UNEQUAL STATUS, UNEQUAL TREATMENT.
THE GENDER RESTRUCTURING OF WELFARE: IRELAND

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1. Introduction

This article examines the 'gender restructuring of welfare' in the Republic of Ireland (hereafter Ireland). It is based on empirical research into the historical development of social welfare in Ireland applying the 'male breadwinner' model developed by Lewis (1992) and Lewis and Ostner (1994). Under their proposed typology of welfare regimes, Ireland is characterised as a 'strong' variant, in which women's status as citizens has historically been and continues to be resolutely mediated by their family status as homemakers (as wives, mothers and daughters). Pauline Conroy Jackson (1993) showed that a central theme in Irish social policy has been and continues to be to 'manage the mothers', and that this is key to understanding the structure of social welfare. This paper takes up and develops a number of the ideas contained within her paper.

One of the ideas that Pauline Conroy Jackson developed was that lone mothers constitute a border- or test-case which serve to illustrate how ('deviant') households, i.e. households without male breadwinners, are treated under the male breadwinner regime. The treatment of lone mothers particularly exemplifies how mothers and women generally fare under different regimes because they highlight how the male breadwinner-female homemaker norm structures social policy in practical, political and ideological terms.

The position of lone mothers is therefore central to the analysis of the gender structure of welfare and to research aimed at further developing the empirical basis of...
the male breadwinner model. This paper seeks to understand the position of lone mothers in relation to social welfare in Ireland, informed by the situation in Denmark, a 'weak' variant of the male breadwinner model. Denmark is characterised as a system constructed on universal principles of welfare. However, although its focus on individual rights and universality makes it appear to be sympathetic to women, as Stoltz (1995) notes, what is problematic is that gender inequalities in the structure of welfare and the labour market are subsumed within universalism, posing problems for understanding women's position.

The terminology used to discuss lone motherhood mirrors this. In Danish, a distinction is made between 'ene-forælder' (one-parent), 'enlige mødre' (lone or single mother), 'ene-forsøger' (one breadwinner) and 'enlige forsørgere' (lone or single breadwinner). The choice of term has implications for analysis: is the focus on women only or on both parents, which includes single fathers? In Denmark the latter is not as unusual as it is in other European countries, such as Ireland, and the generic 'enlige forsørgere' - single breadwinner - is used in the law and official statistics. While this appears to treat men and women equally, the children and the other parent both disappear. Thus, not only are different types of lone motherhood collapsed into a common descriptive category, but the different social realities of single fathers and single mothers are also masked. On closer inspection of universalism in the Danish case, gender, a relevant to understanding social relations of welfare, is hidden by and subsumed within universal terms and models.

The approach adopted for the purposes of this paper locates lone mothers and the construction of them as breadwinners or homemakers in the context of the evolving gender structure of welfare. Thus, rather than starting by asking how social policies structure the choices and options of lone mothers, lone motherhood is viewed as a political and social construct which is to be understood primarily in an historical context. If we are to understand the position of lone mothers, we must first acknowledge that the category itself is the product of the historical development of social welfare, which is above all a gendered process. By placing the construction of lone motherhood in the framework of the gender restructuring of welfare, a 'gender categorical' approach to social policy development and analysis (which has been particularly prevalent in Ireland) is avoided. This is desirable because gender-categorical approaches tend to practise "pseudo-inclusion" (Thiele, 1992): lone mothers and women are slotted into existing, male-centric theoretical and political models and 'gender' is regarded as a side-effect rather than an organising or
explanatory category. 'Gender' is thereby equated with 'the status of women', where the focus is placed on absolute or relative improvements in the situation of women in terms of their access to resources. While this model has important points to make about absolute changes in the legal entitlements of women to social welfare, for example, it nonetheless marks women off as separate from men and regards women as a discrete and essentially problematic category. In Denmark, gender is also treated as a discrete category in the sense that gender has 'disappeared' as universalism and redistribution have come to structure welfare. If, as Lewis and Ostner (1994) argue, mainstream theories and concepts must be fundamentally rethought, then it follows that a feminist account of lone motherhood is also required which locates it in a theory of gender relations.

Thus, if the objective is to focus on lone mothers as a means by which to draw conclusions about continuity and change in the position of women under male breadwinner regimes, then the gendered development of social policy must provide the analytical framework. An understanding of the changes in the broader structure of gender inequality as a structural feature of welfare are a central aspect of this (Young, Fort and Danner, 1994). The measurement of gender inequality, in this case focusing on lone mothers, requires a theory of gender relations which attends to the processes and principles which structure men's and women's unequal access to resources (Conroy Jackson, 1993).

This discussion attempts to undertake just this within a comparative framework. It shows that women have been marginalised from social welfare and that they remain marginal to it despite moves to equalise and individualise social rights. Furthermore, the very categories of reform are shown to be gendered. The particularities of Ireland and the Irish pattern of social welfare development are thrown into relief by attending to differences and similarities in the gender structure of welfare and the treatment of women, mothers and lone mothers in Denmark.

2. The Irish Male Breadwinner Régime: foundations

The development of the Irish welfare state must be set against the background of colonialism, nationalism and post-colonial Anglo-Irish relations (Garvin, 1981; Burke, 1987; Breen et al, 1990). Although the pervasive influence of Britain on the development of Irish social policy prior to and following Independence has been
widely noted (Cook, 1983; Maguire, 1986; Burke, 1987; Curry, 1993; Conroy Jackson, 1993), Ireland has nevertheless developed a distinctive model of social welfare.

The pattern of social policy development throughout the 19th and 20th centuries can be described as a "gendered categorical approach". That gender has underpinned Ireland's developing welfare state can be illustrated by reference to the continuity of a logic of policy development which is incremental, elitist and categorical. It is from this perspective that the notions of deserving and undeserving which structure rights and entitlements and welfare provision in general are exposed as being premised on sexual difference and women's unequal status.

2.1 Women and the Poor Law

Women have historically been treated as a separate but unequal category by the state in Ireland. This is not only an issue of the status of women: it is indicative of the extent to which gender has underpinned social policy development and its role in structuring social relations. The origins of this treatment can be traced to the Poor Law (1838 Poor Law (Ireland) Act) (Burke, 1987), from which the social welfare and social services systems subsequently developed. It is worth examining this in some detail because it is instructive in understanding how the origins of these systems were premised on gender as an organising category and of the extent to which policymaking in 1995 is still formulated within the framework of the Poor Law.

Summarily, this trend may be characterised as the selective removal of categories of women from the workhouse and the incremental extension of outdoor relief. Different conditions structured the terms on which women and men were entitled to relief. Thus, the notions of deserving and undeserving which have structured the provision

2 Notwithstanding the fact that Britain and Ireland are both classified as 'strong' male breadwinner regimes (Lewis, 1992), Ireland is rarely considered either large enough or different enough from Britain to warrant separate analysis in comparative studies. This mirrors English social historians' (eg Fraser, 1984) ignorance of the historical link between the British and Irish welfare states.

3 Other examples of legislation developed throughout the century in England and which were transposed onto Ireland are the Workmen's Compensation Act (1897), the Old Age Pension Act (1908), the National Insurance Act (1911).

4 On this point, notable is the tenacious influence of the British Poor Law on the structure of Ireland's welfare state over 100 years after it was first introduced: it was still being used as a reference point for the introduction of legislation as late as 1965 (the Smallholders' Unemployment Assistance Act - Notional Assessment set out the assessment of the resources of smallholders with reference to the Poor Law valuation system, and was used until declared unconstitutional by the High Court in 1982). When Home Assistance was replaced by Supplementary Welfare Allowance in 1975 the local structure of assistance was retained (nationally set rates and entitlements were established but the payment structure of the Allowance remains local).
of relief since its earliest days were gendered. The idea that women were economically dependent on their husbands whose role was to provide and protect (breadwinner), was evident in the earliest and most rudimentary systems of public relief. Women were deemed 'deserving' and entitled to relief only if they could prove that their husbands had failed to provide for them or had been absent (i.e. that the wife had been 'deserted') for more than 12 months. Thus, women not only faced additional obstacles to obtaining public relief but their entitlements were also conditional.

