

DOCUMENT RESUME

ED 378 921

HE 028 094

AUTHOR NtiAsare, Nancy Sharp  
 TITLE The State as a Support System: What Should Women in Academe Expect? A Global Perspective.  
 PUB DATE 6 Jan 95  
 NOTE 16p.; Paper presented at the International Conference on Women in Higher Education (8th, San Francisco, CA, January 4-8, 1995).  
 PUB TYPE Reports - Research/Technical (143) --  
 Speeches/Conference Papers (150)

EDRS PRICE MF01/PC01 Plus Postage.  
 DESCRIPTORS College Faculty; \*Comparative Analysis; Day Care; Family History; \*Family Programs; Family Work Relationship; Federal Government; \*Females; Financial Support; \*Foreign Countries; Fringe Benefits; \*Government Role; Higher Education; Leaves of Absence; Personnel Policy; Policy Analysis; \*Public Policy; Sex Role  
 IDENTIFIERS Australia; Belgium; Chile; China; \*Family Policy; France; Germany; Ghana; India; Mozambique; Norway; Singapore; Sweden; United States; Zambia

ABSTRACT

A comparative analysis of family policy in various nations looks at state financial support for families and in particular how professional women in academia fare internationally with respect to state support for their families. The analysis includes a review of the general development of family support through the industrial revolution and the 20th century, analysis of family policy in the United States, and a comparative analysis of the family policy of other nations. The comparative analysis notes that, in European countries, family benefits are regarded as a right. Policies are analyzed for the following countries: Sweden, Norway, France, Germany, Belgium, Zambia, Mozambique, Ghana, India, Singapore, Peoples Republic of China, Chile, Australia, and the United States. The final portion of the analysis examines the positive and negative aspects of state support of the family. Positive aspects found include support for the initial phase of parenting, family solidarity, and equal support to all families. Negative aspects of state support, state intervention in family life, economic costs, discrimination against women; were found to be not compelling. The analysis concludes that the United States should adopt a national family support policy. (Contains 20 references.)  
 (JB)

\*\*\*\*\*  
 \* Reproductions supplied by EDRS are the best that can be made \*  
 \* from the original document. \*  
 \*\*\*\*\*

ED 378 921

THE STATE AS A SUPPORT SYSTEM  
WHAT SHOULD WOMEN IN ACADEME EXPECT?  
A GLOBAL PERSPECTIVE

Nancy Sharp NtiAsare, JD, Technical Vocational Institute, Albuquerque, New Mexico

HE 028 094

PERMISSION TO REPRODUCE THIS  
MATERIAL HAS BEEN GRANTED BY

Nancy Sharp NtiAsare

TO THE EDUCATIONAL RESOURCES  
INFORMATION CENTER (ERIC) "

U.S. DEPARTMENT OF EDUCATION  
Office of Educational Research and Improvement  
EDUCATIONAL RESOURCES INFORMATION  
CENTER (ERIC)

This document has been reproduced as  
received from the person or organization  
originating it.  
 Minor changes have been made to improve  
reproduction quality.

• Points of view or opinions stated in this docu-  
ment do not necessarily represent official  
OEI position or policy.

## DOCUMENT RESUME

AUTHOR NtiAsare, Nancy Sharp (Juris Doctorate)

TITLE The State as a Support System  
What Should Women in Academe Expect?  
A Global Perspective

NOTE 13p.; Paper presented at Eighth  
International Conference on Women in Higher Education  
(San Francisco, California, January 4-8, 1995).

PUB DATE January 6, 1995

ABSTRACT The study provides insight into the history of family support as provided by the State. Medical coverage, family leave, and child care issues are discussed from a global perspective. A comparative analysis is made on how professional women, in academe, standing alone, fare internationally. The pros and cons of the state serving as a support system are system are addressed.

THE STATE AS A SUPPORT SYSTEM  
WHAT SHOULD WOMEN IN ACADEME EXPECT?  
A GLOBAL PERSPECTIVE

Nancy Sharp NtiAsare, JD, Technical Vocational Institute, Albuquerque, New Mexico

I. PURPOSE OF STUDY

The study provides insight into the history of family support as provided by the State. Medical coverage, family leave, and child care issues are discussed from a global perspective. A comparative analysis is made on how professional women, in academe, stand alone, fare internationally. The pros and cons of the state serving as a support system are addressed.

II. STATEMENT OF PROBLEM

The family is not what it used to be. Today most families with children in the United States are maintained either by couples where both partners work or by a single parent who works. Less than one-fourth of the nation's families conform to the traditional pattern of working father and stay-home mother. Yet American society continues to function as if women were staying home and the father's income is sufficient to support the entire family. In 1990, 75% of women born during the baby boom years worked outside the home, two-thirds doing so out of economic necessity (Ashamalla 2). In 1985, it took two people working to maintain the standard of living their parents could have enjoyed in the 1950's on one income (Zigler and Frank). The median income for American families, adjusted for inflation, has fallen by an average of \$300 per year over the past eleven years. That means the average American family has \$3,300 less today than it did in 1975 for housing, education, food, and clothing (Zigler and Frank).

