has the more likely she is to be active in the labor force. This difference is less noticeable for the male population. This correlation suggests that women's increasing participation in the work force is partly the result of the steady overall rise in women's level of attained education over the past thirty years already traced in Chapter III. In the United States today most women workers have at least a high school education while the average Swedish working

woman has an elementary education and possibly some additional vocational training; however, most young Swedish women have at least a lower secondary education.³⁰ Figure 11 shows that at the end of the 1960's Swedish women's labor force participation rates by educational attainment were substantially higher than American women's at every level. Close comparison of American and Swedish married women's rates shows that American women are much more likely to drop out of the work force in the main childbearing and rearing years than Swedish women, regardless of their education. This difference is particularly dramatic at the college graduate level--the education group with the highest work intensity in both countries. In Sweden in the mid-1960's only 7 percent of working women with this education dropped out of the work force compared to 36 percent of American women at the same level. However, American women with postgraduate training had the same dropout rates as Swedish academic women.³¹ A 1965 study of the Swedish Central Bureau of Statistics found that in the thirty to fifty-nine year old age group married women had a 7 percent higher rate of labor force participation for each additional year of formal education.³² Although it is not possible to precisely explain the great differences in American and Swedish women's continuous employment records with available data, undoubtedly an important factor is the relatively higher value placed on education, particularly higher education, in Sweden compared to the United States where secondary education for the ordinary woman or man has been fairly commonplace for two generations and even a basic college education is no longer regarded a big accomplishment.


FIGURE 11
 WOMEN'S LABOR FORCE PARTICIPATION RATES
 BY EDUCATIONAL ATTAINMENT:
 SWEDEN, FEBRUARY 1970, AND THE UNITED STATES, MARCH 1968



Categories

(1)
 (2)
 (3)
 (4)
 (5)
 (6)

United States 
 less than 8 years
 8 years
 1-3 years secondary
 4 years secondary
 1-3 years college
 4 years college

Sweden 
 less than 9 years
 9 years
 1-2 years secondary
 more than 2 years secondary
 up to 2 years after secondary
 more than 2 years after secondary

Sources: AMS, *Meddelanden från utredningsbyrån*, 1971: 12, p. 6;
 U. S. Dept. of Labor, *1969 Handbook on Women Workers*, Chart R, p. 179.

The amount of education a person has determines the kind of job she can get. With less than a high school education in the United States a woman is most likely to end up as an operative or a basic service worker such as janitor or home help. This is also true of the Swedish woman with less than a nine-year grundskola (new system) or realskola (old system) education. A complete gymnasium education is not necessary to qualify for many white-collar jobs in Sweden since there are numerous opportunities for one or two years of appropriate training, particularly in the clerical and service areas, in special continuation schools. Table 26 below reflects the general increase in women's level of education with a shift of the female work force from blue-collar to white-collar and service jobs in both countries in the past thirty years.

TABLE 26.--Employment by sex and type of work: Sweden and the United States, selected years
(percent distribution)

Type of Work	UNITED STATES				SWEDEN			
	1940		1968		1945		1969	
	F	M	F	M	F	M	F	M
white-collar	45	28	59	40	41	18	54	33
blue-collar	20	42	16	47	47	60	15	53
service	29	6	23	7	16	..	26	4
farm	6	23	2	6	6	30	5	10
TOTAL	100	100	100	100	100	100	100	100

Sources: U.S. Department of Labor, 1969 Handbook on Women Workers, Table 37, p. 88; Silenstam, Arbetskraftutbudets utveckling i Sverige, 1870-1965, Table A:18, p. 107; and Statistiska centralbyrån, "Arbetskraftundersökningar," Nov. 1969, p. 6. (Mimeographed.)

The lower average level of education of Swedish women in 1940 is reflected in their higher representation in blue-collar work than American women. However, by 1969 they were as highly represented in white-collar occupations as American women.

There have been efforts in both countries to offer older women, who after long years as housewives have few if any skills to offer on the labor market, opportunities for refreshing rusty skills or learning new ones. Mainly because of labor shortages Sweden has put a great deal more effort and money into labor market education than has the United States.³³

Women have generally been affected more than men by unemployment in the United States, while in Sweden there has been very little sexual differentiation until the economic recession of the late 1960's. Beginning in 1948 American women's unemployment rates have typically been higher than men's with the differential more pronounced in recent years as Table 27 shows. Recent developments in Sweden

TABLE 27.--Unemployment rates by sex: United States, selected years 1948-1972 (age 16 and over)

Sex	Year						
	1948	1956	1958*	1961	1965	1969	1972*
Female	4.1	4.8	6.8	7.2	5.5	4.7	6.6
Male	3.6	3.8	6.8	6.4	4.0	2.8	4.9

*recession

Sources: U.S. Department of Labor, 1969 Handbook on Women Workers, Table 32, p. 70; and President's Economic Report, 1972, Table 23, p. 97.

show that there too women are more affected by national economic setbacks than are men. At the outset of the recent recession women seeking jobs did not appear to be hit any harder than men. The 1968 unemployment rate was 2.3 percent for men and 2.2 percent for women. However, by 1972 women's unemployment rate (3.8 percent) was 50 percent higher than men's (2.4 percent). In both Sweden and the United States registered unemployment is highest among women up to age nineteen and lowest among women between forty-five and sixty-four.³⁴

Latent unemployment is recognized in both countries when there are persons outside of the labor force who would like to work but are not actively seeking work, either because they do not think that there is suitable work available where they live, or they have given up searching in despair of ever finding a job. It is generally recognized that this form of unemployment is particularly prevalent among married women and older women who have less education and skills and may live in areas with few opportunities for paid employment.³⁵

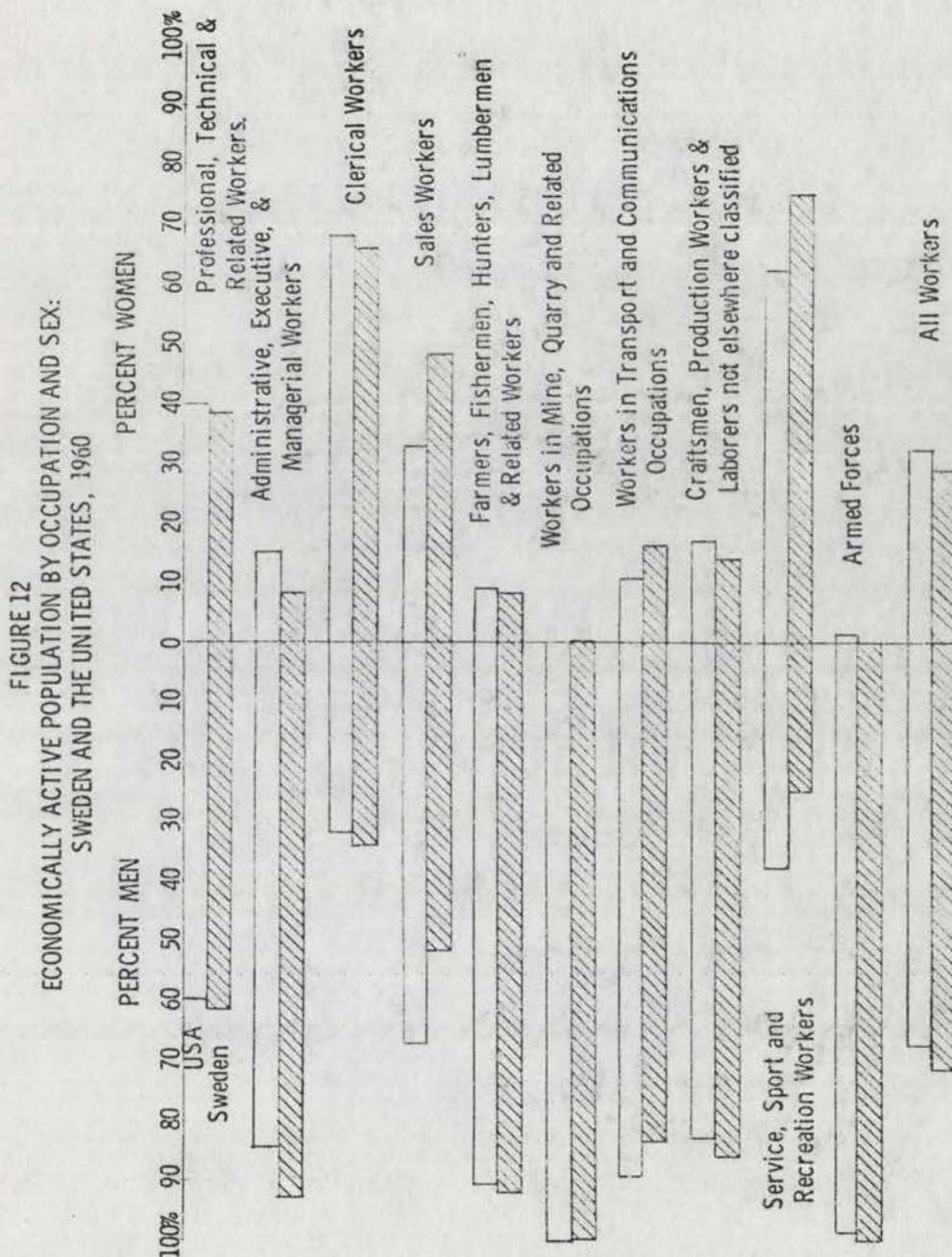
Occupational Distribution of Women Workers:
The Sexually Segregated Labor Market

Economists have long recognized that there is no such thing as the labor market and the demand for labor, but that there are many labor markets some of which are only partially competitive with one another and others that are totally uncompetitive.³⁶ In addition to the divisions that spring from such factors as differences in skills, geographic location, and class background, in many places there are an assortment of official and traditional institutional

rules applying to such vital areas as hiring and promotion policies, union regulations, and union-management agreements that over the years have resulted in discriminatory practices toward women and minorities. While both countries have adopted official policies forbidding a variety of discriminatory practices in the past decade, the force of tradition carries on and today evidence of conventional sexual segregation of the labor market is still evident everywhere. For example, as Table 26, page 356 shows, over the years in both countries women have been clustered in white- rather than blue-collar jobs more than men.

The comparison of the general distribution patterns of the American and Swedish work forces in 1960 by sex presented in Figure 12 reveals how strikingly similar these patterns have been. Services and clerical work come in as the first and second most "feminine" fields with sales taking the third place and mining coming in last. In every occupational area the proportion of women to men workers in both countries is within three percentage points, with the exception of four occupations: administrative work, sales, transportation and communications, and service occupations. Swedish women constitute a larger proportion of the work force than American women in all of these areas except administrative work, in which American women lead. A similar comparison of main occupational groups with data from the end of the 1960's reveals basically the same pattern, although Swedish women have become more prominent in professional and technical occupations, constituting 45 percent of all such workers as compared to 39 percent for American women, while American women have passed Swedish women in transportation and communications.³⁷

This national statistical data can only give us a rough idea



Source: United Nations Demographic Yearbook, 1964, Table 10, pp. 292-335.

of the extent of the sexual segregation of the labor force and grossly underestimates the actual extent of the sexual differentiation since labor markets tend to be local in character and the number of occupational categories are necessarily limited. Typically, distinctly different jobs that are dominated by one sex or the other are grouped together into the same occupational category. For example, in 1960 44 percent of all American assemblers were women. This is not to suggest that in any given industry in any part of the country one could expect to find 44 percent of the assemblers to be women. In fact, women in this category were concentrated to a large degree in the electronics industry where they constituted 67 percent of all assemblers in contrast to only 16 percent in the automotive industry--a very "masculine" industry.³⁸

Closer examination of the specific jobs where women are typically found in Sweden and the United States better reveals their extreme occupational concentration as well as the persistence of sex-labels once they are attached to occupations. Over the years most women have worked in occupations in which over half the work force is female and a sizeable proportion have worked in occupations with a work force of 70 percent or more women. In 1900, 54 percent (15 occupations) of the American and 17 percent (9 occupations) of the Swedish female work force was found in "70 percent female" occupations. It appears that the trend is toward less concentration for American women and more concentration for Swedish women in densely female occupations. Thus, in 1970, 42 percent (23 occupations) of the American female work force was concentrated in "70 percent female" occupations, compared to 67 percent (22 occupations) of the Swedish female work force in 1965.³⁹

TABLE 28.--Occupations in which 70 percent or more of the workers were women: Sweden, 1910, 1940, 1960
(by percent distribution of all women workers and percent of all workers in occupation)

Occupation	1910		1940		1960	
	% dist.	% fe.	% dist.	% fe.	% dist.	% fe.
Nursing	1.43	89.1	6.12	77.3	2.8	99.9
Telephone Operators Telephone Co. Private	0.87	85.9	2.66	82.9	1.5 0.96	97.9 98.5
Hospital Attendant	0.48	74.5	..	..	4.4	99.9
Dental Assistant	..	..	..	..	0.7	100.0
X-Ray Technician	..	..	..	..	0.54	76.6
Physical Therapist	..	..	..	..	0.22	74.5
Household Workers	15.1	56.1	21.2	99.8	13.2	93.3
Office Workers (all) of which Stenographers, typists and Secretaries	..	..	..	..	16.3	72.5
Milliners* and Hatmakers ⁺	5.3	93.4
Sales Personnel (shops)	0.426*	100.0*	0.70 ⁺	85.7 ⁺	0.3 ⁺⁺	97.3 ⁺⁺
Waiters/Waitresses	..	..	..	..	12.5	78.1
House Cleaners	..	..	..	..	7.7	87.3
Nursery School teachers	..	..	..	..	4.9	97.7
Lower elementary teachers	3.7	72.0	3.2	67.3	0.23	100.0
Tobacco workers	..	..	.22	74.5	0.1	85.0

(included in household workers)

TABLE 28.-- Continued

Occupation	1910		1940		1960	
	% dist.	% fe.	% dist.	% fe.	% dist.	% fe.
Child care workers	0.65	100.0	.33	89.9	.13	100.0
Ready-to-wear clothing seamstresses	..	..	..	..	3.9	97.3
Candy & chocolate makers	..	..	0.56	74.0	0.5	71.0
Hair care workers	..	..	..	..	1.8	72.2
Bath Attendants	..	..	..	..	0.12	81.4
Laundry Workers	..	..	..	..	0.89	78.3
Textile industry workers	..	..	14.8	68.2	..	..
Knitting owners	0.19	91.5	..	..	1.76	56.2
Knitting workers	0.79	94.4	1.7	74.8	..	..

Note: Data for 1910 and 1940 are available only by industry and thus is only roughly equivalent to data for 1960 which are available by occupational classification.

Sources: Folkkräkningen, 1910, Del. III, Folkmängdens fördelning efter yrken, Table 5, pp. 354-61; ibid., 1940, Del. III, Folkmängden efter yrke, Table 10, pp. 156-203; and Statistical Abstract of Sweden, 1966, Table 26, pp. 38-42.

TABLE 29.--Occupations in which 70 percent or more of the workers were women: United States, 1900, 1950, 1970
(by percent distribution of all women workers and percent of all workers in occupation)

Occupation	1900		1950		1970	
	% dist.	% fe.	% dist.	% fe.	% dist.	% fe.
Nurses	0.2	94	2.9	98	2.7	97
Dressmakers & Seamstresses	7.8	100	0.9	98	0.3	95
Telephone Operators	0.3	80	2.2	96	1.25	95
Health Care Attendants	1.8	89	1.4	73	2.8	86
Private Household Workers	28.7	97	8.9	95	5.5	95
Stenographers, typists and secretaries	1.8	72	9.5	94	11.7	97
Milliners	1.4	100	0.1	90	0.01	89
Librarians	0.0	72	0.3	89	0.3	82
Library Assistants	0.0	80	0.1	74	0.3	79
Office Machine operators	..	..	0.8	82	1.2	74
Sales workers--demonstrators	..	..	0.1	82	0.1	91
Operatives--mfg., apparel and accessories	3.0	70	4.0	81	0.2	76
Bookkeepers and Cashiers	..	..	4.7	78	6.4	83
Counter and Fountain workers and waitresses	..	..	4.0	78	3.3 ^a	87.1 ^a
Housekeepers and stewards except private household	0.5	78	0.5	78	0.33	72

TABLE 29.--Continued

Occupation	1900		1950		1970	
	% dist.	% fe.	% dist.	% fe.	% dist.	% fe.
Teachers (except college)	6.1	75	5.2	75	5.5	69
Spinners, Textile			0.4	74	..	..
Operatives, Knitting	0.6	78	0.7	72	..	..
Operatives, Textiles	0.3	71	0.2	72	0.7	54.8
Board and Lodging House-keepers	1.1	83	0.1	75.6	0.02	71.9
Dancers and Dancing Teachers	..	..	0.1	71	0.02	81.3
Religious Workers	..	..	0.2	70	0.06	55.7
Operatives, Tobacco mfr.	..	..	0.3	70	0.03	51.6

^a1970 data includes all waiters and waitresses.

Sources: 1900, 1950 data from Oppenheimer, The Female Labor Force in the United States, Table 3.5, pp. 78-79; 1970 and some 1950 data derived from Economic Report of the President, 1973, Table 33, pp. 155-59.

bureaucratic government and big business the demand for these and kindred workers in both countries grew more rapidly than almost any other occupations including those traditionally labeled "male." These occupations remained sex-labeled "feminine" and today one out of three Swedish (1965) and American (1970) working women are found in them.⁴¹ Of all the "feminine" occupations clerical work has expanded the most since the war. However, even the detailed occupational listings found in Tables 28 and 29 hide the fine degree of sexual differentiation present in the labor market.

Perhaps the textile industry and sales work are the best examples of the detailed patterns of sexual differentiation in the blue- and white-collar labor markets in both countries. A 1964 study of Swedish textile workers showed that the textile work force could be divided into three groups of workers: semi-skilled production workers, highly skilled workers, and special workers. Although women were 78 percent of all textile workers in Sweden they were found almost exclusively in the semi-skilled jobs and within this category there was a sharp division of jobs according to sex. For example, in one factory only women were hired as spinners, winders, warpers, or threaders, while weavers, loom operators, and inspectors were always men.⁴² Similarly, in the American cotton textile industry, where women make up 38 percent of the work force, in 1965 three women out of four worked in only four occupations: spinner, winder, cloth inspector, and battery hand, all less skilled jobs than those typically held by men (card grinder, loom fixer, and maintenance machinist).⁴³

Naturally, level of pay is central to the sexual division of

jobs. Perhaps the fine division of American weavers into two groups best illustrates this. Although women and men are about equally employed as weavers, men account for three-fourths of the Jacquard loom weavers, the highest-paid of weavers (\$2.19 for men, \$2.09 for women, 1965) whereas about three-fifths of the plain loom weavers, the lowest paid weavers (\$1.98 for men and \$1.97 for women, 1965), were women.⁴⁴ There is evidence that recently women in both countries have been making some inroads into the traditionally male textile jobs and thus better wages.

This basic pattern of concentration of women in the less skilled, hence lower paid, occupations is typical of sales work. In Sweden 49 percent (1965) and in the United States 39 percent (1970) of all sales personnel were women; however, in both countries saleswomen were overwhelmingly confined to retail sales and were not evenly distributed throughout this realm, but clustered in the limited-price retail trade. Salesmen, on the other hand, were spread throughout wholesales, manufacturing sales, and large-price retail trade.⁴⁵ The following remark by a Swedish department store manager reflects the subtle but definite attitudes regarding the "correctness" of the sexually differentiated patterns prevalent in sales: "Only male sales staff should sell carpets, sporting goods, automobile appliances, and gentlemen's clothing. Male and female staff can sell furniture, electrical appliances and kitchen articles. Only female staff should sell children's and women's clothing."⁴⁶

Women and volunteer work

Before leaving the subject of occupations a word should be

said about volunteer work. It is not uncommon among the American middle class for a housewife to turn to volunteer work as a source of outside stimulation and respite from housework after her children begin school. For many American women volunteer work is the equivalent of a part-time job in terms of demands upon time, talent, and energy--but without pay. In 1965 half as many American women were engaged in volunteer work as were gainfully employed and two times as many women were doing volunteer work as were working at part-time jobs. If volunteer women workers were counted as part of the female labor force one could conclude that more than one-third of all women workers in the United States in 1965 worked without pay.⁴⁷

A survey of volunteers in America in 1965 found that the typical volunteer was "A white married woman high school graduate between the ages of 25 and 44, who worked either with the Girl Scouts or as a teacher aide or both."⁴⁸ Moreover, two-thirds of all women volunteers were not in the labor force at the time of the survey, while 85 percent of the men volunteers were gainfully employed. Often a middle class housewife does volunteer work instead of working for wages because of a complex of attitudes held by herself and her husband revolving around their concepts of their roles in the family, or because suitable paid employment is not available where the family lives and the married woman is denied the job mobility available to her husband. Undoubtedly, under the right circumstances many of these women would work for pay rather than volunteer. This is verified by the survey finding that in recent years volunteering has gained a broader base than formerly as more male, young adult, and teenage workers have been recruited to fill up the void left by the droves

to people working for nothing at jobs that warrant pay have effectively discouraged volunteerism from the personnel side, and the system of contributing to charitable causes through a notation on one's income tax return has removed the need for money drives and door-to-door soliciting. Indeed, many people in Sweden today find the notion of volunteering rather strange. Upon hearing of people working as volunteers their usual inquiry is "Why aren't the volunteer-filled jobs paid work?" and "How can the volunteers afford to work for nothing?"⁵⁰

Within the fast shrinking volunteer work force in Sweden women are decidedly more represented than men, amounting to over two-thirds of the workers. The characteristic Swedish volunteer is either past fifty or under twenty, with very few persons of either sex in the middle group. If the volunteer is female she most likely does not have a job. As in the United States the tendency has been for volunteers to come from the better educated and higher income classes, and there is a definite correlation between education and income level and propensity to volunteer.⁵¹

Although there has been sharp criticism of the exploitation of women as an unpaid labor force from within the American women's movement,⁵² generally there has been little attention paid to this aspect of volunteerism in the United States. In contrast to Sweden, where the government has actively discouraged the reliance upon volunteer workers to provide needed basic social and welfare services, in the United States the government has actively supported this tradition. In fact, the Committee on Education of the President's Commission on the Status of Women positively acknowledged in 1963

that women "form the ranks of the most active volunteer organizations in our country" and recommended that "Education in volunteer work should be offered to adolescent girls as part of their preparation for citizenship."⁵³

Certainly the concept of volunteerism as such is not bad; however, when a society encourages only one part of its population to substitute this type of activity for paid employment the suggestion of exploitation is very strong.

Women's status in professional occupations

In the past ten years Swedish women have made remarkable inroads into the professional and technical fields, climbing from 38 percent of all such workers in 1960 to 45 percent in 1969. In contrast, American women have lost ground. In 1940 American women constituted 45 percent of the professional and technical work force. By 1950 their representation had dropped to 39 percent where it has remained. In 1965 one out of six women in the Swedish work force was employed at the professional level as compared to one out of seven in the United States. Table 30 shows women's representation in selected professions. In both countries today teaching and health work account for the vast majority of women professionals. Teaching leads in the United States with 42 percent of all women professionals in 1970 being teachers, seven out of ten on the elementary level, as compared to 27.6 percent of Swedish professional women, eight out of ten on the elementary level (1969 data). Health fields including medicine, dentistry, and pharmacy dominate in Sweden and account for 54.5 percent of all women professionals while only 25 percent

of American professional women are in this work. Interestingly, American women are more likely to be managers and administrators than are Swedish women. In 1960 there were almost twice as many women administrators in the United States (15 percent) as in Sweden (8 percent), but only 2.8 percent more in the late 1960's.⁵⁴

TABLE 30.--Women in selected professional occupations: Sweden and the United States, 1900-1970
(by percent of all workers in occupation)

Occupational Group	1910	1900	1945	1940	1960		1970	
	Swed.	U.S.	Swed.	U.S.	Swed.	U.S.	Swed.	U.S.
Clergymen	..	1.3	17	4.0	17.9	2.3	..	2.9
Medical Doctor	0.2	4.3	7	4.7	13	6.9	..	9.3
Dentist	..	1.9	23	1.5	24.3	2.3	..	3.5
Lawyers/judges		0.2	4	2.5	4.9	3.5	..	4.9
Nurses	89.1	86.1	99	98	99.9	97.5	..	97.3
Librarian/Museum	..	..	42	90.0	53.0	85.4	..	82.0
Journalist	..	4.1	12	..	19.0	36.6	..	40.6
Engineer	..	0.3	..	0.3	0.7	0.8	..	1.6
Pharmacist	0.9	..	30	..	27.0	7.5	..	12.0
Social Worker	..	..	80	64.0	67.0	62.8	..	62.8
All Prof. Fields	..	..	..	..	38.1	38.4	..	39.9

Sources: Sweden: Folkräkningen, 1910, Del. III, Table 5, pp. 354-61; Myrdal and Klein, Women's Two Roles, Table 21, p. 73; and Statistical Abstract of Sweden, 1966, Table 23, p. 28. United States: Statistical Abstract of the United States, 1905, Table 12, p. 28; U.S. Department of Labor, "Summary Data on Employment of Women," Tables 3 and 5, pp. 3, 6; and Economic Report of the President, 1973, Table 33, pp. 55-56.

