

The critical attention feminists have paid to the concept of citizenship has significantly contributed to the contemporary political imagination of citizenship. In this book the authors from the Czech Republic follow up on the feminist debate on citizenship and examine the institutional contexts, ideologies and practices that have shaped opportunities for and barriers to the full citizenship of women in various socio-economic, ethnic and national groups in the communist and post-communist contexts and specifically in Czech society since the end of the Second World War.

This book challenges the static descriptions of the position of women and gender relations in the communist societies of Central and Eastern Europe. The authors point out the differences in the discourse and institutions surrounding work and care and in actual work and care practices during the forty years of the communist regime. The individual chapters in the book identify specific periods under the communist regime and after 1989 that were distinct in terms of how women's labour market participation, work-life balance, care politics, the position of lone parents, Roma families and foreigners were framed. Moreover, the continuity of discourse, practices, and institutions before and after 1989 is highlighted, demonstrating how difficult it is for cultural and institutional changes to take place even when an important systemic change has occurred in society.



Prague 2009

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Institute of Sociology AS CR

WOMEN AND SOCIAL CITIZENSHIP IN CZECH SOCIETY: CONTINUITY AND CHANGE

Hašková / Uhde (eds.)

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Institute of Sociology AS CR

Institute of Sociology, Academy of Sciences of the Czech Republic
Prague 2009

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This book was written with the support of a grant project under the Sixth Framework Programme of the European Commission, project no. 028746-2 'FEMCIT: Gendered Citizenship in Multicultural Europe: The Impact of the Contemporary Women's Movement', and with the support of a grant project of the Academy of Sciences of the Czech Republic, project no. 1QS700280503 'Support for the Social Acceptance and Effective Enforcement of Gender Equality in Public Sphere'. This book was supported also by the Research Plan of the Institute of Sociology of the Academy of Sciences of the Czech Republic 'Sociological Analysis of Long-term Social Processes in Czech Society in the Context of European Integrational Policies, Development of the Knowledge-based Society and of Human, Social and Cultural Capital', no. AV0Z70280505.

We would like to thank Prof. Steven Saxonberg, PhD, and PhDr. Květa Jechová, CSc., for their comments that helped us to improve the book. Special thanks to Robin Cassling for careful language editing of the book.

Keywords: women, social citizenship, care, work, Czech Republic, feminism, Roma, difference, communism, post-communism, immigration.

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ISBN 978-80-7330-150-7

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Gendered Citizenship in Multicultural Europe

(Preface)

Hana Hašková and Zuzana Uhde

Over the past several decades, a number of social movements have contributed to the formation of various concepts of citizenship and the exercise of civil, political, economic, and social rights and responsibilities in Europe. Their contribution to and the imperatives they have placed on the redefinition of citizenship principles have been the subject of numerous studies, some of which have focused on trying to explain the processes involved in the transformation of these principles, while others have emphasised their practical applications, and still others the roles, formation, and goals of the very actors behind the changes in the concepts and practices of citizenship.

FEMCIT Project

It was down this line of research that in 2007 work began on the research project 'FEMCIT: Gendered Citizenship in Multicultural Europe: The Impact of the Contemporary Women's Movements'.¹ This book is the result of that research.

The research project was designed to examine concepts, forms, and practices of citizenship, emphasising the perspective of gender relations in multicultural Europe. The project looked at the effect of the demands and activities of civic associations dealing with gender inequality on the redefinition and exercise of citizenship in the countries of Northern, Western, Southern, and Eastern Europe. The objective of the project was to obtain an understanding of how citizenship concepts and practices reflect gender, ethnic and nationality relations, and how these concepts are projected into the formulations and implementation of social policies, with a view to how the situation has developed over the course of the past fifty years.

We define citizenship as rights and responsibilities, as a route to political and economic participation, social security, and cultural integration. Achieving full

¹ See <www.femcit.org> for more information on the project.

citizenship involves both political processes of the redistribution of material, economic, and political resources, and recognition, which implies the cultural and social transformation. Therefore, in the project the concept of citizenship reflects gender-, ethnic-, and nationality-relevant dimensions of the relationships between individuals and political, social, and economic nation-state institutions and the institutions of the EU. The concept of citizenship is operationalised so that it incorporates the following interconnected dimensions: political citizenship (democratic participation and representation); social citizenship (participation in care); economic citizenship (participation in the labour market, equality in the workplace); ethnic citizenship (ethnicity and religion); bodily citizenship (reproductive rights and sexuality) and intimate citizenship (the transformation of intimate relations).

By studying these dimensions of citizenship it was possible to gain insight into the complex relationships between various concepts of citizenship and political recognition, social justice, harmonious co-existence, and cultural and economic opportunities. One practical objective of the FEMCIT project is to reconstruct the architecture of gender-fair citizenship in a multicultural Europe. The project was specifically interested in: identifying the changing concepts and practices of citizenship from the perspective of gender and ethnicity; creating a new theoretical framework for the analysis of gender-fair citizenship in a multicultural Europe; compiling empirical and comparative data for research on citizenship in Europe; formulating theoretical and empirical grounds for putting emphasis and pressure for greater sensitivity to the gender and multicultural aspects of citizenship; and to formulate a platform for developing an understanding of the dynamics involved in the challenges that multicultural reality holds for citizenship and for the work of civic associations focusing on issues of gender equality.

Study of Social Citizenship in the FEMCIT Project

In the FEMCIT project the researchers focused on the following questions in the study of social citizenship: What kind of impact have civic groups and associations focusing on gender equality had on the concept and practices of care? What structures facilitate or hinder collective action on family care in multicultural Europe? What is the future direction of care policies and gender-based activism in Europe?

Our research findings will serve as the basis for an assessment of recent opportunity structures that facilitate or hamper collective action and demands and design future paths for gender-based activism and policy-making around the

concept and practices of care, and their redefinition stressing care as work, a value, and a public responsibility central to gender-fair citizenship.

Although we acknowledge the various dimensions and fields of care (care for children, the elderly, the disabled, in case of illness, etc.), in our study of social citizenship within the FEMCIT project we focused mainly on childcare. This focus was chosen because it is mainly childcare and shared parenthood that is increasingly moving to the fore as a key demand and often even the solution to women's inequalities in current feminist debates across Europe. Women's movements focus more on childcare than on other fields of care, and the same is true for other civic groups and organisations interested in issues of care (fathers'/men's groups, gay/lesbian groups, religious groups, ethnic and national minority groups).

However, even women's groups and organisations diverge over questions of political ideology and in gender discourse when it comes to the issues of (child) care. Some stress the need for public (child)care services and opportunities to facilitate the combination of gainful employment and care, while others insist that it is essential to remunerate care work in the household. Although little research has been done on the interaction between ethnic minorities and migrants on one hand and welfare states, their care policies and their normative family models on the other hand, there are some signs that migrants and ethnic minorities are excluded (or their access is restricted) from the provisions and services the welfare state affords those providing care. Exclusion can be embedded in the different cultural preferences, the limited knowledge of institutional structures, or discriminatory practices. Thus, in our study on social citizenship, we focus on the various demands of and opportunity structures for gender-based organisations and groups (including ethnic minority and migrant groups and organisations) that in the past fifty years have publicly articulated demands relating to care. We explore these demands, shared and differing, relating to issues of care and identify their possible structural and cultural backgrounds.

Citizenship and Care in Czech Society

This book contains the results of the first part of the research team's study of social citizenship in Czech society since the Second World War, in which we map the development of care institutions, legislation on care, and the care practices of various groups of the population in Czech society since the Second World War. Based on our analysis of archive and statistical data and media, government, legislative and research documents, we show how the institutional contexts and ide-

ologies of care have influenced the inclusion of women in citizenship rights in Czech society. Research results published in this book will be followed within the FEMCIT project by a study of the demands, successes, and failures of various social actors within the country or at the transnational and supranational level, which have influenced Czech public debates on care in the examined period.

Following an introductory chapter on ‘Social Citizenship and Care in Czech Society’ by Zuzana Uhde and Hana Hašková, which situates the issues of care within the concept of gender-fair citizenship, the rest of the book is divided into five chapters. In Chapter Two, ‘The Labour Market and Work-Life Balance in the Czech Republic in Historical Perspective’, Alena Křížková and Marta Vohlídalová discuss the development of women’s participation in the labour market and the work-life balance models applied in Czech families during various periods under the communist regime² and after the 1989 democratic revolution. In Chapter Three, ‘Leaves, Allowances and Facilities: Childcare Past and Present’, Hana Hašková, Hana Maříková, and Zuzana Uhde focus on the rise and fall of childcare services and provisions for care-givers in Czech society since the Second World War, within the context of the changing gender discourse and labour market developments. In Chapter Four, ‘The Rise of Lone-Parent Families – Challenging the Norm’, Radka Dudová examines the changing status of and provisions for lone parents in the past sixty years in Czech society and the public discussions that have problematised their status from various perspectives. In Chapter Five, ‘The Roma Minority: Changing Definitions of Their Status’, Kateřina Pulkrábková studies the various forms of marginalisation of the biggest ethnic minority group in Czech society and the historically rooted, changing approaches directed at tackling the marginal position of the Roma population in society. The position of Roma women in the labour market and within the family is central to the author’s interest, even though a much wider description of the status of the Roma minority is needed in order to understand the position of Roma women within society. In Chapter Six, ‘Foreigners in the Social System of the Czech Republic’, Yana Leontiyeva and Michaela Vojtková examine how open or closed the Czech social security system is to the inclusion of migrants, support for long-term migration and settlement rather than circular migration and irregular migrant statuses, and the extent to which the social security

² Even though the countries of Central Europe governed by Marxist-Leninists never actually used the term ‘communist state’, but instead used the term ‘people’s democracy’ in Czechoslovakia in the 1950s or ‘socialist state’ from the 1960s to the 1980s, in conformity with most of the current internationally available literature on the region we use the term ‘communists state’ in the book when referring to Czechoslovakia between the late 1940s and the late 1980s.

system explicitly or implicitly prevents migrants from enjoying the same social rights as Czech citizens, for example, in connection with childcare.

Chapters two to five are structured diachronically and identify several periods of time under the communist regime and after the 1989 revolution that differed in terms of how they framed women's labour market participation, work-life balance, childcare facilities, provisions to care givers and specific problems of lone-parent or Roma families, and in terms of the extent and practices of women's labour market participation, childcare and the marginal positions of lone-parent and Roma families in society. Such an approach challenges the static descriptions of the communist societies of Central and Eastern Europe and points to the differences in the discourse surrounding care and in care practices during the forty years of the communist regime. The continuity of discourse, practices, and social policies before and after 1989 is identified, demonstrating how difficult it is to change some of these areas, even if an important revolutionary change has occurred in society.

The final chapter, on migrants, is structured differently, because immigration significantly increased only after 1989 when the state borders were opened. Prior to that, under the communist regime, labour migration was more or less the only kind of migration. Owing to the specific position of migrants in relation to citizenship rights, the chapter is structured to highlight the ways in which migrants are excluded from different fields of the Czech social system.

To conclude, the individual chapters of this book examine the institutional contexts and ideologies of care that have influenced the opportunities women in various socio-economic, ethnic and national groups have had to enjoy full citizenship rights in Czech society since the end of the Second World War.

1. Social Citizenship and Care in Czech Society

(Introduction)

Zuzana Uhde and Hana Hašková

This chapter presents the theoretical and conceptual framework of the book. The authors briefly discuss the emergence of the concept of social citizenship, its development and its feminist critique and reconstruction. The authors focus particularly on the caring practices and the feminist argumentation why care shall be situated in the centre of the debate about social citizenship. While feminists argue that care shall be valued as a labour-like activity and as a value, the recognition of care and carers in society, however, requires deeper change, namely a rethinking of the citizenship paradigm focused on paid work and hinged on the ideal of the atomistic, independent individual. The obstacles for gender equity are addressed by examining the social organisation of childcare as a paradigmatic example of male (and also ethnic and class) bias in the construction of social citizenship as it is applied in most European states. This is then also applied to the social organisation of childcare in the Czech Republic, as an example of a post-communist country.

The separation of the social and the political was a fundamental characteristic of modern society and both the liberal and civic republican traditions of citizenship. Initially the feminist critique of the concept of citizenship focused on the exclusion of women from political activity, the struggle against which was manifested in the fight for women's suffrage. Even though in most Western countries women were granted their civil and political rights by the mid-twentieth century, there was still a lack of equality between men and women, and thus the critique shifted towards the public-private divide and the exclusion of the 'social' from the concept of citizenship. The concept of social citizenship arose in the historical context of the aftermath of the Second World War out of the question of whether low income, unemployment, and lack of access to social security and health care diminish citizenship status. T. H. Marshall [1963] expanded the liberal concept of citizenship to include social as well as civil and political rights. This shift was of substantial significance for women, but was also important for the emerging concept of social justice in Western society. The concept of social

citizenship stresses not only the rights and obligations of citizens but also the opportunities and conditions that can either undermine or enhance the status of full citizenship. Nevertheless, Marshall's concept of social citizenship failed to include care as a social right because it was seen as a family task, and thus it relied upon the liberal separation of the private family and public sphere, albeit in a redefined version. But the inclusion of care within the justice paradigm which serves as a framework for the universal concept of citizenship is crucial to creating a concept of gender-fair citizenship [Sevenhuijsen 1998; Lister 2003; Lister et al. 2007]. The feminist critique of citizenship therefore questions the strong association between citizenship on the one hand and paid employment and the liberal notion of the independent working individual on the other, an association supported by the public-private divide. Moreover, taking into account the demands of new social movements and the politics of difference, which recognises multiple memberships of every individual and differentiation within groups [Young 1990], current feminist criticism of citizenship also focuses on minority women and their diverse needs in an effort to translate those needs into right.

Historically, the concept of citizenship has been a key vehicle in struggles for greater universal equality, but simultaneously it has created inequality. On the one hand, the concept of citizenship has indisputable emancipative potential, which derives from its egalitarian and universal ideal of citizenship [Lister 2003]. The history of the women's struggle and of the struggle of indigenous peoples or ethnic minorities has certainly proved that it is possible to redefine the boundaries of citizenship to make them more inclusive. On the other hand, the definition of citizenship is based on the distinction between members and non-members, who are not entitled to the same rights. As Evelyn Nakano Glenn points out 'equality among citizens rested on the inequality of others living within the boundaries of the community who were defined as non-citizens' [Glenn 2000]. As far as it goes, the concept of citizenship clearly has the capacity to include individuals of different groups within the community as equal members. However, if the entitlement to rights is tied to the status of being a citizen of a given state, the discriminatory division between members and non-members remains and thus it seems that the concept of citizenship does not go far enough.

Globalisation processes have raised the question of whether in the light of a partial dismantling of nation state sovereignty citizenship is still a useful tool in struggles for social justice [Fraser 2005]. As Jarry Harris argues, the major dialectic of the contemporary era of the new millennium is the contradiction between the nation-state system and the transnational world order driven by a transnational capitalist class [Harris 2006]. Nation states still play some role in social, economic, and political spheres of life, but new information technol-

ogies have enabled greater interconnectedness of financial markets, cross-border capital flows, and the creation of a global labour market. And these processes ‘redefine the role of nation state, how people work, how commodities are produced and the forms that power can be expressed’ [Harris 2007: 1]. Thus, the scope of nation states’ influence, which defines the limits of citizenship status, seems to be waning in the face of transnational actors. The sociologist Leslie Sklair describes three main features of the currently dominant capitalist globalisation: transnational corporations and finance-driven economy, transnational capitalist class driven competing states system and culture ideology of consumerism [Sklair 2002].

In this respect it is crucial to examine also the discourse of human rights, which can provide a tool for a feminist reconstruction of citizenship that is more inclusive and reaches beyond the boundaries of the nation state.¹ Lister points out that ‘citizenship rights derive from human rights as the necessary condition for human agency’, and notes that feminists need to adopt a ‘multilayered conceptualisation of citizenship’ which would reflect both local and global aspects of citizenship rights and responsibilities [Lister 1997: 10–11].

These issues are of particular importance from the feminist perspective given that there are growing trends towards the feminisation of migration [Kofman et al. 2000], the feminisation of exclusion from social security [Wichterlich 2000: 123–158] and the feminisation of export production [Pearson 2004], which indicates that while the overall informalisation of employment and privatisation of social security have affected both men and women, women have been affected more severely than men [Standing 1999]. A specific example of the exclusionary power of citizenship is provided by the growing number of women immigrants who perform carework and domestic work in developed countries, who are often employed in the grey economy, which deprives them of their civil and political rights, and also of their social rights, as they are excluded from the social security system.² Although, the feminist critique of citizenship focuses mainly on the

¹ The detachment of rights from citizenship status is already applied in some countries where there is a category of residence that guarantees a person the same rights as citizenship except the right to vote (in the Czech Republic this status is tied to permanent residence status; for more, see Chapter 6). However, recent political development and the trend in European states towards more restrictive immigration policies has shown the real political limits of the emancipative potential of the concept of citizenship.

² In some European states, both the market and nannies are important for providing care for children and the elderly or the disabled. This shift is not only important with regard to care workers but also with regard to the people in need of care. The market cannot guarantee the right to care for everyone, as market logic dictates that those who cannot purchase care services will not be provided with them. For the growing im-

exclusion of women from full citizenship status and the male bias to citizenship, it is also informed by the significance of the difference and diversity of women's claims to citizenship according to their multiple social and cultural positioning.

Ruth Lister proposes the principle of 'differentiated universalism', which responds to both criticisms. First, there is the criticism of the false universalism of citizenship, which primarily values the independent working individual and disadvantages women through the gender division of labour and time. Second, there is the criticism of a universalising notion of women, which neglects the significance of other social divisions, such as class, 'race'/ethnicity, sexuality, nationality, family status, age or disability. Differentiated universalism overcomes the equality versus difference dilemma and stresses 'a universalism that stands in creative tension to diversity and difference and that challenges the divisions and exclusionary inequalities which can stem from diversity' [Lister 1997: 13]. In order to put this principle into practice, we need to address three obstacles: first, the public-private divide and the still prevailing interpretation of care as a private responsibility; second, the atomistic ideal of a working independent citizen and the negation of interdependence as an inherent characteristic of human existence; and third, the culturally hegemonic model of citizenship. These obstacles will be addressed here by examining the social organisation of child care as a paradigmatic example of male bias in the construction of social citizenship as it is applied in the most European states. This is then also applied to the social organisation of childcare in the Czech Republic, as an example of a post-communist country that is further developed in the subsequent chapters.

1.1. Childcare and Social Citizenship

Over the course of recent decades, feminist theorists and activists have succeeded in pointing out that the unequal, gender division of caring responsibilities and domestic labour constitutes the very core of the subordinate status of women in society and an obstacle to their equal status as citizens. In Western societies women were struggling for the right to participate in the labour market on a level equal with men, while in Eastern European countries, in conformity with communist ideology, enforced 'from above', women and men alike were required to work. As a result of the privatisation of social security and structural adjustment programmes, the participation of women in the labour market in the countries

portance of immigrant women in caring services in Europe, see, e.g., Anderson [2000; 2007], Cox [2006], Kofman et al. [2000], Ungerson [2003].

of the developing world is continuously growing as well. Although the conditions of women's lives and the geopolitical situations they live in vary significantly between different parts of the world, there is one general similarity: the double burden of paid and unpaid work for women. Therefore, today, in order to include men in the caring activities and make them participate on an equal basis in the private sphere, it is necessary to redefine the concept of social citizenship and make care central to the rights and responsibilities of citizens.³ As Knijn and Kremer [1997] argue, the concept of social citizenship should be based on the assumption that every citizen has the right to care and to institutional conditions facilitating the provision of care.

Let us here summarise the feminist debates to date in the struggle to achieve the recognition of care. The issue of whether institutional care for small children and state support of day-care institutions should be supported or whether subsidised care for children in the homes should be backed, with mainly women receiving childcare allowances and remaining out of the labour market, is a contentious one, and it has divided feminist theorists and activists over the principle of gender justice and the political strategies required to achieve it. On the one hand, feminists concerned with equality have argued that care allowances reify gender inequalities and the gender division of labour because it is in most cases women who stay at home to care for children, the elderly, or the disabled. They advocate public support for day-care institutions, which would encourage and help women to enter the labour market, without having to take a long pause from work and without risking downward economic and social mobility. On the other hand, feminists concerned with the recognition of women's differences from men have argued that home care deserves to be subsidised and that through care allowances women's unpaid labour would achieve social valuation. The only condition is that the level of care allowances be sufficient to provide women with income security and economic independence. Nevertheless, neither of these models, even in their ideal form, could lead to genuine gender justice, and they create a false dichotomy of work and care, as both models imply that it is necessary to choose either work or care. This assumption presents a false dichotomy because social justice requires that every individual has the right and real possibility to pursue both activities without the either-or choice.

³ This can be seen as a political consequence of the philosophical project of feminist ethics of care [Tronto 1993; Sevenhuijsen 1998; Held 2006]. Even though the ethics of care was sometimes interpreted as oppositional to the discourse of rights and justice, the latest development in this theoretical field leads to the practical political effort to combine the value of care and justice and disagreements appear rather in the question of moral priorities of one or another of these values [Held 2006].

In the first case, the prevailing paradigm of paid work as the most important responsibility of a citizen is not questioned, and thus it institutionalises an independent working individual as the norm of a fulfilled life. The second model fails to incorporate men into care and household labour, and in doing so it shuts women into the roles of mother and wife and reinforces the liberal public-private divide. Given that social benefits are associated with dependency, the second model also fails to provide women with equal economic and social rights and thus does nothing to combat the status of women as second-class citizens. Moreover, it is necessary to acknowledge the different needs of different groups of women. While the arrangement of public support for day-care institutions is good for women with higher education or women working in jobs enabling self-realisation, the model of providing care allowances during periods spent caring for child(ren) and the elderly is more advantageous for women working in insecure, low-paid, and monotonous jobs without any future prospects. This example illustrates the diversity inherent in feminist struggles. If we want to eliminate the structural constraints on women's choices and introduce the concept of gender-fair citizenship, it is necessary on the one hand to rethink the prevailing paradigm of paid work and the structure of the work-oriented society, in which social recognition is distributed according to financial profit, and on the other hand to deconstruct the ideal of the independent citizen as the norm for the fulfilment of one's life and instead to highlight the situation of interdependence as a general human condition [see Fraser 1997].

Feminist claims for the recognition of care have hitherto been articulated mainly at the national level. However, the current challenges posed by globalising capitalism and changing contexts of care also highlight the need to articulate these claims at the transnational level.⁴ The processes of globalisation alongside growing women's participation in the labour market across the globe have shaped care arrangements and the boundaries of the political, economic and private spheres of life previously taken for granted. In affluent Western and Asian states with expanding economies the care that was once performed by women outside the labour market or provided by state-subsidised public institutions has been shifted into the market sphere as a general commodity. This process is largely supported by the system of cash for services, which Clare Ungerson de-

⁴ Nowadays, care is to an increasing degree marketised and sustained by the use of cheap women's labour, often immigrants that are not entitled to the same rights as citizens. Arlie Hochschild describes these transnational processes and transformations of caring patterns as 'global care chains' and concludes that the transfer of child-care to the labour market uncovered and even lowered the value of caring activities [Ehrenreich, Hochschild 2002: 29].

scribes as ‘routed wages’, introduced in most European countries. This nevertheless has a different impact on the labour market in care work, the commodification of care, and the status of care workers, depending on the given labour market regulations, migration regimes, relevant legislation and institutional coordination with other types of payment for care [Ungerson 1997, 2003]. The commodification of care has also challenged the old feminist arguments that linked women’s subordination to the socially constructed division between paid and unpaid activities along the gender structure of society. This shift has revealed that caring activities are misrecognised not because they are largely unpaid but rather because they are conceived as non-work: private and personalised activities without a quantifiable exchange value [see Uhde 2009].

Paid care, which is performed primarily by women and in affluent states often by immigrant women, is in late capitalist societies a form of ‘unskilled’ and poorly paid labour, which in many countries is performed mainly in the informal sector. The gender division of labour is here reflected in the limited participation of men in care and household work because of its association with femininity and the misrecognition of these activities. The racial construction of care and household work is then projected into its perception as a job for immigrant workers. The class division of care and cleaning work is manifested in the poor valuation of this work, both as paid and unpaid activity, which in turn exacerbates existing class stratifications. In these processes, social policies and governing ideologies of care are of fundamental importance for shaping the social organisation of care and determining the particular meaning of the public-private divide. Situating care at the core of social citizenship and the discourse of social rights requires its conceptualisation beyond the public-private dichotomy, so that it encompasses both actual paid and unpaid care, because, as Ungerson argues, it is ‘difficult to suggest that formal and informal care are logically and qualitatively different, since *both* contain elements of labour and love’ [Ungerson 2000: 174]. Recognising the moral aspect of care does not mean that caring activities should not be financially supported and remunerated. Ungerson has aptly noted that it is false to presume that de-commodification is always and necessarily emancipatory, as in certain institutional arrangement it can lead to women’s double burden of paid work and unpaid caring activities [see Ungerson 2000]. If the relationship between social citizenship and care is to be reconceptualised, care must be recognised as a form of physically demanding and time-consuming activity, but also as a value in itself. Making care central in considering citizenship rights and responsibilities, care must be understood as a public responsibility, not just an individual one, which requires the redistribution of resources and a rethinking of our moral preferences.

1.2. The Social Organisation of Care in the Czech Republic

The objective of this book is to reveal how the institutional context and ideologies of care influence the possibilities of women to enjoy full citizenship rights and an equal opportunity environment in the Czech Republic. Using Fraser's terminology [Fraser 1997: 41–66], a model similar to the ideal type of 'universal breadwinner model'⁵ was promoted in Czechoslovakia up until 1989. In compliance with the state policy of full employment, the participation of men and women in the labour market was imposed, while childcare was provided through a relatively dense network of state-subsidised public day-care facilities. However, the devaluation of the prestige of work and careers that occurred under the communist system, which often made public work seem meaningless, made the family the dominant institution and a sphere of relative freedom, where women (and men) found opportunities for self-fulfilment [see Havelková 1993; Šiklová 1997]. Owing to the continuously compulsory and high employment of women under the previous regime,⁶ developments in the post-communist countries of Central and Eastern Europe differ from developments in Western countries, and thus the participation of women in the labour market cannot be interpreted as an impulse for a change in the gender division of labour, as it was not introduced as a result of a movement but as part of an enforced ideology. Even when women's participation in the labour market was high, they were still subject to the assumption that they would typically opt eventually to become mothers, and that

⁵ Nancy Fraser compares the 'universal breadwinner model', which emphasises support for the employment of women through the provision of state-care services, and the 'caregiver parity model', which supports informal care through state allowances for care-givers, intended to enable them to become economically independent and sufficiently support themselves and their children. With the objective of assessing the level of gender justice in care, Fraser sets out seven normative principles: anti-poverty, anti-exploitation, income equality, leisure-time equality, equality of respect, anti-marginalisation, and anti-androcentrism. According to Fraser, while the universal breadwinner model is only poor at achieving leisure-time equality and fulfilling the anti-androcentrism principle, the care-giver parity model is weakest at achieving income equality and fulfilling the anti-marginalisation principle. Both measure only fairly in terms of how well they uphold the principle of equality of respect. In the next step Fraser proposes an alternative concept of the social-welfare system based on the 'universal care-giver model', combining both models cited above and grounding her model in the conception of care as the social responsibility of everyone [Fraser 1997: 41–66].

⁶ On the one hand there was an obligation to work, with just rare exceptions, and on the other hand, given the low level of wages, the two-income model was an economic necessity for the majority of people. There was a substantial increase in women's employment during the communist era and the share of women in the total labour force had already surpassed 40% by 1953; in 2006 it was 43% [Czech Statistical Office at <www.czso.cz>]. For more, see Chapter 2.

was used as a legitimate justification to devalue their work, while simultaneously giving rise to the double-burden on women: at work and at home [Čermáková 1995, 1997; Heinen 1997; Hašková, Křížková 2003].

Over the course of the 1990s social policy changed and women began to be encouraged to remain at home longer after the birth of a child. Such encouragement took the form of an extension of parental allowances,⁷ which was accompanied by a significant drop in the number of public childcare facilities, especially those designed for children up to the age of three.⁸ Behind these measures was a macroeconomic device, developed in advance in cooperation with the World Bank,⁹ designed to reduce unemployment by removing women with small children from the labour market [Víšek 2006]. For the post-communist government, it seemed less demanding on the budget to prolong parental allowance than to maintain public childcare facilities [Potůček 1999].¹⁰ The lack of such facilities now constitutes a fundamental obstacle that prevents women from making free choices, especially women in lone-parent and low-income households¹¹ [Křížková et al. 2005; Dudová, Hastrmanová 2007].

If we look at the current arrangement from the perspective of Fraser's analysis we see a hybrid model, one that balances between the universal breadwinner model and the caregiver parity model, but reproduces the negative aspects of both. Given the long parental leave¹² and the continued assumption that women

⁷ The right to parental leave and to parental allowances to take care for a child until it reaches the age of three was enacted in 1990 for women and men (until 1990 it was provided only to women or lone men). In 1995 the entitlement to parental allowances was extended up to the age of four, thus, for a four-year period, but stipulated period of time during which an employer is required to re-hire a parent on parental leave remained at three years. For more details, see Chapter 3.

⁸ The number has decreased from 1043 public (state or municipal) nurseries in 1991 to 54 in 2007 [Hašková 2007]. Moreover, most of them are private nurseries, and until 2007, when the parental allowance was increased, the cost of placing a child in such a facility was three times as high as the amount of the parental allowance. The current level of the parental allowance is still not enough either to pay for private care in private nurseries or to hire a nanny. For more details, see Chapter 3.

⁹ For the critique of the World Bank 'shock strategy' of the economic transition of the post-communist countries, including the critique of Václav Klaus, the Czech Minister of Finance at the beginning of the 1990s, later Prime Minister and recently president of the Czech Republic, see Stieglitz [2002].

¹⁰ Even if we accepted this one-sided economic thinking, it seems to be wrong in that it does not take into the calculations of costs and benefits the loss of a qualified women's labour force and subsequent tax revenues for the state budget. We are grateful to Steven Saxonberg for his comments on this point.

¹¹ For more details, see Chapter 4.

¹² In the Czech Republic, parental leave has a fixed level of parental allowances (although since 2008 it is possible to choose between durations of leave) and it follows the

will be caring for children, the current model fails to eliminate the discrimination against women in the labour market and does not eliminate the gender wage gap, and given the low amount of the parental allowance and the gender bias in the social security system, it does not combat the economic dependence or marginalised status of women. So, it fulfils neither the anti-marginalisation principle nor the income-equality principle. Moreover, it does nothing to promote the equal division of leisure time, since employed women do the majority of household labour and caring activities. And it most certainly does not satisfy the principle of anti-androcentrism, as the male life-patterns associated with paid work continue to represent the norm valued by society. Consequently, it even falls short of satisfying the principle of equality of respect. Although the amount of the parental allowance, usually taken up by women (99% of the recipients of the parental allowances are women), had doubled by the beginning of the year 2007,¹³ the increase was not combined with structural changes and with support for public childcare institutions. Also, the increase has not been enough to encourage men to participate in care, too. Thus, the parental allowance as it is only contributes to the privatisation of care and reproduces the perception of care as a woman's private responsibility, with all the political and socioeconomic consequences this has on women's status and opportunities for enjoying full citizenship rights. The state and society have thus abandoned the responsibility for finding a balance between paid work and caring activities, the issue of work/life balance is instead viewed as a private problem for each individual family, and given the gender division of labour within families that means it is mainly a private problem for individual women. The virtual non-existence of childcare facilities for children up to the age of three coupled with the long period of parental leave (for three years, wherein the parent has the right to return to their previous job and is entitled to receive a parental allowance; or for four years, but without the right to return to the previous job), in most cases taken by women, act to discourage women from participating in the labour market and given them a handicap when they try to re-

period of basic maternity leave of 28 weeks. The maternity (later parental) allowance is tied to previous income and is equal to level of 69% of daily income assessment base.

¹³ As of 1 January 2007 the state parental allowance rose from 3 696 CZK to 7 582 CZK, which was equal to 40% of the average gross monthly salary in the non-business sphere. However, as of 1 January 2008 the valorisation of some social benefits was halted, including parental allowance, the child benefit, and the childbirth grant. Since then it is possible to choose between three parental-allowance options: parental allowance can be paid for either up to two, three or four years of the child, the level of the parental allowance per month varying according to how long a period it is spread out over (11 400 CZK until the child reaches the age of two, 7 600 until the child is three, and in the four-year option 7 600 CZK is paid monthly over the first 21 months after maternity leave, and 3 800 CZK for the next two years.

turn to work. Some recent international comparisons showed that mothers in the Czech labour market are among the most marginalised in Europe.¹⁴

Recent changes and the lack of public childcare facilities have moreover contributed to an increase in polarisation between women with higher and low income. Women with higher income, who are motivated to return to work earlier after giving birth because of the risk of losing their qualifications and because the appreciable drop in living standard is compensated only by a low parental allowance, can use the parental allowance to cover a part of the costs of private nurseries or of hiring a domestic helper or a caregiver. For women with lower income the amount of the parental allowance is still insufficient to cover their living costs, and it is also not enough to pay for private child care. Thus, for low-income families for whom the two-income model is still an existential necessity, this model is difficult to achieve owing to the shortage of openings and the high fees in private childcare facilities for children up to the age of three. Usually such families rely on the help of grandmothers, which involves a generational transfer of caring responsibilities, but still only amongst women. Moreover, regardless of the two-income model, most of the responsibility for care and the household still lies with women [Křížková et al. 2005; Bierzová 2006].

The example of the Czech Republic confirms that including the issue of care into the construction of social citizenship is fundamental for gender equity. As we shall see in detail elsewhere in this book, after 1989 the public-private divide, as defined in the old liberal paradigm, in a certain sense re-emerged in the Czech Republic. The state has step by step withdrawn from its responsibility to support and ensure public childcare institutions have sufficient financing and capacity, not to mention the provision of care for the elderly or the disabled. Simultaneously, the establishment of the market economy has affected a wide range of the population, mainly women with small children, minority women,¹⁵ lone parents,¹⁶ and pensioners, and especially elderly women pensioners. The new conditions in the labour market have increased the risk of unemployment and poverty for women because of their real and presupposed caring responsibilities. As Čermáková et al. [2000, 2002] put it, costs of post-1989 transformation were unequally divided between men and women, putting more disadvantages on women than men. In addition, during the post-1989 transformation, income pov-

¹⁴ The negative effect of motherhood on women's labour market participation was shown to be consistently the highest in the Czech Republic compared to other European countries over recent years when looking at mothers with children under the age of 6 or even 12 [Czech Statistical Office 2005; European Commission 2008].

¹⁵ For more details, see Chapter 5 and 6.

¹⁶ For more details, see Chapter 4.

erty shifted from households of individuals to households with dependent children. Lone-parent families and families with three or more children became the group most at risk of income poverty in the population [Sirovátka, Mareš 2002].

Roma families make up the majority of the families in the population with a larger number of children. The Roma population suffers from social and economic marginalisation and exclusion resulting from several interrelated factors, such as widespread discrimination against the Roma population in the education system, the labour market, and Czech society on the whole, low education, low integration in the labour market, a high concentration of the Roma population in regions and localities with high unemployment, and even bad housing conditions. Roma women are marginalised on multiple levels, a problem only exacerbated by the fact that many Roma women become mothers at a young age.¹⁷ This is then reflected in their low economic activity, their low public visibility, and their invisibility in decision-making. The poor social conditions of many Roma families results also in the high share of Roma children growing up in institutions for abandoned or disadvantaged children and children with educational difficulties.¹⁸

Most lone-parent families are headed by mothers (88%) and especially by women with low education and low income. Lone motherhood resulting from extramarital birth is much more common among women with low education (there has been a rapid increase in the percentage of extramarital births, from about 5% in the late 1980s to one-third of all births more recently) [Hamplová et al. 2007]. Their social and economic marginalisation is based not only on the fact that they are mothers and have low education but also on the socio-economic implications of lone motherhood.¹⁹ Paradoxically, even though it is mostly women with low levels of education who stress the importance of marriage for a happy life and are in favour of remaining outside the labour market for a longer period in order to provide care for their children, this group has the largest percentage of lone mothers and saw the largest increase in the percentage of lone mothers during the transformation period. The difficult income situation of lone mothers leads them to engage in economic activity very soon after the birth of child. Nevertheless, their engagement in economic activity is hindered by the lack of

¹⁷ Almost two-thirds of Roma men and three-quarters of Roma women completed their education by graduating from primary school only. Fewer than one in every five Roma women are employed, while more than one-half of all Czech women are employed. Conversely, while only 6% of all Czech women are unemployed, almost one-quarter of all Roma women are unemployed [MU Brno Phare 2002].

¹⁸ See Chapter 5 for more on Roma women in Czech society.

¹⁹ See Chapter 4 for more on lone mothers in Czech society.

childcare facilities. The consequence is that lone mothers with low education are in a difficult income situation that hinders them from successfully fulfilling the role of a caring mother as they understand it and from fully participating in the labour market. The fact that the share of extramarital births increased mainly in regions with high unemployment has added to the marginalisation of lone mothers in the labour market.

While motherhood was an experience almost all women went through during the communist regime, regardless of their education level, demographers have recently begun to predict higher levels of lifetime childlessness among the population that reached adulthood during the transformation period, especially among women university graduates, even though few Czech women expressly wish to remain childless for life.²⁰ But among women (though not men), the higher the level of education the greater the belief that one's job has a negative impact on the chances of establishing a family, and European comparative surveys, such as the European Value Survey and the ISSP, indicate that, like the populations of other post-communist countries, the Czechs take a negative view of a woman's chances of successfully combining work and motherhood. Saxonberg and Sirovátka [2006] interpret recent demographic behaviour resulting in zero reproduction as a consequence of the re-familisation of gender-biased family policies in post-communist Central Europe, where the just slowly developing feminist movement after 1989 was unable to challenge the negative effects of the post-1989 transformation on women in the region. The rapidly increasing share of childless university-educated women, silently adjusting their fertility plans rather than stepping out of the labour market or lobbying for change (as Saxonberg and Sirovátka put it), and the rapidly increasing share of single mothers among women with low levels of education and in regions with high unemployment (not to mention Roma minority women establishing relatively large families in their early twenties or even younger), who experience marginalisation and exclusion from the labour market, together show different sides of the problem that prevents women of various socio-economic groups and ethnic minorities from achieving social citizenship. These kinds of examples also reveal how central the issue of care is to gender-fair citizenship and how strong the need is for more profound societal changes that would enable the recognition of care as a fundamental social value.

The post-1989 transformation ushered new problems into women's lives, but also many opportunities, including the possibility to become politically organ-

²⁰ Rychtaříková [2008] predicts that lifetime childlessness will be the experience of every third woman university graduate.

ised and lobby for their demands in various social and formal political arenas. But, as many feminist researchers have noted, women's civic and political organisation was hindered after 1989 by a misunderstanding in post-communist societies of what feminism or the various types of feminism are [e.g. Šiklová 1997; Sloat 2005; Wolchik 1995]. Havelková [2000] pointed out the difference between concepts of 'abstract citizenship' and 'concrete citizenship'. This distinction was then applied by Saxonberg and Sirovátka [2006] to show that while the communist legacy of anti-feminism made the populations of Central Europe sceptical of abstract feminist arguments about the gendered power relations within society, at the level of the everyday experience of women, trying to balance work and a family, citizens (especially women) are relatively supportive of greater equality. Křížková and Hašková [2008] note that since the mid-1990s there has been a continuous increase in support for abstract as well as concrete arguments in favour of gender equality in Czech society. They explain this as deriving from the increased experience of marginalisation by women (and especially some groups of women) and the growing visibility of feminist arguments in the media and in various social and political arenas.

Although in the new millennium both the practical and theoretical issues of care have come to be of central importance to many feminists in the academic sphere, to newly formed women's civic groups and organisations focusing on gender inequalities, and to women in various socio-economic and ethnic groups in Czech society, feminists have not yet focused on these issues in terms of how they relate to migrant women in Czech society.²¹ The problem of gendered social citizenship and care takes on a new dimension when related to migrant women in the Czech Republic, because many migrants (mainly non-EU third-country nationals with circular or irregular migrant status) are formally excluded from or have limited opportunities to exercise the social rights enjoyed by Czech citizens, such as the right to benefits from the state social insurance, social support, and social assistance systems and the old-age pension system, or the right to participate in public health insurance or make use of subsidised childcare facilities. These systems are among the main sources of social support, and official employment is the essential path of access to such social support. Although it is dif-

²¹ Only recently, some feminist researchers, such as Uhde [2009] and Kolářová [2006], and some non-governmental organisations, such as Evropská kontaktní skupina, Berkat or Organizace pro pomoc uprchlíkům, have begun discussing migrant women in the country.

See, e.g., Hašková [2005], Hašková et al. (2006), Kapusta-Pofahl et al. [2006], Věšínová-Kalivodová [2005], Šmejkalová [2004], and Vodrážka [2006] for more information on feminists in the academic sphere and post-1989 women's civic groups and organisations in Czech society.

difficult for both men and women migrants to make their way into the 'secure' sectors of the official labour market, as the main care-providers women in particular are affected by the consequences of hindered access to the official labour market. If they migrate with dependents they are faced with marginalisation in the labour market and consequently also exclusion from the insurance systems. If they leave their dependents in their country of origin, their lives are characterised by circular migration and irregular migrant status rather than settling permanently. But uninterrupted stay in the Czech Republic is one of the conditions for entitlements to some social benefits, and only permanent residence permit enable them to be fully included in the social security system.²²

After 1989 the atomistic ideal of an independent, employed individual, who is flexible and identifies strongly with the goals of the employer, gained precedence over the ideal of solidarity and interdependent individuals. Even though post-communist countries such as the Czech Republic have a history of women's emancipation distinct from that in Western Europe, today it seems that the obstacles to enjoying full citizenship status are the similar in both regions.²³ It is the trend towards the privatisation of care and towards shifting responsibility for care onto the shoulders of individual families or into the market that are at odds with the social right to receive and to the provision of care for all. Current trends in the capitalist modernisation of Western and Central and Eastern European states indicate that they are headed towards the marketisation of all spheres of society, an overall individualisation of responsibility, backed by an ethos of self-fulfilment, and the economisation of social solidarity [see Honneth 2003]. All these trends have particular consequences for women and they are strongly mirrored in the social organisation and redistribution of care.

²² See Chapter 6 for more information on migrants.

²³ Hana Havelková has theorised about the differences between the public-private divide in Western societies and post-communist societies using the example of the Czech Republic, and she concludes that while the feminist argument about the low rate of women's participation in full-time employment and the prevalence of men's authority in the family does not apply in the Czech Republic, the division of domestic labour and care does. This leads to a situation in which 'women pay for the public and social peace by interand intrapersonal conflicts' [Havelková 1996: 78].

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2. The Labour Market and Work-Life Balance in the Czech Republic in Historical Perspective¹

Alena Křížková and Marta Vohlídalová

The chapter is focused on the development of the position of women in the labour market and on the development of the conditions for work-life balance in the workplace historically from the 1950s to the present. In the first part trends in women's participation and the changes in the gender structure of the Czech labour market are discussed historically with a special focus on discrimination and gender inequalities in the labour market in former Czechoslovakia and after 1989. The second part of the chapter deals with the conditions and arrangements for work-life balance in the life of Czech women again historically within the developing legislative framework and changing labour market practices. We argue that the high employment of women does not automatically imply women's emancipation and fulfilment of their rights as citizens in a society based on a gender contract with the gendered arrangements of work and care as conflicting spheres. This chapter is based on the study of historical statistics, law, and available survey data.

The development of the labour market in Czech society is closely related to the political changes in the country. For the purpose of this chapter several important turning points in Czech (Czechoslovak) history are highlighted: 1948, the year of the communist coup in Czechoslovakia; 1989, the year of the democratic or 'velvet' revolution in Czechoslovakia; and 1993, the year Czechoslovakia split into two independent states, the Czech Republic and the Slovak Republic.

Until the Second World War, Czechoslovakia was democratic, industrialised, and one of the most developed countries in Europe, with a high degree of industrial potential concentrated mainly in the branches of engineering and consumer industries [Kubat 1963]. After the communist coup in 1948, under the rule of the

¹ Work on this chapter was supported by the research projects: 'Processes and Sources of Gender Inequalities in Women's Careers in Connection with the Transformation of Czech Society after 1989 and with the EU membership of the Czech Republic' (GA AS CR, no. IA700280804) and 'The Context of Changes in the Labour Market and Forms of Private, Family and Partner Life in Czech Society' (Ministry of Labour and Social Affairs, no. 1J034/05-DP2)

totalitarian regime, Czechoslovakia started to decline both culturally and economically.

The economic reforms that took place after the communist coup in 1948 were in line with the political changes. The totalitarian regime that replaced the democratic political system established during the pre-war period introduced a large transformation of the state economy. Under Soviet influence the focus of the state economy shifted from 'modern', consumer-based light industry to a 'coal and steel' conception [Frejka 1967: 8] based on outdated, centrally administrated heavy industry (mining, metallurgy and engineering). The tertiary sector and the whole non-productive sphere and branches of light industry producing consumer goods for direct consumption were omitted [Frejka 1967]. The result was that the Czech economy was unable to meet its basic domestic needs and was faced with serious problems (e.g. the lack of consumer goods, underdevelopment of the tertiary sector, the lack of work force, low productivity etc.) [Ulč 1978; Kubat 1963; Frejka 1967; Barr 2005]. The economic decline subsequent to the communist coup in 1948 had a serious impact on personal consumption, leading first to a quota-based economy and later to a simple lack of goods. The Stalinist model of the economy, based on heavy industry, could work in autocratic and backward rural countries, but not in industrial Czechoslovakia [Ulč 1978: 419].

In the late 1940s and early 1950s, private enterprises were forcibly nationalised and private farms collectivised. The state held total economic power and control over the economic sector [Ditz 1959]. Even if there were some attempts to introduce some measures leading to the decentralisation of economic power during the Prague Spring in the late 1960s,² the plan did not succeed and was followed by normalisation in the 1970s, which strengthened the monopoly of the Communist Party [Ulč 1978; Pollert 1999].

The labour market in the centrally-planned economy (before 1989) had some specific features:

‘...there was a total lack of market competition. From educational planning for future workers to workers’ placement and specified wage tariffs, the state bureaucracy kept the labour force under strict control.’ [Večerník 2003: 171]

² The Prague Spring refers to the period at the end of the 1960s that was characterised by an attempt to reform the Communist Party from within towards ‘communism with human face’. This movement resulted in the occupation of Czechoslovakia by the Soviet Union and other Warsaw Pact troops since August 1968. The 1970s were the period of ‘normalisation’ – the strengthening of the totalitarian regime and the suppression of all forms of democratisation in the country, in the political and in the economic sphere. ‘The societal activism of the 1960s has been replaced by the apathy of the 1970s.’ [Ulč 1978: 430]

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The regulation of occupational choices and labour turnovers was centralised and was a part of the command economy [Kubat 1963: 206].

The pre-1989 model of the labour market was characterised by full employment, the ineffective use of human resources, and the preferred model of single lifetime occupations [Večerník 1998a; Kubat 1963; Barr 2005]. Another feature of this system was strong wage levelling, among the strongest in the world, and the distortion of wage differences between professions in favour of manual labour [Večerník 1998a, 1998b; Kubat 1963]. Loyalty to the regime and Communist Party membership also played an important role in the system of remuneration. As a result, the triad of education profession income, which in market economies is tightly linked, became much less applicable. This model involved a high level of job security but resulted in low work productivity. Employees were not motivated to better work performance, the quality of the product was low, manufacturing technologies were outdated, and managers often lacked technical qualifications [Ditz 1959; Kubat 1963; Ulič 1978]).

In pre-1989 Czechoslovakia, employment was mandatory for the population (work was a state-guaranteed right and obligation), and thus, officially, there was no unemployment. From 1962 until 1989, anyone not working was considered a sponger (a parasite on society) under Czechoslovak law (Penal Code No. 140/1961) and faced a prison sentence of up to three years; the only exception was mothers who opted to take care of their children even though they could use institutional care. Some of the causes of the low labour productivity in the post-war years and in the decades that followed (alongside outdated technologies) were low wages, which offered no motivation for people to perform better at work, a post-war shortage of workers and a system where people were allocated to work in different sectors in the labour 'market' and many were transferred into heavy industry.

After the revolution in 1989, the centrally controlled economy was replaced with a market economy. Major features of the 'new' labour market included changes in the sector structure of the economy,³ the privatisation of state organisations and institutions, an increasing number of people starting their own businesses,⁴ an influx of foreign capital, a wave of foreign investment and confrontation with foreign working standards and job culture, globalisation pressures on competition, flexibility, new forms of working arrangements, the need for maximum work performance, more qualifications, and employee commit-

³ The primary and secondary sectors weakened (agriculture and manufacturing) and the tertiary sector grew, which necessitated the retraining of millions of employees. More than one-half of the labour force works in the tertiary sector.

⁴ In the first five years of transformation, newly established companies created more new workplaces than state and privatised companies together.

ment and productivity, wage differentiation, and a closer link between a person's level of education, their professional status and their income (a connection established more quickly among men),⁵ and the rise of unemployment (higher among women) [Večerník 1998b: 22; Pollert 1999; Barr 2005].

2.1. The Position of Women in the Labour Market from the 1950s to the Present

Despite the equality promoted on the ideological level by the communist regime, with its full employment and centrally set wages and prices, horizontal and vertical gender segregation and gender wage gap structured the Czech labour market. Numerous studies have also shown how women were shouldered with a double burden in Czech society, responsible for both paid and unpaid labour, and were subjected to an ideology that envisioned them as the main care-givers and men as the main breadwinners, and given the low wages at the time, two incomes were always essential in the family [e.g. Einhorn 1993; Fodor 2002; Čermáková 1995].