Demographers project that by the latter part of this decade two-thirds of all preschool children (approximately 15 million, a significant rise from 9.6 million in 1986) and more than three-fourths of all school age children (approximately 34.4 million) will have working mothers (Marton 11). For the first time in history most women are required to participate in the work place.

The needs of these women cut across the entire economic spectrum of the American society. Society has not made a concomitant shift in resource allocation to meet the needs of the working woman, whether the woman is a professional, or a white or blue collar worker. A domestic family policy provides a direct link to the status of women in any particular country and in any walk of life. For instance, a single parent, professional woman, employed in academe in the United States will not only face the challenge of receiving a lower salary than her male counterpart, or the challenge of securing entry level versus promotional positions, or obtaining a high level of scholarly productivity, she will face the additional economical challenge of paying the expenses of medical insurance, child care, and possibly unpaid family leave. This "superwoman" is bound to fulfill numerous roles, at times forcing her into unwanted, unsolicited vulnerability, with no support in sight.

As of 1992, the United States was one of five nations, out of a total of 211 nations in the world, that did not have a national family policy. It is one of a few industrialized countries that has not implemented a comprehensive child care policy and is the only developed nation that does not provide cash benefits to families with children (Harv. Law Review Assoc. 1).

Today, it is a commonly held belief that the state should not be relied upon for social concerns or a safety net. However, this problem is not limited to minor social concerns. Society's infrastructure should be designed so that it can provide a universal service for women in the work place. It must reflect public sentiment and be grounded in sound economics. This is not a problem that can be dealt

with by a political party platform. It should not be connected to either a liberal or conservative agenda. It is a problem that reflects fundamental moral, political, social, and economic problems. An infrastructural change is warranted.

### III. RATIONALE FOR STUDY

Not only does the professional woman in academe face the challenges of overt sexism, but if she chooses to have a family, she faces the added financial burdens of medical insurance, child care, and possibly non-paid family leave. I am interested in making an international comparative analysis which would allow me to examine family policy from a different vantage point and allow me to escape the constraints of the particular context of the United States family policy. The experience of other countries can tell us what we are capable of achieving and how much further we can go. What we, as women in academe, should expect.

### IV. GENERAL HISTORY AND BACKGROUND OF FAMILY SUPPORT PROVIDED BY THE STATE

The practice of allowing the mother a time to rest after childbirth has a long history. In preindustrial and preliterate societies the role of the mother as caretaker and nurturer of the infant was a major concern (Crawford). In early societies what is now referred to as maternity leave was common. Two main reasons were found for allowing women to remain home after giving birth. The first was the need for the mother to rest, reflecting concern for the health of the mother and infant. The second involved religious beliefs and superstition. It was believed that after childbirth women were "unclean or possessed evil spirits" (Gainer).

As Europe became industrialized, earned wages became the economic base in place of the household. Married women and women with children were expected to contribute to the family income. More and more women began working outside the home in temporary jobs and as casual laborers, according to the needs of their family circumstances. At that time, older brothers and sisters or elderly relatives cared for the children when mothers went to work. As more women began working outside the home, maternity leave became an issue of public debate in Europe. Day nurseries were established during the 1840's and 1850's in France, England, Austria, and Belgium (Kamerman and Kahn). However, it became evident that babies cared for by anyone other than their own mothers had a higher mortality rate than babies cared for by their mothers. The high mortality rate was due to the fact that sterilization practices did not exist and babies were bottle fed soup and animal milk. Doctors began to encourage mothers to breast feed their babies for longer periods of time in an effort to decrease the mortality rate.

The first efforts at maternity leave were for the protection of the mother and later developed into infant protection. A concern for the mother's health influenced European lawmakers to institute laws that prevented women from working the first month after childbirth. At that time, it was not unusual for women to work long hours in hot factories. It was recognized that the health of the mother affected the health of the infant. Cultural beliefs held that a woman's "natural and proper place" was in the home.

The first country to introduce paid maternity leave was Germany in 1884 (Ries). As part of its new social insurance program men and women who could not work because of pregnancy, childbirth, illness, or an injury sustained on the job would receive cash benefits. This leave program set maximum workday hours and mandated that employers could not employ a woman within four weeks of childbirth. The program was later amended to include a six-week "rest" and granted women a two week paid leave before delivery. Old age was added a few years later as a social risk in need of protection. The German leave program was used as a guide for setting maternity protection policy in other nations. England enacted laws that forbid employers from hiring women who were within four

weeks of giving birth. However, because of the economic necessity of that era these laws were hard to enforce. It became clear that to prevent women from working immediately following childbirth, the women needed some kind of financial support. Consequently, in 1911 England made the first attempt to insure that pregnant women took time off before and after childbirth, by offering paid maternity leave (Zigler and Frank).