In 1847 the principle of no outdoor relief was reversed due to the Famine. Outdoor relief was sanctioned for certain groups of destitute persons, a policy development marking the beginning of social services (Burke, 1987). A distinction was made between different groups of the poor within the workhouse which was necessary for selectively removing certain categories of the poor. This was intricately bound up with categorising and hierachising women. Outdoor relief was to be granted to those whose male breadwinner had either failed (due to old age, sickness, accident, or due to his absence) to maintain his family. Widows with two or more legitimate dependent children were the first group of women to be removed from the workhouse under this policy and granted entitlement to outdoor relief, essentially by virtue of their status as wives and mothers.

Women's experience of social welfare (indoor and outdoor relief) in the 19th century was thus mediated by their family status, and social welfare has developed by continuing this differential treatment of women and men and by categorising women. By the late 1930s, the foundations of the welfare system had largely been laid: men were treated as breadwinners and earned unconditional, individual rights through their participation in the production process and by virtue of their family status as heads of household; women faced greater obstacles - their entitlements were contingent on the failure of their husband to provide, on their family status as mothers and on their relationship to men more generally.

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5 Burke (1987) discusses other ways in which the categories underlying the operation of the Poor Law were gendered, particularly how the rudimentary system of state relief constituted from an early stage a substitute form of protection for women in the event of the absence or failure of men to provide for them. The female inmates of workhouses (orphan girls and single women) were assisted to emigrate to other British colonies. Women with children were however discouraged from emigrating, and single Irish women living in England who became pregnant were forcibly returned to Ireland. The disproportionate numbers of women in the workhouse (women outnumbered men by 3:1) and in particular unmarried mothers may be explained by women's greater economic vulnerability deriving from the Famine and from their prescribed dependence on men.
Three Acts may be pinpointed as landmarks in this early period. The first was the 1908 Pensions Act, which did much to remove elderly people (the vast majority of whom were women) from the workhouse. The second was the National Insurance Act (1911) which constituted the cornerstone of the male breadwinner regime: it was elitist, excluding the majority of the workforce who continued to depend on local poor relief. The scheme consolidated the wage system, and was designed to ensure that workers (presumed to be men) could provide for their family. Married women were automatically defined within the insurance scheme as dependants and not entitled to any protection other than that which they derived from marriage to an insured husband. The system further enshrined and reinforced the dependency and inferior value of women through the developing structure of contributions, benefits and personal allowances.

Finally, there was the Widow's and Orphan's Pension Act (1935). The interesting feature of this was that it marked the first move towards establishing a parallel system of gendered categorical benefits as a response by the state to the failure of the existing system to provide for women and children. The origins of this Act lay in a concern to upgrade the status of deceased workers' dependants (one in three recipients of Home Assistance were widows), rather than all the poor or all women. Rather than gender prescriptions being regarded as causing widows' poverty, gender was regarded as a 'side-effect' which could be alleviated by the extension of the existing system and its adaptation to suit the specific needs of women. The Act provided for a group of women (widows) to be removed from Home Assistance (outdoor relief). This was done by inserting them into the existing system by creating a new category. Although provision for this group was marginally up-graded in the process, women's entitlements still derived from their legal status to a man, reinforcing the principle of dependency. These entitlements were conditional in another way: widows who subsequently cohabited were no longer entitled to their

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6 Excluded from the scheme were agricultural workers who comprised one half of the Irish workforce, the self-employed (40% of the labour force), employees in private domestic service, and workers in non-manual employment whose pay was above a specified level.

7 "Married women living with their husbands need not be included since where the unit is the family, it is the husband's and not the wife's health which it is important to insure. So long as the husband is in good health and able to work adequate provision will be made for the needs of the family, irrespective of the wife's health, whereas when the husband's health fails there is no one to earn wages", Government actuaries 1910, quoted in Fraser (1984) p. 167.

8 In 1921 supplements were introduced, payable to the recipient (married men) of benefit in respect of his dependants, i.e. his wife who was not in employment and for any child dependents.

9 Survivor's benefit was accessible to just a small number of widows because only 32% of the male population over 16 years old were covered by social insurance. Women comprised just one in five of the insured population and less than one in ten of women in the labour force were insured in their own right.
pensions on the grounds that they would be financially supported by their new partner.

For women the male breadwinner regime meant that they were integrated on different and unequal terms to men. At the same time, the ideological ascendency of the marital family reinforced the gendered wage system and the basis of the State. Indeed, independence from Britain in 1921 and the foundation of the Irish State in 1922 strengthened the male breadwinner regime. This was an integral element of the nationalist movement: the notion of sexual difference and women's inequality was accentuated as independent Ireland asserted its identity. Nationalism worsened the position of women (T.P. Coogan, 1993; Meaney, 1993) by building on existing gender prescriptions. These subsequently became enshrined in Irish Constitution of 1937 and the Social Welfare Code (Donnelly, 1993). The family and women's position within this was therefore central to the formation and identity of the State\textsuperscript{10}. Women's marginality in the emerging State and its public institutions was tied to nationalism's gender prescriptions of women as homemakers in the private sphere (Meaney, 1993). The separate and unequal incorporation of women into social welfare mirrors their exclusion from the structures of the State and from political citizenship.

2.2 Women's marginalisation: the institutional structure

Women's marginalisation from the emerging social welfare system took on a particular form in the period following Independence. While the British government extended social insurance during the 1920s and 1930s, and abolished the Poor Law replacing it with national schemes, Ireland concentrated on reforming and expanding the Poor Law\textsuperscript{11}. The simultaneous expansion of outdoor relief and social insurance contributed to women's exclusion from benefiting in their own right from 'quality' social protection.

\textsuperscript{10}Article 41.2.2 of the Constitution stipulates that "the State shall endeavour to ensure that mothers shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home".

\textsuperscript{11}Not only was outdoor relief renamed 'Home Assistance' in 1923, but restrictions were lifted and additional resources were allocated to it to absorb the phased shift from indoor to outdoor relief.
The concentration of women among recipients of local social assistance (figure 1) was due to the absence of national social insurance or social assistance programmes and to specific criteria barring married women from claiming insurance benefit. In fact, Home Assistance remained the main source of public support for the Irish poor: just one in five of the labour force in 1926 were insured against unemployment, and one in three in 1936. This early 'democratic deficit' was also a gender deficit: insured women comprised 4% of the total labour force in 1926, rising to just 7% in 1936 (figure 2). The resultant over-representation of women among Home Assistance recipients and the poor is directly related to the marginalisation of their work: they were excluded from the social insurance system designed to cover the risks incurred by men and to ensure that they could fulfil their obligations to support their families. Not only was social welfare designed so as to deliberately exclude women, but it was a regressive system which transferred resources from women to men. Thus, the recommendations of the Committee of Inquiry into Health Insurance and Medical Services (1925) that women's insurance contribution be terminated upon their
marriage and that they receive a once-off marriage benefit took effect in 1929, effectively barring women from receiving benefits (unemployment, sickness) for which they had already paid.

Figure 2: Women, Unemployment Insurance and the Labour Market 1926-1979 (a)

<table>
<thead>
<tr>
<th>Year</th>
<th>Insured Population</th>
<th>Insured Women</th>
<th>Women as a proportion of the insured population</th>
<th>Insured persons as a proportion of the labour force (b)</th>
<th>Insured women as a proportion of the labour force</th>
<th>Insured women as a proportion of the female workforce</th>
</tr>
</thead>
<tbody>
<tr>
<td>1926</td>
<td>246,134</td>
<td>50,450</td>
<td>20%</td>
<td>19%</td>
<td>4%</td>
<td>15%</td>
</tr>
<tr>
<td>1936</td>
<td>411,418</td>
<td>89,474</td>
<td>22%</td>
<td>31%</td>
<td>7%</td>
<td>25%</td>
</tr>
<tr>
<td>1946</td>
<td>433,427</td>
<td>113,791</td>
<td>26%</td>
<td>33%</td>
<td>9%</td>
<td>34%</td>
</tr>
<tr>
<td>1951</td>
<td>514,611</td>
<td>138,182</td>
<td>27%</td>
<td>40%</td>
<td>11%</td>
<td>42%</td>
</tr>
<tr>
<td>1961</td>
<td>629,316</td>
<td>187,842</td>
<td>30%</td>
<td>49%</td>
<td>15%</td>
<td>65%</td>
</tr>
<tr>
<td>1966</td>
<td>688,410</td>
<td>219,727</td>
<td>32%</td>
<td>61%</td>
<td>20%</td>
<td>76%</td>
</tr>
<tr>
<td>1971</td>
<td>732,943</td>
<td>262,807</td>
<td>36%</td>
<td>65%</td>
<td>23%</td>
<td>91%</td>
</tr>
<tr>
<td>1979</td>
<td>820,000</td>
<td>270,000</td>
<td>33%</td>
<td>64%</td>
<td>21%</td>
<td>75%</td>
</tr>
</tbody>
</table>

Source: author's own calculations based on the Census of the population and Statistical Information on Social Welfare Services (annual reports of the Department of Social Welfare).