2.1.1. The 1950s: The Rapid Increase in Women's Participation in the Labour Market and the Entry of Women into Manufacturing and Services

The participation of women in the labour market increased continuously during the communist regime, especially in the 1950s. Large industrial post-war expansion and a shortage of workers meant that everyone capable of doing so had to work. Housewives became the largest source of the labour force (they constituted 28% of 'new' employees in 1947) [Kalinová 2007: 71]. The share of employed women in the population rose from 37.4% (in 1948) to 42% (in 1959) (see Figure 2.1), while in the pre-war period (in 1931) women had made up only about 28% of the work force [Háková 1966: 551]. The mining, manufacturing and construction absorbed high proportion of manpower drawing it from agriculture and branches of light industry [Frejka 1967: 8].

Even though women had already started entering the labour market in large numbers prior and during the Second World War, the majority of women of an economically active age⁶ (mothers with children included) entered the labour market during the 1950s. The share of working women among all women of an

⁵ Mostly there has been an increase in high wages. The increase in low wages has been much slower.

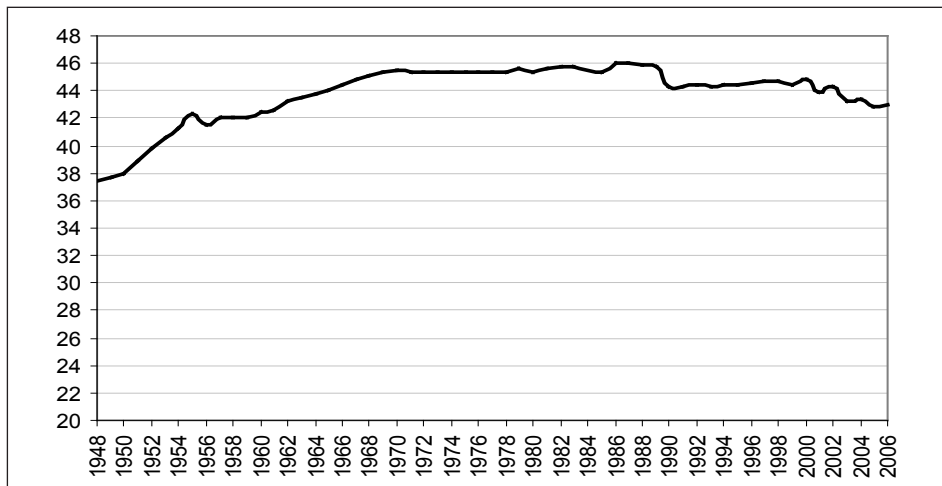
⁶ The economically active age of women was 15–54 years.

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economically active age rose sharply, from 55% in 1949 to 73% in 1959 (see Figure 2.2). According to a survey conducted in 1956 [Srb, Kučera 1959: 111–112], two-thirds of women declared their intention to return to work after childbearing, and 78.2% of these women intended to return within one year of giving birth.

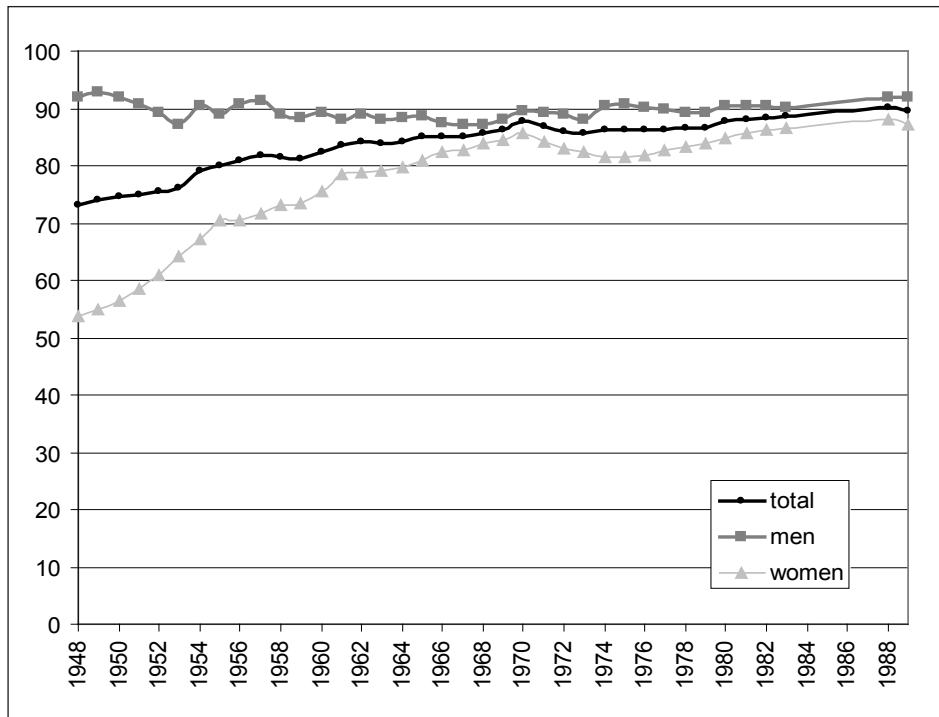
There were several reasons for the high level of participation of Czech women in the labour market in the 1950s. First, in the 1950s particularly there was strong ideological pressure to ‘emancipate’ women by means of participation in paid work. Employment and public engagement were seen as the only path to women’s liberation. A side effect of this ideology, which neglected the important prerequisite for women’s emancipation, namely, gender equality in the family, was that many women were overburdened with the responsibilities of full-time work and caring for the household and the family. Their situation was exacerbated by the permanent lack of consumer goods and inaccessibility of services for households. Since even ordinary consumer goods were in a short supply, women had to spend a lot of time standing in queues. Modern electrical appliances that could have helped them with their domestic tasks were also shortage goods. Caring for the household was a huge time burden. Second, wages were very low, so a family usually needed both incomes to maintain a satisfactory living standard. Rather than being a motivational factor or a reward for work performance, in the post-war years wages were intended as a means of distributing the very limited amount of consumer goods [Kalinová 2007: 82].

Figure 2.1. Female employment as a percentage of total employment 1948–2006



Sources: Historical Statistical Yearbook of Czechoslovakia 1948–1983; Statistical Yearbooks of Czechoslovak Socialist/Czech and Slovak/Czech and Slovak Federative/Czech Republic 1984, 1985, 1986, ..., 2006.

Figure 2.2. The percentage of employees out of the total population of an economically active age in 1948–1989 (women aged 15–54; men aged 15–59)



Sources: Historical Statistical Yearbook of Czechoslovakia 1948–1983, Statistical Yearbooks of Czechoslovak Socialist Republic 1984, 1985, 1986, ..., 1989.

The first generation of women who entered the labour market after the Second World War was generally in a very precarious position. The closure of many secondary schools and all the universities during the occupation in the late 1930s and in the 1940s had a negative impact on both men’s and women’s qualifications. After the Second World War women usually entered a newly created paid job without any systematic preparation for a particular profession. The professions that used to be traditionally dominated by women became less useful in the new economy based on the heavy industry and engineering. That is one of the reasons why in the 1950s they usually occupied low-qualified jobs with low wages. Table 2.1 shows the educational structure of the Czech population over time.

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Table 2.1. The highest education level attained 1950–2001 (population aged 15+; in %)

	Year	Without an education	Elementary school (4–9 years of education)	Secondary school without the school- leaving exam (8–12 years of education in total)	Secondary school with the school-leaving exam (12–13 years of education in total)	University (16+ years of education in total; bach- elor, master's, doctoral)	Total
Men	1950	0.3	79.8	10.4	7.2	1.6	100
	1961	0.3	78.0	7.3	10.4	3.6	100
	1970	0.2	39.2	40.0	14.8	5.1	100
	1980	0.2	33.8	41.1	17.3	6.9	100
	1991	0.3	24.7	43.2	21.3	9.4	100
	2001	0.4	16.5	45.3	25.5	10.8	100
Women	1950	0.4	85.9	9.2	3.2	0.3	100
	1961	0.4	82.6	8.0	7.8	0.9	100
	1970	0.3	65.7	18.8	12.5	1.9	100
	1980	0.3	54.3	24.6	16.9	3.2	100
	1991	0.4	40.8	28.2	24.3	5.1	100
	2001	0.5	29.1	31.1	31.0	7.1	100
Total	1950	0.3	83.0	9.8	5.1	0.9	100
	1961	0.3	80.4	7.7	9.0	2.2	100
	1970	0.3	53.1	28.9	10.5	3.4	100
	1980	0.3	44.6	32.4	17.1	5.0	100
	1991	0.3	33.1	35.4	22.8	7.2	100
	2001	0.4	23.0	38.0	28.4	8.9	100

Sources: Historical Statistical Yearbook of Czechoslovakia 1948–1983, Czech Statistical Office at <http://www.czso.cz/sldb/sldb.nsf/i/scitani_v_roce_1991>, Czech Statistical Office at <<http://www.czso.cz/csu/2005edicniplan.nsf/p/4132-05>>.

Note: Secondary school with school-leaving exam in 1991 and 2001 including tertiary professional schools.

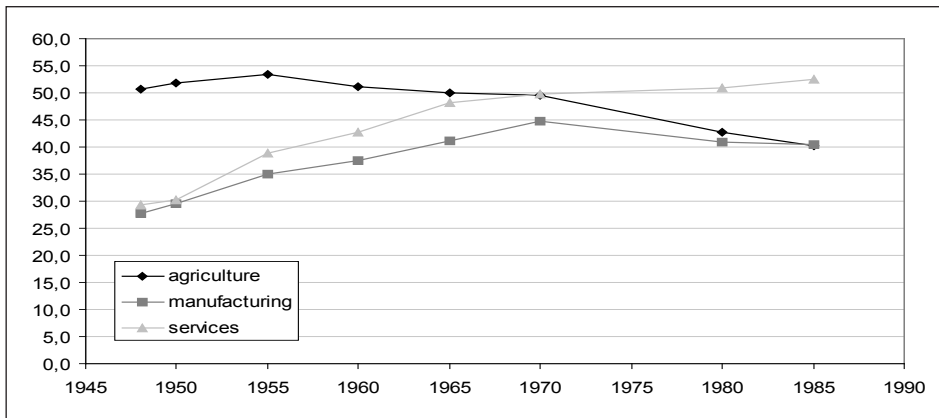
The structure of the economy of Czechoslovakia underwent substantial changes during the 1950s. The proportion of employees in agriculture⁷ fell markedly, from 42.1% in 1948 to 25.9% in 1960. Manufacturing (especially heavy industry) was the fastest growing sector and absorbed most of the ‘new’ labour force

⁷ Including forestry and fishing.

(including women) and workers leaving the agricultural sector.⁸ The share of employees in the service sector also increased noticeably.⁹

The process of the increasing participation of women in the labour market was strongly tied to the high concentration of women in particular sectors and branches. In 1948 women constituted more than one-half of all people employed in two out of seventeen branches (in health and social care and in agriculture) [Háková 1966: 552]. The number of sectors in which women made up more than one-half of all employees increased until the 1960s. Apart from health and social care and agriculture, in 1963 women accounted for more than one-half of all employees in trade and food services, facility/housing management, banking and insurance, education and culture, and public services [ibid.]. Figure 2.3 shows the change in the share of women employees in each of the main sectors of the economy (agriculture, manufacturing, and services). From 1948 until 1960 the share of women was growing in every sector except agriculture (where the percentage of women remained around 50%).

Figure 2.3. The share of women employed in the main sectors of the economy 1948–1985 (in %)



Sources: Historical Statistical Yearbook of Czechoslovakia 1948–1983; Statistical yearbooks of Czechoslovak/Czechoslovak Socialist Republic 1957, 1958, 1959, ..., 1985.

Note: Because there was almost no private sector in Czechoslovakia before 1989, the service sector till 1989 corresponds to a ‘public service sector’.

⁸ The percentage of employees working in manufacturing rose from 29.3% in 1948 to 37.7% in 1960. It rose from 21.4% to 33.9% among women (Historical Statistical Yearbook of Czechoslovakia 1948–1983).

⁹ 28.6% of employees (22.1% of all women employees) worked in the service sector in 1948 and 36.3% of employees (36.2% of all women employees) worked in this sector in 1960 (Historical Statistical Yearbook of Czechoslovakia 1948–1983, Statistical Yearbooks of Czechoslovak/Czechoslovak Socialist Republic 1957, 1958, 1959 and 1960).

Although there are no statistical data on the gender wage gap in the 1950s (the first such statistical data are available from 1962), data on average wages in individual branches of the economy indicate that, despite the regime's declarations of fair remuneration, a significant gender wage gap existed. The feminised branches (e.g. agriculture, health and social care) had a noticeably lower average wage level than sectors dominated by men (e.g. manufacturing).¹⁰

2.1.2. The 1960s: Women's Entry into Non-manual Jobs and the Feminisation of Services

The level of women's participation in the labour market increased continuously throughout the 1960s, but was less pronounced than in the previous decade (see Figure 2.1). The main reason was that the labour market in women's professions became more or less saturated [Kalinová 2007: 288]. The state ideology reflected this situation and reduced the pressure on women's participation in the labour market, compared to what it was in the 1950s. Despite the slackening of pressure, '...the high level of women's labour market participation became a part of the Czech life-style' [ibid.: 288].¹¹

A survey conducted in 1961 [Prokopec 1963a: 21–23] provides some idea of women's motivations to work in paid job at that time. Financial reasons for working were those most often mentioned for participating in the labour market (79.7% of women stressed the need for two incomes in the household¹²). The 'emancipative' reasons (such as using their qualifications, the sense that housework alone is not enough for women, and the effort to be independent) were mentioned much less (each by approx. 9% of women), and 24% of women mentioned that they work because it is necessary and useful to society [ibid.: 21]. The reasons for the high level of women's participation in the labour market were primarily economic, both in the family and at the national level.

Although women's participation in the labour market increased at a slower pace in the 1960s, women were more often entering qualified and non-manual jobs and with better working conditions, partly as a consequence of the significantly increased level of education of the Czech population. The Czech education system underwent substantial changes in the 1960s, which increased the

¹⁰ See Czech Statistical Office. Available from: <<http://www.czso.cz/csu/2006edicniplan.nsf/p/3107-06>>.

¹¹ In 1970 women made up 45.5% of the workforce and about 85.5% of women of economically active age were employed (see Figures 2.1 and 2.2).

¹² Each woman could give several reasons.

number of students progressing to secondary schools and universities. Between 1960 and 1970 the proportion of people whose highest level of education was elementary fell from 82.6% to 65.7% in the female population and from 78% to 39.2% in the male population (see Table 2.1). While the overall education level of women was still lower than that of men, women significantly improved their qualifications during the 1960s.

The transformation of the employment structure during the 1960s followed the trend set in the 1950s. The share of people working in agriculture continued to decrease,¹³ the proportion of employees working in the manufacturing sector rose more slowly than in the 1950s,¹⁴ and the share of people working in the tertiary sector grew gradually.¹⁵

Women constituted nearly one-half of all employees in the service sector in 1970 and they comprised more than 50% of workers in ‘white-collar’ professions (e.g. clerks) in the 1960s [Kalinová 2007: 287]. The percentage of women in the manufacturing sector increased, and the share of women in agriculture remained at about the same level as in the 1950s (see Figure 2.3).

As women’s labour market participation grew continuously, in other branches (such as material supply and administration and the judiciary) women accounted for more than 50% of employees, and some branches (such as health and social care and trade and food services) were even dominated by women.¹⁶ A negative aspect to the feminisation of particular branches of the labour market is that feminised sectors and branches usually had (and still have) below-average wages.

One of the first analyses of the gender wage gap in Czechoslovakia was published in 1960s¹⁷ by Fremr [1965]. In the 1960s the average wage of women was equal to two-thirds of the average wage of men (see Figure 2.4.), and Fremr ar-

¹³ Between 1960 and 1970: from 29.9% to 16.2% in the female population; from 22.9% to 15.1% in the male population (Historical Statistical Yearbook of Czechoslovakia 1948–1983; Statistical Yearbooks of Czechoslovak Socialist Republic 1960, 1961, 1962, ..., 1970).

¹⁴ Between 1960 and 1970: from 33.9% to 37.7% in the female population; from 40.6% to 42.7% in the male population (Historical Statistical Yearbook of Czechoslovakia 1948–1983; Statistical Yearbooks of Czechoslovak Socialist Republic 1960, 1961, 1962, ..., 1970).

¹⁵ Between 1960 and 1970: from 29.9% to 16.2% in the female population; from 22.9% to 15.1% in the male population (Historical Statistical Yearbook of Czechoslovakia 1948–1983; Statistical Yearbooks of Czechoslovak Socialist Republic 1960, 1961, 1962, ..., 1970).

¹⁶ Women in these branches constituted more than three quarters of the work force.

¹⁷ There are no statistical data available for the time period up to 1962. Regular statistical survey on gender differences in remuneration began in 1996.

gued that the cause of the wage gap was the different structure of women's and men's employment. The smallest proportion of women¹⁸ was in the sector of construction and transport, that is, sectors with the highest level of wages. Women were overrepresented in sectors with below-average wages (e.g. health and social care, trade and food services, and education and culture) [ibid.: 504]. But even if women worked in different sectors, with different wage levels than men, this did not fully explain the wage gap, because there was also a significant wage gap in individual branches of the manufacturing sector. In 1964 women earned only about 60–80% of the average men's wage within the same branch of manufacturing [ibid.].

Fremr [1965] argued that women are not physically capable of performing every job (for instance, as a miner or a worker in heavy industry). He claimed that every job is remunerated according to its importance to society and that women cannot perform the most important and therefore the better-paid jobs usually performed by men (e.g. workers in mining, metallurgy, and the building industry).¹⁹ Another cause of the gender wage gap was seen to derive from the lower level of education women had compared to men [Fremr 1965; Háková 1966].

The naïve logic of Fremr's arguments was strongly influenced by the state ideology that considered the tertiary sector (medical, financial services, and education included) to be incapable of adding any value comparable to coal mining, engineering, etc. From this point of view, women were relegated to inferior jobs of less importance for society, so that they were worth lower salaries than men. The fact is that the salary in sectors dominated by women (the tertiary sector) was kept at an artificially reduced level to the advantage of jobs dominated by men (coal mining, engineering, etc.). This ideology thus served also as justification to underpay women's labour. This situation was influenced by the dynamics of gender in professions, but this was not recognised by Fremr and other analysts at that time. The fact is that professions dominated by women became low-paying professions rather than the other way around, that women were choosing professions with low pay. The logic of services (e.g. health care) less important than heavy industry went hand in hand with these gendered dynamics.

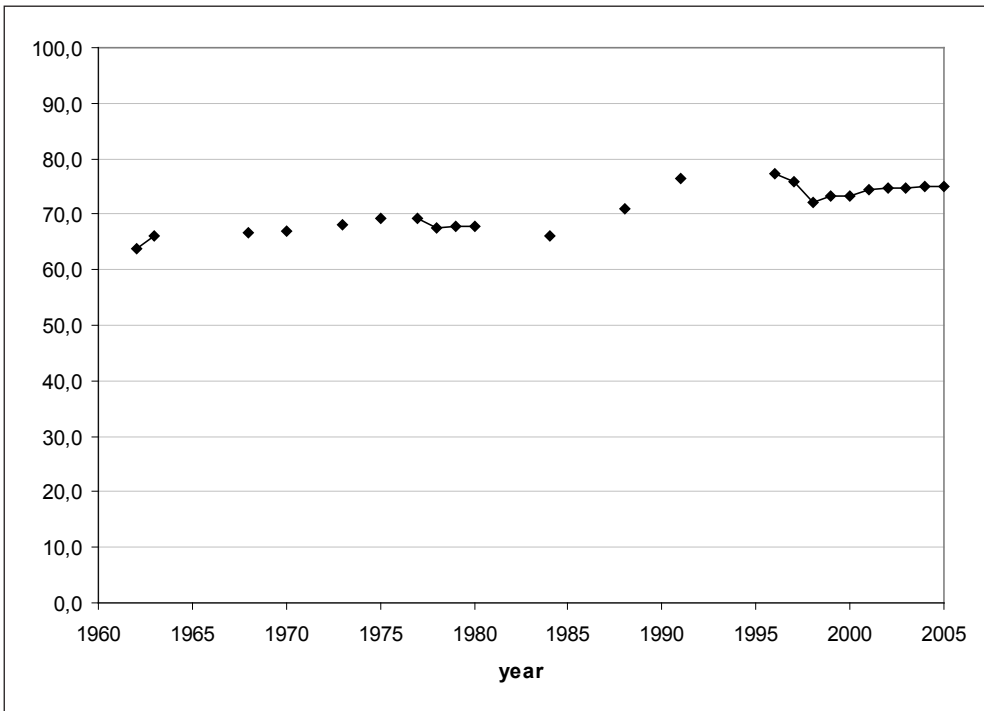
Some authors were able to see the problem of the gender wage gap behind the veil of communist ideology that denied all forms of discrimination. Háková [1966: 554] suggested that the gender wage gap and inequality in access to promotions were signs of the discrimination of women. 'Managerial positions are

¹⁸ Data from 1964.

¹⁹ Workers in heavy industry were considered to be in the key professions during the communist regime.

very often occupied by men with lower qualifications than the women reporting to the manager. The ratio of women in managerial positions does not correspond with the ratio of women within the qualified field.’ [ibid.] She pointed out that domestic labour and care for children were seen as justification for excluding women from managerial positions [ibid.].

Figure 2.4. The gender wage gap 1962–2005: Share of women’s wages out of men’s wage (in %)



Sources: Number of Employed by Wage Level in May (1962, 1963, 1968, 1973); Wage Differentiation in Czechoslovakia (1978); International Labour Office at <<http://laborsta.ilo.org/>>; Work and Wages, Wages of Employed from the Perspective of Remuneration of Men and Women (1992); Statistical Yearbooks of Czech Republic (1996, 1997, 1998, ...2005).

Note: Share of average gross wage, only available data.

Even if the position of women in the labour market was gradually improving during that period, they were still not equal to men, and some authors expressly noted this fact: ‘The participation of women in the labour market does not

mean the emancipation of women. Even if our law prohibits the discrimination of women, the reality is different.' [Máchová 1970: 105]

A significant wage gap existed, men were considered to be the main breadwinners, women were said to take leave from work more frequently (usually because of the care for sick children), women were often employed in positions below their qualifications, and women with small children were often forced to work night shifts, even though there already existed a law against that [ibid.: 105–106].

2.1.3. The 1970s–1980s: Dual Breadwinner Families within the Prevailing Gender Contract

The 1970s and 1980s can be described as a period of a consistently high level of women's participation in the labour market. The communist regime met its target – women constituted about 45% of the working population in the 1970s and 1980s and more than 85% of women of an economically active age were employed (see Figures 2.2 and 2.1). According to a survey conducted in 1983,²⁰ a major shift had occurred within the lifetime of two generations [Možný 1990: 111]. Whereas 34.1% of the mothers of the women surveyed were housewives, only 2% of the women surveyed were [ibid.]. Almost all the women had re-entered the labour market within a relatively short period after giving birth.

Owing to the very high participation rate of women, which peaked in the late 1980s, the dual breadwinner family was the prevailing model in the economically active age population. In the late 1970s, in 70% of households both partners were working.²¹ Only in approximately one-quarter of all surveyed households was the man the sole breadwinner, but it was couples with small children that formed the majority of these families [Institute for Public Opinion Research 1979: 12]. This reality was reflected in public opinion, which supported a high level of women's participation in the labour market. In 1978 only 18% of respondents felt that women should not work [Institute for Public Opinion Research 1979: 20–22].

In these decades it seems that women started to approach labour market participation differently than in the 1950s and 1960s, when women's employment was understood as an obligation and was the subject of communist propaganda

²⁰ Survey 'Family as a factor in the reproduction of the social structure' by D. Provozník, quoted in [Možný 1990: 111].

²¹ Survey 'Attitudes and opinions on the position and role of women in a family'.

(especially in the 1950s). Compared to the 1960s, when women mainly stressed the financial reasons for their work [Prokopec 1963a, b], in 1980 economic reasons were still primary, but much more importance was attached to the 'emancipative' reasons for women's work than in the 1960s.²²

This shift in attitudes is partly connected with the improvement in women's qualifications. Despite the lower levels of education among women who were born and grew up before the Second World War, the ratio of women with no more than elementary education fell by about 25 percentage points,²³ and women overtook men in attaining secondary education with the school-leaving exam (see Table 2.1).²⁴

The growing level of women's education and their engagement in more qualified jobs resulted in a slight decrease in the gender wage gap during the 1970s and 1980s. In 1970 women's average income was equal to 66.7% of men's average income whereas in 1988 it was 70.9% of men's average income (see Table 2.2).

The structure of employment by economic sector did not change significantly during the 1970s and 1980s, but the feminisation of some branches and sectors continued. Women comprised more than one-half of all employees in the services sector (see Figure 2.3) and the feminisation of some branches of services increased further during this period. Banking and insurance became the next feminised branch.²⁵

Although some positive trends occurred in this period, improving the position of women in the labour market (such as an increase in qualifications, engagement in more qualified jobs, a slight decrease in the gender wage gap), many gender inequalities, both in the family and in the public sphere, survived. A survey showed that Czech public opinion reflected this fact. According to a survey conducted in 1980,²⁶ the majority of respondents felt that women generally have poorer career prospects than men. Respondents indicated that opportunities for

²² According to a survey 'Position of women in the work process', conducted in 1980, 92% of women agreed with the statement that women work to financially improve the family budget, but, on the other hand, 68% of women agreed that women work to make use of their qualifications and education, 68% of them declared that women do not just want to remain in the household, 58% of women agreed that women work to be useful to society, and 54% believed that women work to be financially independent.

²³ From 65.7% in 1970 to 40.8% in 1991; see Table 2.1.

²⁴ Women made up 75% of the workforce in this branch in 1985 (Statistical Yearbook of Czechoslovak Socialist Republic 1985).

²⁵ Women made up 75% of the workforce in this branch in 1985 (Statistical Yearbook of Czechoslovak Socialist Republic 1985).

²⁶ Survey 'Position of Women in the Work Process'.

promotion, chances of being recruited to the same job position as men, and the chances of getting a raise were the most problematic areas.

It is possible to conclude that the dual breadwinner families were operating within the prevailing gender contract. Unequal conditions in the labour market and in the families resulted from the double burden of paid and unpaid work that women carried; women were viewed primarily as mothers and caretakers, even though two incomes were necessary for a household to maintain an average standard of living. Thus, while all women and men were working prior to 1989, women were in charge of the household and were viewed as secondary earners [Čermáková 1997], and were thus not viewed as having careers to the same extent as men.

2.1.4. The 1990s: Growing Job Insecurity and Mothers Driven out of the Labour Market

After the Velvet Revolution in 1989 the Czech Republic embarked on a period of transition to a market economy. There were several main processes tied to the enormous transformation of the Czech labour market after 1989: the emergence of unemployment, a major reduction of heavy industry, extensive privatisation and the creation of small and mid-sized enterprises,²⁷ and the influx of foreign capital. The gradual economic transformation in the Czech Republic (in contrast to the ‘big-bang’ transformations of some other post-communist countries) occurred under heavy state regulations leading to ‘...the exit of ‘working retirees’ from the labour market, mass retirement (both regular and early) and also a decrease in women’s participation in the labour force’ [Večerník 2003: 172]. One of the consequences of these processes has been a significant change in the dynamics of employment affecting women and men in different areas of the labour market.

The participation of women in the labour market slightly declined during the transition period in connection with the growth of unemployment. Women have been in a much more insecure position than men owing the persistent existence of a gender unemployment gap, with women’s unemployment having been con-

²⁷ The emergence of entrepreneurs and small and mid-sized enterprises was continuous throughout the 1990s until 2004, when their numbers started to drop slightly. In 1993, 6% of employed women and 11.5% of employed men were entrepreneurs. These figures rose to 10% of women and 21% of men by 2004. About one-fifth of women entrepreneurs and one-fourth of men entrepreneurs have employees (Labour Market in the Czech Republic 1993–2005).

sistently one-third higher than men's throughout the entire period since 1990 to the present. During this period women have increasingly predominated in lower-paid occupations with less prestige and fewer career prospects [Čermáková 1995, 1997, 1999].

At the beginning of the 1990s some researchers and policy makers expected women to leave the labour market in huge numbers in order to become housewives, but these assumptions proved to be wrong. In 1993 only 3.8% of women over the age of 15 were economically inactive in order to devote themselves to housekeeping, in 1997 the figure was 4.7%, and in 2006 the number dropped further to 3.5% [Labour Market in the Czech Republic 1993–2005; Labour Market in the Czech Republic 2000–2006]. Reducing the participation of women in the labour market was one of the steps recommended by the World Bank to East European transition economies at that time [Víšek 2006].

Sociologists describe Czech society in the 1990s as a turn towards more 'traditional' gender relations [see, e.g., Saxonberg and Sirovátka 2006]. This general attitude was the outcome of several factors: the legacy of the communist regime discredited the idea of women's emancipation, there was a general political turn towards conservative neoliberalism, and market reforms were not accompanied by policies and social reforms to tackle their negative consequences (mainly the growth of inequalities). These trends ushered in institutional changes and shifts in public discourse in a direction where the emphasis was instead placed on how employment conflicts with having a family and especially caring for (small) children. This was at odds with the real strategies of women working to stay in the labour market, either because they needed two incomes in the household, or because of what having a paid job means to women, the opportunity it represents for them to use their qualifications and the opportunity for self-realization as such. In the 1990s women accounted for more than 44% of all employees, and since then the figure has never fallen below 43% (see Figure 2.1).

In the middle of the 1990s, when a more significant increase in unemployment was expected, the period of eligibility to receive the parental allowance for a parent caring for a child at home full time²⁸ (in 99% of cases the mother) was extended from three to four years. But childcare leave (and thus the protected period during which an employee cannot be fired) remained at just three years, and in some cases, as a result of the restructuring of companies the protection peri-

²⁸ Full-time care meant not using any public childcare facilities and earning no more than a very small amount of income, which in practice meant giving up any kind of earning activity altogether.

od did not apply (the law permits some exceptions, in which the protection period does not apply).

The extension of the period of eligibility for childcare allowance for parents caring for children full time was in line with other changes to social policy made at that time. These changes were designed to preserve social peace and maintain the viability of economic reforms by introducing various transfer payments and to alleviate pressure on the labour market, for example, by allowing early retirement and by extending the period during which a parent would receive support for caring for a preschool child full time [Hašková 2005].

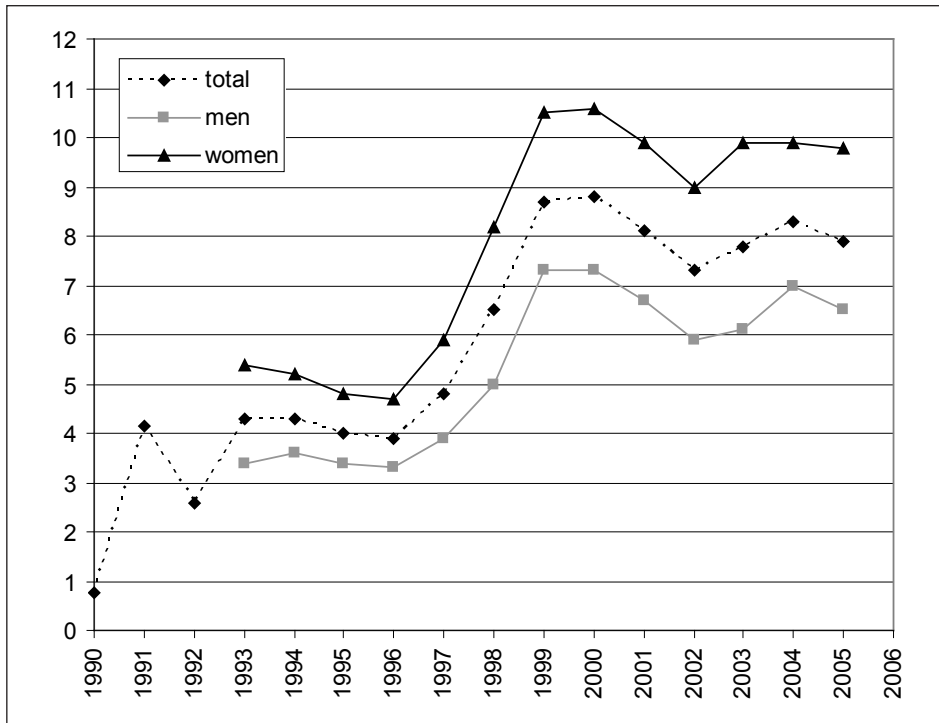
These changes, institutional but also discourse-based, relating to the work/family conflict, together with the generally growing level of job insecurity as a consequence of the labour market transformation, exacerbated the disadvantage faced by particular groups of women (older women, women with small children and women returning to the labour market after parental leave – see Chapter 3). However, the active employment policy in this period did not reflect the growing gender inequalities and insecure position of women in the labour market. On the contrary, Czech employment policy continues to reproduce gender stereotypes even today, when it is obliged by the EU to comply with the principle of gender mainstreaming.

In the second half of the 1990s, the Czech economy was in recession, there were cuts in public expenditures, and companies gradually undertook internal restructuring. The unemployment rate then grew in 1996 from 4% (3% for men and 5% for women) to 9% (7% for men and 11% for women) in 2000.²⁹ After that, the unemployment rate and the gender gap in unemployment did not change significantly (see Figure 2.5). The share of employed women in the economically active age population³⁰ decreased slightly during the late 1990s. Between 1998 and 2006 it fell by approximately 2 percentage points to 56.8%. The employment rate for men was 74% in 2006 [Labour Market in the Czech Republic 1993–2005; Labour Market in the Czech Republic 2000–2006].

²⁹ The rate of unemployment in the early 1990s was relatively low in Czech society (in 1990–1995 it reached 1–4%) in comparison with other post-communist countries [see Ham, Svejnar, Terrell 1999; Svejnar 2002].

³⁰ Population aged 15–64 years.

Figure 2.5. Registered unemployment rate 1990–2005 (in %)



Sources: Statistical Yearbooks of Czech Republic 1990, 1991 and 1992, Labour Market in the Czech Republic 1993–2005.

Notes: 1990–1992: The percentage of unemployed in relation to the available work force; 1993–2005: ILO methodology.

Vertical and horizontal gender segregation in the labour market was a persistent feature not only of the centrally-planned economy but also of the period after 1989. The percentage of women and men in agriculture and manufacturing declined considerably throughout the period between 1993 and 2005. The proportion of men rose notably in the services sector³¹ and the proportion of women in this sector decreased, but with varied dynamics in particular branches.³²

³¹ From 38.4% in 1993 to 46.1% in 2005 (Labour Market in the Czech Republic 1993–2005).

³² Overall it rose from 28.4% in 1993 to 32.1% in 1997 and declined after the introduction in 1998 of reforms to address the major economic crisis to reach 30.5% in 2005 (Labour Market in the Czech Republic 1993–2005).

The gendered dynamics of the sectors or professions has been the cause of this shift in the proportion of women and men in the 1990s particularly in the services sector. As we mentioned above the communist regime did not see a high value created for the society by the services and also this sector was dominated by women, which added to this devaluation. After 1989 services grew in value through the market as the demand for them increased together with salaries and the proportion of men in this sector. These dynamics worked differently in particular branches of the services sector according to their market value, salaries, and the proportion of men and women in the given branch.

In the branches of construction and financial services there was a gradual decline in the percentage of women. Conversely, in public service branches women retained their dominant percentages throughout the 1980s and 1990s, and even today their share is still growing significantly.³³ Over time these sectors were re-affirmed as feminised fields, along with all the features associated with such a position – low wages, few opportunities for upward mobility for women, low prestige, and fewer other employment benefits.

We have to point out that not all women lost during the transformation from a centrally planned to a market-based society and not all men gained. Especially in the first years of the transformation women benefited from the fact that they had been working in the financial services sector, which became very high paying compared to the communist era. Also, women were more likely in the communist era to study foreign languages (included Western) that put them into position of demand when after 1989 Czech firms began trading with these countries and foreign companies began to invest in the Czech Republic. At the same time women also prevailed in retail services, and with the transformation this profession lost its previous status based on social networks and access to widely unavailable goods and instead acquired the somewhat marginalised status of a supermarket cashier. Many men lost their privileged status with the decline of heavy industry and the mining sector.

As for the vertical segregation of the Czech labour market, women are still the minority in the highest employment classification level (in 2005 more than 72% of legislators, senior officials and managers were men³⁴). Nevertheless, the share of men and women in the top positions out of all employees rose significantly until the mid-1990s.³⁵ After 1996 the number of women in these positions stabi-

³³ From 34.8% of employed women in 1993 to 42.1% in 2005 (Labour Market in the Czech Republic 1993–2005).

³⁴ Women and Men in Data at <<http://www.czso.cz/csu/2005edicniplan.nsf/p/1415-05>>.

³⁵ From 5.8% to 6.2% in the male population and from 2.8% to 3.8% in the female population between 1993 and 1995 (Labour Market in the Czech Republic 1993–2005).

lised at around 4% of employees, with a figure of around 8% for men (Labour Market in the Czech Republic 1993–2005).

Wage-setting mechanisms were sharply decentralised during the transition period and this trend continued when in the second half of the 1990s trade unions in many branches lost most of their former influence in wage bargaining processes [Pollert 1995; Vanhuyse 2007]. The only legally based wage-setting mechanism since then until now is the minimum wage (along with wage tariffs in the public sector), which put a lot of power in the hands of employers to make wage bargaining de facto an individual process. The prevailing trend in the Czech economy throughout the transformation period was its orientation towards greater individual wage differentiation. Since 1989 high-level wages have been growing much faster than low-level wages, so the gap between low and high-level wages has been increasing.

Although the emergence of a private sector is associated with an increase in gender wage differentials³⁶ [Blau, Kahn 1999; Adamchik, Bedi 2003] and there is a higher gender wage gap in the private than in the public sector in the Czech Republic, during the first half of the 1990s the gender wage gap decreased (the average wage of women was equal to 76% of the average wage of men in 1991,³⁷ see Figure 2.4.). During the economic crisis in 1997–1998, it dropped to 72%, and since then the gross average wage of women has been rising, reaching 75% of the average wage of men in 2005. However, the Czech Republic is still a country with a relatively large gender wage gap compared to the 30 EU and associate countries [see Plantenga, Remery 2006]. The issue has a significant link to gender segregation in education and in the labour market, gender stereotypes, and discriminatory behaviour on the part of employers.

The Czech labour market underwent serious changes in the 1990s, with the intensification of work, growing job insecurity, and rising inequality between different groups of employees based on experience, education, age, and region, family situation (marital status and number and age of children), and gender. The result is a more deeply gendered structure of the labour market than ever. Even if many men and women improved their position in the labour market, men generally gained more from the transformation than women.

³⁶ Age has a significant impact on the gender wage gap. In the category of people up to the age of 29 the gender wage gap is lower than in the categories over the age of 29. Education is also an important factor. The gender wage gap between university-educated men and women is higher than between men and women with lower education [Fischlová, Prokešová 2003].

³⁷ Compared to 70.9% in 1988.

2.2. Work-life Balance Arrangements in the Workplace

The basis of the concept of citizenship is the important and close connection of the general position of women in the labour market to the opportunity to combine work and private life. Availability of family friendly arrangements at the workplace is one of the fundamental preconditions for the practical realisation of a work-life balance. In the next part of this chapter we will focus on the historical development of the conditions, discourses, and practices relating to working time, part-time and flexitime work, control over working hours, and the legislative protection of women, pregnant women, and parents in the labour market from the 1950s to the present.

The average work week in the Czech Republic has always been somewhere around the maximum number of hours allowed by law. In 1918 the maximum was set at 48 hours a week, it was reduced in 1956 to 46 hours, to 43 in 1989, and to 40 hours a week in 2004. The number of hours women work a week increased in the mid-1990s from 36.5 in 1993 to 41.1 hours a week in 1995, which is in line with the intensification of work and narrowing of the gender wage gap in that time period.³⁸ In 1995 the gender gap in the average weekly working hours was very small – men worked on average 43.5 hours per week. But later, the number of hours men were working grew to 45.3 in 2000, while at the same time the number of hours women were working remained the same and then decreased in 2001 to 39.5 hours (it has not changed significantly since).

2.2.1. The 1950s: Women into the Labour Market – the Ideology of Emancipation of Women and Households

In the dogmatic 1950s, when communist ideology was being rigidly put into practice, ‘women’s employment turned from the precondition of emancipation to emancipation itself’ [Wágnerová 2007: 8]. During that era, a woman’s role as a mother became secondary to her role as a worker [ibid.]. The discourse on the emancipation of women is characterised by a focus on women’s employment in male terms. Women were pushed out of the household into industry and services sectors with long working hours and a poor working environment and conditions.

The working week was rather long, but it was significantly reduced in the 1950s. The average number of hours worked weekly fell from 46.1 (in 1946) to

³⁸ Data disaggregated by sex are not available for the years 1948–1992.

41.4 (in 1959). The legal maximum was set to 48 hours a week in 1918 (6 working days per week), then it was lowered to 46 in 1956³⁹ (6 working day per week).

Research indicates that long hours were being worked at the beginning of the 1960s, which must have been the continuation of a trend from the 1950s. The average number of working hours this decade was 46 for women and 53 for men [Bezouška, Vytlačil 1963]. The situation was different in agriculture, where working hours varied in the winter and summer seasons, and where part-time work was used most often compared to other sectors.

The possibility of part-time work and shorter working hours was legally introduced in 1956⁴⁰ for employees with health or other serious problems, and for women either caring for a child up to 15 years of age or pregnant. It was conditional upon the agreement of the company management and feasibility in connection with the type of work. Nevertheless, the part-time work had been used even before it was legalised in the Labour Code in 1956. The possibility for women with children to take advantage of part-time depended on their manager's attitude and on the size and type of the company. Part-time in general was more accessible to women working in the smaller companies and those working in the sectors dominated by men. The shortening of working hours together with the extended length of maternity leave in the 1960s has even worsen the problem concerning the lack of labour force in the sectors dominated by women (e.g. education, health service, retail).

Women employed in agriculture, who comprised more than 50% of all the employees in this sector in the 1950s, often worked part time or were hired as seasonal workers [Bezouška, Vytlačil 1963]. This arrangement derived from the needs of this sector and the type of work that women performed. Women still had only a limited ability to control their working hours and part-time and seasonal work was performed under poorer than average working conditions (wages and access to management or to promotion) compared to full-time workers (more often men).

Besides the very long working hours in paid employment, women also spent much time on housework. The idea of making shorter working hours generally more available to women was rejected on the basis of arguments of women's emancipation. If women's working hours were shorter, housework would remain feminised, and women would not be interested in higher education and further qualifications, because their position in the labour market would be secondary compared to men [Marušiak 1964].

³⁹ Act No. 45/1956 Coll.

⁴⁰ Act No. 45/1956 Coll.

According to the prevailing ideology of the 1950s, the ideal way of solving the work-life balance problem was seen as lying in public services and institutional childcare (boarding nurseries⁴¹ and kindergartens). But as early as the late 1950s and the start of the 1960s it was apparent that this attempt had failed in practice, and for two main reasons: 1) the state was unable to make such services broadly available and financially sustainable, and 2) the idea was not very positively received by society. The emancipation of the household through publicly available services did not happen in practice. Instead of shortening working hours or encouraging fathers to share responsibility for the household and childbearing so that mothers would be better able to balance work and family time and responsibilities, an extension of maternity leave was planned (see Chapter 3).

2.2.2. The 1960s: Emancipation Yes, but What about the Family? The Discourse on Employed Women, Mothers and Pregnant Women

The 1960s was a period in which the dogmatic model of the emancipation of women and households established in the previous decade was adjusted to accommodate the reality of life [Wágnerová 2007]. At the beginning of the 1960s it began to be clear that the state was unwilling to offer services to cover all or even most of the tasks involved in looking after the household and children. Instead of making quality childcare services priority attention shifted to working women and their family roles and duties, while the possible participation of men in housework and childcare was not even contemplated in the public discourse in this period.

The demands on women's time were extreme in the 1960s (and not just then). They had to devote considerable time not just to paid work but also to the 'second shift' in the household, which was almost exclusively the responsibility of women. The communist ideology envisioned the 'socialisation of care work and domestic labour', tasks that would be taken out of the family and provided through public services. The main argument was the aim to liberate the family from the non-productive work and to provide more free time for people – more free time for self-study, participation in the public sphere, culture and political activities, and voluntary work [Bezouška, Vytlačil 1963: 328]. For that reason men were not encouraged to participate in domestic labour.

⁴¹ These nurseries were institutions where children stayed for the whole week and returned to their parents only for the weekend [Wágnerová 2007].

Despite the communist ideology of ‘socialised housework’, ‘little had been done to ease women’s burdens at home. The planners gave priority to industrial goods and few domestic labour-saving devices were produced, such as kitchen appliances, washing machines, dryers and dishwashers’ [Kozera 1997: 7].

The services for households were insufficient and not affordable to every household. According to the survey [Bezouška, Vytlačil 1963: 322–323], women manual workers⁴² spent 35.4 hours a week on domestic labour (plus 2.52 hours per week on caring for children), women non-manual employees⁴³ spent 32.3 hours a week on housework (plus 3.36 hours on childcare), whereas men spent only approximately 9 hours a week on housework and approximately 2.2 hours a week on caring for children. Máchová [1970: 105] claims that men in the 1960s had one-third more free time than women.

If we add up all the time that men and women spent on work (paid work at the workplace, work in the household, and childcare work), we find that in the 1960s employed women spent approximately 82.9 hours a week on work, whereas men spent only 65.3 hours, or approximately 21% less time than women.⁴⁴ Social scientists, demographers, and statisticians became aware of the heavy workload of women and assumed it to be one of the causes of the declining fertility rate in the 1960s.

In the 1960s the emancipation of women through paid work started to be reflected on rather than just being blindly and positively accepted. Háková, for example, described how the emancipation of women was sometimes seen by women as a ‘gift’ from men to women, which women accepted without consideration [Háková 1966]. She also identified the problem it created: society had not accommodated the model of the working woman and did not create good conditions for a work-life balance [ibid.]. Other authors also stressed that women had not just two shifts – paid employment and housework – but also a third shift: transport to work, waiting in queues, and searching for goods of limited availability, etc. [Marušiak 1964; Háková 1966; Kozera 1997: 8; Wágnerová 2007].

In the 1960s the legal maximum working hours a week remained the same as in the 1950s (46 hours a week) but the number of working days per week was lowered from six to five in 1968.⁴⁵ This arrangement was a part of the economic reforms introduced in the 1960s, and it led to an increase in the productivity of labour. The Labour Code [No. 65/1965] also made part-time or shorter hours at work a more available option. The employee still needed to have serious rea-

⁴² Except women employed in agriculture.

⁴³ Except women employed in agriculture.

⁴⁴ Based on data [Bezouška, Vytlačil 1963: 322–323].

⁴⁵ Act No. 63/1968 Coll.

sons for working part time, but the law stated that companies were to create conditions allowing working shorter hours.

The unfavourable working conditions for women in the 1950s, defined in male terms, and simultaneously the unfavourable conditions women faced when trying to combine their family and paid work responsibilities, began to be the subject of reflection in the 1960s in relation to the decline in the fertility rate. This led in 1965–1966 to the introduction of legislative reforms designed to offer pregnant women and working mothers with small children some form of protection in the labour market.⁴⁶

The following legislative regulations were introduced:

Prohibition of the employment of pregnant women, breastfeeding mothers, and mothers, until the end of the ninth month after the birth of child, in underground mineral mining or tunnelling facilities, with some exceptions, e.g. for women who are not performing manual work in these facilities, women providing social and health-care services, etc.

Breaks for breastfeeding in full-time employment until the child reaches six months of age – two thirty-minute breaks (for each child) per working day (shift); one break in the following three months. These breaks count as remunerated working time.

Firing pregnant women or mothers with children under the age of one (or for lone mothers with children under the age of three) was only allowed in exceptional cases (and only with due notice).

Return after maternity leave – the organisation had to allow a woman to return from maternity leave to her original job and workplace; if the job or workplace had been liquidated, she was to be given a job corresponding to her pre-existing work contract.

Transfer to a remote workplace of a pregnant woman or a mother caring for a child under the age of one was only possible if she requested it herself.

Business trips were not allowed for pregnant women or women with children under the age of one. For women with children between the ages of one and eight, business trips were possible only if the mother agreed to them.

Shorter/part-time working hours in the work week were, when requested by a pregnant woman or a female employee caring for a child under the age of fifteen, to be allowed as long as no serious operational burden would arise as a result.

⁴⁶ Act No. 58/1964 Coll., on the augmentation of care of pregnant women and mothers, and Act No. 65/1965 Coll., Labour Code.

Overtime hours for pregnant women or women with children under the age of one were prohibited.

A compensation benefit in case of pregnancy and motherhood (*vyrovnávací příspěvek v těhotenství a mateřství* in Czech) was given to any woman transferred to a different job for the reason of pregnancy, breastfeeding or motherhood, up until the ninth month after birth.

The 1960s was a time of compulsory employment for everyone. Women employed in agriculture and manufacturing worked in poor conditions and had limited autonomy. In this period attention began to be paid to the question of work-life balance in relation to the role of women as mothers. Legislation was introduced to provide mothers with some basic protection at the workplace. The role of men as fathers caring for their children was not yet given any consideration.