This wave of "progressive thinking" hit France in 1936. However it wasn't until after World War II, that the heroes of the French resistance put forward a social scheme in which both employer and employee would finance a worker protection program covering three basic areas: illness, unemployment, and old age. The French plan included specific family benefits to encourage French couples to begin replenishing the population. Underlying all this was a profound sense of solidarity (Smolowe 59).

In Russia, immediately following the Bolshevik seizure of power a social security system was implemented that granted maternity leave with pay at the full rate of the women's occupation. Women in jobs that required physical labor were entitled to six weeks before and six weeks after childbirth. They also received supplementary benefits including a nursing grant at 25% of the local wage for nine months.

By 1940, twenty-four countries had enacted laws providing maternity benefits for working women. By 1960 the number was fifty-nine, and by the end of the 1970's seventy-two countries provided such benefits (Zigler and Frank). As more women joined the international work force, motives for supporting working mothers with maternity leave changed worldwide. Today policies are instituted not only for the health of the mother and the baby, but for protecting the economic contribution the mother is making to the family and protecting her ability to contribute without undue stress or penalty as well. These policies are seen as a protection for the individual family and for the survival and well-being of society as a whole.

## United States History

In the United States national family policy has been influenced by the prevailing attitudes of society toward working women. Women have always worked--in their homes, and the homes of others, in fields, factories, shops, stores, and offices. The kind of work performed has varied for women of different classes and ethnic groups and women residing in various geographical locations. The nature of women's work has changed over time with urbanization and industrialization. What remains the same is that the ways in which women have worked involve a constant stress between two areas of women's lives: the home and the work place (Harris 10).

From the late 19th century until the middle of the 20th century, most white women were thought of as emotionally and physically unable to work outside the home. The belief inherent in this era was that a woman's place was in the home. If a white woman worked outside the home, it was for economic necessity. Legislation in the early 1900's limited the amount of hours a woman could work, and did not provide any maternity protection or other family policies (Zigler and Frank). During this time, most women did not return to work after the birth of their first child.

During the 1930's women in the work force became a major political issue. During the great depression, working women were thought of as a threat because it was thought that they were taking jobs away from men (Zigler and Frank). Employed married women were described as "undeserving parasites." A bill eventually passed by Congress stipulated that married persons were to be the first discharged if their spouses were also government employees. Eventually women's political and business organizations joined together in order to repeal this law. However, individual states implemented individual married persons clauses. By 1939, twenty-six states had passed this legislation. Many married women were dismissed from their jobs. School systems and other

employers refused to hire wives, and if a working woman became pregnant, she was given a choice between resignation or dismissal.

World War II brought some changes. During the 1940's women were desperately needed to work in the war industries. Most men capable of working had been drafted into the armed forces. A sophisticated campaign was launched by the government to encourage women to work for the war effort. For the first time, employer practices that affected working women were analyzed. In an effort to offer national guidelines to employers, the Women's Bureau issued standards for maternity care (Zigler and Frank). The report recommended parental care, an eight-hour workday (daytime only), rest periods, six weeks of prenatal leave, two months postnatal leave, and restrictions in occupation or type of work. Few employers followed these guidelines. Leave often became mandatory when a woman became pregnant, and the mandatory leave was unrelated to the personal needs of the woman or her family. If the women returned to the same place of employment after childbirth, it was not unusual for her to start at a lower pay rate. In addition she would lose seniority and pension benefits.

In the early 1940's, women made up one-third of the nation's work force. New government agencies were created to offer support services to the 6 million working women (Zigler and Frank). These agencies offered support in the areas of equal work, housing, and child care. However, at the end of the war in 1945 many of the funds for these programs were withdrawn. Women lost their jobs to the men returning from war. The attitude that the woman's place was in the home once again prevailed.

In 1963 the President's Commission on the Status of Women announced, after completing a study done on working women and families, that employers, unions, and the government should explore the best means of providing a paid maternity leave, comparable insurance benefits for at least six months without forfeiting reemployment or seniority rights. However, these recommendations did not evolve into legislation (Zigler and Frank).

In 1972 the Equal Employment Opportunity Commission (EEOC) issued a statement claiming that pregnancy should be treated like any other disability. The EEOC guidelines stated that "disabilities resulting from pregnancy, miscarriage, abortion, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities and must be treated in the same fashion as other short term disabilities with regard to leave, health or disability insurance, seniority, and reemployment." Twenty-two states individually adopted these guidelines through legislation, thus requiring pregnancy and pregnancy disabilities to be treated as a temporary disability (Zigler and Frank). In 1978, The Pregnancy Discrimination Act was enacted. Discrimination because of pregnancy became illegal. However, this act was limited to providing protection to women who worked for employers who offered disability leave to their employees. Through this act, employers who offered disability leave were bound to extend this benefit to pregnant women.