Note:
(a) 1979 is the last year for which information distinguishing between men and women in relation to Unemployment Insurance was published. Although 1985 was the last year for which information relating to Insured persons for unemployment as opposed to persons insured for all benefits, it is not possible to determine the proportion of women and men insured.
(b) Labour force size is derived from Census figures: the labour force in 1926 was occupied persons 12 years old and over, in 1946 it included persons aged 14 years and over, in 1986 it included persons of 15 years and over. 'Occupied' persons excludes retired persons, students, people who have not yet entered the labour market, people on 'home duties'.

The Irish pattern of social welfare development was therefore both elitist and gender-categorical. The incremental development of social welfare involved identifying groups of the workforce and women dependent on Home Assistance and according them entitlements\textsuperscript{12} to lift them out of the mass of the destitute. These groups were

\textsuperscript{12}The setting up of national programmes in the 1930s entailed creating a dual structure of assistance whereby responsibility for the provision of relief for certain groups was transferred from local to national level. Unemployed people (including agricultural workers) were transferred from local to national
transferred between relief systems and tacked on to the mainstream system as additional and marginal categories.

The experience in Denmark was quite different during this period (1930s). As in many other European countries, a broad-ranging debate was taking place regarding the place of women in society. This debate was of great significance for lone mothers, and was influenced by the population crisis (low fertility rates) and the economic crisis (high rates of unemployment). This period also marked a turning point in the development of an interventionist welfare state, influenced by Swedish social democrats Alva and Gunnar Myrdal whose book on the population crisis was published in Danish in 1935. In the same year, a population committee was set up\(^\text{13}\), to explore the implications of shifting from an economic rationale for birth control to a more radical, redistributive social policy as a basis of population policy. A large volume of economic and social policies were passed during this decade, and social reform started from 1933.

Gender was central to this policy shift and to the adoption of an interventionist stance by the state. The Public Care Act (1933), for example, distinguished between different groups of mothers and lone mothers in particular as a feature of the extension of the public provision of care for children. The route into single motherhood was crucial to the woman's subsequent treatment by the state. If, for example, a child was born out of marriage it was the duty of the midwife present or the doctor, or the mother herself if these were not present, to immediately inform the authorities about the birth. It was the statutory duty of the authorities to ensure that the conditions under which the child was to be taken care of would be supervised\(^\text{14}\). Children under the age of 18 born to lone mothers were effectively made wards of the state: their care was monitored by a social committee which could decide to institutionalise the child if deemed appropriate. This was regarded as protecting against poverty for the mother and child, but it also limited the autonomy of the women concerned. Lone mothers were treated as dependants: the implication was that women without men were unable to care for themselves and their child(ren). If there was no man present, then the state would have to protect her. The construction

government under the Unemployment Assistance Act (1933), as were widows under the Widows and Orphans Act (1935).

\(^{13}\) The secretary of this committee was Jørgen S. Ditch who was also the translator of the Myrdal book. The committee was set up by the Minister for Social Affairs and was made up of experts in macro-economics, statistics and social policy. Three out of eleven members were women; seven sub-committees were set up, to look at, inter alia, support during pregnancy and working mothers.

\(^{14}\) Dansk lovsamling (1933) Lov om offentlig forsorg, no. 181, 20 maj 1933, Copenhagen, pp. 346-7
of women as dependants who were subject to state control was therefore integral to the development of the Danish universal welfare state.

3. Gendering Welfare: a Post-War Consensus

3.i Gender Stratification

The Second World War is often regarded as having marked a qualitative shift in the development of social welfare in Ireland. Indeed, it is during the post-war period that the Irish 'minimalist state' is said to have 'matured' and 'modernised', having been transformed into a Welfare State (Breen et al, 1990; O'Connell and Rottman, 1992). More 'outward-looking', 'progressive' policies were developed in an attempt to raise Irish social welfare services to British and European standards (Cook 1983; McCashin, 1985; Maguire, 1986). The emphasis of the reforms introduced under the Social Welfare Act (1952) was on extending and up-rating social insurance, bringing groups of previously excluded workers into existing compulsory schemes and introducing additional insurance benefits. Such developments were part of an overall move to reform the administration and organisational basis of social welfare in order to integrate and simplify the system\(^\text{15}\). They were underpinned by a relatively generous increase in resources (while welfare expenditure increased by 13% between 1947-1952, GDP grew by 3.7% over the same period). The restructuring which took place at this time is described as a shift from a predominantly localised, assistance-based, residual model to an insurance-based system in which elements of selectivity and universalism played a role (Maguire, 1986).

Although Maguire (1986) stresses the post-war break with the principles and structure of pre-war social welfare, continuity rather than change can be said to best characterise the post-war model and reforms. Indeed, gender was central to structuring the reforms: Pauline Conroy Jackson (1993) notes the "rigidity and persistence of the state in sustaining and prescribing the place of women and mothers as primarily in the home" (p. 73). The emphasis on up-grading of social insurance was designed to benefit men, and resulted in men being disproportionately removed from Home Assistance (between 1935 and 1970, for example, the proportion of women recipients increased from 57% to 68%). Women's marginality

\(^{15}\) The Department of Social Welfare was set up in 1947 to centralise and coordinate existing schemes hitherto administered by local and central institutions (apart from Home Assistance).
was consolidated by the exclusion of Home Assistance from the reforms, remaining a local, residual service. Figure 1 shows that women have consistently comprised the majority - two-thirds - of Home Assistance recipients. Furthermore, the percentage of women entering the labour market and benefiting from the expansion of social insurance did not increase significantly: between 1946 and 1961 while the insured population as a proportion of the labour force rose from 33% to 49%, for women the corresponding percentages were 9% and 15% (figure 2).

Pauline Conroy Jackson (1993) therefore argues that Irish social policy had bypassed the Second World War as a landmark for women. The post-war social welfare system may be regarded as an historically specific variant of the male breadwinner regime. As a system of gender stratification, the development of social welfare has progressively enshrined and strengthened women's status as homemakers, institutionalising the marginality of women's work in production while revering their role as mothers and wives. The gender structure of welfare is manifested in three ways.

Firstly, the development of social welfare during the post-war (as in the pre-war) period was a regressive, exclusive and uneven process: women, higher-paid employees and the self-employed remained largely excluded from the system. The incremental extension of social insurance to new groups was unequal: for example, unemployment insurance was extended to male employees in private domestic service and agriculture in 1953, while 13 years elapsed before unemployment insurance was extended to equivalent female employees in the same sectors.

Secondly, when women were brought in, their entitlements were determined by their family status, as wives or mothers, with a lower value attached to their participation in production. Figures 3 and 4 demonstrate that women were entitled to lower rates of benefit and that the terms governing access to which were different compared with men in comparable situations. Figure 3 shows that the rates of contribution and benefit were stratified by gender as well as by marital status: the rates of benefit were consistently lower by 3 shillings for women of equivalent marital status to men. This cannot only be attributed to dependency based on the concept of the breadwinner but must be explained by reference to the lower worth of female persons, as demonstrated by the lower employer's contributions for girls than for boys (figure 3).
Figure 3: Rates of contribution, ordinary rate October 1948

<table>
<thead>
<tr>
<th></th>
<th>From Employer</th>
<th>From Employee</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Man</td>
<td>1/0 d</td>
<td>-/11 d</td>
<td>1/11 d</td>
</tr>
<tr>
<td>Woman</td>
<td>-/10 d</td>
<td>-/9 d</td>
<td>1/7 d</td>
</tr>
<tr>
<td>Boy</td>
<td>-/6 d</td>
<td>-/5 d</td>
<td>-/11 d</td>
</tr>
<tr>
<td>Girl</td>
<td>-/5 d</td>
<td>-/5 d</td>
<td>-/10 d</td>
</tr>
</tbody>
</table>

Figure 4: Unemployment Assistance: rate of benefit (Dun Laoghaire) (1947)

<table>
<thead>
<tr>
<th></th>
<th>Rate of benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Man, no dependants</td>
<td>16/0 d</td>
</tr>
<tr>
<td>Spinster or widow, no dependants</td>
<td>13/0 d</td>
</tr>
<tr>
<td>Man with dependant wife</td>
<td>22/6 d</td>
</tr>
<tr>
<td>Married woman with dependant husband</td>
<td>19/0 d</td>
</tr>
<tr>
<td>Man with dependant wife and one other dependant</td>
<td>25/0 d</td>
</tr>
<tr>
<td>Married woman, dependant husband and one other dependant</td>
<td>22/0 d</td>
</tr>
</tbody>
</table>

Source for figures 3 and 4: Report of the Department of Social Welfare

Thirdly, social welfare categorised women on the basis of their marital status. Widows and single women were required to have at least one dependant or one year's contribution record, whereas married women were entitled to unemployment assistance only if their husbands were incapable by reasons of physical and mental infirmity of working, or if they had one or more children.

