

I was asked to tell you about my personal experience with laws that affected women's lives.

My life with the laws

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By Lyda Verstegen

There is a picture of 19 January 1961, showing 3 women on the podium of the Second Chamber. This was so unique that all the newspapers published it. Today it would have gone 'viral'.

The women were the first vice-president of the chamber, the speaking MP and me, the (temporary) deputy clerk. The MP said: 'when I see the three of us up here, I think that the emancipation of women in public office is a fact.'

I did not know it in those hierarchical days, but we three were members of the same organization: The Netherlands Association for Women's Interests, Women's Work and Equal Citizenship.

This Association was formed in 1894 as the Netherlands Suffrage Association.

When Aletta Jacobs, the Netherlands first woman-doctor, asked to be on the list of voters in Amsterdam, to which she was entitled as a tax paying citizen, she thought, the city fathers refused and this request was considered so unwomanly that the legislators changed the Constitution so that it read 'male' citizens. There would be no more misunderstanding. But the women were furious and they formed this Association. Aletta Jacobs would be the president from 1902-1919.

It took 25 years, petitions (in 1915, with 164,696 signatures), and marches to get the vote for women. And when they changed the Constitution back in 1917 and gave women the right to be elected,

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it was a small step to a law in 1919 that gave women the vote. But it weren't the petitions and marches that produced this victory. It was the fear of revolution and socialism, and the hope that women would vote conservatively, that brought it about. In 1922 women voted for the first time and 7 women were elected to the 2nd Chamber.

What were the 'women's interests' that women hoped to pursue by the vote? Mainly they were written in family law. At her marriage an adult woman came in the position of a child. The husband was the head of the union, she had to be obedient to him, go where he wanted to go, The husband had the right to dispose of her property as he saw fit. He would have the parental authority over the children, and the guardianship when the marriage ended. The wife was legally incapable, she had to ask permission to act as a legal person, she could not open a bank account, not ask for a passport. If she worked as a merchant, or in any other private business, she was supposed to have his consent and he would be liable for any debts. The husband had to give her household money and for the daily expenditures she was supposed to have permission.

Despite the fact that there had been a bill to that effect in 1927 it took till 1956 to do away with this legal incapacity. The legally superfluous rule that 'the husband is the head of the union' was re-introduced by amendment and lasted till 1970. The Christian parties were convinced that this was ordained in the Bible.

As a schoolgirl I was appalled by these laws and I urged my mother to become active in the women's group of a political party. She was very timid but finally agreed. As she was well educated it wasn't long before she was asked to become secretary. She only did this because I had promised to write the minutes from the notes she took. The meetings were in the afternoon and I remember my father coming home for lunch one day and saying: 'You

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don't have to go to that meeting anymore, we are no longer with that party, we are now liberals" Mama went anyway and voted for the Christian party ever since.

Another subject of vehement debate was the right of the married woman to work, to be a teacher or a civil servant. The rule was that they were fired upon marriage. This had to do with economic circumstances: when there was an economic crisis, women were fired, when there was a shortage of labour the rule was not applied, or abolished. Women themselves were not united in their wish for equal rights. There were many who thought, as most men did, that women's place was in the home. Others believed that it was no business of the state to forbid married women to work in government service. In 1955 this opinion prevailed. A motion in the second Chamber was approved 46-44. All the women voted in favour of it, some against their own political party. All these women were members of the association for Women's Interests. The government only executed the motion for its own employees. It left it to the local and provincial authorities, and to schoolboards, to execute it. And so it happened that in some villages women were still fired in 1969!

My mother got house hold money, barely enough, she had a little orange book in which she kept the accounts which my father controlled every Saturday. I found this so humiliating that I decided to earn my own money after I married and would never accept household money. That is how I became a feminist and joined the Association for Women's Interests as soon as I had my law degree.

In those days there were women's jobs, exclusively meant for women. They were useful because they were close to the world of girls and their parents, and so helped to remove the barriers to work for women. Home economics, and agricultural home economics were serious trainings and the teacher trainings in these subjects led to real careers. Now even academic careers. Yet, when

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the comprehensive Further Education Act (Mammoetwet) was prepared in 1961, the Association for Women's interests demanded that the labeling as women's jobs would be removed. It would have the idea that other schoolings were less feminine persist, and so hamper girls in their choice of careers. I helped as a clerk in bringing this law about, I made all kinds of other suggestions that were accepted by the Minister.