Attempting to fill a statutory gap that only the United States and South Africa share in the industrialized world, Congress enacted a parental/maternity/disability leave act in 1993. Unlike similar international legislation, the U.S. proposal dealt only with unpaid leave and job protection, not with income replacement or issues concerning family needs. This legislation "mandated the right of employees to an unpaid family leave at the time of childbirth, adoption, or a serious health condition of a child or parent, and temporary, unpaid medical leave at the time of an employee's own serious health condition, with adequate protection of the employees employment and benefit rights." However, President Bush vetoed this legislation saying that this was a matter for "private business to handle." In 1993 President Clinton signed "The Family Medical Leave Act."

## V. INTERNATIONAL PERSPECTIVE

### Europe

In Europe family benefits are a right. Benefits have been adjusted to keep pace with such cultural shifts as the increasing numbers of working mothers and single parents. The commitment to provide basic care for all generations has never been politicized. With minor exceptions, all the family benefit programs in Europe are respected across the political spectrum. When governments change they do not tamper with these programs. For instance, although parental leave was instituted and influenced because of differing cultural expectations and political reasons, there is a common recognition of the importance of the first few months of an infant's life and the provisions for the support of the infant and the infant's family. Following is a brief overview of family benefit provisions in a few European countries.

Sweden Gender equality underlies the Swedish social insurance program. Gender equality means that men and women share the same opportunities and responsibilities for family and work. Each individual is expected to engage in paid market work and be self-supporting. Within the labor market, equality requires not only equal pay for equal work, but an equal distribution of the sexes within occupations, within the power structure, and within particular companies. Legally, within the family structure, equality means a split of all housework and child care tasks as well as time spent on family work (Dowd 7).

The Swedish social insurance program encompasses a broad, economically efficient system that includes pregnancy benefits, family allowances, general social welfare policies, child care, and tax policy. The system reflects a public policy approach that places significant reliance on government structures and administration, while ensuring widespread access to the benefits provided by the support structure. Virtually all of these benefits are available society-wide; few benefits are given on the basis of need.

Pregnancy benefits focus on the provision of comprehensive health services. These entitlements include prenatal, childbirth, and postnatal care, as well as the right to transfer or leave two months prior to childbirth if the work environment poses a medical risk to the pregnancy. Family allowances assist families in the expenses of child rearing. A basic child allowance is provided for all families, with an increased "large family supplement" allowance for families with three or more children. The Swedish system provides two other allowances: caring allowances and parental insurance. These allowances provide time benefits as well as wage replacement benefits. The caring allowance ensures income support for the caretaker parents of handicapped children. Parental insurance guarantees income support for those who take leave to care for new born, newly adopted, or sick children. A person who has had a child can draw parental allowance for a maximum of 360 days in order to stay at home from work and look after the child. This allowance can be drawn for 270 days at 90% of pay and 90 days at a fixed guaranteed amount. Since there is no separate maternity leave plan the parental insurance plan is intended to provide for both the mother or the father. The parents decide for themselves how to divide the time. The plan guarantees the father ten days "of his own" per child. The mother can start drawing parental allowance 60 days before confinement. In addition, parental leave is provided to enable parents to care for sick children, at the rate of sixty days per year; a limited amount of this time can be used for child-related absences, such as school consultations or for visiting your child at the day nursery, after school center, or school. Finally, the parental allowance can be drawn at any time up to the child's fourth birthday. A parent can choose between drawing parental allowance for full, half, or quarter days.

Sweden provides an comprehensive child care system as well. Financed primarily by general taxes, the system is administered by municipal authorities according to centralized standards. It provides day care in a variety of settings for children between 18 months and 12 years of age. The system is



structured to provide care after the period of parental leave, usually completed by the time the child is two years of age. A notable feature of Sweden's work family policy is its treatment of single parents. Under Swedish equality law all people should be responsible for themselves. Every effort is made to ensure that single parents can function in the labor market. For instance, single parents are entitled to the same benefits as other parents, however, they also receive an additional family allowance and qualify for special tax breaks. These provisions reflect the Swedish government's commitment to providing all children with adequate family support, without regard to family structure. The concept of illegitimacy is non-existent under Swedish law.

Norway The family support system in Norway is much like Sweden and other Scandinavian countries (Finland and Denmark). However, this Nordic country has added ombudsmen positions in their legislature. Specialized ombudsmen are appointed by the cabinet to protect the interests of particularly vulnerable groups. Thus there are particular ombudsmen in Norway whose job it is to protect children and women.

The barneombud (the children's representative) serves as a representative for children in policy making and as a guardian in policy implementation. The barneombud is not directly involved in making policy decisions but instead aims to ensure that children are able to enter the political arena and that, when they do, they compete on a level playing field. The law establishing the barneombud, provides the barneombud with broad discretion to promote the interests of children and to follow up on the development of conditions under which children mature. The barneombud is empowered to participate in planning, to ensure that legislation relating to the protection of children's interests is observed, to propose measures which can strengthen children's safety under the law, and to put forward proposals for measures which can solve or prevent conflicts between children and society (Melton 9).