Although there is no attempt here to account for the drop in the proportion of women professionals in the United States in the postwar era, this pattern is basically a reflection of the waning

interest of young women in advanced degrees, discussed in Chapter III, and the sharp rise in marriage and fertility rates characteristic of the postwar generation of college women. A glance at the occupational tables of the United States census through the 1920's and 1930's reveals that the typical American professional woman was unmarried and childless. These demographic influences on women's work patterns will be discussed in the section on changes in the composition of the female work force.

Although Swedish women's achievements in certain of the professions, such as medicine, dentistry, and pharmacy look very good compared to American women's, in international perspective this impression changes. For example, only three countries--South Viet Nam, Madagascar, and Spain--of the twenty-nine reporting to the Tenth Congress of Medical Women's International Association in 1966 indicated a smaller proportion of female physicians than the United States. Sweden's 13 percent was almost double America's 7.5 percent. However, in Finland, Israel, and the Phillipines women were 24 percent of the doctors, 20 percent in Germany, and 16 percent in England and Wales.⁵⁵ Over 75 percent of all doctors in the Soviet Union were reported to be women--a decrease from previous years.⁵⁶ In dentistry Swedish women are doing better; however, even here it could hardly be said that they are leading in the world, although it could certainly be concluded that the United States is hopelessly behind the other modern countries. Thus, in 1966 only 2 percent of American dentists were female compared to 25 percent in Sweden. However, throughout all of Scandinavia women constitute between 23-30 percent of the dentists excepting Finland where they are over 50

percent. They are also 50 percent in Greece and 80 percent in Lithuania and the Soviet Union.⁵⁷

Expansion of educational opportunities, social services, and health care--especially for older people as life spans increase--has been largely responsible for job opportunities for professional women in Sweden and the United States. In Sweden the increased demand for health and education professionals created by the deliberate development of these services since 1960 is directly reflected in the fact that women's gains have been almost exclusively in these two areas. Interestingly, Swedish studies have shown that of all women professionals physicians and dentists have the highest rates of continuous activity in the labor force--usually 80 to 85 percent. This high activity rate apparently springs from a high level of commitment rather than simply demand since nurses, in spite of a great demand, have only a 50 percent participation rate. Indeed, the shortage of nurses in Sweden has reached such a magnitude that concerted efforts are being made to attract married nurses back into the work force.⁵⁸

In addition to women being concentrated in a few professional fields, the detailed patterns of sexual segregation in specific jobs according to status characteristic of lower level occupations are also prevalent at the professional level. Teaching is a prime example of this in both countries and well illustrates the complex of historical and social factors determining sexual differentiation on the labor market. In teaching, the familiar rule is the-higher-the-fewer with the proportion of women falling sharply as the salary and prestige of the teaching position rises. A comparison of the distribution of women in teaching in Sweden and the United States gives the

following picture:

TABLE 31.--Women in the teaching profession at various levels: Sweden and the United States, 1940-1970
(by percent of all teachers at that level)

Year	ALL LEVELS		HIGHER ED.*		SECONDARY		ELEMENTARY	
	SW	US	SW	US	SW	US	SW	US
1940	58.0	72.9	12.6	26.2	24.8	58.1	65.7	89.0
1950	53.3	70.3	17.7	23.4	32.2	56.7	65.7	91.2
1960	58.8	64.1	13.0	23.9	42.6	48.2	64.0	87.0
1970	55.5	64.5	12.2	28.6	31.2	49.3	65.8	83.7

*Includes universities, professional schools, colleges, and teachers colleges.

Sources: Figures derived from Digest of Educational Statistics, 1971, Table 103, p. 77; President's Economic Report, 1973, Table 33, p. 156; Historical and Statistical Abstract of Sweden, annual reports 1940-1969, education and labor force tables; Sverige's Statskalendar; and Statistiska centralbyrån, Statistiska meddelanden, U 1971:6, p. 16.

These data show that women in both countries have figured the most prominently at the lowest teaching levels. Overall, American women have dominated teaching more than Swedish women, although their proportional representation has been steadily dropping since 1940, while it has remained about the same in Sweden up to the end of the 1960's. The proportion of women at the secondary level had been gradually increasing in Sweden and decreasing in the United States until the end of the 1960's. The only noteworthy increase in American women's representation has been at the college level where the 1970 28.6 percent point represents an all-time high surpassing the previous high of 27 percent in 1930.⁵⁹ At the college level Swedish women made significant advances in 1950 only to fall back to their 1940 point by 1970. Naturally, college teaching is the highest status teaching job.

Moreover, in Sweden the college professor is highly regarded among all professionals. A 1958 study showed that college professor was ranked by Swedes as the most prestigious occupation of a list of twenty-six.⁶⁰

Investigation of the forces behind the uniformity of women's representation in elementary teaching in Sweden and the rather rapid recent increase in men's representation in the United States reveals the importance of social and cultural dynamics in determining patterns of occupational sexual differentiation.

The amazing stability in the proportion of Swedish women teaching at the elementary level is due to the long standing teachers college admissions rule dictating that only 45 percent of incoming elementary education majors for the upper grades can be female. This almost guarantees that half of the teachers at this level will be male. However, no such quotas apply to the lower elementary grades or kindergarten which are almost 100 percent female. This admissions policy is to be lifted in the near future. However, other types of quota systems are being experimented with to assure a certain percentage of male lower level teachers such as was discussed in Chapter III. It is expected (and feared) that women will overwhelmingly dominate all of elementary education as soon as the 45 percent limit is lifted.⁶¹ No such incentive programs have been initiated in the United States. However, in the 1960's men began to voluntarily prepare for elementary teaching at an unprecedented rate amounting to an 85 percent increase between 1950 and 1970.

Oppenheimer's conclusions as to the appeal of elementary teaching for American men are very similar to those found in the

Swedish 1971 experiment, in which men were offered special incentives to attract them to kindergarten teaching. In short, the increasingly mass nature of higher education in both countries has attracted many young men lacking the ability, motivation, and academic background to compete in the more difficult and demanding professions. However, the mobility aspirations of these men, many of whom are from working class and lower middle class background, can in some cases be fulfilled by the economic and status rewards of teaching, which today compares rather favorably to many blue-collar and lower white-collar jobs. Their chances for success are good if they are interested in administration, where a preference for males over females has evolved over the past thirty years. Moreover, there has been a gradual rise in the status of elementary education as the result of higher standards of preparation and, most importantly, higher salaries. These factors are making the profession increasingly attractive to men, particularly in the United States.⁶²

The factors of relative prestige and salary also account for the differences in women's representation at the secondary and elementary levels, and again this influence is particularly important in Sweden where the prestige gap is significantly greater than in the United States. Richard F. Tomasson and others have commented on the relatively high prestige of Swedish gymnasium teachers as compared to American high school teachers. In the United States the status of secondary teachers is only moderately higher than that of elementary teachers.⁶³ Myron Lieberman calculated that in 1949 the average annual salary of the Swedish public school teacher was 3.6 times per capita income as compared to 1.9 in the United States.⁶⁴ Tomasson calculated

that, on the basis of estimates of 1966 incomes, the median annual income of senior gymnasium teachers compared with physicians resulted in a ratio of 1 to 3 in the United States and 1 to 1.5 in Sweden.⁶⁵ These favorable salary rates do not exist at the elementary level in Sweden, which, as in the United States, has never enjoyed a high professional status. This fact was very apparent in a 1959 study in which Swedish and American university students asked to rank eight professions in view of relative prestige and intellectual ability all placed elementary teaching on the bottom of the list.⁶⁶ The noticeable rise in the proportion of women teaching at the gymnasium level in the 1960's is linked with the decline of the relative prestige of gymnasium teachers that has come with the democratization of the public school system and elimination of the old exclusive gymnasium.⁶⁷ Thus, as secondary teaching has lost some of its attraction for men room has been made for women teachers.

The low prestige of elementary teaching springs from similar factors in both Sweden and the United States, the most important being historically low standards of teacher preparation, incredibly low salaries, and the predominance of women workers--which automatically designated and perpetuated the occupation's low status. Early in the nineteenth century elementary teachers were men in both countries; however, after it became apparent that it was impossible to recruit enough men to fulfill the demand at the going rate of pay the occupation was thrown open to women as a source of cheap educated labor.⁶⁸ In the United States the nineteenth-century custom of paying men teachers more than women survived well into this century.

As recently as 1960 sexually differentiated pay scales have

existed for public school teachers, but today most school districts have a single pay schedule. The 1966 amendment to Title VII of the 1964 Civil Rights Act, which extended equal pay guarantees to teachers, has been instrumental in achieving this goal.⁶⁹ In Sweden equity came earlier--with the passage of a 1947 law. Since teaching is classified as civil service work in Sweden there are set salary scales guaranteeing women and men at the same level equal pay. However, women teachers generally earn less because they are clustered on the lowest rungs while the men tend to be in the middle. The 1965 pattern illustrated in Table 32 is typical.

TABLE 32.--Swedish public school teachers at different salary grades, by sex: 1965
(percent distribution of women and men)

Salary Grade*	Women %	Men %
A24-27	0.0	3.3
A17-23	6.2	22.8
A14-16	37.4	65.2
A7-13	56.4	8.7
	100.0	100.0

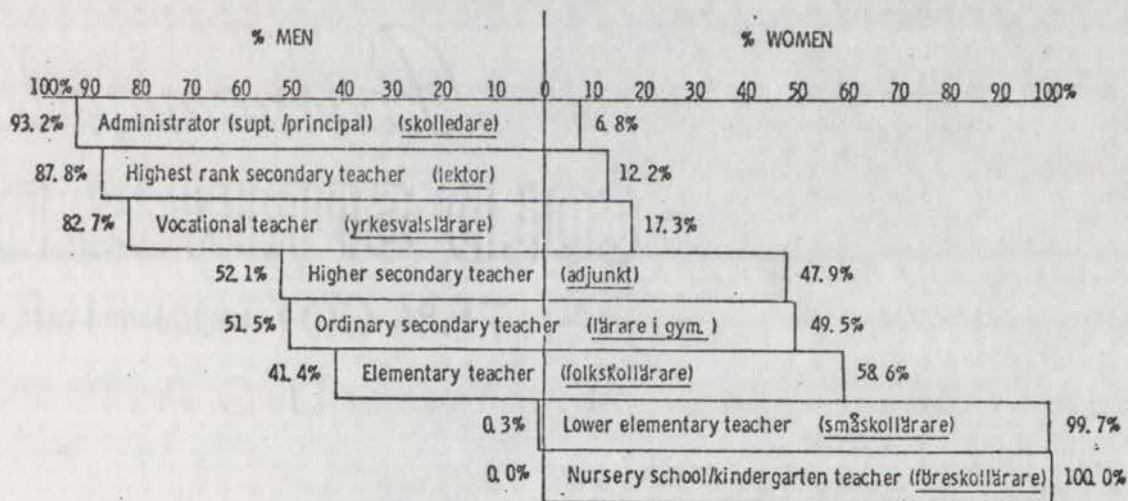
*A7 is the lowest salary grade for teachers. A13 is the highest salary grade for kindergarten teachers and the starting grade for lower level elementary school teachers. The starting grade for higher level elementary teachers is A18; higher grades apply to secondary school teaching.

Source: Statistiska centralbyrån, Arbetsmarknaden meddelanden, 1966:45, p. 20.

Further evidence of the sexual stratification of Swedish teachers is found in the clustering of women and men in the academic rank system still used in the public schools. Figure 13 shows the distribution of teachers by rank according to the records of the

teachers' union to which virtually everyone belongs. Although there is no ranking system in the United States, data show that in the United States men overwhelmingly dominate the administrative posts as they do in Sweden. In 1970 American women held less than 20 percent and Swedish women less than 10 percent of the school principal and superintendent jobs. The proportion of female school administrators has been steadily diminishing in both countries over the past thirty years.⁷⁰

FIGURE 13
SWEDISH PUBLIC SCHOOL TEACHERS BY RANK AND SEX:
SPRING, 1970



Source: SIF, "Fakta och synpunkter i könsrollsfrågan," Stockholm, Nov. 5, 1970, p. 4. (Mimeographed.)

Late in 1972 it was revealed in Sweden that informal discriminatory policies within the public schools were at least partially responsible for the dearth of women at the upper ranks. The ensuing heated discussion led to the proposal that a comprehensive teacher quota system be introduced to ensure a better distribution of women teachers at the secondary level and throughout all ranks, as

well as guarantee men's representation in kindergarten and lower level elementary teaching. Naturally, this has been a highly controversial suggestion.⁷¹

Detailed investigation of the precise distribution of women and men workers within most professions would reveal similarly complex patterns of sexual differentiation on the basis of relative prestige and salary levels as those found in teaching.

Factors promoting the development and persistence of occupational sex-labeling

After studying the characteristics of jobs labeled "female" in the United States from data gathered in 1958 by the National Manpower Council, Oppenheimer has arrived at some interesting conclusions about factors promoting the development and persistence of sex-labeling that appear to apply equally to the Swedish situation on the basis of Stina Thyberg's 1959 study.⁷² The key elements appear to be the attraction of women as an easily exploited source of cheap skilled labor and tradition.

From the earliest years of women's participation in the labor force they have been used in both countries in occupations that require a large number of readily available skilled cheap workers.⁷³ Many of the occupations that presently utilize the largest number of women workers are the result of historical sex-labeling on this basis. Women were first drawn into the labor force in the nineteenth century to perform tasks that had been an integral part of their role in the home such as spinning, weaving, sewing, cleaning and maintaining the home, and caring for the sick. In every area of life women provided

services for others. Thus, as the society changes through industrialization and urbanization women continued to perform these jobs although the place of work and production methods changed. Pre-hiring familiarity with the task kept the necessity for on-the-job training to a minimum.⁷⁴ The prominence of women in these types of occupations on the blue-collar and white-collar levels today has already been noted in Tables 28 and 29, pages 363-366.⁷⁵ The switch from men to women for school teachers and the transformation of clerical work into women's work at the end of the last century are the best examples of the turning to women workers as cheap, yet educated, workers.

The early relatively good education of American women as compared to men, when calculated in terms of the median number of school years completed by the average person, prompted employers to resort to women workers as a plentiful source of labor for the fast growing white-collar fields that accompanied industrial, economic, and bureaucratic expansion of the country at the end of the last century. This work required better educated workers than the factory. Basically the same pattern occurred in Sweden, although both industrial expansion and the availability of a relatively well educated female labor supply developed later than in the United States. However, with the upgrading of women's educational levels since the 1920's and the introduction of business and commercial training courses in the secondary schools since the 1950's, Swedish women have generally followed the pattern set earlier by American women. Thus, the early dominance of women workers in specific white-collar jobs, most notably clerical and retail sales occupations, resulted in

these being labeled "feminine" which in turn led to a greatly expanded demand for women workers during the postwar expansion of business and bureaucracy.

The influence of subjective attitudes
in occupational sex-labeling

Tradition is a powerful factor in determining a job's sex-label. A startlingly similar maze of employment policies and employers' prejudices, that are more often than not based on revered myths regarding the inherent nature or abilities of women and men, are found in the two countries according to Thyberg's and the National Manpower Council's findings. Both studies show that employers' beliefs and motivations for selective hiring and placing of women and men in specific occupations, regardless of individual qualifications or skills, fall into three categories: 1) certain jobs are found to be unquestionably "female" or "male" simply because of a deep rooted traditional division of work by sex, sometimes there is a connection with division of labor in agrarian society, often there are no logical bases other than convention--for example, men must not be supervised by women and women are more easily managed by males; 2) women possess inherent traits or abilities which suit them for certain kinds of work better than men, for example, manual dexterity or nurturing, and make them undesirable for other kinds of work; and 3) cost considerations--it costs more to hire women because of their supposedly higher absentee and turnover rates and other "feminine characteristics" that create or require special working conditions; conversely their "greater aptitude" for certain kinds of work, for example, maintaining accuracy while performing monotonous,

repetitious tasks makes them more desirable in terms of production costs.⁷⁶

After studying attitudes toward women workers in Sweden, Norway, and England Harriet Holter found a pattern of assumptions and prejudices in operation that match those found in the American Man-power study. She has succinctly summarized the conventional stereotypes assigned to the "average" woman worker:

Women lack stability in working life. They do not feel identified with their job. They are unconcerned with the difficulties such an attitude creates for co-workers and supervisors. They lack deep interest in their job and in training. They seldom enquire [*sic*] about promotion possibilities. They are too nervous and cannot be objective. Were they to be placed in supervisory positions, they would display favouritism based on personal grounds.

Women lack the dispositions for promotion. They underestimate themselves and lack self-confidence. They are satisfied to be menials and assistants to men; they even accept lower wages.

No man would prefer female supervisors, but many women declare that they prefer receiving orders from men. Women display antipathy towards members of their own sex.

Unlike among men, solidarity among women is weak; their relations are marked by intrigue and envy. Women have no concept of the rules of the game at the workplace. Men follow determined rules and understand unwritten practices where reasonable. Women are well suited to subordinate positions. They are submissive. They protest less often than men. They go on until they are asked questions and do not raise questions themselves. They are compliant, self-conscious, and willing to work. They tend to be found in routine work; they are quick, handy and patient. . . . Women are innately conservative. They resist change on the job and cling to the familiar.⁷⁷

In both Sweden and the United States women's allegedly higher absenteeism and turnover rates were cited the most often as the practical justification for not hiring women workers for a wide variety of blue- and white-collar jobs and inevitably as a rationalization for not promoting women to supervisory and administrative posts. Employers felt that women were "bad risks" and since they are assumed to be temporary employees, regardless of how long they work for a

company, the time and money involved in management training is considered a bad investment. Employers often added that women's high absenteeism kept them from promotion since absenteeism is not acceptable at the administrative level. Furthermore, employers commonly felt justified in paying women less than men to offset the alleged additional costs resulting from their absenteeism.⁷⁸

Recent studies have shown that the correlation between high absenteeism is not with sex, but age, salary level, and job status. Younger, lower paid, and unskilled or semi-skilled workers all exhibit higher absentee rates than older, well-paid, skilled workers holding positions of responsibility. Since women in the work force tend to be younger and employed in unskilled jobs with little direct responsibility more than males, they also exhibit a higher absence rate. All of the studies have concluded that when genuinely equivalent groups of female and male workers are compared, considering the factors of age, training, education, qualifications, experience, and salary level, the absence rate is about the same. Moreover, high turnover rates have been found to be characteristic of young workers of both sexes and markedly decrease with the increased age of the worker. Again, the younger composition of the female--average age twenty-five--relative to the male--average age forty--labor force accounts for women's greater turnover rate.⁷⁹ Recently women in the United States have exhibited a lower absentee rate than men even when the male and female work forces are compared in a general way. Similarly, in 1971 The Swedish Union of Clerical and Technical Employees in Industry (Svenska Injustritjänstemannaförbundet) (SIF) found that among white-collar workers in industry men had a higher

absentee rate than did women.⁸⁰

In the past decade objective studies of the characteristics of women workers and their capabilities have made increasingly clear the degree to which the common attitudes about women workers are the products of prejudice. For example, a Swedish analysis of the physical strength need in mining, traditionally considered among the heaviest industrial work, revealed that 75 to 80 percent of all work tasks did not require physical strength above that of the average women. A similar study of a large engineering company showed that there were no tasks that women were incapable of performing.⁸¹ Investigations of the claim that women wish to avoid responsibility on the job and do not want to be promoted illustrate that these stereotypes are typically based on hasty conclusions and that more careful study of the problem often reveals quite a different picture. Thus, when a sample of American workers were first asked how interested they were in promotion the men expressed greater interest (64 percent) than the women (48 percent). Further questioning revealed that the women's desire for advancement was somewhat governed and limited by their cynicism about their real opportunities compared to the male workers. Many of the women indicated that they would be interested in advancement if they honestly felt that they had a chance, but their typical restriction to dead end jobs held out little hope. The researchers concluded that to avoid frustration the women, as would men in a similar situation, scaled down their ambitions.⁸²

A comparable Swedish study found the same correlation between desires and expectations; however, in this study of a large insurance firm a larger proportion of unpromoted women than men registered dissatisfaction

with their lack of advancement opportunities.⁸³

Such myth shattering realities do not appear to have much impact on favorite prejudices. Holter has observed that employers and male workers have a vested interest in maintaining the traditional stereotypes. First and foremost it justifies lower pay scales for women. It is economically and administratively useful to employers that women will work at the lowest, most menial, and least rewarding jobs for less pay, not demand promotions, and not develop overt solidarity. Since the industrial revolution and probably for some time in the future there will be a need for a mass of cheap labor in industry in capitalistic societies. Women workers greatly help fulfill this need in both countries. Moreover, maintenance of the stereotype that women neither want nor are capable of holding supervisory positions of great responsibility limits the competition for advancement and thus is in the interest of male workers.⁸⁴

Holter has further pointed out that assumptions about the sexual appropriateness of an occupation invariably spring from traditional sex role preconceptions, not labor market considerations, and that their proponents are generally not aware that they believe that specific vocational traits are sex linked. Moreover, she emphasizes that stereotypes are favored by many persons including employers because they make it possible to psychologically and socially "simplify" judgments and decisions. She is convinced that most people have a strong need to simplify their lives and decision making and that this need invariably leads to prejudiced behavior.⁸⁵

It should be kept in mind that employers are not the total fault. Attitudes of workers are also very instrumental, for they

tend to treat each other according to the expectations of the traditional sex roles. Thus, economic and personnel policy considerations are mixed with meeting the psychological needs of individuals. Women as well as men are motivated to maintain popular sex role norms of behavior and division of work at the work place just as in the home. Holter points out that this means that women will encounter conflicting expectations in the standards for their performance on the job much more than men. Since the sanctions associated with the feminine role frequently appear to be stronger than those of the masculine role, when a woman bases her work behavior on a "masculine" pattern, that is, performs a "male" job well, she is often psychologically punished by being labeled "unfeminine" or "not a real woman." At best these women are hailed as "exceptional" women thereby implying that they--as exceptions to the occupational sex-labeling rule--may hold that job, but other women should not assume that they too can or should move into this kind of work.⁸⁶ One of the most enlightening explorations of these "loophole women" can be found in Caroline Bird's 1968 survey of prejudiced attitudes toward women workers and their work experiences in the United States.⁸⁷

Oppenheimer has succinctly summarized the general characteristics of occupations that lend themselves to the attachment of the female sex-label. She finds that the following qualities are substantially more typical of female than male jobs:

Training for them is acquired before employment, and career continuity is not essential. They exist all over the country, and hence mobility--or the lack of it--is not usually a serious handicap. Diligence and a certain devotion to the job are required, but long-range commitment and extensive sacrifices of time and energy are not necessary. Employment in most of these occupations relatively infrequently puts the female

worker in a supervisory position over male employees, though she may be in a position of relative power over those outside the organization. Nurses, for example, may initiate action for patients, but their authority to do so is derived from the attending physician probably male; furthermore, the authority and task have a distinctly feminine flavor--that of the nurturing female.⁸⁸

Oppenheimer points out that male occupations often demonstrate the opposite characteristics particularly on the skilled and professional levels. The male professions typically require a large investment of time, energy, and difficult schooling both in preparing for and working in the fields. Continuity is often essential in men's occupations as is the freedom to work unlimited overtime and move as required, depending upon the demands of the job. Supervision of males as well as females is a standard part of men's administrative posts.⁸⁹

Over the years there has been a certain amount of shifting in the sex-labeling of jobs. Two of the most influential factors promoting change are alterations in the nature of a specific job, introduction of a new industry, and labor shortage. Basic modifications in the nature of a job usually accompany: 1) technological innovation, such as moving from hand work to machine operation as was the case with the introduction of the typewriter which marked the accelerated volume of paper work involved in business and the shift to women workers; and 2) radical reorganization of the work in such a way that it changes the basic character of the job, such as converting the production of a product from the task of a single worker to an assembly line operation in which each worker makes only a part of the product.⁹⁰ The gradual conversion of the textile industry from a female dominated to a sexually mixed industry in both countries and more recently a male dominated industry in the

United States was a direct result of the introduction of heavier and faster equipment that was difficult for women to manage.⁹¹ The redesigning of jobs in the American shipyards during World War II by shifting from custom to mass production methods so that the formerly excessively heavy work could be performed by women is probably the outstanding American example of this phenomenon.⁹²

Electronics is an example of the rise of a new industry that in both the United States and Sweden led to the development of a new occupational field for women based on their supposedly superior manual dexterity and tolerance of monotonous fine work--electronic assembly.

