

Sara L. Kimble

DePaul University (Chicago, USA)

Marion Röwekamp

Wilhelm and Alexander von Humboldt Chair of the DAAD, Colegio de México
(Mexico City, Mexico)

EXCLUSION AND INCLUSION IN THE LEGAL PROFESSIONS: NEGOTIATING GENDER IN CENTRAL AND EAST CENTRAL EUROPE, 1887–1945

Abstract

This article examines the struggle by women to gain access to higher education opportunities in law and to secure the right to work in the legal profession between the 1880s through the 1940s in Central and East Central Europe. Activists challenged the exclusion of women from universities and the field of law by testing meritocratic and democratic principles or holding to account constitutional commitments to equality. The lawyers' movement they subsequently created acted as a spearhead for the legal wing of the women's emancipation movement that sought to reform women's rights in national legislation and the civil codes. These processes were integral to the negotiation of gender roles in Central European countries from the late-nineteenth to the mid-twentieth centuries. Moreover, the rise of pan-European female lawyers' associations illustrates the broader significance of these legal struggles. In the history of the women's rights movements, the right to work in the legal professions and in civil service was also integral to the larger struggle for full citizenship rights.

Keywords: Comparative women's legal history, history of the legal professions, women's rights movements, gender discrimination, gender equality, women's legal status, judges, attorneys, legal practice, citizenship, civil code reform, Central Europe, East Central Europe

I INTRODUCTION

The heart of this article is an analysis of the history of gender and feminism within the legal sciences. We document the development

of a female lawyers' movement in Central and East Central Europe that occurred on two levels: first, the campaign for women's entrance in the legal professions and second, the use of the legal knowledge gained to argue for the expansion of women's rights. The defenders of the status quo carefully protected the legal profession from the incursion of women because the bar represented masculine virtue and decisive objectivity, characteristics that contradicted idealized notions of femininity. Furthermore, the judiciary and the prosecutors' positions were an extension of state power problematizing women's entrance into the profession when they appealed for access as disenfranchised citizens. Moreover, the civic and personal subordination of married women to their husbands under national civil codes dating from the nineteenth century restrained women's autonomy to function as independent persons in society, including their ability to contract. These ideological, political, and legal structures constituted a formidable bulwark poised against women's entrance and integration into law schools and the legal professions. We find that the political movement for women's full citizenship rights and challenges to women's status in family law were strongly intertwined. While women's entrance into medical practice also met resistance in the nineteenth century, the argument that the sensibilities of female patients would benefit from the attention of female doctors contributed to the erosion of formal and cultural barriers. In law, the parallel justification was not as readily accepted. In fact, the opposition to women's demands to enter the legal profession on equal terms was considerable and spanned the Continent.¹

The history of a female lawyers' movement illustrates how these lawyers generated legal and political knowledge to gain access to employment, how they used it to seek recognition within the professions and, often only for a short duration, how they secured representation and social standing while still fighting against prejudices. The struggles in the different countries in Central Europe were remarkably similar in their historical patterns and in their connectedness to the efforts for women's advancement. The interconnections developed

¹ Sara L. Kimble and Marion Röwekamp (eds.), *New Perspectives on European Women's Legal History* (New York, 2017); Eva Schandevyl (ed.), *Women in Law and Lawmaking in the Nineteenth and Twentieth Century Europe* (Farnham, 2014); Ulrike Schultz and Gisela Shaw (eds.), *Women in the World's Legal Professions* (Oxford, 2003).

in part through female lawyers' participation in the transnational women's organizations alongside their creation of a profession-specific transnational organization; especially the International Federation of Women in the Legal and Juridical Careers (FIFCJ) and its national affiliates. The FIFCJ was catalysed by Estonian lawyer Vera Poska-Grünthal and brought to fruition in Paris in 1928, launching the first pan-European organization to represent women in the legal professions to the League of Nations.²

We have organized this article to first acknowledge the shared legal backbone that confronted European advocates for women's rights. Second, we discuss national histories where activists challenged the exclusion of women from legal education and the legal profession. We conclude with an analysis of international engagements to examine how the early branches of these legal movements were reunited in the search for comprehensive solutions to gender inequality. Our research illustrates ways in which female lawyers became public intellectuals and thus contributed to the transformation of societal conceptualizations of gender roles. Moreover, we document how female legal activists impacted legislative change even as we recognize the structural limitations on their national and international influence.

II HISTORICAL BACKGROUND

The formation of nation-states in Central Europe influenced women's legal history in the nineteenth and twentieth centuries. Most of the nations in the Eastern part of Central Europe declared their long-desired independence after the decline of the Russian Empire, Austrian Empire, and the Ottoman Empire as well as after the defeat of the German army following the First World War. Lithuania, Latvia, Estonia, Poland, Hungary, and Czechoslovakia emerged as new states with populations of plural ethnic backgrounds and often harsh social tensions between linguistically different nationalities inside new borders, conflicts which had strong impacts on the new democracies. In the process of nation-building after the First World War, religion, nationalism, and cultural background were factors influencing conceptions of men's and women's

² League of Nations, *Supplement to Handbook of International Organisations* (Geneva, 1929), 20.

citizenship and political rights. By contrast, Bulgaria was established as a nation-state in 1878 after five centuries of Ottoman domination and its constitutional monarchy lasted until 1944 when it came under Soviet rule. Romania emerged in 1878 and also lasted until the arrival of the Soviets. These two countries represented a revisionist model as compared to the new states where most nations, except Czechoslovakia, experienced democracy briefly before the political system collapsed and was replaced by an 'authoritarian regime', followed by Soviet dominance in the 1940s.³ In the interwar period, many societies were open both to democratic politics and to negotiations of gender relations that benefited the expansion of women's access to the legal profession. But the process of securing women's rights, as with national politics, was unstable and vulnerable to reversals.

Austria and Germany were distinct from the history of East Central European countries after 1918 in the sense that the majority spoke German and an independent state had existed in one or another form for centuries. In Austria and Germany, strong women's movements had formed on national and transnational levels in the nineteenth century, and the positions within the debate on women's rights were, by 1918, established. By comparison, in the newly formed nations in East Central Europe emerging from long periods of foreign domination, women's movements started to form in conjunction with the rise of nationalism and state formation. In the absence of a tradition of activism against oppression, the national elites, mostly intellectuals, gathered in associations affiliated with political parties that primarily were responsible for expressing the demand for women's rights. Thus most of the women's organizations in East Central Europe were initially linked to nationalist movements while the organizations in Germany and Austria established themselves independently.⁴

³ Dirk Berg-Schlosser and Jeremy Mitchell (eds.), *Authoritarianism and Democracy in Europe, 1919–39: Comparative Analyses* (New York, 2002); Dirk Berg-Schlosser and Jeremy Mitchell (eds.), *The Conditions of Democracy in Europe 1919–39: Systematic Case Studies* (New York, 2002).

⁴ Csilla Kollonay-Lehoczky, 'Development Defined by Paradoxes: Hungarian History and Female Suffrage', in Blanca Rodríguez-Ruiz and Ruth Rubio-Marín (eds.), *The Struggle for Female Suffrage in Europe. Voting to Become Citizens* (Leiden, Boston, 2012), 421–37; Jitka Malečková, 'Nationalizing Women and Engendering the Nation: The Czech National Movement', in Ida Blom, Karen Hagemann, and Catherine Hall (eds.), *Gendered Nations: Nationalisms and Gender Order in the*

Consequently, the women's movements were divided between the civic women's organizations and the socialist or communist ones. In East Central Europe, with their plural ethnic backgrounds, the women's movements were also divided along ethnic lines. Czechoslovakia, for example, featured a German, a Czech, and a Slovak women's movement that each developed separately and rarely worked together. While these multiple divisions weakened the potential impact of women's efforts, most of these nations were inclined to grant women equal rights from the outset. In locations where ethnic groups had fought for their independence and had suffered an inferior social, economic, and political position, women were often considered allies in nation-building efforts. At the same time, stubborn societal expectations continued to pressure women to fulfil the traditional role of the wife and mother within the family, a situation reinforced by unequal civil laws.⁵

Long Nineteenth Century (Oxford, New York, 2000), 293; *eadem*, 'The Emancipation of Women for the Benefit of the Nation: The Czech Women's Movement', in Sylvia Paletschek and Bianka Pietrow-Ennker (eds.), *Women's Emancipation Movements in the 19th Century: A European Perspective*, (Stanford, 2004), 167–88; Melissa Feinberg, *Elusive Equality: Gender, Citizenship, and the Limits of Democracy in Czechoslovakia, 1918–1950* (Pittsburgh, 2006); Katharine David, 'Czech Feminists and Nationalism in the Late Habsburg Monarchy', *Journal of Women's History*, iii, 2 (1991), 26–45.

⁵ Susan Zimmermann, 'The Challenge of Multinational Empire for the International Women's Movement: The Habsburg Monarchy and the Development of Feminist Inter/National Politics', *Journal of Women's History*, xvii, 2 (2005), 87–117; *eadem*, 'The Challenge of Multinational Empire for the International Women's Movement: The Case of the Habsburg Monarchy', in Karen Offen (ed.), *Globalizing Feminisms 1789–1945* (London, 2009), 153–69, 367–73; *eadem*, 'Reich, Nation, und Internationalismus. Konflikte und Kooperationen der Frauenbewegungen der Habsburgermonarchie', in Waltraud Heindl, Edit Király, and Alexandra Millner (eds.), *Frauenbilder, feministische Praxis und nationales Bewusstsein in Österreich-Ungarn* (Tübingen and Basel, 2006), 119–67; Kollonay-Lehoczky, 'Development Defined by Paradoxes', in *The Struggle for Female Suffrage*, 421–37; Krassimira Daskalova, 'Women's Suffrage in Bulgaria', in *Struggle for Female Suffrage*, 321–37; *eadem*, 'Bulgarian women in Movements, Laws, Discourses (1840s–1940s)', *Bulgarian Historical Review*, 1–2 (1999), 180–96; Danica Šimová, Eva Fordinálová, and Anna Štvrtecká, 'From Husband's Household to National Activity: The Ambivalent Position of Slovak Women', in Dirk Hoerder and Inge Blank (eds.), *Roots of the Transplanted*, vol. 1: *Late 19th Century East Central and Southeastern Europe* (Boulder, 1994), 341–58; Dietlind Hüchtler, *Geschichte als Performance. Politische Bewegungen in Galizien um 1900* (Frankfurt am Main, New York, 2014); Natali Stegmann, *Die*

In all Central Europe states during the nineteenth century, the legal situation was characterized by a plurality of different legal regulations, which were, in turn, influenced either by the Prussian Law of 1794, the *Code Napoléon* of 1804, the Austrian Civil Code of 1811, or Russian (*Svod zakonov*), Swiss, or Italian codes as well as canon or other ecclesiastical law. Additionally, customary law, which was rooted in older legal traditions, played an important role in the legal traditions. In a departure from the eighteenth century, the legal codifications of the nineteenth century clarified or created stricter legal differences between men and women in a number of legal areas, especially in family law. Family law deepened the hierarchical conceptualization of the family and firmly established male legal authority in the head of the household. Married women were legally disadvantaged under the law, though to varying degrees depending on provisions within national codes, local law, class and religion. In general, married women were placed under their husband's guardianship and reduced to the legal equivalent of minors. The husband decided on the fate of their common children, on his wife's right to employment, controlled the family's nationality and residency, and administered family property. The formation and separation of marriage were in most states (except Germany) at least partly subject to religious law (e.g., Catholic, Protestant or Orthodox Church, Jewish, or Muslim). A married woman also faced discrimination in the labour market and her husband's consent was formally required to approve her labour contract.⁶ During nation-state formation, jurists sought to reform codes to unify the

Töchter der geschlagenen Helden. "Frauenfrage", Feminismus und Frauenbewegung in Polen 1863–1919 (Wiesbaden, 2000).

⁶ Sara L. Kimble and Marion Röwekamp, 'Introduction. Legal Cultures and Communities of Female Protest in Modern European History, 1860–1960', in Kimble and Röwekamp (eds.), *New Perspectives*, 1–36; Ursula Vogel, 'Gleichheit und Herrschaft in der ehelichen Vertragsgesellschaft – Widersprüche der Aufklärung', in Ute Gerhard (ed.), *Frauen in der Geschichte des Rechts. Von der Frühen Neuzeit bis zur Gegenwart* (München, 1997), 281–2; Barbara Dölemeyer, 'Frau und Familie im Privatrecht des 19. Jahrhunderts', in *ibidem*, 647–8; Ute Gerhard, *Debating Women's Equality: Toward a Feminist Theory of Law: A European Perspective* (New Brunswick, 2001); Stephan Meder and Christoph-Eric Mecke (eds.), *Family Law in Early Women's Rights Debates: Western Europe and the United States in the Nineteenth and Early Twentieth Centuries* (Cologne, 2013); Stephan Meder and Christoph-Eric Mecke (eds.), *Reformforderungen zum Familienrecht International*, Band 1: *Westeuropa und die USA (1830–1914)* (Köln, 2015); Gunda Barth-Scalmani, Brigitte Mazohl-Wallnig and Edith Saurer (eds.),

new national laws including marital law. Simultaneously, the legal professions were professionalizing and limiting access to potential candidates.⁷ Nineteenth century rules governing legal professions or legal exams rarely explicitly excluded women yet the ‘silence’ of the law was typically interpreted as a gendered ban.