Equal pay was also a perennial subject, the workers union demanded it in 1891, in 1898 the Exhibition of Women's Work put it on the agenda. With the revenues of this Exhibition the Bureau for Women's Work was founded. This Bureau asked attention for this inequality, but suffrage and the battle for the work of married women got more attention. In 1952 the International Labour Union concluded a Treaty on Equal Pay which our government signed, however it did not ratify it. Only in 1971, when the salary gap was diminished to 5 % the treaty was ratified.

I myself have been a victim of the unequal pay. When I had my first baby I lived in Rotterdam. Before, I commuted to The Hague for my work in the Second Chamber. But, although the ladies in the picture, tried to convince me to keep working there, the distance was too great. After a few months I got so bored that I wanted to work again. Meanwhile I was on the local board of the Liberal party and I asked a city councillor if he did not know of a job opening in the town hall. He did, I could work as the assistant to the Legal Advisor of the City. The Municipal Secretary of Rotterdam, who hired me, said:

‘I make you a deputy clerk, if you had been a man I would make you a clerk.’

I did not really care, I so desperately wanted that job, and: it was the first part time job in the city.

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(This same Municipal Clerk, who was very grand, said to me when I met him on the new years reception of the Mayor: what are you doing here, you are much too low". He did not know that I was on the board of that political party and that my husband had another function that entitled us to be at that reception. We still laugh about this at home whenever some one is trying to lord it over us.)

In those years I was a member of an advisory council to the municipal council, a wijkraad. One day I made the local newspaper when I had asked the Chairman if we had answered a letter of a citizen. No, he said, our meetings are public, he could have been there when it was debated. I said that it was my opinion that letters of citizens had to be answered. Years later the law on good governance said the same.

But not a law, but a medicine was most instrumental to women's work: the anti conception pill. Not to have to worry each month was a huge improvement.

Meanwhile my husband passed the exam for the Diplomatic Service, and I had a second baby on whose birth announcement we put the name of our new posting: Warsaw. Because of the diplomatic immunity, dependants of diplomats could not have a job, so I learned Polish instead and I wrote for the journal of Women's Interests when there was something interesting to report. And there was. There was the question of taxation on the income of women. It was added to the income of the husband and he paid taxes over the whole. This often put him in a higher tax tariff, so that he thought that the wife's work cost him money.

We had a friend who earned a lot, and his wife had a tiny job, he made her stop the work she loved. And we stopped calling him a friend.

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In Poland man and wife were taxed separately and I wrote an article about that. Another item where the Poles were ahead of the Dutch was child care, it was almost free and accessible for all workers. We did not have child care then, only for indigent women, as I found out when I got my job in Rotterdam. So an enthusiastic article on this phenomenon also appeared in Women's Interests.

As I mentioned indigent women just now, this seems the place to go into the matter of two laws, not specifically made for women, but highly beneficial for them : the General Assistance Act and the General Old Age Act. The General Assistance Act was made in 1963 and came into force in 1965. It replaced the Poor Act of 1846, which laid the primary care for poor people with churches and charities. Now assistance became a right for every one who could not provide in the costs of living, and it was government that was responsible. An unexpected consequence was the rise in divorces. Some clever lawyer thought of the 'nihil clause' in the divorce settlement. It meant that the spouse who did not have the means to pay alimony, did not have to do that and that instead the other spouse would ask for assistance. Very often it was the wife who could get out of a marriage without becoming destitute. Till 1971, when 'enduring disruption' became the sole ground for divorce, people used 'the big lie' as a ground for divorce: the accusation of adultery.

I still was an assistant to the clerk and a member of parliament said to me: 'you may act on our behalf in this case. 'There were certain illogical clauses in that bill, and the member said: 'go, see the minister about it'. So I made an appointment and talked to the Minister, and she agreed with me. It was a very nice meeting with our first woman minister, miss Klompé.

We then called an unmarried woman 'miss', even when she was an MP or minister.