The situation of labor shortage enhancing women's opportunities to work in hitherto male jobs occurred in the United States during the Second World War when women's employment as operatives, nonfarm laborers (mainly in manufacturing), craftsmen, and foremen increased by 119 percent between 1940 and 1944.⁹³ The end of the war ended the shortage of male laborers, and the proportion of women in operative and laboring occupations has been declining ever since.⁹⁴

In contrast, Sweden's shortage of male workers has not been short lived but survived into its second decade and, in spite of the current recession, is expected to last throughout the 1970's.⁹⁵ Confronted with the prospect of continued shortages of male workers and nudged by the National Labor Market Board (AMS), in the 1960's many companies began to systematically review the possibility of using women in traditionally male jobs. The upshot of this has been a growing demand for women workers in formerly male only occupations. An AMS survey of 146 large and medium sized industrial firms between 1960 and 1965 revealed that women were being recruited for almost 100

different job classifications formerly reserved for men only, including welding, drilling, metal-pressing, casting, and foundry work. The engineering and metal industries have led in this innovation. In these and other industries women are being recruited as work-carpenters, painters, crane operators, truck drivers, and stockroom and warehouse workers. More than half of the surveyed firms said that they were going to add to their female labor force.⁹⁷ Moreover, in the 1960's women began to be recruited in large numbers by big city municipal transit authorities as bus drivers, train conductors, and ticket collectors all previously sex-labeled "male."⁹⁸ Moreover, recruitment of women to nontraditional jobs had been hastened by AMS' Labor Market Training Program, active since the mid-1960's, in which women are encouraged to go into one of the less traditional fields.

The fact that sex-labeling of jobs springs from deeply ingrained convictions of workers, as well as employers' policies, is evident in the characteristic pattern of men avoiding a formerly male job as women become increasingly numerous in the occupation. For example, by the late 1960's Swedish transit authorities in some cities were experiencing difficulties recruiting men to be bus drivers and train conductors--previously men only jobs. In industry this same pattern is seen in the fact that today in specific companies or on specific work sites truck driving and crane operating are recognized by the male workers as women's jobs and men consequently will not take these jobs.⁹⁹ This same pattern has been observed in the United States where it seems to occur most frequently at the blue-collar level, as in Sweden.¹⁰⁰ Apparently the men's age-old

practice of looking down upon "women's work" and studiously avoiding it for various reasons, prominent among which is fear of being "feminized," applies even to occupations that have in the very recent past been the epitome of "masculine" work.

It was the conclusion of a 1965 AMS survey that, as a whole, the government's efforts to recruit men to women's jobs had been totally unsuccessful, while the project to bring women into men's jobs was only marginally successful. The overall pattern of sexual distribution of workers had not changed a great deal and the actual number of women in male jobs was small.¹⁰¹ The Swedish experience suggests that the sex-labeling of jobs cannot be easily eliminated.

Changes in the Composition of the Female Work Force

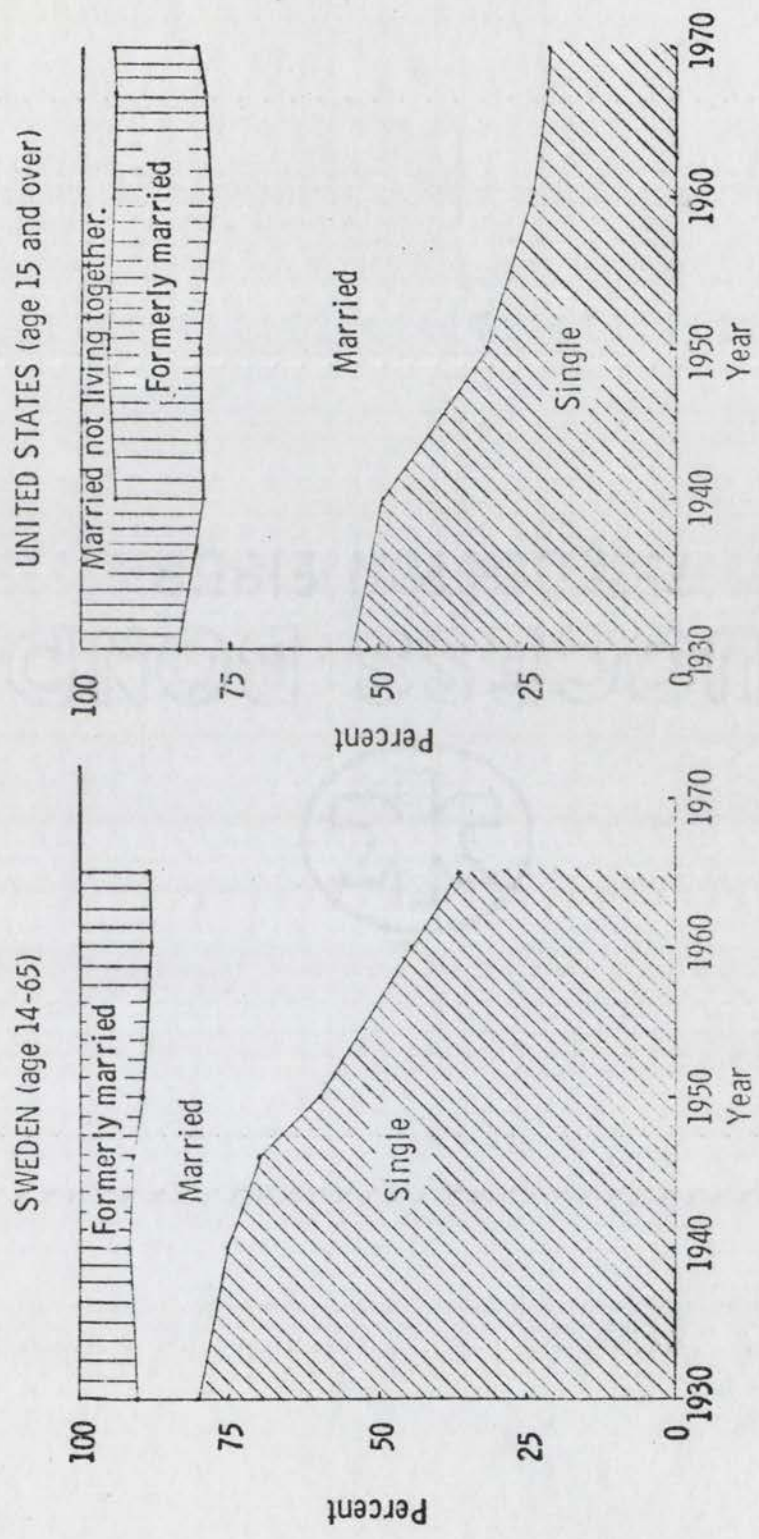
Traditionally the two most important factors influencing if a woman worked or not were her marital status and her fertility. At the turn of the century in Sweden and the United States the typical woman worker was young, twenty-six in the United States and about thirty in Sweden, single and somewhat of an oddity since only a small proportion of the women fitting this description worked. If a woman worked away from her family home, she did so before marriage and once having left the labor force for marriage she seldom returned unless widowed or deserted. Although by 1940 there were many more women working, the characteristics of the typical woman worker had not basically changed. She was still single and, while she was a few years older because of longer school years, she was still most likely to be in the labor force between the ages of twenty to twenty-four in both countries, just as she had been at the turn of the century.¹⁰²

In both Sweden and the United States the increase in the female labor force between 1940-1970 has really been an increase in the proportion of married and older women working. As Figure 14 shows, this trend began early in the United States where since 1940 there has been a steady swelling of married women's representation in the labor market to the point that in 1960 one out of every two working women was married. In contrast, most of the Swedish progress has been made since 1950 and married women did not reach the 50 percent mark in the labor force until 1970.

Alva Myrdal and Viola Klein have accounted for the postwar rise in married women's work rates, which they observed as characteristic of all of the modern nations, by the fact that the marriage rate was rising while the median marriage age was dropping as was fertility. These factors coupled with the longer school years for young women left fewer working years between the completion of studies and marriage.¹⁰³

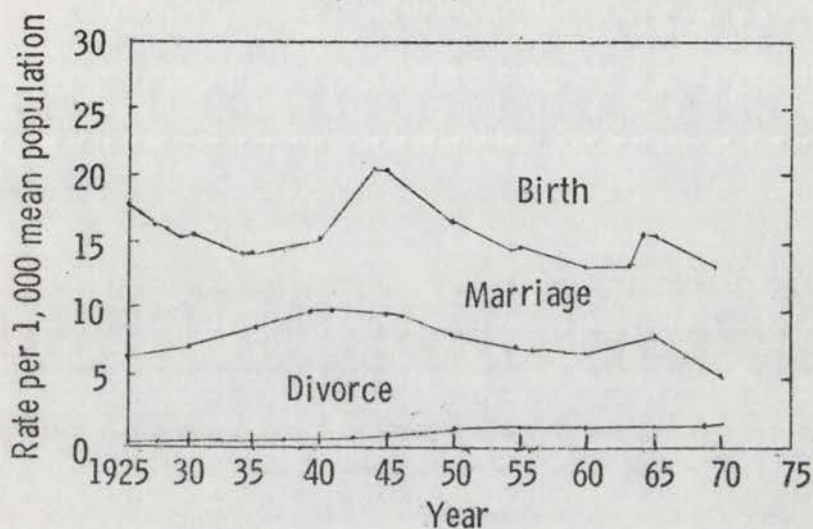
While all of these features rather aptly describe the Swedish situation, they are only partly true for the American experience in the postwar period as Figure 15 demonstrates. However, in both countries the marriage rate rose throughout the 1940's, with the increase being the most dramatic in the United States because of wartime factors. By the late 1940's the marriage rate in both countries was in a decline pattern that was maintained until the 1960's. The median age of marriage also dropped in the two countries, from 26.5 years for Swedish and 21.5 years for American women in 1940 to 25.8 and 20.3 years respectively by 1950. By the end of the 1960's the median age of marriage for women had begun to climb in both

FIGURE 14
 COMPOSITION OF THE FEMALE WORK FORCE BY MARITAL STATUS:
 SWEDEN AND THE UNITED STATES, 1930-1970

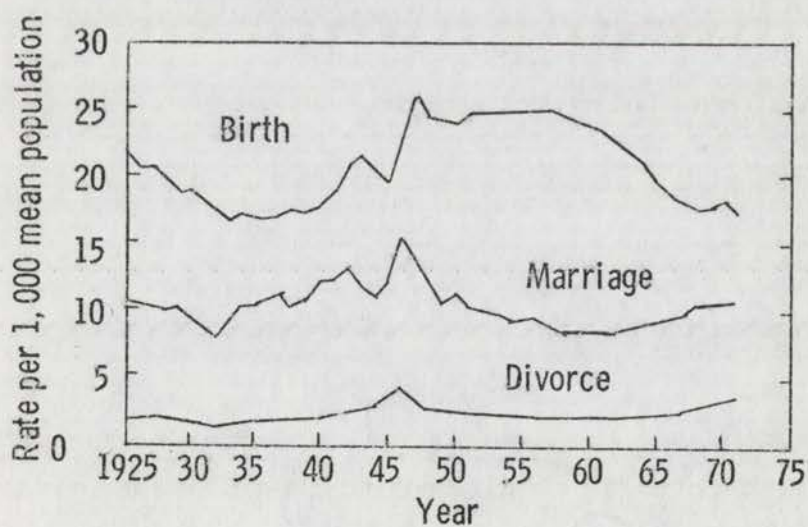


Sources: Statistiska centralbyrån, Information i prognosfrågor, 1965:5, Table 2, p. 14; Statistical Abstract of Sweden, 1972, Table 31, p. 63; U. S. Dept. of Labor, Handbook on Women Workers 1969, Chart F, p. 24; Statistical Abstract of the United States, 1972, Table 346, p. 219; and U. S. Dept. of Commerce, Bureau of the Census, Abstract of the Fifteenth Census of the United States: 1930, "Occupations," Table 28, p. 378.

FIGURE 15
 BIRTH, MARRIAGE, AND DIVORCE RATES:
 SWEDEN AND THE UNITED STATES, 1925-1971



SWEDEN



UNITED STATES

Sources: Statistical Abstract of Sweden for relevant years, vital statistics tables; Statistical Abstract of the United States, 1972, Figure 4, p. 49.

countries.¹⁰⁴

Probably one of the most important factors responsible for the decrease in the proportion of single women and increase in the proportion of married women in the work force has been the extension in the past thirty years of the number of years women are spending in school. In 1945 only 4 percent of Swedish women between sixteen and nineteen were attending the gymnasium and approximately an equal proportion were in the vocational school; the balance, it can be assumed, having completed their education were working. In 1950 the number of years spent in school by Swedish women began to rapidly increase. By 1955, 11 percent of all nineteen year old women were just completing their studies at the gymnasium and in 1970, 25 percent were in this situation.¹⁰⁵ The expansion of the educational system and creation of alternative schools for secondary education in the 1960's has had a dynamic effect on the proportion of women remaining in school after completing grundskola studies. In absolute numbers the enrollment of women between the ages of sixteen and nineteen in various secondary schools increased from 32,359 to 98,761 in the decade of the 1960's--a three-fold increase. From the 1920's to the 1940's about 2-3 percent of Swedish twenty-one year olds were enrolled in higher education; by the early 1960's about 4 percent of twenty-one year old females were so enrolled and by 1970 approximately 8 percent.¹⁰⁶ The strong impact of the modified school system on women's education patterns is dramatized by the almost four-fold increase--from 2,638 to 9,461--occurring between 1960-1969 in the number of women from nineteen to twenty-four attending teachers college.

Although the increase in women's school years has not been as remarkable in the United States it has been quite noticeable. Thus, in 1950, 30 percent of all eighteen and nineteen year old females were enrolled in school and 7.4 percent of all twenty to twenty-four year olds. By 1970, 41.6 percent of the eighteen to nineteen year olds and 15.2 percent of the twenty to twenty-four year olds were attending school. Between 1950 and 1960 the number of women enrolled in college increased by 76.1 percent and in the next decade it increased by 144.8 percent. Thus, in 1971, 43.4 percent of all eighteen to nineteen year old women were still in school as were 15.7 percent of all women between twenty and twenty-four. This represents an overall increase since 1950 of 100 percent in the proportion of twenty to twenty-four year old women still in school and 44 percent increase in the proportion of eighteen to nineteen year olds in school.¹⁰⁷

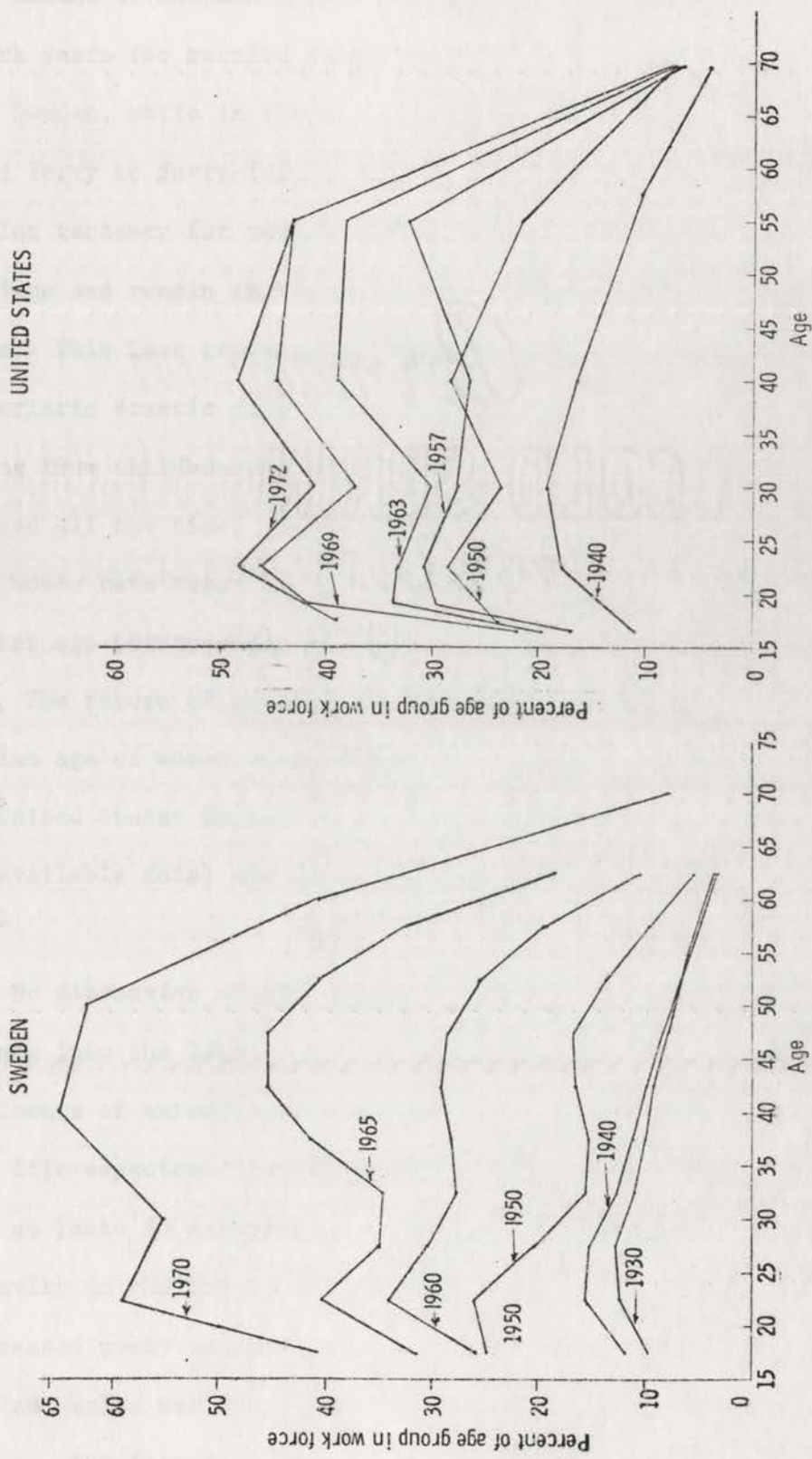
Perhaps the way in which the Swedish and American female populations have differed the most in the postwar period is in fertility rates. As Myrdal and Klein have pointed out, the Swedish fertility rate generally continued the pattern of steady decline that had begun at the turn of the century, with a short-lived sharp increase in the early 1940's as the result of the Swedish "population crisis" during which period patriotic Swedes were urged to have more children to counteract the extremely low fertility rate of the 1930's.¹⁰⁸ The long-range American pattern is similar except the sharp increase in the 1940's lasted until the late 1960's when a steady decline brought it to the 1930's rate by 1972.¹⁰⁹

As far as women's activity on the labor market is concerned

the change in fertility patterns is of great significance. In the 1940's American women began to both have their children younger--between ages twenty-one and twenty-seven--with the former being the peak year--and more rapidly than formerly. Until the last decade Swedish women have tended to have their children between ages twenty-three and twenty-nine, with the latter being the peak year, and births have been typically spread out over a longer period of time than in the United States. However, the more recent tendency among Swedish women is toward the American pattern.¹¹⁰

Figure 16 reveals the change that took place in married women's work patterns after 1940. Up to that time married women in both countries characteristically worked until the birth of their first child--sometime in their mid-twenties. In 1940 married women's peak participation years were between ages twenty-two and twenty-seven in both countries. After this age married women's participation in the labor force characteristically declined steadily. In 1950 the pattern changed for American women, when for the first time in history they began to return to the work force in noticeable numbers after a twenty-year segment of their lives devoted to home duties. By 1957 the peak work years for married women in the United States had shifted to age forty to forty-four where it has remained. The Swedish developments have followed the same pattern although about ten years later than the United States. Thus, while married Swedish women began to show a tendency to return to the work force in middle age as early as 1950 the peak employment years for married women continued to be twenty to twenty-four until 1965 when the proportion of middle-aged women in the work force increased in five years to the degree that

FIGURE 16
LABOR FORCE PARTICIPATION RATES OF MARRIED WOMEN:
SWEDEN AND THE UNITED STATES,
SELECTED YEARS, 1930-1972



Sources: Information i prognosfrågor 1965:5, p. 16; unpublished data furnished by the Swedish Central Bureau of Statistics; SIF, "Fakta och synpunkter i könsrollsförändring," Nov. 12, 1970, p. 2. (Mimeographed.); Oppenheimer, *The Female Labor Force in the United States*, Table I. 4, p. 11; Ferriss, *Indicators of Trends in the Status of American Women*, Series F079-086, F103-110, pp. 372-73; and *Economic Report of the President*, Table 22, p. 92.

the peak work years shifted to age forty-four to forty-eight.

Recent developments are interesting with the pattern of peak work years for married women continuing to be forty to forty-five in Sweden, while in the United States ages twenty to twenty-four and forty to forty-four stand as twin peaks reflecting an increasing tendency for young women to both work in the early years of marriage and remain in the work force after the birth of their children. This last tendency is apparent in both countries as the characteristic drastic drop in employment peaking at age thirty, resulting from childbearing and rearing activities, is becoming less pronounced all the time. Indeed, in recent years in both countries married women have begun to rejoin the labor force in large numbers just after age thirty--when their youngest child is typically in school. The return of married women to the work force has changed the median age of women workers from 31.2 years in Sweden and 26.5 in the United States in 1940 to 37.3 years in Sweden in 1960 (most recent available data) and 38.4 years in the United States in 1971.¹¹¹

No discussion of the factors involved in bringing married women back into the labor force is complete without commenting on the influence of extended life expectancy. In both countries women's life expectancy has been greater than men's through this century as Table 33 demonstrates. The greater sexual differential in longevity in the United States began showing as early as 1930 and has increased every decade since. In 1970 the differential between females and males was 7.5 years in the United States and 4.7 years in Sweden. The fact that women's life expectancy has increased

TABLE 33.--Life expectancy at birth by sex: Sweden and the United States, 1900-1970
(median years)

Year	Sweden		Year	United States	
	female	male		female	male
1901-10	57.0	54.5	1900	50.7	47.9
1931-40	66.1	63.8	1930	66.0	62.0
1941-45	69.7	67.1	1940	65.2	60.8
1946-50	71.6	69.0	1950	71.1	65.6
1951-55	73.4	70.5	1955	72.8	66.7
1956-60	74.7	71.2	1960	73.1	66.6
1961-65	75.7	71.6	1965	73.7	66.8
1966-70	76.6	71.9	1970	74.6	67.1

Sources: Historical Statistical Abstract of Sweden, I, Table B15, p. 61; Statistical Abstract of Sweden, 1961, Table 35, p. 31; ibid., 1965, Table 46, p. 54; ibid., 1972, Table 51, p. 80; and Statistical Abstract of the United States, 1972, Table 74, p. 55.

by over twenty years since the turn of the century is an important factor since, when combined with the contemporary early marriage and early rapid birth patterns described above, it means that married women are left with an ever-lengthening span of active life remaining after childbearing responsibilities are complete. In the United States today it is usually estimated that the average college graduate will be in her mid-thirties and the high school graduate about five years younger, when her last child begins school. This leaves her with potentially forty years left to live and twenty-four years of working life if she returns to gainful employment at this point. The Swedish married woman's life pattern is essentially the same as that of the American college graduate, because of the older median age at marriage.

