

The Bundestag Passes the Law on the Equality of Men and Women (May 3, 1957)

Abstract

This short radio report describes the genesis of the Equal Rights Act, which was passed by the Bundestag on May 3, 1957 and represented an important step towards equal rights for men and women in the Federal Republic of Germany. Just how controversial this step was in the socially still very conservative Federal Republic is conveyed by some of the voices reproduced here.

Source

/Chairman: Item 14: Second and third consultative draft of a law on equal rights for men and women in the area of civil law (Equal Rights Act).

/Speaker: On May 3, 1957, the German Bundestag passed the Equal Rights Act. The parliamentary debate is heated. Views can be heard that are still widespread in the middle of the twentieth century.

/Unidentified Member of Parliament: ...Namely, that the man is there, after all, to earn and that the woman is there to provide the domestic security that the man needs so that he can earn.

/Speaker: The fact that equal rights for men and women were established in Germany in the middle of the twentieth century is primarily thanks to one woman: the lawyer Elisabeth Selbert. She was one of only four women on the 65-member Parliamentary Council that drafted the constitution of the young Federal Republic of Germany in 1949. And she did everything in her power to ensure that a small but crucial sentence was included: Men and women have equal rights.

/Selbert: The Civil Code in its tendencies contradicts the dignity and reality of a personality-conscious woman in a whole series of provisions. Do most women even know how few rights they have?

/Speaker: No, they don't know. Among other things, wives are not allowed to keep their own bank account, work or have a say in the upbringing of their own children without their husband's consent. And even in the event of a divorce, the wife gets nothing. However, the introduction of the principle of equal rights into the constitution has not yet achieved anything for women, because in addition to the constitution, there are also simple laws, most of which date back to the imperial era when the man was still the undisputed head of the family. Therefore all those laws now violate the new principle of equal rights and must be amended. The first Minister of Justice of the FRG, Thomas Dehler, is responsible for this. Unfortunately, the FDP man is not a friend of equal rights.

/Dehler: I was not at all delighted by this provision. You can't regulate life. I, for example, am a pronounced domestic tyrant.

/Speaker: Dehler delayed the adaptation of the laws to the new constitutional standard of equal rights - to the delight of the churches, which were also up in arms against it. As a result, the transitional period for adaptation, which ran until 1953, expired. As a result, all laws not adapted to the new constitution cease to apply. Individual judges' rulings therefore take the place of the law in the administration of justice, which leads to a great deal of confusion. Despite the now very obvious acute need for action, it will still take another four years before Parliament finally passes an equal rights law that regulates the implementation of the constitution's principle of equal rights in ordinary laws.

/Chairman: Ladies and gentlemen, the German Bundestag has thus completed one of its most important pieces of legislation in the implementation of the Basic Law.

/Speaker: The legal adjustments to the principle of equal rights dragged on for decades. It was not until 1977, for example, that women were allowed to take a job without their husband's consent. While women and men in Germany now have equal rights under the law, the equality of women still leaves a lot

to be desired.

Source: SWR2 Zeitwort

<https://www.ardaudiothek.de/episode/swr2-zeitwort/3-5-1957-der-bundestag-beschliesst-gleichberechtigungsgesetz/swr2/10477097/>

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