The ombudsmen for women and for children serve as independent, nonpartisan agents of parliament ensuring that the ministries fulfill the legislative will. The ombudsman has the power to investigate, criticize, and publicize, but not to reverse administrative action (Melton 7). The Norwegian's cite the entry of women in the work force and the major effects this has had on family life as the social trend that primarily accounts for the addition of these ombudsmen.

France The French work family relationship is woman-focused and woman-centered. The French system supports women in their roles as child-care givers and mothers, and assumes that they have a unique care-giving role. This is grounded in the view that the sexes are different (Dowd 19). Women are the primary caretakers within the family who may choose to assume an additional work place role. Men are the breadwinners and economic fathers. The primary focus of French policy has been economic, to provide the means of support for large families. Traditionally, male breadwinners were provided with generous family allowances so that their spouses could remain full-time housewives and mothers (Dowd 22). The family support system has been reformed in recognition of the value many women place on their work-related roles and to prevent labor market realities from deterring childbearing. The government of France wants to encourage citizens to have children.

The French system includes maternity benefits, parental leave, and family allowances. The French family allowance system provides a baseline of economic support to all families and supplemental needs-based support for those families raising children. The system recognizes that when a woman must take time away from work for family necessity, it inevitably increases family expenses. While away from work, due to childbirth or childbearing, any family income will be reduced.

Germany The German system offers mothers and fathers maternity leave for up to three years, at which point they can still return to the position they held prior to childbirth. At present, one of the three years is considered paid maternity leave. A total of six weeks is paid at 80% of either the father or mother's salary. After the first six weeks a total of \$450 per month is paid up to one year. The maternity leave can be divided between the mother and the father. A child allowance, "kindergeld," is

given immediately after the birth of a child. The allowance increases with the birth of additional children. Kindergeld is awarded regardless of family status. Medical coverage is offered every German citizen. If a German citizen is employed, a small percentage is taken out of each paycheck for medical coverage. Each German citizen is entitled to at least three weeks of vacation time per year. Vacation time can increase to a total of six weeks.

Belgium In Belgium, women are entitled to fourteen months of maternity leave. A total of 15 weeks of this leave is paid at 80% of the woman's salary. Child allowance is available to every parent. The child allowance is awarded regardless of income. This amount increases with each child. At present the amount of the child allowance is approximately \$230 for two children. A national insurance covers all citizens when medical needs arise. In addition, each citizen is mandated a four week vacation and is awarded a "thirteenth month" salary for vacation purposes.

## Africa

Zambia Zambian women workers in government and some industries get three months fully paid maternity leave.

Mozambique In Mozambique, women workers get sixty days paid leave after birth, exemption from night work after the fifth month of pregnancy until the infant is six months old, the right to be moved to lighter tasks without a drop in pay, and no reduction in normal holiday leave.

Ghana The working women in Ghana receive six weeks pre-delivery leave and six weeks post-delivery leave. They receive half-pay while on leave and are guaranteed reinstatement on return to work.

## Asia

India In India, the central government passed the Maternity Benefits Act in order to bring uniformity to the expanse of maternity benefits. Under this act women are entitled to receive a twelve-week paid leave, with six of those weeks prior to birth. The pay received is the average of the woman's wages. This act applies to all mines, factories, and plantations. It is against the law for an employer to hire a woman during the six weeks after she has given birth or had a miscarriage (Zigler and Frank).

Central and state government workers are governed by the All India Service Rules. Women who work for the central and state government usually work in administrative services and are entitled to ninety-days fully paid maternity leave. In addition, women are entitled to any other leave they may have accrued up to sixty days.

Singapore In Singapore, maternity leave is mandatory. Employers can be fined or imprisoned for failure to comply with Singapore's legislation. Singapore's Employment Act legislates the right of a woman to take leave four weeks before and four weeks after the birth of her baby. To receive this benefit, she must have worked for her employer for at least 180 days within the year preceding notice to her employer. She also receives her ordinary pay for every day of leave, including holiday pay. However, because of Singapore's two-child family planning policy, if a woman already has two children, she will not be paid for the days off when she gives birth to a third. It is a criminal offense for an employer to fire a woman when she is on pregnancy leave. In addition, it is an offense for an employer to knowingly hire a woman within four weeks after the birth of her child.

Peoples Republic of China Recognizing constitutionally that women "hold half the sky," the Peoples Republic offers parental leave, day care and medical coverage to all families who abide by

the one child policy. As of 1994, some ethnic minority groups were granted permission to disregard the one child policy.