This situation changed during the interwar years when constitutions for the newly emerging democratic states declared equality between men and women in principle. The application of these constitutional rules to the civil law, however, lagged behind.⁸ Thus the process of the extension of women’s rights was fragmented – with suffrage rights granted while civil and some political equality as well as the access to legal professions and civil service remained restricted. Female lawyers who were equipped with new rights and academic legal education played an important role in the efforts to resolve legal contradictions and to campaign for gender equality in the interest of socio-political change. Political geography mattered such that in nations with new democracies women’s equality was more readily established compared to monarchic states where resistance to change was more entrenched.

“Ehe-Geschichten”, The Future of ‘Gender’ in the 21st Century’, *L’Homme Z.F.G.*, xiv, 1 (2003), 7–214.

⁷ Charles McClelland, Stephan Merl, and Hannes Siegrist (eds.), *Professions in Modern Eastern Europe* (Berlin, 1995); Zdeněk Kühn, *The Judiciary in Central and Eastern Europe. Mechanical Jurisprudence in Transformation?* (Leiden, 2011), 1–20; Jana Osterkamp, *Verfassungsgerichtsbarkeit in der Tschechoslowakei (1920–1939). Verfassungsidee – Demokratieverständnis – Nationalitätenproblem* (Frankfurt am Main, 2009); Claudia Kraft, *Europa im Blick der polnischen Juristen. Rechtsordnung und juristische Profession im Spannungsfeld zwischen Nation und Europa 1918–1939* (Frankfurt am Main, 2002).

⁸ Claudia Kraft, ‘Das Eherecht in der Zweiten Polnischen Republik (1917–1939) und das gescheiterte Ideal gleichberechtigter Staatsbürgerschaft’, in Johanna Gehmacher, Elizabeth Harvey, and Sophia Kemlein (eds.), *Zwischen Kriegen. Nationen, Nationalismen und Geschlechterverhältnisse in Mittel- und Osteuropa 1918–1939* (Osnabrück, 2004), 63–82; Michał Gałędek and Anna Klimaszewska, ‘“Crippled Equality”: The Act of 1 July 1921 on Civil Rights for Women in Poland’, *Acta Poloniae Historica*, 113 (2016), 231–60; Susan Zimmermann, *Die bessere Hälfte? Frauenbewegung und Frauenbestrebungen in Ungarn der Habsburgermonarchie 1848–1918* (Wien, 1999), 297–321; Feinberg, *Elusive Equality*, 41–71; Roxana Cheșchebec, *Feminist Ideologies and Activism in Romania (approx. 1890s–1940s): Nationalism and Internationalism in Romanian Projects for Women’s Emancipation* (PhD Central European University, 2005), 139, 175–6.

III POLAND: COOPERATION AND INFLUENCE IN THE INTERNATIONAL SPHERE

As Poland had no independence between the end of the eighteenth century and 1918, women's legal rights depended on the law of the respective three partitions (Prussian, Russian, and Austrian) to which they were subject. Women's rights claims were articulated from the 1840s, and a movement was organized by the 1880s where activists forged connections with Western European allies and demanded comprehensive equality that was not initially enacted. In the Austrian and the Prussian partition of Poland, women's political associations were forbidden until 1907–8. Thus reformers focused on improving women's education, and Polish women who pursued higher education usually went to Zurich, Geneva, Paris, or to German cities. Polish women attended the 1889 International Council of Women (ICW) conference in Paris and returned to form new organizations such as the covert Unia, the Polish section of the *Alliance universelle des femmes*. The demand for women's access to education and professions, as well as equal pay for equal work, were common across the political spectrum among *belle époque* supporters of women's rights.⁹

After Poland re-emerged as a state in 1918, women gained suffrage and attained equality in Article 96 of the 1921 constitution, which made public offices "equally accessible to all".¹⁰ Accordingly, restrictions on the bar based on gender were lifted and reformers secured access for women to higher education.¹¹ Helena Kononowicz-Wiewiórska (1889–1967), who had studied law in Petersburg around 1909 and had returned to Poland in 1919, completed her probationary training period at the Warsaw bar in six years (twice as long as the required three) because the bar undervalued her prior education as 'foreign'. She finally secured the right to work as the first female attorney in Poland in 1925. While women could work as attorneys, they were prevented from accessing legal training following a gender-based

⁹ Bogna Lorence-Kot and Adam Winiarz, 'The Polish Women's Movement to 1914', in *Women's Emancipation Movements*, 206–20.

¹⁰ Article 96: "All citizens are equal before the law. Public offices are equally accessible to all, according to the provisions of the law".

¹¹ The law of attorneys included a provision stipulating that "any citizen of the Polish State, regardless of gender, may become an attorney". *Journal of Laws*, 22 (1918), item 75.

restriction introduced in February 1919. Feminists speculated that the exclusion of women from the judiciary was due to men's "fear of competition" or just their "stubborn attachment" to traditional "privileges".¹² Eventually, in the context of the revision of the Judicature Act in 1928, women were admitted on an equal basis to the judiciary. Wanda Grabińska-Wójtowicz (1902–1980) was appointed a juvenile judge in 1929. She was joined by Maria Hasińska, Wanda Kamińska, Helena Lepiarzowa, and Irena Wojnikonis.¹³ There were perhaps seventeen female judges working in Poland by 1939.¹⁴

Despite these formal changes, women's rights were not a political priority for men; thus, the first female lawyers and judges in Poland faced challenges to secure their right to work, an experience that fostered solidarity with one another and encouraged the independent women's movement. To address discrimination, Helena Kononowicz-Wiewiórska, Wanda Grabińska-Wójtowicz, and Maria (Maryla) Fuksówna (1893–1968) organized a female lawyers' association.¹⁵ Kononowicz-Wiewiórska and Grabińska-Wójtowicz were involved in the legal section of the Alliance of Women's Work for the Civil Society (*Związek Pracy Obywatelskiej Kobiet*, ZPOK), and together with prosecutor Fuksówna, they established the Union of Female Lawyers (*Związek Kobiet z Prawniczym Wykształceniem*, es. 1929, ZKzPW) as well as the Polish Association of University Women (*Polskie Stowarzyszenie Kobiet z Wyższym Wykształceniem*, es. 1926, PSKzWW). They, and their lawyer and journalist colleague Krystyna Westerska (b. 1907), contributed articles to the most influential journal for female readers in Poland: *Bluszcz* [Ivy].¹⁶ Starting in 1932, they wrote a regular column on 'law in daily life' to broadcast essential legal information and advice to female readers.¹⁷

¹² 'Poland. Women Lawyers', Ida Clyde Clark (ed.), *Women of Today. International* (New York, 1928), 151.

¹³ Iwona Dadej, "Die Frau von Morgen". *Frauenpolitisch tätige Akademikerinnen in Deutschland und Polen, 1918–1939*, (PhD Freie University Berlin 2015), 306.

¹⁴ Lula Bachman, 'Women in Poland', *Women Lawyers' Journal*, xxxiv, 1 (1948), 17–20, 35–6; *ibidem*, "Die Frau von Morgen", 261–346.

¹⁵ See Iwona Dadej, "'The Napoleonic Civil Code is to Blame for My Decision to Study Law': Female Law Students and Lawyers in the Second Polish Republic (1918–1939)", in *New Perspectives*, 217–46, here 232–7.

¹⁶ Wanda Woytowicz-Grabińska, 'Kobieta w zawodzie prawniczym', *Bluszcz*, 31 (1931), 3.

¹⁷ Dorota Witczak, 'Stefania Podhorska-Okołów – ostatnia redaktorka *Bluszczu*', *Annales Academiae Paedagogicae Cracoviensis*, ix (2003), 213–24.

Grabińska-Wójtowicz was also one of the founding members of the FIFCJ.¹⁸ According to historian Iwona Dadej the Union of Female Lawyers was an active member of the FIFCJ since 1929. They also served in the League of Nation's Commission for Women and Children and represented Polish women's organizations at the conventions of the international women's organizations.¹⁹

The dynamic contacts with various women's committees abroad, as well as close personal relationships, had developed from these women's early days at their respective law schools or in connection with international women's conventions. The private character of these acquaintanceships flourished over the years into institutional or semi-official connections and professional networks. Female lawyers developed close contacts with colleagues through international organizations that endured the Second World War and survived into the political landscape of post-war Poland.

Historian Nameeta Mathur observed that one of the powerful phenomena of the interwar was the dichotomy between the equality of women in theory and the persistence of traditional social customs, notably in the family structure.²⁰ Feminist legal reform was intended to emancipate women in all facets – in their identity and capabilities and their roles in the family and society – so that they too would experience individual autonomy. The post-1918 persistence of the pre-independence legal system and expectation that women would focus on their maternal roles hampered their experience of autonomous personhood. It is important to note that women's legal situation with regard to marital life, childcare, professional life, and inheritance was often vastly different depending on the territory. One of the main goals of the new state was a unification of civil law, yet the Catholic Church and conservative, patriarchal sections of the society rejected family law reform in the new civil code in 1921. Thus the eventual reforms allowed married women only control over their personal property, their

¹⁸ FIFCJ, *60 Années d'histoire de la fédération internationale des femmes des carrières juridiques* (Melun, 1989).

¹⁹ Dadej, "The Napoleonic Code is to Blame", 235–6; *ibidem*, "Die Frau von Morgen", 323–6.

²⁰ Nameeta Mathur, "'The New Sportswoman': Nationalism, Feminism and Women's Physical Culture in Interwar Poland", *The Polish Review*, 48, 4 (2003), 441–62. On family law reform in the interwar years see Kraft, 'Das Eherecht in der Zweiten Polnischen Republik', 63–82; Gałędek and Klimaszewska, 'Crippled Equality', 231–60.

right to appear in court, and their ability to live separately from their husbands. Other emancipatory aspirations, such as civil marriage and modern divorce laws, were postponed.²¹

In this difficult climate, female lawyers such as Grabińska-Wojtowitz worked steadily for legal reform through intellectual contributions and political actions. She wrote one of the legal reform drafts used in the Sejm on the position of illegitimate children and another one for the struggle against prostitution.²² Ten percent of the female law graduates of the University of Cracow wrote their theses on women in Polish law, such as Maria Rosner who authored “The position of women in private law” (1927).²³ Attorneys such as Wiewiórska and Halina Luksemburżanka (b. 1901) lectured on the legal situation of women in the *Klub Polityczny Kobiet Postępowych*. Irena Wortmannówna (b. 1895) lectured widely on the codification of the new marriage law and criticized code reform. As leaders in the National Council of Polish Women, female lawyers participated directly in the legal reform campaign in the Republic.²⁴

During this period, the ideology of maternalism provided justification for women to work in new public spheres, such as the judiciary and the juvenile courts, on the grounds that as women, they would use their so-called feminine skills to assist vulnerable populations. This was the case with Grabińska-Wójtowitz who became one of the best well-known juvenile court judges and reformers in Europe. During the interwar years, she became the leading juvenile court judge and an administrator in the Polish Ministry of Social Assistance in Warsaw.²⁵ An American women’s rights newspaper celebrating her appointment as the first female judge in Poland in 1929 revealed that her motivation to study law had origins in her childhood experience: “She was in her early teens when her native town was taken by the Germans. Their posting of an order segregating prostitutes on premises marked with a red light fired her, even at that age, with the keen desire to combat injustice, which has never left her”. After completing her law degree

²¹ *Journal of Laws*, 64 (1921), item 397; Małgorzata Fuszara, ‘Polish Women’s Fight for Suffrage’, in *The Struggle for Female Suffrage in Europe*, 153; Kraft, *ibidem*, 67–9.

²² Dadej, “*Die Frau von Morgen*”, 306.

²³ *Ibidem*, 282.

²⁴ *Ibidem*, 321–22; Fuszara, ‘Polish Women’s Fight for Suffrage’, 143–57.