2.2.3. The 1970s and the 1980s: Discourse on the Impact of Working Mothers on the Family and the Private–public Divide

After 1968, when any hopes for change in the political regime were killed, family became the only place where people were able to express their thoughts and individuality. We have shown that gender stereotyping, both in the family and in working life, persisted, despite the state ideology of the emancipation of women. Indruchová notes that in the post-1968 climate women at least had the family to escape to, but men had to cope with public life all the time:

‘The unequal association of men with work, women with the home, and the practical exclusion of men from it in a system, which proclaimed equality of men and women and considered the family a universal value, was due to the residual patriarchal discourse: it remained ‘natural’ and unspoken that it was women who were more responsible for the family and men for the world of work. I say residual because by proclaiming the family private, Czech real socialism failed to bring aspects of emancipation into gender relations in the private sphere, unlike the restructuring that occurred in the public sphere.’ [Oates-Indruchová 2006: 430]

Other sociologists have analysed the definite, visible, though still unacknowledged failure of emancipation ideology and the clear private–public divide in the practical life of Czech women and men in the 1970s and 1980s:

‘In contrast to the first twenty years of pervasive Communist Party domination, the post-1968 regime was subtler and more corrupting, with social control resting on relative affluence and turning a blind eye to the dualism between pri-

vate life and public appearances. Materially, life was relatively comfortable: jobs were secure, and while wages were not high, many worked in the grey economy with a second or third job.' [Pollert, Hradecká 1994: 56]

Work productivity was very low during this period of state-assigned jobs and the persistent importance of heavy industry. The result was a working environment in which for some men it was possible to perform a second or third job during working hours in their main (official) job and for women to fulfil some of their domestic responsibilities during working hours (e.g. shopping).

We showed that in the 1970s and 1980s families conformed to the dual breadwinner model and the gender contract. Havelková describes the situation in families at that time as 'equality in dependence', which does not mean that women and men were becoming equal (the gender wage gap and gender inequalities at work still existed), but that wages were generally so low that men and women were dependent on each other's income to support the household [Havelková 1993].

In the 1970s the economic activity of women started to be seen as important not just as a means of women's emancipation but also as a necessity for the family budget. In this period it was already clear that quality childcare and household services would not be provided by the state as a priority, and therefore, attention shifted to families and to the impact of women's employment on the family, on raising children, and on the role of women as mothers. In this respect, the economic activity of women that had been a goal in the period after the Second World War started to be viewed as somehow negative [Máchová 1970]. But as noted above, by this time women had already internalised the ideal of labour market participation and made it the basis of their own emancipatory designs. It seems that women also accepted their second and third shift of unpaid work at home, because by that time it was already clear that the state would not liberate them from that part or the workload.

During the 1970s and 1980s the average working week was about 43 hours. The legal maximum was not actually reduced to 43 (from 46) hours until 1989.⁴⁷ Data from 1980⁴⁸ indicate that women, even if they spent a slightly shorter time on average than men in paid work, felt more exhausted from their jobs than men (57% of women and 49% of men declared that they felt very exhausted from work). This fact is connected with women's second shift in the household. In 1979⁴⁹ women spent an average of 25.5 hours a week on housework, and men only 14.5 hours.

⁴⁷ Act No. 188/1988 Coll.

⁴⁸ Survey 'Position of Women in the Work Process'.

⁴⁹ Survey 'Attitudes and Opinions on the Position and Role of Women in the Family'.

Although there is no available data on the extent to which reduced working hours were taken up before 1993, on the whole working hours were rather long. According to research conducted in 1979,⁵⁰ 52% of men and 42% of women sometimes had to work overtime, but 72% of men and 64% of women confirmed that they had some control over the pace of their work, which supports the idea that women and men had some autonomy at work, but that this aspect was not legislatively regulated at the time.

The population was aware of the effects that the shortage of time, the limited availability of services, and the unsatisfactory working conditions had on women and their role as mothers. In 1976, 13% of employed women took unpaid leave from work (which was three times more than men) and 62% of those women used this leave to care for a sick child.⁵¹ The possibility of changing working hours and taking longer leave to care for a sick child was requested as important for the families to be able to care for children. In 1979, 65%⁵² of the population declared that good working conditions, including shorter working hours, would improve the situation of working women. Research conducted in 1987⁵³ showed that 59% of women and 48% of men agreed that the ideal working time for working mothers should be six hours a day with no change in salary.

The 1970s, when the second wave of feminism was moving through the Western part of the world – was a period of stagnation in Czech society, when Czech women lost many of the privileges that they had obtained earlier and that had put them ahead of Western women [Wágnerová 2007]. Most Czech women were fully employed in the 1970s and 1980s.

During this period the legislative protection of mothers and pregnant women in paid work was extended to lone fathers (see Chapter 4). The rights of employed fathers started to be taken into consideration, but mainly focused on lone fathers (replacing an absent mother). Most of the legislative protection remained the same from the mid-1960s (see above), and the extensions concerned:

The firing of pregnant women and mothers with children under the age of one (in the case of lone mothers, with children under the age of three) was allowed only in exceptional cases (and only with due notice). From 1975⁵⁴ this applied to pregnant women and mothers (without testing their family status) and to lone fathers of children under the age of three.

⁵⁰ Survey 'Position of Women in the Work Process'.

⁵¹ Survey 'Family and Children 1976'.

⁵² Survey 'Attitudes and opinions on the position and role of women in a family'.

⁵³ Survey 'Opinions on development in equal status of women in Czechoslovakia and on education to support marriage and parenthood'.

⁵⁴ Act No. 20/1975 Coll.

Transfer to a remote workplace of a pregnant woman or a mother caring for a child under the age of one was only possible if she requested it herself. Transfer of a mother caring for a child between the ages of one and eight was only possible with her agreement. From 1989⁵⁵ this also applied to mothers with children under the age of 15 if they were lone parents.

Business trips were possible for pregnant women and women with children under the age of one only if they requested to participate. Business trips were possible for a mother caring for a child between the ages of one and eight only if they agreed to it. Since 1989, business trips are possible in the case of lone parents with children under the age of 15 only if they agree to it.⁵⁶

Since 1989⁵⁷ changes have been made to the regulation of **part-time work and shorter working hours** so that such arrangements are accessible, and companies are required to create conditions to ensure this. Also, working hours do not have to be divided into all the working days in a week. When possible, working hours can be changed at the employee's request and the new work contract should still contain the same terms as before the change was made.

The 1970s and 1980s were a period of a strong public–private divide based on the gender contract, but also one of mutual dependence between men and women as co-breadwinners in the household. Women were still employed full time, and public opinion and sociologists were requesting that consideration be given to reducing women's working hours. In the corrupt public space in those years women developed their own strategies for balancing working life and family duties, based on their own individual ideas of emancipation. The legislative protection of mothers in employment relations was broadened to cover also lone fathers. The legislation governing part-time work was improved so that it was easier for employees to request such an arrangement without a change in contract terms. But all this happened only at the very end of the 1980s.

2.2.4. The 1990s to the Present: Discourse on the Need for Women to Choose between Work and Family, and the Equalisation of Rights of Employed Mothers and Fathers

In the previous section we showed how the reforms aimed at ushering in market capitalism left the social context and consequences behind and neglected to consider the growing (gender) inequalities. 'The language, of 'workers' strug-

⁵⁵ Act No. 188/1988 Coll.

⁵⁶ Act No. 188/1988 Coll.

⁵⁷ Act No. 188/1988 Coll.

gle', 'solidarity', 'participation' and even 'social' (as in 'social dialogue') had been discredited as part of the ideological jargon of the former regime.' [Pollert, Hradecká 1994: 55] The discrediting of women's emancipation during and after the transformation to a market economy has been accompanied by strengthening conservative attitudes towards gender roles in public/political life, and women have lost some of the rights and positions gained during the communist period (e.g. job security and childcare services).

Moreover, the changing structure of Czech family policy, with its implicit goal of pulling mothers (of small children) out of the labour market, and its explicit goal of cutting public expenditures, resulting in the virtual non-existence of childcare facilities for children under the age of three, and the extension of parental leave to up to three years are clear signs of a turn towards familist policies [Saxonberg, Sirovátka 2006; Hašková, Křížková 2008]. These changes have been supported by the neoliberalism that has been driving the transition of Czech society and by the conservative attitudes in Czech society in the 1990s, shared also by politicians [Potůček 2004].

As a result of these processes, the Czech Republic is the country with the highest negative impact of motherhood on the employment of women among EU countries. An indicator measuring the difference in the employment rates of women aged 20–50, with and without children under the age of six, showed a difference of 40.5 percentage points in the Czech Republic in 2006. It means that the employment rate of women aged 20–50 without small children is 40.5 percentage points higher than the employment rate of women aged 20–50 with children under the age of six. The average for all the EU member countries that year, including Bulgaria and Romania (EU25), was 13.6. The indicator ranges from negative values for Slovenia (-5.5) and Portugal (-3.9), which means that women with small children work more often than women without small children, to low values in Belgium (0.9) Denmark (3.4) and the Netherlands (8.1), where motherhood has only a minor effect on women's employment rate, to higher values in countries like the UK (21.3), Germany (26.5), and Hungary (33.6) [Indicators for Monitoring the Employment Guidelines 2006 Compendium]. Among all the 27 EU countries the highest negative impact of motherhood on the employment rate of women is in the Czech Republic

As a result of the intensification of work performance, rising job insecurity, and a family policy designed to encourage women to remain outside the workforce longer, putting them at a disadvantage compared to men, as they consequently lose their qualifications and experience, the discourse that has come to surround this subject sees women as faced with having to choose between work or having a family. This also arose out of the restructuring of the labour market

and out of the greater educational differentiation of women. The ability of some women to develop careers at work drew attention to the fact that other women were moving closer to the poverty line, shifting between unemployment, insecure jobs, and long-term unemployment.

The employment policy in the Czech Republic has always served to reproduce the gender stereotype of the need to help women with their problem achieving a work-life balance, but without creating real practical policies, and while simultaneously slashing family policy expenditures and keeping employment policy expenditures at a low.

There is still a strong tradition of full-time employment of men and women. Women have worked about 39.5 hours a week after 2000 while men have spent about 43 hours per week working.⁵⁸ The legal maximum was reduced to 40 hours a week (from 43 hours) in 2000.

Although after 1989 there was a significant improvement in the conditions connected with looking after household responsibilities (a wider variety and greater availability of consumer goods, the extension of shopping hours into the evening and on the weekend, a selection of household services), the time that women spend on housework has not changed dramatically when compared to the 1970s and 1980s. According to a survey conducted in 1995, women estimated that they spent about 18–20 hours a week (90–100 hours a month) on housework, whereas men spent only about 6 hours a week (30 hours a month) [Kozera 1997: 28–29]. Although the number of hours that women spend at work increased, men's participation in housework did not, and looking after the household and caring for children are still the responsibility of women.

With regard to the protection of women, mothers, and parents in employment and to working conditions, most of the relevant legislation has remained unchanged since the mid-1960s, with slight amendments in the 1970s and at the end of the 1980s (see above). It was only in the period leading up to the Czech Republic's accession to the EU, which required harmonising Czech law to conform to EU directives, that changes began to be made in the legislation towards gender equality. In the area of work-life balance, fathers have finally been given equal entitlement as mothers to take parental leave, but this occurred only very recently. The legislative changes affect:

⁵⁸ The slight reduction of hours worked by men and women after the year 2000 reflects a legislative change, where the lunch break ceased to be counted within working hours, as it had been prior to that.

The firing of pregnant women and mothers with children under the age of three is not possible. Since 2005,⁵⁹ this rule has been applicable to pregnant women, women on maternity leave, and women and men on parental leave.

Return to work after maternity/parental leave – the employer must enable a woman to return to her previous job and workplace after leave; if the job or workplace has been liquidated, she must be given a job that corresponds with her work contract. Since 2001,⁶⁰ this also applies to women returning from maternity leave, and to men returning from parental leave, equal in length to the maternity leave of women.

If a pregnant woman **working at night** asks to work day hours, the employer must transfer her to a daytime work shift.

In the 1990s policies aimed at reconciling work and family life became an important topic of research and an important political issue as a result of labour market restructuring and the impact of European policies stemming mainly from EU accession in 2004. The Czech Republic is criticised for low labour market flexibility compared to the increasing flexibility of European labour markets. The next section draws on available data to examine the two main issues in these debates: part-time work, and flexitime and control over working hours.

Part-time Work

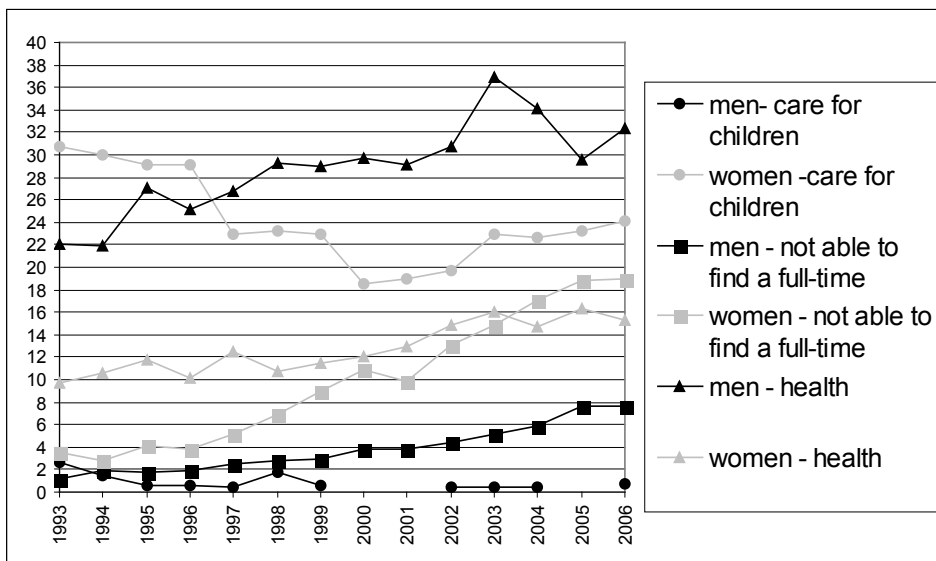
There were no significant changes to the legislative regulation of part-time work since the enactment of the 1966 Labour Code. Since 1989 companies are encouraged to create conditions to enable part-time work under the same conditions as full-time work in the work position. Unfortunately, there are no statistical data on part-time work before 1993, but it can be assumed that part-time work was not very common in Czechoslovakia (like in other countries of the Eastern bloc). The share of women working part time among all working women fluctuated between 11% and 9% in 1993–2006. The share of men working part-time fluctuated between 4% and 2%. The figures in post-communist countries are very low compared to the countries of the former EU15 for several reasons: few part-time jobs are offered by employers; the wages are low and families need two full-time incomes to maintain a satisfactory living standard; there is a tradition of full-time employment of women in those countries.

⁵⁹ Act No. 436/2004 Coll.

⁶⁰ Act No. 155/2000 Coll.

The most common reason for men working part time is health problems (in 2006, 32% of men but only 15% of women working part time). The Figure 2.6 shows that most common reason for women is childcare (in 2006, 24% of women but only 1% of men working part time). Women more often find it difficult to find a suitable full-time job than men (in 2006, 19% of women, 8% of men) and there was a significant increase in the share of women working part-time because they were unable to find a full-time job (from 4% in 1993 to 19% in 2006). This increase is probably caused by the interconnected factors of rising unemployment, competition, and the discrimination of women in the Czech labour market.

Figure 2.6. Why men and women work part time (in %)



Source: Employment and Unemployment in the Czech Republic as Measured by the Labour Force Sample Survey (Published every year 1993, 1994, 1995, ..., 2006).

Note: The share of men working part time because of care for children was not available in 2000, 2001, and 2005.

In the ISSP survey conducted in 1997, 26% (20% of men and 31% of women) declared that if they were allowed to decide about their present work situation they would prefer to work part time (10 to 30 hours per week) and 5% (3% men, 6% women) would like to cut their working hours to less than 10 hours per week.

In 2005,⁶¹ respondents were asked whether they would like to work more, less, or the same number of hours; 6% of people working full time (8% of men, 5% of women) answered that they wanted to work more, 60% (58% of men, 63% of women) wanted to work the same amount of time, and 34% (35% of men, 33% of women) declared a wish to work less.

The wish to work part time often runs up against the problem of the accessibility of this kind of work arrangement. According to research conducted in 2005,⁶² only 14.3% of respondents declared that part-time work was accessible to all the employees in the company they worked for, 45.5% of respondents answered that part-time work was accessible only to some employees (usually women), and 40.2% declared that part-time work was not accessible to any employee in the company.

Flexitime and Control over Working Hours

Since 2001⁶³ employers have been able to use flexible working hours (after consulting with an employee organisation/trade union) in order to make better use of working time and to satisfy the personal needs of employees. An employee can choose the start and the end of the working day and the employer sets the time period when the employee must be present at the workplace. The beginning and the end of the working day is supposed to be set up so that a full-time employee works at least five hours a day (currently 40 hours a week).

However, according to Wallace's findings [2003a, b, c], the position of Czech employees is less autonomous than the position of employees in Western Europe. In general, they are less able to control their working hours, work schedule, and place of work. In the ISSP survey in 1997, 56% of respondents declared that they were not allowed to change their working hours (51% of men, 62% of women), 32% (34% of men, 30% of women) were able to decide themselves within limits, and about 11% (15% of men, 8% of women) were able to decide on their working hours entirely themselves.

In a survey in 2005,⁶⁴ 58% of working people in the Czech Republic had an inflexible work regime, with fixed starting and finishing hours (44% of men, 70%

⁶¹ Survey 'Relations of the Transformation of the Labour Market and Forms of Private, Family and Partnership Life in Czech Society' covering the population aged 25–54.

⁶² Survey 'Parents 2005' covering parents with children up to 18 years of age.

⁶³ Act No. 155/2000 Coll.

⁶⁴ Survey 'Relations of the Transformation of the Labour Market and Forms of Private, Family and Partnership Life in Czech Society'.

of women); 20% of working people (25% of men and 14% of women) accommodated the needs of the employer ('negative' flexibility), and 22% of working people had a say in decisions about their working hours ('positive' flexibility).

In general, women have less flexible working hours than men, primarily owing to the domain of women's employment with a traditionally low level of 'positive' flexibility. People with a university degree and people in managerial positions are more likely to decide about their working hours than people with lower education, but flexitime is also associated with longer working hours.

The new Labour Code introduced the option of working-time accounts.⁶⁵ It is up to the employer to introduce this arrangement and offer it to all or some employees, after consultation with an employee organisation (trade union). All the other arrangements concerning the protection of pregnant women, mothers, and fathers (described above) were adopted from the previous Labour Code and remained practically unchanged.⁶⁶

The European Employment Strategy recently introduced the concept of flexicurity – combining flexibility and security in the work contract. This issue has not surfaced at the policy level in the Czech Republic.

Since the 1990s work-life balance has not been an issue of political debate or policy in the Czech Republic, but it has become one of the most urgent problems in everyday life, especially for Czech women. Social issues, as well as women's emancipation, were discredited by the previous regime, and the discourse about women having to choose between work and family has appeared. At the end of the 1990s, as a condition of EU accession, Czech legislation on working conditions also had to incorporate principles of gender equality, including enabling men to exercise their right to care for their children when they are small. The conditions applying to the use of shorter or flexible working hours, by employers or employees, remained almost unchanged. Most of the flexibility in the Czech labour market is negative for employees; only about one-fifth of all employees (more men than women) are able to control their working hours themselves.

⁶⁵ Act No. 262/2006 Coll., Labour Code.

⁶⁶ It is interesting to note that the new Labour Code refers to an anti-discrimination law on issues of direct and indirect discrimination. The anti-discrimination law came into force only in 2009, after having been rejected several times, which means that for more than two years there were no legislative grounds for non-discrimination in labour relations in the Czech Republic.

2.3. Conclusion

By focusing on the context of the development of women's employment in this chapter we have demonstrated that the high employment of women does not automatically imply women's emancipation and fulfilment of their social rights as citizens. Even though women's employment was already high before and during the Second World War, the massive influx of women into the labour market in the post-war period was motivated by the communist ideology of emancipating women through their participation in the labour market and the idea of the socialisation of housework and childcare. Women were employed on male terms in industry and in services, and they made up about half of all employees in agriculture. Given the absence of any protection for working mothers or any measures aimed at a work-life balance, and given the lower education level of women in the post-war years, women's working conditions were much worse than those of most men. At the same time, women were responsible for most of the housework, as the household services promoted by the regime as being crucial to women's emancipation did not exist and/or were not widely accessible.

In the 1960s, when it began to be clear that the socialisation project of creating public services to perform housework had failed, and the double burden on women persisted, legislation was introduced to provide protection to working women and mothers at the workplace. Men's participation in housework and childcare was not even discussed yet. The 1970s and 1980s were an era of economic stagnation and harsh control over the public expression of ideas and lifestyles, which, together with very traditional division of gender roles, resulted in a strong public-private divide, with the home and family being the only sphere for individual creativity. Women were over-burdened with domestic responsibilities and even though the legislative regulation of part-time work improved so that it was made easier for employees to request such an arrangement without changing their contract conditions, shorter working hours were not common. Instead, given the generally low and equalised wages, which were not influenced by either work performance or education, women and men had to remain employed full time in a co-breadwinner model of the household.

The political transformation after the revolution in 1989 ushered in a market economy based on conservative and neoliberal values. The restructuring of the labour market brought about new opportunities as well as an increase in work performance, job insecurity, and unemployment. The end of state socialism should not be the reason for the turnover towards reducing women's employment, but employment of women should be supported by appropriate conditions for work-life balance for women and men so that women and men could fully re-

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alise their citizenship potential including the potential to combine employment with childcare. But so far the gendered structure of the labour market, manifested in strong segregation based on sex and the feminisation of certain branches, made gender inequalities even stronger. These changes and the lack of men's significant participation in housework and childcare generated a discourse of work/family conflict centring on women, as though the only possibility for women is to choose between a career and a family. Yet the reality is that leaving the labour market and becoming a housewife is not a practical option for most Czech women.

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3. Leaves, Allowances, and Facilities: Childcare Past and Present

Hana Hašková, Hana Maříková and Zuzana Uhde

This chapter focuses on three dimensions of childcare that since the Second World War have influenced gender relations and the everyday practice of citizenship in society – childcare leave, allowances, and facilities. Based on historical documents, statistics, legislation, and survey data, we argue that, despite the popular assumption that there was a cohesive ideology of care during the communist regime, important changes in ideologies, institutional settings, and practices of childcare came about in different decades. While the aim of pre-war family measures was to help poor families and the aim of family measures of the 1950s was to restructure the national economy and to extend the share of women in employment due to the urgent labour force need and to the specific ideology of women’s emancipation, in the 1960s–1980s the aim was to promote fertility. In the 1960s, most mothers already were working, but the alternative discourse of ‘active motherhood’ emerged too. During the normalisation era of the 1970s, family policy focused on extending paid maternity leave. Family policy in the 1980s continued along this path and allowed lone fathers to utilise some of the rights to care. Post-1989 trend towards privatisation of care seems to be in opposition to the ideology of care under the communist regime that supported public childcare. However, we show that the reasons for the post-1989 childcare policies and practices in Czech society (and other post-communist countries that seemingly contradict general trend of the declination of the male breadwinner model) are rooted in the communist past. We also argue that current development of childcare in Czech society strengthens misrecognition of care and reproduces class and gender bias in social citizenship.

A number of political, scientific, and public debates on the best practices of childcare have been initiated in past decades in Czech society and at the European and global level. Recently, the European Commission defined the issue of childcare as one of the challenges in the effort to improve gender equality and child welfare. The debate has focused mostly on three interconnected aspects of childcare: childcare leave, benefits, and facilities.¹

¹ In particular, the types, length, coverage, flexibility, spatial and financial accessibility, acceptability, trust, and quality of childcare facilities and other formal or informal

In Czech society, the issue of childcare leave, allowances, and childcare facilities had already emerged as a public issue before the Second World War. While after the Second World War, it was discussed in the context of the increasing participation of women in the labour market and the increasing interest in population policy, before the Second World War, it was framed by the interest in solving poverty problems [Koubek 1980].

In this chapter we focus on these three dimensions of childcare in Czech society, which have been the prevailing themes in childcare discussions. This historical focus enables us to show that, despite the popular assumption that there was a cohesive ideology of care during the communist regime, since the 1950s several important changes in ideologies, institutional settings and practices of childcare came about that still affect the contemporary framework of childcare in the Czech Republic.

A historical look at the three dimensions of childcare also allows us to identify the ways in which childcare leaves, benefits and facilities have been strongly interconnected. For example, the policies of the 1960s, the 1970s, and the 1980s, which were aimed at extending maternity leave, at increasing the coverage for parents receiving monetary child benefits, and at including the years spent caring for a child as working years in the calculations for an old-age pension were interpreted as policies leading to a decreased need for the construction of nurseries. However, it is not just the main institutional (political) changes in childcare leave, benefits, and facilities that are identified; we focus also on the prevailing practices of childcare and the main public discourse on childcare in Czech society in different historical periods. The links and discrepancies between public discourse and the practices and the institutional settings of childcare are stressed in and across various periods of time.

Drawing on our study of primary and secondary data sources and literature, we describe the post-war years and the 1950s as a period when the political focus was put on increasing the share of people (mainly women) in employment owing to the urgent need for a labour force and when the differential treatment of families according to their employment status was applied in the social security system. In the 1960s there emerged a tendency towards a universal treatment of families, and an explicit population policy was elaborated in response to the long-term fertility decline. The 1970s was the baby-boom period and a time when numerous family measures were introduced as part of a population policy and the period when paid leave for full-time caring mothers was extended to up

childcare arrangements, monetary support for parents and their children, and childcare leave are studied and compared in an international context.

to two years per child, followed by the 1980s when paid leave for full-time caring mothers was extended to up to three years per child.

Even though childcare policies, practices, and public discourse since the political change in 1989 may seem very different from their counterparts under the communist regime, a focus on the links between discourse, policies, and practices in different historical periods explains how the current childcare policies are truly based in historical developments in childcare in Czech society, which question the purported rupture between the communist and capitalist framing of family policy. Nevertheless, while the extension of additional (relatively lowly) paid maternity leave during the communist regime was not translated into a high risk of long-term unemployment among women or into a risk of poverty, when this policy 'path' was continued under the circumstances of economic transformation and the entrenchment of the capitalist economy it was. Although childcare policies, practices, and public discourse changed in the 1990s, policy-makers tended to follow the same 'path' of family measures relating to childcare leaves that were endorsed in the 1970s and 1980s, but they abandoned the focus on women's employment and the provision of public childcare facilities that had been a part of communist ideology of women's emancipation. From today's perspective, it looks like the baby was thrown out with the bath water, a move that has garnered legitimacy from the gender conservative preferences expressed in public opinion surveys in the first half of the 1990s.² However, when it comes to preferences, they are never independent of policies and institutional settings; on the contrary, the institutional setting shapes preferences, and vice versa. We cannot expect parents to use quality childcare facilities if they are not available, nor expect men to participate in childcare without sufficient financial support given to care activities. As experiences in other countries show, unless all three significant dimensions of childcare (leave, benefits, and facilities) are harmonised, we cannot eliminate women's disadvantage and guarantee equal opportunities for children from different family backgrounds and for women and men.

² See such international comparative surveys as the European Values Study at <<http://www.europeanvalues.nl/>> or ISSP – Family and Changing Gender Roles at <<http://www.icpsr.umich.edu/cocoon/ICPSR/STUDY/06914.xml>>.

3.1. The First Years after the Second World War: Childcare among Mothers, Grandmothers, Society, and the State

After the Second World War the country focused its efforts on economic development. In 1945 the government decreed mandatory employment,³ but it did not explicitly mention women. However, women's participation in the labour market was an important issue for the National Women's Front and the Czechoslovak Women's Council, and it was supported by the state in general, too, owing to urgent labour force needs in the post-war economy and following the resettlement of the German population outside the country after the war.⁴ The Czechoslovak Women's Council and the National Women's Front (except for the People's Party members) agreed that women should have the same right to gainful employment as men, and that the state should help women to achieve this and ensure the provision of services to make housework and caring for children easier [Uhrová 2005a]. Members of these organisations demanded that the state:

‘...establish or expand primarily school canteens, factory canteens, nurseries, preschool children centres, cheap laundries, repair shops and everything that can ease women's work’ [Československá žena 1946: 3].

The Košice Government Programme developed in 1945 had, after all, promised to help working women with childcare and housework and to ensure the provision of necessary social services, including extra-curricular activities for older children.⁵

³ Of course, mandatory employment was applied in Czech society much more strongly during the Second World War as a result of ‘Totaleinsatz’. The work mobilisation of married women and mothers in the 1950s was not a one-off action but a complex and gradual process [for more information, see Jechová 2008].

⁴ The National Women's Front assembled the women's sections of the main political parties. It mirrored the structure of the National Front of Czechs and Slovaks – an association of political parties (later other organisations were also included) which was established in 1945 for the purpose of taking over the governance of the state after the Second World War.

Representatives of the Czechoslovak Women's Council were included in the National Women's Front in the first years after the Second World War. The Czechoslovak Women's Council was an umbrella women's non-governmental organisation that contained, besides others representatives from the Central Trade Union Council, the Central Cooperative Council and political parties. It was dissolved after the communist takeover in February 1948.

While Uhrová [2005c] defines the National Women's Front as a rival organisation to the Czechoslovak Women's Council, Jechová [2008] stresses cooperation between those two women's organisations during the first years after the war.

⁵ The Košice Governmental Programme was worked on during the Second World War together with several other programmes. For example, the concepts for national insurance (including sickness and old-age pension insurance) and the reorganisation of the

In the post-war period, women activists concentrated on four main programme points: (1) lobbying for a state welfare programme (especially care for pregnant women and families with children); (2) the participation of women in the public space in greater numbers than between the world wars; (3) incorporating housework and childcare into the concept of welfare; and (4) drafting a new constitution, in particular, sections on the equality of women in the family. Their efforts were later translated into several legislative changes [Uhrová 2005b]. Mainly working mothers were to be assisted in care by the state, but there was no mention in the public debates of the role of husbands and fathers with regard to caring activities [Hašková 2001].

Just as Éva Bicskei's has argued with regard to Hungary [2006], despite the generally egalitarian rhetoric, not all families (and mothers) had equal access to family measures and childcare facilities in early post-war Czechoslovakia. For example, in childcare facilities priority was given to children of employed mothers and children from families with 'inadequate care' or from large families.

A number of family measures were applied, such as the family benefit (in 1959 renamed the child benefit – *přídavky na dítě* in Czech), the childbirth grant (*porodné* in Czech),⁶ maternity leave (*mateřská dovolená* in Czech), paid with financial aid in pregnancy and motherhood (*finanční pomoc v těhotenství a mateřství* in Czech), a benefit provided in the case of an ill wife,⁷ and a wedding benefit.⁸ Most family measures were received by those covered under na-

school system and public health care that were applied after the Second World War in Czechoslovakia were already being discussed during the war [Bartošová 1978].

⁶ The childbirth grant was set up as a one-off benefit for mothers who gave birth to a living child. The benefit was equal to three times the average monthly income, but by 1957 the grant had been only half of the average monthly income. It was designed to contribute to a mother's expenses connected with childbirth.

⁷ If a wife caring for at least one child and household was ill for longer than fifteen days, the benefit in the case of an ill wife was received by her husband if he was insured.

⁸ If a bride or a groom was insured for at least four years during five years prior to their wedding, they received a benefit for the wedding. If both were insured, the wife received the benefit.

In 1948, advantageous loans for newlyweds were introduced. If the couple had a child, part of the loan was written off and the loan was thereafter without interest. In the late 1950s, newlywed loans ceased to be used as salaries and prices rose making the loans less advantageous than before, and the wedding benefit was also cancelled [Bartošová 1978]. At the same time, in 1957, an abortion law was passed, making it possible for both childless women and mothers to apply to an abortion committee for an abortion on various grounds, such as disagreements in the family, unsatisfactory social and housing conditions, or being an unmarried pregnant woman. The law had already been discussed during the First Czechoslovak Republic (1918–1938). The reason it was adopted was to reduce the mortality rate from abortions conducted illegally [Bartošová 1978].

tional insurance. It was not until 1968 that all socio-economic groups of parents came to be included in the system of family measures (without reference to their employment status). Thus, there was a range of family measures not available to all families during the first years of the communist regime due to the fact that the family measures were intended to prioritise only some groups of citizens and were made universal only in later decades, when the population policy was elaborated to improve the fertility rate in the country.

In order to illustrate how family measures were tied to the efforts to restructure the national economy in the 1950s, an example of the child benefit and paid maternity leave will be given. The child benefit had been paid to people with sickness insurance since the Second World War. In 1959 four possible payment levels were set up, and any employee whose income exceeded 3800 CZK per month (about three times the average monthly income at that time) would not be provided with the child benefit. In the 1950s, a range of social measures was applied to improve the living conditions of people in prioritised professions, while the living conditions of others relatively worsened. For example, from the 1950s the child benefit terms were designed to reduce the number of small agricultural producers; people with insurance working in agriculture who also owned a piece of land received a lower child benefit [Bartošová 1978].⁹

The duration of paid maternity leave was 18 weeks and the benefit paid amounted to 75–90% of a mother's net daily salary according to the number of years she had continuously worked. Only an insured mother or a mother who was a member of a family of an insured person was eligible for paid maternity leave.¹⁰ Working continuously at one workplace was important for qualifying to receive a higher benefit during maternity leave. The arrangement was meant to 'fight against fluctuation', i.e. against frequent changes of employment and against non-working people. The self-employed received paid maternity leave only if their yearly salary (and the size of their land in case of farmers) did not exceed a certain level [ibid.].

In 1957 a law was introduced to award an honorary medal for motherhood to mothers with at least five children. However, based on an analysis of a popular women's magazine at that time, *Vlasta*, it is clear that the honorary medal for motherhood was not as successful among women and women's media as women's successes in the labour market were [Hašková 2001].

⁹ The salaries in agriculture were also lower. Despite a general increase in the amount of the child benefit in the 1950s, the families of the self-employed and those working in agriculture in particular experienced a decline in living conditions. At the same time, the amount of migration of young men and women from rural areas to town-like localities providing work in light and heavy industry increased [Bartošová 1978].

¹⁰ The woman had to have been contributing to the insurance system for at least 270 days before childbirth.

More than two million people were also excluded from public health care in the first years after the Second World War. However, baby clinics and preventive health care were provided and were in theory accessible to all pregnant women and all children without reference to the employment status of the pregnant woman or the child's parents.¹¹

Despite government promises, supplementary services for working women were often organised by women themselves in the first years after the Second World War. Some activities of women's groups and organisations nevertheless proved to be unsuccessful. For example, the National Women's Front called on women to set up cooperatives, glibly called the Liberated Household, which were supposed to run group laundries, clothing and stocking repair shops, and public kitchens, and they were also supposed to bring together home helpers, family nurses, and nannies for providing services. Ultimately only the laundries and drycleaners survived [Uhrová 2005a]. Women's activities were more successful when it came to the issue of childcare facilities for children of employed mothers, especially the issue of preschool children's centres, which were sometimes open only for a part of the year (e.g. during harvest). They were generally set up by women in places where there were no childcare facilities, and the centres cared for preschool children all the time their parents were working.

In the first years after the Second World War, the activities of the Czechoslovak Women's Council (until its dissolution in 1948), women's committees in trade unions, and communist women's committees (active mainly until the mid-1950s) were important for more than just establishing childcare facilities. They also played a major role in organising summer camps for children, in the post-war supply and distribution of food, and care for dispersed families.

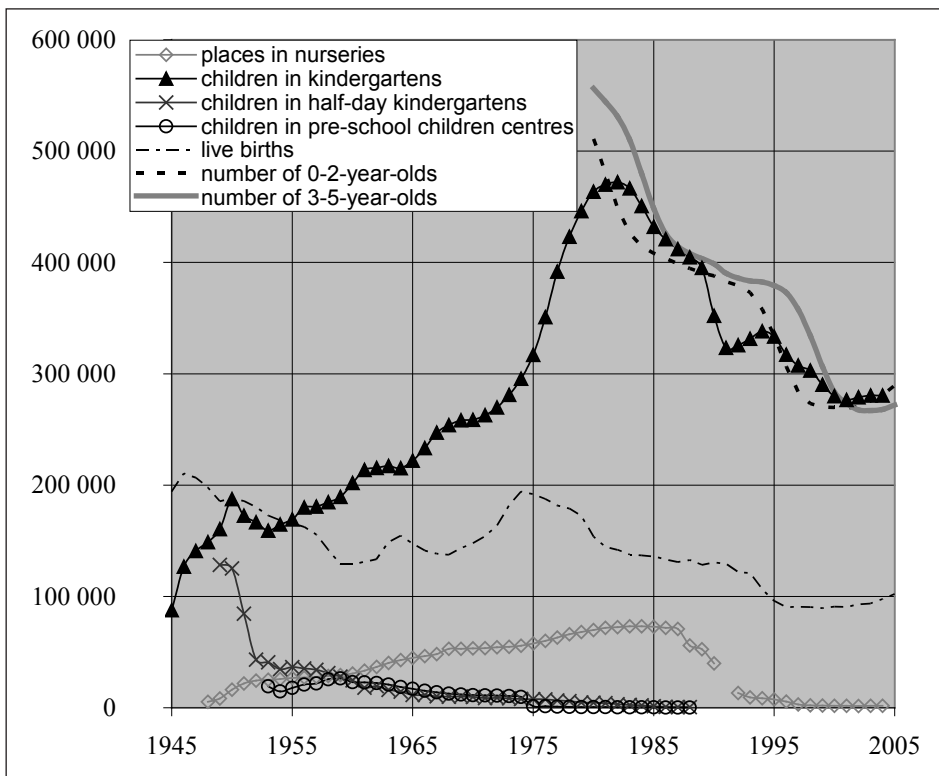
The first summer camps, family recreation centres, company Christmas presents and programmes, and so on, were also provided by companies with traditionally popular trade union organisation in industry and mining. Company childcare facilities were designed pretty much to fit the needs of the companies and included half-day facilities (operating from morning until lunch time), all-day facilities (operating from the start to the finish of working hours), boarding facilities (children stayed at these facilities for the whole week and returned

¹¹ In the early post-war period, up until 1953 (inclusive) families with children and families of manual workers also received support from the state in the form of the quota system. Food bills were accessible to the whole population with the exception of people making their own food – small farmers. Even though the quota system economy was cancelled in 1953, up until 1961 a policy to improve the living conditions of families with children continued to exist in the form of the strong regulation of the price of food and children's shoes and clothing.

to their parents only on weekends), and seasonal facilities (operating only during harvest or during some other period of time when short-term labour was in high demand).

While independent women’s activists were influential in issues of care until the communist coup in 1948, and communist women’s groups were influential mainly until the mid-1950s, thereafter the State Population Committee (established in 1957) and other state research institutions initiated a number of empirical studies on childcare arrangements and started to influence the public debate on the issue of childcare, as we shall see later in the chapter. This happened at a time when most young women already had some experience with gainful employment.

Figure 3.1. Children (places) in childcare facilities in Czech society (1945–2005)



Sources: Bulíř [1990]; Kuchařová and Svobodová [2006]; Czech Statistical Office at <<http://www.czso.cz>>; Czech Republic’s Population Information at <<http://popin.natur.cuni.cz/html2/index.php?item=3.2>>.

Between 1948 and 1955, the number of employed women increased from 37% to 42% of the total workforce. As women's economic activity grew, the need to set up childcare facilities increased. Although the fertility rate dropped dramatically at this time, from 2.8 children per woman in 1950 to 2.1 at the end of the 1950s, the number and capacity of kindergartens (*mateřská škola* for preschool children from the age of three), nurseries (*jesle* for children under the age of three), and preschool children's centres (*dětský útulek* for preschool children from the age of two) grew. The number of children in the relevant age categories enrolled in nurseries increased from 3% to 8% between 1950 and 1960, and the percentage of children aged three to five enrolled in kindergartens increased from 26% at the beginning of the 1950s to 37% in 1960, especially in kindergartens with all-day services (about ten hours a day) [Bulíř 1990].

The rapid increase in the share of children in public all-day kindergartens was supported by the fact that in 1948 two acts were introduced – Act No. 95/1948 Coll. on Unified Education and Government Act No. 195/1948 Coll. on implementation of the Act on Unified Education in kindergartens, whereby all kindergartens were nationalised and became an integral part of the unified education system, though attendance was not compulsory. All the kindergartens were controlled and their establishment had to be approved by the National School Office to provide standardised training, preschool education and preparation for basic school free of charge, with the exception of a financial contribution for food regulated by the government. Thus, kindergartens became the first institution within the education system – they were not just a place to leave the children during working hours.¹²

Nurseries and preschool children's centres were governed by the Ministry of Social Care according to Government Act No. 202/1947 Coll. on the organisation of care for youth. Preschool children's centres were seen as temporary childcare facilities for children of employed mothers, intended to compensate for the lack of 'preschool education facilities' – kindergartens. As the number of kindergartens grew during the communist regime, the number of preschool children's centres decreased.

In the early 1950s, the legislation on nurseries changed to conform to the Soviet model applied in most of the countries of the former Eastern bloc. From 1952, nurseries were defined as preventive health-care facilities in the Act of the Ministry of Health on unified preventive and medical care (Act No. 130/1951 Coll.) and the Act of the Ministry of Health on the organisation of preventive and medical care (Act No. 24/1952 Coll.). Thus, the children in these facilities were sup-

¹² During the communist period, also the number of kindergarten classes for children with special needs increased along the increase in the number of regular kindergarten classes [see Bulíř 1990].

posed to be cared for by paediatric nurses with medical training, and paediatricians would given the children weekly check-ups. There was then a consequent increase in the number of studies by paediatricians on children in nurseries.

While in law, professional discourse, and consequently also the public discourse, kindergartens were seen as the first step in the education system and as facilities designed to prepare children for basic school, nurseries were also discussed in relation to topics other than just preparation for education. Nurseries were designed to care for children so that their mothers could work. If children were sick, mothers had to stay at home to care for their children. Thus, paediatricians and children's nurses were supposed to keep children healthy at the nurseries so that mothers could work. In 1956 the then State Statistical Office conducted a large survey on parenthood, the results of which reveal some of the contemporary discourse on nurseries:

'It is known that the costs of a single place in a nursery are high and sometimes exceed the contribution of the woman-mother of a child in such a facility. Nevertheless, we continue to build nurseries because they achieve an important political goal: they allow each employed mother to have gainful employment, and thus help her maintain economic independence, liberate her socially and economically from her dependence on the man, and, therefore, it is not essential that her contribution to society be greater under all circumstances than the costs of her child's enrolment in a social facility.' [Srb, Kučera 1959: 115]

The 1956 survey also revealed that only about one-third of women in gainful employment who were pregnant or had a child aged one or under did place or would have placed their child in a nursery if there was a nursery in their locality. Nevertheless, approximately two-thirds of employed women who became mothers returned to the labour market, and about one-half of these 'returning' mothers returned to employment immediately after maternity leave (18 weeks in that time). Their children were cared for mainly by grandmothers. Non-family individual paid care was also used, but it was not as widespread as unpaid care by grandmothers [ibid.: 115].

The reason for the unpopularity of nurseries was explained by researchers as a consequence of the high sickness rate of children in nurseries and the frequent closure of nurseries owing to outbreaks of contagious diseases [ibid.: 115]. Instead of using nurseries, women asked their own mothers to care for their grandchildren during working hours. In the late 1940s and early 1950s, many grandmothers were not employed, and due to a housing shortage, many families with small children shared their household with the grandparents [ibid.: 115].

Paradoxically, even though nurseries were defined as preventive health-care facilities to keep children healthy in the post-war period of 1950s under the con-

trol of nurses and paediatricians, overcrowded hospital-like nurseries made it easy for illness to spread among children because nurseries were not designed to care for small groups of children.

The difference between the perception and the operation of nurseries and kindergartens can also be demonstrated in the following fact. Although the majority of the kindergartens and nurseries belonged to the regional governments before 1989, as early as 1950, 27% of nurseries were established and run by companies and cooperatives, but there were no company or cooperative kindergartens in 1950, and in the late 1960s they accounted for only 8% of all kindergartens [Bulíř 1990].¹³ This is just more proof that nurseries were one of the way of enlarging the workforce in the 1950s, especially in companies employing a large number of women, while kindergartens were established to provide uniform preparation for school education. This put nurseries at the centre of criticism of those who opposed women's labour market participation, while kindergartens avoided such criticism because in discursive, legal and practical terms they were connected with children's education rather than women's labour market participation.

To conclude, in the 1950s, there was a declaration of political will to increase women's labour market participation, but also to stop the decrease in fertility. In a 1956 survey, demographers asked whether perhaps these two political goals were not contradictory, whether there was a contradiction between the productive and reproductive roles of women. Based on the opinions of the population, which revealed that the public did not see the return of women to the household as a way of increasing fertility (instead they supported improved housing and the reduction of working hours), the researchers concluded that it was not women's participation in the labour market that was causing the birth rate to fall. The real issue was improving conditions to help working mothers, like building childcare facilities and gradually reducing the number of hours worked by mothers. However, the second proposal was quashed by the counter-argument that employers were not willing to employ people with shorter and longer working hours in the same workplace owing to problems with work effectiveness [Srb, Kučera 1959: 135–136; Jechová 2008].¹⁴

¹³ Company/cooperative childcare facilities were usually better equipped than public ones. Company trade unions and cooperative trade unions organised in the national Central Trade Union Council and the Central Cooperative Council were important in the process of establishing and in the functioning of company and cooperative childcare facilities.

¹⁴ Part-time work was applied even before the regulation of part-time work for mothers of children younger than fifteen years appeared in the Labour Code in 1956. Before 1989, the low willingness of employers to provide employees with part-time contracts

3.2. The End of the 1950s and the First Half of the 1960s: The Ideal Versus Reality – the Tension between the Various Objectives and Needs of Communist Society

The reference to employed women as being ‘incorrectly regarded as a hindrance to population growth’ [Srb, Kučera 1959: 124] indicates that this view existed in the public and that the ‘deficit in the number of children born’ in society was linked to women’s employment rather than with other possible causes or complex combination of causes. The possible effect that the employment of women had on fertility rates created tension. Officially, the ideal of the emancipated communist woman was declared, which was supposed to be a mother, independent of the patriarchal form of the family, that is, independent of the man as breadwinner and head of the family. Women’s economic activity was supposed to be a route to their independence. Women were supposed to be also caring mothers to meet society’s reproductive needs though.¹⁵ The tension can be illustrated by the following quotation from the early 1960s.

‘Harmonising the economic and maternal functions of a woman is an important political and social task, especially at present, when greater demands are being placed on both of these functions of women: on the one hand, the decline in the birth rate adds to the significance of their maternal function, and on the other hand, the increased need for labour places new demands on involving women in the production process...’ [Jureček 1963: 196–197]

To achieve these combined goals (women’s employment and women’s fertility) the state tried to implement some family measures.

The 1950s were marked by the notion of the emancipated woman, liberated from performing domestic chores and from caring and raising the children. These activities were to be transferred (entirely or largely) to society. The communist model of women’s liberation/emancipation included the proposition of

was mainly based in organisational problems. This applied especially in feminised occupations (education, healthcare, retail).

¹⁵ Drawing on systematic quantitative surveys, demographers tried to uncover the causes of the ‘low fertility rate’. They observed the planned number of children among married and childless women, compared these figures with reality, and sought the possible reasons for the disparities between plans and reality [see, e.g., Srb, Kučera, Vysušilová 1961; Prokopec 1963]. The studies showed that the willingness of women to have children decreased over time. The most important factors behind the low number of planned children and the number of children born in reality were identified as financial and material (‘the high expense of having children’, ‘unsatisfactory housing’, ‘trying to quickly increase the standard of living’) and individualisation and emancipation wishes (‘an unwillingness to make personal sacrifices’). The results of these studies served as the basis for the formulation of population policy in 1960s.

the emancipated/liberated household¹⁶ and the proposition of collective (non-family) care entirely or largely substituting care in the family (e.g. boarding nurseries – *týdenní jesle* or *jesle s nepřetržitým provozem* in Czech, institutes for infants – *kojenecký ústav* in Czech).¹⁷ In its less radical form it involved collective childcare as a supplement to caring for and raising children in the family, through the use of all-day nurseries, kindergartens, after-school clubs (*školní družina* in Czech), school canteens, etc.

Even in the 1950s, reservations or criticism of collective care for children existed. It was first directed at boarding childcare facilities and institutions for abandoned children because of lack of maternal care. This critique was raised by child psychologists. Citing findings from research conducted abroad but also domestic research studies, attention mainly turned to the psychological deprivation children in these facilities may experience and to the possible defects in their socialisation, as they may have no chance to form a strong emotional bond with someone close to them [see, e.g., Langmeier, Matějček 1959, 1963; Koch 1961]. In the first half of the 1960s, day nurseries – though not boarding nurseries – were viewed as ‘almost harmless’ [Langmeier, Matějček 1963: 234] from the perspective of a child’s psychological well-being. According to findings from domestic studies, day nurseries were not suited to between just 6% [Nováková 1957, 1959] or 9% of children [Mečtř 1955] who exhibited signs of hospitalism (a kind of psychological deprivation). However, among paediatricians and economists day nurseries were viewed negatively because of their frequent closure in response to the risk of spreading disease in the 1950s [Srb, Kučera 1959]. As demographers noted in late 1950:

‘There is growing distrust in the real purpose of these facilities. Criticism of them is strengthening, annoyance increasing, and a complexly disapproving view of the entire concept of such facilities is taking shape.’ [ibid.: 115]

Later, day nurseries began to be viewed negatively owing to the sickness rate of children attending these facilities [Dunovský 1971]. Moreover, possible psychological problems children may experience from spending long hours in nurseries started to be discussed in connection with day nurseries, too. A requirement was added in the 1960s that ‘psychological services’ be provided in these

¹⁶ The concept of the liberated household stemmed from the idea of transferring household work outside the home into the state-run service sector. However, this was a ‘project’ that in the circumstances of communist Czechoslovakia never came about. The supply of services was inadequate, limited in scope and geographical distribution. Moreover, paid household services were viewed as rather expensive, so they were only used to a small extent, as later research ‘Rodina a rodičovství’ from 1974 showed.

