The married woman teacher and the right to teach

Australian Council for Educational Research (ACER)
THE MARRIED WOMAN TEACHER AND THE RIGHT TO TEACH


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In 1932, the International Bureau of Education carried out an investigation the results of which were published under the title of "La situation de la femme mariee dans l'enseignement" (Geneva, Publications of the International Bureau of Education, No. 29, 1933). Forty-two countries sent replies to the questionnaire issued at that time. There is no intention of dealing again with all the questions raised in the enquiry, but the Bureau thought that it might be useful to bring the information collected up to date with regard to one essential point, viz. the right of the married woman to teach. Consequently, in the spring of 1946, all Ministries of Education were asked to inform us whether, in their respective countries, married women are at the present time entitled to teach in schools under public administration on the same conditions as single women, or whether - on the contrary - a woman teacher is compelled to resign on her marriage. The results of this new consultation are summarized below.

Of the 45 countries that replied, 40 declared that they made no distinction between married and unmarried women as to the right to teach. These countries are: Afghanistan, Albania, Argentine Republic, Austria, Belgium, Bulgaria, Canada, Chile, Czechoslovakia, China, Colombia, Denmark, Dominican Republic, Egypt, Ecuador, Finland, France, Greece, Hungary, Iran, Iraq, Italy, Lebanon, Luxembourg, Mexico, New Zealand, Panama, Philippines, Poland, Portugal, El Salvador, Siam, Spain, Sweden, Turkey, United Kingdom, United States, Uruguay and U.S.S.R.

A few countries added some complementary remarks to their reply. Six of them, for example, mention leave of absence for child-birth granted to married women teachers. In the Dominican Republic the married woman teacher has the right to leave of absence with full pay for two months, one month before and one month after the confinement. In Greece, the teacher is granted a first period of leave of two months, beginning with the 8th month of pregnancy, and a further leave of two months, starting on the day of the birth of the child, if it lives. In Mexico, three months are granted, one before the confinement and two after. In Panama, maternity leave has a duration of six months, three months before and three months after the confinement, the teacher receiving 50% of her salary in addition to the Social Insurance allowances. At the expiration of the six months' leave she has the right to resume her former employment. In Spain the married woman teacher has the right to 30 days of leave with full pay, 40 before and 40 after the confinement. Finally, in the U.S.S.R. the married woman teacher has the right to maternity leave with full pay, after which day nurseries and kindergartens are available. The reply moreover points out that, according to Article 122 of the Constitution, women enjoy the same rights as men in every field of life, economic, governmental, cultural, social and political, men and woman having equal rights to work, salaries, education, and protection by the State.

Four countries, while recognizing the married woman teacher's right to teach, subject it to certain restrictions. In Belgium, the situation of men and women teachers is identical in schools under public administration, but in unofficial schools some employment contracts are so drawn up as to compel women teachers to resign upon marriage. The provinces of Canada make no difference, in principle, between married and unmarried women teachers; in practice, however, the school authorities of some provinces prefer not to employ married women when the husband's income is sufficient to provide for his wife. This is the case in British Columbia, Ontario and Quebec; in the latter provinces it is generally considered that a woman teacher who marries should hand in her resignation to the education authority, but this is not a legal obligation.
In the United States, there is no law in any state forbidding the employment of married women teachers, but local restrictions may exist; some cities do not engage married women as teachers, others cancel the contracts of women teachers upon their marriage. Finally, in Portugal, although married women teachers are employed in schools under public administration, any teacher wishing to marry has to obtain the education authority’s consent beforehand.

Four countries do not sanction the employment of married women teachers; these are: Australia, Eire, the Netherlands and the Union of South Africa. Switzerland is divided on the question, eleven cantons allowing married women to teach and fourteen forbidding it. There are, however, exceptions to the rule in these countries also. For example, in Australia, although a woman teacher must resign upon marriage, she is often employed again as a temporary measure; a great many married women teachers were recalled during the war. But, as temporary appointments in some cases carry a smaller salary than permanent ones, it often happens that a married woman temporarily recalled receives a smaller salary than she had when unmarried.

In Eire, it is the custom that women teachers should resign upon marriage. There is a by-law in which this is formally stipulated for women teachers employed in primary schools.

In the Netherlands, women teachers are compelled by law to resign upon marriage. If a married woman teacher is authorized by the Ministry of Education, Arts and Sciences to continue in her situation, her appointment can only be temporary. On account of the scarcity of teachers following the war the necessary authorization for the employment of married women has been granted on several occasions.

Exceptions are made also in the Union of South Africa. Although the legislation of all four States forbids a married woman to continue teaching in a school, she may be allowed to do so in the following cases: if the husband cannot provide for his wife; if the teacher concerned is a widow, is divorced or legally separated from her husband; or when there is not a sufficient supply of fully qualified unmarried women teachers (in this case, the appointments are only temporary).

Comparing the replies received in 1932 and 1946, we find very few differences. One country, Egypt, which formerly did not authorize married women to teach, does so now. Two, on the contrary, Eire and the Netherlands, as well as one Swiss Canton, Ticino, no longer employ married women teachers, whereas they used to do so.

From the replies received it is possible to assert that countries withholding from married women the right to teach are the exception, and that most States authorize them to teach on the same conditions as single women, without any restriction whatsoever.