The process of differentiating between women was an integral part of consolidating discrimination against all women, which was, in turn, central the expansion of social welfare. Therefore, the involvement of the state in developing public income maintenance compounded the gendered stratification of welfare by systematically devaluing all women and relegating them into the margins of social welfare. It furthermore continued the historical trend of 'fragmenting' women as a means by which to incorporate them into the 'mainstream' system designed with men's needs in
mind. The incorporation of certain groups of women into social welfare mirrored and underpinned the broader trend of categorical elitism.

This raises a theoretical point. Because gender inequality is an organising principle rather than a side-effect, it would be incorrect to interpret isolated improvements in the status of certain women as an indication of a move towards gender equality. For example, the 1952 Social Welfare Act equalised rates of benefit for single women with men’s, but retained existing discrimination against all other women\textsuperscript{16}. Therefore, to regard marital status as the principal expression of women’s exclusion from social welfare and to regard discrimination against women as coterminous with the gender structure of welfare (e.g. Cook and McCashin, 1992) is to regard gender inequality as a procedural anomaly which can be rectified by phasing out overt forms of discrimination against selected groups of women. This is a common misconception of mainstream social policy analysis and analysts which, moreover, ignores the fact that the incorporation of some women into social welfare as workers was matched by tightening the scrutiny of all women as homemakers. Figure 4 thus shows the rates of unemployment assistance: married women were only entitled to benefit if their husband was unable to work and had child dependants. Thus it was by virtue of their marital and parental status that they were accorded rights to social welfare. Therefore, the removal of discriminatory aspects of social welfare was accompanied by new forms of discrimination and state control over women.

3.ii The International Gender Structure of Welfare

That there existed a consensus to gender welfare was not an phenomenon peculiar to Ireland; indeed, a review of literature relating to the development of social welfare reveals that it was an international phenomenon in the post-war period (Lewis, 1993; Sainsbury, 1994). This consensus seems to derive at least in part from the historical export of Britain’s gendered policies (Colwill, 1994) to Ireland but also to countries like the Netherlands\textsuperscript{17}, (both of which, incidentally, are classified as 'strong' male breadwinner regimes). A key question to consider in this respect is, if gender

\textsuperscript{16}For example, the marriage bar (lifted in 1973) forced women to resign from public sector employment upon marriage; the practice of lower contributions and lower rates of benefit for shorter periods of time (312 rather than 390 days) for married women ('small stamps'); the 'marriage grant' which closed women’s contribution record on marriage (unless they worked in insurable employment for at least 6 months after marriage). A woman’s accrued rights transferred to her husband who could claim an increase in respect of her even if she was employed or receiving benefit.

\textsuperscript{17}I am indebted to Trudie Knijn of the University of Utrecht for initially bringing this to my attention in Padua (April 1995).
informed the development of both the British and Irish welfare states, why did Britain
develop a universalist welfare state and why did Ireland not? In other words, although
gender underpinned both countries, sharing a common institutional legacy, it has led
to very different outcomes and consequences for the treatment of women as mothers
and wives. What accounts for this?

The impact of British social policy can be illustrated by reference to the export of the
Beveridge Report and plans for full employment to Ireland and the Netherlands during
the post-war period. The Beveridge Report (published in December 1942) played an
important role in the ideas of the exiled Dutch government during the war. The stay of
Queen Wilemina of the Netherlands in England from May 1940 to May 1945, during
which she would have had access to the Beveridge report, would have furthermore
facilitated this exportation process. Thus, in April 1943, the Minister for Social Affairs,
J. van den Tempel, set up a committee whose task it was to report on the implications
of the Beveridge Report for the Netherlands (de Jong, 1979)\textsuperscript{18}. The subsequent
Dutch system of flat-rate universal benefits with its sharp distinction between the male
breadwinner and female homemaker may therefore be attributed to the formative role
played by the Beveridge report.

British thinking on social and economic planning and post-war reconstruction was
also influential in Ireland. The Minister for Industry and Employment, Sean Lemass,
announced plans in a memorandum of 18 June 1942 to set up a Ministry of Labour to
cordinate economic planning with the principal government departments in order to
develop the financial, industrial and commercial base of Ireland. This was rejected by
De Valera, who argued against "revolutionary change in the foundations". Lemass,
"greatly stimulated" by the 1944 British White Paper on Full Employment, produced
an own Irish version\textsuperscript{19}. He planned to overhaul tax, monetary and industrial policy to
develop the industrial base to serve the international market while rationalising the
agricultural sector to promote industrial and economic development and improve
productive capacity and efficiency. The principal objective was "the employment of
the whole available manpower" (T.P. Coogan, 1992, pp. 630-632). Women's role in
this scheme was as housewives and mothers, whose contribution to the productive
capacity of the nation was a prerequisite for male participation in the productive

\textsuperscript{18} I am grateful to the Dutch Palace, and in particular the Director of the Koninklijk Huisarchief, drs B.
Woelderink, for supplying me with this information and for very kindly allowing me to cite it in this article.
\textsuperscript{19} Lemass memorandum, D/T S.13101A, NAI.

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process. In the event, Lemass was defeated by the Cabinet, but the influence of Britain on Ireland's social and economic policies, be it by design or default, remains.

A second example which illustrates the centrality of gender to the structure of the post-war welfare state is the Mother and Child Scheme of 1951. The fate of this universalist scheme, first introduced in the 1947 Health Bill by Fianna Fail, is central to understanding why a universal system was not set up in Ireland, despite its being modelled on the British universal health service (Barrington, 1987; Sawyer, 1993).

The Scheme, spearheaded by Dr. Noel Browne, Minister for Health, constituted the cornerstone of the coalition government's plans for a universal and compulsory health service for mothers and for children up the age of 16, funded out of taxation and free at point of provision. It also foresaw improved medical services for schools, better protection against infectious diseases and better preventive health education (Browne, 1986; Barrington, 1987; Sawyer, 1993; T.P. Coogan, 1993).

As in Britain, the scheme was opposed by the medical profession who feared socialised medicine would undermine their autonomy, but it was also vigorously opposed by the Catholic Church which argued that the Scheme was in conflict with Catholic social teaching and "in direct opposition to the rights of the family and of the individual". The Scheme, it was argued, would lead the State to interfere in areas in which it had no power to act. Opposition to universalist principles was argued on the grounds of 'subsidiarity': the vast majority of citizens could effectively be catered for by individual initiative and the State had no right to infringe the freedom and rights of the 90% of parents on the grounds of relieving the 10% 'negligent parents' of a means-test by providing a free service for all, and would undermine parental responsibility.

In the face of concerted opposition, Noel Browne lost support for his initial scheme. He then proposed an amended version which incorporated means-testing to a greater extent, believing he had adequately responded to the criticisms voiced. However, such was the force of opposition to the amended scheme that he was forced to resign, upon which he revealed that the Church had intervened in this political dispute between himself, the medical profession and the Cabinet. The ensuing political controversy created a constitutional crisis with the collapse of the government in 1951. The Mother and Child scheme was substantially watered down and subsumed under reforms which extended the entitlements of the general population to means-
tested health services, a system in which greater weight was accorded to selectivity, voluntarism and individual civil freedom and responsibility.