What this brief review of the changing characteristics of the female labor force shows us is that the actual change in married women's participation in paid work activity has been enormous in both countries--over a four-fold increase for Swedish and two-fold increase for American women between 1940-1972. Moreover, in 1968, 39 percent of all American and 39.5 percent of all Swedish women workers were over 45 years old. This age group had moved from being that with the fewest gainfully employed wives to the largest group.¹¹³

It is worthy of note that in recent years the husband's income does not appear to greatly affect if a wife works or not. Gertrude Bancroft for the United States and Murray Gendall for Sweden concluded from their studies of work and income data from 1940-1955 that in that period there was a sharp drop in the proportion of wives working for subsistence needs.¹¹⁴ Today in both countries most working wives seem to be from middle income families where the husband's income is neither very high nor low, but in the range where with the addition of the wife's earnings the family can live in relatively comfortable material circumstances. This pattern is definitely more pronounced than twenty years ago.¹¹⁵ Whether a wife works or not seems to be much more dependent upon the presence of young children than the husband's income. However, in the past few decades even this traditional deterrent is losing strength.

While the fertility patterns in the postwar era were contrasting in the two countries--dropping in Sweden and rising in the United States--the pattern of mothers joining the work force in larger numbers than ever before was common to both countries.

This fact suggests the inadequacy of purely demographic explanations of women's increased work intensity in the past thirty years. Between 1940 and 1967 the labor force participation rate of American mothers increased two times more than the rate of all women. In 1940 only 9 percent of all mothers with at least one child under eighteen worked outside of the home, while in 1969, 41 percent were so occupied. Unfortunately, data was not gathered in Sweden on work intensities of mothers until the 1960's so it is not possible to trace trends. However, in Sweden in 1969, 55 percent of all Swedish mothers with at least one child under seventeen were gainfully employed. Sixty-six percent of all mothers with children between seven (school starting age) and seventeen were in the work force as were 47 percent of all mothers with children under seven. In the United States in 1970, 51 percent of all mothers with children between six and seventeen, and 30 percent of all mothers with children under six were gainfully employed.¹¹⁶

These data show both the pressing need for child care facilities and that the need is greater in Sweden than the United States in view of the greater work intensity of Swedish mothers of young children. The lack of suitable child care has been the greatest problem that has developed from changes in the marital characteristics of the female work force. Although this lack has obviously not kept married women from working outside of the home, it has undoubtedly limited the proportion of women who can arrange to do so or who can work full-time. Since public interest in and the provision of good quality reasonably priced, that is publicly subsidized, child care is a direct reflection of the recognized value and status of women

as workers it is worth examining efforts being made in the two nations to help alleviate the mother's total responsibility for care and rearing of children and to provide women with this much needed service.

Public Child Care

The contemporary energetic drive for expanded and improved public supported child care for working parents has a longer history in both Sweden and the United States than most people suspect. Although organized day care homes and kindergartens have existed in Sweden since 1836,¹¹⁷ it was not until the late 1930's and the 1940's that public sponsored child care facilities began to be developed, mainly in Stockholm, through the efforts of Alva Myrdal. In 1946 a Swedish government commission on child care went so far as to make a number of concrete recommendations for the expansion and improvement of facilities and service. However, no action was taken and throughout the 1950's little was said about the need for public child care facilities. The acute labor shortages of the late 1950's together with the budding sex role debate, with its heavy stress on woman's right to work, focused public interest on the need for child care institutions in Sweden.¹¹⁸ The labor shortage drew the unions into the discussion and the Landsorganisation (LO) (Confederation of Swedish Trade Unions), one of the most powerful organizations in Sweden, became a chief proponent of state subsidized child care. Its carefully documented discussion of the growing need for day care appeared in 1962 in the important booklet Daghemfrågan, Ett arbetsmarknadproblem (The Day Care Question: A

Labor Market Problem) which received wide circulation and did much to inform and promote public interest in the problem.¹¹⁹ In 1963 the government stimulated the development of facilities with the first substantial increase in subsidies in almost twenty years.

In 1968 a new government commission on child care was established and its comprehensive report and plan for Sweden's child care needs appeared in 1971.¹²⁰ Its official recommendations were made to the Riksdag in May 1972 and are briefly three:

1. All six year olds should be enrolled in general, free, state-supported preschool institutions. The institutions are to be financed jointly by the community with state subsidies.

2. All communities must assess their child care needs considering the population from six months to seven years old with working or studying parents and plan how to meet these needs in the near future. All communities must plan to institute preschools for all six year olds. All new apartment dwelling areas with more than 200 units must provide child care facilities for tenants.

3. Children with special handicaps, physical, psychological, social, or linguistic must begin preschool at age four at the latest. The preschool must aim to achieve social equality and erase all inequities between children as much as possible.

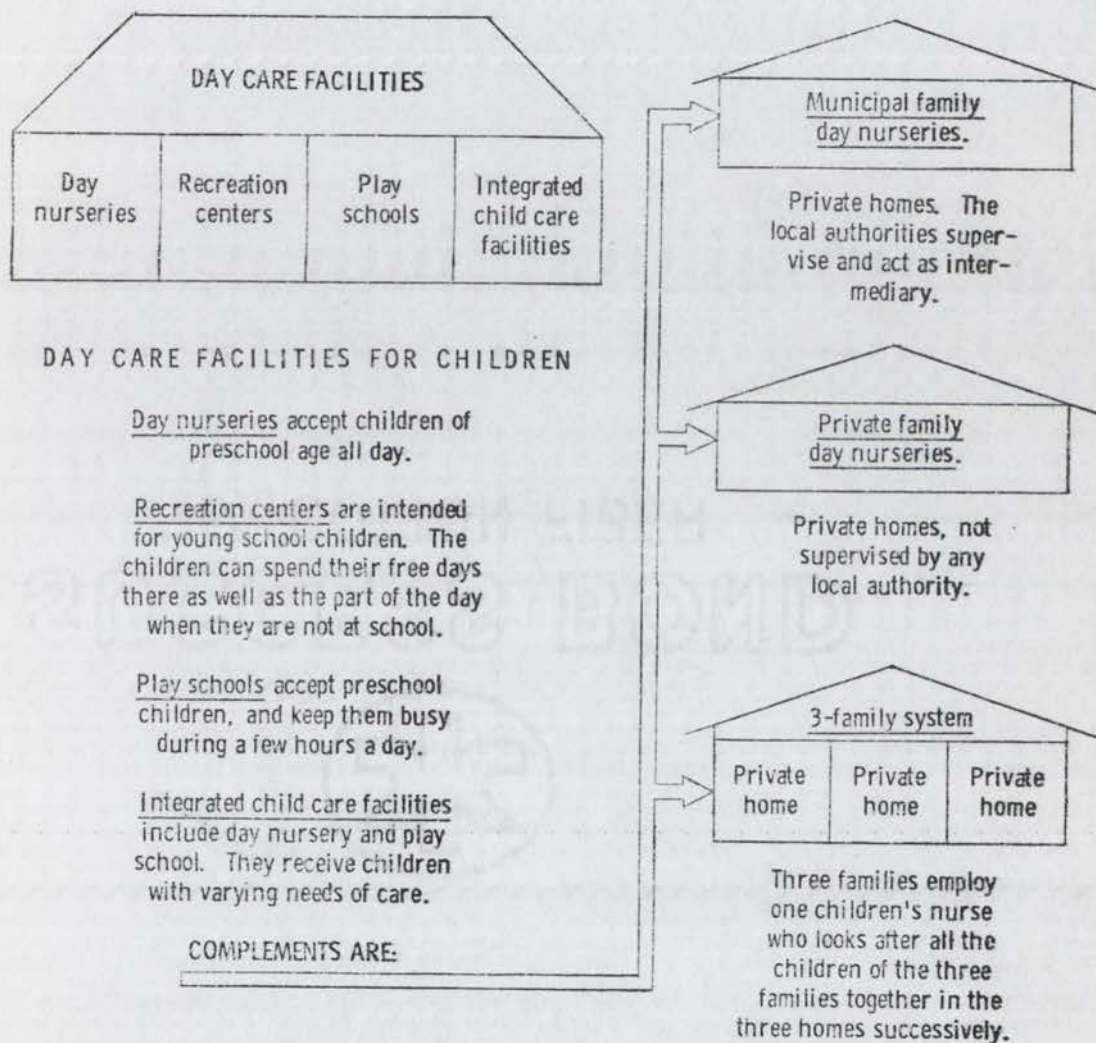
The commission also made extensive comments and recommendations regarding physical and psychological health care, hours of operation, location and atmosphere, education of personnel, use of community consultants, and the goals, content, and organization of the child care centers.¹²¹

In Sweden many different kinds of institutions have evolved

since the beginning of the 1960's for the care of both preschool age children and school children in the interval between the ending of the school day and their parents return home from work.¹²² The different institutions are all designed to fulfill the same object: "promotion of the children's personal development and social adjustment."¹²³ Figure 17 illustrates the various alternatives presently available in Sweden. Most child care facilities are sponsored by local authorities and subsidized by the state. Licensed family day nurseries also receive subsidies if they are supervised by local authorities. While all public day care facilities are theoretically open to everyone equally, the combination of priority being reserved for the children of single parents and the general gross shortage of places results in most of the children being from less affluent (working class) backgrounds--a de facto class segregation. Parents pay according to their means and care is placed within everyone's means.

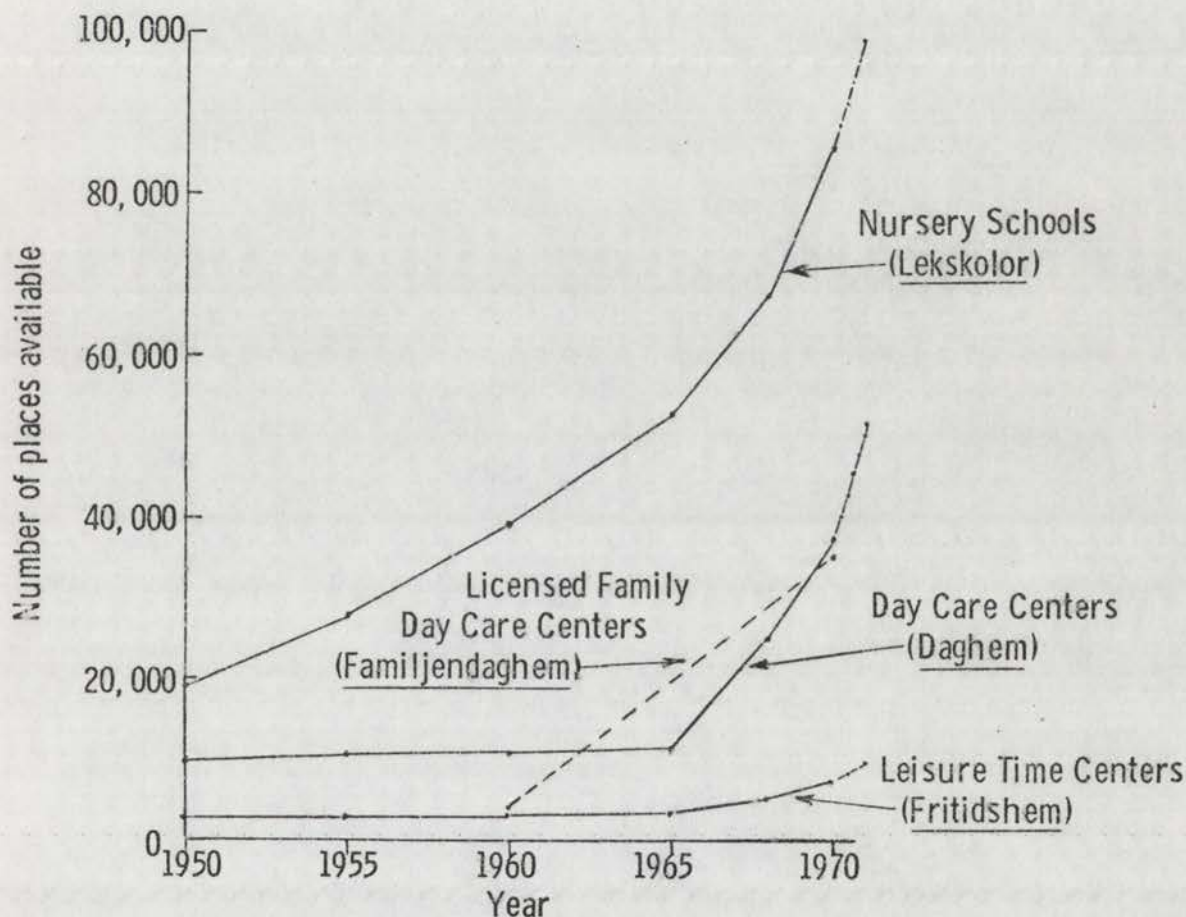
Figure 18 traces the expansion of public child care facilities in Sweden since 1950. Although the degree of progress appears impressive, facilities have almost quadrupled since 1960, the supply of places in nursery and play schools did not even meet one-third of the registered demand in 1970, and there are indications that the demand is much greater than registration suggests.¹²⁴ It has been estimated that there are presently facilities for only 5 percent of all of the preschool age children in Sweden.¹²⁵ Thus, the majority of Swedish working parents continue to leave their children with relatives, neighbors, or in unlicensed family day homes, although polls have revealed that most parents prefer institutional day care

FIGURE 17
VARIOUS KINDS OF COLLECTIVE CHILD CARE IN SWEDEN



Source: Derived from Arbetsmarknadens kvinnoämnd, AKN Information, nr 4 (April 1971), p. 3.

FIGURE 18
SWEDISH CHILD CARE FACILITIES:
1950-1972



Sources: 1950-1968, data from SIF, "Fakta och synpunkter i könsrollsfrågan," Stockholm, Nov. 3, 1969, p. 3. (Mimeographed.); 1970 data from Social styrelsen och statsverks propositionen, Stockholm, May 1970. (Mimeographed.); 1972 projected data from AMS, "Några statistiska uppgifter om främst kvinnorna och arbetsmarknaden," Stockholm, 1970, p. 15. (Mimeographed.)

to family day care because they are thus assured of the high quality of the physical and psychological care.¹²⁶ In May 1972, the Riksdag approved of most of the 1969 Commission's program and tentatively allocated funds to begin its implementation. Even with the new program Swedish experts have little hope of there being enough places available in public child care facilities to meet the demand in the foreseeable future.¹²⁷

In the past few years the United States has experienced a discussion of the need for public supported child care as heated as the Swedish debate. However, there is a key difference in the arguments: In Sweden today public child care facilities are seen as primarily for the benefit of children and secondarily for the sake of parents. This is now the official outlook.¹²⁸ In the United States public child care continues to be conventionally viewed as a benefit for mothers (not parents, just mothers) and often only mothers in poverty--the old outlook in Sweden.¹²⁹

Interestingly enough, in the United States day nurseries and care for the children of working parents has been available in an institutional form, both privately and publicly subsidized, from the middle of the last century.¹³⁰ During World War I day care was available on a local basis and during the Great Depression and throughout World War II federally sponsored child care was provided under the Works Projects Administration and the Lanham Act programs. The greatest government interest in the development of child care facilities was shown during the war. This period, like the 1960's in Sweden, was a time of great labor shortage, thus the government had a vested interest in facilitating the employment of mothers

outside the home. After the war the federal funding ceased and many of the facilities closed, although there were efforts in many places to maintain them with local and private funding. In 1951-1952 the Women's Bureau, on the basis of a geographic survey of the country, concluded that the number of privately operated nursery schools and day care facilities had greatly increased since the war. Moreover, facilities were operated by a variety of institutions ranging from the public schools to churches and industries. About the time of the Korean War the government gave some verbal support to day care, but funds never materialized.¹³¹

Since the 1960's the government has made positive moves in support of subsidized public child care; however, up to the present all programs have been aimed basically at aiding women receiving federal or county welfare support.¹³² The first important action was the 1962 amendment of the Social Security Act authorizing federal grants in-aid to state public welfare agencies for day care services for welfare mothers receiving job training. Since 1967 financial assistance for child care has become available under a variety of federal programs including the Work Incentive Program (WIN) established for recipients of Aid to Families with Dependent Children (AFDC), and the Economic Opportunity Act (EOC). Child care for welfare mothers under these programs is either free or of nominal cost. In April 1968, a Federal Panel on Early Childhood was set up to coordinate all early childhood programs supported by Federal funds and to establish minimum standards for these programs. Since 1967 over half of the states have budgeted some money for child care facilities. Since 1970 the pressure on the state and national level for greatly

expanded public child care facilities available to everyone has been steadily increasing, however without much success at the time of writing.

The first major official recognition of the child care needs of persons outside of the poverty class came in 1954 in the form of tax breaks for single parents and married women whose income combined with their husbands was less than \$4,500 per year in 1954. The official outlook regarding the child care responsibilities of parents seems to be embodied in the law's wording that the deduction is for mothers, not parents, in the case of a married couple. The Revenue Acts of 1964 and 1971 liberalized the amount that the married couple could earn and still qualify for a child care tax deduction. The 1971 Act allowed a combined income up to \$18,000 and a \$400 a month deduction for child care expenses with a scaled down deduction with incomes up to \$27,000.¹³³

While there are more group child care places available today in the United States than ever before in its history,¹³⁴ the half million places (1967 figure) available in licensed public centers and family day homes is hardly adequate to accommodate the 12.3 million children under age fourteen with working parents--3.8 million of whom are under six. A government survey of how working mothers arrange for the care of their children conducted in 1965 found that only 6.4 percent were able to rely upon school or group care centers and the balance made personal arrangements. This study concludes, as did a similar survey undertaken by the Children's Bureau in 1958, that more child care facilities are desperately needed across the country.¹³⁵

Since 1968 there has been a proliferation of private day care facilities as an assortment of groups and institutions, ranging from women's clubs, private companies, trade unions, and business corporations experiment with sponsoring child care, some for profit and some on a nonprofit or volunteer basis.¹³⁶

Discriminatory Policies Against
Married and Older Women

It should be noted that in addition to the complications of working and keeping a home, and inadequate child care arrangements, married and older women's participation in the labor force in Sweden and the United States has been hampered for many years by widespread prejudice and discriminatory policies.

Although fragmentary, the data indicate the shape formally expressed prejudice took. For example, in Sweden a woman could be fired or laid off her job upon becoming engaged, married, or pregnant up to 1939. Passage of laws ended these practices in both the public and private sectors of the labor market. Although comparable practices have been gradually dying out in the United States since the Second World War, enough businesses and institutions are still observing them in the early 1970's that it is possible to frequently read in the newspapers about challenges in the courts under Title VII of the 1964 Civil Rights Act which outlawed such policies as unequal treatment of women workers.

For many years the national civil service in both countries observed numerous sexually discriminatory practices. Once again Sweden led in eliminating this discrimination with the passage of the 1945 Competency Act forbidding the practice of reserving specific

positions for one sex only and guaranteeing equality of opportunity in hiring, salaries, and promotion. An exception to this were the highest teaching ranks in the public schools, which remained closed to women until 1947. An equivalent law was not passed in the United States until 1962.¹³⁷

While it had traditionally been the practice of American and Swedish employers to simply not hire married women for many kinds of work, during the Depression both countries experienced popular movements supporting the passage of legislation barring married women from the labor market. The contention was that married women working took jobs away from men and single women who needed them more. In the United States bills against married women workers were introduced in twenty-six out of forty-eight states. While only one of these passed, in Louisiana, two national AIPO polls taken in 1939 revealed that a substantial proportion of the American people approved of bills restricting the gainful employment of married women with husbands earning a specified minimum.¹³⁸

The example of married women in the teaching profession in the United States is striking evidence of the strong influence labor shortage can have on speedily modifying prejudiced thinking about the appropriateness of gainful employment for married women. In the United States from the 1920's to the 1940's there were widespread policies against hiring married women teachers and requiring the resignation of single women teachers who married. The pressure on school districts to modify these policies brought about by the massive teacher shortages following the Second World War quickly led to the voluntary virtual total elimination of such laws by 1956.

Such practices became illegal throughout the country under amendments to Title VII of the 1964 Civil Rights Act.¹³⁹

While Sweden has been much in advance of the United States in legislating against discrimination from the hiring and firing perspective in the state employment sector, in the minds of many Swedes discrimination appeared to have lingered on in the form of the joint tax system for married couples that was in effect until 1971. Briefly, under the old joint-system the combined incomes of husband and wife were taxed as a single income, thus levying a higher tax on the wife's income (which is almost always smaller than the husband's) than would be the case if she were single. The rules governing the joint taxation of married couples have been viewed as taxing the wife's income "from the bottom upwards" while the progressive tax rate is applied to the top end of the husband's income. For years this so-called threshold effect was blamed for discouraging married women from seeking employment.

In 1965, after much pressure, a system allowing married couples to be taxed under either the traditional joint-system or as individuals was made available on a voluntary basis, and in 1971 the individual tax system became mandatory for everyone in the country. Many have interpreted this as a move toward discouraging married women from remaining in the home. Since a husband is no longer allowed a deduction for keeping a housewife she has become somewhat of a luxury and thus will be motivated, it is hoped by many, to return to the labor market. In the United States the existence of the option to married couples of filing either joint or individual tax returns since 1948 early alleviated the taxation problem.¹⁴⁰ In addition to married women, older

women have often been the victims of prejudice and discrimination.

While there has been less external justification of discriminatory policies against older women than married women workers, there is evidence that such policies have been widespread, at least in the United States where there has been more attempt to assess the problem.¹⁴¹ Unfortunately, equivalent systematic data is lacking for Sweden; however, Thyberg found a distinct bias in favor of young female workers among the employers she surveyed in 1958.¹⁴² A 1945-1946 American study, limited to industrial firms, found that over three-fourths of the firms involved expressly preferred to hire clerical workers under twenty-five years old and that, in general, women under thirty-five were preferred regardless of position.¹⁴³ In 1957 the National Manpower Council found that many employers set a definite limit as to the maximum age at which they were willing to hire women workers with thirty to thirty-five being the average and a few refusing to hire women over twenty-six or even twenty-one.¹⁴⁴ A 1960 national survey conducted by the National Office Management Association (NOMA) suggests that by that date a substantial change in attitudes had taken place. Only 8 percent of the almost 2,000 participating business, industrial, and service organizations reported that they did not hire women past age thirty-five, although 28 percent said that they only occasionally hired women past thirty-five and 35 percent said that they did not hire women past thirty-five only for office work. On the other hand, 65 percent of the companies not hiring women past thirty-five were considering reevaluating this practice since they were convinced (and rightly so) that the older age group would be the most available female labor source in the

near future.¹⁴⁵

Employers conventionally justified their discriminatory practices against older women with rationalizations and myths regarding their undesirability ranging from their greater propensity for marrying and childbearing than young women workers, their declining state of health and growing neuroticism after age forty, their inability to get along with and adjust to fellow workers, and supervision and pension considerations.¹⁴⁶ Ironically, after being forced by labor shortages to accept older women workers employers discovered that not only were most of these myths about the disadvantages of such workers unfounded but, that there were certain advantages in hiring these women. For example, older women proved to be more stable and dependable than younger women and had lower absentee and turnover rates than young women.¹⁴⁷ In the final analysis it appears that need is stronger than myth and the traditional prejudices against married women and older women workers, initially disregarded in the emergency situation of World War II, were further eroded in the following years by the mounting demand for women workers in both countries.

Protective Labor Legislation

It has not been uncommon for employers in the United States to justify discriminatory policies in hiring and promoting women with the rationalization that it is too expensive or inconvenient to use women workers because of the special standards laid down by state laws applying to women only. This argument has not come up recently in Sweden since there has been very little comparable

legislation on the books in the postwar period.