²⁵ Lula Bachman, ‘Women in Poland’, *Women Lawyers’ Journal*, 34, 1 (1948), 17–20, 35–6. See Dadej, “‘The Napoleonic Civil Code is to Blame’”, 228.

in 1924, she received an appointment at the Palais of Justice. Once at work, “she soon became convinced that most adult offenders had been delinquent children, and she determined to specialize in defending children who were brought before the court. Last March [1928] she ascended to the bench. It is her ambition to secure the establishment of more children’s courts”.²⁶ She would join the international legal community, forge alliances with the French, British, and Americans, and serve on a variety of international committees related to neglected and delinquent child welfare, juvenile justice as well as trafficking of women at the League of Nations.²⁷

Through her activism and travels, Grabińska-Wójtowicz was among those Polish activists who became involved with social reform circles in Western Europe, a fact that aided her personally during times of international political crisis. In October 1939, the British NWC and ICW expressed their concerns about their colleagues in Czechoslovakia, the Baltic States, and Poland.²⁸ Grabińska-Wójtowicz’s connections to American Alice Paul (1885–1977) and the British Association of University women assisted her flight through Switzerland to England during the winter of 1939–40. She remained professionally active and, together with legal and social reformer Margery Fry (1874–1958), she published a book on juvenile courts.²⁹ Such British connections would prove critical in rescue and relief efforts for intellectual women fleeing Europe for safe havens, as Christine von Oertzen has documented. This illustrates the unanticipated value of women’s transnational networks during this era.³⁰

²⁶ ‘Polish Feminists Win High Honors’, *Equal Rights*, xv, 17 (1929), 133. See also ‘Wanda G. Grabinska’, *Chicago Tribune*, 15 June, 1980.

²⁷ See for example Child Welfare Committee, *Organisation of Juvenile Courts and the Results Attained Hither-to* (Geneva, 1932); Grabinska, ‘The Evolution of the Treatment of Neglected and Delinquent Minors’, in Advisory Committee on Social Questions, *Principles Applicable to the Functioning of Juvenile Courts and Similar Bodies, Auxiliary Services and Institutions* (Geneva, 1937), 19–36.

²⁸ Statement by Lady Nunburnholme quoted in ‘From Warsaw to Berlin’, *Times* [London], 12 Oct. 1939, 10.

²⁹ Sara Margery Fry, Wanda Grabinska, Max A. Grünhut, Hermann Mannheim, and C. D. Rackham, *Lawless Youth: A Challenge to the New Europe; A Policy for the Juvenile Courts Prepared by the International Committee of the Howard League for Penal Reform 1942–1945* (London, 1947). About the Howard Law League see Anne Logan, ‘Feminism and Criminology in Britain, 1910–1950’, in *New Perspectives*, 272–91.

³⁰ Christine von Oertzen, *Science, Gender, and Internationalism: Women’s Academic Networks, 1917–1955* (New York, 2014).

IV

GERMANY: WOMEN'S TRANSFORMATION OF THE LAW

Germany and Austria-Hungary were monarchies before 1918 when the First World War and consequent revolutions ushered in fragile democracies. Women gained suffrage in 1918–19 in both countries, and equal rights were instituted within the new constitutions, which provided opportunities for full citizenship rights within the democratic systems. Before 1918, the civil codes restricted married women's legal status as individuals and the restraints on all women's right to assembly allowed only a narrow range of activity for women's rights activists. Consequently, the women's organizations prioritized issues of education and cultural participation as political rights seemed too farfetched to be claimed publicly.

In terms of education, women were allowed only to be auditors at German universities before the end of the nineteenth century; they were not eligible to take professional examinations or obtain university degrees. Women were permitted to enrol at the legal faculty from 1900 to 1911; when the universities opened to women at the state level they were still prohibited from participating in the state exams. A university law degree and legal training of three years were required to enter the different branches of the legal professions.³¹ Among the pioneers, foreign study initially seemed like the best option. Female lawyers such as Anita Augspurg (1857–1943) and Marie Raschke (1850–1935) went to Zurich to study law and returned to fight for women's equal rights.³² Women's movement leaders, such as Auguste Schmidt (1833–1902), considered female lawyers too avant-garde for society and thus decided not to campaign at that point on their behalf. Nevertheless, the leaders eventually saw the necessity of female lawyers in the larger fight against the newly codified civil law. "We all agree on the fact that we have to fight some of the rules in the family law ... In this struggle we could be supported by the German female lawyers," Schmidt claimed in 1900. "They would show us methods and ways, how to lead the fight, yes, they could be the ... leaders in this fight. ... We could leave our waiting position and attack our legal

³¹ Marion Röwekamp, *Die ersten deutschen Juristinnen. Eine Geschichte ihrer Professionalisierung und Emanzipation 1900–1945* (Köln, 2011), 99–179.

³² Christiane Berneike, *Die Frauenfrage ist Rechtsfrage. Die Juristinnen der deutschen Frauenbewegung um das Bürgerliche Gesetzbuch* (Baden-Baden, 1995).

opponents with the same honed weapons of their own science".³³ Female lawyers taught other women about their legal situation, and they worked in the legal aid institutions of the women's movement. In 1906, Alix Westerkamp (1876–1944) was the first law faculty graduate in Germany; she launched her career in a legal aid office for women,³⁴ an institution established by the women's movement to help especially poor women to secure legal advice.³⁵ Legal aid offices as well as other social welfare institutions were the main areas in which legally educated women worked before they were allowed to sit for the state law exams. While working in these positions, especially in family law, many of them were sensitized to the power and danger of gender discrimination.

In this era of associations, German female lawyers saw strength in solidarity. In 1914, a number of doctors of law, foreign-taught Marie Raschke and German-educated Margarete Berent (1887–1965), Marie Munk (1885–1978), and Margarete Meseritz (1891–1975), founded the German female lawyers' organization (DJV) with the aim to open the legal professions as well as to reduce the legal discriminations facing women.³⁶ They advocated for equal rights for all women to enter all professions and insisted on female lawyers for female clients' adequate defence in the courts. They argued that there was no justifiable legal basis for women's exclusion from the professions. The DJV hoped to fight in coordination with the German National Council of Women. The Council's focus on suffrage meant that the DJV was forced to wait to pursue their priorities until suffrage was gained in 1918 and the 1919 democratic constitution declared equality between men and women.³⁷ Equipped with new constitutional rights, the DJV managed to secure women's right to sit for the exams in 1922 as

³³ Auguste Schmidt, 'Juristinnen', *Frauenberuf – Blätter für Fragen der weiblichen Erziehung, Ausbildung, Berufs- und Hilfstätigkeit*, iii, 22 (1900), 125–6.

³⁴ 'Als erste Juristin. Zur Frauenbewegung', *Die Frau*, xv, 1 (1907), 55; 'Alix Westerkamp', in Marion Röwekamp, *Juristinnen. Lexikon zu Leben und Werk* (Baden-Baden, 2005), 430–2.

³⁵ Beatrix Geisel, *Klasse, Geschlecht und Recht. Vergleichende sozialhistorische Untersuchung der Rechtsberatungspraxis von Frauen- und Arbeiterbewegung (1894–1933)* (Baden-Baden, 1997); Gisela Shaw, 'Conflicting Agendas: The First Female Jurists in Germany', in *International Journal of the Legal Profession*, x, 2 (2003), 177–91.

³⁶ On their biographies see Röwekamp, *Juristinnenlexikon*, 36–40, 271, 274, 275–8.

³⁷ Röwekamp, *Die ersten deutschen Juristinnen*, 546–52.

a result of action supported by all female members of the Parliament and the Liberals and Social Democrats. Unfortunately, not many of the female lawyers who had already attained their doctorates ten years earlier had the energy and the courage to brush up on many of the forgotten subjects in order to take the bar examinations.³⁸

The first German female lawyer admitted to the bar was Maria Otto (1892–1977) in 1922 in Munich, who was soon followed by others such as Munk and Berent in Berlin.³⁹ As the German legal education guaranteed that all candidates who passed the state exams could also work as judges, the law of 1922 also opened the judiciary for women. Maria Hagemeyer (1896–1991) was appointed the first female judge in 1927, followed by Gertrud Cichorius (b. 1897), Gertrud May (b. 1882), Elisabeth Krumme (1897–1984), Marie Munk, Hedwig Brann-Frank (1899–1978), and Ilse Beisswanger (1903–1985) in 1929.⁴⁰ But significant prejudices against female judges prevailed, especially in the countryside, in penalty cases, or in those cases in which a woman was the sole judge. In the 1920s, female lawyers started to build their own fragile network among themselves with the DJV and advocated the expansion of opportunities for female law graduates within the legal professions nationally and with FIFCJ members internationally.

In the Weimar era, Marie Munk and Margarete Berent, as well as Emmy Rebstein-Metzger (1898–1967), became the leading specialists in family law questions. Munk and Berent drafted all the important family law reform proposals for the Council as well as the ones on the nationality of married women and criminal law. They suggested changes in the civil code of 1900, which held married women under “legal slavery,” as contemporaries expressed it. They demanded equal rights for women in marriage, as mothers, and for easier divorce laws not based on the guilt principle. They also insisted on a reform of alimony, equal rights on custody of common children, and equal rights of illegitimate children and their mothers, as well as a separate property regime and a system of goods acquired in marriage. All of their suggestions were not codified until the family law reforms of the

³⁸ *Ibidem*, 180–366.

³⁹ Marie Stritt, ‘Late news. Germany. The First Woman Barrister’, *International Women’s News*, 17, 5 (1923), 76; on Otto see, Röwekamp, *Juristinnenlexikon*, 282–4.

⁴⁰ Röwekamp, *Juristinnen*, 453–8.

1950s and 1970s.⁴¹ While the women's movement was fighting mostly unsuccessfully for equal citizenship rights for women all through the Weimar Republic, the story of female lawyers actually constituted one of the very few successful stories of the application of women's rights after 1918 and before 1933. Female lawyers were on the forefront of the struggle for full citizenship right from the beginning.

The careers of these pioneering lawyers and judges were disrupted by the rise of the Nazis' discriminatory policies. In 1933, soon after Hitler's takeover of Germany, Jewish female lawyers lost their jobs as judges, civil servants, or attorneys. Women were often excluded from the state service and denied the right to practice law earlier than their male Jewish colleagues. Several women, including Ella Kessler-Reis (1899–1942) and the former judge Gertrud Else Rahel Samulon-Guttmann (1898–1944), lost their lives in the Holocaust, but the majority managed to go into exile. All three founding members of the DJV emigrated to the US where Berent and Munk became lawyers again, and Meseritz continued in her work as a journalist as she had done before in Germany.⁴² In 1935, the National Socialist Government revived the prejudices towards women in the legal professions and excluded all women from all of them. The ones who were admitted at the bar or had a position as a judge, remained, but no one new was admitted.⁴³ Dissenting women with legal training were excluded from voicing their protests during a regime determined to revolutionize European society in the most insidious ways.

V

AUSTRIA: EXCLUSION AND INCLUSION. CONTRADICTIONS IN ENTERING THE LEGAL PROFESSIONS

Austria (in the sense of the Habsburg Monarchy where 'Austria' comprised 17 crown lands) diverged from the pattern of women's access to the legal professions in most of the countries presented in this

⁴¹ Marion Röwekamp, 'Women, Equal Rights and the Legal Profession in Germany, 1895–1933', in *New Perspectives*, 370–406.

⁴² Simone Ladwig-Winters, *Das Ende eines Aufbruchs. Jüdische Juristinnen und Juristinnen jüdischer Herkunft nach 1933. Minderheitenerfahrung und weibliche Diskriminierung* (Köln, 2016).

⁴³ Victoria Lorenz, 'German Women Lawyers and Judges Today', *Women Lawyers' Journal*, xviii, 1 (1930), 12, 18; Röwekamp, *Juristinnen*, 673–733.

sample. Access to the law faculty was limited in other former crown countries of Austria such as Bohemia and Moravia, Hungary before 1918, and the Austrian partition of Poland. In the new Republic of Austria, women faced very similar obstacles as they had in Germany due to the structure of the legal system and legal education within the university as well as to the history of women's struggle for equality in general. Hence, in Austria as in Germany, women were only permitted as auditors before the end of the nineteenth century and then were admitted as fully matriculated university students in 1897 but not in the law faculties.⁴⁴ In 1899, law professor Edmund Bernatzik filed a motion at Vienna's law faculty to request that the government admit women, wrote a persuasive expert brief in favour of women's admission to the law school, and gained the support of the law faculties.⁴⁵ Nevertheless, the ministry of justice refused.⁴⁶ The demand for women's admission to formal legal education persisted for almost two decades despite the efforts of aspiring female law students, women's organizations (especially the *Verein für erweiterte Frauenbildung*), and the Austrian National Council of Women, as well as the *Akademischer Frauenverein*.⁴⁷ The aspiring students even tried to sue their way into

⁴⁴ On the history of female students in the law faculty see: Elisabeth Berger, 'Fräulein Juristin. Das Frauenstudium an den juristischen Fakultäten Österreichs', *Juristische Blätter*, 122, 10 (2000), 634–40; Elisabeth Koffmahn, 'Die ersten Frauen an den rechts- und staatswissenschaftlichen Fakultäten und die gegenwärtige Situation', in Martha Forkl and Elisabeth Koffmahn (eds.), *Frauenstudium und akademische Frauenarbeit in Österreich* (Wien, Stuttgart, 1968), 29–36; Martina Tichy, 'Zur Geschichte des rechtswissenschaftlichen Studiums von Frauen', in Victor Karády and Wolfgang Mitter (eds.), *Bildungswesen und Sozialstruktur in Mitteleuropa im 19. und 20. Jahrhundert* (Köln, 1990), 277–88.