## South America

Chile The law in Chile requires all employers to provide six weeks prenatal maternity leave and twelve weeks postnatal maternity leave. This law is mandatory. A woman cannot waive this right or enter into a contract with an employer to waive maternity leave. Women are required to take the full leave provided. Most women are entitled to receive cash payment during this leave which is equal to the amount of their salary. Women are entitled to this benefit if they have contributed to the Social Security System for at least six months. If, because of her employer's negligence, a woman did not begin making payments to the Social Security System in time, the employer will have to pay the woman the same amount she would have received under the Social Security System for the duration of her leave.

Chilean mothers are also entitled to an hour a day, during working hours, to feed their infant children. Employers cannot, by law, deduct from a woman's wages for the hour taken off to feed her child. The Maternity Law in Chile includes a provision stating that a woman may not be fired during the period of time between the beginning of the pregnancy to a year after the termination of the official maternity leave. During this time she enjoys "special privilege," ... which requires judicial authorization for dismissal. Further, if a woman is fired by an employer who is unaware that she is pregnant, she must be reinstated with back pay.

## Australia

Every state of the continent of Australia provides paid maternity leave for three to six months. Unpaid leave can be extended for up to one year. The government of Australia has acknowledged that one income can not support a family. They have addressed this issue by subsidizing families with a family home care allowance. In addition they award a remote area allowance to those families that qualify because of the geographical location of their home. Child care subsidies are available to everyone; however, they are adjusted according to income. Children are required to be in a licensed day care establishment. A cash rebate is given to every parent each month. This cash rebate is means tested, but does not drop below a total of \$120 for three children.

In addition, Australia provides a holiday leave allowance to its citizens. This allowance amounts to 10% of the person's salary. A total of 1% of each working person's income is taken into Medibank for Medical coverage. Additional charges will not be made for medical service. Each citizen is issued a medibank card, which they are required to show when they request medical services.

## United States

The dependent care tax credit, the centerpiece of congressional child welfare efforts to date, subsidizes the child care expenses of families with no stay-at-home parent. The Family and Medical Leave Act was signed by President Bill Clinton in 1993. In order to be covered by this Act, a person must have worked for an employer covered by this Act for at least twelve months, and performed at least 1250 hours of service for the employer during the previous twelve month period. For an employer to be covered by this Act, he/she must employ 50 or more employees "for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year. An eligible employee will be entitled to twelve weeks of unpaid leave during the twelve-month period immediately following the birth of a child or the placement of an adopted or foster child with their family. Eligible employees are also entitled to twelve weeks leave during a twelve-month period to care for a seriously ill immediate family member or for a serious health condition which makes the employee him/herself unable to work.

## VI. PROS AND CONS

The positive aspects of family support provided by the state can be easily identified. The benefits provided in other countries with work family policies are substantial. For instance Sweden, France, and other European countries provide substantial support for facilitating the link between the most essential aspects of work and family. Pregnancy and childbirth are supported with health care, maternity leave, and job protection. The initial phase of parenting, whether of a biological or adopted child, is supported with parental leave. Ongoing parental and family solidarity is supported with nearly universal, high quality child care, vacation leave, and tax and family allowance benefits. Benefit recipients are not stigmatized because the systems provide support for all families. Thus, each country's work family policy gives all families a vested interest in the system, rather than dividing families by economic need.

The range of means by which support is provided is significant. Cash benefits are the most common means, providing direct economic assistance to defray family-related expenses or to replace income lost due to removal or absence from the paid work force for family-related reasons. Sweden uses its tax system to supplement direct cash benefits with indirect benefits designed to encourage family members to maintain their labor market participation.

Leave benefits, such as maternity leave, sick child leave, parental leave, and vacation leave are a less common but equally important form of family support. Structural support for families is provided by developing extensive child care systems. Countries with family support provided by the state exhibit an underlying ethic of social welfare and social policy considerably different from the American perspective. The countries accept an expansive concept of the welfare state (the state serves everyone, not just the poor) and provide a level of social welfare services that far exceeds American social programs. These societies view the care of the children as a societal or public responsibility. They have a heightened sense of their children as conservators of their family traditions and culture. These countries realize that the children of today will become the work force of tomorrow, the taxpayers of tomorrow and the consumers of tomorrow. These children will eventually pay for their quality care. Solidarity between generations is viewed as essential. The social benefits that attend citizens from birth to death are viewed as inalienable rights.

Irrespective of the numerous benefits, the criticism must still be analyzed. It is a commonly held belief in the United States that the state should not be regarded as a safety net. Much of the criticism surrounds the issue that we need to downsize government and that family support needs to be provided by private business. If family support is left to private business, it cannot be meant for everyone. It may function well for those employed by large private businesses. Government employees, small business entrepreneurs, and the unemployed would not be covered. It would exacerbate the us versus them mentality. In addition, if a family policy is not administered by the state, there would be no way to insure that the administration of these plans maintained a level of quality and consistency. Without an infrastructure insuring availability, the middle class and the poor will be left with insubstantial options. And unless we build such an infrastructure to serve the families of the wealthy as well as the poor, the infrastructure will be poorly built. Family provisions should be framed to serve the universal concern of the family. Provisions should be made available for all.