In 1973 only three special conditions applied solely to women workers in Sweden: 1) women are forbidden to work underground in mining and quarrying as laborers although they may be supervisors or service workers; 2) any woman (married or unmarried) is entitled to three months leave with a percentage of full-pay in connection with pregnancy and childbirth (rule from 1901),¹⁴⁸ and a woman who is nursing her child cannot be refused time off for this purpose (rule from 1901); and 3) the King-in-Council reserves the right to prescribe special conditions for the employment of women if it is found that a "particular type of work involves particular danger to health for women" or "particular danger of accident when women are employed therein."¹⁴⁹ These regulations are set by the Worker's Protection Act of January 3, 1949, under which all workers are guaranteed the provision of high standards of hygiene and safety measures without special conditions for one sex or the other.¹⁵⁰ Until June 1962, a 1940 general prohibition against night work for women remained on the books. There never have been any general regulations regarding minimum wages since the government is forbidden to interfere in the area of wages which are set through agreements reached by the trade unions and employers.¹⁵¹ Equal pay legislation will be discussed in connection with earnings.

In contrast to the equality of treatment of women and men under Swedish labor laws, the United States is a checkerboard of special federal and state regulations applying only to women workers with little uniformity in the provisions included, limits imposed, or the means of achieving compliance. Around the turn of the century

a mass of protective labor legislation was passed throughout the states to protect both men and women workers. In keeping with the limited-government outlook of the period the United States Supreme Court ruled these laws unconstitutional since such regulations could not be instituted to apply to an entire class of people, that is, workers. However, protective regulations that applied to a special class of workers were found to be constitutional. Hence, supposedly prompted by humanitarian emotions, the Supreme Court found it just to apply the protective rules to women for the sake of their health, welfare, and motherhood.

The American protective labor laws generally involve five basic principles: 1) establish minimum wages which may stipulate minimum hourly wages or establish wage boards that decide the appropriate minimum wages for individual industries; 2) limit the maximum number of hours that a woman worker may work during a day or week; 3) prohibit and regulate women's night work; 4) set physical limitations such as weight lifting and physical environment standards including provision of seating, toilets, and lunchrooms; 5) legislate occupational health and safety, industrial insurance, and maternity benefits.¹⁵² Protective labor legislation similar to the American state laws are fairly widespread throughout Europe today. Thus, its absence in Sweden and the other Scandinavian countries is unique.¹⁵³

Undoubtedly, the most important piece of modern American labor legislation affecting the status of women has been Title VII of the Civil Rights Act of 1964 which, together with amendments and a series of Executive Orders issued since 1965,¹⁵⁴ covers virtually

all women workers at all levels of employment--operative through professional. Under the law the definition of unlawful employment practices is broad. Discriminatory recruitment, advertisement of jobs, hiring, and promotion policies are all prohibited. Labor unions, joint labor-management committees, and employment agencies are included as well as employers themselves. Of benefit to older women, who often face particular prejudice, as has been shown, is the 1967 Age Discrimination in Employment Act, protecting persons of either sex between the age of forty and sixty-five.

Since the passage of Title VII the American sexually differentiated labor law picture has changed considerably and continues to change daily, thus no effort will be made to trace the state-by-state changes that have been realized.¹⁵⁵ For example, in 1964 forty states and the District of Columbia had maximum hour rules for women. By 1971 only ten states retained these law without major modification.¹⁵⁶

Basically, what happened was that after initial uncertainty as to how state protective labor laws were affected by Title VII, in 1968 the Equal Employment Opportunity Commission (EEOC), which administers Title VII, determined that in general the special regulations originally intended to protect women workers were either irrelevant to present day needs of women or in many cases tended to discriminate against rather than protect them. Indeed, numerous complaints of sex discrimination were soon filed with the EEOC, some of which directly blamed state protective legislation requirements for the discrimination, for example, denial of promotion because the elevated post required occasional overtime work which

women were not allowed to perform in that state.¹⁵⁷

Although initially powerless to enforce the law except through hearing of grievances and recommendation of action in the United States District Courts, in 1970 the EEOC was given extensive powers of enforcement. The volume of sex discrimination complaints filed with the EEOC has increased each year since 1969 and now constitutes the largest number of complaints registered. Many of the cases have been won and millions of dollars in back pay, lost by women through failure to receive promotion or a better job for which they qualified, have been awarded. However, sex discrimination has only begun to be attacked in the United States and it is not unusual for employers and even government agencies to not comply with the new legislation unless forced to do so.

Largely because of a long-standing policy of government noninterference with the labor market, in Sweden there has been little general interest in legislation broadly prohibiting sex discrimination. It should be understood that the Swedish anti-discrimination laws of the 1930's and 1940's discussed earlier were limited in scope to the practices of laying off women because of engagement, marriage, or pregnancy, or applied exclusively to the national civil service. The closest approximation of anti-discrimination rules is the National Labor Market Policy, established in 1968, which affirms the principle of equality for the sexes on the labor market. The main points of the policy of interest here are as follows:

The objectives of the labour market policy are to be the same for male and female labour. The resources of the authority are not to be applied to separate measures for men and women.

The demand for female labour is to be assessed by the same criteria as the demand for male labour. Married women seeking work are not to be subject to any test concerning their need of employment.

Measures designed to safeguard the employment of women are not to be reduced in periods of reduced labour demand.

Special measures--especially as regards training--are called for on a short-term basis to accelerate the trend towards complete equality.

The employment service should actively contribute towards the eradication of sex barriers on the labour market and, accordingly, test the stipulation as to sex made by employers when registering vacancies and catalogue jobs where recruiting is confined to one sex. This is to be done in collaboration with the enterprises concerned. Conversely, male applicants can be offered training and employment within sectors generally regarded as exclusively "feminine," e.g. welfare and services.

As regards those employment offices where there still exists a division into two separate sections for male and female applicants respectively, this division should be abolished. . . .¹⁵⁸

The intent of this policy fairly closely parallels Title VII of the American Civil Rights Act of 1964; however, this policy is not a law and has essentially no enforcement powers in the private sector except the good will of employers. On the other hand, because much of Sweden's recruitment, training, and placing of workers is handled through the government Labor Market Board (all employment offices are public) these policies can be extensively applied and enforced without industry's eager endorsement.

However, not everyone is satisfied with the above policy. Each year since 1970 the Folk Party has proposed to the Riksdag legislation prohibiting sex discrimination. The Folk Party contends that the characteristic sexual differentiation found on the labor market today would diminish more rapidly with the aid of such laws.¹⁵⁹ However, Swedish employers are highly reluctant to give up the final absolute power over their work force guaranteed in paragraph thirty-two (formerly article twenty-three) of the Swedish

Employer's Federation (SAF) Constitution in which, on the basis of the December Compromise (1909), "Employers are entitled to direct and distribute the work and dismiss workers at will and employ workers whether they are organized or not."¹⁶⁰ Since 1970 there has been much heated discussion over paragraph thirty-two as the trade unions have worked to change this clause through the Labor Court, where it has been the practice to rule in labor disputes according to paragraph thirty-two, although this clause is not an official labor regulation.¹⁶¹

However, this is not to imply that the unions support comprehensive anti-discrimination legislation, for they do not, on either the wage or salary level. Although there are individuals within all of the unions concerned with sex discrimination, the mutual feeling in the Swedish Confederation of Trade Unions (LO), the White-Collar Employees Union (TCO), and the Professional Workers Union (SACO) seems to be that legislation is not the way to attack the problem. For one thing it is felt that it would be impossible to enforce such laws. Thus, the consensus is that it is better to work through organizations and to change attitudes.¹⁶²

Considering the magnitude of the problem and the rather low priority placed by the unions on the "woman question" there is some question as to how effective this approach will be. A series of articles published in Sweden's largest morning newspaper, Dagens Nyheter, January through March 1972 under the banner "Kvinno kraft" (Woman Power), dealt with women's personal experiences on the labor market through Sweden ranging from blue-collar to professional level. This series documented and proved beyond all challenge that there is

indeed widespread sex discrimination on the Swedish labor market today.¹⁶³ The rather indifferent response of trade union spokeswomen questioned about this evidence of discrimination in the spring of 1972 suggests that the unions do not feel greatly concerned with the problem.¹⁶⁴ Anna-Greta Leijon, a member of the National Labor Market Board who has been strongly critical of women's treatment on the Swedish labor market, feels that the unions are hardly doing all they could to speedily eliminate sex discrimination. Indeed, she as well as other critics such as Maj-Britt Carlsson, ombudsman for TCO workers, are convinced that the unions do not yet really fully recognize the problem as a problem. Moreover, these critics believe that the fact that the unions are largely controlled by men, although women are well represented in the membership in most areas, partly accounts for why discriminatory employer practices especially in promotion and acceptance of women workers in occupations sex-labeled male, have not been eagerly taken up by the unions in their negotiations with employers. They did not feel very optimistic about a change in this basic attitude from union leadership in the near future unless strong pressure is brought to bear, preferably from women workers themselves. Considering most women's low level of consciousness and basic passivity it would not appear that women workers are on the verge of organizing for equality.¹⁶⁵

In Sweden there has never been any kind of support agency equivalent to the American EEOC through which a worker, who feels that she or he has been discriminated against, can seek redress. The only channel open to a Swedish worker in private employment is to press charges independently through standard court procedures,

while a civil service worker might complain to the state ombudsman (JO). Actually, charges of sex discrimination have been almost unheard of in the private sector while there have been a few cases in the civil service in recent years, thus suggesting that if channels were established facilitating the filing of complaints there might be more such complaints made.¹⁶⁶ Labor law expert Folke Schmidt has never heard of any discussion of establishing an agency to lead prosecution for sex discrimination and feels that if such an agency were set up it would be geared toward protecting immigrant workers, not women per se.¹⁶⁷

The Earnings Gap--In Pursuit of Equal Pay

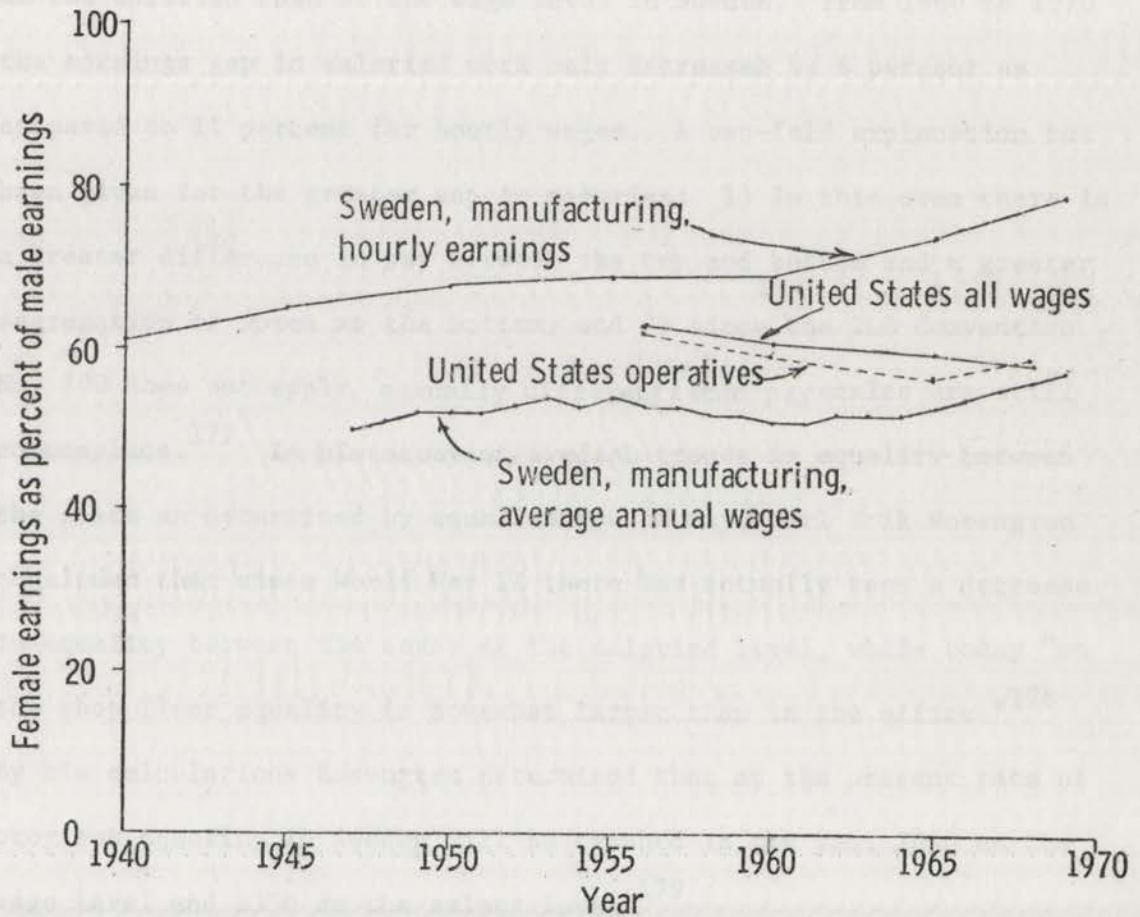
A standard characteristic of the labor market in both countries has been the existence of a substantial difference in median earnings of women and men workers known as the earnings gap. This differential has gained more serious attention in the postwar years than ever before and has led to national efforts to attempt to remedy the problem with only mild success up to this date.

Early in the 1960's, after several decades of discussion and pressuring from interest groups the principle of equal pay for work of equal value was officially endorsed with Sweden's signing of the International Labour Organisation (ILO) Convention No. 100 on Equal Pay in 1962, and the passing of the United States Equal Pay Act of 1963.¹⁶⁸ This principle had been adopted earlier for national civil service workers in 1925 in the United States and 1945 in Sweden.¹⁶⁹ However, the 1960's legislation did not cover all workers in either country. In Sweden only hourly workers are covered while salaried

employees outside of the civil service are unprotected, although TCO has been negotiating for such protection for some time.¹⁷⁰ The 1963 American law was also deficient in that it only applied to workers covered by the 1938 Fair Labor Standards Act--persons engaged in interstate commerce for the manufacture of goods for interstate commerce. The 1966 amendments to the Fair Labor Standards Act together with Title VII as amended since 1965 and Executive Order 11246 as amended by Executive Order 11375 have increased the scope of equal pay legislation to the point that almost all categories of workers are now protected by federal legislation in the United States.¹⁷¹ Further protection against sex discrimination is provided in twenty-three states under state statutes (1971).¹⁷²

In spite of this legislation the wage differential between women and men has not changed dramatically in Sweden and has actually increased in the United States in the past ten years as Figure 19 demonstrates. In 1960 LO made an agreement with SAF that within five years those paragraphs in labor agreements providing for different hourly wage or piece work rates for women and men workers for the same work would be abolished.¹⁷³ The positive effect of the implementation of this agreement has been quite noticeable and women's hourly wages rose from 69 percent to 80 percent of men's between 1960 and 1970.¹⁷⁴ The persisting earnings gap at the hourly wage level is regarded today by LO as a problem of low wages not discrimination.¹⁷⁵ In December 1969, SAF and LO agreed upon a five-year plan to gradually raise the pay level of extremely low paid occupations. Women workers would be given an additional 3 percent per annum raise, which is, as Folke Schmidt has pointed out, an open admission that lower pay

FIGURE 19
RATIO OF EARNINGS OF FEMALE TO MALE WORKERS:
SWEDEN AND THE UNITED STATES, 1940-1970



Sources: Karl Erik Rosengren, "Swedish Trends in Equality Between the Sexes," Dept. of Sociology, University of Lund, Lund, Sweden, Feb. 1972, Table 1, p. 4. (Mimeographed.); Statistical Abstract of Sweden, 1940-1950, employment tables; and U. S. Dept. of Labor, Women's Bureau, Fact Sheet on the Earnings Gap (Washington, D. C.: Government Printing Office, 1971), p. 2. (No U. S. data were available before 1956.)

rates for women were still in effect. Schmidt feels that in Sweden, in spite of ILO Convention No. 100 and much discussion of equal pay, people take for granted that equality on the labor market and equal pay regulations are "not fully complied with."¹⁷⁶

Figure 19 clearly shows that the pay differential is greater at the salaried than at the wage level in Sweden. From 1960 to 1970 the earnings gap in salaried work only decreased by 6 percent as compared to 11 percent for hourly wages. A two-fold explanation has been given for the greater gap in salaries: 1) In this area there is a greater difference in pay between the top and bottom and a greater segregation of women at the bottom; and 2) since the ILO Convention No. 100 does not apply, sexually differentiated payscales are still commonplace.¹⁷⁷ In his study of Swedish trends in equality between the sexes as determined by equalization of pay, Karl Erik Rosengren concluded that since World War II there has actually been a decrease in equality between the sexes at the salaried level, while today "on the shop floor equality is somewhat larger than in the office."¹⁷⁸ By his calculations Rosengren determined that at the present rate of progress equality in Sweden will be reached in the year 2030 on the wage level and 2350 on the salary level.¹⁷⁹

Past American developments show that women's income from either wages or salaries fell from amounting to 64 percent of men's in 1956 to 61 percent in 1960 and since then has fluctuated between 58 and 60 percent. Unfortunately, historical American data on hourly and salaried pay rates are not available by sex. However, a 1969 study showed that pay differentials in the United States were greater on the white-collar than blue-collar levels just as in Sweden.¹⁸⁰

The 1973 Economic Report of the President suggests that work experience explains the increase in wage differential between American women's and men's earnings in the last fifteen years. It is felt that the rapid growth in the female labor force has increased the proportion of women with little job experience, which has in turn lowered the average female level of experience and the earning level of all women. There are rather elaborate efforts taken in this government report to "adjust" the sex-linked wage differential taking into consideration such factors as the wage differences springing from part-time employment, work experience, and education. After a series of "adjustments" it is found that the differential is really only 20 percent and it is hinted that the differential would literally disappear if very detailed studies were made of jobs on a one-by-one basis and within the same plant.¹⁸¹ However, such a detailed study conducted by the Survey Research Center of the University of Michigan in late 1969, in which women's and men's achievement scores were carefully calculated to remove the experience differential found the sex based wage differential to be enormous. It was concluded that "the median working woman would have to earn 71 percent more than her current salary to equal the income of a man with her achievement scores."¹⁸²

In the late 1960's, in spite of equal pay legislation, it was estimated in both Sweden and the United States that the average hourly pay for women in all occupations (wage and salary combined) was less than 40 percent of men's.¹⁸³ A glance at the earnings of women and men in specific occupational groups in 1970 presented in Table 34 suggests the mild influence of equal pay legislation on equalizing pay.

TABLE 34.--Women's earnings as a percent of men's in specific occupations: Sweden and the United States, 1970

Occupational Group	Women's Earnings as a Percent of Men's	
	Sweden 1970	United States 1970
Clerical personnel	67.8	65.4
Sales personnel	50.1	42.8
Professional workers	53.0	66.7
Managers, officials	77.8	56.4
Service workers (excl. private household)	62.7	56.8
Operatives	64.5	59.2
All Workers	65.9	58.9

Sources: Economic Report of the President, 1973, Table 28, p. 104;
and Svenska folkets inkomster, S.O.U., 1970:34, Table 4:47,
p. 135.

There is a definite relationship between the pay structure and the occupational structure of the labor market. The characteristic sexual segregation of the work force is probably more responsible for the pay differential between the sexes than any other single factor. Women's concentration in low paying jobs and under representation at the higher levels is most easily illustrated by looking at the distribution of women and men in the national civil service where a graded job classification system guarantees equal pay for all workers in the same category.

It has been observed that since women and men are typically concentrated in occupations dominated by one sex it has been possible within the civil service to literally maintain sexually differentiated pay scales within the context of the grading system that was intended to be a safeguard against discriminatory practices. Moreover, it is

the belief of Swedish critics that within the Swedish civil service graded wage differentials have been established between women and men's typical occupational areas without much regard for the relative responsibility, skills, and other requirements of the work.¹⁸⁴

TABLE 35.--Distribution of workers in the national civil service by pay grade and sex: Sweden and the United States, 1970 (percent distribution)

Pay Grade	Sweden		United States		
	Men(%)	Women(%)	Pay Grade	Men(%)	Women(%)
C 1-8	1.6	0.1	15-18	4.27	0.19
B 1-7	1.8	0.2	13-14	17.5	1.11
A20-30	17.6	3.6	11-12	31.70	5.20
A13-19	44.6	23.0	9-10	16.09	8.39
A7-12	34.0	64.0	7-8	10.82	11.29
A1-6	0.4	9.1	5-6	10.89	30.49
Total	100.0	100.0	3-4	8.35	39.33
			1-2	0.78	3.51
			Total	100.0	100.0

Notes: Pay grades are progressive beginning with the lowest salaries at the bottom of the table. American data are for world-wide white-collar civil service employment.

Sources: Derived from Statistical Abstract of Sweden, 1971, Table 236, p. 223; and U.S. Civil Service Commission, Bureau of Manpower Information Systems, Study of Employment of Women in the Federal Government (Washington, D.C.: Government Printing Office, 1971), Table B, p. 15.

A recent survey conducted by the United States Bureau of Labor Statistics revealed the negative impact on women's wages of their congregation in highly female-dominated occupations. It was found that within individual establishments employing both sexes in similar occupations only small wage differences existed or none at all. In contrast, in establishments employing mainly women for

particular occupations the women were paid substantially less than men in other establishments for the same work. This pattern did not hold true for men whose wages were found to be about the same whether they worked in establishments hiring mainly men, women, or both sexes.¹⁸⁵

In both Sweden and the United States those attempting to avoid compliance with recent equal pay legislation have often resorted to the argument that wage discrimination does not exist in many instances where it is claimed to because the women and men workers simply are not doing the same work.¹⁸⁶ Actually, the laws read "equivalent work" not the same work. Although it is widely recognized in Sweden that much of the continuing wage discrimination rests on the definition of "equal work" and that in numerous instances women and men are, indeed, doing equivalent work, even though the jobs carry different titles and a higher salary goes with the male title, no concrete steps have been taken.

In contrast, in the United States action has been taken through the courts since 1968. In June 1970, Robert D. Moran noted that from the decisions that had been rendered up to that time, based on the Equal Pay Act, a body of principles was rapidly evolving which could have widespread positive effects on pay practices and job structuring across the country. The principle established by the court in the Wheaton Glass case is characteristic of the rulings:

Jobs must be only "substantially equal," not "identical," to permit job comparisons under the act; there must be a rational explanation for the amount of wage differential, and it is the employer's burden to provide it; and the employer's past history, if any, of unequal pay practices is an important factor in determining whether there is a violation of the act.¹⁸⁷

Based on his survey of progress under the 1963 Equal Pay Act Moran reported that although enforcement costs could be quite high, observable progress was being made and not only was precedent being set in the courts, but many private employers were voluntarily adjusting their practices and the labor unions were generally supporting the effort.¹⁸⁸ If this progress continues, within a decade the earnings gap should reflect a noticeable narrowing.