⁴⁵ Edmund Bernatzik, *Die Zulassung von Frauen zu dem juristischen Studium. Ein Gutachten*, hrsg. v. Verein für erweiterte Frauenbildung in Wien (Wien, 1900).

⁴⁶ Marie Hafferl, 'Das Rechtsstudium der Frauen', *Jahresbericht des Vereines für erweiterte Frauenbildung in Wien*, xxv (1912/1913), 11–17. See also Irene Bandhauer-Schöffmann, 'Zum Engagement der österreichischen Frauenvereine für das Frauenstudium', in Waltraud Heindl and Marina Tichy (eds.), *"Durch Erkenntnis zu Freiheit und Glück" ... Frauen an der Universität Wien (ab 1897)* (Wien, 1990), 49–78.

⁴⁷ 'Bezgl. Der Zulassung der Frauen an die juristische Fakultät', *Neues Frauenleben*, 20, 11 (1908), 274; L.K. [Leopoldine Kulka], 'Zulassung der Frauen zum juristischen Studium', *Neues Frauenleben*, 19, 3 (1917), 66–7; Walter Schiff, *Die Zulassung der Frauen zum juristischen Studium, Denkschrift des Vereins für realgymnasialen Mädchenunterricht überreicht dem k.k. Ministerium für Kultus und Unterricht am 18.3.1916* (Wien, 1916);

the law faculty, but their action was rejected by the court. Ultimately, women established a female law academy under the legal guidance of Bernatzik.⁴⁸ By then the First World War was over, Austria was a democratic republic, and women had gained suffrage. In April 1919, the government opened the law faculties for women with the argument that “the equality of both sexes became reality in public life”.⁴⁹

In 1919, the first year in which women were admitted to the law faculty in Austria, around sixty women enrolled at the University of Vienna. All first graduates of Austrian universities became lawyers including Marianne Beth (Vienna), Maria Fischer-Lanner (Graz), and Ilse Knapitsch-Jaschke (Innsbruck). In 1929, Beth (1890–1984) was admitted to the bar in Vienna, the first woman in Austria to do so. She decided to study law after having finished another course of study because she realized that legal issues were connected to every form of social reform, especially to women’s equal rights.⁵⁰ She was followed by Julie Riesenfeld, née Adler (1900–1996), Gertrud Feigl (1902–1992), Martha Friedländer (Garelik) (1902–1996), Susanne Grantisch (-Konirsch) (1901–1974), Anna Halfen (1898–1966), Ilse Knapitsch (1899–1979), Clarisse Kohn (1902–1993), Stella Tritsch (1899–1978), Friederike Fleischer (1901–2001), Clementine Bloch-Zernik (1905–1996), and others.⁵¹ Some of them, such as Fleischer and Stella Gottwald-Tritsch, worked in legal aid institutions.⁵² The proportion of Jewish female lawyers in Austria was far higher than in Germany. At the time of the *Anschluss* in March 1938, when Jews were prohibited

Gustav Hanausek, ‘Die rechts- und staatswissenschaftlichen Studien der Frauen’, in *Festschrift 30 Jahre Frauenstudium in Österreich 1897 bis 1927* (Wien, 1927), 22–4.

⁴⁸ Marianne Zycha, ‘Die Rechtsakademie für Frauen und die Juristen im Felde’, *Neues Frauenleben*, xx, 1–2 (1918), 15–17.

⁴⁹ Berger, ‘Fräulein Juristin’, 638; Vollzugsanweisung, 22 Apr. 1919, *Staatsgesetzblatt* 1919, no. 250, 607.

⁵⁰ Elga Kern, ‘Marianne Beth’, in *eadem* (ed.), *Führende Frauen Europas* (München, 1930), 109–10.

⁵¹ Verzeichnis der Rechtsanwältinnen in Wien, Niederösterreich und im Burgenlande 1929–1938; Ilse Reiter-Zatloukal and Barbara Sauer, ‘Die Pionierinnen der österreichischen Rechtsanwaltschaft’, *Österreichisches Anwaltsblatt*, 3 (2013), 109–112; Elisabeth Berger, ‘“Scharfes Denken, also juristisches Denken ist weniger Sache der Frau”. Der Weg der Frauen in die Anwaltschaft’, *Österreichisches Anwaltsblatt*, 3 (2013), 113–21, *eadem*, ‘Die Zulassung von Frauen zur Anwaltschaft in Österreich’, in Verein Moderne Anwaltschaftsgeschichte, e.V. (ed.), *Anwältinnen und ihre Geschichte* (Tübingen, 2011), 1053–68.

⁵² Barbara Sauer, ‘Friederike Fleischer’, in Ilse Korotin (ed.), *biografiA*, vol. 1 (Wien, 2016), 844–5; *eadem*, ‘Stella Gottwald-Tritsch’, in *ibidem*, 1065.

from practicing law in Austria, Jews comprised sixty-two per cent of Viennese lawyers. After the Jewish female lawyers were excluded from practice, their numbers in Vienna shrunk from nineteen to three.⁵³ Dr. Herta Breuer (1905–1942), Dr. Alice Libitzky (1900–1942), and Magda Merwin (1911–1944) were murdered in concentration camps, all other female lawyers escaped into exile.⁵⁴

During the first half of the twentieth century, women in Austria were not permitted to be appointed as judges. To enter the so-called *Konzeptsdienst* (judicial training period), according to Article 3 of the *Staatsgrundgesetz* (constitution) from 1878, the candidates needed to pass all exams, but doing so did not guarantee a right to be appointed.⁵⁵ Article 18 of the same law stated the principal freedom to choose one's profession but this right proved to be weaker than the Article 3. Thus the government could just refuse to appoint women until after the Second World War.⁵⁶ In August 1947, Johanna Kundmann (1914–2000) in Linz and Gertrud Jaklin (1916–98) in Vienna were appointed as the first two female judges in Austria. The feminist Ernestine von Fürth (1877–1946) asserted that Austria had no female judges because the Austrian elite, especially in the government, failed to value gender equality for their nascent democracy. This blindspot was compounded by the weakness of the Austrian women's movement.⁵⁷

In the nineteenth century, the women's movement endeavoured to reform family law, particularly the discriminating laws of the Austrian Civil Code of 1811. However, family law reform efforts would not be successful before 1914.⁵⁸ At the beginning of the First World War,

⁵³ Verzeichnis der Rechtsanwälte 1938/1939; Barbara Sauer and Ilse Reiter-Zatloukal, *Advokaten 1938. Das Schicksal der in den Jahren 1938 bis 1945 verfolgten österreichischen Rechtsanwältinnen und Rechtsanwälte* (Wien, 2010).

⁵⁴ Sauer and Reiter-Zatloukal, *Advokaten 1938*, 103, 230; Ilse Korotin, 'Merwin Magda', in *eadem*, (ed.), *biografiA*, ii, 2241.

⁵⁵ 'Eingabe des Vereins für erweiterte Frauenbildung in Wien um "Zulassung der Frauen zum juristischen Universitätsstudium"', in *Jahresbericht des Vereines für erweiterte Frauenbildung in Wien* (1908/09), 25.

⁵⁶ Marianne Beth, 'Die Eignung der Frauen zum Richterberuf', *Die Österreicherin*, iv, 1 (1931), 3–4.

⁵⁷ Ernestine Fürth, 'Was wird aus unseren Juristinnen?', *Die Österreicherin*, ii, 4 (1 Apr. 1929), 3; 'Zur Lage der Juristinnen in Österreich', *Die Frau*, 36 (1928/29), 502–3.

⁵⁸ Marie Rosenthal, 'Der Entwurf einer Novelle zum Bürgerlichen Gesetzbuch im Lichte der Rechte und Interessen der Frau', *Neues Frauenleben*, xx, 2 (1908), 31–38, 20, 3; Margret Friedrich, 'Zur Genese der Stellung der Ehefrau im österreichischen

an emergency decree introduced improvements regarding women's guardianship of children and the rights of illegitimate children. The new democratic constitution finally proclaimed equality for both sexes. Marianne Beth disseminated information on family law for the women's movement.⁵⁹ She was co-founder and then president of the Austrian female lawyers' organization (from 1935), which organized the FIFCJ congress in Vienna in 1936 where she was voted onto the board. The female lawyers' organization, founded in 1932, was first headed by Stella Gottwald, and in 1935, it became part of the Austrian Council of Women (BÖFV).⁶⁰ Beth was also on the board of the Austrian National Council, as well as president of the International Federation of Business and Professional Women.⁶¹ The attorney Ilse Knapitsch-Jaschke was a member of the Association of University Women, as well as a member of the transnational Soroptimist Club, evidence of her connections with the women's rights movement.⁶² While the first female members in Parliament and their male supporters were not successful in achieving an amendment for equal rights in marital law, they did achieve alimony law reform. Paradoxically, civil marriage, including the possibility of divorce, was introduced by the antifeminist National Socialist regime in 1938.⁶³ Thus the story of Austrian female

Allgemeinen Bürgerlichen Gesetzbuch', *L'Homme Z.F.G.*, xiv, 1 (2003), 97–109; Elisabeth Frysak, 'Legale Kämpfe. Die petitionsrechtlichen Forderungen der österreichischen bürgerlichen Frauenbewegung zur Änderung des Ehe- und Familienrechts um die Jahrhundertwende', *L'Homme Z.F.G.*, xiv, 1 (2003), 65–82; Waltraud Heindl, 'Frau und bürgerliches Recht. Bemerkungen zu den Reformvorschläge österreichischer Frauenvereine vor dem ersten Weltkrieg', in Isabella Ackert *et al.* (eds.), *Politik und Gesellschaft im alten und neuen Österreich. Festschrift für Rudolf Neck zum 60. Geburtstag* (Wien, 1981), 133–49; Ulrike Harmat, *Ehe auf Widerruf? Der Konflikt um das Eherecht in Österreich 1918–1938* (Frankfurt am Main, 1999), 1–65.

⁵⁹ Marianne Beth, *Neues Eherecht. Eine rechtsvergleichende Studie* (Wien, Leipzig, 1925); *eadem*, *Das Recht der Frau* (Wien, 1931).

⁶⁰ 'Verband der berufstätigen Juristinnen', *Neues Wiener Journal*, 9 March 1932, 10; 'Ein neuer Bundesverein', *Die Österreicherin*, viii, 2 (1935), 2; 'Die Vereinigung berufstätiger Juristinnen Österreich', *Die Österreicherin*, viii, 9–10 (1935), 4; 'Vereinigung berufstätiger Juristinnen Österreich', *Die Österreicherin*, x, 1 (1937), 4.

⁶¹ Barbara Sauer, "'Konnte ich meinen geliebten Anwaltsberuf nicht mehr ausüben"... Quellen Methoden und Ergebnisse zu den Biographien NS-verfolgter Rechtsanwältinnen und Rechtsanwälte', in Sauer and Reiter-Zatloukal, *Advokaten 1938*, 34–5.

⁶² Barbara Sauer, 'Knapitsch, Ilse', in Korotin (ed.), *biografiA*, ii, 1678–9.

⁶³ Harmat, *Ehe auf Widerruf?*, 73–538.

lawyers follows similar patterns as in the other Central and East Central European countries where women fought and achieved access to the legal professions while taking additional steps as advocates struggling for women's full citizenship rights nationally and globally only to see the arrival of fascists upend the core of their work.