The opposition to universalism (ostensibly on the grounds that in promoting 'minority interests' it would undermine those of the majority) was in fact opposition to granting women reproductive rights. The Scheme's plans for free maternity care for all mothers, child care up to the age of 16 and a education scheme for motherhood was held to be in contravention to Catholic social and moral teaching and the Natural Law, as it could include instruction on 'sex relations, chastity and marriage', and on contraception and abortion (Barrington, 1987, p. 210). Thus, "Gynaecological care may be...interpreted to include provision for birth limitation and abortion. We have no guarantee that State officials will respect Catholic principles in regard to these matters" (cited in T.P. Coogan, 1993, p. 649). In effect, then, women's citizenship and gender are central to explaining the structure of the welfare state and social rights: the prescription of motherhood within the confines of the marital family strictly circumscribed the creation of a universal, socialised system of medicine and health care.

4. The Individualisation of Welfare: fragmenting women

After the defeat of the Mother and Child scheme in 1951, nothing was proposed specifically for mothers until the 1970s. This was a decade of great significance for women in different ways. Firstly, feminists' demands during the 1960s that women be entitled to social welfare in their own right and that discrimination in the labour market be outlawed translated into the setting up of the Commission of the Status of Women20 in 1970, which has since provided the institutional apparatus and impetus for reform (Smyth, 1993). A range of 'women's benefits' - Prescribed Relatives' Allowance21 (1968), Deserted Wife's Allowance (1970), Deserted Wife's Benefit (1973), Unmarried Mothers' Benefit (1973), Prisoners' Wife's Benefit (1974) and the

20 This was later renamed the Council for the Status of Women, and in 1995 was again renamed the National Women's Council of Ireland.
21 This was an allowance claimed by and paid as a supplement to the (usually elderly) person being cared for. It could only be claimed if the person caring was a female relative - eg daughter and daughter-in-law and if she was caring on a full-time basis. Although this allowance is strictly speaking not exactly equivalent to the benefits introduced for mothers and wives, it nonetheless institutionalised the treatment of women, in particular daughters, as carers and as dependants, thereby extending the range of roles for women as providers of welfare.
Single Woman’s Allowance\textsuperscript{22} (1974) - and anti-discrimination legislation\textsuperscript{23} were introduced which marked the entry into a phase of the 'gendered individualisation of rights'.

The introduction of these benefits, representing the first phase of the individualisation of rights (Whyte, 1995), illustrates the gender restructuring of welfare hypothesis. The Unmarried Mothers’ Allowance is particularly significant in this respect, for through it the State accepted the right of lone mothers and their extra-marital children to support; the women concerned gained entitlements to benefit in their own right within the 'mainstream', centralised, social welfare system, rather than the poor law hangover (Home Assistance). The success of having the benefit introduced, pressed for by Cherish, an association of lone mothers, can be explained in terms of protecting the special role of motherhood in Ireland spurred on by developments abroad. The plight of a group of mothers, although unmarried, was brought to attention by developments in Britain: in 1967 the Abortion Act allowed Irish women to use Britain's abortion facilities, and which forced policy-makers to provide for mothers. Because around 80% of women seeking abortion in the UK in the early 1970s were unmarried, the introduction of the allowance effectively introduced a wage for housework and child care. Furthermore, it corresponded exactly to Article 41 of the Constitution because it offered an incentive for mothers to stay at home, and was “a form of bonus for those deserving mothers who had continued with their pregnancies” (Conroy Jackson, 1993, p. 83). The introduction of this benefit effectively created a new category within social welfare, neatly fitting into the categorical mode of policy development in the social welfare system.

The introduction of such benefits were part of the broader process of restructuring to which the construction of motherhood was central. This restructuring can be depicted as a \textit{simultaneous and mutually complementary} process of dismantling overt forms of discrimination against wives created in the post-Independence period (spanning approximately 50 years) to prohibiting their participation in the labour market, while replacing them with new structures which institutionalise, perhaps to an even greater

\textsuperscript{22} Like the Prescribed Relatives Allowance, the Single Woman’s Allowance institutionalised women's role as carers, in particular as daughters, within the social welfare system. It was paid to elderly women who, through having cared on a full-time basis for their parents, had not built up any credits in the system and thus were not entitled to any benefit. Rather than crediting unpaid work, the response was to create a residual category to mop up the effects of the inefficiencies of the male breadwinner model.

\textsuperscript{23} In 1973 the marriage ban prohibiting married women from remaining in public service employment after marriage was lifted. In 1974 the Anti-Discrimination (Pay) Act prohibited discrimination in pay for similar work.
extent, women's family status as wives, mothers and daughters, but above all as 'private' unpaid carers (c.f. footnotes 21 and 22). Thus throughout the construction of a system of derived rights and the shift to individualised payments, women's rights were structured by their family status, never solely on the basis of need. Although women were granted entitlements to benefit in their own right, the effect of individualisation was to replace marital status for motherhood as a way of managing women and keeping them off the labour market, contained within the confines of the family. This is not to deny that discrimination on the basis of marital status was entirely abolished, only to highlight that motherhood became the principal channel structuring women's relationship to the State following the introduction of benefits to cover women in the event that the male breadwinner failed to provide for them. In fact, as social welfare developed, i.e. as it 'individualised' rights, so it introduced new processes and ways of differentiating between and discriminating against women.

It is therefore necessary to evaluate any absolute improvements and changes in women's entitlements, significant though they are, by locating them in the context of continuity and change to the overall structure of social welfare, as well as to the terms on which these improvements were introduced. In essence, reforming the procedural treatment of women via the introduction of women's benefits constituted a remedial measure which patched over the inefficiencies and harsher edges of the male breadwinner model. The individualisation of benefits was in fact the latest in an historical track record of 'crisis management' on the part of the state: demands for women's entitlements were responded to through incremental reform while firmly retaining sexual difference and gender prescriptions as the basis of reforms.

The introduction of the range of women's benefits must be contextualised against the background of the developing structure of social welfare. In effect, they had created national social assistance payments, the significance of which must be tempered by considering that the substantive expansion of social welfare of which that development was a part, also comprised the extension of social insurance to previously uncovered workers and the up-rating pay-related benefits24. Women were de facto excluded from the rapid expansion of 'quality' social citizenship rights because of their low labour market participation rate (29% in 1971), and because the

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24 In 1974 social insurance was extended to all private sector employees under the Abolition of Insurance Limit Act, although self-employed and part-time workers were excluded. The extension of social insurance was paralleled by a shift from flat-rate to pay-related benefits in 1974, whereby a pay-related supplement was paid in addition to flat-rate unemployment and disability benefits, maternity allowance and injury benefit. The proportion of social welfare spending to GDP grew from 6.2% in 1965 to 7.6% in 1970, which was mainly accounted for by a shift to social insurance and pay-related benefits.
work they performed was still not covered by the existing social insurance schemes (self-employed and part-time workers were excluded from the extension of social insurance coverage). The Irish experience during this period was to attempt to implement procedural equality within a framework underpinned by substantive gender inequality.

Women's role as homemakers was therefore reinforced by the individualisation of rights, which rewarded motherhood and kept them off the labour market (Conroy Jackson, 1993). The Irish experience of individualisation has therefore not been a quantum leap in the citizenship rights of women; in fact, it is doubtful whether this can really be termed as individualisation because women's entitlements were still 'derived', be it from their husbands or their children. Indeed, both McDevitt (1987) and Conroy Jackson (1993) argue that, even for Deserted Wife's Allowance and Benefit, although formally targeted at women as wives25, they are in fact a form of 'mothers' maintenance' because of the requirement for women under 40 years old that there be a dependent child in order to qualify. The effect of this was to introduce benefits for women to keep them off the labour market and in the home by providing a 'wage' for full-time work as homemakers.

That the rights and needs of women were addressed by the State only insofar as they coincided with its prescription of female domesticity is a central theme of the development of women's citizenship. To repeat: women's unpaid work within the family is not marginal but a primary factor in understanding the development of the overall structure of social rights. As in previous periods, while were the primary beneficiaries of the expansion of social insurance, women were principally affected by the reforms to social assistance. The expansion of national social assistance schemes essentially recruited female recipients of local social assistance payments (Home Assistance). This has been a major feature of social welfare development throughout the history of public income maintenance schemes, as illustrated in earlier sections of this article. Figure 5 below charts the net effect of individualisation for women by showing the relationship between trends in Home Assistance and the introduction of women's benefits. The 'valley effect' demonstrates that the effect of individualisation on the structure of social welfare was to have transferred women

25 Deserted Wife's payments are interesting for a further reason. Ireland is unique in defining marital breakdown as an insurable contingency in the same way as unemployment, old age and sickness (McDevitt, 1987). In 1970 the introduction of a Deserted Wife's Benefit was rejected on the grounds that it was incorrect to view desertion as an insurance risk. The Allowance was introduced instead, providing the grounds for introducing the Benefit in 1973.
from one tier of social assistance to another whilst differentiating between women by categorising them.