¹⁷ This concept was taken from Soviet theory and practical experience [see, e.g., Makarenko 1954].

facilities [Langmeier, Matějček 1963: 235]. Criticism of nurseries, including of the negative impacts on the health and psychological well-being of children, led in the 1960s to the introduction of policy measures such as the gradual extension of maternity leave and the introduction of additional maternity leave (*další mateřská dovolená* in Czech). This criticism influenced the public image of nurseries, which often prevails among the population to this day.¹⁸

From the above mentioned it is clear that, in the 1950s, childcare facilities were not seen as being psychologically harmful, with the exception of boarding nurseries, where children spent more time than the regular working hours of their parents and even stayed overnight. In the 1960s, the discourse on the possible negative impact of day nurseries on children's psychological well-being grew together with the medical discourse highlighting the high sickness rate of nursery children. Such critical professional discourse on day nurseries was connected to the fear of fertility decline and the economic ineffectiveness of nurseries and mothers' labour market participation. Interestingly, such criticism was connected to nurseries only. Kindergartens evaded criticism as they were seen as preschool education facilities rather than childcare facilities providing childcare solely for the purpose of helping mothers gain emancipation through paid employment.

Although the rate of women's employment in former Czechoslovakia was very high, including the employment of mothers with children under the age of three,¹⁹ the number of children in the relevant age categories who attended nurseries was relatively low throughout the entire communist period, though it did increase slowly over time (from 3% in 1950 to 13% in 1970, 14% in 1980, and 18% in the late 1980s). Based on the fact that some kindergartens accepted children under the age of three, it can be assumed that in the late 1980s about one-fifth to one-quarter of children under the age of three attended some kind of public childcare [see Bulíř 1990].

While relatively little use was made of nursery care, kindergartens enjoyed much greater popularity as preschool education facilities. Between 1950 and 1970 there was an increase in enrolment from 26% to 56% of the total population of children of this age. Along with this increase, the form of attendance changed. While at the end of the 1940s 80% of the children who attended kindergarten went to a facility with half-day services, at the end of the 1950s only 12%

¹⁸ The criticism of nurseries that dates back to the 1960s can be seen in current developments in public childcare services for children under the age of three in Central European countries of the former Eastern bloc, which now have among the lowest number of nurseries compared to other European countries (see data at <<http://www.unicef-irc.org/databases/transmonee/>> and <<http://www.oecd.org/>>).

¹⁹ See Chapter 2.

did, and from the second half of the 1960s almost all children were attending facilities with all-day service [ibid.].

3.3. From the Mid-1960s to the End of the 1960s: A Return to the Family²⁰

In the first half of the 1960s public opinion on women's employment was split into two groups [Marušiak 1964]. One group advocated the view that the main social function of women lies in the home and with raising children, while the second favoured women's activity outside the home and that they engage in paid employment.²¹ The main objection to the employment of women was that it leaves children without systematic care in the family.²² This applied not only to very young children, but also to older ones (the phenomenon of 'latch-key kids'²³).

In the 1960s public discussion turned to the issue of 'active motherhood', which defined the period during which a child requires constant, everyday presence and attention of a caring person-mother [Machonin et al. 1966: 558]. In the middle of the 1960s the prevailing opinion was that a child requires constant maternal care during the first year of his/her life, and eventually the opinion was voiced that in fact the optimal duration of such care is the first three years of a child's life [Marušiak 1964]. In 1966 it was countered that no studies existed to confirm what amount of maternal or collective care at a particular age is optimal [Machonin et al. 1966]. Nevertheless, the question had been raised and it remained on the table.

An opinion on women's employment gained ground claiming that:

'a woman's contribution to the national product by having two or three children and using the benefits of nurseries, kindergartens, etc., is less than the costs to society of taking care of children from these families' [Srb 1966: 24].

²⁰ A government strategy of providing education on parenthood was part of a return to the family (see Government Resolution No. 71/1966). This strategy went beyond the confines of the Ministry of Education to affect journalism, film production, and other areas of public interest.

²¹ Although the author never specified the numerical size of these groups, it would be erroneous to believe that the two groups were equal in size or had an equal opportunity to articulate publicly and make known their views in communist Czechoslovakia within the limited public debate.

²² Debates and studies on the theme of the potential negative impact of working mothers on children were carried out and pursued since the second half of 1950s [Kubička 1956].

²³ These were kids who after school were not in any after-school clubs, so they were without supervision by adults.

Researchers probed the net financial effect of a woman's employment on the family (expenditures incurred as a result of a woman working outside the home were deducted from the net income of a woman). The reference to the possible economic inefficiency of employing women with children or to the economic costs of institutional care for children shows that childcare and housework were still conceived as being the responsibility of women/mothers, and it was seen as 'normal' that women should perform these tasks in the domestic sphere for free.

During the 1960s the role of women with children began to be seen as lying more in the domestic than the public sphere. This became obvious from the mutually supportive professional arguments raised that began to formulate a new discourse, which was at odds with the official political and media discourse of women's emancipation that had prevailed in the 1950s. The newly forming alternative media discourse reflected this shift. The new discourse of the 1960s placed the emphasis on the family, pointed to 'a decline in the prestige of the family as in institution in society', and, for example, even criticised the consumer focus of young couples. These values and the emphasis in the new discourse were more than just evidence of a conservative outlook, as the ideal of unpretentiousness and the rejection of consumerism they contained suggests that, even though Czech society was and still is a society of citizens who in the majority neither practise nor hold any faith, it acknowledged its latent Christian value orientations.

Women's employment was seen as a possible cause of the low fertility rates among women, but also as the reason that young women were abandoning traditional roles in the domestic sphere, which gradually began to be described as a 'serious social problem' [Máchová 1970: 100; Nash 2005].

'Based on the results of sociological research we can confirm that they have cultivated a resistance to the traditional role of the woman in the household, that the life goals of young women have been distorted. Under the current circumstances this negative attitude towards domestic work is a source of tension... A young woman who is unable to achieve equality in the family demands the division of domestic work, demands cooperation in caring for the children. These demands grow proportionally with the position a woman occupies at work ... Women plan to insist on the man's assistance in the household no matter what the circumstances, in principle even if the husband were to describe his own work as urgent...' [Švarcová, Prokopec 1969: 504].

Arguments for the need to raise fertility rates, the ongoing criticism of women's employment, the emerging criticism of nurseries, and the rejection of this type of care by women resulted in 1964 in family measures designed to increase the birth rate. That year the rules governing the work of abortion commissions were tightened, and targeted pro-natal measures came into effect, with the exten-

sion of maternity leave from 18 to 22 weeks and the introduction of additional maternity leave for mothers with children up to the age of one [Bartošová 1978; Heitlinger 1987]. Whereas during the first 18 weeks of maternity leave a mother still received 75–90% of her net daily salary, and during the next 4 weeks she received a lower rate, the period of additional maternity leave was not paid at all at that time. At the end of the basic maternity leave the employer was required to allow a woman to return to the same job she had held before maternity leave, but at the end of the period of additional maternity leave the employer was only required to give her some job corresponding to her qualifications.

The results of research carried out before 1964 [see Kučera 1965] generated a belief that additional maternity leave would encourage the births of the second kids while the rejection of requests for an abortion would contribute to increasing the number of third-order births.²⁴ Based on the results of the research in 1964, one-third of women intended to take advantage of the opportunity for additional, unpaid maternity leave, but for financial reasons one-third planned to return to work immediately after the basic period of maternity leave was over [ibid.].

In conjunction with the extension of maternity leave and introduction of additional maternity leave, the discussion of the effectiveness of the employment of women with children grew in relation to the discussion of the economic efficiency of childcare facilities and to women's absenteeism from work owing to the need to care for sick children. These discussions were aired in the professional press [e.g. Čáp et al. 1964; Wynnyczuk 1965; Wynnyczuk, Prokopec 1965], but they also reached the pages of the mass media and the press read by the general public [e.g. Hájková 1965; Wynnyczuk 1965].

The extension of maternity leave and the introduction of additional maternity leave conformed with the basic principles of the Family Act (No. 94/1963 Coll.) that came into force in 1964, according to which it is the basic obligation of both spouses to ensure that the essential needs of the family are met, wherein work connected with caring for children and household was viewed as legal fulfilment of this responsibility by women and was regarded as work of equal value to men's gainful employment [Machonin 1966: 559]. The definition of both spheres as in principle of equal value legally broke down the patriarchal conception of the hierarchical relationship between these spheres, wherein the public sphere dominated and the private sphere was secondary.

²⁴ A survey conducted at the end of 1964 revealed that the introduction of these measures was followed by an increase in the number of unwanted third-order children (from 30% to 39%) and in the number of fourth-order children (from 41% to 70%), compared to findings in 1956. Planned and wanted third-order births were, at odds with expectations, more often born to employed women than to women in the household [Kučera 1965].

The complementary and non-hierarchical conception of equality between men and women did not correspond with the earlier concept of equality, which had one-sidedly referred just to women and in particular to support for their participation in public sphere.²⁵ The fact that this concept of equality between men and women was at odds with the real living conditions of people in the 'shortage economy'²⁶ under the totalitarian political regime reproduced the old inequalities and introduced new inequalities between men and women. Women were left with the responsibility of taking care of the children and the household, while nothing was added to the responsibilities of men in return. The fact that the earliest generation of working women during the communist period viewed paid employment as an economic necessity rather than as a possible means of self-fulfilment [Srb 1966] meant that in reality women acquired yet another burden.

The ideal of the economically independent woman was not universally accepted without reservations [True 2003; Funk, Mueller 1993; Heitlinger 1979; Gal, Kligman 2000]. Many women did not internally identify with it; it was not an ideal that reflected their 'needs' at that time. The ideal of the socialistically conscious and emancipated woman of the 1960s was above all a party ideal, an ideal of the official communist regime, and many women viewed that critically. On the other hand, a new generation of young women was emerging that, in their opinions, favoured equality in the household with regard to sharing housework.²⁷ This attitude was, among other things, connected with the rising education levels in the female population.²⁸

But even in the 1960s the question of men's participation in childcare was never raised as an issue. Throughout the communist period men were never referred

²⁵ The approach to the 'women's issue' made it obvious that childcare and housework continued to be defined as the concern, responsibility, and obligation of women. This was tied to the concept of motherhood as a purely biological matter in professional and public discourse, where motherhood was described as the natural function and role of a woman, while paid employment and the opportunity for women to play a role outside the family were seen as social functions and roles.

²⁶ In particular, the shortage of flats, the population's low incomes, the shortage of goods and services.

²⁷ Research results repeatedly showed that in the communist period the work burden of women was higher than the work burden of men. It was due to the second and third shift that women worked (see Chapter 2). At the end of the 1960s the amount of time spent on domestic work (not including time spent on the children) was 4.9 hours on average for women, which, after East Germany (5.5 hours), was the highest among the surrounding European countries [Bauerová 1970: 455]. At the start of the 1960s demographers estimated that the number of hours spent on housework in Czechoslovakia at that time was six milliard hours a year, which was more than the number of hours of work performed in the entire sector of industrial production [Srb 1967].

²⁸ See Chapter 2.

to in connection with childcare and work in the household in any other way than as ‘helpers’, and from a legislative perspective men were not equal with women in childcare [Hašková 2007a; Klenner, Hašková 2009].

At the end of the 1960s there were fears about the continued decline in birth rates. Pro-natal measures were introduced to combat this. In 1968 maternity leave was extended to 26 weeks and financial aid in pregnancy and motherhood was established at a level of 90% of the net monthly salary for the whole 26-week period. Moreover, from 1968 the child benefit ceased to be income tested and the age of ‘dependent children’ (i.e. children entitled to the child benefit) was raised to 26 [Bartošová 1978].

Even though the professional discourse that developed in the 1960s stressed the need to raise fertility rates, questioned the effectiveness of mothers’ employment, and made some criticism of nurseries, the 1960s was also a period of rapid increase in the number of all-day childcare facilities and the shortest all-day childcare provided by mothers at home in comparison to other periods under the communist regime. Professional discourse introduced the concept of ‘active motherhood’ and the claim to extend additional maternity leave up to three years and to connect it to financial support (maternity allowance). The Czechoslovak Union of Women (established and supported by the Communist Party) accepted the professional discourse in their Action Programme in the 1960s that reflected the double-burden on full-time working mothers, whose labour effectiveness was permanently criticised and whose work was unequally paid, while there was a shortage of childcare facilities, men were absent from care, and there was strong criticism of how nurseries operated. Some members of the Czechoslovak Union of Women even argued that the rise in women’s employment was not an adequate indicator of women’s emancipation and wanted care to occupy a position equal to paid employment. They argued for increasing the value of care and for granting mothers the opportunity to decide whether to care for preschool children at home or to use childcare facilities. However, others feared that the extension of additional maternity leave up to three years would have a negative impact on women’s position in the labour market and thus also on ‘women’s liberation’ [Čákiová 2005; Jechová 2008].

3.4. The Normalisation Period in the 1970s: Turning from the Issue of Women to the Issue of Children

At the start of the 1970s more pro-natal measures were proposed. They were designed to make it easier for women to combine work and have a family, measures that pursued the pragmatic objective of ‘improving the population sit-

uation' [Wynnyczuk 1969: 303–310]. In the 1970s additional maternity leave was extended to two years (Act No.107/1971 Coll.) and a maternity allowance (*materšký příspěvek* in Czech) was introduced for the period of additional maternity leave. At the beginning of 1970s the maternity allowance was provided during the child's first year if the woman was also looking after another dependent child, if she was a lone mother, or if the child was adopted or disabled. The maternity allowance was set at around one-quarter of the average monthly salary, and it increased with the number of children. The introduction of the maternity allowance was viewed at the start of the 1970s as 'society's valuation of maternity' [Dunovský 1971].

In the 1970s, the state introduced other pro-natal measures, such as the bureaucratic allocation of housing, in which married couples with children were given preference; interest-free loans for young married couples with children born shortly after their wedding; youth saving schemes, and advantageing women in calculations of the entitlement of the old-age pension depending on the number of children.²⁹ Besides direct social benefits³⁰ families were also provided with various indirect benefits, such as housing deductions, travel cost deductions, and tax deductions for each child. Families were likewise supported by means of indirect subsidies, such as the subsidisation of nurseries, kindergartens, and snacks or meals at day-care institutions and schools, and the free provision of teaching aids and especially textbooks. Even though the population policy of the 1970s included financial, housing, and public childcare measures, other tools, such as part-time jobs, 'positive flexibility' in the labour market, and household services were not incorporated into the population policy.

While pro-natal measures, which came into force at the beginning of the normalisation period, were consistently prepared as part of economic and social reforms since the early 1960s, we cannot ignore the wider context of their implementation. After the Soviet termination of democratisation trends in the Czech society in Prague spring 1968 (when the Warsaw Pact troops entered Czechoslovakia to stop the democratisation movement), the state tried to appease the public by focusing on consumption and directing people's attention towards their private rather than public life. It was not 'Western-type' individualistic consumption that existed in Czech culture at that time but rather 'family consumption', as

²⁹ The retirement age of women varied depending on the number of children they had. Women with (more) children were entitled to the old-age pension earlier than men, childless women, and mothers with a smaller number of children.

³⁰ Before the 1970s deductions were not recorded in official state expenditure statistics.

documented in many popular films and soap operas about those years.³¹ Under the circumstances of (a) limited opportunities to travel, study, or build a career, (b) a relatively easy path to parenthood compared to many West European countries, given that some of the financial and labour market obstacles that young people usually face were partly solved by the state (loans, state apartments, no unemployment, etc.), (c) the fact that marriage and parenthood were the first steps towards obtaining a flat and the first steps towards adulthood (leaving the parental home), and (d) a perception of the family as the only place beyond state control and the pro-natal measures introduced in the 1970s, there was a sharp though short-lived increase in fertility (the baby boom of the 1970s) [Hašková 2007b]. In comparison to previous periods under the communist regime,³² these years are known as a period of relative sufficiency, even though reciprocal aid between family members still played a very important role in providing informal services to make up for the underdeveloped economy.

Although additional maternity leave was introduced already in the mid-1960s, both the relative and the absolute number of women on maternity leave and additional maternity leave increased in the early 1970s, when many pro-natal measures were introduced and the fertility rate grew. Another increase in the number of women on maternity and additional maternity leave – in the late 1980s and early 1990s – was influenced by the extension of additional maternity leave up to the age of three of the child in 1989³³ and the amended legislation on the maternity allowance in mid-1980s³⁴ and in 1990.³⁵ The absolute number of women on maternity and additional maternity leave started decreasing rapidly during the 1990s as a result of the abrupt drop in the fertility rate.

³¹ See McCajor Hall and Read [2006] for more information on two different pictures of Czechoslovakia in the 1970s: a picture of one of the most orthodox Marxist-Leninist societies in Central and Eastern Europe and a picture of one of the most industrialised countries of the region (and later one of the most successful 'transition economies' in the region).

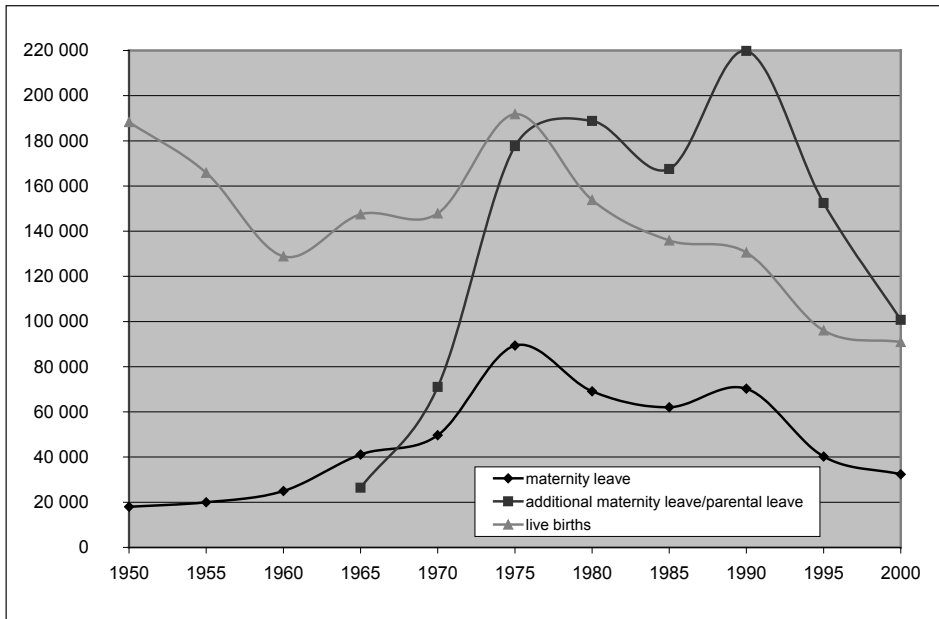
³² At the start of the 1970s, 'new social problems' were defined as the spread of the 'only child' phenomenon, increase in the number of extramarital births and the high divorce rate [Srb, Kučera 1973: 336–347].

³³ As early as the mid-1970s pregnant women and mothers with children under the age of three could only be fired in exceptional cases.

³⁴ The maternity allowance was paid up until the child was one year old, in the case of an all-day caring mother (or lone father), regardless of the number of children, the marital status of the mother, the health status of the child, etc.

³⁵ The maternity allowance was renamed as parental allowance and was paid up until the child was three years old for an all-day caring parent, regardless of the number of children, the marital status of the parent, the health status of the child, etc.

Figure 3.2. Number of employed women on maternity leave and additional maternity leave



Source: Czech Statistical Office at <www.czso.cz>.

Note: No data are available after 2000.

At the start of the 1970s the age at which it was deemed possible (or even appropriate) for a child to begin attending nursery was eighteen months [Dunovský 1971: 155] but the additional maternity leave was offered until two years of a child’s age. Attendance at nurseries remained relatively low throughout the communist period, even despite the initial political support for it. The low rate of attendance at nurseries was ascribed to critical view of it, the sparse network of available facilities, and thus their inaccessibility.

The debates on nurseries and the criticism of this form of care for small children during the 1960s in both professional and public discourse contributed nothing to help alter this negative view. Yet, according to research from the start of the 1960s, the mothers who used nurseries were just as or slightly more satisfied with the care services provided at nurseries as they were with the care provided at kindergartens (88.7% as opposed to 87.3%). The sickness rate of children at nurseries was viewed as a problem by 8.4% of women questioned at the time (compared to the figure of 4% with respect to kindergartens) [Prokopec 1963: 116]. The tone of professional paediatric discourse, however, was differ-

ent and saw the high sickness rate among children as not just a medical issue but also a serious economic problem.

However, the reasons for the absences of children from nurseries were monitored between 1953 and 1967, and sickness always ultimately ranked as the second main reason, after ‘family reasons’. The percentage difference between these two reasons was sometimes only marginal as in 1957 but at other times was as large as ten or more percentage points [Dunovský 1971: 155]. Children enrolled in nurseries were on average absent for 26 days a year (in 1953) and at the most 35 days a year (in 1966) [ibid.: 155].³⁶ In addition to the disadvantages of a high sickness rate, Dunovský [ibid.] also cites the positive effects of nursery care.

According to the results of his study in 1967, children between the ages of two and three who attended nurseries were better socialised than children who remained at home [ibid.]. However, the author of the study also noted the need to reduce the length of time a child spends at a nursery (from the usual 9 to 6 hours), the need to support part-time work for women, and the need to approach each child individually, in a manner that takes into consideration the child’s adaptability and individual ability and needs. At this time nurseries ceased to be seen as just a means of assistance for working women and began to be viewed as a complementary part of raising children in the family and not as a substitute for family care [Kaprás, Prokopec 1971: 62], the same way in which kindergartens were viewed.

In this respect it is interesting to compare the beginning of the section that refers to preschool facilities in the 1960 Education Act, which states that:

‘In line with the aims of developed communist society children from the earliest age up to six years of age also receive adequate preparation for basic education in nurseries and kindergartens, which will help the family with the broad care of children and provide for women’s active participation in public life and work for society, and thus will contribute to women’s full development and exercise of all their abilities and interests,’

and the beginning of the section on preschool facilities in the 1978 Education Act, which states that:

‘The aim of preschool facilities (that is, nurseries, kindergartens, joint nursery and kindergarten facilities, and preschool children’s centres) is to help chil-

³⁶ No comparison exists of what the sickness rate of children in kindergartens was at that time, institutions that were positively received by the public and which, unlike nurseries, were attended by many more children. There is also no comparison of what was the sickness rate of children who entered a kindergarten with no previous experience of attending a nursery.

dren to develop a foundation of knowledge and skills; to develop their language, thinking, and interest in games and adequate work and learning; and to prepare them for their entry to school.’

The latter act also notes that: ‘Preschool training is performed in close cooperation between the family and preschool facilities.’

While the first act interprets preschool facilities as assistance to families and especially women, consequently allowing them to participate actively in the public sphere, the second act interpreted it as an instrument to prepare children for school. Here, the accent had shifted from women to children. It can be summarised that in the 1970s there was a shift from ‘the women’s issue’ to ‘the children’s issue’ in the public and professional discourse on preschool facilities.

The 1970s also witnessed substantial changes in the structure of the female workforce.³⁷ Already in the 1970s more women than men were graduating from secondary schools and completing secondary education with the school-leaving examination. Moreover, at the start of the 1970s, already 7% of women aged 25–29 had a university education compared to 8% of men. Thus, during the 1970s, and more so in the 1980s, childbearing, family formation, and work-life balance strategies of couples of university graduates also began to be an issue.

3.5. The 1980s: A Half-Hearted Look at Men

Even though there were changes in the labour market, the educational structure, and in the discourse and legislation surrounding childcare, until the end of the 1980s the trend continued towards an increasing proportion of children attending nurseries, as well as kindergartens and after-school clubs for young school-age children. The lack of public childcare facilities or the unwillingness to use them was compensated for with unpaid care provided by grandmothers. Private paid arrangements of childcare could be obtained too but they were not common as a form of full-time everyday childcare, though there did exist something known as the ‘adopted grandmother’ – a paid woman retiree.³⁸

In the 1980s the opportunity for women/mothers to remain at home with their children was extended to a period of three years (for children born after 31 December 1987). In the 1980s the question of men’s participation in care was also raised. Until the mid-1980s men were not entitled to childcare leave and allow-

³⁷ In the 1950s, women worked mostly as factory workers or in agriculture; in the 1960s, they increasingly moved out of those jobs into low-paid non-manual jobs.

³⁸ Since the 1960s, it was possible to pay sickness and old-age pension insurance for such a person providing childcare.

ances in connection with care-giving on leave. From 1985 till 1989 lone men were entitled to additional maternity leave. In 1987 financial aid in pregnancy and motherhood was also given to any man whose wife for health or other serious reasons was unable to care for the child. In the case of maternity allowance – *mateřský příspěvek* in Czech (parental allowance – *rodičovský příspěvek* in Czech since 1990) and additional maternity leave – *další mateřská dovolená* in Czech (parental leave – *rodičovská dovolená* in Czech since 2001), it was not until 1990, though, that men received the entitlement to both of these measures without testing of their family status.³⁹ The number of men who remained at home to care for their children was never recorded in official statistics during the communist regime. It can be assumed that under the conditions at that time the number would have been negligible.

In sum, in the 1980s family measures relevant to the issue of work and care concentrated mainly on extending the period during which mothers could remain at home to care for preschool children. Even though fathers received some rights to care for their children in the 1980s, their status as care-givers was not equal to that of mothers and they continued to be perceived as only ‘secondary care-givers’. Flexible, family-friendly forms of work were outside the scope of attention of pre-1989 measures. Mothers usually returned to work full time after completing additional maternity leave, which in the late 1980s was extended to up to three years for each child. Nevertheless, mothers encountered negative reactions from their bosses when combining motherhood and employment. Their status as only ‘secondary breadwinners’ was reproduced and supported by the family measures that existed in the 1970s and 1980s.⁴⁰

³⁹ Moreover, it was not until 2008 that men received the entitlement to financial aid in pregnancy and motherhood (*finanční pomoc v těhotenství a mateřství* in Czech) and maternity leave (*mateřská dovolená* in Czech) without testing of their family status.

⁴⁰ Based on research from 1972, only one-tenth of mothers expressed satisfaction with their boss’s approach to combining motherhood and employment. More than one-half stated that their boss partly understood combining motherhood and employment, and one-third felt that combining work and a family engendered serious problems for them at work [Wynnyczuk 1974]. Compare Wynnyczuk’s findings with Junková’s findings on lone mothers from the mid-1970s, quoted in Chapter 4. While mothers in two-parent families were seen as only ‘secondary breadwinners’, lone mothers were seen as primary breadwinners. Employers and nursery and kindergarten directors seemed to support lone mother’s labour market participation (see Chapter 4).

3.6. Reinforcement of Gender-Conservative Discourse in Family Policies after 1989

The political changes in the late 1980s were followed by a general increase in gender-conservative rhetoric in the region of Central and Eastern Europe [Saxenberg, Sirovátka 2006; Weiner 1998; Crompton 2006]. This was partly influenced by the experience with the communist concept of women's emancipation that was rooted in the androgynous conception of equality and in the principle of collectivism rather than individual development [Kiczková, Farkašová 1993]. Thus, women's individual self-realisation was secondary to the advancement of society as a whole and that resulted in the double burden of women as the universalising of social roles in the employment sphere was not accompanied by the de-gendering of habits and roles in the private sphere.

In the Czech Republic, when the country began encountering its very first problems with unemployment, many politicians made reference to the high level of participation of women in the labour market and deployed an explicitly gender-differentiated approach to social roles in which men were defined as breadwinners and women as primarily caregivers. There was also widespread anti-feminist discourse in articles written by well-known public figures returning from exile, who 'informed' the Czech public of 'the adverse effects of feminism' in the West.

According to Jiřina Šiklová, there were more profound reasons for the repudiation of feminism in the Czech Republic during the 1990s, which she identified as follows: First, the history of the Czech Republic resulted in greater cohesion between men and women and the subjection of women's interests to national ones. Second, the recent communist past made men and women allies against the totalitarian state. Third, it was the contemporary economic situation, specifically, the stable rate of unemployment in the early 1990s compared to the situation in other post-communist countries, and the relatively effective social safety net, which eliminated high poverty risks during the transformation era. And fourth, what inhibited feminism in the Czech Republic was the distorted vision of the West [Šiklová 1997: 263].

This reaffirmation of family conservatism and the traditional definition of gender roles in the early 1990s was manifested not only on the rhetorical level but also in the changes made to social and family policies in the early 1990s. During the 1990s the measures to encourage women⁴¹ to stay at home longer af-

⁴¹ Until 1990 all family measures explicitly applied only to women or lone fathers. After 1989 the tendency was to use neutral language in the formulation of measures concern-

ter the birth of a child were introduced implicitly as strategies to reduce tensions in the labour market and explicitly to redress the imposition of mandatory labour participation on women during the communist regime [Křížková 2005; Víšek 2006]. The Czech Republic has two-step childcare leave, consisting of maternity leave accompanied by financial aid in pregnancy and motherhood and parental leave (before 2001 additional maternity leave) accompanied by parental allowance (before 1990 maternity allowance). While maternity leave and financial aid in pregnancy and motherhood remained more or less unchanged,⁴² the major changes concerned parental leave and parental allowance. Already in January 1989 additional maternity leave was extended until a child reaches the age of three,⁴³ and in 1995 the entitlement to the parental allowance was prolonged to four years,⁴⁴ but the period of time during which a parent retained the right to return to his/her original employer and to a position corresponding to his/her original job contract was not likewise extended. In practice this had negative consequences on parents' returning to the labour market, as employers are obliged to take the parent back only if she/he stays at home to care for a child up to the age of three. Due to the limited capacity of kindergartens and the fact that kindergartens usually accept new (at least three-year-old) children only in September, mothers are compelled to stay at home with the children beyond their children's third birthday.

According to the survey 'Women in the Social Structure' carried out in 1991, the average time spent at home with a child throughout the communist period was 2.4 years per child. The median value was 2 years per child, which may be more accurate, owing to the rather high deviation rate during that period, especially in the 1950s. One-third of mothers who gave birth to their first child in the

ing childcare. Nevertheless, given the existence of structural constraints like the gender pay gap, the glass ceiling, and traditional expectations in society and among employers, family policy still has a clear gender-differentiated impact.

⁴² Since 1995 women have been entitled to 28 weeks of maternity leave with financial aid in pregnancy and motherhood of 69% of the individual daily wage base, calculated for every calendar day, with a maximum daily amount. Until the end of 1992 it was 90% of the daily net salary, calculated for every working day. The logic was to compensate the loss of salary while absent from the labour market for the purpose of caring for a small child.

⁴³ Act No. 188/1988 Coll., in effect since 1 January 1989. Before 1990s, only all-day caring mothers with at least two dependent children or an adopted or a disabled child or economically inactive husband were entitled to three-year maternity allowance. Since the Act No. 382/1990 Coll., parental allowance was given to any all-day caring parent up to the child's three years of age without testing the number of dependent children in a family or health and family status of the child. Only one parent in the family could receive parental allowance.

⁴⁴ Act No. 117/1995 Coll.

1950s stayed at home for 1 year or less with the first child and about one-third of mothers who gave birth to their first child in the 1950s stayed at home for more than 3 years with their first child. This suggests that at the beginning of the communist period behaviour varied. In the 1960s the average time spent at home was 1.8 years per child, and in the 1970s and 1980s 2.0–2.1 years per child.

From 1987 to the present, according to the survey ‘Parents 2005’, the average number of years spent on maternity and parental leave altogether is 2.8 years per child. The median value is 3 years per child. On average one-fourth of women stay at home longer than 3 years, and 40% stay two to three years on average per child (see Table 3.1). This increase in time spent on parental leave has partly been affected by the changes to the family policy, but the macroeconomic problem of rising unemployment in the 1990s and the discourse stressing that a mother shall care for a child for the first 3 years of the child’s life have presumably also played a role. During the communist period women assumed the majority of the responsibility for the household and child rearing. The institutionalisation and gradual extension of additional maternity leave and maternity allowance to up to 3 years per child contributed to reproducing the explicit feminisation of the private sphere and to legitimising the gender division of labour in the public sphere.

Table 3.1. The number of years that mothers spend on maternity leave and additional maternity leave (parental leave) according to the period when their first child was born (in %)

Period the first child was born	Number of years spent at home on average per child (in %)				
	Maximum of 1 year	More than 1 year, but a maximum of 2 years	More than 2 years, but a maximum of 3 years	More than 3 years	Total
Child born 1950–1959	34	17	13	36	100
Child born 1960–1969	42	34	13	11	100
Child born 1970–1979	25	42	24	9	100
Child born 1980–1989	21	47	26	6	100
Child born 1987 and later	12	24	40	24	100

Sources: For the first child born, 1950–1989, ‘Women in the Social Structure 1991’ survey; for children born in 1987 and later, ‘Parents 2005’ survey.

While the introduction and extension of additional maternity leave and maternity allowance for all-day caring mothers under the communist regime did not endanger the position of women in the gender-segmented labour market, after 1989 this policy brought about a high risk of unemployment for women. The risk consequently translated into an increase in the proportion of unemployed women out of the total number of women of childbearing age compared to the proportion of unemployed men out of the total number of men in the same age categories. Moreover, women with small children constitute one of the most endangered groups with regard to discrimination in the labour market and they are stigmatised as an ineffective labour force.⁴⁵ For many mothers with preschool children, the rigidity of the labour market is one of the reasons that they stay at home (and remain outside the labour market) for a longer time.⁴⁶ A comparative international labour-force survey published by the European Commission (2006) showed that motherhood has a very significant impact on the employment of Czech women, influencing their withdrawal from the labour market. The indicator measuring the difference in the employment rates of women between the ages of 20 and 50 who have children aged six or under and those who do not, shows that the withdrawal of mothers in this age group from the labour market is the highest among the EU countries. During this period in life, the difference in the employment rates of Czech mothers with small children and women of the same age without children is roughly 39 percentage points, while the average value of this indicator in the countries of the EU is a difference of 14 percentage points. This means that in the Czech Republic, for mothers of preschool children, it is in reality more of a choice between full-time employment (if the mother has access to a childcare facility) under the terms dictated by the employer or exiting the labour market to stay 'full time at home' for a period of time than it is a choice between various working arrangements for the employee enabled by the employer.

Since the start of the 1990s the availability of childcare facilities has dropped sharply. The availability of nurseries in particular was cut back, with the number of public nurseries falling from 1043 in 1991 to 54 in 2007, and with the total capacity today just enough to accommodate 3% of the total number of children who would have been placed in such facilities at the end of the 1980s. Nowadays in the Czech Republic only about 0.5% of children under the age of three attend nurseries [Kuchařová, Svobodová 2006]. The fact that since 1991 nurseries have no longer been included among preschool facilities (see Act No. 390/1991

⁴⁵ The sociological survey 'Parents 2005' indicates that 10% of mothers who wanted to return to the labour market after parental leave between 1995 and 2002 remained unemployed [Hašková 2006].

⁴⁶ See Chapter 2.

Coll.) and are governed by the Ministry of Health (as a result of how nurseries were developed under the communist regime) contributed to the drop in the number of nurseries. Since then, only kindergartens have continued to be considered as preschool facilities (i.e. having the objective of preparing children for school). Thus, only kindergartens receive state support from the Ministry of Education, while nurseries receive no state support. Consequently, fees in nurseries have risen considerably, and nurseries exist only in large cities.⁴⁷ The number of kindergartens has also decreased since the beginning of the 1990s, but less dramatically than nurseries. Although state budget expenditures increased continuously during the 1990s, the relative share of financial assistance to families and the amount of social benefits decreased. The relative share of expenditures on the parental allowance out of gross domestic product was on the decrease until 2006,⁴⁸ and the relative share of expenditures on material aid, benefits, and disability benefits decreased to 2.5% of GDP in 2006 [Višek 2006]. Czech policy makers have opted for an approach, wherein the extended period of entitlement to parental leave and parental allowance is seen as cheaper than supporting child-care facilities. This approach is ineffective in the long run, because the price of pursuing it is a decline in fertility rates, the ageing of the population, an increase

⁴⁷ Compare similar the historical development of nurseries in Slovakia, Hungary, Poland and the states of the former USSR. Nurseries were considered preventive health-care facilities according to the Soviet model in these countries since the 1950s. Even though nurseries were included among pre-school facilities and so-called joined facilities of nursery and kindergarten were built in the 1960s, subsequent family policy focused on extending maternity leave and the proposed full inclusion of nurseries under the Ministry of Education has still not happened since then. Nurseries remained under the control of the Ministry of Health and they were even excluded from the category of pre-school facilities in the conservative era of the early 1990s.

Such a large decrease in the number of nurseries cannot be explained solely by the decline in the birth rate, even though the total fertility rate in the Czech Republic fell from 1.8 children per woman in the late 1980s to 1.3 children per woman in the mid-1990s, ranking the country among those with the lowest fertility rates, a position it has retained to date. To a large extent, the lower fertility rate has been caused by the postponement of parenthood to a later age, in particular among women with higher education. Compare similar development in the fertility decline and the decline in the number of nurseries during the 1990s in the other countries of the former Eastern bloc.

In fact, providers of nurseries and parents using nurseries are currently discriminated by the state because nurseries receive no state support and parents using nurseries lose entitlement to parental allowance. If a parent works (or does not work) and does not use a nursery or a kindergarten, she/he may receive parental allowance up to their child's fourth birthday. If a parent works (or does not work) and uses a kindergarten, she/he loses entitlement to the parental allowance but pays a very low kindergarten fee because kindergartens are state-subsidised and their fees are kept low by legislation.

⁴⁸ In 2006 the relative share of parental allowance out of the gross domestic product was 1.37% [Višek 2006].

in poverty amongst families with small children, the long-term unemployment of women, and greater gender inequality in society.

Owing to the decrease in the number of nurseries and kindergartens it became more difficult for parents to obtain institutional day-care, especially for small children under the age of three. The percentage of children younger than three attending kindergartens actually increased in the second half of 1990s, although after 2000 it gradually started to be difficult to find a place in a kindergarten even for children over the age of three [Kuchařová, Svobodová 2006]. Many women have been faced with the either-or choice: either stay at home or pay for private childcare, which is too expensive for most Czech families. Different studies have shown that private care is used by only 1–2% of parents of preschool age children and a similar number of parents use rotating babysitting arrangements, where parents alternate in looking after their own children and the children of other parents in turn. However, in both cases, these are usually older preschool children [see, e.g., Ettlerová 2007]. The long period of parental leave combined with the low parental allowance serve to reinforce traditional gender roles and do not motivate men to take part in childcare. Although since 1990 all men have been entitled to the parental allowance,⁴⁹ until 2001 they were not entitled to parental leave (until 2001 called additional maternity leave), and thus the Labour Code granted them no protection against losing their job, and they had no right to return to their original employer.⁵⁰ In 2004, 98.9% of the recipients of the parental allowance were women.⁵¹ In practice it is mostly women who stay at home to care for children, often for financial reasons, and because of the importance of the higher (usually man's) wage for the family budget. In 75% of families men earn more than women, and so it is financially more profitable for most families if the woman takes parental leave.⁵² Hitherto, there is no legal institute of paternal leave or parental leave reserved for fathers, which, based on experiences in other countries, could encourage men to participate more in caring for their children during the period of early childhood.

Owing to the continuous decline in the number of kindergartens and the simultaneous increase in the number of childbirths since 1999 – the postponed childbirths of the baby-boomers from the mid-1970s – there has been an increase in

⁴⁹ See Act No. 382/1990 Coll. on the parental allowance in force since 1 October 1990.

⁵⁰ This discrepancy was changed by Act No. 155/2000 Coll. (amendment of the Labour Code), in effect since 1 January 2001.

⁵¹ The parental allowance is paid during parental leave, i.e. after the maternity leave of 28 weeks. The gender structure of leave-takers has been rather constant. In 2001, 99.2% of the recipients of the parental allowance were women and in 2004 the figure was 98.9% [Women and Men in Data 2003, 2005].

⁵² In 2004 the gender wage gap was 19.1% [Women and Men in Data 2005].

the number of outstanding applications for enrolment in a kindergarten. This situation also complicates the possibility of parents with children under the age of three, who are even less likely to be accepted at a kindergarten, to achieve a work-life balance. These institutional conditions have a fundamental impact on the outcomes of the new reform of parental allowance policies. At the beginning of 2008 three models of parental allowance were introduced, allowing parents to choose whether they wish to draw the allowance for a two-, three-, or four-year period, with a correspondingly adjusted allowance sum.⁵³ Nevertheless, the two-year model is only offered to parents whose gross monthly salary is higher than approximately 16 500 CZK. In 2006 the median value of women's wages was 17 310 CZK, which means that almost one-half of women do not meet this requirement. Moreover, the capacity of childcare facilities is insufficient, and according to government statements there is no plan to increase their capacity. Consequently, it is unlikely that the parents of a two-year old child who wish to return to the labour market would find a place for their child in a public kindergarten or nursery. The possibility of using the two-year model of parental allowance is only designed for well-off parents, who on the one hand meet the income limit and on the other hand can afford to pay for private childcare. The government is not willing to give any support to nurseries because in the government's view, nurseries are a relic of the communist period. Moreover, the government is not willing to increase support to kindergartens because it would cost them money. Instead, the government calls for increasing the amount of help offered by neighbouring parents caring for small children, i.e. the privatisation of childcare.⁵⁴ Because in the communist period care for children under the age of three was provided in nurseries, which, according to the Soviet model, were defined as preventive health-care facilities, the current legislation requires that any care-givers providing a paid service of care for children under the age of three have a certain level of medical education. This legislation (influenced as part of the pre-1989 policies and discourse) contradicts current governmental efforts to privatise childcare in the form of help provided by neighbouring mothers with small children. Thus, the government proposed a plan to reduce the educational requirements for care-givers so that paid childcare can be provided more often by neighbouring mothers.⁵⁵

⁵³ The parental allowance is graduated: 11 400 CZK per month in the case of the two-year model (up until the child is two years old), 7600 CZK per month in the three-year model, and 7600 CZK in the four-year model during the first 21 months after maternity leave and the 3800 CZK for the next two years.

⁵⁴ See, e.g., Haukanes and Pine [2005], Einhorn [1993] and Hann [2002] for more information on privatisation of welfare institutions in Central and Eastren Europe after 1989.

⁵⁵ See the website of the Ministry of Labour and Social Affairs <<http://www.mpsv.cz/cs/603>>.

The interplay of these institutional conditions and the low amount of the parental allowance have put parents caring for small children at a greater risk of poverty: families with small children and lone-parent families are two of the three groups with the lowest living standard in the Czech Republic (Křížková 2005: 51). Moreover, as mentioned above, it is not just up to the parents to freely choose to stay at home longer than three years, as this decision is partly influenced by the lack of places in public childcare facilities for children. In the new system, introduced in 1 January 2008, parents who were unemployed before they had a child are implicitly pushed into staying at home for four years.⁵⁶ Although in 1990 a limit was set on obtaining extra income while receiving parental allowance, this was initially more of a symbolic amount.⁵⁷ During the 1990s the amount of the parental allowance and the limit on extra income both increased, but the relative amount of the parental allowance in relation to the average gross monthly salary decreased (in 1994 it equalled 21%, in 2004 about 17%). This situation made care-givers economically dependent either on their partners or on the state social support and state social assistance systems, which contributed to stigmatising them. Moreover, the changes made to family policy in these years seemed somewhat ad hoc in nature, making the system less transparent and more complicated.⁵⁸ Some family policies clearly served the populist purpose of win-

⁵⁶ The reform of parental allowance sets three possible modes of drawing on parental allowance – the longest possible option, up to four years, is the least financially favourable. Moreover, job protection lasts only for three years. Parents not entitled to financial aid in pregnancy and motherhood or to sickness insurance (i.e. unemployed before the childbirth) have no other choice than to choose the four-year mode of parental allowance, which limits the amount of time they can place their child in public day-care institution to just five days a month, or to four hours a day when the child is over the age of three. Kindergartens and nurseries do not accept children who cannot attend childcare facilities regularly if they have enough regularly attending children of employed parents. Thus, mothers unemployed before childbirth face limitations on being able to work even after childbirth.

⁵⁷ Before 1990 it was not possible to earn extra income while receiving the allowance, the exception to this being lone mothers if they were unable to find a place for their children in a public childcare facility and they had to pay for private childcare (i.e. if a grandmother or another relative cared for the child, the mother lost her entitlement for the allowance).

⁵⁸ Many changes also occurred in the child benefit system. Since 1995 the child benefit is an income-tested state social support benefit. There are more levels and the amount of the benefit is calculated towards a child's minimum living expenses. As of 2007 families with a family income surpassing four times the family minimum living expenses were not entitled to child benefit. The reform of public finance introduced by the coalition headed by the Civic Democratic Party (ODS) on 1 January 2008 calculates the child benefit as a fixed amount with no relation to the child's minimum living expenses. The real value of the child benefit decreased (especially for families with a family income up to 1.5 times the family minimum living expenses) and it will not be automatically valor-

ning more voter support.⁵⁹ Since 1 January 2003, parents receiving the parental allowance have been allowed to earn an unlimited amount of income, on the condition that a child under the age of three spends no more than five days a month in a public childcare institution and a child between the ages of three and four no more than four hours a day or five days a month. The biggest change to the parental allowance was made in 2006 (coming into effect as of 1 January 2007), when the construction of the parental allowance was changed and the level became tied to the average monthly salary in the non-business sphere. In 2007 the allowance was set to 40% of the average monthly salary. Nevertheless, the system of the parental allowance and other family benefits was changed as part of the reform of public finance initiated by the government, headed by the Civic Democratic Party (ODS). Since the beginning of 2008, the parental allowance and, for example, the childbirth grant and the child benefit have been set at a fixed amount, without any valorisation system for the future, which decreases their real value.

Given that there are almost no nurseries or other (non-family) arrangements that represent a financially accessible option for parents who need to provide care for a child under the age of three, and given the combined institutional terms of three-year parental leave and up to four-year parental allowance (mostly taken by women), parental care (usually provided by the mother) is the predominant form of care for children under the age of three. Czech psychologists play up the importance of a parent (usually the mother) personally caring for a child during the first three years of his/her life and they have a relatively significant influence on the perception of care arrangements.⁶⁰ In the Czech Republic the age of three is dogmatically defined as the dividing line between family and non-family childcare. However, foreign psychological studies largely con-

ised every year. Families with a family income more than 2.4 times a family's minimum living expenses are not entitled to a child benefit anymore. For more information, see <<http://www.mpsv.cz/>>.

⁵⁹ For example, the childbirth grant. In 1995 the terms of the childbirth grant changed and the amount was set as four times a child's minimum living expenses. The calculation was increased several times and in 2006 the Social Democratic coalition government passed a law (in force since 1 January 2007) that increased the childbirth grant to equal a child's living expenses multiplied by the coefficient 11.1. Nevertheless, the reform of public finance introduced in 1 January 2008 again reduced the amount of the childbirth grant, which is now fixed and will not be valorised every year.

⁶⁰ For example, J. Šturma, J. Zeman and F. Schneiberg. This conservative discourse univocally prevails in Czech psychology. It was reaffirmed at a conference on 'Early Childcare between the Family and the State', organised by the Ministry of Labour and Social Affairs in November 2007, where Czech psychologists (shadow advisors on childcare issues to Czech right wing government) opposed diverse foreign experts.

cur that the quality of the bond between a parent and a child is not threatened if a caring parent returns to work when the child is two years old, and there are no irrefutable findings that the age of a child at the start of non-family care has an impact on the quality of this bond. On the contrary, high-quality non-family care may, when necessary, compensate for low-quality parental care in terms of emotion and the development of a child's skills [see, e.g., Dornes 2007; Howes 1999; Hungerford et al. 2000; Harvey 1999]. According to Dornes [2007], high-quality public day-care institutions can also help make up for the disadvantages of children from poorer families. In short, state support for public childcare facilities is consequential not only with regard to gender equality but also with regard to the equal opportunities of children from different family backgrounds.

Most children in the Czech Republic begin to become acquainted with institutional care at the age of three, and from the age of four institutional care takes priority over family care with regard to the amount of time spent in preschool facilities on weekdays. Today, kindergartens are used by 93–94% of all four-year-olds and five-year-olds, more than three-quarters of all three-year-olds, and one-quarter of all two-year-olds. In sum, 9% of children under the age of three years are registered in a childcare institution and 85% of those aged three to six do [Kuchařová, Svobodová 2006].⁶¹ If the current trend continues, it is not likely that the Czech Republic will meet the Barcelona criteria signed at a meeting of the European Council in Barcelona in 2002, according to which by 2010 childcare facilities should be available for at least 33% of children under the age of three and 90% of children aged three to six.⁶²

The right-wing government is not willing to meet the Barcelona criteria. The Czech presidency of the EU in 2009 started with a European meeting of ministers organised by the Czech Minister of Labour and Social Affairs in order to start a critical debate on the Barcelona agreement and to support each EU member state's authority over its family policy. His speech made it clear that Czech government is not willing to change its gender-conservative childcare policy that favours mothers' childcare and hinders the development of quality childcare institutions and the inclusion of fathers in care. The Minister even claimed that

⁶¹ Children under the age of three are usually registered in kindergartens because of the lack of nurseries. Being registered in a kindergarten does not mean attending kindergarten in reality though. Many kindergartens do not accept children under the age of three, but some do admit two-year-olds at the beginning of the school year (in September) in order to receive state subsidies, but allow the children to attend the facility only once they have celebrated their third birthday during the school year.

⁶² For the full text see the Presidency Conclusion of the Barcelona European Council from 2002, available at <http://www.europass.cz/docs/vzdelaniEU/barcelonska_deklarace_2002.pdf>.

the Barcelona agreement would never have been accepted if the East European countries had already been made members in 2002. He claimed that their experience of the 'communists' effort to push all women to the labour market and all children to all-day public childcare facilities' would effectively block the Barcelona agreement.