VI

CZECHOSLOVAKIA: ELUSIVE GENDER EQUALITY FOR WOMEN BUT INCLUSION FOR FEMALE LAWYERS

Contradictions existed within the Czech legal framework in the interwar period that profoundly impacted women's rights and opportunities. Czech women were not allowed to study at the university until the Austrian government opened the philosophic faculty in 1897 and the one of medicine in 1900. In 1908, the Czech Federation of University Women petitioned Charles University to open the law faculty for women, a change supported by the University senate but rejected by the Austrian ministry of justice.⁶⁴ The faculty of law remained closed to women until after the foundation of the Czechoslovak Republic in 1918.⁶⁵ The number of female students was low at the beginning, between five to seven per cent. In 1923, Anděla Kozáková-Jírová (1897–1986) became the first woman to receive a law degree. She worked first in the press department of the government and later in the ministry of social welfare. In 1928, she passed the exam as a notary and in 1938 was installed in a position. The law of lawyers of 1868 was amended in 1922 by the Act No. 40/1922 (paragraph 3), which opened the profession of attorneys for women.⁶⁶ But resistance remained

⁶⁴ Proposal 107 by members of Parliament Fr. Zeminová, L. Pechmanová, M. Šmejcová, Inž. Záhorský, Dr Patejdla to accept all kinds of lawyers in all branches of state conception service, http://www.psp.cz/eknih/1929ns/ps/tisky/t0107_00.htm [Accessed: 27 Jan. 2018].

⁶⁵ Maria Tumova and Františka Plaminkova, 'Czecho-Slovakia. Report Presented to the Eighth Congress of the I.W.S.A.'. *International Women's News*, 15, 1 (1920), 15; 'Zájem o studium práva', *Právník*, lvii (1918), 276–7; Jarmila Veselá, 'Studium žen na právnické fakultě pražské univerzity', *Všehrd*, (1919), 23–5; 'Ženy v povolání právnickém', *Právník*, lx (1921), 30–1.

⁶⁶ Stanislav Balík et al., *Dějiny advokacie v Čechách, na Moravě a ve Slezsku* (Prague, 2009), 146–66; Stanislav Balík and Radek Keller, 'Anděla Kozáková-Jírová, Anděla Kozáková-Jírová, první Češka JUDr na pražské univerzitě', *Documenta Pragensia*, xiii (1996), 235–41.

strong. The Federation of University Women, as well as Františka Plamínková (1875–1942) of the Women’s National Council, filed numerous interpellations and proposals for the admission of women to the civil service. In 1929, Matylda Mocová-Wíchová was the first woman admitted to the bar, followed by Dr. Ludmila Kloudová-Veselá (1900–1988) in Benešov. Jarmila Veselá (1899–1972) specialized in criminal law, earned her *habilitation* in 1928, and became the first woman to work as an assistant professor at a Czech university. Soon the number of law students increased, and the faculty became the largest in Prague. In the academic year of 1913–14, 2,154 students were enrolled; in 1930–1, 4,495 studied law, 10 per cent of them female. The legal education was based on two or three legal state exams plus Czech citizenship, similar to Austria and Germany.⁶⁷

Although women gained equality with men in principle under the 1920 Czechoslovak Constitution, many public opportunities, including the judiciary, remained closed to them.⁶⁸ President Tomáš Masaryk highlighted this problem in May 1929, noting that the judiciary lacked candidates for judicial positions. Consequently, on December 13, 1929, members of the parliament requested that the government open the judiciary for women.⁶⁹ It did open for women but the ministries remained closed.⁷⁰ Indeed, the University Women hinted that a ministerial decree from 1921 was the origin of the current opposition to women in civil service and this exclusion contradicted the constitution.⁷¹ By 1930, the Czech government finally supported women to access the judiciary and opened special training courses for them.⁷² By 1930, four women had already sought positions as prospective judges, and the first woman who was appointed a district judge was Dr. Zdeňka Patchová (b. 1905); she was joined by Dr. Ruth Beer (Mährisch-Ostrau) and Dr. Hertha Tiedge

⁶⁷ Jan Kuklík, *Czech Law in Historical Contexts* (Praha, 2015), 110.

⁶⁸ Františka Plamínková, *The Political Rights of Women in the Czechoslovak Republic* (Praha, 1920); Heinrich Rauchberg, ‘Die öffentlich-rechtliche Stellung der Frau in der Tschechoslowakischen Republik’, in *Deutscher Juristentag in der Tschechoslowakei* (ed.), *Fünfter Deutscher Juristentag in der Tschechoslowakei: Gutachten* (Prag, 1931), 150–1.

⁶⁹ Proposal, 107.

⁷⁰ ‘Juristinnen im staatlichen Konzeptsdienst’, *Prager Tagblatt*, 4 May 1929, 3–4; Heinrich Rauchberg, ‘Juristinnen im Staatsdienst’, *Prager Tagblatt*, 7 May 1929, 1.

⁷¹ Rauchberg, ‘Juristinnen’, 1.

⁷² ‘Ženy budou přijímány do soudní služby’, *Právník*, lxix (1930), 71.

(Prague).⁷³ By 1937, there were sixty female lawyers and eighty-six female judges, four per cent of the total number in the Czech Republic. Dr. Helene Bernadová was the first female lawyer employed by the foreign ministry, a first for the diplomatic service.⁷⁴ She would serve as an official Czech delegate to the League of Nations related to questions on the status of women.⁷⁵

Female lawyers and feminist activists together led the effort to secure equality under the law for all women. The constitution did not imply equality in family law though all laws from prewar Austria that were contrary to the constitution were invalidated in principle, and laws that distinguished between men and women were theoretically unacceptable except in civil law.⁷⁶ The Czech Women's National Council (ŽNR) led the civil code reform effort on women's behalf. In 1924, they presented to the government a draft reform proposal on family law written by Milada Horáková (1901–1950).⁷⁷ Drawing on the principle of constitutional equality, the proposal claimed to bridge the gap between public and family law and contained a demand for obligatory civil marriage and equal rights for women as spouses and mothers in marriage.⁷⁸ Although her proposals stalled in parliament,

⁷³ 'Feminist Notes: Training Women to be Judges', *Equal Rights*, xiii, 16 (1930), 104.

⁷⁴ *Hamburger Nachrichten*, 17 May 1930, 42.

⁷⁵ *Official Journal: Special Supplement, League of Nations*, 169–176 (1937), 106; *Records of the Assembly*, 18 (1937), 5, 14, 29.

⁷⁶ See Melissa Feinberg, 'Democracy at Home: Debating Family and Marriage Law in the First Czechoslovak Republic, 1918–1938', in *New Perspectives*, 76–96; Jana Osterkamp, 'Equality at Stake: Legal and National Discourses on Family Law in Czechoslovakia, 1918–1931', in *New Perspectives*, 97–122; Feinberg, *Evasive Equality*; Zdeňka Králíčková, 'Developments in Marriage and Marital Law in the Czech Republic', in Lynn Wardle and A. Scott Loveless (eds.), *Marriage and Quasi Marital Relationships in Central and Eastern Europe* (Provo, 2008), 173–98.

⁷⁷ Milada Horáková was then a doctoral student at Charles University. Horáková was arrested in 1944, tortured by the Nazis but survived. After the war she became the president of the Council's successor organization, the Council of Czechoslovak Women and was elected a National Socialist parliamentary deputy. She was executed in 1950 after the biggest show trial of Soviet-occupied Czechoslovakia. On Horáková see Františka Plamínková, 'Free women of Central Europe', *National Business Woman*, 16, 6 (1937), 166–8, 191–2 (168); Dana Musilová, 'Horáková, Milada (1901–1950)', in *A Biographical*, 178–80; see chapter 9 in Wilma A. Igers, *Women of Prague: Ethnic Diversity and Social Change from the Eighteenth Century to the Present* (Providence, 1995).

⁷⁸ The National Archives in Prague, the archival group the Women's National Council (*Ženská národní rada*), box 23. The position of the Women's National

she and other lawyers, such as Marie Svozilová, Hana Vichová, and Marie Mikulová, criticized the government's failure to implement constitutionally guaranteed egalitarian laws. In particular, they demanded an end to sex discrimination in employment and insisted on respect for the principle of equal pay for equal work.⁷⁹ Mikulová and Kozáková⁸⁰ published books for a female readership on interwar Czechoslovak law and legal practice in an effort to disseminate information and catalyse reform.⁸¹

In Czechoslovakia, women's rights organizations were essential to the broader reform efforts. Horáková's approach to reform was to deploy the power of the ŽNR as a force for women's rights. She led meetings of the legal committee to formulate civil code revisions (1932–4) and presented the proposal to the minister of justice.⁸² The efforts of the ŽNR were joined by the German section of the Czech women's movement. Käthe Spiegel (1898–1941) and the German lawyer Marie Munk were the only women to participate at a conference of German lawyers in 1931 on women's legal situation in the civil law.⁸³ Historian Melissa Feinberg explains that these efforts did not succeed due to varied factors, including that women had few representatives in the parliament, and the power structures of the political parties was detrimental to the expression of feminist voices. By 1939, the war stalled all the civil code reform efforts.⁸⁴

Council on the family law reform. See Dana Musilová, 'Mothers Of The Nation: Women's Vote In The Czech Republic', in *Struggle for Female Suffrage*, 220; Bruce M. Garver, 'Women in the First Czechoslovak Republic', in Sharon L. Wolchik and Alfred G. Meyer (eds.), *Women, State, and Party in Eastern Europe* (Durham, 1985), 51–81.

⁷⁹ Feinberg, *Elusive Equality*, 56.

⁸⁰ Kozáková, a friend of Horáková was a member of the Minerva Women's Association and the Federation of University Women. In 1948 she went to exile, first to France, then to the US, where she died in California in 1986. Eva Uhrová, *Anna Honzáková a jiné dámy* (Praha, 2012), 208–43.

⁸¹ Anděla Kozáková, *Právní postavení ženy v českém právu zemském* (Praha 1926), for the book she received the first prize of Charles University. Marie Mikulová, *Žena v právním řádu československém: avec un résumé français* (Prague, 1936).

⁸² Feinberg, *Elusive Equality*, 64–5.

⁸³ Osterkamp, 'Equality at Stake', 97–122. Present were also law student Rose Heitler, Suse Jarosch, Alice Munory, Gabriele Stanger, Gisela Tauber from Prague; Anni Noe from Privoz, Dr. Berta Kohn (attorney in training) from Prague (see list of attendants, *Fünfter Deutscher Juristentag in der Tschechoslowakei*).

⁸⁴ Feinberg, *Elusive Equality*, 66–9.

VII
HUNGARY: A NARROW OPPORTUNITY FOR WOMEN WITHIN
IN LAW

In Hungary, women confronted structural inequality in their effort to access the legal professions. The legal professions were classically exercised by nobles, and gradually, due to the Enlightenment, others such as intellectuals and then Jews (from 1867) were allowed to enrol in the legal faculties.⁸⁵ The legal profession remained based in canon law, a conservative force. In 1895, the minister of education prepared a law to permit women to attend universities but restricted them to the faculties of the humanities, medicine, and pharmacy.⁸⁶ From 1919 to 1927, women were admitted to the law faculty by a decree authorized by Education Minister Kunó Klebelsberg. In January 1928, lawyer Charles Fodor argued in favour of women's admission to the legal and juridical professions, an advance publicized by the Hungarian Women's National Council. Consequently, legislation opened the bar to women.⁸⁷

Discrimination continued to plague the legal profession. A narrow window permitted Margit Ungár (b. 1897) to join the bar after she had studied in Debrecen and Szeged and passed her diploma in 1923 and her bar exam with honours in June 1928.⁸⁸ Ungár was engaged in the women's movement and authored articles in Hungarian and international journals on women's legal situation, lawyers, family law, the abolition of the death penalty.⁸⁹ She was followed by a small

⁸⁵ Gábor Schweitzer, 'Legal Education and Ethos of the Legal Profession in Hungary in the Civil Era', *Journal on European History of Law*, 2 (2011), 51–4.

⁸⁶ Judit Acsády, 'The Debate on Parliamentary Reforms in Women's suffrage in Hungary', in *Suffrage, Gender, Citizenship*, 247. S. Hausmann, 'Die Bestimmungen über das Universitätsstudium der Frauen in Deutschland, Österreich-Ungarn und in der Schweiz', *Die Frau*, viii, 7 (1901), 423–5; von Kemeny, 'Das höhere Mädchenschulwesen Ungarns im Jahre 1900–1901', *Frauenbildung*, ii, 4 (1903), 181–4.

⁸⁷ 'Reports from Auxiliaries. Hungary', *International Women's News*, 22, 6 (1928), 89.

⁸⁸ Margit was married to the attorney József Vági. Eugenie Miskolczy Meller, 'Reports from Auxiliaries. Hungary', *International Women's News*, 22, 11 (1928), 172–3.