Figure 5 Recipients of selected Social Welfare Benefits 1960-1990

![Graph showing recipients of selected Social Welfare Benefits 1960-1990.](image)

Note: In 1977 Home Assistance was replaced by Supplementary Allowance. Government statistics no longer distinguished recipients by sex, but by recipients/dependants. The figures here show dependants.

Source: Reports of the Department of Social Welfare

'Equality' for women thus amounted, again, to the reform of the margins of the male breadwinner model so as to appear to meet demands for equality but without in fact actually overhauling the structure of social welfare. Additional categories based on women's status as homemakers (wives, daughters, mothers) were tacked on at the periphery (in contrast, incidentally, to men who were categorised according to their
family - breadwinner - status but integrated into the core of the system). These categorical benefits continue the historical tradition in Ireland of fragmenting women in order to slot them into a system devised to meet men's needs and obligations as breadwinners. Not only, therefore, were the categories of restructuring gendered but in so doing, Ireland retained the Poor Law model, in both spirit and structure, for women.26

The categorisation of women on the basis of their relationship to men has been integral to and an explicit element in the development of citizenship in Ireland: women became citizens through being lifted out of the mass of paupers, treated as a separate but unequal category and granted entitlements on the basis of their relationship to men. The individualisation of rights here entailed defining female claimants variously as: women whose disobedience had obliged their husbands to leave them (Deserted Wives); wives of criminals (Prisoner's Wives); wives of dead men (Widow's Allowance), and women who men wouldn't marry (Unmarried Mothers). Women's entitlements thus "depended on the gravity of their status as victims of male sexuality, abandonment and crime" (Conroy Jackson, 1993).

The emergence of the category of desertion in its own right (as distinct from its use as an administrative method) is particularly revealing of the nature of the gendered development of social welfare during the 1970s. Although it has been present since the Poor Law as a way of determining eligibility for public relief, the introduction of benefits entitled Deserted Wife's Benefit or Allowance marked not only the hardening of the male breadwinner model by institutionalising different categories of lone motherhood, but it 'sexualised' social welfare. Women applicants had to prove their sexual and moral innocence as a precondition of claiming their rights to state support: the burden of proof rested on the woman to prove she had been deserted by her husband for a period of at least three months, that she had made all reasonable efforts to be reconciled with him and had already attempted to obtain maintenance from him. Moreover, the criteria defining 'desertion' has barely changed over the course of one century: the Poor Law stipulated twelve months' desertion compared with the requirement of three months in the 1990s. In effect, the result of individualisation is a reduction of just 9 months as regards the period of 'desertion' while the notion itself has become more significant in mediating women's access to

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26 This is perhaps not so surprising from an Irish perspective given that the Poor Law had served as an explicit point of reference for the introduction of social welfare legislation in 1965 (cf note 4) and for policy until the early 1980s.
social welfare. It is indeed remarkable that very little has changed over the course of 'modernisation' in Ireland: women's experience of social welfare in the mid-1990s and of the Poor Law in the mid 19th century is more one of continuity than of change.

The response of the State to the failure of the existing system to adequately meet the needs of women was to reinforce the labelling of women as a minority or deviant group whose needs the basically sound system was theoretically able to address within the existing framework through sporadic legislative reform and by adding further layers of categories. Gender inequality was regarded as a side-effect, amenable to correction rather than recognised as an underlying structural feature on which the entire system was premised. The logic of this was that 'gender' and women were an anomaly which would eventually disappear through assimilation.

This strict separation and categorisation of women which occurred in Ireland may be contrasted with Denmark. Here, there was at this time a move to unify lone motherhood and to treat this the same as lone fatherhood. During the 1930s different categories of lone mother - widows, separated, divorcees, unmarried - were distinguished, a move which had implications for the position of women as well as their social rights (unmarried mothers in particular being subject to greater control by the state). During the 1970s, however, the Social Assistance Act (1974) unified for the purposes of social welfare the different categories of lone mothers, while 'integrating' them into the concept of single breadwinners ('enlige forsørgere'), which also included lone fathers.

This shift in the treatment of lone mothers occurred as part of a broader move from treating women as mothers to treating them as workers. Women were openly acknowledged as breadwinners for the purposes of social welfare, contrasting with earlier periods during which, although women may have de facto worked, they were constructed as dependants and defined in relation to, firstly, their husband and secondly the state. Although differences between men and women were reinforced under the male breadwinner-female homemaker policy, these were also acknowledged and 'compensation' was structured into policies. For example, women's lower earning capacity (due to lower wages for women in general and the male breadwinner norm) was recognised - but also reinforced - in the law: men's

27 See, for example, Dansk lovsamling (1974) Lov om social bistand, n. 333, 19 juni 1974, Copenhagen.
contribution to the costs of care for their children was proportionately higher than women's.

At the same time, a further shift was taking place to accompany the changes in the treatment of women. This made Danish citizenship central to accessing social rights, and reinforced the importance of marriage for women as a route to social citizenship. The 1974 Social Assistance Act distinguished between women who were currently or who had formerly been married (but who no longer were due to divorce or widowhood) to Danish citizens and those women who weren't. The former were treated 'more equally' than the latter. The importance of marriage is crucial here, but, interestingly, only for women because these rights are not conferred on migrant men who are presently or who were formerly married to female Danish citizens. Women were clearly defined in relation to men (whether Danish citizens or not), which conferred rights onto them, whereas this is not the case for men. This appears to be a contradiction: Danish women were constructed as breadwinners, with the presumption that they are treated as individuals, however, their family status remains a key determinant of their citizenship rights.

The experience of Denmark is important as it contrasts strongly with that in Ireland, where not only did women's relative position within social welfare actually worsen as a direct result of the State's 'equality' policies and expansion of social citizenship during the 1970s, but that this represented a concerted and sustained attempt to restrict the rights and freedoms of women. There was certainly no fundamental change in women's citizenship status; all that happened was that gender continued to structure the State's treatment of its citizens, with each new measure consolidating the male breadwinner model. Clearly the two are related: sex equality was based on definite notions of sex inequality which derive from the Irish Constitution. This is a fundamental premise of the State and thus of its core programmes, particularly social welfare.

Indeed, it may be argued that the principle of women's equality has never been wholly accepted by the State which operates within a gendered paradigm of sexual difference and female inequality. The model of 'equality' which the State has since operated was defended by De Valera in the 1930s as being based on 'diversity': that men and women have an equal right to appropriate rather than the same work and is

28 Dansk lovsamling (1933) Lov om offentlig, no. 181, 20 maj 1933, Copenhagen, p. 370.
not to be confused with unequal treatment, premised on a "fascist and slave conception of woman as being a non-adult person", as claimed by feminists at the time and since (Coogan, 1993). In fact, the State's attempts to legislate for women's equality has been fraught with contradictions. The discrepancy between the actions of the State to 'democratise' social citizenship by equalising and individualising women's entitlements and its simultaneous, and essentially undemocratic, search for a means to avoid implementing its obligations to women as a Member State of the European Community further illustrates the idea that gender is tearing the State apart: it is faced with trying to reconcile the EC demand that women be treated equally with men and the State's own operational assumption of women's inequality. This was not the case when Denmark entered the EC. Social and equality policies were not a major focus or site of contestation, although the impact of certain Directives has been an issue in Danish politics to a greater (e.g. the 1975 Equal Pay Directive) or lesser extent (e.g. Directives relating to economic policy).30

In 1973, the Irish government sent a delegation to Brussels to seek to obtain a derogation (opt-out) from article 119 (equal pay) of the Treaty of Rome upon its imminent membership. This demand was refused by the other member States at the time (Conroy, 1992; Mangan, 1993) and Ireland reluctantly implemented the 1974 Directive on Equal Pay and subsequent equality Directives, notably the 1979 Equal Treatment Directive.31 Indeed, the government's procrastination over the implementation of the EC sex equality legislation in favour of women (which, in 1995) has still not been fully implemented) can be contrasted with the State's swift action taken on its own initiative to abolish sex discrimination against men in social welfare in the late 1980s (Whyte, 1995).

