BOOK REVIEWS

Working Women: An International Survey

Marilyn J. Davidson
and Cary L. Cooper (Eds)

John Wiley & Sons London, 1984
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I had two fears on approaching this volume. One was that the editors had imposed a strict chapter structure on each of the contributors; the other was that they had not. The former would have resulted in an indigestible legal, statistical compilation reminiscent of a UN Yearbook and worthy of instant relega-

tion to the reference shelf, the latter in a motley conglomeration of possibly equally indigestible individual approaches linked only by the evocative theme 'working women'. I think we are between the two stools here. What the editors have certainly not done is to provide any overall framework for the contributions. No overall conceptual schema is available, although in some instances individual contributors have taken a more theoretical than descriptive approach to their data – for example, Larwood and Gutek for the USA. Presumably such a contextualizing attempt was beyond the remit of the editors, and the range of theoretical approaches linking the position of women in the spheres of production and reproduction, and the state in terms of overall policy and specific legislative interventions was not called upon in constructing this book. This results in a curiously wan, even naive-sounding statement at the end of the introduction: 'Interestingly, although Soviet women are more active in the economy and in a wider range of occupations than their counterparts in any other country in the world, like Western countries, female workers are still concentrated to some extent in low-status, low-pay, "feminine" occupations' (10).

The collection covers six EEC countries: Great Britain, Ireland,

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the Federal Republic of Germany, Holland, Italy and Greece; three other European countries, Sweden, Finland and Portugal, and the two superpowers, the USA and USSR. The process of production of the particular selection and categorization of countries can only be guessed at. The book is, however, a useful, relatively up-to-date compilation of information on working women for the above countries.

The articles cover the usual catalogue of issues of concern to working women, although not all deal with every aspect and some are heavily biased towards a legal or historico-legal perspective (for example, the chapters on Italy, Greece and the USSR). For the purposes of comparability it might have been worth including some tables or charts drawing together this basic statistical and legislative information for all of the countries considered, to provide some minimal cross-cultural comparison. The comparative information is here but not in consistent or easily accessible form. Among the major topics covered are labour force participation, vertical and horizontal sex segregation, education and training, legislation (equality, maternity, protective, social security, taxation, etc.), women's domestic responsibility and other obstacles to their advancement in the labour market including sex discrimination, and finally the need for positive discrimination in order to change the position of women.

The cross section cut of these particular countries, the point at which they are in the process of combating sexism in terms of equality legislation, could almost be reconceptualized as a longitudinal or historical study of the development, introduction, application and critique of such legislation. A more self-conscious cross-cultural perspective might have brought out the similarities in the processes each country seems to go through. Let us locate some of these countries along

a scale of the degree of adequacy of legal provisions for working women from a perspective of equality between the sexes. The Greek contributors (Moussourou and Spiliotopoulos) are optimistic about recent constitutional provisions, but insufficient time has passed for them to be able to assess the impact of these changes. The Portuguese contributor (do Carmo Nunes) discusses similar constitutional changes, but recognizes that such provisions, whilst important, do not go far enough. The Swedes (Scriven) have legislation and provisions for equality and for women which are rightly the envy of most other western countries but, as described here, they have a depressingly familiar distribution of women in the labour force. The Americans (Larwood and Gutek) are suffering a political backlash to equal rights provisions. In the USSR (Attwood and McAndrew) where the right, the duty of women to work in the labour force and their protection by legislation has a long history, the labour force and power distribution of women, although in some respects less discriminatory than in other countries, still has an all too familiar ring to it. The similarities are rehearsed once again in this collection – educational channelling into women's areas; vertical and horizontal segregation of the labour force with women in a severely restricted range of jobs and inevitably at the lowest levels; women's pay below that of men; and women's fundamental responsibility for domestic labour. Recent analyses of the USSR have suggested that the latter is the reason for the failure of women to be integrated totally into the public sphere and production on an equal basis with men.

Legislation is clearly necessary but not sufficient, and we can see from the experience in the countries studied here how practice can subvert principle, even if, as appears to be rarely the case, the principle itself is adequately enshrined in the

legislation. Many of the commentators here make criticisms of the laws of the type we are now familiar with in the case of UK equality legislation: definitional problems, the onus of proof resting with the individual worker, lack of sanctions, loopholes, straightforward flouting of the law and critical omissions.