Another criticism involves the issue of economics or cost. Opponents argue that legislation supporting the family will increase business costs. Companies, such as Johnson & Johnson, who have initiated their own family plans have found them to cut employee turnover, reduce absenteeism, lessen stress, and help recruit the best workers. Almost all companies which have initiated programs to comply with state leave statutes have found little or no increase in costs. Employees at these companies tend to feel as if their company respects them as a whole person, with a life, interests, and responsibilities outside of their jobs. This in turn, fosters more loyalty to the company.

A study released by the Families and Work Institute in New York City found that when a leave-taker's work was reassigned, the average cost of that leave was 32% of the employee's annual salary (39% for manager and 28% for non-management). (Gainsburg 13). Replacement, however, costs a company 150% of a manager's annual salary and 75% of a non-manager's annual salary. The study also showed that, when companies have offered their employees parental leave, 94% of all employees taking leave returned to work (Gainsburg 13). In addition, the social ramifications of inadequate infrastructure are much more costly. First, there is the cost to work and family. Recent decades have witnessed a sweeping integration of women into the work force, a phenomenon plainly implicating the need for stronger domestic policy. Although more and more women work outside of the home, they nonetheless continue to be our primary care givers. Without a competent family support system, work and family both suffer. People are unable to achieve their goals.

Some critics claim that this type of legislation is discriminatory. Detractors have also claimed that adoption of a domestic policy may cause increased discrimination against women because they will be viewed as more likely to take advantage of parental leave. However, the Civil Rights Act and the Pregnancy Discrimination Act make discrimination of this sort illegal (Gainsburg 17). In addition, the adoption of a family policy may eventually make employment discrimination against women less common. A national family policy would ensure that a country maintains a "qualified, trained, and dedicated" work force. It should be viewed as a policy that would reduce strain on our entire population. It should entitle men as well as women to take leave for the birth/adoption of a child or the serious illness of the employee or a family member. Although detractors may still argue that women will take leave more often, as they are the more likely care giver, the adoption of a family policy could make it quite conceivable that men would take leave almost as frequently as women.

Let us look abroad for an example. After struggling with this exact issue, the Swedish people decided to allot parental leave on a per-family basis and thus avoid many potential troublesome distinctions. The Swedish system, by allowing the same family entitlement to single parents, bases these entitlements on children's benefits rather than struggling to define what type of parents should receive the benefits. That is, the Swedish system does not focus on whether single men and women receive the same benefits that are shared between a married couple, but rather on whether children living in either household will have the same amount of time with a parent. Sweden's parental leave policy recognizes that traditional family structures and roles have changed. In a nation where 87% of all women work, Sweden has tailored its policy to fit its society. Not only are women not penalized for wanting both a career and children, but Sweden's gender-neutral policy also alleviates feminist concerns about disparate treatment involved with maternity leave.

Though equally available to both parents, parental leave has been utilized primarily by women. In 1983, the difficulty of getting men to take parental leave was apparent. It was at this time that feminists proposed that the Swedish government mandate paternity leave in order to change its low social acceptability. Recent data reveals that maternity/paternity leave discrepancies may be resolving themselves. In 1990, almost 50% of men with children took paternity leave. Statistics like this exhibit self-perpetuating social advancement. Parental leave is becoming more socially acceptable because more men are taking parental leave, and more men are taking parental leave because parental leave is becoming more socially acceptable. The Swedish system is not perfect (no system is). Its strong legislative policy masks some deep structural inequalities. Swedish employers will admit to favoring men over women of child-bearing age because of the tendency of women to utilize parental leave and subsequently, to ask for part-time employment. However, as more men take advantage of these benefits, the incentive for this hiring discrimination will disappear.

Another criticism that is often voiced is that the United States is too diverse in population to implement a family policy. Diversity is a strength of the United States and should not be used as a reason for inhibiting the growth of the country. Countries in every continent of the world have established family policies.

## VII. CONCLUSION

In order to implement a family policy Americans must envision a rich, varied, changing, and complex point of view that reflects how we value work and family. Envisioning work and family as one, will challenge us to examine our fundamental moral, socio-political, and economical values. In order to reach beyond the narrow focus and inadequate scope of our current policy we must imagine a relationship between these two essential spheres of life freed of the constraints imposed by existing roles and structures. The experience of other countries shows us what we can achieve and how much farther we could go.

Recent decades have witnessed a sweeping integration of women into the work force, a phenomenon plainly implicating the need for a domestic family policy. Although more and more women work outside of the home, they nonetheless continue to be our primary family care givers. Not surprisingly, this creates conflict. Without a competent family support system for all, all families will suffer. At present the United States has an inadequate infrastructure. We can no more send a segment of our population off to work without adequate family provisions than we can send them off to work without adequate roads.