The paradox of the State's stubborn opposition to gender equality while trying to be seen to promote it may be understood when it is considered that, firstly, the Irish State has in effect been obliged to comply with international standards by persistent pressure placed on it by citizens or by EC law; secondly, there is no fundamental incongruence between the model of equality proposed either by the EC or the state

31 The Irish government has stalled on implementing this Directive for over a decade. The deadline for its implementation was set at December 1984, and Ireland only started to implement the first provision in May 1986. Nearly a decade later, the government still had not fully implemented the Directive, and in February 1995 the High Court ordered the Irish government to pay £265 million in backdated benefits to 70,000 married women who were discriminated against.
and the reinforcement and reconstruction of substantial gender inequalities. Indeed, it could be argued that the state has cushioned the impact of demands for gender equality by ignoring them, by stalling on implementing the necessary legislation. These dynamics have been and continue to be played out over the life time of the male breadwinner social welfare model. It seems ironic that the 1970s are regarded as a momentous era for the equal treatment of women since there was no fundamental break with the mode of development originating in the 19th century. Indeed, this period served if anything to further entangle the State in a self-created web of inequality and legal complexities as a direct result of having denied giving women individual rights to social welfare on an equal basis with men.

5. The Gender Structure of Equality Implementation

Individualisation continued throughout the 1980s and 1990s cutting across the parallel process of broader welfare reform. Although in Ireland there has been no outright attack on the welfare state as in Britain, successive governments have quietly but firmly pushed ahead with restructuring social welfare. This has comprised two parallel but related moves: public expenditure cuts and the rationalisation of social welfare and the implementation of equality legislation.

In 1982 the Fine Gael-Labour coalition made public expenditure cuts a policy priority. Social welfare in particular was targeted for reform: the rapid growth in the real value of benefits which had occurred during the 1950s-1970s was halted (e.g. lowering earnings replacement ratios for unemployment, sickness and maternity benefit; reducing the maximum level of benefits paid under the sickness and maternity benefit schemes), and access to benefits was restricted (e.g. the waiting periods for the flat-rate and earnings-related elements of sickness and unemployment benefits were lengthened). The cumulative effect has been to have shifted the structure of payments, from an emphasis on social insurance and universal benefits to social assistance and means-tested benefits. Thus in 1993, for the first time the majority of social welfare recipients received social assistance allowances rather than social insurance benefits. These restrictions, downgrading and partial dismantlement of the contributory system can be contrasted with the recommendation of the Report of the Commission on Social Welfare (July 1986) that the expansion of social insurance be the principal strategic option for social welfare, and Ireland's pledge to commit itself to this objective. This general downgrading of the level of welfare has occurred when
the proportion of the population in receipt of social welfare payments increased from 37% (1987) to 42% (1993).

It is ironic that just when women were beginning to benefit from the outlawing of overt forms of sex discrimination through the equalisation of contributions and payments, the individualisation of rights and their higher rate of labour market participation, the changes in the payment structure de facto curtailed or offset the value of legislative reform. Only marginal improvements to existing schemes were made\textsuperscript{32}, and access to new benefits was tightly controlled. Indeed, the extension of social rights to enable women to work, as part of the measures accompanying equal treatment, followed a male pattern of work and insurance. Thus, Maternity Benefit (1981) effectively excluded the majority of women as eligibility was restricted to women in full-time employment (in 1992 just one third of women between 15 and 64 were in paid employment, of whom just under one-third (32%) were in full-time employment).

Although the objective of equality sat uneasily with the objective of expenditure cuts, more telling perhaps is the curious strict adherence to the male breadwinner model as a strategy for pursuing gender equality. This has characterised the second strand of welfare restructuring during the 1980s - the implementation of equality legislation. The intention was to promote the individualisation of rights through implementing Community equality legislation. However, the outcome has, arguably, been to contribute to the downgrading of social welfare propelled by public expenditure cuts. That the implementation of individualisation has resulted in both the levelling down of entitlements as well as the reproduction of gender inequality is not widely noted but merits further consideration in this context. Indeed, the protracted and litigious implementation of the 1979 EC Equal Treatment Directive (79/7) (it is still not fully implemented in 1995) is an example of the long term effects and high political and financial costs of introducing an inefficient model of welfare provision and of implementing amending policies, formulated within this framework. Without entering into the details of the implementation of this Directive in Ireland\textsuperscript{33}, two remarks can be made as they bear on the present discussion.

The first reiterates an earlier point: the simultaneous actions of constructing and dismantling forms of gender inequality characterises social welfare development and

\textsuperscript{32}In 1984 Family Income Supplement was introduced, intended to top-up the income of low income working families; eligibility for top-up supplementary allowances and benefits was extended.

\textsuperscript{33}For a more detailed discussion on the implementation of the Equal Treatment Directive in Ireland, see Donnelly (1993), Whyte, (1995); Cousins, (1995); Cook and McCashin (1992).
the process of individualisation. The Directive is notable in this respect, as legislative changes which reinforced women's dependency and inequality accompanied its transposition into national law. Cook and McCashin (1992) have described how the advantages for women resulting from this Directive have been offset by new forms of discrimination in the tax and social welfare system against married and cohabiting working women and by the existing structure of dependants allowances. Three examples illustrate the discriminatory structure of 'equality': firstly, the higher tax rates of married working women as compared with their working husbands; secondly, the reduction of an unemployed husband's tax/welfare allowances due to the extra income generated by his wife. Thirdly, while an unemployed woman and her unemployed partner or spouse would both be entitled to unemployment assistance in their own right, the overall amount payable to them as a couple is limited to what they would receive if one person claimed and received an allowance for other as an adult dependant.

The second point to make in respect of the Directive is that the net effect of its implementation has been to level down rather than up social security standards (as well as institutionalising a poverty trap for low income families - see examples above) (Cook and McCashin, 1992). The implementation of sex equality legislation occurred in the context of a broader debate on the equal treatment of different family types, with particular regard to the equitable treatment of marital and non-marital families (Carney, 1992). The reduction in the rates of payment for unemployed married couples which occurred in 1985, was later extended to cohabiting couples in 1989 following a Supreme Court decision that the result of the reduction was to have discriminated against the marital family and that this was unconstitutional. This settlement reconciled contradictory objectives of treating different family forms equitably while not discriminating against the marital family. The trade-off, however, was to reinforce gender inequality by upholding the marital family and women's status as homemakers, while breaching Ireland's obligations as a member State towards its

34 Rates of benefit were equalised for Unemployment Benefit, Disability Benefit, Invalidity pension and occupational injury schemes; the duration of pay for married women was equalised to that of other claimants; married women were allowed to claim Unemployment Assistance.

35 In the case of the child dependant's allowance, although both parents are regarded as being dependants of both parents, both of whom can claim for the children, the full rate of allowance is payable where that person is either married or cohabiting and qualifies for an allowance for their spouse/partner as their adult dependant, whereas the adult dependant only receives the half rate of the allowance.
citizens to implement sex equality within the context of maintaining (at the very least) social standards.

The fragile settlements reached by the state in reconciling diverse and competing objectives has enmeshed it further in the tangled gender web. Gender inequality remains the framework for policy and legislative reform yet it restricts the State's degree of manoeuvre and locks it into incremental patterns of policy-making and short-term tactical solutions. Indeed, while the State may reform social welfare it remains bound within the male breadwinner principle premised on women's economic inferiority as articulated in the social welfare code (Donnelly, 1993).

That women's citizenship rights are central to explaining the structure of social welfare may be illustrated by drawing on two examples. The first is the policy shift in the 1980s which pegged social welfare entitlements to participation in labour market programmes. Women are disadvantaged because access to certain social welfare payments and by extension to such programmes depends on their being registered as unemployed (i.e. available for work). It is still common practice for women to be questioned about their availability for work given their 'home duties' and to be refused benefit on this basis. Evidence from the 1992 Labour Force Survey indicates that women are more likely than men to withdraw from the labour force and register in the category of 'home duties', and are thereby disqualified from certain benefits and opportunities: 69% of women over 15 not at work were registered on 'home duties', compared with 1% of men; or, only 5% of women not at work as a result of their having lost or given up their previous job are registered as unemployed compared with 27% of men.

This is also the case in Denmark, where women (and especially single mothers) face real obstacles to entering the labour market due to discrimination against them in the allocation of public day care places. Many local authorities are refusing care places to children of unemployed people. This was declared illegal in 1977, but just a few years later policy was reversed and children were prioritised for public day care on

36 The Treaty of Rome commits signatory states to improving working and living conditions, an objective reiterated by the EC's Recommendations on social protection (of 27 July 1992 and 26 August 1992) which place a political commitment on governments not to 'level down' social standards.