The 1970 report of the investigation of low income persons in Sweden, Svenska folkets inkomster, dramatically revealed the negative economic effect of women's concentration in low paid occupations. It was found that those persons in the low income class worked in extremely low paid occupations--less than 7 Skr. per hour (\$1.40) or under 1,352 Skr. per month (\$232). In 1970 one out of every four Swedish women in the work force was employed in one of these occupations. Moreover, women accounted for 67 percent of all persons in the extremely low paid category and 80 percent of all low paid workers over age twenty-five. Data show that men tend to be found in poorly paid work mainly in their youth when they first enter the labor force, but rather quickly move up into better paid jobs.¹⁸⁹

Another way of measuring the earnings gap is by distribution of full-time year-round workers by earnings levels. By this measure Swedish women are slightly worse off compared to Swedish men than are American women compared to American men in terms of concentration in the very low income bracket. In 1970, 12 percent of American working women and 5 percent of working men earned less than \$3,000--recognized as low income in both countries--while 43 percent of Swedish working women and 9 percent of Swedish working men were

at this level. Thirty-three percent of American working women and 9 percent of American working men earned between \$3,000 and \$5,000. In Sweden 53 percent of women and 62 percent of men were in this category. At the upper end of the scale only 4 percent of Swedish women compared to 12 percent of the men were in the \$9,000 and over bracket while in the United States 7 percent of the women and 40 percent of the men were in the over \$10,000 bracket.¹⁹⁰ The end result of women's distribution on the wage scale has been that a substantially larger proportion of families headed by employed women in both countries live in relative poverty and require social help compared to male-headed families.¹⁹¹

In both Sweden and the United States there are a handful of explanations that are typically given to account for the persistent earnings gap. On the practical side are the common differences in women's and men's job training, work experience, work continuity, degree of full-time employment, and range of occupations readily accessible to the sexes. On the more subjective side are popular notions that are felt to justify wage differentials, such as women's higher absenteeism and turnover rates, lower job interest, and alleged aversion to the responsibility of promotion. Recent rather extensive studies of the labor market show that occupational distribution is not as completely responsible for the wage gap as has been thought. Indeed, careful research has shown in both countries that the earnings differential is substantial whether measured by occupations, education, industry, age, job rank, or union membership.¹⁹²

Moreover, in attributing women's lower wages to their occupational distribution a distinction should be made between cause

and effect. Women are, in fact, concentrated in a few poorly paid occupational fields. It has been shown that the women's fields have been recognized as that for a long time which is one of the reasons why they are low paid fields of work. As long as they continue to be women's fields they will probably remain in the low pay category. Moreover, as has been shown in the section on employer attitudes, employers often apply different recruitment, training, and promotion policies to women and men workers. On the other hand, women's higher turnover rate is undoubtedly linked with the fact that women often feel little interest in and commitment to their work since they are on dead end jobs at the bottom of the scale with no future to look forward to.¹⁹³

Summary and Conclusions

The phenomenal growth of the female work force in Sweden and the United States in the past thirty years has been the product of national economic expansion and the trend toward big business and big government. Extensive increase in the need for services, and bureaucratic methods of organization have actually created a demand for women workers since the occupations central to these activities, such as office and clerical work, were already established as women's occupations by 1940. Moreover, the general shift from blue- to white-collar occupations in the postwar period has enhanced women's work opportunities since employers are generally eager to use women workers in these jobs because of advantageous costs.

Since the Second World War the proportion of the female population over sixteen in the work force has expanded more rapidly

than ever before in history--a total increase of 71 percent in both countries. By 1972, 43.8 percent of American and 53.2 percent of Swedish women of working age were gainfully employed.¹⁹⁴ Married and older women joining the work force have accounted for most of this expansion in both countries. More mothers with preschool age children work in Sweden than in the United States. Because of labor shortages the Swedish National Labor Market Board has made specific efforts to encourage married women and older women to go back to work as a part of its Labor Market Policy and has helped to develop part-time work opportunities for working wives. One consequence of this is that more women work part-time in Sweden than in the United States. Unemployment rates have been the same for Swedish women and men until 1970 when the women's rate exceeded the men's--the standard American situation since 1945. Married women's latent unemployment rate is much higher than men's in the two nations.

Both countries have sexually segregated labor markets with women being concentrated in a handful of generally low status, low paid occupations that over the years have acquired the sex-label "women's work." Services, clerical and office work, and sales employ the most women in both countries and mining the least. Of all of the typical women's occupations clerical work has expanded the most in the past three decades and domestic service diminished the most. While women have always characteristically worked in occupations dominated by women (70 percent) there has been a trend toward decreasing concentration for American women paralleled by increasing concentration for Swedish women. In 1970, 42 percent

of the American and 67 percent of the Swedish female work forces were so concentrated. However, women today are characteristically found in a wider variety of occupations than earlier. Four occupations--nursing, lower level teaching, telephone operating, and office/clerical work--account for much of the growth of the female work force since the turn of the century. The basic pattern of concentration in a few woman-dominated fields characterizes the professional female work force also where health professions and lower-level teaching account for approximately 70 percent of all women professionals in both countries. As a whole, today Swedish women are better represented in the professions than are American women.

In both countries there is a direct correlation between a woman's level of attained education and work intensity; however, the correlation is stronger for Swedish women at every educational level except the highest professional categories. Women more than men in both countries suffer a discrepancy between formal education and occupational position, with women tending to hold jobs below their level of training more frequently than men. Moreover, in both countries the higher level the position, in terms of prestige and pay, the fewer women are typically found. This pattern permeates blue-collar, white-collar, and professional work. Studies show that the numerous subjective attitudes, stereotypes, and prejudices that are at work in determining the occupational distribution of the sexes are amazingly alike in both countries.

While action was taken in Sweden as early as 1939 to eliminate basic discriminatory policies in hiring and firing women workers connected with marriage and pregnancy, the United States has

not acted until the 1960's. Limited equal pay legislation, applying only to hourly wages, was realized in Sweden in 1962. However, American labor reform legislation affecting women since 1963 far surpasses any Swedish legislation in its attempts to sweep away inequities, not only in pay, but to actually forbid all labor market connected discriminatory practices. Generally, there appears to be little interest in Sweden in anti-discrimination legislation as such. There is much evidence that the new legislation geared toward equalizing the labor market is not yet fully enforced in either country.

In the United States there has actually been an increase rather than decrease in the sex-linked earnings gap since 1955. Attempts to equalize women's and men's pay have been the most successful in Sweden on the hourly wage level; however, little progress has been noted at the salaried level. It appears the equal pay legislation has had limited effect in diminishing the earnings gap in either country.

In the mid-1960's it was predicted by the United States Department of Labor that by 1980, 41.9 percent of all American women of working age would be in the work force (49 percent age 18-64), and by the Swedish Central Bureau of Statistics that by 1980, 54.6 percent of all married Swedish women would be working.¹⁹⁵ Moreover, the proportion of mature women in the work force was expected to steadily grow in both countries. By 1972 the American prediction had already been passed and the Swedish prediction almost passed as the female labor force in both countries continued to grow at a dynamic rate and much faster than the male work force.¹⁹⁶

Granted that the proportion of women working continues to swell, the question arises--what are all of these women going to be doing on the labor market? American economists have reached some conclusions about the future of the female work force that appear to be equally valid for Sweden's growing numbers of women workers. Briefly, if the women who want to work are going to find rewarding employment in the coming decades there is going to have to be a major shift in women's employment patterns in three critical work areas: professional, technical, and skilled trade.¹⁹⁷ All of these occupational areas require specialized education, involved training, and planning ahead. Job opportunities for women who simply take a general humanistic course in the secondary school or college will become increasingly scarce as well as opportunities in the classic women's standby professions--teaching and nursing. There are already excess supplies of lower level teachers in both countries and increasing unemployment among teachers. It has been calculated in the United States that even if the surplus of women from teaching went into nursing there would still not be enough jobs for all of the trained women professionals. This is less true in Sweden where the shortage of trained nurses and the demand for additional health workers is growing faster than in the United States. However, in view of the fact that over 55 percent of the Swedish female professional work force is already in the health professions, greater concentration of professional women in this area is hardly desirable. An additional problem facing women professionals in the traditional women's occupations is increasing competition from men coming into the field, an especially important development in the

United States.

Shortages are predicted in medicine, dentistry, science, and engineering in both countries in the coming years. Rapid growth in the demand for architects, drafting personnel, lawyers, technicians, and veterinarians is also expected in the United States. With the exception of dentistry and medicine in Sweden, women are barely represented in these fields in either country. Recent American anti-discrimination legislation and the current progressively egalitarian Swedish Labor Market Policy should enhance women's opportunities to train for more diversified occupations and advance to jobs of higher skill level. If women want to enjoy a seller's market they are going to have to convince themselves and their employers that "men's fields," particularly in the scientific and technical areas, are good fields for women workers or face increasingly limited employment opportunities in the future.

Although quite a bit is now known about women's general work patterns and occupational distribution on the labor market, more work is still needed in a number of areas including the following:

- 1) investigation of and collection of "hard data" on conventional "myths" about women's and men's characteristics as workers, for example, that women do not want advancement,
- 2) further study of women's absence and turnover rates taking into full account social dynamics such as family responsibilities and societal pressures influencing women's patterns,
- 3) examination of the degree to which equal pay legislation and egalitarian labor market policies are being enforced,
- 4) analysis of factors influencing women's selection of careers,
- 5) alleged increases in production costs resulting from

the use of women workers in specific occupations and industries, and 6) reasons why chronic labor shortages in certain occupations sex-labeled female cannot be overcome.¹⁹⁸

Although women's work patterns have been very similar in Sweden and the United States, considering proportion of women gainfully employed and inroads into occupations sex-labeled "male" as well as the professions, it appears that Swedish women have made better progress since 1945 than American women. However, the vital role of the Swedish government in actively promoting women's return to the labor force cannot be overemphasized. The simple fact is that more workers have been desperately needed in Sweden throughout the postwar boom and women--particularly housewives--have been recognized as the most readily available labor source. There has been use of immigrant workers; however, after a period of experimentation with these workers early in the 1960's it was more or less decided by employers that Swedish women furnished a more satisfactory source of labor, although immigrant workers are still used particularly in the lowest level dirty industrial jobs--jobs which women generally dislike.¹⁹⁹ A lack of male workers prompted the National Labor Market Board to recruit women for training for traditional "male" and blue- and white-collar jobs and to undertake campaigns in the mid-1960's to convince employers to use women workers in a wider range of jobs than custom dictated.²⁰⁰

However, now that Sweden is experiencing its worst period of unemployment since the 1930's, the heavily economic interest behind the strong official support of women in the labor market is becoming more clear. For example, government work programs began in 1971 to

relieve unemployment have failed to include jobs for which many women are qualified, but have tended to be of a heavy manual labor nature. In March 1972, a heated debate over this issue took place in the Riksdag with critics of the program pointing out that up to that date a full 94 percent of the unemployment relief jobs had been given to men. Those who rejected the claim that the nature of the work selected for relief employment--road building, heavy construction--was in fact discriminatory against women pointed out that "in principle" all of the jobs were open to either sex equally. As Folk Party Riksdagsman Birger Möller has observed that this incident in the Swedish parliament demonstrates how very little understanding many of those who ideologically support the principle of equality have of the nature of discriminatory patterns and practices.²⁰¹ Ironically, the chief opponent of the idea that the relief work program as it was being administered was discriminatory spoke for the Social Democratic Party. Moreover, the diminishing need for women workers is reflected in the cooling of the Social Democratic government's interest in 1973 in expanding the public child care program, which it rather enthusiastically endorsed only a year earlier. It has been made rather clear by government spokesmen that with no pressing need for women in the work force it is not felt necessary to further develop expensive day care facilities.²⁰²

In contrast, in the United States there has been little government promotion of women returning to the work force and the available federal job training courses have been mainly for the poor and disadvantaged. In spite of this lack of support, American women have made the most progress into traditionally male jobs since World War

II in the past three years--in the midst of one of the nation's worst economic depressions since the 1930's. However, this comes after two decades of women workers being kept out of the male domain in the labor market. Only time will tell how far this present trend will go and if it will indeed affect all parts of the labor market including managerial and professional levels.

This change in the United States has come about through a combination of factors, the most important being the new anti-discrimination legislation and the awakening of a new consciousness in women workers of their disadvantaged position on the labor market stimulated by the general women's liberation discussion. Moreover, a growing sense of solidarity and the existence of intelligent, informed, and hard-working feminist action groups, such as the National Organization for Women (NOW) and Women's Equity Action League (WEAL), have made a point of helping working women fight unequal treatment at their places of employment by offering them the legal council and moral support needed to see their challenges of sex discrimination through the courts. Ultimately, any permanent changes for women on the labor market are going to have to be realized in large part through their own efforts. In this light the new consciousness of American working women suggests that perhaps the greatest progress in the next decade will be in the United States not Sweden.

CHAPTER IV

NOTES

¹Ingvar Andersson, A History of Sweden, trans. Carolyn Hannay (London: Weidenfeld & Nicolson, 1956), pp. 442-50.

²Annika Baude and Per Holmberg, "The Positions of Men and Women in the Labour Market," in The Changing Roles of Men and Women, ed. by Edmund Dahlström (London: Gerald Duckworth & Co. Ltd., 1967), p. 116.

³The following are good studies not mentioned elsewhere in this chapter. United States: Robert W. Smuts, Women and Work in America (New York: Schocken Books, 1959); Elizabeth Faulkner Baker, Technology and Woman's Work (New York: Columbia University Press, 1964); Laure M. Sharp, Education and Employment (Baltimore: The John Hopkins Press, 1970); and Gladys E. Harbeson, Choice and Challenge for the American Woman (rev. ed.; Cambridge, Mass.: Schenkman Pub. Co., Inc., 1971). Sweden: Arbetsmarknadspolitik. Betänkande avgivet av 1960 års arbetsmarknadsutredning, Statens offentliga utredningar (S.O.U.), 1965:9 (Stockholm, 1965); B. Gardell, K. Baneryd, B. Gombtii, and L. Lundqvist, Arbetssupplevelse och könsroller. Socialpsykologisk studie av kvinnlig arbetskraft i en processindustri med kontinuerlig drift (Meddelande nr 55; Stockholm: Personaladministrativa rådet, 1968) Svenska Arbetsgivareföreningen (SAF) Landsorganisationen (LO)-"Betänkande avgivet av arbetsmarknads-kommitténs kvinnoutredning" (Stockholm: SAF-LO, 1968); and Jan-Erik Norling, Kvinnan och förvärvsarbetet (Stockholm: LO, 1960).

⁴According to the Swedish Central Bureau of Statistics population is defined as urban if the locale has at least 200 inhabitants and the individual dwellings are no more than 200 meters apart. Sveriges officiella statistik, (S.O.S.) Folkräkningen, 1960, del II och V (Stockholm: Statistiska centralbyrån, 1965). According to the United States Bureau of the Census in 1900 "urban" was defined as built up areas with at least 8,000 inhabitants. From 1910 to 1950 the definition included places with at least 2,500 inhabitants. Rural population was defined as all those persons living in areas not considered urban and did not necessarily mean that these inhabitants were engaged in farming. Statistical Abstract of the United States, 1972, Sec. 1, p. 2.

⁵National Manpower Council, Womanpower (New York: Columbia University Press, 1958), p. 111; Folkräkningen, 1910, del. I, Table B, pp. 39-40, and del. III, Table B, p. 16; and ibid., 1950, del. I, Table H, p. 13, and del. III, Table 1, pp. 2-3.

⁶It should be noted that because of the low degree of urbanization and industrialization in Sweden at the turn of the century there was little clerical work available and men were still highly represented in this area as they had been in the U.S. before the invention of the typewriter twenty years earlier. However, as business and bureaucracy began to expand the need for clerical workers swelled and in the field quickly became monopolized by women, as it had earlier in the United States. See U.S. Department of Commerce, Bureau of the Census, Occupational Trends in the United States, 1900-1950, by David L. Kaplan and M. Claire Casey, Working Paper No. 5 (Washington, D.C.: Government Printing Office, 1958), Tables 6 and 6b; and S.O.S. Historical Abstract of Sweden (Stockholm: Statistiska centralbyrån, 1960); and Folkräkningen for 1910, 1930, and 1940, occupation and employment tables.

⁷Valerie Kincade Oppenheimer, The Female Labor Force in the United States: Demographic and Economic Factors Governing Its Growth and Changing Composition, Population Monograph Series No. 5 (Berkeley: Institute of International Studies, University of California, 1970), pp. 141-55; and Gösta Dahlström, "Kvinnorna på arbetsmarknaden i Sverige," in Kvinnors liv och arbete, ed. by Edmund Dahlström (Stockholm: Studieförbundet Näringsliv och Samhälle, 1962), pp. 290-91.

⁸Colin Clark, The Conditions of Economic Progress (3d ed. rev.; London: Macmillan & Co., 1947), p. 493.

⁹Ibid., pp. 490-520.

¹⁰Harvey Leibenstein, Economic Backwardness and Economic Growth (New York: John Wiley & Sons, Inc., 1957), chap. 7. See also Eli F. Heckscher, An Economic History of Sweden, trans. Göran Ohlin (Cambridge: Harvard University Press, 1954).

¹¹For discussion of the impact of urbanization on women's work patterns see M. Strandberg, Kvinnornas förvärvsverksamhet 1, Information i prognosfrågor, 1965:5 (Stockholm: Statistiska centralbyrån, 1965), p. 14; and Womanpower, pp. 81-85.

¹²John D. Duran, The Labor Force in the United States 1890-1960 (New York: Social Science Research Council, 1948), chap. 3; and Gertrude Bancroft, The American Labor Force (New York: John Wiley and Sons, Inc., 1958), p. 42.

¹³Oppenheimer, chap. 2, pp. 25-63.

¹⁴Kathryn E. Walker, "Homemaking Still Takes Time," Journal of Home Economics, 61 (Oct. 1969), pp. 621-24.

¹⁵ Arbetsmarknadens Kvinnonämnd, Woman in Sweden in the Light of Statistics (Stockholm: Arbetsmarknadens Kvinnonämnd, 1971), Table 5:17, p. 64.

¹⁶ U.S. Department of Health, Education, and Welfare, Office of Research and Statistics, Lifetime Allocation of Work and Leisure, by Juanita M. Kreps (Washington, D.C.: Government Printing Office, 1968), p. 58-63.

¹⁷ All American polls sampling popular attitudes toward married women working are reported on in Betty Stirling, "The Interrelation of Changing Attitudes and Changing Conditions with Reference to the Labor Force Participation of Wives" (unpublished doctoral dissertation, University of California, Berkeley, 1963). The 1960 poll was conducted by the University of Michigan Survey Research Center.

¹⁸ Murray Gendell, Swedish Working Wives (Totowa, Jersey: The Bedminster Press, 1963), pp. 81-85.

¹⁹ The following discussion is based upon Womanpower, pp. 143-66. For an excellent detailed discussion of American women's employment experience during the war with interesting comparisons to the English experience see International Labour Office (ILO), The War and Women's Employment, Studies and Reports, New Series No. 1 (Montreal: ILO, 1946).

²⁰ The Women's Bureau of the U.S. Dept. of Labor, founded in 1921, pressured for the utilization of women workers in war industry from the early days of the American involvement in the conflict with the hope of thereby integrating women into the nation's economic life and breaking down conventional attitudes holding women back on the labor market. See Womanpower, p. 146.

²¹ See Womanpower, p. 152, for further discussion of the unions' attitudes toward women workers in wartime industry.

²² Ibid., p. 186.

²³ For a brief discussion of Swedish women's work in the war see Brita Juhlin Dannfelt, "Swedish Women Do Their Part," American-Scandinavian Review, 29 (June 1941), p. 120-23.

²⁴ Siv Thorsell, "Employer Attitudes to Female Employees," in The Changing Roles of Men and Women, p. 147.

²⁵ Working age was defined in the United States as 10 and over from 1900-1930, 14 and over 1930-1960 and 16 and over since 1960. In Sweden working age is defined as 15 and over, although in some statistics it is measured as from age 15 to 65. Throughout this essay every effort has been made to use the most comparable data available and when differences in age groups used in assembling data exist they have been noted.

²⁶ Statistiska centralbyrån, "Arbetskraftsundersökningar" (AKU), Mars 1970, p. 5. (Mimeographed.); and U.S. Department of Labor, Women's Bureau, Background Facts on Women Workers in the U.S. (Washington, D.C.: Government Printing Office, 1970), p. 3.

²⁷ Prompted by the need to expand the labor force in every possible way the subject of part-time work, especially for married women, has been carefully studied in Sweden. Among the first studies to appear was Arbetsmarknadens Kvinnoämnd, Utredning angående industriarbetande kvinnors deltidarbete (Stockholm: Arbetsmarknadens Kvinnoämnd, 1957). In 1954 the official committee on family matters recommended that employers be encouraged to develop part-time work opportunities for women and in 1957 the Riksdag passed a motion to this effect (nr I:346 och II:429). This action empowered the National Labor Market Board to proceed with efforts to realize this goal. See Arbetsmarknadsstyrelsen (AMS), Deltidsarbete för kvinnor, Arbetsmarknadsinformation serie A nr 1 (Stockholm: AMS Arbetsförmedlingsbyrå, 1960). For recent developments see AMS, Sysselsättningsförhållanden 1968. Deltidsarbete och delårsarbete, Meddelanden från utredningsbyrå, 1970:6 (Stockholm: AMS, 1970).

²⁸ To encourage married women to work at least part-time AMS has worked hard to secure attractive fringe benefits for the part-time workers in both the public and private sectors. See "Social Benefits for Part-Time Employees" (Stockholm: AMS, 1971). (Leaflet.)

²⁹ Statistiska centralbyrån, "Arbetskraftsundersökningar," host 1969, p. 14. (Mimeographed.) Undoubtedly the fact that many more Swedish men than women indicated "studies" as the rationalization for part-time employment reflects the higher representation of working class males at the Swedish universities than females as was shown in Chapter III. Students with this class background are the most likely to work part of the year out of economic necessity.

³⁰ AMS, "Memorandum," 1969:25, p. 3. (Mimeographed.); and U.S. Department of Labor, Women's Bureau, 1969 Handbook on Women Workers, Women's Bureau Bulletin 256 (Washington, D.C.: Government Printing Office, 1969), p. 179.

³¹ For fuller discussion of the relationship between women's level of attained education and work rates see 1969 Handbook on Women Workers, pp. 204-22. These figures calculated from Table 95, p. 207. For Sweden see M. Strandberg, Kvinnornas förvärvsverksamhet 2, Information i prognosfrågor, 1965:7 (Stockholm: Statistiska centralbyrå, 1965), Table 1, p. 34.

³² Kvinnornas förvärvsverksamhet 2, p. 32.

³³ For a general survey of current programs see B. N. Seear, Re-entry of Women to the Labour Market After an Interruption in Employment (Paris: Organisation for Economic Co-operation and Development (OECD), 1971), Sweden, pp. 72-84 and the United States, pp. 96-107. Sweden has also offered vocationally useful courses

over national educational radio and television. In the spring of 1972 TRU (The Committee for Television and Radio in Education) offered a radio course specifically for older housewives designed to introduce them to the labor market, stimulate them to consider returning to gainful employment, and inform them on how to prepare for finding a good job. Naturally, the course introduces the women to the extensive government training programs designed to help persons such as herself to return to work. See the textbook for the radio course Kvinnor och arbete (Stockholm: TRU, 1972).

³⁴ Percentages are calculated from AMS, "Några statistiska uppgifter om främst kvinnorna och arbetsmarknaden," Stockholm, 1970, p. 10. (Mimeographed.); and Statistical Abstract of Sweden, 1972, Table 253, p. 241. See also AMS, Kvinnorna och arbetsmarknaden. Fördomar, fakta, framtid (Stockholm: AMS, 1971), p. 12.

³⁵ In 1968 the Swedish latent unemployment rates were found to be 3.2 percent for men, 7.4 percent for women and 10.1 percent for married women. "Några statistiska uppgifter," p. 10. There has been no attempt to gather statistical data on latent unemployment rates in the United States. However, a very recent United States government report acknowledges women's somewhat higher reported and latent unemployment rates and attributes them largely to the following factors: 1) higher labor turnover rates, 2) less seniority hence greater vulnerability to layoffs, 3) difficulty of maximizing employment opportunities for both husband and wife and the wife's conventional lack of freedom to migrate to wherever her job prospects are the best, as is the husband, 4) uneven home pressures due to changing patterns of family members lives and unequal distribution of home-making tasks according to traditional sex roles. See Office of the President, Economic Report of the President, Transmitted to the Congress January 1973, Together with The Annual Report of the Council of Economic Advisors (Washington, D.C.: Government Printing Office, 1973).

³⁶ This point is discussed in Paul A. Samuelson, Economics (New York: McGraw-Hill Book Co., 1958), chap. 28; Lloyd G. Reynolds, The Structure of Labor Markets (New York: Harper and Bros., 1951), chaps. 8-9. For an interesting sociological study see Theodore Caplow, The Sociology of Work (Minneapolis: University of Minnesota Press, 1954), chap. 7.

³⁷ 1969 Handbook on Women Workers, Table 40, p. 93; and "Arbetskraftsundersökningar," höst 1969, p. 4.

³⁸ U.S. Department of Commerce, Bureau of the Census, 1960 Census of Population, Subject Report, PC(2)-7C, Occupations by Industry, Table 2, p. 12.

³⁹ Latest available data for Sweden is for 1965.

⁴⁰ Statistical Abstract of Sweden, 1971, Table 30, pp. 142-46; and Oppenheimer, p. 69.