It was not until the turn of the millennium that it became irrefutably clear that the long-term unemployment of women was continuing to rise, especially among women around the age when they are caring for small children. As Saxonberg and Sirovátka have shown, having children in the Czech Republic increases the risk of poverty, especially in lone-parent families [Saxonberg, Sirovátka 2007]. The Czech Republic came under criticism during the EU accession process for neglecting active employment policy and equal opportunities for men and women. It was not until the EU accession process that the Czech Social Democratic government took some measures to eliminate the risks faced by families and especially women with small children. The legislative changes adopted during this time can be evaluated as relatively positive: first, allowing caring parents to make an unlimited amount of income provided them with the possibility of staying in touch with their previous workplace and professional field, which reduces the risk that they will lose their job as a result of having lost their qualifications; second, these changes have reduced the sense of isolation that mothers on parental leave often mention experiencing; third, the changes enable parents with small children to increase their personal and family income; fourth, increase in the number of days/hours children can attend nurseries and kindergartens even if the caring parent receives parental allowance increased the ability of caring parents to take part in requalification programmes, which increased their chances of finding new employment if they lost their old job. However, the decreasing capacity of nurseries and kindergartens made it more difficult for parents to return to work after parental leave which encouraged some growth in the availability of childcare services in the informal economy in Prague where salaries are higher than in other regions of the Czech Republic.

To conclude, parental allowance is not very high and it is not tied to income. While men's income tends to be higher than women's, men have little motivation to take part in childcare and take parental leave. There is also no legislation designed to encourage men to participate in childcare. Moreover, the reform of public finance that the government led by the Civic Democratic Party is currently implementing halted the valorisation of some social benefits, including parental allowance, the child benefit, and the childbirth grant, and thus decreased the real value of these benefits. These reforms focus mainly on the commercial provisions of childcare rather than on governmental support of public childcare

facilities which would be more gender and social-friendly institutional design. This contributes further to reinforcing the privatisation of care and the traditional gender division of labour instead of state support to work-life balance and gender equality. Moreover, the current arrangement increases the disadvantages of low-income families, as they rely on public childcare institutions in order to provide for the family by earning two incomes. Even though in 2007 and 2008 the government started to call upon companies to build company kindergartens due to the permanent decrease in the number of public childcare facilities, the government gives no incentives (e.g. financial support, legislative support) to the companies. In short, parents in the Czech Republic are still not provided with any real possibility to achieve a work-life balance.

3.7. Conclusion

At the end of the Second World War and during the 1950s the urgent demands of the labour force, the state's interest in reorganising the national economy, the post-war income needs of families, the women's activists promoting women's participation in the public sphere, and the official discourse of women's emancipation (by means of their economic independence and 'freedom' from unpaid and time-consuming housekeeping and nurturing) combined to contribute to a rapid increase in the number of women in the labour force and in the number of all-day (public and company) childcare facilities for preschool children. During this period, childcare practices varied according to socio-economic status and the number of children in the family. Many mothers stayed at home full time with their children for only several weeks after giving a birth, and many others stayed full time at home for many years. Despite the official support for public childcare facilities, most children of working mothers were cared for by their grandmothers, owing to the lack of childcare facilities. The public discourse on childcare and family policy concentrated on the connection between the productive and reproductive roles of women, while ignoring the role of men in childcare. Some defined the productive and reproductive roles of women as incompatible (leading to a fertility decline, time conflicts, and the double burden of women), unless they were regulated through special arrangements for women's participation in the labour market.

The first decade after the Second World War was formative with regard to the current perception of public childcare facilities. Although a two-tier concept of public childcare was legislated as far back as the time of the Austro-Hungarian Empire, it was not until the introduction of legislation in the late 1940s and

the early 1950s that the three-year-old transition age was set, and childcare in nurseries was defined as preventive health-care provided by nurses, and childcare in kindergartens was defined as preschool education provided by preschool teachers.

From the late 1950s an increasingly strong pro-family discourse began to emerge in the media, produced mainly by psychologists, paediatricians, demographers, and economists, who challenged 'the decreasing value of the family and motherhood in society', promoted so-called 'active mothering', and questioned the employment of mothers of small children and the use of boarding nurseries with overnight childcare. The discourse reflected not just the increased number of employed mothers but also the increase in the divorce and abortion rates and the increasing number of young couples preferring just a two-child family. These trends and the ongoing fertility decline influenced the development of pro-natal measures in the 1960s. While the aim of pre-war family measures was to help poor families and the aim of family measures of the 1950s was to restructure the national economy, in the 1960s-1980s the aim was to promote fertility.

Despite democratisation efforts and trends elsewhere in society in the 1960s, childcare continued to be perceived as a 'woman's issue', and the family measures were therefore designed in a manner that reflected this perception. In the 1960s the basic length of paid maternity leave was extended and unpaid additional maternity leave was introduced. After women returned to work, care for small children was still often provided by a grandmother, though the percentage of children who attended company, cooperative, or public nurseries increased during this period. Children over the age of three otherwise generally attended kindergartens, usually ones with all-day services. In fact, in the 1960s women stayed at home with their children and out of employment for on average the shortest period of time (1.8 years per child) in comparison with other decades of the communist regime. Even though there was a significant increase in the number of childcare facilities, there was still a shortage, and the professional and public discourse about inadequate childcare, latch-key kids, and the devaluation of the family and motherhood grew. By the end of the 1960s political support was expressed for the gradual extension of additional maternity leave to up to three years and for tying it to financial support (maternity allowance). This policy path suggested that the capacity requirements of nurseries would probably then decline and the need for placements would be limited to specific segments of the population (mainly mothers with a strong career focus and lone mothers). The involvement of men in care remained marginal in this and in the subsequent period.

When the democratisation processes of the 1960s were terminated with the onset of the normalisation period, social policies began to focus on improving

the standard of living of the population and redirecting people's interests away from public to private affairs. In comparison with the 1950s and 1960s, the 1970s and 1980s were periods of relative sufficiency of consumer goods. The character of social policies and pro-natal measures reflected this and subsequently influenced the behaviour of the young generation. The 1970s was the time when there was a definitive shift in focus away from women's emancipation issues towards children, childcare, and the family. Childcare facilities started to be discussed mainly in the terminology of children's health, mental development, and preparation for school learning, rather than in the context of women's employment, which was already high at the time, even among mothers with small children and among older women (potential caring grandmothers).

The aim of the pro-natal measures introduced in the 1970s was to create conditions in which the young generation would feel inclined to have children and which would ultimately increase fertility, and to create conditions favourable for women to combine work and a family. These pro-natal measures were direct and indirect in character, forming a complex of interconnected provisions relating to various material, financial, and social aspects and the availability of childcare. In the 1970s the fertility rate rose and the length of time mothers remained at home with their children was extended (particularly thanks to the introduction and extension of the maternity allowance and additional maternity leave). Despite the rising birth rate in the 1970s, there was an increase in the number of families with just one child and the divorce rate continued to grow. In the 1970s the percentage of women with a university education in the population began to grow, which ushered in new types of 'social problems'. In addition to the problem of the double burden, there arose the problem of combining work and a family in two-career couples.

The 1980s brought about a half-hearted effort to focus some attention on the role of men in childcare, as exceptional life situations were defined in which men could care for their children. Nevertheless, the 1980s represented a continuation of the discourse on 'active motherhood' and related family policy practices. The length of additional maternity leave and maternity allowance was fixed for the first time at three years. But compared to previous period the birth rate decreased, and that trend fully manifested itself in the 1990s, when there was a transformation of the reproductive behaviour of the young population, as they postponed marriage and childbirth to a later age.

In the communist period emancipative efforts concentrated exclusively on women. However, the discourse on the equality of men and women changed dramatically during this period: the initial emphasis on opening up the labour market to women and offering them the same conditions as men shifted, mainly from

the 1970s, to essentialist and differentialist outlooks, which was then reflected in care and work practices. On the one hand, measures were introduced that were designed to bring women the same opportunities as men (working for wages, public participation, etc.), and on the other hand, these measures were supposed to take into account the specific aspects of 'womanhood' and especially 'motherhood'. In the communist period women continued to be responsible for caring for children, but they also became breadwinners in the family, even though their salaries were smaller than their partners. Men continued to be the main providers in the family, but they participated little in childcare (secondary care-givers), and there was no political will to address the problem of care in terms of how it relates to men. The declared aim of women's emancipation under communism consequently did not ultimately lead to the equality of men and women. On the contrary, the specific family measures of the 1970s and the 1980s contributed to reproducing the traditional division of gender roles in the family and to establishing gendered work careers – the continuous work career of men and the interrupted work career of women.

The conservative notion of childcare that was present in Czech society prior to 1989 influenced the fact that childcare was discussed in the framework of the conflicting interests of mothers and children. After 1989 it even legitimised the debate about the 'natural' return of mothers to the household as a remedy for the problems faced by working mothers and their children. Although additional maternity leave and maternity allowance was gradually extended to up to three years, before 1989 there was also large state and company support of childcare facilities for preschool children under and over the age of three. During the 1990s there was an escalation of the explicit accent placed on the obligation and responsibility of women to stay at home with children until they reach the age of three, backed by the discourse of 'active motherhood' and criticism of nurseries. Behind this conservative ideology of full-time at home care provided by mothers was the effort to mitigate the effects of an expected rise in unemployment in the post-1989 socio-economic transformation by removing women with small children from the labour market. This was accompanied by a sharp decrease in the number of nurseries providing care for children younger than three years. The fact that the care provided by nurseries has always been defined as preventive health-care contributed to the fact that they were excluded from preschool facilities in the early 1990s, and that later translated into a sharp drop in their number. Although nurseries were not as popular as kindergartens during the entire communist period, in the 1990s the number of openings in nurseries became so low that the demand for places in nurseries started to exceed their supply. Simultaneously, the capacity of kindergartens decreased, which also added to the pressure

on women to stay at home longer. Instead of public support for nurseries and kindergartens and an improvement in the quality of care in these facilities, Czech political representatives chose to prolong the period of entitlement to the parental allowance (earlier maternity allowance) up until a child reaches the age of four. However, the duration of the period of job protection afforded to parents on parental leave (earlier additional maternity leave) remained at three years. This discrepancy has indirect consequences for women hoping to return to their jobs after parental leave because there are mechanisms obstructing the chances women have of re-entering the labour market. The lack of nurseries forces mothers to stay at home for three years per child. The lack of placements in kindergartens and the system of state subsidies for kindergartens means that they often only accept children who have turned three by the start of the school year in September, and so many women are forced to stay at home longer and then lose their right to return to their previous employer. This is not perceived as a problem by the conservative government because the parental allowance can be paid for up to four years. Even work offices do not help mothers to find a new job until their child turns four because officially these mothers are not unemployed but are providing childcare and being paid for it with the parental allowance. In contrast to the pre-1989 period, when the most common mothers' pattern was to provide full-time childcare at home for two years per child and then work full-time and use grandmothers and public childcare facilities, today the most common mothers' pattern is to take parental leave for three years per child, but the number of mothers staying at home longer than three years has also increased. The rise in unemployment, lack of childcare facilities, inflexible work arrangements in companies and specific family measures (some of them continued the policy path⁶³ started already under the communist regime) contributed to this.

After 1989 the privatisation of care was initiated, and this was accompanied by the continuing explicit feminisation of care responsibility, manifested in public and professional discourse, especially in psychology, and in legislation.⁶⁴ The effort to motivate men to participate in childcare has been minimal in legislation and public discourse. The institute of paternity leave (or parental leave quotas for

⁶³ For example, a) keeping nurseries under the Ministry of Healthcare (since the early 1950s) that contributed to their exclusion from pre-school facilities and subsidies from the Ministry of Education (in the early 1990s) and consequently to high fees and the drop in their number so that they exist only in large cities in the country; b) extending parental allowance up to four years for all-day caring parents in the 1990s (the allowance has been continuously extended since 1970s) without extending their job protection.

⁶⁴ The exceptions are alternative media by post-1989 small women's groups and organisations.

fathers) does not exist. The privatisation of care received further momentum from the process of public finance reform launched by the coalition government led by the Civic Democratic Party, and that will negatively affect mainly low-income groups and women more than men. The neoliberal reform measures one-sidedly favour independent individuals with no social ties, while cuts in social spending will have the biggest negative impact on people of retirement age, groups with disabilities, people caring for children, and other dependent members of society. The reform did away with the annual valorisation of social benefits, including the parental allowance, the child benefit, and the childbirth grant, which in connection with current and assumed future inflation and rising indirect taxes will lead to a reduction of the real value of these benefits. Given that the groups negatively affected by some reforms contain more women than men, the reform will have a stronger negative impact on women than men and further exacerbate gender inequality. It can also be assumed that the current reform will fuel the disintegration of the network of public childcare institutions. In the area of childcare, the reform has focused on the possibility of utilising commercial childcare services and has ignored the need to support and advance the quality and availability of public childcare institutions – nurseries and kindergartens.

The connections between paid and unpaid work are among the most important for redefining power relations and gender inequality. However, whether before 1989 or after the revolution, childcare in Czech society has always been explicitly feminised, and that has exacerbated the inequality of women in Czech society, regardless of what side the discourse has leaned towards: whether emphasising public care or private care. The current political trend towards the privatisation of care and the extension of the period during which women remain at home to care for children, without any opportunity to make long-term use of public childcare facilities, seems to be in direct opposition to the approach to childcare in Czech society before 1989, when, after the Second World War, the trend of building up a network of public childcare facilities began and the number of women who permanently left the labour market decreased. However, the reasons for this political and practical about-face cannot be sought just in the social policy and politics since 1989. On the contrary, recent trends have their roots in the policy measures and discourses from the communist era, which indicates a degree of continuity in Czech family policy, despite the avowed break with the communist past. Nevertheless, the effects of similar measures are different in a market economy and have been the source of the growing risk of unemployment and poverty among women with small children and lone parents, who now suffer discrimination in the labour market owing to their need to care for small children.

The long period of parental leave, the relatively low parental allowance for the parent providing care, and the assumption that it is women who will be caring for children fail to eliminate the discrimination against women in the labour market, do nothing to eliminate the gender wage gap and the gender bias in the social security system, and do not combat the marginalised status of women. A balance between paid work and caring activities is practiced as a private problem of each individual family, and given the gender division of labour within families that means it is mainly practiced as a private problem of individual mothers. Recent development in childcare policies and in the structural and cultural conditions in Czech society have led to the privatisation of care and strengthened the misrecognition of care as caring activities have shifted to a non-work and non-public-responsibility sphere provided mainly by low paid mothers or other women usually within the informal sector. This situation contributes to the reproduction of class and a gendered cultural bias within the concept of social citizenship.

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- Act No. 107/1971 Coll., on maternal benefit.
- Amendment of the Act No. 76/1978 Coll., on the system of primary and secondary schools, on 4 October 1991.
- Amendment of the Act No. 76/1978 Coll., on the system of primary and secondary schools, on 15 July 1993.
- Act No. 52/1987 Coll., amendment of Labour Code.
- Edict No. 93/1978, on primary school.
- Act No. 188/1988 Coll., amendment of Labour Code.
- Act No. 382/1990 Coll., on parental benefit.
- Edict No. 87/1992 Coll., on school clubs.
- Act No. 117/1995 Coll. on state social support.
- Act No. 155/2000 Coll., amendment of the Labour Code.
- Act No. 113/2006 Coll., amendment of the Act No. 117/1995 on state social support.
- Act No. 187/2006 Coll., on sickness insurance.
- Act No. 95/1948 Coll., on unified school (the School Law).
- Act No. 31/1953 Coll., on the school and education of teachers (the School Law).
- Act No. 186/1960 Coll., on education and training (the School Law).
- Act No. 76/1978 Coll., on school facilities (the School Law).
- Act No. 77/1978 Coll., on state authorities in education.
- Guideline 17 749/2002-51 of the Ministry of Education, Youth and Sport on status, organisation and activities of school clubs.
- Frame program for preschool education No. 14 132/01-22.

3. Leaves, Allowances, and Facilities: Childcare Past and Present

Measures of the ministers of education, youth and sport for application of the Frame program for preschool education No. 32 405/2004-22.

Act No. 561/2004 Coll., on preschool, primary, secondary, tertiary and other education (the School Law).

Act No. 74/2005 Coll., on hobby education.

Appendix 3.1. History of Legislation on Childcare Leaves and Allowances since 1948

Year	Maternity leave	Financial aid in pregnancy and motherhood	Additional maternity leave/ Parental leave	Maternity allowance/ Parental allowance	Amount of the allowance
1948		18 weeks at 75–90% of the individual net daily salary for mothers			
1956	18 weeks for mothers				
1964	22 weeks for mothers (but 26 weeks for lone mothers and 35 weeks in the case of twins)	18 weeks at 75–90% of the individual net daily salary + 4 weeks paid at a lower rate for mothers	Additional maternity leave for mothers until the child's 1st birthday .		
1968	26 weeks for mothers (but 35 weeks for lone mothers and in the case of twins)	26 weeks at 90% of the individual net monthly salary for mothers			
1970			Additional maternity leave for mothers until the child's 2nd birthday .	Maternity allowance until the child's 1st birthday, for full-time mothers with at least two dependent children, or if the child is adopted or disabled. The entitlement also applied to working lone mothers if the child was not accepted to a public childcare facility and she had to provide the child with private paid childcare (i.e. if care for the child was provided by a grandmother or another relative, the mother lost entitlement to the allowance).	500 CZK 1200 CZK, depending on the number of children up to the age of 1 (it was equal to about 26% – 62% of the average gross monthly wage)

3. Leaves, Allowances, and Facilities: Childcare Past and Present

Year	Maternity leave	Financial aid in pregnancy and motherhood	Additional maternity leave/ Parental leave	Maternity allowance/ Parental allowance	Amount of the allowance
1971				<p>Maternity allowance until the child's 2nd birthday, for full-time mothers with at least two dependent children or in the case of an adopted or disabled child.</p> <p>The entitlement applied also to working lone mothers if the child was not accepted to a public childcare facility and she had to provide the child with private paid childcare (i.e. in case that a grandmother or another relative cared for the child, she lost the entitlement for the allowance).</p>	
1985			<p>Additional maternity leave for mothers and lone fathers until the child's 2nd birthday.</p>	<p>Maternity allowance until the child's 1st birthday for full-time mothers.</p> <p>Maternity allowance until the child's 2nd birthday, for full-time mothers with at least two dependent children, in the case of an adopted or disabled child, or in the case of a mother whose husband was economically inactive owing to studies or disability.</p> <p>The entitlement also applied to working lone mothers if the child was not accepted to a public childcare facility and the mother had to provide the child with private paid childcare (i.e. if care for the child was provided by a grandmother or another relative, the mother lost entitlement to the allowance).</p> <p>Under the same conditions, the entitlement also applied to lone fathers or fathers whose partner was not able to take care of the child because of health or other serious reasons.</p>	

Year	Maternity leave	Financial aid in pregnancy and motherhood	Additional maternity leave/ Parental leave	Maternity allowance/ Parental allowance	Amount of the allowance
1987	<p>28 weeks for mothers</p> <p>28 weeks for lone mothers and in the case of twins)</p>	<p>28 weeks (usually 6 weeks before childbirth and 22 weeks after childbirth) with 90% of the individual net monthly salary for mothers.</p> <p>Lone fathers were also entitled to the benefit but only for 22 weeks after the childbirth.</p>		<p>Maternity allowance until the child's 1st birthday for any full-time mother.</p> <p>Maternity allowance until the 3rd birthday of a child born after 31.12.1987 for an full-time mothers with at least two dependent children, in the case of an adopted or disabled child or in the case of a mother whose husband was economically inactive owing to studies or disability.</p> <p>The entitlement also applied to working lone mothers if the child was not accepted to a public childcare facility and she had to provide the child with private paid childcare (i.e. if care for the child was provided by a grandmother or another relative, she lost entitlement to the allowance).</p>	<p>600 CZK – 1300 CZK, depending on the number of children up to the age of 1 year (it was equal to about 20% – 43.6% of the average gross monthly wage))</p>
1988		<p>28 weeks with 90% of the individual net monthly salary for mothers or 22 weeks (only after childbirth) for lone fathers or a father whose partner was not able to take care of the child because of health or other serious reasons.</p>			

3. Leaves, Allowances, and Facilities: Childcare Past and Present

Year	Maternity leave	Financial aid in pregnancy and motherhood	Additional maternity leave/ Parental leave	Maternity allowance/ Parental allowance	Amount of the allowance
1989			Additional maternity leave for mothers and lone fathers up to the age of 3 years of the child.		
1990			Additional maternity leave for mothers and fathers (without regard to their family status) up to the age of 3 years of the child.	<p>Maternity allowance renamed as parental allowance.</p> <p>Parental allowance until the child's 3rd birthday for a full-time parent (a very low cap was set on the amount of extra income the recipient could earn alongside receiving the allowance, and the child could not be placed in a public childcare facility).</p> <p>In the case of a disabled child, parental allowance until the child's 7th birthday for a full-time parent (with the same limit for an extra income and access to public childcare).</p> <p>In the case of a lone parent, s/he could earn extra money if the child did not attend a public childcare facility.</p>	900 CZK, regardless of the number and age of the children (it was equal to about 27% of the average gross wage)
1992					1200 CZK (it was equal to about 26% of the average gross wage)

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Year	Maternity leave	Financial aid in pregnancy and motherhood	Additional maternity leave/ Parental leave	Maternity allowance/ Parental allowance	Amount of the allowance
1993		28 weeks with 67% of the individual daily wage base for mothers or 22 weeks (only after childbirth) for lone fathers or a father whose partner was not able to take care for the child because of health or other serious reasons.			1350 CZK (it was equal to about 23% of the average gross wage)
1994					1500 CZK (it was equal to about 18% of the average gross wage) Changed to 1740 CZK (it was equal to about 21% of the average gross wage)
1995		28 weeks with 69% of the individual daily wage base for mothers or 22 weeks (only after childbirth) for lone fathers or a father whose partner was not able to take care for the child because of health or other serious reasons.		Parental allowance until the child's 4th birthday for a full-time parent (a low cap was set on permissible income from gainful employment and limited access to public childcare facilities was allowed). In the case of a disabled child, parental allowance until the child's 7 th birthday for a full-time parent (with the same cap on extra income and limits on public childcare use). No exceptions for lone parents.	1.1 x min. living expenses of an adult person , i.e. 1848 – 552 CZK in 1995–2003 (it was equal to about 22.6% in 1995 – 13% in 2003 of the average gross wage)

3. Leaves, Allowances, and Facilities: Childcare Past and Present

Year	Maternity leave	Financial aid in pregnancy and motherhood	Additional maternity leave/ Parental leave	Maternity allowance/ Parental allowance	Amount of the allowance
2001			Additional maternity leave renamed to parental leave.		
2004				Parental allowance until the child's 4th birthday for a full-time parent (unlimited income from gainful employment allowed , but limited access to public childcare facilities). In the case of a disabled child, parental allowance until the child's 7th birthday for a full-time parent (unlimited income from gainful employment allowed , but limited access to public childcare facilities).	1.54 x min. living expenses of an adult person , i.e. 3573-3696 CZK in years 2004–2006 (it was about 17–18% of the average gross wage)
2007	28 weeks for mothers (no exceptions)				40% of the average monthly gross wage , i.e. about 7600 CZK

Year	Maternity leave	Financial aid in pregnancy and motherhood	Additional maternity leave/ Parental leave	Maternity allowance/ Parental allowance	Amount of the allowance
2008	28 weeks for mothers (usually 6 weeks before childbirth and 22 weeks after childbirth) or 22 weeks (after childbirth) of parental leave for fathers (28 weeks are extended to 37 weeks in the case of twins)	28 weeks with 69% of the individual daily wage base for a mother or 22 weeks (only after childbirth) for a father (without regard to his family status, his partner's health, etc.)		Three models of parental allowance are offered: a) two-year model (for high-income parents only) b) three-year model (so-called 'standard model') c) four-year model (the only model available for several groups of parents, e.g. unemployed or without sickness insurance before childbirth). In all three models, unlimited income from gainful employment allowed, but limited access to public childcare facilities.	a) in the case of the two-year model, 11 400 CZK per month (up until the child is two years old) b) in the case of the three-year model, 7600 CZK per month (up until the child is three years old) c) in the case of the four-year model, 7600 CZK during the first 21 months after maternity leave, and 3800 CZK for the next two years

Note: Since 1964, in the case of maternity leave, additional maternity leave/parental leave and financial aid in pregnancy and motherhood, 'a mother' (then 'a parent') included a woman/man who 'compensated for parental care', i.e. in the case of foster care. Since 1970, in the case of maternity allowance/parental allowance, 'a mother' (then 'a parent') included a woman/man who 'compensated for parental care', i.e. in the case of foster care.

4. The Rise of Lone-Parent Families – Challenging the Norm¹

Radka Dudová

Within the issue of social citizenship, lone parents represent a specific group with particular needs. In the Czech Republic, the majority of them are mothers that are the sole breadwinners for their families but at the same time also the primary carers for their children. According to research, lone mothers are one of the groups most at risk of poverty and marginalisation in the labour market. Along with the lack of specific measures in the social security system and institutions providing services (i.e. childcare), this has a strong impact on their social well-being. This chapter presents the body of research into the situation of lone parents in the Czech Republic dating from the second half of the 20th century up to the present. It shows how the composition and the institutional conditions of lone parents changed over time and it identifies the main risks that this population encounters.

Between 1991 and 2001 the increase in the number and percentage of lone-parent families in the Czech Republic was greater than ever before in the past four decades. Lone parenthood is consequently now regarded as one of the most important social issues of the past decade. In some discussions it is cited as a consequence of family disintegration in the ‘new capitalist’ era, and in others it is criticised as the result of a social security system that is too generous towards lone-parent families. But in fact, lone-parent families are not a new phenomenon. What has changed over time is the nature and level of social protection such families receive.

In statistics a lone-parent family is defined as a household made up of one parent with a child or children. Lone-parent families may be the result of separation, the death of a spouse, or a single mother on her own with her children. The proportion of lone-parent families out of the total number of family households in the Czech Republic changed over the course of the second half of the 20th century and with it the structure of these families by marital status of the household

¹ This text was prepared with the support of the grant ‘Relations of the Transformations of the Labour Market and the Forms of Private, Family and Partnership Life in the Czech Society’ (Ministry of Labour and Social Affairs, no. 1J034/05-DP2).

head also changed significantly. This means that some of the factors that contribute to the formation of lone-parent families became more significant, while others less so.

Data on the number of lone-parent families have been available since 1961 (see Table 4.1). The number of lone-parent families and their percentage out of total family households was already on the increase between the 1960s and 1980s. Although experts registered and discussed this increase [Máchová 1970; Matějček 1986], from today’s perspective the change was relatively small. The proportion of lone-parent families out of all families ranged between roughly 9% and 11%. Dramatic increases in the number of lone-parent families (and a simultaneous decrease in the number of two-parent families) occurred in the second half of the 1980s and especially in the 1990s, so that by 2001 every fifth family (and every fourth family with dependent children) was a lone-parent family.

Table 4.1. The absolute and relative numbers of lone-parent families, based on the censuses in 1961, 1970, 1980, 1991 and 2001

Population census from	Two-parent families	Lone-parent families		% of lone-parent families	
		without dependent children	with dependent children	without dependent children	with dependent children
1961	2 405 000	249 000	115 200	9.4 %	46.0 %
1970	2 487 000	307 000	157 000	11.0 %	51.0 %
1980	2 558 000	325 000	204 000	11.3 %	63.0 %
1991	2 512 900	434 000	254 000	14.7 %	64.0 %
2001	2 333 600	576 400	343 000	19.8 %	60.0 %

Sources: Censuses from 1961, 1971, 1980, 1991, 2001 at webpages of Czech Statistical Office at <www.czso.cz>.

Note: dependent child: census 1961 – up to the age of 14, census 1970 – up to the age of 15, census 1980, 1991 and 2001 – economically inactive child under the age of 26.

Historically, lone-parenthood was usually the result of the death of one of the spouses. In the second half of the 20th century this cause gradually became less significant compared to others, in both absolute and relative figures. This was partly owing to improved mortality rates and rising life expectancy, but it was mainly the result of first the rising divorce rate and then the increase in the number of children born outside marriage.

4. The Rise of Lone-Parent Families – Challenging the Norm

Table 4.2. Household structure (in %), based on the censuses in 1961, 1970, 1980, 1991 and 2001

	1961	1971	1980	1991	2001
Two-parent family with children	43.7	40.1	38.1	34.5	25.5
Two-parent family without children	31.1	30.9	27.9	27.6	29.1
Lone-parent family with dependent children	3.6	4.5	5.3	6.3	8.0
Lone-parent family without dependent children	4.2	4.3	3.1	4.5	5.5
Multi-member non-family household	1.4	1.1	1.4	0.4	2.0
Households of individuals	16.0	19.1	24.2	26.9	29.9
Total	100.0	100.0	100.0	100.0	100.0

Sources: Censuses from 1961, 1971, 1980, 1991, 2001 at webpages of Czech Statistical Office at <www.czso.cz>.

Note: dependent child: census 1961 – up to the age of 14, census 1970 – up to the age of 15, census 1980, 1991 and 2001 – economically inactive child under the age of 26

According to the census, a relatively large proportion of lone-parent families are (and also were in the past) headed by a married person whose partner no longer shares the same household with them. While this can reflect the situation in reality (the partner has left the family), it can also signify a temporary absence or that the partner is residing abroad, and so on. Mothers (fathers) who live with their partner in a consensual union, but the partner is not registered as a permanent resident in the same household, are also classified in the census as lone-parent families. There are specific features to these families that the census is unable to record. In this regard the data from sociological surveys, which vary in their degree of representativeness, are more interesting. It was only in the middle of the 1970s that such surveys began to be carried out, and the data they provide are not always mutually compatible. But the advantage of the data is that they distinguish between lone parents living independently or with a common-law partner, ‘pure lone-parent families’ (living independently), ‘mixed lone-parent families’ (living together with another person, usually a grandparent(s)), and lone parents by marital status.

Up to the middle of the 1980s it was mainly the rising divorce rate that contributed to the increase in the number of lone-parent families in the Czech Republic. Not only did the number of divorces increase from the 1950s but also the percentage of divorced couples with dependent children out of the total number of divorces rose (from 50% in 1950 to 70% in 1962 and to 72% in 1989). At the same time, the percentage of marriages that ended in divorce after 5–15 years of marriage grew. This means that divorce became the main factor leading to the

formation of lone-parent families with dependent children and lone parenthood. From the middle of the 1980s another cause moved to the fore: the birth of children to unmarried mothers. While from 1950 up to 1979 the percentage of extramarital children was around 5%, in the 1980s it began to grow slowly, and during the 1990s it rose to 8.6% (in 1990) and then to 21.8% (in 2000). Not all extramarital births lead to lone parenthood, but it is estimated that at least one-half of children born to unmarried mothers are born to women who do not have a partner [Hamplová et al. 2006: 25].

Despite the numerous changes that occurred in society during this relatively long period it is interesting that there has been no major change in the percentage of women or men that head lone-parent families. In the past around 10% of lone-parent families were headed by men, and now the figure is 12%.

4.1. Lone-Parents between the Law, the Social Security System and the Labour Market

Before 1948, a woman, as a mother and a wife, was by law subordinate to her husband. Separation (cessation of marriage) was possible, but it was very complicated.² After the Second World War major changes were made to the Czech legal system that had an effect on the number and the position of lone-parent families in the structure of types of Czech households. In 1948 the May 9 Constitution was passed. It declared the equality of men and women in the family and in society. In conformity with the Constitution, a new Act on the Rights of the

² Until 1781 the law of the Czech lands was based on canon law and largely influenced by Roman law. In this system the principles of monogamy and the inseparability of marriage applied. Children were fully subordinate to the father; extramarital children did not belong to the father's family, they had no rights of inheritance under the father, were not allowed to own property, learn trades, etc. Between 1786 and 1812 Emperor Josef's General Civic Legal Code was created and applied until 1919. This new codex made marital and extramarital children equal with regard to inheritance rights (for comparison, in France Napoleon's Civic Legal Code was issued in 1804, which forbade searching for an extramarital child's father; the father was thus utterly without obligation towards his illegitimate children and extramarital children only gained legal equality in the 1970s). However, some things remained unchanged: the code established the man as head of the family and the woman as subordinate to his authority. The father named the child, made decisions about the child's upbringing, and administered the child's property; in the case of marital separation the child belonged to the father. In 1919 the code was amended by the so-called separation act, which modernised family law and allowed for the separability of marriage. At this time women also gained the right to vote and other civic rights, but they remained subordinate as wives and mothers.

Family was adopted in 1950.³ In substance and in comparison with legislation in other countries this act was revolutionary in its day. It was based on the principle of equality of women and men declared in the Constitution, and it stressed the interests of the child or children as the primary factor to be taken into account in decisions about the family. For the first time in the history of the Czech society divorce was linked to the criterion of a child's welfare, and a married couple could not divorce if it was deemed contrary to the child's welfare. Divorce was institutionalised in the place of separation but could not yet be filed for against the will of the innocent husband/wife – that was only made possible in an amendment in 1955. All children had the same rights, regardless of their origin. The institute of paternal authority was eliminated and replaced with the joint authority of both parents – parental authority, which covers the rights and responsibilities of parents to direct the conduct of their children, is equal, and pertains to both parents, regardless of whether or not they are spouses. This means that the father, if his name is recorded on the child's birth certificate, formally retains parental authority (later, responsibility), even though he is not married to the child's mother. This was something that was unprecedented in Europe at that time. Even though the Family Act, which governed the majority of affairs relating to parenthood and the family in the Czech Republic, did not contain any special provisions pertaining to the lone-parent family, the wording of this act had a fundamental influence on lone parenthood and on the situation of lone-parent families in the Czech Republic in the second half of the 20th century.

4.1.1. From the 1950s to the mid-1960s: Marriage no Longer for Better or Worse

At the start of the 1950s the percentage of extramarital births, i.e. children born to single mothers, decreased. While in 1920–24, 12.4% of all children born were born to unwed mothers, and in 1945–49 the figure was just 8.5%, from 1950 to the 1980s the percentage of extramarital children in the Czech population remained at a stable 5% [Statistical Yearbook of the Czechoslovak Socialist Republic 1971: 103]. The question is how much this was a result of the effect of the new Family Act and the elimination of certain obstacles to marriage, the availability of abortions, or the transfer of the German population out of the country, who traditionally had a high rate of extramarital fertility. Probably the most im-

³ The new law was a result of work of a team of experts headed by the lawyer Milada Horáková, a major figure in Czech women's movement after the Second World War. Horáková was then condemned and executed by the communist regime.

portant factor in this trend was the fall in the age of spouses at the time of first marriage, which meant a reduced 'risk' of extramarital fertility.

Conversely, the divorce rate began to rise massively at the same time and continued to do so until the mid-1980s, when it stabilised at a very high rate. However, in social-science literature at the time divorce was not yet regarded as a 'problem'. In conformity with the contemporary political ethos, the institution of divorce was viewed positively as an opportunity for the liberation of the individual. A widely accessible and simplified divorce procedure was supposed to lead to the end of 'bourgeois' marriages established for property reasons and not out of love [Marušiak 1964].

From the legal perspective divorce became much easier [Pávek 1973]. It was no longer necessary to go through conciliation procedures as it had been before. It was not necessary to show the fault of either partner to obtain a divorce, nor thus to examine the reasons behind the marriage's failure. Joint spousal ownership of property was introduced (i.e. property acquired for joint purpose is divided equally in the divorce). Limits were applied to the practice of the payment of alimony to one spouse (after a divorce, only a 'subsistence' contribution could be paid if a spouse was unable to support him/herself). This of course had a devastating impact on the living standard of women who divorced after many years of marriage and who had spent those years looking after the household and the children.

All this was followed by a rapid rise in the number of divorces, which, contrary to expectations, did not abate after the first few years that the new law was in effect (so the rise was not the result of the assumed end of 'bourgeois marriages'). This led legislators in 1953 to adopt a High Court ruling stipulating that, in initial divorce proceedings, the court was first required to attempt to reconcile the spouses, making divorce proceedings more complicated. Even then there was no decline in the divorce rate; on the contrary, there was a new surge in divorces:

'the act on family rights was not prepared for the kind of divorce trend that began in 1954. It only anticipated the first wave, which was meant to do away with bourgeois marriage...' [Pávek 1973: 66]

The instability of marriage based solely on an emotional relationship became evident for the first time. Marušiak [1964] claimed that since people were no longer marrying for property reasons but on the basis of an emotional relationship they consequently had the right freely to divorce as soon as that emotional bond was lost. For the first time opinion emerged in the public discourse that divorce could in many cases actually be in the interests of the children.

A dead marriage ‘very negatively affects children’s development, makes it difficult to raise them properly, and makes them unhappy. This kind of marriage should be dissolved for the welfare of the children.’ [ibid.: 157]

From 1958 there was an increase in the proportion of cases in which women were the party filing for divorce. According to Pávek [1973] and Marušiak [1964] this was owing to the new economically secure position of women, a rise in their education levels and consequently also in the demands they put on their partners and married life. The conservative attitudes of men clashed with the modern views of independent wives. The above-cited authors were responding to the public opinion that it was the employment of women that was to blame for the high divorce rate.

They pointed out that while the economic security of women facilitated the increase in the number of divorces, it was not the actual factor behind the increasing failure of marriages: ‘For economic reasons women who remain in the household cannot seek divorce’ [Marušiak 1964: 147]. When a woman is economically dependent on her husband her right to a divorce only exists formally.

Divorce and the break up of marriage began to be widely discussed as an issue in the 1960s, but the economic and social situation of post-divorce lone-parent families received no attention. For example, in the book ‘The Social Structure in the CSSR and Its Development in the 1960s’, František Charvát limited himself to the comment that:

‘according to the 1961 census lone-parent families with children up to the age of 14 make up 6% of all families with children of this age, and the majority of such lone-parent families emerged as the result of divorce, less often as a result of the death of a spouse, and the households are usually headed by women’ [Charvát 1972].

Not even the study titled ‘Research on Parenthood 1956’ [Srb, Kučera 1959] explicitly discussed lone-parent families, instead only devoting attention to unmarried women. The study found that 94% of divorced women work, a very high level of employment at the time. Their average working income equalled that of married women. The study also found that divorced women were more satisfied and more work-oriented than married women.

In 1961 divorced women and divorced men still only made up, respectively, 3% and 2.1% of the total population. The smaller figure for divorced men is a result of the fact that men tended to re-marry more often and sooner [Jureček 1966].

There was almost no protection for lone parents (in most cases mothers) during this period. In the 1950s, support paid to a single mother by the father of the

child was extended to 3 months. Between the wars, three months worth of support for an infant and coverage of usual expenses related to childbirth and confinement payable by the father of the child were to be paid only to single mothers who were clearly impecunious and respectable [Hašková, Radimská 2002]. Up to 1964 single mothers, just like married mothers, were entitled to 18 weeks of financial support for the period of maternity, beginning 4 weeks before childbirth and ending 14 weeks after (the same as married women, the condition was being that the woman contributed to the national insurance system – this excluded quite large groups of women, e.g. small entrepreneurs or farmers who refused to enter collectivist cooperatives.⁴ Those best off during this period were widowed lone mothers, who retained a portion of the deceased husband's pension and whose children received an orphan's pension. Divorced mothers were entitled to child support (*výživné na dítě* in Czech) from the former husband to cover their children's needs, but they had no right to any alimony for themselves. A woman was entitled only to subsistence alimony and only if she was absolutely incapable of supporting herself by any other means. This was a very unjust rule because in the past many women did not work and instead devoted themselves to looking after the household and the family, and it was often the husband who explicitly demanded such an arrangement. Lone mothers had to rely on their income from employment, and what probably helped them to remain employed was the emerging network of all-day and boarding nurseries; it can also be assumed that they were considerably dependent on help from their wider family.⁵ When a child was ill a working lone mother was entitled to collect sickness benefits for up to twelve working days (six days in the case of married mothers).

These years were marked by developments that touched off an increase in the number of families with just one parent (usually the mother). Divorce was made easier and accepted as a legitimate option for marriages with problems. This alone was largely made possible by the high rate of employment and the eco-

⁴ See Act No. 99/1948 Coll., on national insurance, and Act No. 54/1956 Coll., on sickness insurance.

⁵ Illustrations are provided in the stories of people who lived through these years, recorded in the book by Foundation Gender Studies [1998]. For example, in the 1950s Mrs. Věra found herself divorced and raising a small child on her own. She applied to the National Committee for a space for her child in a nursery. Although she lived in the Prague neighbourhood of Smíchov, she was given a spot in a boarding nursery on the other side of town in Krč (the question is whether there really was one available space in a closer all-day nursery or whether it was that boarding nurseries were seen as more appropriate for children of lone mothers). Věra rejected this option, because she did not want to be separated from her child, and so she solved her situation with the help of her neighbours – an older childless couple, who looked after her son while she was working.

conomic independence of women. Professional discussions of these developments did not address the problem of the economic situation of these families and there was no specific support from the state for lone mothers. It was assumed that the needs of a household would be met by that household's employment activity. Therefore, the first steps taken to help lone mothers were directed at making it easier for them to combine work and childcare.

4.1.2. From the mid-1960s to the 1980s:

Divorce and the Lone-Parent Family as a Social Issue

In the mid-1960s significant changes occurred that affected the situation of lone parents in Czechoslovakia. A new Family Act came into effect, and its design reflected legislators' efforts to stem the rising number of divorces [Pávek 1973]. Conciliation procedures were reintroduced, but this time two rounds were required: the first was voluntary, and the second was compulsory and preceded the actual divorce proceedings. The objective of these procedures was for couples to hear the objective opinion of the judge before they filed for divorce. Pre-divorce conciliation procedures remained in effect until 1974 [Radvanová, Zuklínová 1999: 61], when they were abolished in a legal amendment. On the other hand, the mid-1960s Family Act abandoned the principle of fault in divorce and it was enough to determine the reasons for its failure [Veselá et al. 2003: 97].

The rise in the number of divorces still did not subside. Moreover, it was connected with a decrease in the duration of marriages ending in divorce. Although fewer couples divorced after just one year of marriage, the number that divorced after three to five years of marriage increased [Pávek 1973: 118]. Given that the first child in the family tends to be born soon after a couple marries, these were usually marriages in which there were small children.

Between 1961 and 1970 the percentage of lone-parent families with dependent children out of the total number of family households with dependent children grew considerably. In 1970 the percentage of lone-parent families with children aged 15 and under made up 8.8% of all family households with children aged 15 and under. At that time 39% of lone-parent families arose out of a divorce, one-quarter were the result of the death of one spouse, one-quarter arose out of a family break-up (the parents however remained married), and the remaining 9% were single parents (usually mothers). Approximately 92% of lone-parent families with dependent children were headed by the mother [Junková et al. 1975]. The divorce rate rose continuously each year, and a stable two-thirds of the marriages ending in divorce had dependent children. The effects of this

high divorce rate on children who experience the break up of their family, especially the possible effects on their personality that could become apparent later on, when the children grown up and marry, started to be discussed. But the social and economic situation and status of lone-parent families was still not an issue. Nevertheless, in sociological literature, divorce ceased to be viewed in positive terms as a symbol of and opportunity for the liberation of the individual, and it began to be questioned. But the criticism targeted the issues of casual marriage, entered into just because the female partner was pregnant, and equally casual divorce sought for 'trivial reasons' [Máchová 1970].

It was not until the start of the 1970s that the lone-parent family and lone parenthood attracted the attention of the social sciences and family policy. It was at this time that the first studies on these topics were conducted, and the main question they were interested in was how these families managed to fulfil the socialisation function of the family. Various social-scientific fields began to examine the issues of divorce and the lone-parent family: psychiatry, psychology, and demography [see, e.g., Prokopec et al. 1973; Trnka 1974; Márová et al. 1975; Dunovský et al. 1974]. Related studies also emerged in the field of social pathology (e.g. juvenile delinquency, alcoholism). 'Broken homes' were cited as a factor inhibiting the healthy development of a child's personality [Junková 1975:12]. The studies were filled with assumptions and presumptions about the negative development of children in lone-parent families and the consequent threats to their moral development. On the other hand, in his series of popular-science publications in the field of psychology, Zdeněk Matějček refuted these sweeping claims and argued that, while lone parents are faced with more demanding circumstances, that alone does not mean that a child cannot develop healthily [Márová et al. 1975]. In sociology lone parenthood was studied in the 'Research on the social situation of families of divorced women with children aged 15 and under', which was conducted by a group of researchers at the Czechoslovak Research Institute of Labour and Social Affairs (Lydie Junková, Věra Schimmerlingová, and others).

Since the mid-1960s the social security system and the Family Act began to take the difficult situation of lone parents (and parents in general) into account. Act No. 101/1964 Coll., on social security, and Act No. 58/1964 Coll., on the augmentation of care for pregnant women and mothers, came into effect in the middle of 1965. The latter extended the period of financial support for mothers on maternity leave to 22 weeks and to 26 weeks for lone mothers. Several years later, Act No. 154/1969 introduced maternity allowance, which partly replaced a mother's working income if after maternity leave she remained at home to look after her child until its first birthday and simultaneously looked after an older child or children. The condition that the mother had worked prior to that (for at

least 270 days) and the condition of looking after an older child did not apply in the case of lone mothers. In 1971 the entitlement to collect the maternity allowance was extended to two years for women who gave birth and who were already looking after an older child or children. This means that the two year long leave with maternity allowance was granted for women who had two or more children and who were contributors to the sickness insurance system. Lone mothers were again advantaged in the system: the two-year maternity allowance was granted automatically, without the condition of participation in the sickness insurance system and caring for an older child (see also Chapter 3).

The entitlement to the child benefit was the same in both two-parent and lone-parent families. In 1971 the child benefit was set at 90 CZK for one child, 430 CZK for two children, and 880 CZK for three children [Matějček 1973: 54], while the average monthly wage that year was 2009 CZK.

The largest degree of social protection has traditionally been accorded to widowed lone mothers, but only under certain circumstances. Widows were entitled to a widow's pension equal to 60% of their husband's pension, but only if the deceased husband qualified for an old-age or disability pension and if the mother was looking after at least one dependent child (once the woman was over the age of 50 the condition of caring for a dependent child no longer applied). The children were also entitled to an orphan's pension, but only on the condition that the deceased father qualified for a pension. Entitlement to an orphan's pension lasted until a child completed compulsory school attendance or during the period of systematic training for a profession. The amount of the pension was between 200 and 450 CZK per month [Matějček 1973].

In the case of emergency, lone mothers (or fathers) could apply for an emergency allowance. The social security system allowed for the payment of a financial contribution in emergency situations, and such payments took the form of a repeat or one-off payment from the National Committee (local authority) (this allowance was collected by approximately 6% of divorced mothers in 1975) [Junková et al. 1975] or possibly also a child subsistence contribution, which was an allowance established in the Family Act for children who were not provided for by the persons required to support them (Act No. 94/1963 Coll.). This was a voluntary non-entitlement allowance, and the decision to provide it was made by the National Committee based on the social situation of the applicant and on the committee's own means. The amount of the allowance was limited to 400 CZK for a child up to the age of 10 and 500 CZK for an older child,⁶ and it could be

⁶ The average monthly wage in 1975 was 2304 CZK; 2742 CZK for men and 1896 CZK for women.

paid at most up to a child’s fifteenth birthday, or longer if the child was studying. According to research in 1975, this allowance was collected by 1.5% of divorced mothers [Junková et al. 1975].

With the introduction of Act No. 58/1964 Coll., on the augmentation of care for pregnant women and mothers, lone mothers began to be granted greater employment protection: employers were not allowed to fire a lone mother with a child aged 3 or under (the same job security was granted to mothers in two-parent families for one year). According to the Labour Code that came into effect in 1966, an employer that for organisational reasons fired a lone pregnant woman or lone mother with a child aged 15 or under was required to find substitute employment for her. From 1975 these provisions also applied to lone fathers.

Detailed information about the economic situation of lone-parent families in the Czech Republic during this period can be obtained from the 1973 micro-census, which allows a comparison of ‘pure’ lone-parent families (i.e. without any other person sharing the household) with dependent children and two-parent families with dependent children. The data show that in this type of lone-parent family the net monthly per capita income was appreciably lower – 912 CZK compared to 1111 CZK in a two-parent family [Hacajová 1975]; approximately 280 CZK of this sum was made up of social benefits. Yet the minimum monthly per capita income below which a family would be unable to generate savings and would evaluate its living situation as unsatisfactory was 1000 CZK. Moreover, the situation deteriorated further with each additional child in the family, and it also changed depending on the marital status of the household head. Single-parent families had the lowest per capita income, while families of widowed parents were best off.

Table 4.3. Average monthly income per capita in various types of families

Household head	1 child		2 children		3 children or more	
	Income in CZK	% by which a two-parent family income was higher	Income in CZK	% by which a two-parent family income was higher	Income in CZK	% by which a two-parent family income was higher
Single	910	37.5	619	51.4	681	20.4
Divorced	1 027	21.8	766	36.6	707	15.0
Widowed	1 113	12.4	941	11.2	722	13.6

Source: [Schimmerlingová et al. 1977: 69].

The difference between the average income per capita in lone-parent families that originated out of a divorce or extramarital birth and those that originated out of the death of one spouse was mainly due to the different forms of protection granted to each of these types of families by the state. For example, in a lone-parent family with two children survivor's benefits from the sickness and social insurance system made up roughly one-half of the household income (owing to the entitlement of family members to widow's and orphan's pensions), but in the families of single or divorced mothers insurance accounted for just over 20% of their income [Schimmerlingová et al.1977].

Given that the majority of two-parent families in the Czech Republic at that time were two-income households, the absence of a second income in lone-parent families compared to two-parent families was strongly felt. Compared to two-parent families, the most disadvantaged families were two-child lone-parent families headed by single or divorced mothers. The recommendations for social policy formulated by Věra Schimmerlingová et al. [1977] at that time suggested raising the social incomes of these at-risk groups, i.e. of lone-parent families headed by single or divorced mothers with two or more children.