37 Receipt of Supplementary Welfare Allowance is dependent on the applicant's registration with FAS (the state vocational training scheme). Receipt of Unemployment Benefit or Lone Parent's Allowance entitles individuals to employment, vocational training and study schemes.

the basis of the occupational status of their parents (in the following order: parents working full-time, unemployed parents, parents in higher education, housewives)\textsuperscript{39}. For single parents in low paid employment, the cost of private day care constitutes a significant part of their disposable income, contributing to a poverty trap\textsuperscript{40}.

The second example is the cohabitation rule, which typifies the idea that, despite the apparent improvements in equal treatment, women's structural position within social welfare has not fundamentally changed since the 19th century. Under current legislation, payments to separated people, lone parents and widows are stopped if the recipient is found to be cohabiting with a person of the opposite sex. (In the UK, cohabitation acts only as a partial bar to benefit). Moreover, compared with the partial disqualification of cohabiting widows to benefit under the 1935 Widows Act, current arrangements are more strict. Thus modernising legislation to 'improve' the status of women has worsened the position of certain groups of women without husbands.

Notwithstanding the Constitutional pledge to protect the marital family, recent social welfare and family policy has signalled a shift, through greater reliance on means-tested benefits, towards the household rather than the family as a unit of care. In 1989 provisions were introduced (strengthened in 1992) to enforce welfare recipients' liability to maintain their families. While these provisions have imposed an obligation for married couples to maintain their dependent spouse and children, cohabiting couples are not liable to maintain each other (only their children). This means that women, a greater proportion of whom are cohabiting, have no legal right to claim support for themselves from their cohabiting partner. In effect, then, an increasing number of women are exposed to economic dependence on men as a result of legislation to treat 'equally' different family types and at the same time as gender equality policies are being implemented. The assumption of women's dependency on men thus remains as strong a principle as it did one hundred years ago. Notable in this respect is the report of the Commission on Social Welfare (1986), set up to review the social welfare system, which recommended that the family be regarded as the primary providers for the welfare of its members, and that the process of individualisation occur within this framework\textsuperscript{41}. Policy makers and 'experts' are thus

\textsuperscript{40} Jørgen Elm Larsen and Anne-Marie Sørensen (1994) Enlige 'forsørger', in Den Svare Balance, Ligestillingsradet, Copenhagen, pp. 146.
\textsuperscript{41} For example, the Commission recommended that the full-time carer, in respect of whom Prescribed Relatives Allowance was being paid to the person being cared for, be entitled to benefit in (her) own right, but it did not address the division of labour on which welfare is provided, i.e. the fact that carers
bound in gendered concepts and structures, meaning that change would take place within these boundaries but would not breach them.

Thus, social welfare has weaved a tighter knot over the course of its evolution. Integral to this process has been the categorisation of women as a social welfare class in their own right but they also comprise hierarchy in themselves which has developed with the development of social welfare more broadly. This process of categorisation and differentiation has continued throughout the 1990s. Provision for lone mothers can be understood in this light. In 1990, lone mothers were lifted out of the existing array of women's benefits and placed into a new 'unified' category for lone parents (Lone Parent's Allowance, to which men are also entitled). Rather than unifying women as a group, it in fact reproduced and multiplied the different categories within this scheme, while extending this process of categorisation to men falling within these schemes. The effect of this can be likened to the pre-1970s situation where the classification of women was for administrative purposes, because women are still classified and enumerated by the State according to their status as deserted, widowed, unmarried or prisoner's wife for administrative purposes only (c.f. figure 6). Furthermore, the Lone Parent's Allowance formally differentiated between women who were claiming as wives and women who were claiming as mothers42. Thus, rather than 'unifying' the rights of women without male breadwinners, the measure duplicated and multiplied the existing categories.

Figure 6 Lone Mothers in Social Welfare

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<th>Pre-1970s</th>
<th>1970-1990</th>
<th>1990s</th>
<th>Mothers</th>
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<td>Home Assistance:</td>
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<td>Widows</td>
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<td>Unmarried Mothers</td>
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<td>Deserted Wives</td>
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<td>Lone Parents:</td>
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Source: the author.

are overwhelmingly female, nor did it consider gender equality a suitable objective of either social policy or social security policy.

42 Women with children were transferred to the Lone Parent's Allowance, while women without children remained on the existing benefits (e.g. Deserted Wife's payments etc).
6. Conclusions

This paper has located the construction of lone motherhood within the broader context of the gender restructuring of welfare. It principally focused on developments in Denmark as a way of comparing and contrasting how gender has informed social welfare development, but has also drawn on developments in Britain, the Netherlands and Sweden. This discussion has highlighted the historical links between different countries as a central aspect in the formation and development of gendered European welfare regimes. The concept of 'regime shopping' describes the historically established practice of literally comparative policy development, and throws into question the extent to which any one country's welfare regime can be regarded as a purely 'national' product.

The key pattern identified in the case of Ireland was the unequal development of the social welfare system: men were integrated into the core social insurance tier while women were selectively and tardively removed from the poor and placed into the peripheral social assistance tier. Women have remained marginal to social welfare as an institution and confined to a problematic category for which a residual system was created and incrementally extended.

Women in Ireland, unlike women in Denmark, have consistently been defined as homemakers throughout the course of the 19th and 20th centuries. However, for both countries the 1970s was a turning point for women's equality in many respects: whereas in Denmark there was a shift towards recognising women as breadwinners, submerging gender inequality under universal, generic policies and models, and removing the notion of sexual difference for the purpose of policies, in Ireland the process of differentiation and categorisation was accelerated, underpinned by strong notions of sexual difference, as women were singled out and treated as a separate, but still unequal, group. Thus, whereas Denmark collapsed the many statuses of lone motherhood introduced in the 1930s into the generic 'single breadwinner', Ireland has moved towards identifying these different statuses and recognising them by creating benefits for each and more recently it has attempted to unify the benefit structure by consolidating these divisions.

Despite the markedly different strategies for achieving gender equality, both countries have regarded gender as a category, or a procedural anomaly rather than as an organising concept of social welfare. The conclusion that can be drawn from this is
that the underlying rationale has been to eliminate gender through the assimilation of women into mainstream welfare structures. While Denmark is commonly presented as a system constructed on universal, generic social policies, the universality of social welfare has not been able to respond either to the feminisation of poverty or the gender segregated labour market, nor has it been able to address the differential impact of these on single mothers as compared with single fathers. The problems encountered by low-skilled, unemployed lone mothers in particular (Slím, 1993) are masked by the universality of mainstream conceptual and theoretical frameworks.

This finding from Denmark confirms the growing recognition in Ireland that apparently neutral concepts like residual and universal, entitlements and rights, deserving and undeserving are strongly gendered, for it has been shown in this article and elsewhere that these are central to structuring women's and men's access to public resources. Indeed, women under both strong and weak male breadwinner regimes are fundamentally unequal citizens, and discrimination and division have been integral to the development of citizenship. The history of women's rights is key to explaining the overall structure of social welfare as well as being central to the struggle for citizenship. Women have been incorporated as citizens on largely conditional terms, as dependants and their access to resources derives, in both Denmark and Ireland, from their family status. This is an integral feature of social welfare development and has strengthened over time as a function of greater state involvement in the provision of welfare. While gender is of paramount importance in explaining inter alia the rejection by Ireland of the British universal model of welfare, its adherence to a categorical benefit structure, the inefficiencies of social welfare as a system and the enmeshment of the State in permanent litigation, women themselves are marginalised within formal structures of welfare at the same time as they are central to informal welfare structures.

Finally, the 1970s was identified as a critical period in the gender restructuring of social welfare in Ireland because it marked the individualisation of rights and the acceleration of social welfare as system of gender stratification. The Irish approach to individualisation has reinforced dependency as an organising principle of social welfare, while marking a new phase in the classification and fragmentation of women, consolidating women's marginalisation within social welfare. The emergence of lone mothers as a distinct category during this period must be seen in this context. The recognition of the status of motherhood outside of the marital family entailed partially redefining the terms on which women are entitled to social welfare but within the male
breadwinner-female homemaker logic. The development of women's citizenship (in both countries) has compounded the terms of their exclusion rather than leading to their inclusion on an equal basis with men.

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