⁴¹Data drawn from Figures 29 and 39. Arbetsmarknadens Kvinnonämnd, and Women in the Light of Statistics (Stockholm: Arbetsmarknadens Kvinnonämnd), Table 3:19, pp. 39-40. In calculating contemporary percentage distribution kindred occupations that have grown up as extensions or variations of the basic occupations of teaching, telephone operating, clerical work, and nursing have been included. For example, health services below medical doctor, dentist, or pharmacist, such as physical therapist, are counted for 1970 as an extension of the basic occupation of nursing just as office machines operator is counted as an extension of clerical work.

⁴²Baude and Holmberg, p. 118; and 1969 Handbook on Women Workers, p. 149.

⁴³1969 Handbook on Women Workers, pp. 149-50.

⁴⁴Ibid.

⁴⁵Figures calculated from Economic Report of the President, 1973, Table 33, p. 157; and Statistical Abstract of Sweden, 1971, Table 30, p. 143.

⁴⁶Thorsell, pp. 139-40.

⁴⁷Calculated from U.S. Department of Labor, Manpower Administration; Americans Volunteer, Manpower Automation Research Monograph No. 10 (Washington, D.C.: Government Printing Office, 1969), Table 2, p. 6; and Bureau of Labor Statistics, Handbook of Labor Statistics, 1968, Bureau of Labor Statistics Bulletin No. 1600 (Washington, D.C.: Government Printing Office, 1968), Table 16, p. 48. It should be kept in mind that actually one-third of the female volunteer work force was also gainfully employed at either full or part-time jobs. Americans Volunteer, p. 3.

⁴⁸Americans Volunteer, p. 3. Unless otherwise indicated the following discussion of American volunteerism is based upon Americans Volunteer, pp. 1-11.

⁴⁹My sister's experience with cerebral palsy work is an illustration of this point. Initially she worked as a volunteer doing physical therapy with stricken children. A year later she was hired part-time to teach volunteers therapy technique. She readily admits that she worked harder as a volunteer than a paid worker, although she was doing essentially the same work.

⁵⁰These generalizations are based on conversations with Marja Kjellberg, Director of Volunteers Assisting the Aged, Göteborg, Nov. 1971; and Sara Fosner, Director of Red Cross Services, Stockholm, March 1972.

⁵¹Ibid.

⁵²Probably the most cohesive statement criticizing volunteerism in this light is by the National Organization for Women (NOW). See NOW, "Statement on Volunteerism," Chicago 1972. (Mimeographed.)

⁵³President's Commission on the Status of Women, Education Committee, Report of the Committee on Education (Washington, D.C.: Government Printing Office, 1963), p. 53.

⁵⁴Above figures calculated from "Arbetskraftsundersökningar," höst 1969, p. 7, Statistical Abstract of Sweden, 1969, Table 26, pp. 34-37; and U.S. Department of Labor, Women's Bureau, "Summary Data on Employment of Women," Washington, D.C., Feb. 1948, Tables 3 and 5, pp. 3, 6. (Mimeographed.); and Economic Report of the President, 1973, Table 33, pp. 55-56. Although current figures for the proportion of the Swedish female work force employed in professional and technical occupations as well as certain professions, such as teaching, were available at the time of writing, comprehensive detailed data on women's distribution in the various professional fields from the 1970 census had not yet been published.

⁵⁵The Fuller Utilization of the Woman Physician, report of a conference on meeting medical manpower needs, Washington, D.C., January 12-13, 1968, sponsored by the American Medical Women's Association, The President's Study Group on Careers for Women and the Women's Bureau, U.S. Department of Labor. (Data compiled from questionnaires to member organizations and presented at the Tenth Congress of Medical Women's International Association, Rochester, New York, July 15, 1966.)

⁵⁶Cynthia Fuchs Epstein, Woman's Place: Options and Limits in Professional Careers (Berkeley: University of California Press, 1971), p. 154.

⁵⁷Patricia H. Beshiri, The Woman Doctor (New York: Cowles Book Co., Inc., 1969), p. 43.

⁵⁸Figures from Kvinnornas förvärvsverksamhet 2, Table 4, p. 42. Extensive studies of the Swedish nursing personnel problem have been carried out by Hans Berglind and are summarized in his Valet mellan hem och yrke (Stockholm: Norstedt, 1968).

⁵⁹Department of Health, Education, and Welfare, National Center for Educational Statistics, Digest of Educational Statistics, 1971, DHEW Pub. No. (OE) 72-45 (Washington, D.C.: Government Printing Office, 1972), Table 103, p. 77; and Economic Report of the President, 1973, Table 33, p. 156.

⁶⁰Gösta Carlsson, Social Mobility and Class Structure (Lund: Gleerup, 1958), p. 148, based on a SIFO study.

⁶¹Baude and Homberg, p. 118.

⁶²Oppenheimer, p. 96. For discussion of characteristics of Swedish men electing to become förskola (kindergarten) teachers see Chap. III, pp. 255-57.

⁶³Richard F. Tomasson, Sweden: Prototype of Modern Society (New York: Random House, 1969), pp. 120-21.

⁶⁴Myron Lieberman cited by Richard Hofstadter, Anti-Intellectualism in American Life (London: Jonathan Cape, 1964), p. 311.

⁶⁵Tomasson, p. 121.

⁶⁶Edward C. McDonagh, Sven Wermlund, and John F. Crowther, "Relative Professional Status as Perceived by American and Swedish University Students," Social Forces, 38 (Oct. 1959), pp. 65-69.

⁶⁷Tomasson, p. 120.

⁶⁸Agda Rössel, "The Employment of Women in Sweden," International Labour Review, 71 (1955), p. 273; and Thomas Woody, A History of Women's Education in the United States I (New York: The Science Press, 1929), pp. 460-518.

⁶⁹1969 Handbook on Women Workers, pp. 158-59.

⁷⁰The drop in the proportion of female elementary school principals in the United States has been slow but steady over the past half century. In 1922 women constituted 55 percent of all principals, by 1948 they had dropped to 41 percent and 38 percent by 1958. See U.S. Department of Labor, Women's Bureau, Fact Sheet on Women in Professional and Technical Positions (Washington, D.C.: Government Printing Office, 1966), p. 3. See also U.S. Department of Labor, Women's Bureau, Fact Sheet on the Earnings Gap (Washington, D.C.: Government Printing Office, 1971), p. 4. Swedish data are from Statistiska centralbrån, Statistiska meddelanden, U 1971:6, Table 1, p. 7. Margaret Vinge, Swedish Central Bureau of Statistics, Educational Statistics Department, advised me that the proportion of women school administrators is decreasing in Sweden, not because women are being replaced by men as in the United States, but as a result of the closing of the flickskolor. The municipal girls' schools traditionally had headmistresses while the general realskola and gymnasium had male administrators. The lack of precedent for women administrators at the general schools is making it hard for women to make their way into these posts. Conversation with Vinge held in Stockholm, May 1972.

⁷¹Conversation with Karin Westman-Berg, Education Consultant of the Swedish National School Board, Minneapolis, Minnesota, May 1973.

⁷²Womanpower, pp. 86-109, 220-244; and Stina Thyberg, "Företagen och den kvinnliga arbetskraften," in Kvinnors liv och arbete, pp. 377-550. It is interesting that both of these studies

undertaken to assess the attitudes of employers toward women workers, as well as general policies on hiring, promoting, and laying off took place at the same time--late 1950's--and used somewhat the same format. In the United States seven conferences were held throughout the country with employers to learn from them personally their practices, policies, problems, and attitudes toward women workers. In Sweden six similar conferences were held throughout the country with comparable goals. Personal interviews were also conducted with employers and administrators in many instances. These studies are particularly useful since they illustrate conventional and popular attitudes toward women workers before the beginning of the public sex role debate that surfaced in Sweden around 1962 and in the United States around 1967.

⁷³The traditional cheapness of female labor compared to male is well documented. See Stanley Lebergott, Manpower in Economic Growth (New York: McGraw-Hill Book Co., 1964), pp. 126-27; Edith Abbott, Women in Industry (New York: D. Appleton & Co., 1910), pp. 305-14; Gunnar Qvist, Kvinnofrågan i Sverige 1809-1846, Studier rörande kvinnans näringfrihet inom de borgeliga yrkena (Göteborg: Akademiförlaget, 1960); and James Rössel, Kvinnorna och kvinnorörelsen i Sverige 1850-1950, YSF:s skriftserie nr 2 (Stockholm: YSF:s förlag, 1950), pp. 62-71, 101-34.

⁷⁴Abbott, pp. 91-98, 215-45; and James Rössel, pp. 62-71.

⁷⁵It should be noted that certain of the traditional feminine tasks have been taken into the hands of men when it appeared to their advantage in terms of status or money. Two prominent examples are the delivery of babies and the final care of the dead. Today the practice of obstetrics and mortuary science are among the more lucrative male occupations and virtually guaranteed a steady business.

⁷⁶The foregoing conclusions as well as other generalizations in this section are based on information found in Womanpower, pp. 86-108; and Thyberg, pp. 377-550, and the English summary by Siv Thorsell, pp. 134-69 unless otherwise noted. More recent explorations of conventional attitudes toward women workers in both countries show that they are relatively unchanged since the studies of the late 1950's and that women workers are still being severely limited in many instances in their opportunity for working in high responsibility and better paying jobs even when they are very willing to make the necessary commitments. See Mary Dublin Keyserling, Exploding the Myths, A Report of A Conference on Expanding Employment Opportunities for Career Women, University of California Extension, Los Angeles, Dec. 3, 1966 (Washington, D.C.: U.S. Department of Labor, Women's Bureau, 1967); and U.S. Department of Labor, Women's Bureau, The Myth and the Reality (Washington, D.C.: Government Printing Office, 1971). For recent exploration of prejudiced and discriminatory attitudes of Swedish employers see Kvinnokraft, Dagens Nyheter debätt (Stockholm: Askild & Kärnekull Förlag AB, Dagens Nyheter AB, 1972).

⁷⁷Harriett Holter, "Kjønnforskjeller i yrkesatferd," in Kvinnors liv och arbete, p. 328. I am indebted to Edmund Dahlström and Rita Liljeström for this English summary of Holter's findings. See "The Family and Married Women at Work," in Changing Roles of Women and Men, pp. 49-50.

⁷⁸Thorsell, p. 159; Womanpower, pp. 93-96. It is recognized but not accepted in both countries that women often take time off from work to care for sick family members or get "caught up" on domestic chores which result from their double role of homemakers and workers.

⁷⁹An early 1960's study undertaken by The Confederation of Employers (SAF) and The Swedish Union of Clerical and Technical Employees in Industry (SIF) found that the average turnover rates for women were relatively higher than for men. Magnus Hedberg found that there is no direct relationship between turnover rates and sex. See Thorsell for a discussion of these studies, p. 160. A good general discussion of the absentee/turnover phenomenon among women workers with interesting cross-cultural perspectives is Alva Myrdal and Viola Klein, Women's Two Roles: Home and Work (2d. ed. rev.; London: Routledge & Kegan Paul Ltd., 1968), chap. 6, pp. 91-115.

⁸⁰The latest statistics showing lower absentee rates for women are found in SIF, "Fakta och synpunkter i könsrollsfrågan. Lön efter kön" Oct. 29, 1971, p. 8. (Mimeographed.); and Mary Dublin Keyserling, "Realities of Women's Current Position in the Labor Force," in Sex Discrimination in Employment Practices, A Report from the Conference held at University Extension, University of California, Los Angeles, Sept. 19, 1968 (Washington, D.C.: Government Printing Office, 1969), p. 22. See also U.S. Department of Labor, Wages and Labor Standards Administration, Facts About Women's Absenteeism and Turnover Rates (Washington, D.C.: Government Printing Office, 1969).

⁸¹Thorsell, pp. 159-60.

⁸²Joan E. Crowley, Teresa E. Levitin, and Robert P. Quinn, "Seven Deadly Half-Truths About Women," Psychology Today, 6 (March 1973), p. 96.

⁸³Thorsell, p. 160.

⁸⁴Holter cited in Thorsell, p. 162.

⁸⁵Ibid., pp. 150-51.

⁸⁶Thorsell, pp. 158, 162-63. A good Swedish study based on interviews with women workers that dramatically illustrates women's own ambivalent feelings about their sex role and work behavior is Carin Mannheimer, Rapport om kvinnor (Stockholm: Bonniers, 1969).

⁸⁷Caroline Bird, Born Female, The High Cost of Keeping Women Down (New York: Pocket Books, 1969).

⁸⁸Oppenheimer, p. 114.

⁸⁹Ibid., p. 115.

⁹⁰Ibid.

⁹¹Abbott comments that "The number of places in which women can profitably be employed in a cotton mill in preference to men, or on an equality with them, steadily decreases as the speed of the machinery increases and as the requirement that one shall tend a greater number of machines is extended." p. 108.

⁹²Womanpower, p. 149.

⁹³Ibid., p. 158.

⁹⁴In 1940, 19.5 percent of all operatives were women as compared to 16.2 percent in 1960, while the drop in the proportion of women who were laborers went from 1.1 percent in 1940 to 0.6 in 1960, Kaplan and Casey, Tables 6 and 6b; and U.S. Department of Commerce, Bureau of the Census, 1960 Census of Population: Vol. I, Characteristics of the Population, Part 1, U.S. Summary, Table 201, p. 140.

⁹⁵Baude and Holmberg, p. 117.

⁹⁶AMS, "Utredningsbyråns rapport," 1965:13, p. 4. (Mimeographed.)

⁹⁷Baude and Holmberg, p. 117.

⁹⁹Ibid., p. 118.

¹⁰⁰Womanpower, p. 91.

¹⁰¹AMS, "Utredningsbyråns rapport," 1965:13, p. 5.

¹⁰²Oppenheimer, pp. 6-8; Kvinnornas förvärvsverksamhet 2, Table 2, p. 70; Folkräkningen 1910, del III, Table 1, p. 45.

¹⁰³Myrdal and Klein, p. 79.

¹⁰⁴Data drawn from Oppenheimer, Table 1.3, p. 8; Statistical Abstract of the United States, 1972, Table 86, p. 63; and Statistical Abstracts of Sweden, 1972, Table 42, p. 74.

¹⁰⁵Figures derived from Figure 6, p. 218 and Table 11, p. 205; and Statistical Abstract of Sweden, annual reports, population and education tables 1940-1972.

¹⁰⁶Derived from S.O.U., 1959:45, pp. 49-53; Statistical Abstract of Sweden, 1961, Table 315, pp. 254-55; ibid., 1972, Table 350, pp. 306-07; and Figure 8, p. 268.

¹⁰⁷Derived from Statistical Abstract of the United States, 1972, Table 159, p. 108, and Table 161, p. 109.

¹⁰⁸Myrdal and Klein, p. 80.

¹⁰⁹Based on Figure 15.

¹¹⁰Age specific fertility rates are calculated on the basis of total births per 1000 women of each age group. Data drawn from United Nations Demographic Yearbooks and Statistical Abstracts of Sweden for years involved. The most exhaustive study of Swedish fertility is Eva Bernhardt, Trends and Variations in Swedish Fertility, A Cohort Study, Urval. Skriftserie utgiven av statistiska centralbyrån nr 5 (Stockholm: Statistiska centralbyrån, 1971). A classic American study is Wilson H. Grabill, Clyde V. Kiser, and Pascal K. Whelpton, The Fertility of American Women (New York: John Wiley & Sons, Inc., 1958); and an interesting recent sociological examination of the effects of fertility is "The Impact of Fertility Limitation on Women's Life-Career and Personality," Esther Milner, ed., Annals of the New York Academy of Science, 175 (Oct. 30, 1970), pp. 781-1065.

¹¹¹Data calculated from Figure 16.

¹¹²U.S. Department of Labor, Women's Bureau, Expanding Opportunities for Girls: Their Special Counseling Needs (Washington, D.C.: Government Printing Office, 1971), p. 2.

¹¹³Marriage data calculated from Kvinnornas förvärvserksamhet, 1, Table 2, p. 70; Statistical Abstract of Sweden, 1972, Table 252, p. 241; 1969 Handbook on Women Workers, Table 8, p. 26. Age data are calculated from S.O.S., Befolkningsförändringar (Stockholm: Statistiska centralbyrån, 1969), Table 210, p. 289; and 1969 Handbook on Women Workers, p. 19.

¹¹⁴Gertrude Bancroft, Table 83, p. 125. See also Thomas A. Mahony, "Factors Determining the Labor Force Participation of Married Women," Industrial and Labor Relations Review, 14 (July 1961), p. 38-42; and Gendell, Swedish Working Wives, pp. 88-89, 96.

¹¹⁵Gustaf de Laval has pointed out that wives in the next higher category above the middle are the second most likely group to seek gainful employment in Sweden while in the United States the second place group is the next lower income category below the middle. The most elaborate analysis of the working wife and mother to appear so far in Sweden is based on 1960 census data. See de Laval, Familjecykeln och den gifta kvinnans förvärvsarbete. En explorativ-deskriptiv studie utförd vid sociologiska institutionen, Göteborgs universitet, Monografiserie i anslutning till folk-och bostadsräkningen i Sverige 1960 utgiven av Statistiska centralbyrån och Bostadsstyrelsen, nr 6 (Lund: Allmänna, 1970), pp. 225-26; and Womanpower, pp. 71-74. For an extensive American study of married women's work patterns see National Manpower Council, Work in the Lives of Married Women (New York: Columbia University Press, 1958).

116,"Arbetskraftsundersökningar," höst 1969, p. 6; and Background Facts on Women Workers, Table 5, p. 9.

117 Agda Rössel, p. 288.

118 Marianne Kärre, "Child Supervision in Sweden," Hertha, 5 (1969) pp. 60-62. (Special issue in English.)

119 Gustav Persson, Daghemsfrågan. Ett arbetsmarknadsproblem (Stockholm: LO, 1962). A 1967 study focused the attention of the country on the problem of lack of child care facilities when it made public that 60,000 children under 10, 3,000 preschoolers, were left totally without adult supervision daily while their parents worked. See Kärre, p. 61.

120 Innehåll och metoder i förskolverksamheten. Diskussions-PM från 1968 års barnstugeutredning (Stockholm: Allmänna förlaget, 1971).

121 "Barnstugeutredningen," Pressmeddelande, Stockholm, May 29, 1972, pp. 2-3.

122 Jeanne Mueller, "Preschool Education and Day Care for Swedish Children," prepared for the Swedish Information Service, Sept. 1971. (Draft copy.) This is the best most recent discussion on the subject in English and should be available from the Swedish Information Office by 1973.

123 Kärre, p. 61.

124 Samhällets barntillsyn, 1-2," AKN-information, nr 4 (Sept. 1971), p. 1. There is evidence that the demand for child care facilities is much greater than the registered waiting lists suggests. In an investigation conducted in the late 1960's 210,000 women with children under ten years old said that they would go to work if they could arrange for care for their children. Forty thousand of these women said they wished to work full-time immediately. See Samhällets barntillsyn-barnstugor och familjedaghem, S.O.U., 1967:39.

125 Cherie Register, "Sex Roles," The New Republic, 164 (April 10, 1971), p. 30.

126 Kärre, p. 61.

127 Conversation with Marriane Kärre, Stockholm, May 30, 1972.

128 "Samhällets barntillsyn, 1-2" AKN, p. 1.

129 Economic Report of the President, 1973, p. 109; and Kärre, pp. 60-61.

130 U.S. Department of Health, Education, and Welfare, Children's Bureau, White House Conference on Child Health and Protection: Section III, Education and Training Report of the Committee on the Infant and Preschool Child (Washington, D.C.: Government Printing Office, 1931), p. 7.

131 U.S. Department of Labor, Women's Bureau, Employed Mothers and Child Care, Women's Bureau Bulletin No. 246 (Washington, D.C.: Government Printing Office, 1953), pp. 14-21. See pp. 24-92 for a discussion of a selection of child care facilities available across the United States at the beginning of the 1950's.

132 The following discussion of child care in the United States is drawn from the following sources unless otherwise noted. 1969 Handbook on Women Worker, pp. 49-50; and U.S. Department of Labor, Women's Bureau, Day Care Facts (Washington, D.C.: Government Printing Office, 1969).

133 1971 data from the Economic Report of the President, 1973, pp. 110-11.

134 At the peak of federally sponsored wartime child care 129,357 children were being cared for in public funded centers--about 11% of the working mothers were served, Women's Bureau Bulletin, 246, p. 19; 1969 Handbook on Women Workers, p. 49.

135 U.S. Department of Health, Education, and Welfare, Children's Bureau and U.S. Department of Labor, Women's Bureau, Child Care Arrangements of Working Mothers in the United States, Children's Bureau Pub. 461 (Washington, D.C.: Government Printing Office, 1968).

136 The variety of agencies trying to "get in on the day care act" is amazing. Perhaps the most "American" approach to date is the effort by enterprising businessmen to turn the child care need into big business with the establishment of chains of franchised operations across the country. Day Care Facts, pp. 8-13.

137 The above discussion is based on "Discrimination in Employment and Occupations on the Basis of Marital Status, Part I," International Labour Review 85 (March 1962), p. 270; and ibid., Part II (April 1962), p. 368. For Sweden see History of Swedish Women, compiled by the Swedish Federation of Business and Professional Women (Stockholm: Wiksells, 1954). June 4, 1962, the U.S. Attorney, General declared discriminatory hiring and promotion in the Federal Civil Service, based on a 1870 statute, unjustifiable and invalid. July 23, 1962, a Presidential Directive was sent to all civil service officials informing them that they were required to see that all positions are filled without reference to sex.

138 Sandlund, p. 17; and conversation with Maj-Britt Carlsson, White-Collar Employees Union (TCO), ombudsman, Stockholm, March 1972. It is Ruth Shallcrosse's conclusion that the reason these

bills failed to pass was not because of lack of public support but the fear that once passed they would simply be declared unconstitutional by the courts as was the case with such laws passed in Wisconsin and Massachusetts in 1939. See Shallcrosse, Should Married Women Work? Public Affairs Pamphlet No. 49 (Washington, D.C.: Government Printing Office, 1940), pp. 5-6; and "Discrimination in Employment and Occupations on the Basis of Marital Status," Part II, p. 378. For an interesting discussion of these and other polls sampling popular attitudes toward married women working see Betty R. Stirling.

¹³⁹For a discussion of these discriminatory policies throughout the various states see National Education Association, "Administrative Practices Affecting Classroom Teachers, Part 1: The Selection and Appointment of Teachers," Research Bulletin, 10 (Jan. 1932), pp. 1-33; "Teacher Personnel Procedures: Selection and Appointment," Research Bulletin, 20 (March 1942), pp. 51-79; and "Teacher Personnel Practices, 1950-1951: Appointment and Termination of Service," Research Bulletin, 30 (Feb. 1952), pp. 12-13 and Oppenheimer, pp. 128-31.

¹⁴⁰Maj-Britt Sandlund, The Status of Women in Sweden (Stockholm: The Swedish Institute, 1968), pp. 69-70; and Martin Norr, Sandels, and Nils G. Hornhammar, The Tax System in Sweden (Stockholm: Skandinaviska Enskilda Banken, 1972), chap. 8, pp. 79-85; and Leo Kanowitz, Women and the Law: The Unfinished Revolution (Albuquerque: University of New Mexico Press, 1969), p. 62.

¹⁴¹Recent American studies show that men as well as women suffer age discrimination. See U.S. Secretary of Labor, The Older American Worker: Age Discrimination and Employment (2 vols.; Washington, D.C.: Government Printing Office, 1956). It is a good indication of the contemporary demand for women workers as well as the good acceptance of older women in the labor market that older women are being more successful than older men in finding employment. The Older American Worker, Vol. 2, Research Materials, pp. 509.

¹⁴²See English summary, Thorsell, p. 147.

¹⁴³E. W. Noland and E. W. Bakke, Workers Wanted: A Study of Employers Hiring Policies, Preferences and Practices in New Haven and Charlotte (New York: Harper and Bros., 1949). Noland and Bakke's study was limited to industrial firms, hence excludes service companies which are among the largest employers of women; however, they studied quite a large number of firms.

¹⁴⁴Womanpower, chap. 3, pp. 86-99.