Insight into the situation of a certain segment of the lone-parent population is provided by the results of the 'Research on the social situation of families of divorced women with children aged 15 and under' that was conducted by a group of researchers at the Czechoslovak Research Institute of Labour and Social Affairs [Junková 1975 et al.; Schimmerlingová et al. 1977].⁷ The research showed that although the situation of divorced mothers was not critical across the board, it was appreciably worse than in two-parent families.⁸ But the authors of this study emphasised that in capitalist countries the situation of lone mothers was much worse; for example, in the United States one-half of lone mothers lived below the poverty line.

Junková et al. found that the majority of poorer families of divorced mothers lived with the family grandparents, who provided them with material and non-material assistance.⁹ The majority of such families managed to avoid pov-

⁷ The research was conducted as a sample survey of 800 lone-parent families, with a control sample of 400 two-parent families. The sample was conducted as a random sample in pre-selected districts.

⁸ While 85% of married women assessed the financial situation of their family as completely satisfactory or satisfactory, only 65% of divorced women did. In families of divorced women the average per capita income was usually around 700–800 CZK. In the lowest income category of 600 CZK, 7.5% were families of divorced mothers, but only 2.6% were two-parent families.

⁹ Almost one-quarter of divorced women living with one or both parents, compared to 13% of two-parent families.

erty mainly owing to the hard work of the women heading the family. In the research sample, 97.6% of divorced mothers had their own income, while among married women the figure was only 74.3%. According to the research data, the average incomes of divorced women were higher than those of married women. The authors stated that this was the result of special tax breaks and the additional income of child benefit, which in two-parent families were calculated in relation to the father. It is also because divorced women as the family providers strove to obtain higher incomes and occupations and employers were accepting of such efforts on their part [Junková et al. 1975: 64]. Thus, discrimination of lone mothers was not a factor in the labour market, and, on the contrary, the status of family provider helped them in terms of their income and career path. Below we will try to explain why this was so. However, the incomes of divorced women were still substantially lower than men's incomes.

Table 4.4. Income categories by gender and marital status in 1975 (in %)

Income from employment (in CZK)	Divorced women	Married women	Men
1500 or less	26.2	47.6	0.8
1501 – 2000	52.2	43.6	12.8
2001 or more	21.6	8.8	86.4
Total	100.0	100.0	100.0

Source: Junková et al. [1975: 65] based on the 'Research on the social situation of families of divorced women with children aged 15 and under', supported by Czechoslovak Research Institute of Labour and Social Affairs.

In the 1970s divorced women in the Czech Republic were almost always employed – just 6.8% of divorced women in the sample did not work, compared to 25.7% of married women. Divorce did not provide enough support for an unemployed wife to live on, and income from social benefits was no substitute for income from employment. In addition, benefits were often attached to the insurance paid from employment. Those divorced mothers who did not work were either recipients of a disability pension or were looking after a child under the age of two. However, divorced women less often than married women tended to remain at home right up until the child's second birthday. The divorced women in the study [Junková 1975] did not indicate that they had any major difficulty combining work and family life, and 20.6% of them even had adjusted working hours. Only 4% stated that the employer rejected their request to adjust their

working hours.¹⁰ However, the authors of the study considered even this small percentage as a problem.¹¹

A special issue is the child support that fathers paid or were supposed to pay. According to the study by the Czechoslovak Research Institute of Labour and Social Affairs in 1975, the majority of divorced mothers (95.1%) were entitled to receive regular, court-ordered child support payments from the former husband. The amount of the payment was usually around 301–400 CZK (for the whole family, regardless of the number of children). However, 37.1% of women indicated having difficulties getting support from the father of their children, and 5% of them were not receiving any child support at the time of the study [Schimmerlingová et al. 1977: 53–55]. There were no official rules for determining the amount of child support to be paid, and the inter-regional variations in practices were criticised: ‘The differences between cases when the parents’ income and the age of the child were otherwise the same were sometimes greater than 100%; while one judge would order child support of 300 CZK, another judge would set it at 600 CZK.’ [Pávek 1973: 187] Therefore, lawyers viewed the compulsory amount of child support as just a guideline and a minimum. It was assumed that the father would contribute slightly more than the required amount, for example, in the form of material gifts. However, according to the study by the Czechoslovak Research Institute of Labour and Social Affairs in 1975, roughly one-half of the former spouses of respondents had remarried and one-third had other children, and that limited the amount of support they could obtain from their former spouses and the means of obtaining it. Divorced mothers had to turn to the local

¹⁰ Compare Junková’s findings on lone mothers with children from 1975 with Wynnyczuk’s findings on mothers with children in general from 1972, quoted in Chapter 3. Based on Wynnyczuk’s research, only one-tenth of mothers expressed satisfaction with their boss’s approach to combining motherhood and employment. One-third felt that there were serious problems with combining work and family life (see Chapter 3).

¹¹ The living standard of lone-parent families can be determined not just by their income but also according to their household possessions and their housing. Lone-parent families were clearly worse off with regard to household possessions. The biggest differences were found in relation to luxury items, such as vacuums (79.5% compared to 95.2% in two-parent families) or mixers (57.7% compared to 79.6%). A major difference was also found with regard to whether the family had a car or not. Only 8.5% of lone-parent families had a car (defined specifically as a ‘male’ item) compared to 49.6% of two-parent families:

‘Cars are clearly a special issue, as usually after a divorce the man retains ownership of the car (offsetting the loss of a flat and household furnishings), while women might have been worried about having a problem driving and maintaining it.’ [Junková et al. 1975: 74]

An alarming finding was that roughly 13% of families headed by divorced mothers were living in inadequate housing conditions, a further 17% were living in a small and cramped flat, and 12% were even still living in the same flat with their former husband.

authority (Department of Child and Youth Care), which worked with the court system, for help in matters regarding the amount of child support and getting fathers to make the payments. The state did not offer any substitute payment for unpaid child support, and although families in dire need could apply for financial and material assistance to support their children, only a negligible number of divorced mothers did so.

The authors of the research on divorced mothers [Junková et al. 1975; Schimmerlingová et al. 1977] concluded that only approximately 5% of families of divorced women with children aged 15 and under were in a situation of true material hardship. Among the rest the biggest problem was being unable to generate any savings, which made the family vulnerable. The social situation of lone-parent families was consequently assessed as satisfactory, though somewhat worse off than two-parent families. It was noted in particular that the economic situation of families with two or more children headed by single or divorced mothers was poorer than that of other lone-parent families. The solution to this was seen to lie in increasing the social incomes for these types of families.

It was in the 1970s that lone-parent families began to be regarded as a social issue. The issues of children growing up in lone-parent families and the economic situation of such families particularly began to garner attention. The state's social policy reflected an acknowledgement of the disadvantaged position of such families, and targeted measures were adopted that were intended, on the one hand, to help lone parents in difficult material situations to cope when in need, and, on the other hand, to help them combine employment with caring for their children. Like today, even at that time lone parents had to meet with their needs by working more and by drawing on assistance from their own parents.

4.1.3. The 1980s: A Foretaste of Change

In the Czech Republic the divorce rate rose steadily until 1984–1985. After 1985 the divorce rate stagnated, but at a quite high level. On the other hand, from the start of the 1980s the percentage of extramarital births began to rise. While in 1979, 5% of births were extramarital (which was the stable rate since the 1950s), by 1989 the figure had risen to 7.9% of all live-born children. The first decrease in the absolute number of two-parent families occurred between 1980 and 1991. The share of lone-parent families out of all family households began to grow more quickly. That was a foretaste of developments to come in the 1990s. While over the course of the previous decade there was no noticeable increase in the share of lone-parent families out of all family households (11% in 1970, 11.3%

in 1980), during the 1980s the increase was substantial (to 14.7% of all family households).

The proportion of divorced marriages with dependent children remained around 70%. During this period women tended to file for divorce much more often than men – in 64% of divorce cases in 1981. Out of the total number of lone-parent families, 34% were the result of divorce, 30% the result of the death of one of the parents, in 24% of cases the parents were married but not living together in the same household, and in 10% of cases the parent was unmarried [Matějček 1986: 30]. Approximately 65% of divorced women remarried [Lesný 1983]. Material reasons were the biggest motivation for remarriage, because the higher a woman's level of education (and the higher their income) was, the lower the likelihood of remarriage [Možný 1979].

The social security and protection of lone mothers did not change much during this period. From 1 July 1987 lone mothers (as long as they were contributors to sickness insurance) were allowed 37 weeks of maternity leave (other mothers were entitled to 28 weeks), during which time the woman received a financial aid in pregnancy and motherhood. In 1989 the period in which women were entitled to the maternity allowance (to partly substitute their wages if they were not working but caring for a small child) was extended to three years. While women in two-parent families enjoyed this entitlement on the condition that they were also caring for (an)other (older) child or children, lone mothers were entitled to a three-year allowance even if they just had one child. They were also granted one other exception: while a woman who was married (had a partner) was not allowed to engage in any gainful employment while receiving the maternity allowance, a lone mother retained her entitlement to the maternity allowance even if she was also working, as long as the child was placed at the mother's expense in the care of another person who was not a personal relative (e.g. not the child's grandmother), on the condition that the child was not placed in a nursery.¹²

In these years fundamental changes occurred that affected the position of lone fathers. As early as 1975 the ban on terminating the work contract of a lone parent was also applied to lone fathers. The legal definition of a lone parent was a woman who was unmarried, widowed, divorced, or lone (for other serious reasons) and not living with a partner; in 1975 this definition was extended to include unmarried, widowed, or divorced men caring for a child and not living with a partner (Act No. 65/1965 Coll., § 274, amendatory act 1/7/1975). The only condition was that the mother or father was not living with his/her partner,

¹² The same exception for lone mothers applied already since 1970 when maternity allowance was introduced. See Chapter 3.

in which case they would lose the entitlement to any advantages for lone parents. In the 1980s, lone fathers also gained the entitlement to the additional maternity leave and maternity allowance¹³ (currently referred to as parental leave and parental allowance), and they became also entitled to the financial aid in pregnancy and motherhood. In the 1980s, financial aid in pregnancy and motherhood and maternity allowance were also granted to any father whose partner was not able to care for the child for health or other serious reasons (see also Chapter 3).¹⁴

Information on the social and economic situation of lone-parent families in the 1980s can be obtained from a secondary analysis of data from a representative survey of the class and social structure of the population conducted in 1984 by the Institute of Philosophy and Sociology of the Czechoslovak Academy of Sciences [Rendlová 1988].¹⁵ Among the households in the study 10.5% were headed by a man and the rest by a woman – one-tenth of all lone parents were men. From the perspective of the marital status of the men the majority were widowers (60%). Among mothers at the head of lone-parent families 41.4% were divorced and 42.1% were widows, while 7.8% were single and 8.6% still married but not living with their husband. One-half of all divorced families had only one child, and 37% had two children. The majority of single mothers had basic education (44.3%) and only 6% were university graduates.

The study also looked at household possessions. Lone-parent families were materially less well off. The differences between two-parent and lone-parent families were evident with each of the items examined in the study. The biggest differences were seen with what at the time were known as luxury items, such as colour television, automatic washing machines, and freezers. There was still a difference with respect to car ownership, but owning a car even became more common among lone-parent families than in the past (30.2% compared to 60.7% in two-parent families).

The author of the study noted ‘a heavier reliance of lone mothers on the poorly functioning and financially costly service sector’ [Rendlová 1988: 7]. The absence of a man in the household did not just mean the absence of a provider but also the absence of a man’s labour in the home. In families men usually performed the household’s technical and maintenance work, and that played an important role in the household economy. Women supporting themselves had to

¹³ See Act No. 107/1971 Coll., § 13a, amendatory act 1/1/1985, and Act No. 88/1968 Coll., § 12a, amendatory act 1/7/1987.

¹⁴ Any all-day child-caring father is entitled to parental leave in a regime equal to maternity leave for all-day child-caring mothers and to financial aid in pregnancy and motherhood only from 2008.

¹⁵ The analysis included a total of 800 households.

solve such problems by paying for services that did not function very well, were expensive, or were often hard to obtain.

On the other hand, the author noted that women in lone-parent families performed traditional tasks less (food preserving, knitting, sewing), while women in two-parent families were clearly more traditional. Women providers were driven towards greater emancipation by the force of objective circumstances [ibid.: 8].

Young lone mothers (20–29 years old) usually returned to live with their parents and accepted their material assistance and help in looking after their small child or children. With this parental assistance they were able to hold a job at the same time. The families of lone mothers aged 30–39 tended to be autonomous units; in terms of their relationships with relatives, they were more like two-parent families. The data from the study also revealed that mothers from lone-parent families were much more interested in working overtime than mothers from two-parent families: 8% of lone mothers aged 30–39 worked overtime almost every day.

The author of the study did not conclude with recommendations for increases in social assistance to lone parents, because it was felt that increases could reinforce the pro-divorce climate in society. Instead she recommended increasing the social benefits for all needy groups in the population, and she also suggested strengthening ‘the connection between work performance and income: the effort of lone mothers to earn extra work income is considerably tied up with current remuneration practices’, which probably also involved big differences between the wages of men and women for performing the same work.¹⁶

The 1980s were a period when the rise in the divorce rate slowed, but simultaneously there was an increase in the number of extramarital births. Socio-political discourse exhibited a tendency not to explicitly support lone parents and their families and instead to support all socially vulnerable families across the board – and that tendency continues to date.

¹⁶ The sociologist Ivo Možný examined the issue of lone-parent families in the 1980s, especially the aspect of social reproduction in this type of family. Together with Liliana Nerudová conducted a study of the total population of students in the sixth, seventh, and eighth grades in one town (approximately 2000 children). Their findings confirmed the quantitative findings of Rendlová’s research. In lone-parent families the role of grandparents (the mother’s parents), and especially the mother’s mother, was especially important. The material situation of children in lone-parent families was much worse than in two-parent families. Fewer children in lone-parent families had skis or a bike or travelled to the mountains or abroad with their parent (44% compared to 52% of children in two-parent families). This study also compared the behaviour and school performance of children from lone-parent and two-parent families. Children from lone-parent families were found to have poorer school performance, were less diligent, and less active. In conclusion the authors added that lone parenthood itself may not be the essential cause of the observed differences [Možný 1984].

4.1.4. The 1990s: The Deteriorating Situation of Lone-Parent Families in a Market Environment

At the end of 1989 the Czech Republic experienced a major change in the political system, followed by the transformation of the economy and society. What impact did these changes have on the number and position of two-parent families? The divorce rate remained stable throughout the 1990s at a relatively high level (the aggregate divorce rate remains at around 45–48 %), but there was a slight decrease in the proportion of divorced couples with dependent children probably owing to the fall in the birth rate and the postponement of child birth to a later age [Czech Statistical Office 2008]. Nevertheless, couples with dependent children still accounted for almost 60% of all divorced couples.

After 1990 the number of extramarital births began to rise rapidly. While in 1990, 8.6% of births were children born to unmarried mothers, by 2000 the figure had risen to 21.8%. A significant proportion of these mothers were not actually single mothers (without a partner), as many of them were women living in consensual unions, which became a new and spreading form of lifestyle in the 1990s. But according to estimates, at least one-half of all children born to unmarried mothers are born to women without a partner [Zeman 2006: 25]. In 1990, 89% of lone-parent families were headed by women and 11% by men; 65% of them were families with one child, 29% had two children, and 6% had three or more children. The proportion of one-child lone-parent families has been growing.

In the 1990s there were only some minor changes in the sphere of the social support and protection provided to lone parents. In 1995 the advantages granted to lone parents collecting the parental (previously maternity) allowance were abolished: just like other parents, they were only allowed to earn a maximum of 1800 CZK while receiving parental allowance, above which they would lose their entitlement to the allowance. Since 1993 the period during which parents looking after a sick child can receive support was extended to seven days, while lone parents were still entitled to such support for up to thirteen working days though.

Information about the economic position of lone-parent families in the mid-1990s can be obtained from a study conducted by the Research Institute for Labour and Social Affairs from 1995, in which interviews were conducted with 691 representatives of lone-parent families with dependent children [Lhotská, Petrová 1996]. According to this study 52% of lone-parent families were 'pure' lone-parent families, i.e. not living with any other person; 22% lived with a grandparent or another relative; and 26% lived with a partner in a consensual union

(whose permanent registered address was somewhere else, so in the Census this family appears as a lone-parent family). The single person at the head of a lone-parent family was found to be usually a woman of a younger age (26 years old on average), usually with one child, and in one-half of cases living with her parents. Divorced heads of lone-parent families were found to be usually middle aged, with between one and three children, 31% living with a partner in a consensual union and one-half without any other person in the household. This confirms the findings of Rendlová from 1988 that at that age lone mothers are not as dependent on their parents as lone mothers in their twentieths.

The data from this study reflect the changes in the position of lone parents (especially mothers). The emergence of a competitive labour market combined with the decrease in the number of available places in nurseries for children have made it difficult for lone mothers to find work and earn an adequate amount of income. At the same time prices have risen and the costs connected with raising children went up. According to the authors of the study, this type of family has come to be 'handicapped in the emerging competitive environment, i.e. with limited opportunities to find work in the labour market while caring for dependent children' [Lhotská, Petrová 1996: 1]. A female breadwinner is no longer an advantage at work, and on the contrary it is seen as a major disadvantage and has become a source of discrimination, as employers are often unwilling to hire women who bear the responsibility of caring for their children by themselves. This is one of the consequences of the transition from a centrally planned economy to a market economy.

In terms of income the worst off are still single people (usually single mothers) who do not share a household with anyone else. However, all types of lone-parent families suffer more often than two-parent families from a lack of financial resources to cover their everyday needs (on average the figure is 20% higher than in the case of two-parent families). Lone-parent families are required to turn to the grandparents for assistance even more so than in the past. Usually families with small children aged three and under receive assistance from the grandparents (three-quarters of cases), and usually the assistance is provided directly after the divorce (within the first two years after the divorce three-quarters of families use such assistance). The same applies with regard to help in caring for the children and running the household.

As in past decades, lone parents suffering from a lack of financial resources adopt employment strategies – changing their employer, increasing their qualifications, intensifying their paid work efforts, for example, by means of additional employment. However, unlike members of two-parent families, they tend not to prefer a change of employment that involves long separation from the children

or puts heavy demands on their time. They are more willing to be flexible about their work (e.g. increasing their qualifications or, conversely, accepting work below their qualification level when necessary or when financially beneficial to do so). A total of 23% of lone-parent respondents had experienced losing their job and subsequently being unemployed. Most often these were younger women with small children, with a low level of education and a low professional status, living in a household alone with their children, and living in a region with higher unemployment [Lhotská, Petrová 1996: 25].

With regard to the payment of court-ordered child support, 13% of households headed by divorced or single mothers or fathers received no such child support at all. Of these two-thirds were headed by single mothers whose economic situation was the worst of any lone-parent family since the 1950s. The average amount of child support paid during this period was 1000 CZK for one child and 1340 for two children, and support settlements made before 1989 were usually lower than those made in the 1990s. What this means is that the amount of child support that is settled on is not updated on an ongoing basis, so a mother of two growing children who divorced before the revolution may actually receive less child support than a mother with two toddler-age children who divorced after 1989. An interesting finding is that families with higher income usually receive higher child support and vice versa. This is related to the educational homogamy of couples in the Czech Republic and the regional differences in income. According to the findings in the study, 22% of families were forced to go to court to get their former partner to pay support and one-third had experienced receiving support irregularly [Lhotská, Petrová 1996].

Like in the 1970s the position of lone-parent families is assessed in the study as relatively good. It is not true that all lone-parent families are necessarily doing poorly. Economic difficulties are always the result of the co-effects of some other disadvantaging factor (caring for a small child, low education, unemployment, living in a disadvantaged region). The authors of the study therefore concluded that a blanket form of support for all such families makes little sense. It would be more useful to focus on the other discriminating factors. It can nonetheless be said that in the 1990s the situation of lone parents has deteriorated compared to their situation in previous years, and especially compared to the situation of two-parent families. The decline is mainly a result of changes in the labour market, the increased pressure employers put on performance, and a worsening of the conditions for combining work and family. A role has also been played by rising unemployment, especially in some regions [ibid.], and the emergence of discrimination, wherein employers do not want to hire lone mothers because they expect a poorer work performance and frequent absences.

4.1.5. *The Start of the 21st Century: Struggling without Advantages*

Between 1991 and 2001 the Czech Republic experienced the biggest increase in the number and percentage of lone-parent families in the past four decades. According to the 2001 census, almost 1.5 million people, with 488 000 dependent children, were living in lone-parent families. The percentage of lone-parent families with dependent children in the Czech population has been growing steadily, with the highest increase occurring in the past ten years (the last decade of the 20th century). Whereas in 1991, only every sixth family was a lone-parent family, by 2001 it was every fourth family. Usually, in two-thirds of cases, these families have one dependent child; more than one-quarter of these families have two dependent children. During the last census, 88% of these families were headed by women, and just 12% of lone-parent families with dependent children were headed by men. Among women, the biggest number of such families is concentrated in the age group of 25–39 years, whereas among men, they are more frequently in the older age group of 35–49 years. Both among men and women, in one-half of all cases the lone parents are divorced. Among men, the majority of the rest are widowers, while among women they are single mothers. For the first time in history thus extramarital birth, and not the death of a spouse, is the second most common reason for the emergence of a lone-parent family. Compared to the past there is one other important change: As many as 17.5% of lone-parent families are headed by an economically inactive person, and in 90% of these cases it is an unemployed mother [Šandera, Haberlová 2005].

The result of these changes has been a decline in the standard of living of lone-parent families compared to the standard of living of the rest of the population. According to the 2002 microcensus, 16.4% of lone-parent families living alone (i.e. with no other person in the household) were living below the subsistence minimum. For lone-parent families living with another person (e.g. with grandparents) the figure was only 4.4%. Almost one-half of all lone-parent families headed by divorced mothers barely earn one-and-a-half times the living minimum, and lone-parent families make up 43% of the poorest 10% of the population. The income level of lone-parent families grows considerably when they live with one or more other persons. According to the 2001 microcensus, taking the lone-parent family as the reference point, ‘pure’ two-parent families have 46% higher income than ‘pure’ lone-parent families. According to the 1973 microcensus the difference was just 21.8% [Schimmerlingová 1977: 67]. Compared to other households, lone-parent families commonly share their residence with another household; in three-quarters of cases it is the child’s grandmother. When a lone-parent household shares its residence with another person/household, in

57% of cases it is the other person who is the leaseholder or owner of the apartment and in only 43% of cases is it leased or owned by the head of the lone-parent family. Only 25.1% of lone-parent families living alone have a car, as opposed to 72.4% of two-parent families. According to the quantitative research project carried out in 1999 as part of the project 'Ten Years of Social Transformation in the Czech and Slovak Republic', there were two categories with the lowest income in the Czech Republic: lone retirees and lone-parent families [Benešová 2000].

Within the state social system, lone-parent families are at present not defined as a specific category eligible for special treatment. Lone-parent households are entitled to receive the same social benefits and allowances as any other households; the amount of these benefits and allowances is calculated on the basis of the subsistence minimum of persons judged together. However, until 2007, lone parents enjoyed advantages with regard to maternity leave and financial aid in pregnancy and motherhood (lone fathers since 1987). Until December 2007 lone mothers were entitled to financial aid in pregnancy and motherhood for a 37-week period, while mothers living with a partner were entitled to just 28 weeks (Act No. 88/1968 Coll., § 7, amendatory act 1/7/1987); as of January 2008 the entitlement is 28 weeks in both cases (Act No. 187/2006 Coll., on sickness insurance). The main argument for eliminating this advantage was supposed abuse of this measure by unmarried mothers who in reality live with a partner but declare themselves to be lone mothers.

Between 2001 and the end of 2004 the length of the protective period during which an employee on maternity/parental leave cannot be fired was cut back to one year; however, for lone mothers, it remained three years. Since 2005 it has applied to all pregnant women, women on maternity leave, and women and men on parental leave. At present, lone parents are not granted any special treatment.

As of 2009 lone parents are entitled to the same social benefits as parents living in a partnership and they are not afforded any special provisions (see also chapter 3). Basic benefits currently include: a birth grant, financial aid in pregnancy and motherhood, parental allowance, a child benefit, a social benefit for low-income families, a housing allowance, and an emergency grant that can be applied for in emergency situations.¹⁷

The majority of lone parents are entitled to child support from the other parent. However, legal rules and regulations governing the calculation of the support paid for dependent children are rather general, and this is the source of numerous problems. There is a rule that the child has a right to share the living standard

¹⁷ See the Ministry of Labour and Social Affairs at <www.mpsv.cz>.

of its parents; however, this is seldom the case, and children in lone-parent families usually share the living standard of the parent they live with. Parents are supposed to contribute to the maintenance of their children according to their abilities, possibilities and financial situation. The criterion of ‘financial situation’ added by the amendment to the Family Act in 1998 (Act No. 94/1963 Coll., § 85, amendatory act 1998) makes it possible to take into account not only the income of the paying parent but also to his/her overall assets, which is useful especially in the case of parents-entrepreneurs. The 1998 amendment also envisaged the use of support to go towards savings, for example, intended for the education or the purchase of housing for a child. Until then, child support had to be used entirely for consumption purposes, which was discriminatory towards children living in lone-parent families. In practice, child support is calculated on a case-by-case basis. At present, in addition to old unchanged rulings from the late 1980s, where support was set at 500–600 CZK, there have also been rulings setting support at tens of thousands of CZK. In 2004, the average amount of child support paid by a father was CZK 1632 CZK a month though.¹⁸

The court has to decide about the amount according to the means, capacity, and financial situation of the parent who is to pay. This is sometimes complicated: it has to be established whether he/she had not renounced any income, his/her income is adequate with regard to his/her qualifications, and whether he/she declared all their income. The court has the right to order that the opinion of a financial expert be obtained, and if the parent fails to submit necessary data it is presumed that his/her monthly income amounts to fifteen times that of the living minimum, i.e. slightly over 30 000 CZK. For some parents, this may even be the preferred option [Hrušáková 2000: 33–37].

Should the parent who is to pay fail to comply with his/her obligation to pay the amount of court-ordered child support the beneficiary parent can petition the court for the seizure of the other parent’s income. Should the parent who is to pay fail to pay at least a minimum amount within six months he/she may be sentenced to up to two years in prison. However, in usual praxis, if he/she pays at least a part of the sum, no penalty is applied.¹⁹ At present, all the troubles and costs related to recovering child support are borne by the parent caring for the child (i.e. mostly women). By law a mother can file for the execution of property immediately upon the first payment default. First, she has to make an advance payment of 15% of the executable sum, which she loses if the payment defaulter is found to have no executable valuables. For those families that do not receive

¹⁸ Source: Ministry of Justice, data provided upon the request of Institute of Sociology, Academy of Sciences of the Czech Republic.

¹⁹ See e.g. <<http://www.vasedeti.cz/poradny.php?dotaz=12039&poradna=9>>.

payment of mandatory child support from the father (or less often the mother) the state compensates the support, but only up to an amount equal to the subsistence minimum.

The situation of lone – single or divorced – mothers is not being at present a topic of any women’s interest group. In comparison with the period between the wars, when representatives of women’s movement (Czechoslovak Women’s Council) concentrated on the issues of rights of women in divorce and the enforcement of child support [Musilová 2007], nowadays the pressure on those issues from the part of women’s civic organisations is missing. On the other hand, there have been repeated efforts from the part of political representatives to introduce a law leading to a creation of state fund that would compensate for the child support (up to a certain sum) in case it is not being paid as stipulated; and that would remove the burden of the enforcement of child support from the mothers and transfer it to the state. Those attempts have not been successful so far.²⁰

Some lone parents (especially mothers) are not entitled to any child support. This is true of single mothers who do not identify the father in the child’s birth certificate, and single and divorced mothers whose former partners have no income or are missing. Unfortunately, it is this group of mothers that is probably also disadvantaged most by other factors: low education, unemployment, residing in a region with high unemployment and a lack of job opportunities. According to Hamplová [2007], the typical Czech unmarried mother living alone with her child is woman from Northern or Western Bohemia (with high unemployment rate), with low or basic education [Hamplová 2007; Zeman 2007]. In those regions, especially very young women are at bigger risk of becoming single mothers. Bad socioeconomic conditions of the region therefore lead to even bigger differences between social groups. It seems that those single mothers are women who lack other life alternatives and who choose motherhood (although single) as the only available life strategy [Hamplová, Řeháková 2006: 38], or as a ‘strategy of exclusion’ [Hora 2007: 19].

In recent years several studies have been conducted focusing on the position of lone-parent and two-parent families [Kuchařová 2007; Dudová, Hastrmanová 2007]. A qualitative study of motherhood after divorce [Dudová, Hastrmanová 2007] showed that despite initial hardships and persistent disadvantages lone mothers are able through their own efforts to meet the economic demands of

²⁰ In 2001 the proposal of a deputy Jana Volfová and her colleagues; in 2006 the proposal of a deputy Anna Čurdová with collaboration of Parliamentary Commission for Equal Opportunities. The second proposal was passed by the first chamber of Parliament, but was not approved by the Senate. After being approved by the Parliament it was vetoed by the President. The new version of this law was refused again in 2007.

heading a lone-parent family. However, to do so they have to mobilise all their forces. Mothers after divorce usually opt for the kind of employment that allows them to combine work with caring for children, i.e. work that does not require them to spend evenings at work and where occasional absences are tolerated when it is necessary to look after a sick child. They often choose employment that is beneath their level of qualifications. Usually a single income from these forms of employment is not enough to cover the household needs. Therefore, lone mothers often look for secondary and often unqualified jobs that they can perform even while their children are around, in the evening, or at home at night (cleaning, ironing, language, dance, or aerobic classes, selling cosmetics, etc.). This was confirmed by quantitative findings from a representative survey from 2005,²¹ which indicated that women with children living without a partner are more likely to perform more than one form of economic activity at a time and most often earn extra income by working as a cleaner or home help. In the labour market lone mothers are regularly confronted by discrimination on the part of employers – either because they are mothers or because they are actually lone mothers. They deal with this negative labour-market situation by either increasing their qualifications or, on the contrary, accepting low-qualified jobs that become available. If they are able to overcome the initial critical period, usually they go on to earn enough income to obtain an adequate standard of living and at the same time they acquire a new sense of self-confidence and begin to value the independence they have gained. However, only rarely do they manage to attain as high a standard of living as that the family had before the divorce [Dudová, Hastrmanová 2007].

Lone mothers, in their own words, continue to be faced with the risk that if some unforeseeable event were to occur, making it impossible for them to work as hard as they do or presenting them with an unexpected expense, the fragile economic balance in the family would fall apart. Often, especially during the first year after the divorce, they find themselves in a state of genuine poverty. Studies confirm that after a divorce mothers seek out assistance and support from their own parents, more so than in the past – either in the form of assistance with caring for the children or financial assistance, or even move back into the flat or home of their parents in order to solve their housing situation.

²¹ The survey 'Relations of the transformation of the labour market and forms of private, family and partnership life in Czech society'.

4.2. Conclusion

The position of Czech institutions towards lone-parenthood changed substantially over the course of last half of the 20th century. However, this development did not so much involve legislative changes – there the major changes were initiated in 1950s and in subsequent years no other major changes occurred. The main changes that did take place were at the level of public and professional discourse and at the level of social policies.

While in the 1950s the newly established divorce options were discussed as institutions that would liberate people from forced marriages established for the purpose of property and would usher in the emancipation of everyone, in the 1960s criticism and cautionary warnings began to surface. The rate of divorce had reached unexpectedly high levels and continued to rise. While the increase in the number of lone-parent families was necessarily a result of the high divorce rate, lone-parent families themselves were not yet the subject of public and political interest and professional studies. Divorce was primarily discussed as a moral and philosophical problem, and no focus was placed on its social implications and issues (at most, mention began to be made of the problem of providing children with a proper upbringing in such families, especially with regard to their future relationships and family life). It has only been since the 1970s, after the percentage of lone-parent families increased to 8.8% of all families with children in 1970, that social-science studies began to devote attention to this issue and especially to the economic situation of lone-parent families. It is found that the income of lone-parent families is approximately 24% lower than the income of two-parent families,²² that the vast majority of such families are headed by a woman, and that divorced women are usually and more often than married women economically active. Particularly lone unmarried mothers and lone mothers with three or more children are found to be in a critical situation. From the middle of the 1970s research turned its attention also to lone fathers (from the perspective of policies they have been eventually set on the same level as women-mothers).

In the course of the 1980s the percentage of lone-parent families in the population continued to grow, especially as the percentage of extramarital children began to increase (this trend truly took hold in the 1990s, and continued into the twenty-first century). Lone-parent families became the subject of regular attention in research, for which credit is mainly due to the Czechoslovak Research Institute of Labour and Social Affairs.

²² These are 'pure' two-parent and lone-parent families, wherein the reference point is the income of lone-parent families.

The change in the political-economic system in 1989 held significant consequences for the position of lone-parent families. On the one hand, there was a major increase in the number of such families (mainly, as mentioned above, owing to the increase in extramarital births), and on the other hand there was a severe worsening of their economic situation. The position of lone-parent families in the labour market also deteriorated – discrimination on the basis of marital status emerged as a phenomenon on top of gender discrimination. The transformation from a centrally planned economy to a market economy saw the onset of efforts by employers to maximise profits. In the centrally planned economy of the state socialist system companies were not focused primarily on generating a profit and they played a role as an actor in the system of social security; there was no real unemployment, and there was a prevailing low level of work productivity (see Chapter 2), so employers did not necessarily view the family life of working lone mothers as an impediment to their performance and job commitment. In a labour market where the objective of companies is exclusively to make a profit and where there is growing unemployment, there emerges room for disadvantaging certain groups of workers on the basis of their assumed work prerequisites. Lone mothers (and fathers) are thus confronted with the stereotype that they cannot be good employees if they are also taking care of children on their own. And state policy does little to support them in their employment; on the contrary, the conditions for combining work and family life are deteriorating (the extension of the duration of parental leave and allowance, the decrease in spaces available in institutional childcare – see Chapter 3).

The result is a reduction in the living standard of lone-parent families relative to the living standard of two-parent families. In past decades lone mothers in the CR usually relied on their own employment income; social benefits and child support from the other parent formed a secondary part of their income. At present, however, they are increasingly finding themselves among the unemployed and the marginalised in the labour market. The sharpening of inequalities between different social groups that occurred in the CR in the 1990s has been taking place to the detriment of lone parents and their children. This negative development has moreover been accompanied by the re-emergence of traditional family discourses and with them the related criticism of families of single and divorced mothers. Even in the political discourse arguments are used that claim married women are discriminated against compared to lone mothers – though the living standard of lone-parent families is obviously worse.

Czech social policy was never directed expressly at the protection of lone-parent families. Although in the 1960s and 1970s there existed measures that slightly advantaged lone parents, they were more partial in nature. They focused

mainly on the area of combining work and childcare (longer entitlement to maternity and later parental allowance, the possibility of collecting the allowance while earning, a longer period of sick leave while caring for a sick child). However, during the 1990s most of these relative advantages were gradually removed or extended also to married women. The last step, in 2007, was the reduction of the period of entitlement to collecting financial aid during pregnancy and motherhood to the same period as mothers living with a partner. At the same time the the government reform continues indirectly to disadvantage lone mothers [see Dudová 2008].

The system of social benefits in the Czech Republic continues to protect best against poverty those lone-parent families that emerge as a result of the death of one of the parents, who at the time of that death were married, and this extra protection is mainly achieved by means of the system of widow, widower, and orphan pensions. Lone-parent families of single or divorced parents are accorded only limited advantages or only in the specific situation where the essential life needs of a dependent child or children are not otherwise provided for or are at risk. In every other situation, a single or divorced parent who has custody of a child or children bears the full responsibility alone. Current provisions in the social system and legal protections clearly favour parents of dependent children who are married and live together.

Ultimately the current situation of lone-parent families in the Czech Republic cannot be described itself as critical, but they are in a sub-average situation and lone parents have no chance of substantially improving it in any way. Some lone-parent families are still (as in the past) hovering on the edge of poverty. This as a rule is owing to the existence of multiple disadvantaging factors – caring for small children, low education, residing in disadvantaged regions, unemployment, an ill child, or having three or more children. Lone-parent families have always tended to be in a vulnerable position and exposed to risks – they are not usually able to generate any savings and less often than two-parent families does the person at the head of the family have anyone else they can rely on in times of crisis. As soon as a lone mother (or lone father) for any reason becomes unable to fully perform his/her work and home responsibilities, the family quickly falls into a critical financial situation.

In such a situation lone parents (in most cases mothers) today, as in the past, seek help from their parents, usually their mothers – the increase in the number of lone-parent families is thus making the maternal axis in the family stronger. The state provides less frequent and less effective assistance in these situations. An issue is the child support, which the other parent of the child is required to pay – as in the past the amount is low and usually falls well short of covering

even half the costs connected with raising a child. Moreover, the institution of child support does nothing to address the situation of the most disadvantaged groups of lone parents – single mothers with a low level of education and poor qualifications living in disadvantaged regions. These parents either have no entitlement to child support or given the economic situation of the father the amount of child support is set very low. Therefore, the state cannot relinquish responsibility for supporting these families and transfer it to private actors, because structural circumstances make it beyond the power of those private actors to alter their situation. However, the consequences are borne mainly by the children who grow up in such families.

The issue of lone parenthood provides a good illustration of how marital status, gender and the lack of support in care obligations can influence and limit access to full citizenship rights. In fact, the majority of lone mothers do not suffer from any formal limitations on their political and civic rights. Most of them work and have income. Nevertheless if we understand the citizenship as including social rights and not only rights and obligations, but also opportunities and conditions of acquiring the status of full citizen, we must pay attention to the complex of inequalities and shortages that lone parents face.

First of all, it is obviously a lack of economic resources. Although all of them do not necessarily suffer from absolute poverty, lone mothers and their children cannot fully participate in the more ‘costly’ opportunities and this can in turn lead to incapacity to improve their situation. For instance they cannot easily move to another region with more work opportunities and higher incomes; or they cannot afford to pay for their children or themselves special education or after-school activities. Thus they find themselves locked in the circle of low-paid, low-qualified and time-consuming jobs.

Second, they are victims of a lack of specific support from public authorities, mainly a lack of public childcare and welfare support for parents providing care alone. The childcare system does not take into account the situation of lone parents. Even though they are slightly advantaged in access to places in formal care institutions, the limited and rigid opening hours, and the large number of holidays that are not covered by the institutions do not correspond with the needs of working lone parents. The terms of the parental allowance (gathered during parental leave) have disadvantaging effects for lone parents, especially after the reform in 2008 [see Dudová 2008]. In result, lone parents (mostly mothers) are not encouraged in their participation in paid work, and in the same time the welfare support they are entitled to is not sufficient for the covering of the needs of their families. This encloses them further down in the secondary labour market job opportunities and leads to the social exclusion of their families.

Working lone mothers divide their time between paid work and care work. They experience a lack of time – not only time left for leisure activities, but also for any kind of participation beyond their obligations of carer and breadwinner. They are usually not able to organise themselves into any interest groups or participate actively in civil society. Given the overwhelming reality of their everyday life and duties it is quite impossible for them to work systematically on the political improving of their situation. In the Czech Republic, the example is the missing ‘women’s lobby’ that would support and enforce the law on advanced payment of child support.

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5. The Roma Minority: Changing Definitions of Their Status

Kateřina Pulkrábková

The following chapter is an analytic reflection of accessible documents relating to the theme of the minority status of the Roma and their coexistence with the majority population in the Czech Republic since the Second World War. Especially accentuated is the specific status of Roma families and Roma women. This status has been strongly influenced by communist policies as well as by the process of transformation in the 1990's. The discrimination and the exclusion of the Roma minority are characteristic problems throughout the period monitored, and Roma women are moreover faced with multiple forms of discrimination. In addition, this issue has remained latent and been neglected in every historical time period except for most recently. This chapter is divided into four parts, which represent four different historical periods in which there have been specific features to the discussion of the issue of the Roma minority in Czech society – the assimilation policy, the social integration concept, the concept of social exclusion, and conceptual approaches highlighting social inclusion. Data are critically discussed in an effort to offer a complex sociological interpretation of the contemporary situation of the Roma minority in the Czech Republic.

The main aim of this chapter is to provide an overview of the development of social citizenship of the Czech Roma minority and especially the status of Roma women in the family and society. To understand the status of this oftentimes excluded and discriminated minority, it is necessary first to examine the history of the Roma minority in the Czech Republic, at least during the past several decades, and second, to take a complex look at the Roma minority (and not focus just on the status of Roma women). The chapter should result in a more complex and critical sociological view of the status of the Roma minority in a historical and gender context. Examining the status of the Czech Roma minority and the situation of Czech Roma women first requires that some conceptual issues and definitions are identified and solved. The status of the Czech Roma minority is in many respects specific and it has its own historical and social particularities, which make it incomparable to the status of other national minorities in the Czech Republic.

The Roma minority is the largest ethnic minority group in the Czech Republic (estimated at around 1.46% of the total population¹). But the Roma population in the Czech Republic is not homogenous culturally or when it comes to values. Today there are several different Roma cultures and communities with different social patterns and lifestyles coexisting within the Czech Republic. The various positions and interests of the Roma in the Czech Republic constitute an issue that is tied up with the problem of ethnic citizenship and social citizenship. The reasons for the fragmentation of the Roma are mostly historical. In the past, approaches to Roma identity, distinctness, and cultural customs alternated between restraint and cultivation, which only amplified the problem of the (non)existence of a collective Roma identity. Equally, the status of Roma women in Czech society has been strongly influenced by historical and local particularities.

Ethnologists have identified six different ethnic sub-groups of the Roma living in the Czech Republic. These ethnic sub-groups are classified according to the territory they occupied before the Second World War² and they often have different cultural backgrounds, norms, customs, and values. Moreover, most current communities are not compact. This is one of the main reasons why it is extremely difficult to focus on the Roma population as a whole. Nowadays, communities are heterogeneous, especially in urban areas. The traditional family structure and family patterns are receding, but most Roma people do not internalise the individualist lifestyle and do not prefer the nuclear family and community society to the traditional clan family network [Dřimal 2004; Jakoubek 2004]. Specific local communities are consequently formed out of minor or major compromises between the urban life of the majority population and traditional Roma customs.

The number of Roma people living on the territory of the Czech Republic has never been known for certain. The communist regime did not accept the Roma as a distinct nationality, and so there is no evidence based on self-declaration. State security records focused mostly on the nomadic or socially problematic part of the Roma population, and local authorities registered mainly just so-called so-

¹ A qualified estimate of the number of members of national minorities, focusing specifically on the number of members of the Roma community (Kvalifikovaný odhad... 2002).

² 1) Czech Roma – lived on the territory of Bohemia before the Second World War; 2) Moravian Roma – lived on the territory of Moravia before the Second World War; 3) Hungarian Roma – Roma who came from Hungary or regions occupied by the Hungarian minority in Southern Slovakia after the Second World War; 4) Slovak Roma (Rumungro) – came from Slovakia after the Second World War; 5) Olach Roma (Valachrom) – an ethnic sub-group which migrated within Central Europe until 1959; 6) Sinti – now living in Western Europe, lived in the Czech border regions before the Second World War, only a few families of this group now live in the Czech Republic.

cially inadaptible families. Enumerators labelled people as ‘Gypsies’³ based on their own judgements. The repression of Roma cultural identity during the communist regime was part of a long legacy of repression and made the Roma’s experience of registration in any form during previous periods even worse.⁴ One of the consequences of the repression of Roma cultural identity was the fact that in the 1991 Population Census⁵ few Roma declared themselves to be of Roma nationality. Owing to their negative experiences with any form of registration and the low degree to which they accepted this ethnic and cultural identity, only 32 903 people identified themselves as Roma. The real number of Roma living in the Czech Republic at that time was estimated by demographers at 151 000 people. There are, however, few legislative documents available for researching this topic; government resolutions and the internal documents of the Communist Party from the pre-1989 period are almost inaccessible. Although there are numerous documents (legislative and conceptual) available from the transformation period, the data that exist on the Roma population are from different sources, so they are difficult to compare.

Besides the general lack of relevant statistical and other data on the Roma ethnic minority in general, there are few studies and little data on Roma women. The concepts of gender and gendered citizenship focus on the majority population and, with just few exceptions, ignore the Roma minority. In addition, when the focus is on the Roma minority, it is mostly the point of view of its male members that is adopted. Roma women remain invisible, and their discrimination thus remains latent. The status of Roma women has so far been researched in just a few ethno-methodological studies, which have mainly focused on the traditional status of the woman in the Roma family [Davidová 2004] or portrayed Roma family life in a more literary way [Hübschmannová 1999].⁶ In these studies the

³ In this chapter, the term ‘Gypsy’ is used when quoting historical documents and resolutions that use that term, and the term ‘Roma’ is used in all other situations.

⁴ Repression on the ground of population records, above all the registration of nomadic persons, happened to the Roma in every century. The last documentation of the number of Roma in Czechoslovakia was made in 1927, and during the Nazi occupation it was used as the basis to force the Roma into concentration camps and led to the genocide of the Roma.

⁵ This was the first population census in which it possible to self-declare Roma nationality. Before 1989 it was impossible to declare Roma nationality. Nationality does not mean the same thing as citizenship. In the population census, nationality is understood as being a member of a nation, a national or ethnic minority. It is not determined on the basis of mother tongue or the language most often used. It depends solely on personal choice. It is possible to declare one, more, or no nationality.

⁶ The studies are mainly from the fields of Roma Studies or Cultural Studies.

discourse of intersectionality⁷ is notably absent and there is no relationship to the actual social status of Roma women.⁸ Most current studies on Roma culture and communities are aimed at a description and reflection of manifest features of Roma culture as a concrete demonstration of relations in the social structure; only a few studies have focused on discovering the latent structure of relations. However, in order to understand the gendered social citizenship of Roma women, the latent social structures are of primary importance.⁹

Each part of this chapter reflects one historical period classified according to the specific features of the approach taken to the issue of Roma minority status in Czech society, mainly in relation to the contemporary social policy system. The first period encompasses the 1950s and 1960s, which is characterised by efforts to forcibly assimilate the Roma minority into the Czech majority and culminated in the policy of the dispersion and assimilation of the Roma population. A feature of the second period, the so-called normalisation era of the 1970s and 1980s, was that there was a big increase in existential social problems of every kind in the Roma communities in response to the dispersion and assimilation policies applied. The following period of the first decade after the revolution in 1989 is characterised by the public disclosure of these problems and their public articulation in terms of social exclusion. The transformation period identified the new problems of the Roma minority but did not solve them effectively. Moreover, for the Roma people, the transformation process brought new social disadvantages. The last period, starting with the accession of the Czech Republic to the European Union, ushered in new conceptual approaches to the minority pol-

⁷ In the sense of multilayered discrimination which means discrimination against them as Roma and as women and as members of a socially disadvantaged class.

⁸ The only exception so far is the unique study 'Paměti Romských žen' (The Memoirs of Roma women) by the Museum of Roma Culture [2002]. This study records changes in gender relationships in the Roma family from the point of view of Roma women. International studies can only be used as a source of methodological inspiration because for the most part they do not apply to the specific Czech social conditions.

⁹ The point of this approach is that cultural reality is not just a sum of items but is a reality primarily based on relations. The focus here is on relations closely tied to the social partnership of men and women and to the accessibility of state social institutions and social citizenship institutions. Specifically, the author here is interested in relationships between gendered citizenship, ethnic affiliation, and social institutions. All available data, of several different types (not just statistical data), are subject to analysis and to interpretation from a historical perspective and in relation to data on the majority population. This approach provides a new perspective that summarises different pieces of information. It enables a new perspective by focusing on the Roma minority, with an emphasis on gender, and in their approach to social citizenship institutions.

icy and the aim of social inclusion. Real social exclusion,¹⁰ ethnic segregation,¹¹ marginalisation,¹² and discrimination of the Roma population existed in each of these periods.

5.1. The 1950s and 1960s: The Communist Illusion and the Policy of the Dispersion of the Roma Population

The Second World War led to the genocide of the Roma population living on the territory of the Czech Republic. During the Nazi occupation, the locally established community of Czech Roma was deported to two concentration camps.¹³ Although these camps were defined as ‘labour camps’ (not extermination camps), many Roma perished there, mainly owing to the unsanitary conditions at the camps, while others were transported to Auschwitz and directly exterminated by the Nazis. Of the 5000 Roma living in the Czech part of Czechoslovakia before the Second World War, only a few hundred survived [Pavelčíková 2004].

After the Second World War, Roma gradually began to return to the territory of the present-day Czech Republic. There were three main migration waves, all

¹⁰ Generally, social exclusion relates to limited or blocked access to the social system, which also means lower status and problems of social recognition for some people. ‘Social exclusion can be associated with long-term unemployment, with such group characteristics as ethnic affiliation or sexual orientation, health status (HIV-AIDS), or with social pathologies (e.g. ex-prisoners or drug abusers). Social exclusion is often a first step towards marginalisation.’ (UNDP/ILO regional survey 2002). The fields of social policy and demography have defined some of the main indicators of social exclusion in the Czech Republic. These are: a high number of overcrowded flats, a low level of voluntary activities, the worst health status in the population, a low mean life expectancy, a low level of education in the population, a high number of inhabitants who do not have a bank account (specifically without state-subsidised housing savings) and a large amount of criminal activity. All these problems are admittedly associated with the Roma ethnic minority in the Czech Republic. The level of social exclusion determines access to the institutions of the welfare state [Rösnerová 2003].

¹¹ This means isolating part of society by denying them access to the main social, political, and economic institutions. Segregation by ethnic criteria can lead to ‘vertical’ (as opposed to ‘horizontal’) social stratification, whereby different entities are separated into their own, mutually incompatible social structures (UNDP/ILO regional survey 2002).