⁸⁹ Magyar Zsidó Lexikon, 1929; <http://www.huszadikszazad.hu/1928-julius/bulvar/rozsaszinu-selyemben-aranyszalaggal-adtak-at-vasarnap-dr-ungar-margitnak-az-also-magyar-ugyednoi-diplomat> (last access, 10 May, 2018); 'Reports from Auxiliaries. Hungary', *International Women's News*, 26, 6 (1932), 59–60; Anna Loutfi, 'Legal Ambiguity and the 'European Norm': Women's Independence and Hungarian Family Law 1880–1913', in Edith Saurer, Margareth Lanzinger and Elisabeth Frysak

number of other women, including Lili Gáspár and Erzsébet Koncz, before the legal professions were closed again in 1936.⁹⁰ The Reform Bill for the regulation of the Lawyer's Chambers (established in Par. 45) required that new candidates be male. Women already admitted to the profession were permitted to stay, but new ones were prohibited.

Members of the Hungarian women's organizations, especially the *Feministák Egyesülete* (FE) and the Hungarian Association of University Women (EFVE), challenged this reversal of 1936. FE leader Melanie Vámbéry (d. 1944) called a protest meeting "at which prominent men lawyers declared their solidarity with their women colleagues and the women proved their ability by speaking brilliantly for their cause. This meeting passed a resolution for a petition to be presented to the Minister of Justice, in which the elimination of the offensive measure was demanded".⁹¹ The FE also sent letters to bar members requesting that men protest the new law. The EFVE wrote a memorandum to the ministry of justice in which they argued that the purported overcrowding of the bars would hardly be remedied by the exclusion of the four to six women who would work among 6,000 men. The EFVE also protested the women's exclusion from the study of law in part because such discrimination set them apart from other European countries where women studied and developed competence in family law, child protection, and juvenile law. When the draft was discussed in the parliament in 1936, female MPs, including the conservative Lilla Melczer (b. 1890–1965) and Toperczer Ákosné Hagara Róza (1881–1944), attempted in vain to influence their male colleagues. When everything seemed to have failed, the FE sent a circular to all members of the parliament and senate but after a three-day debate the law was codified without changes on 4 December, 1936. The women concluded that that the new lawyers' order was not actually intended to limit competition in the bar (as claimed) but rather was a symbolic gesture to coerce women into fulfilling traditional roles as unemployed mothers in response to the difficult national economic situation.⁹²

(eds.), *Women's Movements: Networks and Debates in post-communist Countries in the 19th and 20th Centuries* (Cologne, 2006), 507–21.

⁹⁰ Ildiko Barna and Andrea Pető, *Political Justice in Budapest after WWII* (Budapest, New York, 2015), 85–6.

⁹¹ 'Hungary', *International Women's News*, 6, 30 (1936), 44; Claudia Papp, 'Die Kraft der weiblichen Seele', *Feminismus in Ungarn 1918–1941* (Münster, 2004), 412.

⁹² Papp, *Feminismus in Ungarn 1918–1941*, 413–15.

Only after the Second World War did women regain the right to practice law (1945) and study it (1946).⁹³

Despite the fact that women's hopes for equality were crushed in Hungary during the interwar era, they nevertheless gained new positions in public life. At the same time that their opportunities were restricted nationally, Hungarian women participated in transnational meetings and contributed to the increasing entanglement of women globally, especially in questions of peace and married women's nationality.⁹⁴ This was a typical tension for European female legal reformers in this dynamic moment in modern history that fostered more interconnections among reformers.

VIII

ROMANIA: AN INTERTWINED AND TRANSNATIONAL HISTORY

Women's struggles in Romania were shaped by the socioeconomic factors that influenced the relatively slow development of urban society. The reforms after the First World War did little to improve women's rights when universal suffrage was granted to men only. The 1923 constitution only promised that women's political and civil rights would soon be improved.

The right for women to work in the legal profession in Romania was important to ending the subjugation of women. In 1878, writer and publicist Maria Flechtenmacher (1838–1888) wrote provocatively under the influence of the idea of Romania's Western-style modernization in the first feminist magazine, *Femeia română* [The Romanian Woman]: "What are we doing today about literature, art, emancipation, civilizing our people?... I ask you... wake up!"⁹⁵ Subsequently, Flechtenmacher argued for women's emancipation through education,

⁹³ Istvan Pogany, 'Women's Work: Human Rights, Gender and Social Class in Hungary at the Turn of the Twentieth Century', *Northern Ireland Legal Quarterly*, 64, 2 (2013), 209–32; M.M. Kovács, 'The Radical Right and the Hungarian Professions: The Case of Doctors and Lawyers, 1918–1945', in *Professionen im modernen Osteuropa*, 168–88; *eadem*, 'Hungarian Women Entering the Professions: Feminist Pressures from Left to Right', in Victor Karády and Wolfgang Mitter (eds.), *Bildungswesen und Sozialstruktur in Mitteleuropa im 19. und 20. Jahrhundert* (Köln, 1990), 247–57.

⁹⁴ Eugenie Miskolczy Meller, 'Reports from Auxiliaries. Hungary', *International Women's News*, 23, 4 (1929), 56–7.

⁹⁵ Quoted in Maria Bucur, 'Between Liberal and Republican Citizenship: Feminism and Nationalism in Romania, 1880–1918', *Aspasia*, 1, 33 (2007), 84–102, quote 100.

political participation, and employment in the professions including their entrance into “the temple of justice”.⁹⁶ This was followed by the effort by the Romanian Women’s League to petition the Assembly of Deputies in 1896 to end the subordination of married women and to improve women’s civil rights and autonomy as individuals and within the family.⁹⁷ The demand for the emancipation of women included economic, social, and private rights simultaneously, all of which were met by fierce resistance.

Enacting emancipation through reforms was much more difficult than articulating the call to arms. The history of women’s struggle to gain access to the legal profession in Romania was characterized by inconsistencies and a backlash before the discriminatory bulwark collapsed under the weight of rational argument and societal change. By the turn of the century, lawyers constituted a ruling class within the elite and understood themselves as a professional community and thus they were keen on restricting access of any potential competition. The pioneering figure in this struggle was the internationally recognized, French-educated Sarmisa Bilcescu (1867–1935) who was the first woman to be admitted to the Romanian bar though her right to practice was limited. Bilcescu studied law in Paris at the Faculty of Law and used her educational opportunity to analyse the role of legislation in advancing women’s rights with her thesis entitled: *De la condition légale de la mère. Étude de droit positif et de législation* (1890). Upon her return to Bucharest, she participated in such prestigious international groups as the *Société de législation comparé* and advocated for higher education for women.⁹⁸ In 1891, Dimitrie Gianni, the head of the Bucharest bar and president of the Chamber of Deputies, wrote that the decision to admit Bilcescu on the grounds that all Romanians

⁹⁶ Ionela Băluță, ‘Women and the Family in the Late Nineteenth-century Romanian Feminist Press: Defining Alternative Gender Roles’, *Journal of Family History*, 41, 1 (2016), 65–80, quote 72–3.

⁹⁷ Bucur, ‘Between Liberal and Republican Citizenship’, 84–102.

⁹⁸ President of the Chamber of Deputies Dimitrie Gianni and the bar association of Ilfov (includes Bucharest) authorized (Sarmisa or Sarmiza) Bilcescu to practice the profession on June 26, 1891 according to: ‘La femme avocat’, *L’Étranger. Revue Internationale*, 2 (1898), 42–4; I. Ingelbrecht, ‘Le féminisme et la femme témoin’, *Revue politique et parlementaire*, 23, 68 (Feb. 1900), 382; Andreea Dimitriu, ‘Le Féminisme roumain et ses affinités avec le féminisme français (1918–1940)’ (PhD Université d’Angers, 2011), 55–6, 126. She married Alimănișteanu.

had the freedom to work and enjoy equality before the law unless otherwise restricted. Additionally, revisions to the Romanian Civil Code granted women the right to be witnesses in civil acts, expanding the possibility of the recognition of women's citizenship. In the absence of measures excluding her from the bar, Bilcescu's academic qualifications (a doctorate) and her fulfilment of the rules of application made her eligible for bar admission.⁹⁹ Gianni was a member of the Liberal-Democratic Party and had himself been educated in law in Paris, and he was committed to national legal and educational reform.¹⁰⁰ While Bilcescu's 1891 admission to the legal profession was historic, she was prevented from taking her oath to practice by the court of appeals.¹⁰¹ This illustrates the multiple levels upon which women were required to find approval for their professional access in the absence of comprehensive constitutional or legislative equality.

Bilcescu was among the many Europeans who lived under the French civil code or its vestiges. As a result of the Napoleonic Wars, the code had influenced women's legal status detrimentally in Italy, the Netherlands, Belgium, Spain, Portugal, and their former colonies, as well as in Germany, Romania, (as well as North America in Quebec and Louisiana). Thus when Bilcescu enjoyed partial success, European feminists applauded this incremental change as the sign that if one code could be breached then the effective arguments had the potential to be repeated elsewhere. In Western Europe, Louis Frank (1864–1917), a Belgian feminist and lawyer, publicized Bilcescu's case. Frank had already advocated on behalf of Lidia Poët (1855–1949) in Italy (1884), Maria Popelin (1846–1913) in Belgium (1888), and Jeanne Chauvin (1862–1926) in France (1892).¹⁰² These cases were intertwined by the far-reaching nature of the French Civil Code.¹⁰³

⁹⁹ Extrait des procès-verbaux du Conseil de l'Ordre des Avocats de Bucarest quoted in Louis Frank, *La femme avocat: exposé historique et critique de la question* (Paris, 1898), 121–3; 'Questionnaire. Law. Roumania', *International Women's News*, 8, 3 (1913), 26.

¹⁰⁰ Dinu C. Giurescu, *Dicționar biografic de istorie a României* (Bucharest, 2008), 239.

¹⁰¹ 'Rumänien', in *Berliner Tageblatt*, 11 Jan. 1902, 7.

¹⁰² Frank, *La femme avocat*.

¹⁰³ Sara L. Kimble, 'Feminist Lawyers and Legal Reform in Modern France, 1900–1946', in Schandevyl (ed.), *Women in Law*, 45–73; *ibidem*, 'The Rise of 'Modern Portias': Feminist Legal Activism in Republican France, 1890s–1940s', in *New Perspectives*, 125–51.

Romanian women were among the many foreigners who sought their education in Paris and other cities in Western Europe because their local opportunities were limited. Although university education opened to Romanian women in the 1880s, they could only study law since 1890. Even then, a feminist paper noted “Public opinion received this innovation coldly, and women who studied law were considered eccentric”.¹⁰⁴ Resistance to female lawyers was persistent in Romania through 1920. In 1902, Elena B. Popovici, graduate of Bucharest law school, was denied access to the Bucharest bar under G. Danielopoe.¹⁰⁵ In 1912, Ella Negruzzi (1876–1949) attempted to register for the bar but was rejected and lost her case on appeal.¹⁰⁶ Negruzzi brought her case to the Court of Cassation where she won in 1920.¹⁰⁷

Those who supported women’s right to work in the legal profession often did so in the absence of any explicit language that designated eligible candidates for the bar by gender. Thus there were wide variations in interpretation to guide whether the historic absence of women from these careers and the traditional social roles played by women in society merited justification for discrimination. The example of Bessarabia provides a hint at the local variations. Eugenia Crușevan (1889–1976) became the first female lawyer in Bessarabia when she joined the Bar Association of Chișinău in 1919. Crușevan, the daughter of a lawyer, had studied law at the faculty of Chișinău and graduated from the University in Moscow in 1918. Despite being affected by political turmoil, she was able to practice law in the region throughout her life.¹⁰⁸ More research is required to determine the circumstances that led to these historic events.

¹⁰⁴ ‘Questionnaire. Law. Roumania’, *International Women’s News*, 8, 3 (1913), 26–7.

¹⁰⁵ *Ibidem*; ‘Rumänien’, *Berliner Tageblatt*, Jan. 11th, 1902, 7; ‘Rumänien’, *Die Frauenbewegung* 8, 1 (1902), 4; ‘Žena v právnictví’, *Ženské Listy*, 30, 2 (1902), 36.

¹⁰⁶ Ada Seiseanu, ‘Roumanie’, *Jus suffragii* (French edition), 8, 2 (1913), 35. <http://gallica.bnf.fr/ark:/12148/bpt6k56530082/f12.item> (last access 10 May, 2018).

¹⁰⁷ Maria Bucur, ‘Negruzzi, Ella’, in Francisca de Haan, Krassimira Daskalova, and Anna Loutfi (eds.), *A Biographical Dictionary of Women’s Movements and Feminisms. Central, Eastern, and South Eastern Europe, 19th and 20th Centuries* (Budapest and New York, 2006), 363–5.

¹⁰⁸ After the annexation of Bessarabia by the Soviets she exiled to Buzău and later to Timișoara where she practiced until her death. Iosif Friedmann-Nicolescu, ‘History of the Legal Profession in Romania - Moments, People and Personalities’, *J.L. & Admin. Sci.* (2015) 129, 143.