Although not mentioned in this volume, the inadequacy of the legal provision in many instances is demonstrated by the following cases currently being brought by the European Commission against three of the countries in the EEC group covered here for shortcomings in their equality legislation. (1) Against the UK for failure to include small firms in the legislation, and for the issue of government certificates allowing discrimination on grounds of 'national security'; (2) against West Germany for lack of sanctions once discrimination is proved; (3) against Ireland for large-scale exclusion of jobs from the equality principle (CREW, 1985).

As with legislation, so with the fate of positive discrimination: we can see a process emerging across these countries. There is recognition of the need – a number of the authors call for positive discrimination (those discussing, for example, the UK, West Germany, Italy and Portugal). In the words of Hesse (73): 'What is clear is that without affirmative action the existing discrimination against German women will worsen.' The next stage is the recognition of the potential blocks and even dangers – Lockwood and Knowles (UK) detail potential problems for attempts to legislate for positive action: they may prove unacceptable to unions, employers and male employees. The backlash is demonstrated by the US experience of reactions to affirmative action programmes. Finally the chill wind which economic recession has blown across the latest version of the creep towards equality blows even across the haven of the north.

Scriven writes:

The progress that Swedish women have made for their rights has reached a critical stage. The current economic recession has called into question previously accepted ideals and aims. What passed as desirable and indeed worthy may, in the harsh economic conditions of the 1980s, be considered a luxury and beyond the resources of a 'realistic' government. Thus the progress which women have made is likely to be increasingly under attack, especially in areas where it is seen to 'cost' money. (179)

But there is optimism from these women in the midst of such gloom. Kauppinen-Toropainen, Haavio-Mannila and Kandolin, in an interesting discussion of the situation in Finland which focuses on the way in which women experience their work, suggest that the young are questioning traditional male roles, particularly in relation to the home. They want change, which to some extent is occurring. The chapter on the USA confronts discrimination as a major factor in women's work experience, and details from recent research the types of discrimination suffered, locating state and federal equality legislation and affirmative action programmes in the context of attempts to counter this bias against working women. This chapter is clear, informative and well structured, with an extensive and useful bibliography. Larwood and Gutek also anticipate positive change in the position of women both at home and at work. They see social expectations and customs changing to support dual-earner couples and dual-involvement families, and predict that 'a dramatic decline in the proportion of young adults in the next decade will result in labour scarcity at a time when women have the skills and education to take advantage of it' (257). Tineke de Rijk concludes her lucid and sustained critique of the position of women in Holland with the news that women are beginning to organize themselves for change, and that 'although the situation of

women in the Netherlands is still poor there have been signs of improvement and awareness which, until a few years ago, would have been unthinkable' (102). Finally Ballestrero, again highly critical of the equality legislation in Italy and convinced of the need for positive discrimination, says of the Equal Opportunities Committee, set up as

an advisory organ in relation to the application of the Equal Treatment Act (1977): 'a one-legged committee is better than no committee at all' (116).

Janet Holland

Reference

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Women in Law

Julia Brophy and
Carol Smart (Eds)

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In their introductory essay to this collection Carol Smart and Julia Brophy confront the ambivalence felt by feminists on the subject of law. Law is embedded in personal relations and sets the parameters to perceived 'normality'; in its assumptions and operations it constructs the category 'woman'. Wanting to do something to lessen their oppression women turn to the law for help, yet we do not necessarily accept its premises and assumptions. The message from Brophy and Smart is

that it is important for women to engage with law in criticizing and using it.

How do the other essays in the book measure up? Because the editors emphasize women's experience of the law's impact we are often left wondering why any woman would get involved with it. For instance, Kathryn McCann points out that although legislation has been passed to aid battered women, by the time it has been through the hands of the police and the courts the original objective is lost. This is a good example of the experiential approach advocated by the editors. Ann Bottomley poses the problem of the alternatives to law and, in a critique of conciliation as an alternative way of settling marital disputes, highlights problems of rights, procedures and power. This poses the dilemma neatly: the law as friend or enemy?

There is no neat answer, only a warning to be wary. In a fascinating essay Lucy Bland documents the co-operation of women police during the First World War in the surveillance of other women's sexual behaviour. Sexuality remains a thorny issue in feminist theory, as Carol Smart shows in her discussion of uneasiness about prostitution. There is much in these two essays to think about and to relate to current debates on pornography and sado-masochism. Elizabeth Kingdom's careful analysis of the appeal to individual rights contained in the slogan 'a woman's right to choose' warns us of the dangers of such a