¹² This means a process of socio-economic decline, resulting from the failure to meet inclusion requirements for participation in different social systems (e.g. the labour market, political institutions, educational and health-care institutions). These systems are usually interlinked, so exclusion from one makes exclusion from others more likely. Marginalisation processes can culminate in the formation of under classes (UNDP/ILO regional survey 2002).

¹³ Lety u Písku and Hodonínec u Kunštátu.

from Slovakia. The first immediately followed the end of the war. In that wave Roma migrated voluntarily in search of better labour conditions, and they filled in the vacuum left after the expulsion of the German population. The second wave during the 1950s and 1960s consisted of an influx of workers to big cities, such as Ostrava, Most, and Kladno, to work on building sites in the sector of heavy industry. There were strong expectations that these economic immigrants would eventually go back to Slovakia. The third and final large wave of Roma migration came after 1965, driven by the government Policy of the Dispersion of the Roma population,¹⁴ whereby Roma were translocated into regions where only few Roma lived. This last wave was involuntary and came to be perceived as the cause of later social problems. Following these waves, the fragmented Roma communities were established in new urban settings [Davidová 2004].

After 1945 the number of Roma living on the territory of the present-day Czech Republic was initially recorded by two exclusive registers of the Home Office and later periodically by the local authorities concurrently with assessments of enumerators¹⁵ in population censuses. But these records were usually underestimated and arbitrary, and the censuses were often conducted without the awareness of the counted citizens. Data from different sources often vary significantly [Nečas 1999: 84].

The first official census of the Roma after the Second World War took place in 1947. According to its results, there was a total of 101 190 Roma on the territory of Czechoslovakia. On the territory of the Czech Republic there were 16 752 Roma, hence in the first migration wave after the war about 16 000 Roma came from Slovakia to the Czech Republic [Uhlová 2004]. The steady influx of Slovak Roma into the Czech part of Czechoslovakia continued throughout the following decades, more or less spontaneously, as rural dwellers were attracted by the higher living standards of their urbanised relatives. In 1970 more than 60 000 Roma lived on the territory of the present-day Czech Republic (according to the assessment of numerators); in 1980 it was almost 90 000 Roma, based on the assessment of the enumerators and over 100 000 according to the records of local authorities. In 1989 the local authorities registered almost 146 000 Roma living in the territory of the present-day Czech Republic [Nečas 1999]. Special forms were used for the registration of the 'inhabitants of Gypsy origin', in which the enumerators classified people based on their own subjective decision, into one of three categories (adapted / adaptable / underdeveloped). The enumerators also judged the quality of family life [Pavelčíková 2004].

¹⁴ Government Resolution No. 502 from 1965, on the liquidation of Gypsy settlements, quarters and streets.

¹⁵ Interviewers in the official people census.

In the Constitution adopted after the Second World War Roma were described as fully-fledged members of Czech society.¹⁶ But the real minority policy during the communist regime differed fundamentally from the expectations of all national and ethnic minorities, especially the Roma minority. The Roma Re-education Programme was practically launched already in 1951, followed by the Home Office directive in 1952 called the 'Regulation of the Conditions of Persons of Gypsy Origin'. Both resolutions emerged out of an accredited conception of social assimilation,¹⁷ thus in practice condemning all members of the Roma minority to forced re-education to conform to cultural patterns of the majority population which was legitimised as follows:

'Neither the capitalist nor the Nazi regime provided the Gypsies with the possibility to become fully-fledged and useful members of society. However, building the new communist society, we all want to help them to become full members of this society.' [The Regulation of the Conditions of Persons of Gypsy Origin 1952]

In 1953 the Union of Czechoslovak Writers denounced the assimilation of the Roma population, but their protest was ignored [Pavelčíková 2004]. All the problems of the Roma population were interpreted as social problems, and consequently they were never effectively solved. Uhlová – a contemporary researcher focusing on Roma minority status and Roma women – sums up the official position at that time as one that felt expressions of national distinctiveness would allegedly 'slow down the process of successful assimilation.' [Uhlová 2004]

In 1956 the Home Office prepared the 'Report on the Situation of Inhabitants of Gypsy Origin in Czechoslovakia'. The report concludes with the statement that 'without settlement and involvement in the labour market, the assimilation and correction of Gypsies is not possible' [Jurová 1996: 461]. On the grounds of this report the government gave backing to the 'conception of Roma assimilation'. A secret resolution of the Politburo of the Communist Party from 8 April 1958 called the 'Directive on Working Gypsy Citizens in Czechoslovakia' was the key factor for establishing Roma policy in that time. This resolution unambiguously presented the idea that Roma population was neither an autonomous

¹⁶ Following introduction of the Constitution of 1920, any privilege based on race or nationality was illegal. However, the Roma were not recognised as an independent nationality. As late as 1971 the ethno-emancipation movement was still demanding Roma national independence.

¹⁷ Communist ideology tried to present the assimilation process as the opposite to the process of social exclusion. However assimilation means the opposite of social inclusion, as well as social exclusion. Assimilation was the cause of the decline of Roma communities and of the social exclusion of Romanies [European Roma Rights Center 2004a,b].

ethnic nor national minority group but only ‘socially and culturally undeveloped population with specific way of living’ [ibid.: 459]. Consequently, the process of the centrally controlled assimilation of the Roma population aimed at the ‘elimination of an undeveloped way of life’ started [ibid.: 459]. The main goals of this process were to stop nomadism of Roma population and to integrate Roma people into employment. Next year (1959) the Act No. 74/1958 Coll., on the Permanent Settlement of Nomadic Persons came into effect.

In spite of all these resolutions, the effort of so-called re-education missed the aim. This was the reason why the government decided to implement the most drastic dissolution of Roma sovereignty ever by implementing its dispersion policy. In 1965 the ‘Programme of the Long-term Clearing of ‘Places with an Undesirable and High Concentration of Gypsies’’ emerged as governmental reaction to failures of the ‘re-education’ which was thus replaced by the policy of dispersion of the Roma population. A Government Committee for the Gypsy Population was established to coordinate the dispersion and translocation of the Roma population. After five years, in 1967, this ineffectual and harmful experiment aimed at the translocation of about 40 000 Romany from east Slovakia to the territory of the Czech Republic was cancelled. Nevertheless, it had far-reaching consequences, as the Roma on the territory of the Czech Republic experienced a change in their original status, from village citizens to blue-collar workers living mainly in urban areas.

The whole process brought about the extinction of the unique and irreproducible social system of Roma communities. All the traditional cultural patterns, such as shared decision making and socialisation, the community hierarchy, the community sharing of food, generic altruism, a sense of the present and of the here and now, were destroyed and suppressed. Also the traditional way of life, represented by nomadism, was suppressed. The impacts of the assimilation policy in the context of the communist regime are interpreted as factors behind the contemporary social exclusion of the Roma population [Pavelčíková 2004; Jakoubek 2004].

The key problem lies in the fact that the communist regime never recognised the Roma population as a national minority, and any difference from the social patterns of the majority population was interpreted as social inadaptability. Officially the existence of the Roma minority was denied, and consequently, so was the existence of any social disadvantages of the minority’s members, while in reality Roma people faced discrimination and social exclusion by the majority society and by state institutions. Even if they were not recognised as a national minority, they were discriminated against as a distinct cultural minority, and they were supposed to constitute a homogenous ethnic group. The Directive on

Working Gypsy Citizens in Czechoslovakia from 1958 stated that ‘supporting the Roma language slows down the process of the re-education of Gypsies and preserves the primitive Gypsy lifestyle’. According to this principle, all the traditional cultural patterns and specific features of the Roma lifestyle were labelled as a ‘hangover from previous social systems’ [Jurová 1996: 459].

The communist regime suppressed all the social categories of customary features and social behaviour of the Roma population in their social territory. Given the theoretical presupposition that ‘the possibility of representing oneself and one’s interests is a matter of having access to power’ [Knocke 2000], many Roma were pushed to the margins of society. A number of negative phenomena resulted from the break up of traditional Roma communities, in particular, the spread of new forms of criminal activity in the Roma population (prostitution, violent crime, etc.). In many towns the involuntarily translocated Roma lived in poor conditions and in provisional housing.

There was also the problem of the high concentration of Roma in one location: ‘That the Roma had to leave their settlements and many of those settlements became extinct meant the extinction of traditional roles. A community from one settlement was violently and involuntarily divided and spread throughout the territory of Czechoslovakia. In towns different Roma communities and families with different ways of life were thrown together into one locality during the dispersion process [...] this translocation resulted in the existence of heterogeneous Roma communities comprising different families with different cultures and behavioural patterns, which do neither have common leader nor representation.’ [Raichová et al. 2001: 58]

One of the biggest inroads of state social policy into the Roma family lifestyle was the obligation imposed on both men and women to participate in the labour market.¹⁸ It altered the traditional role of Roma women and weakened their status in the family. Traditional Roma socialisation differed from socialisation in the majority population. The state-centred and institutionalised childcare in the period of real socialism destroyed the distinct autonomous form of socialisation in Roma families.

The traditional role of Roma women as the bearers of traditions in the family and the entire community was abruptly disrupted. Sharing childcare, socialisation, and education with state institutions was something completely new for Roma families. Traditional Roma family life was based on a patriarchal hierarchic clan. The family structure came first for the members of the clan, and family

¹⁸ Participation in the labour market was mandatory for the entire population, life without a job was a delict called parasitism. See Chapter 2.

networks and family commitments were more important than loyalty to civil society or state institutions. Socialising Roma children was the duty of all members of the wider family. When the state tried to substitute the role of the wider family, the task of socialising Roma children was ultimately left to Roma women alone. The absence of a family network was a problem especially for young mothers. Moreover, Roma women suffered discrimination on several levels. First, there was the real social discrimination against all members of the Roma minority; second, there was more hidden disadvantaging of women in communist society as a whole.¹⁹ In response, a large proportion of Roma women never completed their education which may be considered as one of the reasons for low school attendance of Roma children which consequently resulted in further social exclusion.

The most devastating change came with the government resolution that allowed social workers to remove Roma children from the family and place them in state institutions for abandoned children. The Directive on the Working of Gypsy Citizens in Czechoslovakia from 1958 stated that 'if the tribunal determines that Gypsy parents are not able to provide proper education or worse are opposed to it, it is their duty to take action, such as placing the children in state institutions for abandoned children and depriving the biological parents of their authority' [Jurová 1996].

This directive authorised social workers to remove children from their families at almost any time, solely based on their own decision, and to put them in the state institutional foster care. This policy decision constitutes the very beginning of the destruction of the Roma family. Since the 1950s, more than half of children in state institutions for abandoned children comprised of Roma children. This had drastic long-term consequences for all the members of the Roma minority which leads many scholars to the argument that the Roma family patterns and cultural norms were destroyed by communist social policies.²⁰ The inner social control that functioned within Roma communities was also weakened by the destruction of traditional family structures. The Roma began abandoning traditional life patterns and adopting new lifestyle customs, including socio-patholog-

¹⁹ This multiplicity is understood as intersectionality or the multilayered discrimination of Roma women.

²⁰ The spread of state institutional care for abandoned children began to come under criticism from psychologists in the 1960s in the Czech Republic [e.g. Langmeier, Matějček 1963]. They noted that children from children's homes frequently suffered from social deprivation syndrome and were not able to participate in the majority society. State institutional foster care was the only possible form of foster care from 1952. In 1952 foster parenting was eliminated and substituted with state institutional foster care. Although foster parenting was officially made possible again in 1970, the effects of the forced placement of children in institutional foster care were drastic.

ic ones (criminality, prostitution, putting children in institutions for abandoned children themselves, or usury).

5.2. The Normalisation Period in the 1970s and 1980s and the Concept of Social Integration

There were no substantial changes in ideology in general in the 1970s, but with reference to the Roma minority issue a separate ideological framework can be identified – the framework of social integration. This was partly the consequence of the Prague Spring and the attempt to democratise society in the 1960s. The programme for the integration of the Roma into Czech society was implemented as state policy after 1970.

In the democratic atmosphere of the late 1960s, the first Roma civic organisation, the Union of Gypsies-Roma, was founded.²¹ This constitutes the first effort of Roma people in the studied territory to actively shape social policies and define themselves as social actors rather than objects of state policies. Even if the Union started its activities in an inauspicious period (called normalisation), and even if after three years its activities were forcibly stopped,²² it strongly influenced policies targeting the Roma minority.

In November 1970,²³ in 'The Report on the Situation of the Gypsy Population in Czechoslovakia', the government admitted that the programme for the assimilation and dispersion of the Roma population '...did not respect the specifics of the Roma ethnic minority group...' [Jurová 1996: 17]. This criticism was the starting point of an effort to formulate a new policy concerning specialised social care. Controlled assimilation was replaced by the concept of social integration. A group of experts with an academic background prepared the groundwork for the government resolution on Roma social integration.²⁴

In 1966 the Czechoslovak government ratified the International Convention on the Elimination of All Forms of Racial Discrimination initiated by the Unit-

²¹ It existed between 1969 and 1973. It was dissolved after the Union of Gypsies-Roma published its Memorandum to the Minority Act in 1972.

²² The prohibition of the first and only Roma civic organisation was imposed together with the prohibition of many other civic organisations. This occurred as a result of the normalisation social policy programme, which was oriented against all civic activities.

²³ Government Resolution No. 279/1970 Coll.

²⁴ Government Resolution No. 231/1972 Coll.

This group of experts later helped with the creation of a dissent paper, which in 1978 was accepted as a document of Charter 77, called 'Úvaha o postavení Romů' [Reflection on the status of the Roma].

ed Nations.²⁵ Upholding the principles of the convention was from the beginning problematic in the case of the Roma population, as they were not in official documents acknowledged as a distinct ethnic minority, which remained the case until 1990. Yet it was legally possible to count Roma people, and enumerators provided the data. Paradoxically, it could be argued that the normalisation period was politically less restrictive with respect to minority policy than the previous period, even though in practice it was during this period that most problems grew, probably as a result of the previous policy of assimilation. During the normalisation years the Roma minority became more and more dependent on social benefits and welfare social system, which grew in that time (see Chapter 3).

Paradoxically, as a consequence of the policy of dispersion, the Roma population was assembled in certain localities within the suburban areas of some cities and in the downtown neighbourhoods of others, where typically they lived in overcrowded flats. On average about five Roma lived in a flat and there was only about 2.4 m² in space per person. Most flats had one (32%) or two (38%) rooms [Nečas 1999: 92]. Although the housing conditions of many Roma families were worse than the conditions in which the majority population lived, for many of them it was still better than the housing they had lived in before migrating (in villages). Most Roma families were used to just one common room ('a place for living') and one common bedroom ('a place for sleeping'), even when they had a flat with more rooms. The other rooms were left unused or were used only for storage [Harrison 1995]. Yet in the late 1970s some members of the Roma population began to improve their housing standard and furnishings.

Owing to the harsh restrictions that many state institutions imposed on the Roma minority, most Roma did not trust any social institutions, including the education system. Most Roma then underestimated the relationship between education and successful integration into majority society, especially the labour market. Owing to the decline of the traditional extended family and poor social conditions, the problem of education and care for children in Roma families became a widely discussed issue [Davidová 2004; Jakoubek 2004]. Many Roma families couldn't provide their children with the language and learning skills necessary for success in the mainstream school education. Hence, throughout the entire communist period the number of children in institutions for abandoned children, in remedial schools and schools for children with special education needs kept increasing. The increase was a consequence of the inability of the system to integrate Roma children and accept their cultural specifics. The rising

²⁵ Even though the document was ratified in already in the 1960s, the Convention became a part of the Czech legal system only in 1974, following a resolution taken by the Home Office from August 1974 (Act No. 95/1974 Coll).

number of Roma children in remedial schools and schools and classes for children with special education needs brought about the awareness of the systematic reproduction of social exclusion of Roma population and systematic relegation of members of the Roma population in the lowest strata of the society.

There was also a significant increase in the number of Roma children who did not graduate from elementary school. While the share of Roma children in the total population of children aged 6–14 increased from 1.38% in 1970 to 1.61% in 1980 and to 2.43% in 1990, the increase in the share of Roma children in elementary schools was smaller – from 1.19% in 1975 to 1.07 in 1980 and to 1.27 in 1990 [Srb 1998: 178].

Gradually, more and more Roma children were transferred to remedial schools or classes and into children's homes (about 2000 Roma children per year). In the 1970s the enrolment of Roma children in elementary school was still high (84.3% of all Roma children in the relevant age group). In the 1980s it was only 79.8% of all Roma children aged 6–14 and in 1990 only 59.1% of all Roma children in that age group visited elementary schools [Srb 1998: 179]. Conversely, in 1989 Roma children made up 46.4% of all students in remedial schools, 98.6% of all children in schools for children with special education needs, and 21% of the children at boarding schools [Nečas 1999: 96]. Out of all the children in state institutional care for abandoned children, half of them were Roma children and the majority of children who grow up in institutions for abandoned children attend remedial schools.

The most commonly declared reason for transferring a Roma child to a remedial school is that the child's language skills are insufficient. The small number of Roma children that attended kindergarten throughout the communist period was a factor that contributed to their continued placement in remedial schools, because their knowledge of Czech language at the start of elementary school was poor. Even in 1989 only 58% of Roma children between the ages of three and six attended a kindergarten²⁶ [Nečas 1999: 95]. The children who did not attend kindergartens often did not successfully complete elementary school and were transferred to a remedial school.

However, remedial classes and classes for Roma children were gradually established even at the kindergarten level. The Czech Statistical Office began recording the number of such classes in 1971, at which time there were 8 such classes with 119 children in total; and in 1988 there were 206 children in 22 remedial classes for Roma children. This arrangement probably only added to the segregation of Roma children from the rest of their peer group.

²⁶ The number of Roma children who attended kindergarten increased from 1212 in 1967 (0.5% of all registered children) to 7308 in 1988 (1.8% of all registered children).

The dependence of the Roma population on social benefits grew together with the advancement of the state social system in the 1970s and 1980s, especially in the areas of housing and social benefits. All this resulted in increased social discrimination of Roma. The majority society labelled them as socially problematic and inadaptible citizens, and the state social system did not address this strengthening stereotype (Phare project FSS MU 2002). The social policy under the communist regime was interested in solving only the largest and most manifest social problems, not their causes. It therefore focused on finding superficial solutions to the manifest effects of the social problems that were direct consequences of the discrimination and assimilation policy imposed on the Roma, but it did not address the reasons for the social decline of Roma communities.

Reports published after 1989 indicate that throughout the period of real socialism the state social systems in all communist countries operated with a racist framework, they put strong pressure on the Roma population to assimilate, excluded them from vocational training and decision-making processes, which means that anti-Roma attitudes existed at the official state level of society.²⁷ The last communist-era document that refers to the Roma population is a resolution from a meeting of the Communist Politburo No. 103 titled 'The Solution to the Roma Question'. The content of this document reveals a certain shift in the approach to the Roma minority. A new idea introduced in this document was the ethno or ethno-emancipation concept, which meant recognising ethnic differences and developing specific tools to help the whole population to overcome social decline [Uhlová 2004]. The new concept coincided with other changes at the national level, which culminated in the fall of the communist regime in November 1989.

5.3. The Impact of the Socio-economic Transformation in the 1990s

The political changes in 1989 and the ensuing socio-economic transformation ushered radical changes into Czech society. All hitherto latent problems, including the problem of discrimination against minorities, came to light and began to

²⁷ The assimilation policy and the social integration policy during the normalisation period were coupled with an improvement of the material conditions for many members of the Roma population. Many projects aimed at the improvement of housing conditions or health-care conditions or at integrating the Roma into the labour market were implemented. However, the policies concentrated on the material level only and did not recognise the importance of the cultural and national identity of the Roma minority. Consequently, most traditional Roma cultural and moral patterns were destroyed as a result of these policies.

be publicly discussed. The new policy system tried to redress many previous infringements on human rights. The problem of minorities began to be discussed as a problem of cultural and ethnic identity and as part of an effort to obtain recognition for discriminated communities. The Roma were officially recognised as a distinct ethnic group. Also, many nongovernmental organisations began engaging in activities centred on representing Roma rights and strengthening their social and civic participation.

The transformation period was marked by processes of uncovering and identifying social problems and often also exposing them in the media. The process of identification was very important and compared to the preceding period signified a radical change in direction. Nevertheless, in the first decade after 1989, problems identified were often not solved, or at least not very effectively.

When the government adopted the Charter of Fundamental Rights and Basic Freedoms the solution to the problem of the Roma minority moved from a social platform into the civic and political sphere. The Roma acquired the right to declare themselves as Roma, and the Roma minority was at least officially accepted as an autonomous national minority with their own rights, culture, habits, and authenticity. But the Roma never existed as a nation. For this reason, the support for national activities was not always positive and effective [Šimíková 2003: 58]. In the aftermath of forced assimilation there was in fact no homogeneous Roma national minority in the Czech Republic. There were only different, separate, socially excluded communities of Roma inhabitants with more or less different cultural patterns, which only partly corresponded to the traditional Roma social life patterns.

The legislative changes introduced were not systematic. A particularly unfavourable change was the adoption of the Citizenship Act (No. 40/1993), which stipulated the conditions for obtaining or losing state citizenship after Czechoslovakia broke up into the Czech and Slovak Republics in 1993 [Miklušáková 1999]. Owing to the introduction of this act most Roma who had lived for decades on the territory of the Czech Republic obtained Slovak state citizenship.²⁸

²⁸ State citizenship (which was Czechoslovak for all) and nationality (which could be Czech or Slovak – Roma was not an option) were recorded in Czechoslovakia since 1969. Nationality was initially assigned according to the place of birth, and since then it has been assigned according to the parents' nationality. Most Roma inhabitants came to the Czech Republic from Slovakia, so their nationality was Slovak. After the break-up of Czechoslovakia in 1993, state citizenship (Czech or Slovak) was assigned according to nationality. The period within which it was possible to change their state citizenship was short, and Roma parents often did not apply for this change, especially for the youngest generation (children under 15), because they knew nothing about it. Children could then acquire state citizenship through naturalisation, but numerous conditions were at-

This difficult situation was addressed in an amendment to the act in 1999,²⁹ but many irreversible changes occurred during the long period in between, in particular, the serious decline in the economic and social situation of members of the Roma minority and growing poverty and social exclusion among them.

The recognition of a distinct Roma nationality also changed the approach to the registration of Roma people living in the Czech Republic. Since 1991 a separate category of Roma nationality was added to the list of nationalities in the official population census. Consequently, official data about the Roma population can be recorded. However, the data in the population census are based on the voluntary self-declaration of nationality. It is therefore a subjective category, not objective information, such as state citizenship. National self-identification is a particular problem for Roma people. After the negative experiences they had with all forms of record-taking in previous periods, only a fraction of the Roma population actually declares Roma nationality. Another problem is that nationality (which is an individual's own choice) and state citizenship can be confused. For many Roma, especially those with lower social status, it is very difficult to differentiate between the two categories. In the 2001 population census only 11 716 people identified themselves as Roma. This means that the number of Roma had plummeted to almost one-third of the 1991 census figure of 32 903. This decrease may be linked in part to the fact that in the years between the censuses many Roma experienced significant difficulties connected with state citizenship (as a result of the 1993 Citizenship Act) and may have mistakenly believed that those problems were the result of their having a national identity other than Czech.

Since 1998 it has been legally prohibited to record ethnicity for any reason other than self-identification. Consequently, data on the Roma population are no longer maintained at state and regional institutions (employment offices, housing offices, etc.). Even when an institution has records pertaining specifically to Roma people (social workers, schools, etc.), there are no summary data. The result is almost a complete lack of official, publicly available and reliable ethnic (including Roma-specific) data in the Czech Republic. The lack of data has been compensated for by means of research. But most of them are only local. The types of data that exist vary, each of them having specific drawbacks that reduce

tached to naturalisation, including the condition that both parents must have resided in the Czech Republic and had no criminal record for the past five years.

²⁹ This amendment cancelled the requirements of having to have a clean criminal record for five years, the requirement of having a permanent residence, and the administrative charge for attaining citizenship of the Czech Republic for persons living long term on the territory of the Czech Republic.

the level of representativity. Available data vary in terms of sources and scope. Some data are provided by official statistical sources and are based on the self-identification of Roma, other data are provided by institutions of local or central government and rely on the third-party/formal identification of Roma, for instance, children identified by teachers, and a third type of data are collected in local research by researchers. There are some studies aimed at more accurately estimating the number of Roma living in the Czech Republic. According to those qualified estimates, there are between 200 000 and 300 000 Roma currently living on the territory of the Czech Republic, which is around 2–3% of the total population. Different experts' estimates range between 160 000 and 300 000 [Liégeois 1998]. Government estimates indicate that about 200 000 Roma people live in the Czech Republic; the Minority Rights Group estimates the number at 275 000 Roma.

In the late 1990s various studies and reports criticised the state social policy and highlighted different problems faced by the Roma minority. Most problems are generally related to areas of social policy, civil rights, human rights, children's rights, and finally gender equality. They wanted institutions to turn their attention to the social problems of the Roma minority, such as low education, high unemployment, and the problem of the high number of Roma children in state institutions for abandoned children. Based on these reports, the social exclusion and social discrimination of the Roma population have begun to be discussed relevantly. The status of the Roma minority in the Czech social security system is being monitored, along with the accessibility of all spheres of the social security system to members of the Roma population. The concept of different cultural patterns has begun to be accepted. Even though despite these changes many problems remain to be solved, much was achieved during the transformation period by the efforts to find the reasons that lie behind the social problems of the Roma.

One of the most outrageous affairs exposed in the 1990s was the discovery that some Czech maternity hospitals had been performing illegal involuntary sterilisations of Roma women since the 1970s [Sokolová 2005]. The civil rights movement Charter 77 had been calling attention to this problem since the 1970s,³⁰ but it remained unheard until after the revolution. The practice of sterilising Roma women without their knowledge was officially condemned in a report of the Ombudsman in 2003. Moreover, from the Ombudsman's report it follows that this praxis did not end with the fall of the communist regime and has been prac-

³⁰ Document No. 23/1978 by Charta 77. Ruben Pellar systematically called attention to this problem.

ticed also after 1989. The problem of informed agreement with sterilisation overlaps the Roma issue [Motejl 2003]. In any case, the entire affair strongly reinforced the scepticism that the Roma, and especially Roma women, feel towards health care and other state institutions.

Nongovernmental organisations that became active in the field of childcare after 1989 began to criticise the high number of Roma children in state institutional care for abandoned children. They tried to introduce new, alternative models of foster care (mainly foster-parenting models). Although Roma children make up 1.5% of the total child population under the age of three, the yearly number of Roma children that are removed and placed in institutional foster care is almost 30% from the total population of children of this age (see Table 5.1). Nongovernmental organisations are unfortunately not united in their recommendations how to solve this situation and they are not considered as serious partners by the state sector.

Table 5.1. Children under the age of three in institutes for infants and children's homes

	1990	1995	2000	2005
Children newly placed in institutional foster care	3277	2202	1842	1847
Of which Roma children	920	609	483	523
Roma children newly placed in institutional foster care (%)	28%	28%	26%	28%

Source: Health Statistical Yearbook of the Czech Republic [2005].

The generally low level of education of the Roma population appears to be one of the main reasons for the continued social exclusion of this group. Almost two-thirds of Roma men and three-quarters of Roma women terminated their education upon completion of elementary school. Only about 5% of the Roma population have a complete upper secondary education.³¹ The low level of education is partly the result of the high level of distrust the Roma feel towards state institutions and their lack of interest in passing through the education system; there is also the problem of the discrimination against Roma children in the education system and in childcare institutions. Even though officially no legislative barrier exists to prevent Roma children from succeeding in the education system, most Roma children still never get beyond the level of elementary school, or do

³¹ 'Výzkum interetnických vztahů' (Survey of Inter-ethnic Relations), a 2002 survey.

not even complete that.³² According to a number of reports, there are many other obstacles obstructing the access of Roma to education in the Czech Republic.³³ Discrimination is evident at different levels of the education system.³⁴ There is no comprehensive or accurate data on the education of Roma in the Czech Republic, but both the local data and the official statistical data point to the existence of real discrimination and to ethnic segregation in the access of Roma children to education.

Roma children are denied an equal starting point because at the beginning on the education trajectory they are sent to remedial schools and schools for children with special education needs. In many cases, there is no other objective reason for this than behavioural or language problems.³⁵

Transfer to a remedial school or a school for children with special education needs means failure in the education of Roma children. Once the child is enrolled or transferred to such a school, the likelihood that he/she will be reintegrated into the regular school system is close to zero.³⁶ Sometimes teachers abuse parental consent or coerce them into consenting to enrolling their child in a remedial school: 'Romany children are transferred to remedial classes without prior testing and without consent of their parents.' [European Roma Rights Center 2004b: 55] Parents often do not even know that their children have been transferred to a special class. They are asked to sign the decision about the transfer after their children have already started to attend special remedial classes. In many cases, the child is transferred to special education without even being tested. Sometimes Roma children are unable to pass school tests in first grade owing to language difficulties. Special classes are often established in mainstream/regular schools. School directors prefer to open special classes rather than use assistants for Roma children. It allows them to lower the number of pupils in the class and maintain the same number of teachers even as enrolment numbers decrease

³² A report on the implementation of the 'Roma Integration Policy Concept' in the education system from 2002.

³³ See, for example, 'The Roma in Central and Eastern Europe: Avoiding the Dependency Trap' survey from 2002, and Rotschová [2005].

³⁴ According to the records of the Ministry of Education, Youth and Sport, there are 333 433 children in kindergarten, 735 of whom are Roma children (0.22%). There are no kindergartens with any other language than Czech or Polish. There are 990 591 students enrolled in elementary schools, and 580 of them are Roma (0.06%) (Ministry of Education, Youth and Sport 1996).

³⁵ The language problem remains an unsolved part of the integration concept. Education in the Roma language, as the students' mother tongue, should be provided in Roma localities in particular, but there is a shortage of teachers.

³⁶ 'The Roma in Central and Eastern Europe: Avoiding the Dependency Trap' a survey from 2002, and the European Roma Rights Center [2004a,b].

owing to the decline in fertility. Some regular elementary schools have opened classes for children with disabilities, which correspond to remedial schools. These classes are often all-Roma or overwhelmingly Roma in composition.

Sometimes non-Roma parents exert pressure to have Roma children segregated into all-Roma classes. Socially excluded schools are created when parents of non-Roma children withdraw their children from schools where the percentage of Roma children is rising. A large number of Roma students at a school is associated with a lower standard of education [European Roma Rights Center 2004b: 72]. On the other hand, Roma parents often do not want their children to go to a mainstream (elementary) school because they are often discriminated against there. 'The Czech state has admitted the fact of overrepresentation of Roma in schools for the developmentally disabled children but refuses to qualify this state as de facto racial segregation.' [European Roma Rights Center 2004b: 86] The low level of education of the Roma minority is then the main reason for the poor success they have in the labour market (especially in the case of Roma women). The integration of Roma children into the education system seems to be a key factor for the satisfactory integration of Roma, and it has not yet been solved in any European country.

According to the most recent census, the birth rate among the Roma is higher than among the majority population. The socioeconomic status of the Roma influences their reproductive behaviour and demographic characteristics, and results in higher birth rates. This is one of the most important reasons why Roma families have traditionally been large; there is a large proportion of children under the age of 14 in the Roma population.

According to the census, married Roma women with children had on average five children at the end of their reproductive age (in the 45 to 49 age group), while the corresponding figure for Czech women was only 2.17 children. Roma families have a higher number of children at an early age. Also, the Roma family socialises its next generation to settle down and have a family at an earlier age than families in the majority population do. Having children is one of the most important values in life for the Roma. This, combined with the higher rate of unemployment amongst the Roma minority, results in the fact that in many families financial aid in motherhood, parental leave and child benefits are the main source of income.

The socioeconomic status of the Roma population is much lower than that of the majority population in general (see Table 5.2). The largest share of Roma men (about 30%) work in blue-collar professions (skilled or unskilled manual workers). In the case of Roma women, many of them have never worked (30%) or have worked as unskilled or assistant manual workers (28%). In the majori-

ty society most women work as non-manual routine workers (almost 40%) or as qualified manual workers (20%).³⁷ The Roma concentrate in unqualified professions and their intergenerational mobility is low.

Table 5.2. Socio-economic status of the Roma and the majority population (in %)

	Roma minority			Majority population		
	Men	Women	Total	Men	Women	Total
Employed	44.3	19.1	32.3	63.7	50.3	56.8
Unemployed	30.0	23.2	26.6	7.4	6.0	6.7
Economically inactive	2.6	36.7	19.8	8.8	17.9	13.6
Retired	11.8	14.2	13.1	19.0	24.9	21.9
Did not respond	11.3	6.8	8.2	1.1	1.2	1.1
Total	100.0	100.0	100.0	100.0	100.0	100.0

Source: Survey 'Výzkum interetnických vztahů' (Survey of Inter-ethnic Relations) 2002.

Since 1989 another problem faced by the Roma minority is a high rate of unemployment. During the communist period, unqualified manual work was relatively well paid, officially there was no unemployment, and there was little wage differentiation between low-qualified and high-qualified work. The abolition of the communist policy of full employment had a deep impact on the Roma minority. In 2002 the rate of unemployment among the Roma population was almost four times higher than the unemployment rate in the majority population (Phare project FSS MU 2002, see also Table 5.3).

Table 5.3. Unemployment rate in Roma and majority population (in %)

	Men	Women	Total
Roma minority	40	51	43
Majority population	10	11	10

Source: Survey 'Výzkum interetnických vztahů' [Survey of inter-ethnic relations] 2002.

³⁷ 'Výzkum interetnických vztahů' (Survey of Inter-ethnic Relations), a 2002 survey.

In addition, 75% of unemployed Roma comprise of long-term unemployed (more than one year); about 30% of unemployed Roma have been without a job for more than four years. Clearly the problem of unemployment and underemployment is a persistent one among the Roma. More than 35% of Roma men are in the group of men who were unemployed more than twice in their lives, while in the majority society this applies to less than 10% of men.³⁸

Although the share of Roma women who are not employed is higher than that of Roma men, the problem of unemployment is in public understood more as a problem of men than women. Traditionally, it has been accepted that Roma women remain out of the labour market as housewives. The inability to integrate Roma women into the labour market is whitewashed by traditional cultural patterns, but in practice many Roma families have abandoned the traditional cultural life patterns and many Roma women do not follow the traditional role of family and household carer. The traditional practices of common socialisation and the transmission of values were damaged by the assimilation policy and the subsequent decline of Roma communities. Roma women get married very young and also have children quite young, but they often lack the resources to take care of them.³⁹ The children are then taken away by social workers and placed in institutional foster care and/or into remedial schools. The disruption of traditional Roma community life and the lack of education and resources to fully participate in the life of society create a vicious circle of disadvantages for Roma women, which is then passed on to their children.

Housing remains a relevant area of social inclusion of Roma minority. The housing conditions of the Roma minority vary considerably between countries and indeed even between rural, urban and semi-urban locations within a country [European Commission 2004: 25]. The number of Roma living in cities and towns is much higher than that of Roma living in rural areas. For the Czech Republic, the segregation of the Roma from other communities is a persistent problem. Residential segregation is not a new phenomenon. Medieval societies used to divide up the inhabitants and strictly relegate them to different areas according to their economic or social status or ethnic or religious affiliation. Industrial so-

³⁸ 'Výzkum interetnických vztahů' (Survey of Inter-ethnic Relations), a 2002 survey.

³⁹ Studies aimed at describing Roma families have shown that in terms of socialisation the traditional Roma family corresponds with the traditional model of the patriarchal extended family. There is directive socialisation. The child is brought up by the whole group – not only by an individual. There is greater freedom, but there are also strictly defined borders. Anyone in the group can punish or reward a child. This model contrasts with the Euro-American modern nuclear family, where one person (at most two) socialises the child. The child does not have as strictly determined borders, but this one person oversees everything a child does [Dřimal 2004].

ciety differentiated people more functionally, especially in towns. Nowadays, it is evident that residential segregation goes hand in hand with ethnic segregation. There were always some poorer quarters in European towns, but since the 1980s there has been a considerable increase in the concentrated poverty of immigrants and ethnic minorities in certain quarters, with higher long-term unemployment or underemployment, low levels of education, and poor housing [Baršová 2003].

The majority of the Roma in the Czech Republic live in an urban environment; 80% of the Roma live in cities and towns, and they are now mostly concentrated in Prague, Northwest Bohemia and North Moravia, but their migration rate is much higher than that of the rest of the population [Kalibová 2003]. Housing patterns provide a useful indicator of phenomena such as inclusion, segregation, and social interaction. According to Macura and Petrovic the character of a Roma district is co-created by three factors: morphological characteristics (the types of streets, houses and infrastructure), location (transportation means, historical context), and population group [Macura, Petrovic 1999]. Two types of location are the most common: poor quarters situated in old deteriorating urban buildings (usually neighbourhoods or colonies of workers); satellite apartment complexes on the outskirts of cities, to which a large number of Roma families moved and which were already starting to decay in the communist period.

The problem of so-called naked (or substandard) apartments,⁴⁰ often situated in localities that sprang up after the dispersion policy, began to be relevant after 1989. Roma make up 60–80% of the residents of naked apartments [Víšek 2003]. When residents do not want to live with Roma in the same locality because of their different lifestyle, which other residents view as problematic, the Roma are often displaced. There are several steps in this displacement process: the existence of an objective political and economic pressure (key conflict), the act of displacement, the process (status) of segregation, and the origination of an enclave, the process of deepening social isolation, social exclusion, and the origination of socially excluded localities [ibid.: 41].

Ethnic segregation and the problematic co-existence of the Roma minority and the Czech majority were made the subject of several media events during the transformation period, which focused on the conflict of cohabitation in some localities (e.g. the case of the wall construction between the majority-inhabited area and the Roma-inhabited area in Matiční Street in 1999). The case of the emigration of members of the Roma minority to Great Britain and Canada in 1999

⁴⁰ A 'naked' apartment is a substandard apartment. Originally, the term was used to specify low-standard one-room apartments set up for evicted people or for moving rent defaulters and 'inadaptable persons', and apartments that were adapted so that 'nothing could be damaged or stolen' [Baršová 2003: 31].

and 2000 was also portrayed in the media. The lack of preparation on the part of state institutions to deal with such problems proved very significant in these cases.⁴¹ Another much-publicised theme in the Czech Republic is the displacement of rent defaulters (in most cases Roma) from their flats (mainly sub-standard) into social housing.

Many of the social policy provisions at every level of the policy system were hasty and not thought-out in the 1990s. The situation started to change after the 'Czech Helsinki Committee Report on the State of Human Rights in the Czech Republic' in 1994, which criticised the status of Roma in Czech society and pointed out the high level of discrimination against Roma in all spheres of social life and the social security system. Other studies and reports also show the real problem of the social exclusion and social discrimination of Roma minority members in the access to citizenship rights.⁴² Although all forms of racism and discrimination based on ethnic or national membership are officially outlawed by Czech law, in practice Roma are still discriminated against at all levels of participation in society.

The transformation period ushered in new social problems. Socially excluded communities were more affected by all the negative side effects of the transformation. As in all social groups on the margins of society, criminality, unemployment and housing problems grew considerably in Roma communities. For Roma women a particular problem was the growing rate of prostitution and the inability to earn the living through the integration into the labour market. This made them increasingly dependent on state social benefits, unable to pay social security and health insurance, and unable to meet the growing financial demands on childcare, which resulted in more Roma children being placed in the institutional foster care. Alcoholism, drug abuse, prostitution, criminality, gambling and usury became big problems for the Roma communities after 1989 [Jakoubek, Hirt 2006; Šimíková 2004].

⁴¹ The situation started to be regarded as critical after Great Britain sent a memorandum on mutual understanding between Great Britain and the Czech Republic about the supervision of travellers in Prague-Ruzyně airport and conducted the pre-flight check-in themselves at Prague airport. The human rights department rejected this memorandum because it was against the International Convention on the Elimination of All Forms of Racial Discrimination.

⁴² See, e.g., 'Mapa sociálně vyloučených a sociálním vyloučením ohrožených romských lokalit v ČR' (Interactive Map of Roma Localities in the Czech Republic at Risk of Social Exclusion), a survey conducted in 2006; 'Improvement of Relations between the Roma and Czech Communities', a survey conducted in 2002; 'Výzkum interetnických vztahů' (Survey of Inter-ethnic Relations) a survey conducted in 2002; 'The Roma in Central and Eastern Europe: Avoiding the Dependency Trap', a survey conducted in 2002; and the European Roma Rights Center [2004a,b].

The persistent problem of growing poverty and dependence on social benefits is a direct consequence of existing discrimination and it is in direct relation to the low status of the Roma in the labour market. The social exclusion of the Roma population also has an important social-symbolic dimension,⁴³ and the continued social decline of Roma communities adds to their mistrust towards majority society and to their lack of interest in participating in civil society or succeeding in the education system or the labour market. It also produces more conflicts between the Czech majority and the Roma minority populations.

Social differences increased in Czech society after 1989, and they increased between and within Roma communities as well. The result is social exclusion and deep poverty of many Roma minority members on one hand and the call for positive self-identification among other Roma minority members on the other hand. The policies of the 1990s have been criticised by Roma representatives for focusing on material and existential problems only while forgetting the amplification of Roma cultural identity.

5.4. The Impact of the European Union, the Discourse of Multiculturalism and the Concept of Social Inclusion

Preparations for the accession of the Czech Republic to the European Union brought significant efforts to systematise social policy relating to the Roma minority. In particular, it led to the formation of a three-dimensional approach to the Roma issue – incorporating nationality policy and human rights, the social security system, and the ethnic and cultural identity development – within a complex multicultural dialogue and a network of effective, locally aimed policy systems. It is possible to identify changes in the discourse surrounding the Roma issue in connection with an effort to re-establish Roma cultural patterns and rediscover the Roma identity. Above all this meant helping members of the Roma minority to find a way to restore their value system in community life. These efforts were supported by several studies pointing to relational problems in Roma localities.⁴⁴

Since 1997 nongovernmental organisations and state social institutions have started to cooperate to improve public activities supporting minorities and to

⁴³ 'Improvement of Relations between the Roma and Czech Communities', a survey from 2002, and 'Výzkum interetnických vztahů' (Survey of Inter-ethnic Relations), a survey from 2002.

⁴⁴ For example, the 2002 survey 'Improvement of Relations between the Roma and Czech Communities', and the 2002 survey 'Výzkum interetnických vztahů' (Survey of Inter-ethnic Relations).

transform the legislation. In 1997 the Council of the Government of the Czech Republic for Roma Community Affairs was established.⁴⁵ The Council was founded on the grounds of the 'Bratinka Report' of October 1997. The Council operates as a permanent advisory and initiative body of the government on issues related to the Roma minority and assists in helping integrate the Roma minority into society on a systematic basis. The Council develops ideas aimed at solving the problem of high unemployment among the Roma and preventing social exclusion. It gathers information on coexistence and on the situation of different Roma communities in other European cities and in the USA. It collects and interprets all existing resolutions, cases, studies and national reports on the Roma minority in the Czech Republic. The Council draws on these data to develop a coherent concept and to apply a new approach to the Roma minority, including the ideas of multiculturalism and gender equality.

The Council also supports cooperation between ministries responsible for the implementation of particular measures and the fulfilment of tasks arising from government resolutions and international treaties signed by the Czech Republic. It collects, considers, and submits to the government information, groundwork documents, and proposals for the creation and application of government policy in the area of the integration of Roma communities and it coordinates the activities of Local Roma Coordinators. The activities of the Council (including the activities of its committees and working groups) are supported by the Office of the Government of the Czech Republic.⁴⁶

The key document of the Council is 'Konceptce romské integrace' [The Roma Integration Policy Concept]. This concept was made part of the Czech legal code in 2002. It had been updated several times, most recently in 2005.⁴⁷ The activities of the Council have directly led to the introduction of some legislative chang-

⁴⁵ The Council of the Government of the Czech Republic for Roma Community Affairs was established by Resolution of the Government of the Czech Republic No. 581 on 17 September 1997, at that time as the Interdepartmental Commission for Roma Community Affairs. In 2001 the Commission was renamed the Council.

⁴⁶ See <<http://www.vlada.cz/cs/rvk/rzrk/rzrk.html>>.

⁴⁷ The Concept monitors three spheres from a legislative perspective. The first sphere is human rights, which are monitored by the Government Council for Human Rights. The second sphere is nationality policy. The observance of nationality rights is specified in Act No. 273/2001 Coll., on the rights of members of a minority. The institutional protection for this sphere is guaranteed by the Government Council for National Minorities. The third sphere is the socio-cultural dimension, which is the mission of the Government Council for Roma Minority Affairs.

es.⁴⁸ Individual resorts publish the yearly reports for the Council on the fulfilment of the Roma Integration Policy Concept in individual spheres of society.⁴⁹

In 2003 the Czech government asked the Czech Statistical Office to draw up a proposal on how to obtain information on the Roma population and especially their proportional representation in the records of different social institutions (health and education institutions, institutions of social care, and employment offices), in order to make it possible to monitor and assess the situation of Roma communities, and to do so in compliance with the Charter of Fundamental Rights and Basic Freedoms and Act No. 101/2000 Coll., on the protection of personal data.⁵⁰ The aim of the government was to solve the problem of the absence of relevant data on the Roma minority in the territory of the Czech Republic since 1990.

The Czech Statistical Office, in cooperation with the Office for Personal Data Protection, designed three possibilities. The first is to use only data from the Czech Statistical Office, which is the cheapest possibility, but it does not solve the problem of self-declaration. The second is to combine existing data and information from different ministries. But these data are also incomplete and fragmented. The third and most complex variant is the yet to be used possibility of conducting periodical surveys among Roma communities using a unified methodology. The point of this conception is to continuously monitor the process of the integration of Roma communities while emphasising information about community life, not about individuals. It would then be possible to combine the data about socio-cultural community life with existing statistical data. This variant is the most effective one, but also the most expensive.

Since 2004 (based on an EU requirement) the Council has published an annual report 'Zpráva o stavu romských komunit' [Report on the State of Roma Communities in the Czech Republic], which focuses on education, employment, housing, health care and social exclusion. Although integration is a long-

⁴⁸ For example, Act No. 273/2001 Coll., on the rights of members of a minority.

⁴⁹ In the sphere of education there have been attempts to introduce alternative approaches to education into the existing system. These are mainly projects for the reintegration of Roma children from remedial schools back into the mainstream school system (e.g. the programme for reintegration run by the Step by Step Czech Republic organisation).

⁵⁰ The Charter of Fundamental Rights and Basic Freedoms, art. 3, par. 2: 'Every person has the right freely to choose his/her nationality. It is prohibited to influence this choice in any way, as is any form of pressure aimed at suppressing a person's national identity.'; art. 10 par. 3: 'Every person has the right to be protected from the unauthorised gathering, public revelation, or other misuse of his/her personal data.' According to Act No. 101/2000 Coll., on protection of personal data, it is only possible to record nationality on the grounds of self-declaration.

term process, the reports have mostly focused on medium-term goals. ‘Zásady dlouhodobé Koncepce romské integrace do roku 2025’ [Principles of Long Term Conception of Roma Integration till 2025] is the first document that has attempted to formulate the basic integral principles of government policy in this area in a long-term outlook. ‘The National Action Plan to Combat Poverty and Social Exclusion in EU countries’ has also been evaluated and periodically updated. Furthermore, ‘The National Report for the Analysis of Key Indicators of the Integration of Roma Communities’ is published as a part of the EU programme ‘Supporting Activities Leading to the Social Inclusion of the Roma Minority and Traveller Minority’.

The year 2005 marked the start of an international initiative called the Decade of Roma Inclusion.⁵¹ It was initiated by the World Bank and the Open Society Institute at the international conference ‘Roma in an Expanding Europe: Challenges for the Future’, which was held in Budapest in July 2003. The Czech Republic adopted this initiative in January 2005 in Government Resolution No. 136. Since 2005 the annual ‘Report on the Fulfilment of the Decade Goals’ has been published. The key idea of the decade is to involve the Roma directly in developing regional social policies. The main goal of the decade is to improve the social status of Roma people, especially in education, housing, health and labour market areas. In addition, every national plan includes the topic of discrimination, gender and poverty. The plan for the fulfilment of the decade goals should not be a substitute for national integration policies but rather should complement and reinforce them.

All the aforementioned activities and efforts are based on active support for the process of social inclusion. The concept of social inclusion and the discourse of multiculturalism have dominated the most recent period. The term social inclusion can be found in almost all official documents and reports. The concept of social inclusion is the opposite of assimilation, social exclusion, or ineffective nationality policies. It is designed as an unaggressive form of support for the integration of excluded persons into society, but always with the accent on their individual and social distinctiveness. This concept also involves the multicultural perspective, which is based on tolerance, recognition and understanding of different cultures, and overcoming existing cultural barriers. The point is not to return to an idealised traditional way of life, which has been abandoned by the majority of Roma people and in many respects is incompatible with life patterns in modern society. The key principle is to understand that social categorisation de-

⁵¹ International activities involving eight states (Bulgaria, Croatia, Czech Republic, Hungary, Macedonia, Romania, Slovak Republic, Serbia and Montenegro) in the decade between 2005 and 2015.

depends on knowledge of social reality. The problem of categorising terms is not just a language problem, but also a cultural problem [Knocke 2000].

The most recent topic to surface in expert, political and public debates is the status of Roma women in the family and in society, especially with reference to the phenomenon of multiple discrimination.⁵² As described above, Czech Roma women belong to very different communities, but they do have something in common: discrimination in access to education and the labour market, housing segregation, the risk of poverty, etc. There is also general discrimination within the patriarchal structure of Roma families. The concept of multiple discrimination stems from Black feminism developed mainly in the 1980s in the United States.⁵³ According to black feminist critique, the attention directed at marginalised women is prevalently negative. Consequently, the majority uses negative examples to morally condemn the minority [Collins 2000].