For the Romanians, we see an important overlap between leaders of the women's emancipation movement and women trained in law. Popovici and Negruzzi were women's rights leaders, and Bilcescu was president of the Federation of University Women in Romania and ran for elections for the Liberal Party.¹⁰⁹ Crușevan was the secretary of the women's organization *Femeile Române*.¹¹⁰ They were all active in efforts to reform family law. Their target was, in part, the civil code, which was codified in 1864 and was modelled after the *Code Napoléon*, resulting in a restrictive situation for married women. In 1923, the National Council of Romanian Women (CNFR) established a legislative committee to cooperate on code reforms with the ministry of justice. The work progressed slowly despite growing public pressure. Only in 1932 did a new civil code come into force that established the limited equal rights of women in the family and the society. The reforms granted married women the right to practice any profession and undertake any legal transactions without their husbands' consent and also granted women property rights over their dowry. But both reforms of 1932 and 1937 continued to prohibit illegitimate children's right to search for paternity with few exceptions. When in 1942 the new *Codice civile* was ready to be passed, the advent of the war and subsequent political changes forced the delay and then the abandonment of codification.¹¹¹ On the grassroots level, lawyers simultaneously provided free legal counselling services at the 'Woman's House' established under Alexandra Cantacuzino (1876–1944). This social service site was also the meeting place for international women's

¹⁰⁹ See Maria Nicoleta Turliuc and Catalin Turliuc, 'The Struggle for Women's Political Rights in Modern Romania', in Irma Sulkunen, Seija-Leena Nevala-Nurmi, Pirjo Markkola (eds.), *Suffrage, Gender and Citizenship – International Perspectives* (Newcastle, 2009), 259–76; Bucur, 'Negruzzi, Ella', 363–5.

¹¹⁰ Friedmann-Nicolescu, 'History of the Legal Profession', 139–40.

¹¹¹ Roxana Cheșchebec, 'The Achievement of Female Suffrage in Romania', in *The Struggle for Female Suffrage*, 369–70; Bucur, 'Between Liberal and Republican Citizenship', 84–103; *eadem*, 'The Economics of Citizenship: Gender Regimes and Property Rights in Romania in the 20th Century', in Anne Epstein and Rachel Fuchs (eds.), *Gender and Citizenship in Historical and Transnational Perspective* (London, 2017), 143–65; Mihaela Ivanescu, 'Women Shaping the Romanian Society in the 19th and 20th Centuries: Emancipation, Social Activism and the Struggle for Political Rights', *Valahian Journal of Historical Studies*, 23–24 (2015), 65–77; Turliuc and Turliuc, 'The Struggle', 259.

rights advocates.¹¹² Here too, the history of early legal aid was bound up with the women's rights movement.¹¹³

Historians of Romanian feminism debate its connectedness to the West and note its distinctive periodicity. Historian Ștefania Gáll Mihăilescu argues for the convergence of feminism between Romania and Europe, an observation that seems confirmed when examined through the angle of legal feminism.¹¹⁴ Romanians were engaged with the rest of Europe through their political and associational networks as well as published texts.¹¹⁵ In the history of female lawyers and women's rights leaders, there were also important exchanges of knowledge and experience in the pursuit of socio-political change at the national and transnational levels.

IX

BULGARIA: HISTORY OF CAUSES FOUGHT WITH "PASSION AND ANGER"

A long temporal gap existed in Bulgaria between the admission of women to Sofia University's Law Department (1902–3) and their admission to the legal profession (1945).¹¹⁶ In the intervening decades, over five hundred female students earned law degrees but could not practice. The constitution gave all citizens the rights to exercise the professions and no regulations explicitly excluded women but an interpretation of the laws concerning the education of lawyers served to prohibit them. Moreover, opponents argued that political rights were a prerequisite for legal practice. The parliament supported women's rights but the government blocked the bills.¹¹⁷

¹¹² Turliuc and Turliuc, 'The Struggle', 270–1.

¹¹³ For legal aid in USA see Felice Batlan, *Women and Justice for the Poor: A History of Legal Aid, 1863–1945* (New York, 2015).

¹¹⁴ See Ștefania Gáll Mihăilescu, *Din istoria feminismului românesc: antologie de texte (1838–1929)* (Iași, 2002), 15.

¹¹⁵ See Laura Lovin, 'Grounds for Hope Voices of Feminism and Women's Activism in Romania', in Jan Kubik and Amy Linch (eds.), *Postcommunism from Within* (New York City, 2013), 191–210.

¹¹⁶ The information in this subchapter come from Krassimira Daskalova, 'Bulgarian Women in Legal Education and the Legal Profession During the First Half of the Twentieth Century', in *New Perspectives*, 198–216, unless noted differently.

¹¹⁷ See for example: S. Dimitcheef, 'Bulgaria', *International Women's News*, 4, 10 (1910), 80; 'Reports from auxiliaries, Bulgaria', *International Women's News*,

Different groups in the women's movements led the decades-long fight for female lawyers to practice. The female lawyers' section of the Bulgarian Association of University Women (BWU) (founded in 1924) was established in 1928 under the leadership of lawyer Dimitrana Ivanova (1881–1960), and it became the largest professional women's organization with 150 members by the 1940s. It was committed to securing women's right to argue cases in the courts. After graduating from law school, Ivanova edited two women's journals including one that specialized on legal questions. In 1929, her attempt to secure admission as an attorney failed but this catalysed her to rally for more support on this question. Vera Zlatareva (1905–1977), a BWU board member and law section leader, also "fought for this cause with a passion and anger that reflected her personal struggles with the male legal profession", according to historian Krassimira Daskalova. The argument that women's right to become lawyers was dependent on their suffrage rights catalyzed legally educated women into ardent fighters for women's right to vote. They were only too aware that the legal professions were associated with attaining influential positions in the legislature, government, and the courts from which women were barred. Personal examples illustrate the power of structural opposition. Zlatareva requested admission to the bar after obtaining a doctorate from Sofia University. In 1938, she was allowed to work for a probationary period as a lawyer in Sofia, but the decision was annulled by the Supreme Court of Defence Lawyers. In 1942, she was admitted in Skopje but the decision was withdrawn in Sofia. She worked at her husband's legal office and campaigned against women's exclusion from the bar, ultimately winning some concessions.¹¹⁸

The Bulgarian feminists strengthened their position by engaging with their international colleagues. Ivanova brought together national support of politicians, attorneys, and public figures, published resolutions and articles, and gave lectures and lobbied in various ways for the legal professions to admit women. Internationally she represented the *Bulgarski Zhenski Sujuz* [Bulgarian Women's Union] at the congresses of

18, 7 (1924), 103; Dimitrana Ivanova, 'News from Bulgaria', *International Women's News*, 25, 6 (1931), 85–6; 'Bulgaria. Report presented to the Eighth Congress of the I. W. S. A.', *International Women's News*, 14, 11 (1920), 189; 'News in Brief. Bulgaria. For the Third Time a Bill is Being Submitted', *International Women's News*, 27, 4 (1933), 28.

¹¹⁸ Daskalova, 'Zlatareva, Vera', in *A Biographical Dictionary*, 620–2.

the International Alliance of Women for Suffrage and Equal Citizenship (IAWSEC) and the ICW.¹¹⁹ Support came also from the FIFCJ. Lawyers Maria (Manja) Girginov (a) was elected in 1930 to represent Bulgaria, and Velisslava Radulova was elected in 1936 to the board of the FIFCJ. Furthermore, Ivanova represented her country in the Commission on the Status of Women at the League of Nations in 1938.

After the coup d'état of 1934 and the establishment of an authoritarian regime, the female lawyers changed their strategy and prioritized securing women's suffrage. They believed that after they had achieved voting, women with legal educations would also be admitted to the judiciary. In fact, only after women over 21 years old gained suffrage, the minister of justice introduced a bill into parliament in 1940 to allow women to work as attorneys. Only in 1945, however, did the communists permit women to work as lawyers, and Zlatareva was finally admitted to the bar in Bulgaria.

X

LAWYERS' INTERNATIONAL CONTRIBUTIONS VIA LEAGUE OF NATIONS AND BEYOND

In the first part of this article, we have outlined patterns of exclusion and inclusion for women's claims to enter the legal and juridical professions. Their histories are characterized by efforts to defy stereotypes and create niches within the professional opportunities afforded to them to advance not only their careers, but also to make socio-legal improvements to the larger society. We also argue that European female lawyers provided expertise to women's rights organizations on the national and transnational levels, and in turn, advocated reform within supranational groups such as the League of Nations and International Labour Organisation (ILO). Their activism contributed to the development of an "international society", which recognized the similarities of the human condition across borders and advocated a common legal standard.¹²⁰ These lawyers' actions were demonstrative of the larger history of the League when it provided associations and private actors the opportunities to contribute to social and humanitarian needs

¹¹⁹ Daskalova, 'Ivanova, Dimitrana', in *A Biographical Dictionary*, 182–4.

¹²⁰ See Daniel Gorman, *The Emergence of International Society in the 1920s* (Cambridge, 2014).

including women's rights. In particular, female lawyers and jurists pursued such priorities as the end of prostitution and trafficking, assistance to indigent foreigners, internationally enforced maintenance payments to abandoned families, comprehensive rehabilitation of delinquent children, the autonomous nationality rights of married women, and family law reforms. While these issues were not new, these lawyers carried forward feminist claims and sought legal remedies at the international level.

The FIFCJ was one of the women's associations that facilitated European female lawyers' access to international influence at the League. This group was the first viable pan-European legal sorority established in 1928 at the initiative of Estonian lawyer Vera Poska-Grünthal (1898–1986). At their founding conference of 1929, the members of the FIFCJ asserted that their primary intent was to establish connections of “amity and solidarity”, facilitate women's access to “all juridical careers”, “improve women's professional circumstances, study laws”, and “spread the idea of world peace”.¹²¹ Their objectives to build a professional network to bolster the success of female pioneers in the profession and to participate in international political dialogue meant they were akin to sex-specific associations like the International Federation of University Women (IFUW, est. 1919), albeit on a smaller scale. The FIFCJ provided expertise directly to the League on the legal issues of married women's nationality, family abandonment, international assistance to the indigent, and other social questions.¹²² Concurrently, as Susan Zimmermann has shown, women approached the ILO in an effort to secure legal equality.¹²³ The historical efforts by female jurists to participate in League and ILO decision-making suggests that they promoted a vision of the world

¹²¹ Marcelle Kraemer-Bach, ‘Fédération internationale des femmes avocats’, *La Française*, 9 Nov., 1929.

¹²² See FIFCJ folder (1930–38) at United Nations Archives (UNOG), Geneva.

¹²³ Among them was Bessarabian feminist Marie Boskoff-Zoty who joined with other members of the Equal Rights International to demand equal treatment of men and women in ILO conventions. See Susan Zimmermann, ‘Night Work for White Women and Bonded Labour for “Native” Women? Contentious Traditions and the Globalization of Gender-Specific Labour Protection and Legal Equality Politics, 1926 to 1939’, in *New Perspectives*, 394–427, see also: Eileen Boris, Dorothea Hoehtker, and Susan Zimmermann (eds.), *Women's ILO: Transnational Networks, Global Labour Standards, and Gender Equity, 1919 to Present* (Leiden, Boston 2018).

in which men were required by judicial apparatuses to uphold their assumed responsibilities to provide for and protect the women with whom they had entered into marital and/or sexual relations and their children, or alternatively, the law should augment women's individual autonomy. In labour law, female jurists' goals favoured equal treatment rather than special protection based on gender.

An expansion of women's rights within marriage law was among the Federation's priorities of the 1920s. The ICW had long debated these issues; however, legal expertise facilitated action. A key concern of the post-First World War period was the right of married women to control their own nationality when married to a foreigner. A woman's marriage to a foreigner could involuntarily change her nationality and could even leave her stateless. In 1923, at the Rome conference of the IAWSEC, reformers prepared a model treaty designed to give women control over their nationality and therefore over their citizenship. The League of Nations eventually agreed to take up this matter (among several others) at their 1930 conference on international law held in The Hague. By this time only a few countries (including the Soviet Union) treated the sexes equally in regards to the effect of marriage on nationality.¹²⁴ Czech feminist lawyer Králová-Horáková was among the legal experts permitted at the League conference but since she lacked an official position she could not vote. Nevertheless, she lobbied for the principle of equality of the sexes in nationality laws.¹²⁵ Female lawyers [including Maria Vérone (1874–1938, France) and Doris Stevens (1888–1963, USA)] appealed directly to the delegates in a special session; however, the treaty framers refused to endorse equality directly. They recommended that all nations in the future should consider whether establishing equality in nationality laws could replace the principle of 'family unity', the latter formula was one in which the male head of household's nationality dominated.¹²⁶ In

¹²⁴ Candice Lewis Bredbenner, *A Nationality of Her Own: Women, Marriage, and the Law of Citizenship* (Berkeley, 1998), 171; Dieter Gosewinkel, *Schutz und Freiheit. Staatsbürgerschaft in Europa im 20. und 21. Jahrhundert* (Berlin, 2016); Catherine Jacques, 'Tracking Feminist Interventions in International Law Issues at the League of Nations. From the Nationality of Married Women to Legal Equality in the Family, 1919–1970', in *New Perspectives*, 321–48.