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The AOW was for a lot of women the first time that they had their own income. (This law was made after the war, in the time of 'reconstruction' when the social democrats had a lot of power. Most workers then did not have a pension and to avoid wide spread poverty the AOW was made. It is, and was, a blessing, also for housewives who had never worked for pay. The premium is paid by all workers, not by the beneficiaries, so the first time after introduction the beneficiaries had not paid premiums for their AOW.)

The fifties were a good time for women's rights and women's income. After that there were more women's groups and more demands for 'de facto' rights, not just 'de jure'. The term 'gender' did not yet exist. but 'de facto' equality comes close.

There was one law that needed changing:

The most important and most spectacular fight was for abortus provocatus, abortion. 'Boss in own belly', baas in eigen buik. Te Association for Women's Interests started the debate by a questionnaire in its journal, in 1969. The questionnaire was a huge succes. Since 1970 there were seven proposals to change the law. Finally there was one that got through parliament, in 1981.

I was the clerk of the abortion commission, my contribution was not great, I had to write the preliminary comments on the bill. I arranged the contributions of each party so that the advocates came first and the adversaries last. That way the first impression was positive.

We had moved back home in 1973 after a stay in Washington and Bern. In Bern I wanted to write a thesis, but the professor was very discouraging and old fashioned about this idea. So I went to university and studied constitutional law. When we knew we would go home there was a vacancy in the Second Chamber be-

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cause the Clerk left on pension. He was succeeded by one of the substitute clerks, so there was an opening. I applied and because I had studied the Swiss constitution and because they knew me from my former work there, I got the job. I became the highest paid woman in the civil service!

An other law I assisted on was the right to vote of Dutch people abroad. A colleague generously gave me that one to work on because it concerned me too. This week I applied it, my daughter in Scotland authorized me to vote in her place.

But back to women's rights. Most of the rights we got in the 70s and later were under international influence. In 1975 the Decade of Women was proclaimed by the United Nations. The first International Women's Conference was held in Mexico. It raised momentum for the Convention to End all Discrimination Against Women (CEDAW) from 1979. All nations signed it, only the United States and one other state did not ratify it. It took a long time for the Netherlands to ratify CEDAW. The reason is that the government wanted first to adopt legislation in conformity with the Convention and repeal discriminatory laws. For example, it took till 1985 before women could confer their nationality to their children on an equal basis with men. The law on Equal Treatment of men and women of 1980 deals with discrimination in the workplace. And the revision of the Constitution (which came into force in 1983) brought us article 1: discrimination because of sex...is not permitted. All schoolbooks were overhauled to remove the stereotypes. All this happened to comply with article 2 of the Convention. Art, 2 obliges the State to refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions act in conformity with this obligation.

Why, in spite of the Declaration of Human Rights and two Conventions on human rights, meant for everybody, is it that women

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need their own Convention? It is because women are discriminated against in every possible way, sometimes unintentionally, by deeply engrained ideas about the roles of women and men and the unequal power relations between the sexes, generally known as 'gender'. The word 'gender' does not appear in CEDAW, it was introduced in the Plan for Action of the UN Women's Conference in Beijing in 1995. But, with a similar purport article 5 of CEDAW obliges states to take all appropriate measures:

'to modify the social and cultural conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the superiority or inferiority of either of the sexes or on stereotyped roles for men and women.'

CEDAW does not mention a problem that gets much attention nowadays: violence against women. At the time the idea was that that was a private matter. They did not think about violence in conflict situations. Now we have SCR 1325 about the role of women in the prevention and resolution of conflicts. There are groups against early marriage, against FGM, against breast ironing, against femicide and the killing of female foetuses. Statelessness and birth registration are tremendous problems. There is so much to do!

That is why it is so important that there are international organisations like the International Alliance of Women, who advocate in New York and in Geneva for women's rights. IAW was formed in 1904 by the suffragist women, among others the Association for Women's Interests.

These organisations advocated for the rights that this cause was about. They formed women to know what was wrong, and to fight for what was right. They gave courses about our freedoms, they taught women to organise a demonstration, to conduct a meeting,

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The articles in the constitution we relied on when we did not yet have the vote were the freedom of assembly and the freedom of petition.

We wrote countless petitions and organised endless marches,

I am proud that I joined the Association for Women's Interests, Women's Work and Equal Citizenship, as well as the International Alliance of Women, and served them as president.

thank you.

www.vrouwenbelangen.nl

www.womenalliance.org

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