Available data indicate that the situation and position of Roma women in the family is changing dynamically and the discourse on the traditional family structure is out of touch with many current problems and topics affecting Roma women today. A significant proportion of Roma women is unemployed. In the absence of suitable employment opportunities, Roma women in several countries, including Bulgaria, the Czech Republic and Slovakia, have resorted to prostitution.⁵⁴ Roma women are also often victims of domestic violence. It was only very recently that governments in many countries acknowledged the problem of domestic violence in general. For instance, the International Helsinki Foundation of Human Rights has noted the lack of shelters and the lack of professionals among police, doctors and social workers trained to deal with victims of domestic violence in the Czech Republic [European Commission 2004: 34].

Traditional male domination seems to be waning. Women in towns have relatively better access to education, which seems to be the key factor in changing their position in the family and improving the situation of Roma children [Manová 2003]. The current generation of young women is the first generation

⁵² For example, Knocke [2000], Manová [2003], Vermeersch [2006] and 'Report on the Fulfilment of the Decade Goals' (published every year).

⁵³ The starting point was the reflection of the experience of black women, who are the object of various stereotypes (the black matron, the fortune-teller, the prostitute, Sapphire (independent and headstrong), the welfare queen, etc.) [Collins 2000]. 'Black feminism' emerged in the 1980s and gained more ground in the 1990s. 'The standpoint theories until that time only spoke about the experiences of white women. In the 1980s they began to be criticised as mainstream and not oriented enough towards the status of minority women.' [Manová 2003].

⁵⁴ 'The Roma in Central and Eastern Europe: Avoiding the Dependency Trap', a survey from 2002.

leaving their parents and settling down without getting married. At least these young women are allowed to make their own decisions about planning parenthood and about the number of children they want. Data from different surveys confirm that contemporary Roma women play significant roles in family decision-making and in keeping money in the household (see Table 5.4 and 5.5).⁵⁵

Table 5.4. Who is the head of your household? (responses by Roma, in %)

	Men	Women
Myself	66.21	33.67
My husband	-	41.53
My wife	4.91	-
My father	18.66	13.51
My mother	2.95	3.02
My grandfather	1.38	0.81
My grandmother	0.39	0.20
Somebody else	3.73	5.04
Did not reply	1.77	2.22
Total	100.00	100.00

Source: 'The Roma in Central and Eastern Europe: Avoiding the Dependency Trap', a 2002 regional survey.

Table 5.5. Who keeps the money in your household? (responses by Roma, in %)

	Men	Women
Myself	49.71	51.41
My husband	-	22.98
My wife	23.38	-
My father	11.39	9.68
My mother	8.64	6.05
My grandfather	0.59	0.60
My grandmother	0.20	-
Somebody else	3.74	6.05
Did not reply	2.36	3.23
Total	100.00	100.00

Source: 'The Roma in Central and Eastern Europe: Avoiding the Dependency Trap', a 2002 regional survey.

⁵⁵ Responses to the question 'How are important decisions made in your family?' also provide information on gender relations within Roma families. The option 'the head of the household decides' received support from less than one-quarter of Roma respondents.

Even though problems such as the access of Roma women to education and to economic opportunities and the sexual and reproductive rights of Roma women have already been discussed for some time in the Czech Republic, the 'Roma Integration Policy Concept' from 2004 was the first official Czech document in which the accent shifted to Roma women.

Based on this document, the activities of the Council and of several non-governmental organisations in the Czech Republic began to focus specifically on Roma women. Moreover, several members of young generation of Roma women in the Czech Republic have established their own civic groups and try to specify demands of Roma women that have not yet been explicitly formulated.

5.5. Conclusion

The contemporary status of the Roma minority living in the Czech Republic has been strongly influenced by historical developments since the Second World War, especially by assimilation efforts in the 1950s. The concept of assimilation represented by the policy of dispersion had a fundamental impact on the image and forms of most Roma communities in the Czech Republic and led to the current social exclusion of many Roma. As a consequence of the assimilation efforts, members of the Roma minority lost their traditional way of life. The main consequences of the long-term suppression of Roma identity have been social exclusion and rising poverty. It was difficult for fragmented communities to continue to identify with and maintain traditional Roma cultural patterns.

Attempts at the social integration of Roma since the 1970s were centred on the most noticeable social problems. However, they focused on problems defined in social terms only, not their causes. As a consequence, in the normalisation period the problems of Roma minority members grew rapidly (low education levels, unemployment, criminality, a rising number of Roma children in institutional care for abandoned children, etc.)

Although the shift in the discussion of the Roma issue to a democratic context in the 1990s helped generate a new approach at the level of state level (the social exclusion frame), during the process of social transformation the social situation of the Roma population in the Czech Republic in many aspects deteriorated rather than improved. Since the second half of the 1990s, government approaches to the Roma issue have focused on three perspectives – the human rights and nationality policy perspective, the ethnic and cultural identity perspective, and the social security system perspective. The current policies in the area of human rights and nationality policy are the most developed. The other two perspectives

have been supported since the second half of the 1990s, but their integration is more difficult.

Since the new millennium, the complementary application of all three perspectives is understood as necessary, and it is believed that the Roma issue cannot be reduced or divided into one or other of them within the framework of social inclusion.

The Czech Roma population suffers from many problems that are long term, continuous, and affect every area of the social system. Members of the Roma minority are also largely excluded from state provisions and services. A strong distrust of all state institutions and of Czech society exists in Roma minority communities. Many social problems associated with members of the Roma population contribute to worsening the majority public's opinion of them, and that is also an important factor influencing the status of the Roma minority in Czech society. The Roma minority is the most problematic minority in the opinion of Czech majority population. In contrast with relations with other national minorities, more than 60% of Czech citizens have a negative view of Roma inhabitants.⁵⁶ Almost 90% of Czechs are of the opinion that the Roma themselves are responsible for their current problems.⁵⁷

Unfortunately, the relationship between the Czech majority and the Roma minority has been repeatedly and reciprocally damaged. The trust of the majority is destroyed by the high rate of socio-pathologic phenomena within Roma communities (criminality, prostitution, usury and dependence on social benefits). The trust of the Roma community is continuously damaged by continued discrimination from majority society at all levels of social life, including the discriminatory practices of a number of state institutions. The long-term problem of Roma social exclusion is a vicious circle. The precondition for better coexistence is the cultivation of tolerance and mutual understanding. The media, as one of the main generators of public opinion, are one instrument that has the power to alter this situation dramatically.

Contemporary Roma communities are mostly heterogeneous and fragmented. The members of these communities are often unable to integrate into the majority society, and they have (as a consequence of the break down of traditional community patterns) almost no relationship with traditional Roma cultural identity.

⁵⁶ 'Vývoj mezilidských vztahů' (The Development of Interpersonal Relations), a survey from 2000.

⁵⁷ 'Improvement of Relations between the Roma and Czech Communities', a survey from 2002; 'Vývoj mezilidských vztahů' (The Development of Interpersonal Relations), a survey from 2000; and 'Report of the plenipotentiary for human rights about some findings on the image of Roma in Czech society' in the Archive of the Council.

Therefore, a current problem is to help the Roma find their own cultural identity in the context of the new conditions and the new status of their individual members – in the family and in society. This problem is especially relevant to Roma women. It is very important for them to learn how to obtain a higher education and to integrate into the labour market. It is also important for improving the situation of Roma children.

The civic and political participation of members of the Roma minority in society is very low. Most Roma distrust mainstream society and institutions and in fact most Roma people have given up on trying to participate. The majority has labelled Roma as unable to integrate, which makes it very difficult for them to participate in any kind of civic activities. Therefore, their political, civic and economic participation is low. In the case of cultural integration, much has been done since 1997, but the problem of fragmentation and heterogeneity of most Roma communities continues.

One way out of the circle of poverty and social exclusion is better access to the education system, but the access of Roma children to the mainstream education system is low. The education system needs to be more understanding of language differences and some of the different approaches the Roma take to studying. The concepts of multiculturalism and social inclusion are thus the most promising way so far to understand different cultural patterns of child socialisation in Roma families.

Contemporary social policy concepts are still fragmentary, and newly established institutions need to find their position in the state social system. Many local activities supporting the Roma minority are hindered by current administrative processes. In this regard, the Government Council for Roma Minority Affairs and the work it does are very important, especially its conceptual and coordinating function. The Council is one of the key actors. Other important actors are nongovernmental organisations that support the Roma minority in different spheres. Services provided by the state are important too. For an effective solution to the existing problems it is essential to accept the different mentality of members of the Roma minority and implement concrete social policy resolutions with an acceptance of these differences.

Existing problems cannot be solved just by the tools of cultural emancipation. Solutions require cooperation from many state institutions and nongovernmental organisations. Ethno-concepts centred on supporting identity figuration and reducing structural social injustices members of the Roma minority are subject to have been taken up as key by only a small group of academics and are not linked to governmental and civic society activities [Moravec 2006]. The next steps could be to prepare the conditions for the development of a pluralist soci-

ety, including making room for the specific features of the Roma's style of life. This means elaborating the concept of social citizenship in relation to the Roma minority. In the case of the Roma minority and Roma women in particular, it also means accommodating the ways that Roma study and understanding traditional patterns in Roma families (common socialisation, a strong dependence on the family with more children, etc.), so that we can adapt and transform these patterns in positive way to create new, late-modern lifestyle conditions and to cultivate a sense of responsibility among all members of society for all members of the family and for civil society in general.

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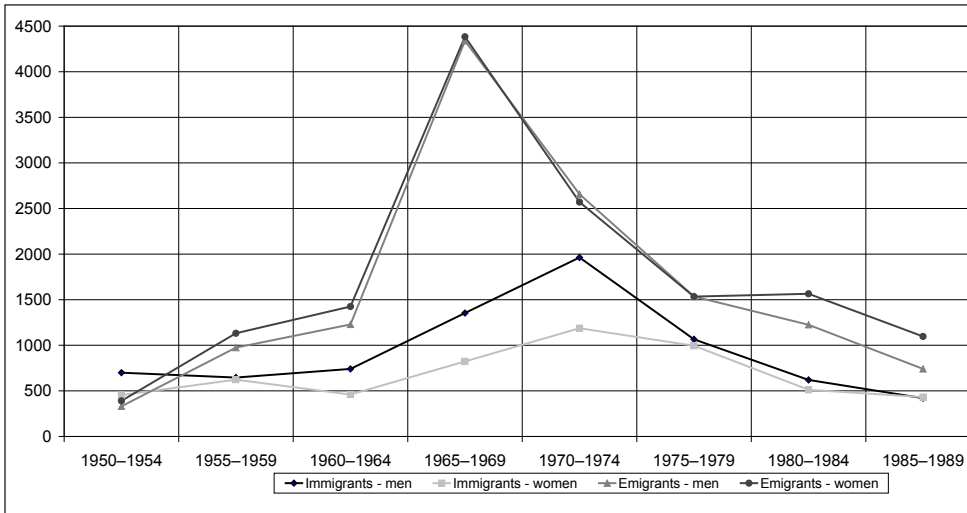
Yana Leontiyeva and Michaela Vojtková

International migration has become a topical issue in the Czech Republic. Although the number of immigrants in the country is growing rapidly, there is still a deficit of sociological and demographic studies devoted to this issue. In this chapter the authors focus on the integration of foreigners into so-called 'core' institutions, which determine a migrant's socioeconomic status, opportunities, and available resources. Special attention is given to the access to the social security system, to the health care system, to the education system, and last but not least to the labour market. The main aim of the text is not to give a comprehensive description of the existing legal frame, but to illustrate how implementation of laws and regulations relating to migration in practice influence the ordinary life of migrants.

Until 1989 the Czech Republic did not have much experience with large inflows of international migrants. Quite the opposite, it was more a country of emigration. Foreigners were practically invisible in the everyday life of Czechoslovakia. However, there were several waves of permanent immigration (settlement migration) particularly worth mentioning. After the resettlement of Germans outside the country's borders between 1946 and 1947, twelve thousand Bulgarian peasants settled in the borderland regions, and later, in 1957, another four thousand Bulgarian construction workers settled in the districts of Most and Chomutov [Brouček 1998]. Another immigrant ethnic group that settled in the country were Greeks, fleeing the civil war in their homeland in the second half of the 1940s. Between 1949 and 1950, Czechoslovakia accepted about twelve thousand Greeks as political refugees [ibid.]. Greek immigrants initially settled in the borderland regions of Northern Moravia, but they continuously moved out of this region (though they remained in the country) [Uherek 2003]. Besides the settled newcomers, former Czechoslovakia also hosted temporary foreign workers. Although only a very limited number of Czechoslovakians worked abroad during the communist era, a relatively significant number of foreigners worked in the country during the 1970s and 1980s. These foreign temporary workers were recruited on the basis of intergovernmental agreements and most of them

came from countries like Poland, Vietnam, Hungary, Mongolia, Cuba, Angola and North Korea. From the very beginning, most labour migrants were men, but in the early 1980s immigration became more gender balanced (see Figure 6.1). It is important to note that during the communist era migrants tended to live in segregation, concentrated in ghettos under the careful watch of the state, and usually not far from their workplace, school, college or university. Therefore, contacts between migrants and Czech majority society were very limited. After 1989, most temporary labour migrants returned to their home countries [Boušková 2001].

Figure 6.1. International migration in the Czech Republic, by sex, 1950–1989



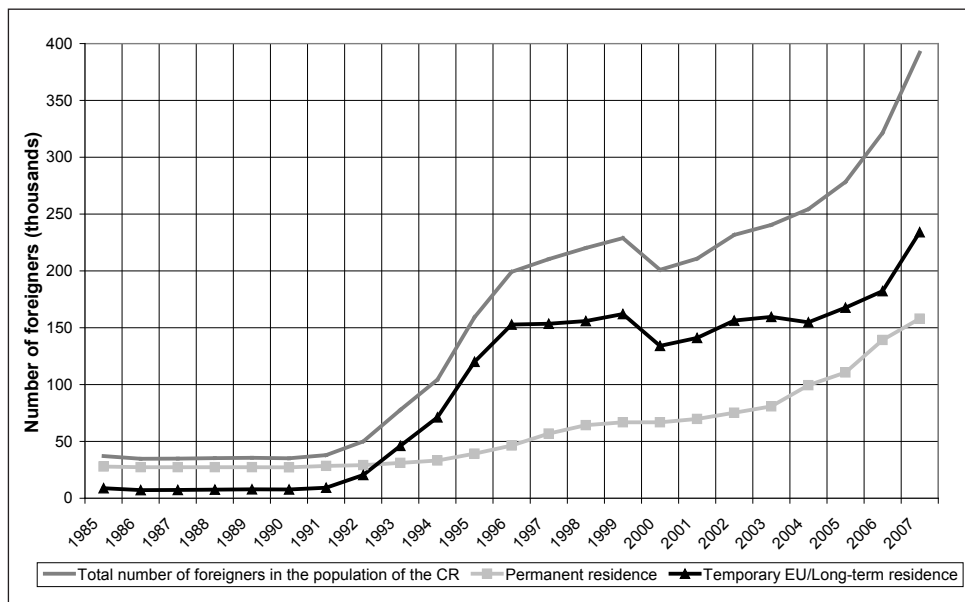
Source: Srb [2001].

Note: The numbers are the means for each of the five-year periods.

After the fall of the communist regime the state borders opened up not just to Czechs returning from abroad but also to immigrant newcomers. Starting in the early 1990s the number of foreigners in the country began to increase significantly (see Figure 6.2). The share of migrants out of the total population in the Czech Republic is relatively small compared to most Western European countries. For example, according to the Organization for Economic Co-operation and Development (OECD) and Eurostat statistics, in 2006, foreigners accounted for 20.3% of the population in Switzerland, 10.3% in Spain, 9.9% in Austria,

8.2% in Germany, 5.8% in the UK, and 5.6% in France. The same year in the Czech Republic foreign citizens made up 3.1% of the total population, which was still the largest share of migrants among central European countries: foreigners accounted for 1.6% in Hungary, 0.6% in the Slovak Republic, and 0.1% in Poland [OECD 2007].

Figure 6.2. Foreigners in the Czech Republic by type of residence permit, 1985–2007



Source: Czech Statistical Office at <<http://www.czso.cz>>.

Notes: The figure does not include foreigners who have been granted asylum.

The category 'temporary/long term residence': in 1985–1999 this refers to long-term residence; in 2000–2003, a visa for 90 days or more; since 2004, temporary EU, long-term residence, or a visa for 90 days or more.

The integration of the foreigners and their political and civic participation remain challenges and problematic issues for the Czech Republic. According to Bosswick and Heckmann [2006], there are four dimensions to the social integration of foreigners: structural, cultural, interactive and identificational. In this chapter we focus mainly on the structural dimension of integration, on how foreigners acquire rights, and on what access they have to the important institutions of the host society. Below we will first briefly describe the regulations for visa

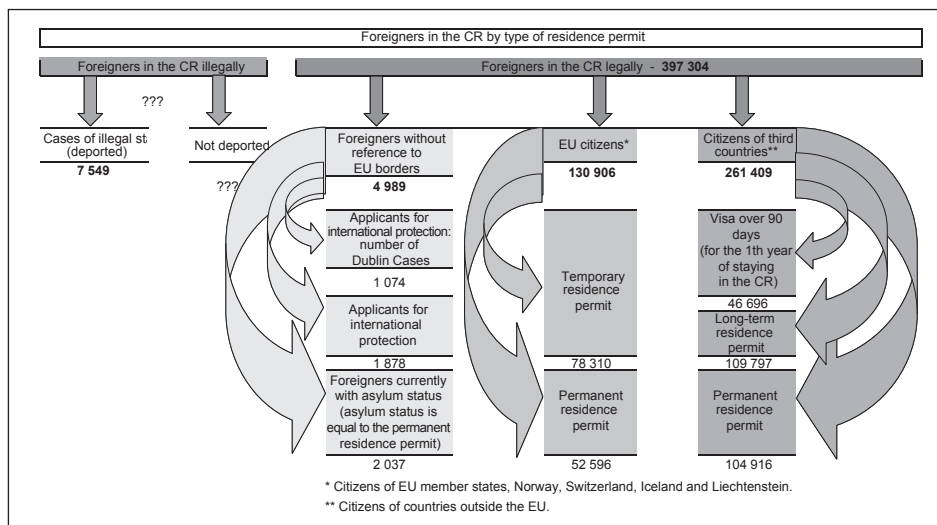
and resident permits and Czech politics of naturalisation. The following sub-chapters will provide a more detailed analysis of foreigners' access to the social security system, the health care system, the education and qualification system, and last but not least to the economy and labour market.

6.1. Czech Visa and Resident Permits Regulations and Policy of Naturalisation

There are two main types of residence permit in the Czech Republic: temporary and permanent (Act No. 326/1999 Coll.). The permanent residence permit comes with an automatic right to work. Until 2006, this type of residence permit was strictly tied to the requirement of ten years of continuous residence in the Czech Republic. The restrictive requirement of a ten-year stay was shortened to five years, in accordance with the amendment to the Czech Alien Act, which came into force in April 2006. The main stimulus for that change was the EU Council Directive concerning the status of citizens of the third countries who are long-term residents [Leontiyeva 2008].

The Czech Alien Act distinguishes between three categories of foreigners: EU citizens, citizens of third countries, and other foreigners, with no reference to the EU border (see Figure 6.3). The citizens of EU member states, and those of Norway, Switzerland, Iceland and Liechtenstein (further abbreviated as 'EU citizens'), and their dependants, enjoy special treatment. They can remain on the territory of the Czech Republic practically without any limitations and residence permits. According to a regulation of the European Council on the European Economic Community (EEC No. 1612/68), foreigners from other member states have access to the Czech labour market on the same basis and under the same regulations as Czech workers. Another Council regulation (ECC No. 1408/71) ensures that foreign workers (employed and self-employed) from other EU member states, along with members of their families, are subject to the same obligations and enjoy the same benefits in the Czech social security scheme as Czech citizens.

Figure 6.3. Foreigners in the Czech Republic by type of residence permit in 2007



Source: Czech Statistical Office, <http://www.czso.cz>, 31/12/2007.

Citizens of countries outside the EU, who are often referred to as ‘citizens of third countries’, are divided into five sub-categories: 1) those who can stay in the Czech Republic for a short time (up to 90 days) without a visa, 2) those staying in the Czech Republic on the basis of a short-term visa for up to 90 days, 3) those staying in the Czech Republic on the basis of a visa for over 90 days (usually prolonged to a long-term residence permit), 4) those who are granted a long-term residence permit, and finally 5) those who have a permanent residence permit. A special category of foreigners, regardless of their status in relation to EU borders, are registered asylum seekers and foreigners under temporary protection. Foreigners who have been granted asylum, that is, successful asylum seekers, have in fact the same rights, responsibilities and status as foreigners with a permanent residence permit (see Figure 6.3).

The Czech Republic has rather meticulous policy of naturalisation in terms of granting Czech citizenship. The Czech Citizenship Act is based on the principle of shared ancestry, so-called *jus sanguinis*, and apart from a few exceptional cases it does not allow dual citizenship. To apply for Czech citizenship, foreigners must first have permanent residence status and stay on the territory of the country for at least five years (Citizenship Act No. 40/1993 Coll.). There are several special cases when the requirement of a five-year stay can be waived (for example, if a person was born on the territory of the Czech Republic, was adopted by a

Czech citizen, or his/her spouse, or at least one of the parents has Czech citizenship, etc.). However, the opportunities for integrating the second generation of foreigners born on the territory of the country to parents who are both foreigners without a permanent residence permit are still somewhat limited. There is basically no automatic right to receive citizenship through the process of naturalisation. Nowadays, however, this situation is much better than it was several years ago. Before January 2006, according to the previous version of the Alien Act, a permanent residence permit was granted only after ten years of continuous stay in the country, and therefore, a regular settler had to wait for 15 years before being able to apply for Czech citizenship.

On the whole Czech immigration policy is still in the process of development, and it can still be described as vague and oscillating between different incentive and restrictive regulations. Migration policy initiatives are often criticised for not being based on in-depth analyses of current and future trends [Drbohlav, Horáková, Jánková 2005]. Migration has not yet become a subject in Czech political discourse. Most politicians and political parties have had little interest in incorporating the issue into their programmes, and although recently the issue has grown in importance, immigration is still not a priority topic in Czech politics [Kopeček, Mareš 2004; Leontiyeva 2007].

6.2. Immigration to the Czech Republic Today in Figures

By the end of year 2007, there were 392 315 foreigners legally residing in the Czech Republic, and 347 649 of these migrants had already been residing in the country for more than one year. About 60% of migrants possessed a long-term residence permit, which is valid for a limited period of time,¹ but can be extended from within the Czech Republic. The remaining 40% of foreigners were granted a permanent residence permit. Ukrainians (126 721 people), Slovaks (67 889 people), Vietnamese (51 101), Russians (23 278), Poles (20 601), and Germans (15 700) were the largest groups of immigrants [Foreigners in the CR 2008].

According to official statistics, foreigners from EU countries constituted 33% of the total foreign population. However, owing to the visa-free regime, selected

¹ Until the end of 2008 a long-term residence permit for the purpose of employment was granted only for a period of up to one year, which was the maximum length of the job permit; since 2009 the permit can be for up to two years. In the case of entrepreneurial activities or study, this type of permit can be granted for a maximum of two years and in the case of family reunification for a maximum of five years.

statistics have been and still are somewhat underestimated, a fact illustrated, for example, by the decrease in the official number of Slovaks in the country from about 65 000 in 2003 to about 47 000 in 2004. Many foreigners from EU-member states reside on the territory of the Czech Republic without any registration. Indeed, given the fact that foreigners from EU countries have practically unlimited access to the Czech labour market, official registration seems to be a minor issue. However, in order to access political rights, registration is a must; thus, for example, during the Czech communal elections in 2006, only a few EU citizens with permanent residence permit were able to exercise their right to vote [Blechová, Hudala 2006].

The majority (67%) of officially registered foreigners came from outside the EU [Foreigners in the CR 2008]. The residential status of migrants depends on the source country. For example, the majority of migrants from Vietnam (about 70%) have a permanent residence permit; conversely, most Ukrainians (about 75%) stay in the country on the basis of a long-term permit [ibid.] The real effect of the above-mentioned legislative change enabling migrants from third countries to apply for a permanent residence permit after five years (instead of ten) will be seen in the longer term and probably it will bring a new light on the perspective of labour migrants' settlement in the CR. In particular, this may concern immigration from CIS countries (Commonwealth of Independent States), which is still largely perceived as temporary or circular.

Six out of ten migrants today are men. The share of women out of all foreigners has been more or less stable in the past 8 years (about 40%). Nevertheless the proportion of women in different groups of foreigners varies significantly. There are generally fewer women among foreigners with a long-term residence permit and among foreigners who are considered to be temporary labour migrants; by the end of 2007, women made up 40% of Ukrainians, 41% of Vietnamese, 19% of Germans, 53% of Russians, and 38% of US citizens; likewise, women made up 47% of all holders of a permanent residence permit, but only 33% of foreigners with a long-term/temporary residence permit and 38% of foreigners with a 90-day and over visa. Traditionally, female migrants more often than male migrants come for the purpose of family reunion. Even though the situations in which female migrants play the role of the breadwinner seems relatively infrequent in the Czech context, the trend is changing slightly, and in some groups of foreigners (for example among Mongolians) women even constitute more than one-half of economically active migrants.

In 2007, 1878 new asylum seekers applied for political asylum in the Czech Republic, which was half the figure in 2006 and almost one-tenth the figure in 2001. Although the number of asylum seekers dropped considerably, the rate of

successful asylum seekers still remains rather low. Successful asylum seekers receive a residence permit that is equivalent to a permanent residence permit. By the end of 2007 there were altogether 2030 foreigners who had the valid status of political asylum in the Czech Republic, most of these people originally had Russian (241), Belarusian (245), or Afghan (241) citizenship, and about 40% were women.

Apart from describing official statistics, it is worth mentioning that illegal/undocumented or irregular immigration is an important component of current immigration flows. According to some estimates, there are up to 300 000 foreigners residing in the Czech Republic with no valid residence permit [Foreigners in the CR 2008].

Roughly 70% of all officially registered foreigners in the Czech Republic are economically active. The real numbers are probably much higher, because official statistics do not include all foreigners with a permanent residence permit or foreigners working in the grey economy. The largest group of economically active migrants are men in productive age. However, as already mentioned, the feminisation of migratory flows is currently on the increase.

6.3. Access of Foreigners to the Social Security System

Since the Czech accession to the EU social security rules are affected by EU legislation, which in fact has not caused any changes for the native population living in the Czech Republic. Under EU regulations, which also apply to Switzerland, Liechtenstein, Norway, and Iceland, EU foreigners are subject to the social security system of the country in which they work.² Non-EU foreigners staying in the Czech Republic are subject to Czech social security legislation and to bilateral social security agreement if there is one. The Czech Republic has signed bilateral agreements on social security with countries like Belarus, Canada, Croatia, Cyprus, Germany, Israel, Italy, Luxembourg, Netherlands, Romania, Switzerland, Turkey and Ukraine. The main aim of such international social security agreements is to eliminate dual taxation on earnings of migrants and to improve the protection of international workers.

Foreigners legally residing on the territory of the Czech Republic, as well as Czech citizens, have access to three integrated and in fact complementary social

² This does not apply to individuals sent to a host country by their home employer to work for the home employer for a period not exceeding one year. In this case individuals remain covered by the home country's social security scheme.

security schemes: social insurance,³ state social support,⁴ and social care.⁵ Any person ‘permanently residing’ in the country is entitled to receive social security benefits.⁶ It should be mentioned here that for the purposes of the social security system the institute of ‘permanent residency’ for foreigners is understood as a stay in the country of more than 365 days in the country from the day of residency registration. However, this period does not include the ‘waiting period’ for asylum seekers.

Social services and benefits are available to the persons registered in the Czech Republic as permanent residents, persons granted asylum, foreign citizens who are not permanent residents of the Czech Republic but for whom eligibility is established under a special international agreement, citizens of other EU member countries if they are registered in the Czech Republic for a stay of longer than three months,⁷ family members of EU citizens who are registered in the Czech Republic for a stay of longer than three months,⁸ and finally to citizens of the third countries who are in possession of a permanent residence permit and have been granted the legal status of a long-term European Community resident in another EU country if they are registered in the Czech Republic for a stay of long-

³ The current Czech system of pension insurance comprises two parts: a basic pension insurance system (used to provide old-age pensions, full disability pensions, partial disability pensions, widow pensions, widower pensions, and orphan pensions) and a supplementary system, which includes supplementary pension insurance with a state contribution (Act No. 42/1994) used to provide permanent old age and disability pensions and superannuation, temporary survivor pensions, lump-sum settlements, and severance pay), and other forms of individual security by means of products offered by commercial insurance companies.

⁴ The state social support programme is used by the government to take care of families with dependent children if the family is faced with a legitimate socially serious situation that the family cannot resolved with its own resources. The distribution of state social support is regulated under Act No. 117/1995 Coll., on state social support (as amended). The family’s eligibility to receive such support is not based on the family’s assets. In the case of certain benefits, eligibility is based on the family’s income. State social support benefits are parental allowance, foster care allowances, childbirth grant, burial allowance, child benefit, social allowance, housing allowance.

⁵ Social care specifically applies to social care allowances and social services. Selected social services: shelters, contact centres, crisis assistance, low-threshold centres for children and teenagers, overnight shelters, secondary care services, social interaction services for families with children, social interaction services for senior citizens and the disabled, social therapy workshops, therapeutic communities and field programs, are also available to individuals who are legally residing in the Czech Republic, provided they meet the respective criteria, as specified in the Act on social services.

⁶ This applies to family members, too.

⁷ This applies only if such individuals are not eligible to receive social benefits under a directly applicable European Community regulation.

⁸ See the previous note.

er than three months. Therefore, in the case of social services, Czech legislation and practices are at odds with the European Social Charter, which calls for providing social services to everybody on the territory of the state.

The Czech system of pension payments does not differentiate between its own citizens and foreigners, thus legislation in this field does not directly discriminate against foreigners. However, it creates a form of indirect discrimination, as the current system, based on inter-generational solidarity, requires that a person has worked in the Czech Republic for a particular number of years before he/she can enter it. In order to be entitled to an old-age pension a person should reach retirement age and should have at least 25 years of working history (including having paid social insurance). If those conditions are not met, then at least 15 years of pension insurance, and the reaching of at least 65 years of age are required.

The Czech Republic takes also rather restrictive approach towards families. The child benefit is not paid if the parents are living in the Czech Republic but the child is living abroad, and that is the real situation of many temporary economic immigrants. The right to a child benefit is also attached to the institute of 'permanent residency', again considered as legal residence in the country for a period over 365 days.

6.4. Access of Foreigners to the Health-care System

In accordance with the Charter of Fundamental Rights and Basic Freedoms, every person has the right of access to health care. Health insurance is mandatory in the Czech Republic. The obligatory insurance premiums are paid by the insured individual, or in the case of employment by his or her employer, and in the case of several specific groups (for example dependent children, pensioners, individuals on a maternity or parental leave, registered unemployed, etc.) the insurance is covered by the state. In case of need every health-care worker must immediately assist and provide first aid to anyone whose life would be at serious risk without health assistance. However, if a person receiving care does not have health insurance or if the given health-care services are not covered by the insurance he or she has, the services are subject to a fee.⁹

⁹ Some categories of foreigners could be also provided with the emergency health care based on international agreements between the Czech Republic and their home country. The list of countries, which have bilateral agreements on free necessary health care services covered by the Ministry of Health is available on the website of the Centre of Interstate Payment at <<http://www.cmu.cz/en>>.

Unlike Czech citizens not every foreigner has access to the public health insurance system in the Czech Republic. Alongside foreigners with a permanent residence permit and asylum holders, the right to participate in the public health insurance system is granted to foreign citizens employed by a Czech employer and citizens of third countries who are legally residing in any other EU member country. Participation in the public health insurance system terminates upon expiry of the permanent residence permit and upon termination of employment in the Czech Republic.

Foreign citizens who do not qualify to participate in the public health insurance scheme can purchase a health insurance policy on an individual basis. One of the insurance companies providing contractual insurance is Pojišťovna VZP, a.s., which used to be the only company on the market providing this type of commercial product. This insurance company still holds the strongest position in the market, which enables it to keep the rates for contractual insurance at a rather high level and not try to make the conditions for insurance client-friendly.

The requirement of health insurance for foreigners residing in the Czech Republic is certainly a legitimate one, but the implementation of this particular requirement in practise establishes numerous bases of discrimination. The high price of commercial insurance, the fact that foreigners does not have automatic entitlement for this type of insurance, and in most of the cases could afford only basic insurance which covers few health services, the overlapping of the commercial insurance system and the public health insurance system, and the pre-payment requirement are major obstacles to the inclusion of foreigners in the health insurance system. Moreover, regulations restraining access to public health insurance for the partners of Czech citizens who stay in the country for less than two years and does not have right for permanent residence permit is in fact a discrimination against Czech citizens and their partners as opposed to the accompanying non-EU partners of other EU citizens employed in the Czech Republic.¹⁰ Described reality partly explains why a significant number of immigrants, especially those from the third countries, whose arrival in the Czech Republic is mostly conditioned by economic reasons, have no health insurance at all.¹¹

¹⁰ According to the Council Regulations (EEC) No. 1408/71 and (EEC) No. 574/72 the health insurance for family members of the employed EU citizen is to be covered by the Czech state.

¹¹ For more information about the health care situation of non-EU immigrants, see, for example, Dobiášová et al. [2003; 2004], Jelínková [2007] and the Czech website for the international project MIGHEALTHNET at <<http://mighealth.net/cz/>>.

6.5. Access of Foreigners to the Education System

The education of foreigners¹² in the Czech Republic is regulated under the School Law No. 561/2004. Compulsory education, which is set at nine years and is provided for free, applies not only to Czech citizens but also to foreigners, specifically to citizens of EU member states and their dependants, and to other aliens who have permission to reside in the country permanently, have a visa for 90 days and over, or have a long-term residence permit, and to asylum holders and asylum seekers. The conditions relating to the education of aliens are specified in Article 20 of the Education Act. The Act differentiates between two categories of education provided to foreigners.

EU citizens have the same rights as citizens of the Czech Republic [Foreigners in the CR 2006]. But foreigners from third countries are only allowed to study if they can prove they have legal permission to reside in the Czech Republic at the start of school attendance. Compulsory school attendance includes education in elementary schools, special education schools, and schools of institutional and protective care in the education system. Foreigners compose 1.3% of pupils in elementary schools in the Czech Republic. Most of these foreign pupils are citizens of Vietnam (29%), Ukraine (22%), Slovak Republic (17%), and the Russian Federation (8%) [Foreigners in the CR 2006].

Unlike Czech children, foreign citizens are not entitled to free schooling in the last year of pre-school education – kindergarten – or to other types of facilities, such as art schools, language courses, and continuing education facilities. Also, they are not entitled to various subsidised educational services like counselling, accommodation, and catering free of charge. They also pay higher kindergarten fees as these public institutions are subsidised by the Czech state for Czech citizens only. Among children attending kindergarten about 1% are foreign nationals. The majority of foreign children attending kindergarten are from Vietnam (36%), Ukraine (15%), Slovakia (13%), and the Russian Federation (7%) [ibid.].

Language skills are often a compulsory requirement in order to obtain education free of charge. According to the above-mentioned guideline, elementary education is only provided in Czech and schools are not obligated to organise special classes providing tuition in the Czech language or other forms of tutorial for aliens. However, EU citizens can ask local authorities to provide free education to facilitate a child's integration (for example, language courses). Entrance ex-

¹² In the Czech Republic, if one of the parents is a Czech citizen, the child has a right to Czech citizenship. However, this is not the case if both parents are foreigners.

ams to secondary schools are held exclusively in Czech, but in some cases an interview can be organised instead of an exam.

Secondary education is provided for free to foreigners who are capable of studying in Czech, and aliens who study in Czech at colleges have the same fees as Czech citizens. Similarly, public high schools are free for foreigners who can study in Czech. Foreign students enrolled in secondary education make up about 1% of all students. Most of them are citizens of Vietnam (21%), Ukraine (21%), Slovakia (15%), and the Russian Federation (13%) [ibid.].

Foreign students who are capable of studying in Czech can attend a post-secondary school under the same conditions as Czech citizens. The largest share of foreigners is among university students. In 2006, foreigners enrolled in a full-time bachelor or master's programme accounted for about 7% of all students enrolled at Czech universities, up to 9% of first-year students, and about 4% of university graduates [ibid.].

Foreign students wishing to study at a Czech post-secondary school where instruction is provided in a language other than Czech must pay tuition. In private post-secondary institutions, both Czech and foreign students are required to pay for their studies. Foreign students have access to public post-secondary schools or schools established by the state regardless of whether they have a short-term, long-term or permanent residence permit in the country.

Table 6.1. Foreign students in kindergartens, elementary and secondary schools, conservatories, higher professional schools and universities in 2002–2006

Type of school	2002/3	2003/04	2004/05	2005/06
Kindergarten	3 110	3 252	3 244	3 213
Elementary schools	10 546	12 973	12 113	12 279
Secondary schools	2 920	3 584	4 250	4 940
Conservatories	64	74	82	93
Higher professional schools	379	385	353	313
Universities*	12 060	14 495	17 811	21 434

Source: Institute for Information on Education at < <http://www.uiv.cz/>>.

* Number of students since the 2004/2005 academic year; number of students before the 2004/2005 academic year.

Table 6.1 shows that the highest share of foreigners in the Czech education system is among university students. The cited percentage actually replicates the age structure of foreigners who come to the Czech Republic, since only less than 1% of foreigners are under the age of 14.

6.6. Access of Foreigners to the Labour Market

At present, the character of immigration to the Czech Republic is primarily economic. About 70% of all foreigners residing in the country are engaged in some form of economic activity. The real number of economically active migrants is probably much higher because official statistics reflect the number of migrants who hold working permits and trade licenses but do not include those foreigners who have a permanent residence permit (with an automatic right to work) and those who are engaged in activities in the grey economy.

Since the beginning of May 2004, citizens of the EU/EEA and Switzerland have the same status as Czech citizens, including free access to the labour market. Other foreigners can work in the territory of the Czech Republic only provided they have a work permit and the appropriate residence permit. A permanent residence permit provides its holder with the automatic right to work. According to the new regulations, foreigners who have a long-term residence permit on the basis of family reunification also have free access to the Czech labour market without having to apply for a work permit.

The number of foreigners working in the Czech Republic has fluctuated in time. Although the figures have dropped slightly over the past ten years, the trend is generally rising. For example, by the end of 1999 official statistics registered 93 500 employed foreign nationals, and by the end of 2007 the number of foreigners registered at labour offices had more than doubled (about 185 000 persons). The number of employed foreigners naturally depends on the situation in the domestic labour market. Areas with a low rate of unemployment usually report a higher number of foreigners granted a work permit or registered at an employment office. The vast majority of foreigners with a work permit are Ukrainians. There is also a growing trend of self-employment among people with trade licences. The trade license still seems to be the easier route to obtaining formal employment in unqualified occupations, such as cleaners, cashiers, welders, etc. As a result, a number of foreigners have a trade license but are in fact employees [Foreigners in the CR 2006; Horáková 2004].

Different studies have shown that the dominant pattern of economic migration from Eastern Europe is for people to arrive alone, individually, to try to support the family that they have left at home in the country of origin [Wallace, Stola 2001; Drbohlav, Šelepová, Janská 2001]. The majority of migrants are employed in low-paid, unskilled jobs that are in high demand but are unattractive to the native population (for example, hard manual and auxiliary work, with men working mainly in construction and heavy industry, and women mainly in cleaning services and doing manual labour in food processing and the textile industry) [For-

eigners in the CR 2006]. In this regard, the theory of social labelling claims that some categories of jobs, performed by a high percentage of migrants, gradually come to be branded as jobs that are unsuitable for the local population and that decreases the interest of the local population in doing them and leads to an increased demand for immigrants.

The lack of flexibility of the work permit is the main factor in the exclusion of foreigners from the Czech labour market. The fact that in order to have a residence permit one needs to hold a valid work permit for a narrowly specified job means that most labour migrants are very much dependant on their current employer. Unfortunately, there are those who take advantage of the precarious situation that labour migrants are in. One of the main problems affecting registered, and unregistered, labour migration in the Czech Republic is the subcontracting system (often described as the 'client system'). The mediator or the 'client' recruits unskilled, flexible and cheap labour, usually people from the town or region that the client comes from in his/her country of origin. The client then provides these recruited workers with jobs and accommodation, but also protects them from the reach of organised crime. However, such services are not granted to workers for free. According to reports from different Ukrainian informants, for providing these services 'clients' charge from 15% to 50% of a worker's monthly wage. Since the agreement between the 'client' and the employee is often based on personal contacts and sometimes even on informal oral agreements (the employees often do not have a copy of the signed contract and are not aware of their rights) the wage a worker receives often depends on the 'behaviour of the employee' and the 'kindness of the client'. The client is contracted by Czech partners for different work projects, so the Czech employer does not have to arrange any work permits or pay any taxes or insurance payments for foreign employees. This makes foreign labour even more profitable and desirable in the Czech labour market. On the other hand, it makes the migrants even more dependent on the 'good will' of mediators [Leontiyeva 2006; Nekorjak 2006; Černík 2005].

In order to qualify for unemployment benefits in the Czech Republic, one important qualification is that a person was engaged in economic activity in the past three years. This condition can be used to claim that there is no discrimination between foreigners and the domestic majority population, since the terms of participation in the social insurance system when employed are the same for foreigners and citizens of the Czech Republic. However, the real situation very much depends on the type of residence permit a migrant has. Foreigners with a long-term residence permit theoretically have access to unemployment benefits, but in practice it is very unlikely that they will ever receive them. It is in-

deed true that in the Czech Republic unemployment benefits are provided to every registered job seeker who satisfies the condition of having been employed in the country for at least twelve months in the past three years, for self-employment it also takes into account whether the applicant was a registered social insurance payer. However, if the person is a foreigner from a third country, and subject to visa regulations, and he or she does not have a permanent residence permit, the only other way to be legally allowed to work is to have a visa for 90 days and over or a long-term residence permit for the purpose of employment or business. These residence permits first require that a person have a valid trade license or job permit. Thus, if a person becomes unemployed (and has no other legitimate purpose for staying in the country, such as family reunification, or a permanent residence permit) then the person is expected to leave the country immediately, regardless of how long he or she was working in the country and contributing to the social security system. The unemployment benefit is not paid abroad. Consequently, in the case of unemployment the foreigner has no compensation.

6.7. Difficulties Faced by Foreigners in the Social System of the Czech Republic

To conclude our compendious review of the situation of foreigners in the social scheme of the Czech Republic, it is worth to mention that the Czech social security system is in principle designed to correspond to the social security models typical of most European countries, and for the most part it does not generate any explicit obstacles to the incorporation of foreigners in Czech society. However, when combined with other restrictions related to foreigners in the country, the regulations of the national social security system do not contribute to the successful integration of foreigners into Czech society. In order to support some of our previous statements concerning the situation of non-EU migrants and to illustrate how the implementation of laws and regulations relating to migrants influences the ordinary life of migrants in practice, we suggest looking at a description of two life stories.

Real-life Situation: Example 1

Elena is a 25-year old Belarusian who came to the Czech Republic for the purpose of family reunification (a long-term permit for the purpose of the reunification of a family) with her husband Oleg, who also has Belarusian citizenship, but has been living and working in the Czech Republic for three years (a long-term

permit for the purpose of employment). Elena is four months pregnant. When the baby is born, the family will not be entitled to any social support benefits because Elena has resided in the Czech Republic for less than one year. Even though Oleg has been contributing to the Czech social security system, the family will not get support from the state immediately. The mother will not receive the childbirth grant. And she will not receive financial aid in pregnancy and motherhood, since she has not worked in the Czech Republic. Both the child and the mother are required to have commercial health insurance, but the insurance premiums for pregnant women, as a high-risk group, are usually significantly higher, and the insurance company can refuse to insure a pregnant woman and the child, especially if born with a congenital defect. After one year, Elena can apply for the parental allowance and the family can apply for the social allowance and the child benefit (if the family has low income). It is important to note that the situation would be the same even if Elena's husband were Czech.¹³

Real-life Situation: Example 2

A 28-year old Ukrainian woman named Anna has been living in the Czech Republic for six years. After graduating from a Czech university, she started to work as an interpreter and got a long-term visa for the purpose of entrepreneurship. According to the Czech Alien Act, it is possible to prolong the entrepreneurship visa for two years. However, the foreign police requires that a person have pre-paid health insurance for the entire period of the extended permit. Anna is not entitled to public health insurance. A subsidiary company of the General Health Insurance company, Pojišťovna VZP, suggests she purchase a complex care insurance product (excluding dentistry and pregnancy care) for CZK 1900 (approximately 74 EUR) a month. In order to extend her visa Anna would then have to pay CZK 45 600 (approximately 1800 EUR) for two years in advance, which is more than twice as much as the average gross monthly salary in the Czech Republic. Were she to leave the country during the next two years or obtain employment and with it automatic access to public health insurance, there is no way she could obtain a refund on the purchased insurance (in which case, her public health insurance would overlap with the contract-based insurance).

¹³ According to a recent amendment to the Czech Alien Act, she would not be entitled to a permanent residence permit until she and her husband had been married for at least two years. So the one year rule of uninterrupted stay in the Czech Republic applies in this case too.

6.8. Conclusion

Since 1989, the Czech Republic has had to cope with a significant influx of migration and the Czech general public is concerned about the consequent increase in newcomers to the country. On the other hand, the Czech Republic is already facing demographic problems and currently has one of the most rapidly ageing populations in Europe. Estimates from different experts indicate that the trend is to continue, with population projections forecasting a decrease in the population in the coming decades [Rabušic, Burjanek 2003; Kretschmerová, Šimek 2000]. Taking into account these not very optimistic prognoses and the fact that non-citizens tend to be younger than citizens, some politicians and policy makers have started recognising the need to expand the workforce. The effectiveness of immigration as an instrument for solving demographic problems and preventing labour market deficits has often been questioned. Nevertheless, in recent studies immigration has more and more been seen as a factor that could, if not stop, then at least slow down the processes of population decline and ageing in the Czech Republic. One thing is clear, international migration brings new challenges, which require a comprehensive rethinking of many policies and programmes related to international migration.

In the Czech Republic there is a number of non-governmental and non-profit organisations engaged in assisting migrants. These associations provide help and social and legal counselling to migrants in need (unfortunately, they mostly focus on asylum seekers and foreigners with permanent resident status), helping them find a job, organise professional training and language resources, engage in activities aimed at preventing racism and xenophobic attitudes towards migrants, etc. Some of these associations also monitor the compliance of Czech law and regulations with ratified international treaties on human rights and freedoms.¹⁴ Although NGOs indisputably play a very important role in promoting the integration of foreigners, the insufficient coverage of provided services remains a major issue.

The legislative and institutional framework of the Czech Republic to a certain extent accepts foreigners in the public space. However, the social distance between immigrants and the majority population is still substantial. Real practices in the labour market often differ from declared policies. According to the dual labour market theory, the segmentation of the labour market is a result of the fact that the local population refuses to perform unattractive jobs, while immigrants

¹⁴ For example, in 2007 several NGOs combined their activities in order to lobby against the restrictive amendment to the Alien Act.

have to take even so-called '3D' jobs.¹⁵ The immigrant workforce is viewed as a more flexible production factor than the local workforce, which is protected under various institutions like trade unions or regulations of work conditions [Massey et al. 1993]. Women immigrants are in this sense the most discriminated group, since for them the inequalities in terms of gender and legal status intersect. Taking into account the fact that migrants from the non-EU countries in general do not have many opportunities to advocate their workers' rights in the Czech Republic, women migrants from these third countries become even more vulnerable to trafficking and involuntary servitude.

Immigration in the Czech Republic today is often viewed as short-term labour migration. This perception is also reflected in most of the existing migration and integration policies of the Czech state. Several researchers [Drbohlav, Šelepová, Jánková 2001; Rabušic, Burjanek 2003; Horáková 2004] have noticed a potential shift from repeated temporary movements often described as circular migration to permanent settlement resulting from a weakening of migrants' contacts with the source country and the formation of new connections in the destination country. Wallace [2002] claims that the nature of the welfare system and the irregular status of many migrants in the Czech Republic tend to encourage circular migration. A large survey of non-EU migrants employed in the Czech Republic on the basis of a work permit, which was carried out in 2006, showed that a significant portion of these specific labour migrants is planning to remain in the country for at least five years and to apply for a permanent residence permit [Leontyeva, Vojtková 2007]. Although the example of the recently implemented guest worker programme (Green card programme) showed that Czech politicians still tend to think of migration as a temporary solution to a workforce shortage in the Czech labour market, the constantly increasing number of permanent residence permit holders also proves that the Czech Republic has already become an attractive destination country for permanent settlers. The potential of foreigners settling in the Czech Republic has, however, yet to be explored.

¹⁵ In this context, '3D' is an abbreviation used to describe jobs that are 'Dirty, Dangerous, and Demeaning' or sometimes 'Dirty, Dangerous, and Demanded'.

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Women and Social Citizenship in Czech Society: Continuity and Change

Hana Hašková and Zuzana Uhde (eds.)

Editor: Denis Jerie

Copy-editing: Robin Cassling

Design: Jaroslav Kašpar

Typeset by: Jakub Kubů, Praha

Printed by: ERMAT Praha, s. r. o., Praha 4

Published by: Institute of Sociology, AS CR

Jilská 1, 110 00 Prague 1

Print run: 250 copies

1st edition

Prague 2009

Sales: Press and Publications Department

Institute of Sociology, AS CR

tel.: 222 221 761, 210 310 217, 218, fax: 222 220 143

e-mail: prodej@soc.cas.cz