¹²⁵ Feinberg, *Elusive Equality*, 87–97.

¹²⁶ Sara L. Kimble, 'Politics, Money, and Distrust: French-American Alliances in the International Campaign for Women's Equal Rights, 1925–1930', in Nimisha

1931, Vérone was joined by Horáková, among others, in the Women's Consultative Committee, a legal advisory group that drafted a reform proposal on married women's nationality law for the League.¹²⁷

While women did not have an official place at the League's negotiating table in 1930, feminists were able to eventually secure the creation of the Committee to Study the Legal Status of Women (CSW) where three of the four female members were lawyers or law professors including Suzanne Bastid (1906–1995, France), Anka Gođevac (1890–1983, Yugoslav), and Dorothy Kenyon (1888–1972, USA). Launched in 1937, the CSW was intended to provide a comprehensive recommendation for equalizing women's rights through international law. The CSW was the outgrowth of the seeds planted by women's rights activists who had analysed the nuances of the problems arising from women's inferior legal status over the prior decades. CSW's work was interrupted by the war, but it re-emerged with the birth of the United Nations where it would lead to such results as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979).

The antecedents for policy and legal reform benefiting children in the second half of the twentieth century were also forged in earlier decades. Polish juvenile court judge Wanda Grabińska-Wójtowicz was particularly active as an advocate of the better treatment of "neglected and delinquent minors" to prevent criminality and rehabilitate others, and as an advocate for assistance to indigent foreigners.¹²⁸ She served on various League committees including the Advisory Committee on Social Questions, and she was a member of the International Association for the Promotion of Child Welfare (established in Brussels, 1921). She worked with colleagues from Britain and France on reports and publications that mapped the progressive and empathetic treatment of children. Grabińska-Wójtowicz was among the leading internationally active juvenile court judges and an administrator in the Polish Ministry of Social Assistance during the interwar era.¹²⁹ A pioneering member of

Barton and Richard Hopkins (eds.), *Practiced Citizenship: Women, Gender and the State in Modern France* (Lincoln, forthcoming, 2018), 219–60.

¹²⁷ See Jacques, 'Tracking Feminist Interventions', 321–48. On Horáková see Feinberg, *Elusive Equality*, 91.

¹²⁸ 'Assistance to Indigent Foreigners' [Meeting 1934], *League of Nations Official Journal, Special Supplement*, 129 (1934), 54–7.

¹²⁹ Bachman, 'Women in Poland', 17–20, 35–6. See Dadej, "'The Napoleonic Civil Code is to Blame'", 230–1.

the FIFCJ, she was a frequent traveller to France where she established friendships with a variety of reformers. Among her most significant contributions were those made through her participation in League committees on Child Welfare (established 1925) with her French counterpart Henri Rollet. She and Rollet published policy-oriented legal studies such as *Auxiliary Services of the Juvenile Courts* (1931) and *Organisation of Juvenile Courts and the Results Attained Hither-to* (1935). Grabińska-Wójtowicz was an internationally recognized authority on the comparative organization and functioning of juvenile courts who reported to the League of Nations Advisory Committee on Social Questions through the 1930s. The Polish women's experiences made them valuable to the leadership of the international lawyers association. In 1936, both Wanda Grabińska-Wójtowicz and Maria Fuksówna were called into leadership positions to the FIFCJ.

Integral to this history of the expansion of rights is its corollary, that of the rise of oppressive political forces of persecution and subsequent exile. Unfortunately, the rise of fascism and suppression of Jewish women's rights in Germany and Austria and then the advent of war disrupted the structure of interwar era cooperation among female lawyers. Nevertheless, Grabińska-Wójtowicz used her connections to American and British lawyers to seek safe haven when she fled Poland in 1939.¹³⁰ In London she worked for the Polish government in exile and condemned Nazi atrocities against Polish children.¹³¹ After the war, she would resume her efforts to secure legal protections for children by collaborating with her international colleagues and within the apparatus of the United Nations.

XI CONCLUSION

The ambitious geographical scope of this article means that we have only begun to sketch the patterns in the larger history of women's

¹³⁰ Grabińska to Paul, no date, in Harvard University, Radcliffe Institute, Schlesinger Library, Alice Paul Papers, MC 399 / Series IV, World Women's Party, folder 1223.

¹³¹ Grabińska represented the International Union of Judges, '6,000 Jews Mowed Down by Nazi Machine-guns in Poland; Children Executed', *Jewish Telegraphic Agency*, 20 Oct. 1941, 1; online: http://pdfs.jta.org/1941/1941-10-30_266.pdf [Accessed: 1 May 2017].

exclusion and inclusion in the legal and juridical profession in Eastern and Central Europe from 1887 to 1945. Clearly, the history of women's entry into the legal professions was complex and must be contextualized temporally and geographically. Women's own experiences included crossing national borders as pioneers as they sought education and sometimes employment opportunities outside their home countries. In some countries, such as Germany, legal faculties were only partially open and studying law was segregated from professional certification, a situation that persisted until after the First World War.

In all the newly democratized countries of Central and East Central Europe, except Romania and Bulgaria, women gained access to the legal professions after achieving suffrage following the First World War as a part of the implementation of democratic promises towards women. Here political rights functioned as a prerequisite for the right to work. The case of Bulgaria shows that the fear of women's political rights was partly responsible for the denial of women's access to the legal professions. And it was postponed by the authoritarian government until the installation of Soviet occupation. The political sequence of events often influenced the timing of the opening of the legal professions for women as James Albisetti noted.¹³²

Women also faced tremendous obstacles in the form of public opposition when they attempted to enter the judiciary and civil service, both of which were traditional sites of male privilege and authority. Looking at Central and East Central European history in comparison with countries such as France, Belgium, and Italy, the history of women's access came in two different patterns. In the countries where the legal education and the professions were self-governed by faculty or professional councils, women were admitted into the ranks of attorneys relatively early, and access to the judiciary followed after women gaining suffrage such as in France (1944, 1946), Belgium (1919, 1948), Italy (1945, 1963) and Romania (1929/1939, 1945). The Romanian feminist Bilcescu, for example, gained access to the bar by claiming it in court, as had her pioneering sisters in the West, such as Popelin (Belgium in 1888) and Chauvin (France in 1897), also attempted. In the countries where the state exerted more control over universities and the professions, such as Germany and Austria and its

¹³² James Albisetti, 'Portia Ante Portas: Women and the Legal Profession in Europe, ca. 1870–1925', *Journal of Social History*, xxxiii, 4 (2000), 825–57.

former crownlands, women's access to legal and judicial posts was forestalled until the arrival of democratic structures. But even here the differences in timing in Germany, Austria, Czechoslovakia, Poland, and Hungary shows that women had to engage in a new struggle to claim the right to work from the new democratic constitutions as promised. Depending on the willingness of the new democratic societies and the laws permitted, women managed to negotiate comprehensive or incomplete access to the bar and the judiciary. However, even in places where women successfully gained initial entrée into the careers, the pattern reveals an inconsistent treatment of women where inclusion in professions was later reversed, especially under fascist and authoritarian policies. Political regime changes were enormously important to this broader history, such as the Soviet occupation of the Eastern Central European countries after 1944 that accelerated the process of women entering the legal professions. The history of women's access to the legal professions forms part of the processes of negotiating gender equality within the first democratic experiments of these Central European countries. It was one field in which women's equality was contested, and in this way, it defined what tangible democracy should look like.

One of our critical observations about the legal history of women is the central role played by activists willing to confront restrictive civil codes, to call attention to the incomplete application of constitutional equality, and to oppose discrimination in opportunities. Thus the history of civil code reform should be understood as intertwined with that of women's education, employment, and political action. In the history of the women's rights movements, the right to work in the legal professions and in civil service was also integral to the larger struggle for full citizenship rights. As political participants in democratic societies, women quickly realized the urgency for additional reforms in family law, the nationality of married women, criminal law reform, and equal pay for equal rights. The persistence of traditional gender roles and familial structures revealed the limits of democracy to impact the organization of private life as women continued to face strong limitations. In the process of their political participation, many of the pioneering female lawyers used their legal knowledge to fight for equal rights within their own countries and also on the transnational level, thus becoming public figures who advocated innovatively for new policies. The contributions of female lawyers are evident in their legal

practices, their participation in rights associations, and even in their roles as political officials. They functioned as cross-border commuters: after obtaining legal knowledge abroad and carrying it home, they were also working on the transnational level to change discriminatory laws on a global level via the League of Nations, thus they were active in knowledge transfer.¹³³ Law in the context analysed here often worked as a constraint upon women's rights, but some women used their legal education and professional opportunities to facilitate legal change. Central European female lawyers were among those who have used the law as a tool to advocate for the incorporation of a gendered understanding of the law to improve the condition of women.

European women's actual legal practices contradict the claim that they posed a serious economic competitive threat to men because they often engaged in charitable actions to help socially disadvantaged people – especially poor women and children – rather than prioritizing financial gain. Pioneers often found their professional home in areas related to social work, juvenile justice, family law, or other fields less attractive among men. Furthermore, most of them remained at the bottom of the legal professional career ladder and rarely received promotions in larger law firms in the few instances when they obtained such employment. While women in the legal profession did not pose a competitive challenge, we argue that they changed the nature of the legal profession by focusing on an ethics of care and civic engagement. Their approach to law was not self-aggrandizement, but rather, they treated this profession as another 'helping profession', one in which they served the needs of others. These needs included individuals who required court defence but extended beyond the habitual cases to structural issues such as the founding and organization of specialized juvenile courts and the support for rehabilitative efforts to support the reintegration of defendants into legitimate society.¹³⁴

Many of these examples demonstrate the importance of transnational alliances and the exchange of ideas with allies between Central and Western Europe. This was illustrated in Romania and elsewhere

¹³³ See Bredbenner, *A Nationality of Her Own*, 195–242; Kimble, 'Politics, Money, and Distrust', 219–60; Jacques, 'Tracking Feminist Interventions', 321–48; Zimmermann, 'Night Work', 394–427.

¹³⁴ See Kimble and Röwekamp, 'Legal Cultures and Communities of Female Protest', 1–36.

as women travelled between countries for education, career support, and political engagement. This reinforces the value of women's history to illuminate new perspectives on socio-political change. The 'woman question' – the debate on the rights and opportunities of women relative to those of men from the Enlightenment – must be understood as a global phenomenon.¹³⁵

The rise of fascism and the closure of many employment opportunities to women during the 1930s has, perhaps, contributed to the eclipsing of this rich, intertwined history. Germany admitted women to the legal professions in 1922, but in 1933, all Jewish women and, by 1935–6, almost all women were excluded from entering the professions due to the Nazis. Franco's takeover of Spain also reversed women's rights in the legal profession. In Hungary, in the context of the Reform Bill for the regulation of the Lawyers' Chambers in 1936, the new language stressed that the first qualification for a lawyer was to belong to the male sex. Moreover, the outbreak of war in 1939 resulted in the disruption, exile, and death of many Europeans. While socialism paved women's way to experience legal equality, the questions of women's emancipation did not fare well in the post-war effort to return to 'normal' in the East and West. Gendered work segregation, glass ceilings, and a strongly gendered division of labor continued to prevail despite communist assertions that the opposite was the case.¹³⁶ We hope this research contribution will invite conversation and new investigation in this area of comparative legal history with attention to gender, law, and political change.

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¹³⁵ See Karen Offen, *The Woman Question in France 1400–1870* (Cambridge, 2017).

¹³⁶ See Claire Duchon and Irene Bandhauer-Schöffmann (eds.), *When the War was Over: Women, War and Peace in Europe, 1940–1956* (London, 2000).

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Sara L. Kimble – history of modern France and Europe, comparative political studies; Associate Professor, School for New Learning, DePaul University (Chicago, USA); email: sara.kimble@depaul.edu

Marion Röwekamp – modern legal and transnational history (19th–20th centuries); Wilhelm and Alexander von Humboldt Chair of the DAAD, Colegio de México (Mexico City, Mexico); email: roewekamp@zedat.fu-berlin.de