It is nice to promote capital, profits, and investment in business but social needs of the United States must not be ignored. We must realize that the children of today will become the adults of tomorrow. We must provide for their quality care so that they will become a quality work force, thus allowing the United States to compete successfully in the international economic arena. The American system of parental leave, or lack thereof, is inadequate and inconsistent. Until 1993, no national policy for parental leave existed in the United States. American politicians tinker endlessly with their patchwork of entitlement programs aimed largely at the poor. The failure to make a commitment to the family has much to do with the reverence Americans have for self-reliance. During the agrarian and modern eras, Americans have regarded the nurturing of families as a personal issue rather than a public concern. We have the idea that a family is inadequate if it is not self-sufficient. In other countries family policy caters to the needs of all families, not just the poor. In America, state support is "for them"--the poor, minorities and dysfunctional families.

We believe that the foundations for a stable society must be built at home. However, the families of the United States cannot accomplish this without adequate support. How can we so easily forget that as many of our ancestors left their homelands they did so in groups. They made decisions based on the well-being of the group and not on the well-being of one individual or a small personal interest group. In our individual homes we make decisions based on the good of the family. Can we expand that thought process to the larger society? Women have become an essential part of the American work force. The nation could not thrive without their contributions. Additionally, this country needs its women to bear the next generation of children and ensure that those children get the love and care that they will need to thrive. Women must insist that it not be so difficult to balance these two essential, demanding roles. We have the right to expect more. We have the right to demand a difference. We, as women in higher education, have the power to effect change.

## BIBLIOGRAPHY

- Ashamalla, Michele. "A Swedish Lesson in Parental Leave Policy" Boston University Law Journal, 10 (Fall, 1992):1-35.
- Clayre, Alasdair. The Heart of the Dragon. Massachusetts: Houghton Mifflin, 1986.
- Crawford, Lou Ellen. Dependent Care and the Employee Benefits Package. New York, Quorum Books, 1990.
- Dowd, Nancy E. "Envisioning Work and Family: A Critical Perspective on Int'l. Models" Harvard Law Journal, 26 (Summer, 1989): 1-87.
- Forseback, Lennart. Industrial Relations and Employment in Sweden. 2nd ed. Sweden: Swedish Institute, 1980.
- Federation of Social Insurance Offices, Useful Information on Swedish Social Security, English version. National Social Insurance Board 1990.
- Gainer, William J. and others. "Parental Leave - Revised Cost Estimate Reflecting the Impact of Spousal Leave". Report to Congressional Requesters April 1989, U.S. General Accounting Office, Human Resources Divisions.
- Gainsburg, Elissa H. "The Cost of Retaining vs. The Cost of Retraining: An Analysis of The Family and Medical Leave Act" Hofstra Labor Law Journal, 10 (Spring, 1993): 1-100.
- Gustafsson, Lars H. Leva med barn. 2nd ed. Sweden: Socialstyrelsen, 1988.
- Harris, Alice Kessler. Women Have Always Worked. New York: Old Westbury, 1981.
- Harvard Law Review Association. "Into The Mouths of Babes: LaFamilia Latino and Federally Funded Child Welfare" Harvard Law Review, 105 (April, 1992): 1.
- Kamerman, Sheila B., et al., eds. Maternity Policies and Working Women. New York: Columbia University Press, 1993.
- Marton, Thomas R. "Child-Centered Child Care: An Argument for a Class Integrated Approach" University of Chicago Law School Roundtable, 313 (1993): 1-93.
- Mason, Mary Ann. "Beyond Equal Opportunity: A New Vision for Women Workers" Notre Dame Law Journal, 6 (Fall, 1992): 1-54.
- Mazie, David M and Raymond, Judith E. Social Security and Welfare Services, Encyclopedia Britannica Book of the Year 1994, Encyclopedia Britannica, Inc. Chicago.
- Melton, Gary B. "Lessons From Norway: The Children's Ombudsman As A Voice For Children" Case Western Reserve Journal of Int'l. Law, 23 (Spring, 1991): 1-144.
- Ries, Paula and Stone. The American Woman 1992-93, A Status Report, New York, W.W. Norton & Co., 1992.
- Smolowe, Jill "Where Children Come First" Time Magazine, Nov. 1992: 59.

Sundberg, Jacob W. Human Rights in Sweden The Annual Reports 1982-1984. Sweden: Norstedts Tryckeri, 1985.

U.S. Bureau of The Census. Current Population Reports, Series P-26, 417, (1986-1987).

U.S. Department Of Labor, Women's Bureau, United Nations Decade For Women, 1976-1985.

Zigler, Edward and Frank, Meryl. The Parental Leave Crisis - Toward a National Policy. New Haven: Yale University Press, 1988.