¹⁴⁵Charles E. Ginder, "Factor of Sex in Office Employment," Office Executive, 36 (Feb. 1961), pp. 10-13.

¹⁴⁶Noland and Bakke, pp. 69-70; Womanpower, pp. 101-03.

147 Ginder, p. 12. Studies show that in general older workers of either sex have lower turnover rates than younger workers. See U.S. Bureau of Labor Statistics, Job Mobility in 1961, Special Labor Force Report No. 35 (Washington, D.C.: Government Printing Office, 1963), p. 4; Herbert S. Parnes, Research on Labor Mobility: An Appraisal of Research Findings in the United States (New York: Social Science Research Council, 1954); and Thorsell, p. 145.

148 Sweden has long had rules governing a working woman's right to leave in connection with pregnancy and childbirth without jeopardizing her job. Since 1940 a pregnant woman has had the right to take six weeks off prior to and following the birth of her child. If she desires she may take off six additional months without pay. In the civil service a woman gets three months off with pay and an additional three months without pay if she so desires. These rules apply to all women, married or single. In spring 1972 it became possible under the civil service for the parents of the newborn child to split the allowed time-off (6 months) between them providing they were both employed in the civil service. Told to me in conversation by Folke Schmidt, Stockholm, May 1972.

149 Arbetarskyddslagen. Jämte därtill hörande författningar (Worker's Protection Act) (Stockholm: Tidens förlag, 1970), ch. 5, pars. 34-38.

150 Ibid., ch. 2, pars. 7-10.

151 Conversation with Folke Schmidt, Professor of Labor Law, at the University of Stockholm, Stockholm, May 1972.

152 Margaret Mead and Frances Balgley, eds., American Women: The Report of the President's Commission on the Status of Women and Other Publications of the Commission (New York: Charles Scribner's Sons, 1965), pp. 128-35.

153 OECD, Employment of Women, Regional Trade Union Seminar, Paris, Nov. 26-29, 1968, Final Report (Paris: OECK, 1970), pp. 163-83.

154 Title VII in its original form excluded a large portion of the work force including the Federal Civil Service, professional and administrative workers, and workers employed at establishments employing less than fifty workers. However, the scope of Title VII has been substantially enlarged by the following actions: Executive Order 11478 prohibiting sex discrimination in the Federal Civil Service; Executive Order 11246 as amended by Executive Order 11375 prohibiting sex discrimination by federal contractors, subcontractors, and federally assisted construction. This Order is administered by the Federal Civil Service Commission which receives complaints of discrimination from civil servants and the Office of Federal Contract Compliance in the U.S. Department of Labor administers the provision prohibiting discrimination by federal contractors. Title VII was

amended by the Equal Employment Opportunity Act and the Higher Education Act in 1972 to include professional and administrative workers including public school teachers and college and university faculty and staff. Today persons who work in establishments with fewer than twenty-five employees constitute the main group of workers not covered by the law. For a current list of process suits for sex discrimination under Title VII see issues of Spokeswoman since 1970 and the Citizens' Advisory Council on the Status of Women, Women in 1970 (Washington, D.C.: Government Printing Office, 1971), pp. 1-3.

155 For a detailed discussion of changes in state protective labor legislation up to 1969 see 1969 Handbook on Women Workers, pp. 264-65. For more recent changes see current occasional publications of the U.S. Department of Labor and the Women's Bureau.

156 U.S. Department of Labor, Women's Bureau, Status of State Hours Laws for Women (Washington, D.C.: Government Printing Office, 1971).

157 Citizens Advisory Council on the Status of Women, Report of the Task Force on Labor Standards (Washington, D.C.: Government Printing Office, 1968). A good discussion of the events surrounding the addition of "sex" to Title VII and the use and interpretation of the clause by EEOC in its early days is found in Caroline Bird, Born Female, chap. 1, pp. 1-15.

158 Sandlund, pp. 72-73.

159 For the working of this proposition see Mot. nr 1117, Riksdagens protokoll (1971, p. 10. For the text of the heated debate that followed the initial introduction of this proposition in the Riksdag in 1970 see Anf. nr 70-77, Riksdagens protokoll (1970), pp. 61-71.

160 Quoted to me by Schmidt in conversation, Stockholm, March, 1972.

161 Conversation with Anna-Greta Leijon, AMS, Stockholm, March 1972.

162 Conversations with Leijon; Maj-Britt Carlsson, ombudsman TCO; Monika Ulfhjerlm and Anders Arvidsson, SACO; and Gertrude Sigurdson, LO, all held in Stockholm between March and May 1972.

163 The series of articles have been collected into a book. See Kvinnokraft. Dagens Nyheter debätt.

164 Conversations with Sigurdson; and Margareta Dahlgren, SAF, Stockholm, March 1972.

- 165 Conversations with Carlsson and Leijon.
- 166 Conversation with Leijon.
- 167 Conversation with Schmidt, Stockholm, March 1972.
- 168 Baude and Holmberg, p. 118; and 1969 Handbook on Women Workers, pp. 252-62. For a discussion of earlier efforts to secure equal pay legislation see Agda Rössel, pp. 279-80; and 1969 Handbook on Women Workers, pp. 267-69.
- 169 Womanpower, pp. 346-47; and Agda Rössel, p. 279.
- 170 Familj och samhälle. Rapport från TCO:s familjepolitiska grupp (Stockholm: Prisma, 1970), p. 286.
- 171 See note 154 above for description of Title VII amendments and Executive Orders. For a summary of the details of the sex discrimination legislation of the 1960's see U.S. Department of Labor, Women's Bureau, Laws on Sex Discrimination in Employment (Washington: Government Printing Office, 1970). An excellent analysis and discussion of the 1963 Equal Pay Act and Title VII including the relationship between the two pieces of legislation in protecting women on the labor market is found in Leo Kanowitz, Women and the Law: The Unfinished Revolution (Albuquerque: University of New Mexico Press, 1969), chaps. 4 and 5.
- 172 Mary Bach Kievit, Review and Synthesis of Research on Women in the World of Work, ERIC Information Series No. 56 (Washington, D.C.: Government Printing Office, 1972), p. 27.
- 173 Letter from Gertrud Sigurdsen, LO, Stockholm, March 28, 1972.
- 174 Calculated from Figure 19.
- 175 Conversation with Sigurdsen, Stockholm, February 1972.
- 176 Conversation with Schmidt, Stockholm, March 1972.
- 177 Familj och samhälle, p. 280.
- 178 Karl Erik Rosengren, "Swedish Trends in Equality Between the Sexes," Department of Sociology, University of Lund, p. 5. (Mimeographed.)
- 179 Ibid., p. 15.
- 180 Teresa E. Levitin, Robert P. Quinn, and Graham L. Staines, "A Woman is 58% of a Man--" Psychology Today (March 1973), p. 90.
- 181 Economic Report of the President, 1973, p. 106.

182 Levitin et. al., pp. 90-91.

183 Baude and Holmberg, pp. 118-19; and Fact Sheet on the Earnings Gap, p. 1.

184 This opinion has been expressed in Baude and Holmberg, p. 121; Agda Rössel, p. 284; and Economic Report of the President, 1973, pp. 103-07.

185 Gertrude Bancroft McNally, "Patterns of Female Labor Force Activity," Industrial Relations, 7 (May 1968), pp. 204-18.

186 This point was stressed by many with whom I spoke in Sweden, particularly Leijon, Carlsson, and Holmberg. The use of the "different jobs" argument in the early days after the passage of the Equal Pay Act in the United States are reported in Georgina M. Smith, Help Wanted--Female: A Study of Demand and Supply in a Local Job Market for Women (New Brunswick, New Jersey: Institute of Management and Labor Relations, Rutgers, The State University, 1964), pp. 24-27, 70.

187 Cited in Robert D. Moran, "Reducing Discrimination: Role of the Equal Pay Act," Monthly Labor Review 93 (June 1970), pp. 33.

188 Ibid., pp. 30-34.

189 Kvinnorna och arbetsmarknaden. Fördomar, fakta, framtid, p. 13.

190 Fact Sheet on the Earnings Gap, p. 3; and Svenska folkets inkomster. Betänkande avgivet av låginkomstutredningen. Del 1, S.O.U., 1970:34, Table 4:32, p. 115.

191 U.S. Department of Labor, Women's Bureau, Fact Sheet on Women in Poverty (Washington, D.C.: Government Printing Office, 1971), p. 2; and Svenska folkets inkomster, p. 192.

192 For Sweden see "Fakta och synpunkter," pp. 2-8; and Svenska folkets inkomster, chaps. 4 and 5. The University of Michigan survey Research Center study is the most comprehensive American work to date to support this generalization. For a summary of the basic findings of this study which should appear in its entirety late in 1973, see Levitin et. al., pp. 90ff. See also 1969 Handbook on Women Workers, chap. 3.

193 These generalizations have been verified by Levitin et. al., pp. 90-96.

194 It should be noted that this Swedish figure includes only women between the ages of sixteen and sixty-four while the American figure includes all women over sixteen. The American figure, naturally, would be closer to the Swedish if the age group were similarly limited.

195 1969 Handbook on Women Workers, pp. 243-44; and "Några statistiska uppgifter," p. 6.

196 Economic Report of the President, 1973, Table 21, p. 91; and Statistical Abstract of Sweden, 1972, Table 252, p. 241.

197 Janice Neipert Hedges, "Women Workers and Manpower demands in the 1970's," Monthly Labor Review, 93 (June 1970), pp. 19-20.

198 The last three points were suggested by the President's Commission on the Status of Women, Committee on Private Employment, see Mead and Kaplan, p. 126.

199 Conversation with Per Holmberg, Professor of Sociology at the University of Stockholm, Stockholm, May 1972.

200 Conversation with Anika Baude, Administrative Official for the City of Stockholm, Stockholm, May 1972. In the mid-1960's the National Labor Market Board hired Baude to travel around the country speaking to employers in an effort to convince them to hire women in occupations traditionally held by men.

201 Personal letter from Birger Möller, Stockholm, May 10, 1972. For the text of the Riksdag debate see Anf. nr 31-35, Riksdagen 1972, Snabbprotokoll, nr 50 (Fredagen den 24 mars 1972), pp. 47-52.

202 Conversation with Westman-Berg, Minneapolis, Minnesota, May 1973.

SUMMARY AND CONCLUSIONS

The review of developments for women in Sweden and the United States in the past thirty years provided in the foregoing chapters reveals uneven national patterns of change, with more steady improvement in Sweden.

Unquestionably, Swedish women's status under the law is substantially better than American women's. In 1945 a Swedish woman was denied only three legal rights granted to men: 1) the right to retain Swedish citizenship upon marriage to an alien; 2) co-guardianship with the father of her in-wedlock children; 3) the right to retain her own name for legal identity after marriage. Citizenship and guardianship rights were equalized by 1951 and the matter of the married woman's name in 1964. Today the only remaining legal differences in treatment of the sexes deal with responsibility for community debts in the event of divorce, military service, and the right-of-succession to the throne. Undoubtedly, the community debt point will be taken care of in the current wholesale revision of the Swedish Code of Marriage. There has been little discussion of changing the two other points.

Viewed as a whole, today in the United States women's legal position is at a point not far below men's. However, there are distinct pockets in which women's status is quite inferior, notably

in the matter of the married woman's domicile, name, and rights of consortium. Sexual differentiation in the law of support, minimum age of contract, and criminal law is standard throughout most of the states. Probably the most important area of direct discrimination is in the regulation of sexual conduct which in almost every case maintains the traditional double standard of morality. The greatest degree of equality is found in married women's contract and property rights, although even here equality is far from complete. After almost two decades devoid of public interest in women's legal status, there have been renewed efforts since the mid-1960's to remove remaining inequities. Much of this impetus has come out of the new feminism.

A comparative study of the Swedish and American legal systems strongly suggests that the dominant influence of English common law, which totally destroyed woman's separate identity upon marriage, has been responsible for the continuing inferior position of American women, while Sweden's basic statutory system has facilitated efficient and thorough reform geared toward achieving legal equality.

Anyone well acquainted with the United States is aware that in many places in the country social practice is not in keeping with the spirit of the law as it has been described in this study and in actuality women enjoy more equality and independence than the letter of the law would accord. In short, social practice appears to be progressive in spite of the law. However, the "legal lag" is important for, as Kanowitz has noted, "not only do legal norms tend to mirror the social norms that govern male-female relationships; they also exert a profound influence upon the development

and change of those social norms."¹ The viewpoint embodied in rules of law upon social, psychological, and economic aspects of women's and men's relationships are far-reaching and it is imperative that a progressive nation keep its laws abreast of social change, if not actually in advance.

The 1920 Swedish Code of Marriage is an example of legislation that at the time of enactment embodied a progressive viewpoint generally ahead of its times in its vision of responsibility and privilege within the marital relationship. It is difficult to ascertain the actual degree of influence of this Code in molding Swedish male-female relationships over the years, but indications are that it has been beneficial in establishing a philosophical and practical groundwork for later reforms aimed at sexual equality, such as freedom for the married woman to retain her own name in marriage. The current Swedish proposals for revision of the 1920 Code reflect the same type of progressive philosophy. Rather than merely trying to bring the Code up-to-date there is a real desire to shape the law to meet tomorrow's needs as far as they can be anticipated. This same philosophy is reflected in the new Swedish educational system.

Throughout the Swedish and American educational systems the rule the-higher-the-fewer has applied to the education of women with particularly limiting effects on the educational attainments of Swedish women until recent years. However, by 1965 the proportion of women completing their education at various levels in Sweden was approximately the same as in the United States at all stages below the graduate level, where American women continue to hold

their lead. Today women constitute a larger proportion of those receiving bachelor's degrees than ever before in peacetime--43 percent in both countries.

Cultural values and educational systems and philosophies, as well as political and economic history have exerted considerable influence on educational patterns in both countries. Because of the long American tradition of a democratic comprehensive public school system the level of educational attainment of the female as well as male population has been considerably higher in the United States than in Sweden since 1900. Following the institution of a comparable school system in Sweden during the 1960's, the general level of education for both sexes is rising. Nonetheless, in 1970 only 20 percent of the female population over age twenty-five had more than the obligatory nine years of school. In contrast, 57 percent of the American female population had twelve years or more formal education. Moreover, American women's median number of completed school years has been greater than men's since the turn of the century, while in Sweden the situation has been the reverse.

In comparing women's educational status in the two countries in the postwar period it is obvious that Swedish women have experienced the most change and improvement--but then they had much further to come. Indeed, American women's status is essentially unchanged from 1940 as a result of severe setbacks following World War II which have been only recently overcome.

In both countries women have tended throughout all stages of the educational process to cluster in a few curricula, notably

the humanities, education, and health fields, and have prepared themselves for only a few occupations--commercial and office (clerical) work, lower level teaching, health occupations, and social services. In 1940 Swedish college women were distributed throughout a broader sweep of majors than were American women; however, in the interim the pattern of rather extreme concentration in a handful of fields has become almost as pronounced in Sweden as in the United States. Similarly, Swedish women's tendency to select more vocationally oriented curriculums than American women has diminished over the past thirty years. Today they, like their American counterparts, typically elect a humanistic study program. It is worthy of note that Swedish women are making substantial headway in a number of traditionally male-dominated professional fields, although their progress is not remarkable compared to many east European nations and the Soviet Union. In 1971 they constituted nearly one-third or more of all graduates in dentistry, pharmacy, and medicine. In contrast, American women have steadily lost ground since 1945 in all the professions except education, medicine, and law--where small gains have been recently realized.

An important difference between the countries is the level at which the government is presently focusing its interest to equalize the educational and social experiences of women and men. In the United States most of the official action is taking place at the college and university level while in Sweden the grundskola and gymnasium are the focus of most of the interest, energy, and money. Perhaps the greatest difference between the countries regarding the problem of woman's cultural oppression and limitations

of the traditional sex roles is one of approach in the area of education. Presently, most American efforts are geared largely toward either resolving physical problems, that is, removing inequities in study opportunities or faculty pay because of discriminatory practices, or toward trying to learn more about the problem through research and analysis. While there is certainly research on sex roles in Sweden, most of the energy is presently directed toward using the public schools as an instrument for changing society, including modifying the sex roles and people's perceptions of them, to form a more democratic egalitarian society.

Perhaps there are more similarities between the two countries within the area of gainful employment than elsewhere. In the post-war period opportunities for work as well as actual demands for women workers have developed in both countries largely as a result of urbanization and the expansion of big business and big government relying upon technical and bureaucratic methods of organization. The result has been a dramatic increase in the proportion of women in the labor force, rising from 27 percent of the total work force in Sweden and 25 percent in the United States in 1940 to 40 percent in Sweden and 37 percent in the United States in 1970. Married women and older women account for almost the total increase in the size of the female work force in both countries. Important factors contributing to this have been a lengthening of school years and a lowering of the median age of marriage combined with early and closely spaced births of children and extended longevity. More mothers with preschool age children work in Sweden than in the United States. Because of labor shortages the Swedish National

Labor Market Board has made specific efforts to encourage married women and older women to go back to work. One consequence of this is that more women work part-time in Sweden than America. Unemployment rates in the periods of economic recession since the war had been the same for Swedish women and men until the 1970's; in 1972 women's rate was double men's. In the United States women have generally had a higher unemployment rate than men.

Both countries have a sexually segregated labor force with women being concentrated in a handful of occupations that over the years have acquired the sex-label "women's work." Women in the two countries are more clustered in white-collar occupations than men; until recently a Swedish working woman was twice as likely to hold a blue-collar job than an American woman--probably because of the relatively low level of education of older Swedish women. Services, clerical/office work, and sales employ the most women in both countries and mining the least. While women have always characteristically worked in occupations dominated by women (70 percent or more) there has been a trend toward decreasing concentration for American women paralleled by increasing concentration for Swedish women. The same basic pattern also penetrates professional work with teaching and health occupations accounting for the majority of women professionals in both countries. Interestingly, American women are twice as likely to hold managerial or administrative posts as Swedish women. Women more than men in both countries suffer a discrepancy between formal education and occupational position with women tending to hold jobs below their level of training more frequently than men. Moreover, in both

countries the higher level the position, in terms of prestige and pay, the fewer women are found. Studies show that the numerous subjective attitudes, stereotypes, and prejudices that are at work in determining the occupational distribution of the sexes are amazingly alike in the two countries.

Since the 1950's the traditional sex linked wage differential has been decreasing in Sweden and increasing in the United States. Some form of legislation guaranteeing equal pay for work of equal value has been adopted in both countries since 1962, although it has yet to be fully applied and enforced. The United States has gone substantially further than Sweden in attempting to assure equality of treatment for women workers and providing legal recourse when discriminating policies and practices are discovered.

The ultimate question is: In which country do women have the better, more egalitarian position? This is easily answered in the area of the law, where Swedish women enjoy virtually total equality of treatment, privilege, and responsibility. In education the answer is not so simple. Although vastly more progress has been made in Sweden than the United States since 1945, today American women as a whole still enjoy substantial advantages over their Swedish counterparts. In terms of general level of attained education as well as proportion of the total female population obtaining advanced education American women are better off than Swedish women. On the other hand, in terms of constituting a proportion of those persons completing education at various levels Swedish women's rates compare favorably to American women's below the graduate level and a larger proportion of professional school graduates

are female in Sweden than in the United States. Moreover, if women continue to progress in the coming years at the rates characteristic of the past thirty years Swedish women will bypass American women within a few years.

In general, the situation of women within the world of paid employment is the most similar in the two countries, except for Swedish women's greater representation in most of the professions outside of teaching. Furthermore, Swedish women's position on the labor market is basically more egalitarian in that there is essentially no labor legislation differentiating between the sexes and more fringe benefits are provided benefiting women, such as paid maternity leave. On the other hand, on the basis of the new anti-discrimination legislation most of the traditional sexually differentiating American laws are currently being invalidated. If these new rules are enforced it is possible that discriminatory labor market practices may be eliminated more quickly in America than in Sweden, where women lack any concrete resource other than social pressure to combat discrimination and hidebound prejudice.

While it is not possible here to make a detailed analysis of the cultural factors responsible for the differences in the developments for women in Sweden and the United States, Richard F. Tomasson has made a number of observations about Swedish and American values that lend insight into the cultural dynamics behind the national patterns that have been traced in his study. Perhaps the most important of these is the Swedish belief in the basic malleability of institutions including those as fundamental as the legal system, the schools, and even the family. Lacking in

the Swedish model is the sacred aura often surrounding these institutions in America. The current Swedish programs for changing the sex roles by modifying the educational and economic institutions are prime examples of this. Important also to women's status has been the Swedish penchant for doing things according to the rules. This has consistently benefited women in that it has largely eliminated the use of personal discretion in the application of regulations, as is common in the United States, thereby avoiding the possibility that decisions will be tainted by personal prejudice. The often rather serious negative effects on women of the common American practice of interpreting regulations on an individual basis has been observed in a variety of instances including application of the law, admissions to graduate schools, and extension of promotion in employment. Finally, women have gained from the greater Swedish commitment to progress and lack of a basic traditionalist orientation toward conventional institutions and ways of life.² In contrast, the characteristic American idealization of the past and its allegedly superior way of life has had the effect of maintaining a traditional--indeed nineteenth-century agrarian--sex role ideal for both sexes, with particularly limiting effects upon women in the face of a modern technologically advanced civilization.

In the final analysis, in spite of the concrete evidence of progress for women in both countries in the areas of the law, education, and employment, regarding the degree of achieved equality I must agree with the Finnish critic Riita Auvinen in her declaration:

Equality of opportunity for women in education and employment is legally a fact and factually a fiction--because social attitudes are more constraining than law. Attitudes about

women's role and marriage not only constrain a girl throughout her entire education towards "feminine" fields and away from "masculine" fields--such as science and engineering--but strongly inhibit her aspirations toward high achievement in her chosen career and towards positions of leadership in competition with men. Women's traditional burden of housework and child care, though she may be employed or studying, puts her at a further unfair disadvantage, so the husband and society itself should take over some of the domestic load.³

At this point in history Sweden has come considerably closer than the United States to acknowledging and even attempting to lighten women's domestic load by supporting the establishment of new institutions, such as state-subsidized child care and comprehensive service-housing, and endorsing the idea of changing the sex roles. Accordingly, the official Swedish program for women's status clearly acknowledges that:

A decisive and ultimately durable improvement in the status of women cannot be attained by special measures aimed at women alone; it is equally necessary to abolish the conditions which tend to assign certain privileges, obligations or rights to men. No decisive change in the distribution of functions and status as between the sexes can be achieved if the duties of the male in society are assumed a priori to be unaltered. . . . The division of functions between the sexes must be changed in such a way that the man and woman in a family are afforded the same practical opportunities of participation in both active parenthood and gainful employment. If women are to attain a position in society outside the home which corresponds to their proportionate membership of the citizen body, it follows that men must assume a greater share of the responsibility for the upbringing of children and care of their home.⁴

Realistically, only with the development of the androgynous life style and minimization of the traditional differentiations in sex roles implied in the above statement can a degree of honest equality of opportunity and involvement in all aspects of life and society be realized for both sexes. This must evolve before the sexually differentiated patterns in young people's school curriculum choices and occupational choices can be eliminated.

Ultimately, the only way that pay and rank inequities on the labor market will be ended is through abrogation of job sex-labeling and the eradication of sexual segregation of the work force.

In view of the rapid changes that are currently taking place in both countries it is difficult to predict what the situation will be in even a decade. However, it is certain that future developments in women's status in Sweden and the United States will depend to a great extent upon the economic cycle, pressure from interested groups and individuals, continued positive action by governments and, most of all, acceptance by women and men of a changing view of their roles and abilities.

SUMMARY AND CONCLUSIONS

NOTES

¹Leo Kanowitz, Women and the Law: The Unfinished Revolution (Albuquerque: University of New Mexico Press, 1969), p. 4.

²Richard F. Tomasson, Sweden: Prototype of Modern Society (New York: Random House, 1970), pp. 275-91.

³Riita Auvinen, "Women and Work II: Social Attitudes and Women's Careers," Impact of Science on Society, 22 (Jan. 1970), p. 73.

⁴Maj-Britt Sandlund, The Status of Women in Sweden (Stockholm: The Swedish Institute, 1968), p. 4.

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