

Constructions of normality and the boundaries of social citizenship – solo mothers in the Swedish welfare model

Lena Wennberg^{*}

Introduction

The Swedish welfare model has been characterised by a comprehensive normative structure which is residence-based and gender-neutral. The system is founded on general principles of solidarity and public responsibility, rather than particular rights and individual interests. Today however, there is a movement from the substantial welfare regimes modelled on the nation-state to anti-discrimination and individual rights claims in the context of the EU. This change reveals certain areas of inconsistency between the notion of social rights in the context of the EU and in the context of the Swedish welfare state. A significant question is what consequences the development of social rights based on the liberal tradition of human rights instruments in Europe will have for social rights in the solidarity-based discourse in the Swedish welfare regime. Whether social rights are seen as human rights or as welfare state responsibilities makes a significant difference to the way that discrimination as a lack of equality is regarded.

In Sweden extensive welfare policies have given the impression of overall equality and social citizenship. The concept of ‘social citizenship’ is commonly used, not always explicitly but in substance, in analysing gender, equality, and welfare regimes (Gunnarsson, 2007; Hirschman and Liebert, 2001; Lister, 2003). The starting point in this paper is that the welfare system can degrade, improve and reflect gender inequality. From this point of view, gender equality needs to be seen as a question of substantive equality, that is, of becoming equal in the material sense. This means that gender equality cannot only be seen in the formal sense as a question of equal rights and protection against discrimination. A feminist evaluation of the

^{*} Senior Lecturer, Umeå University, Sweden

principle of gender equality therefore also needs to be linked to social rights and duties in the welfare state, including the distributive principles and participatory conditions which enable membership in a society.

The socially and financially disadvantaged situation of women who are living on their own with children has already been demonstrated empirically in various disciplines (Brodolino, 2007; Bradshaw et al., 1996; Duncan and Edwards, 1997, 1999; Gähler, 2001; Hobson and Takahashi, 1997; Hobson, 1994; Lewis, 1997; Sainsbury, 1996). Their situation reflects one aspect of the logic of separation that segregates and makes women's life experiences invisible in law (Svensson 1997, p. 53-69). These mothers appear as a category in policy discourse, most often as a problem or a risk group. They are shown to be overrepresented in poverty and unemployment traps. One side of the problem, which turns into a normative issue, is concerned with family identities, whilst another concerns women's dependency on social welfare support. Martha Fineman has addressed the role of patriarchal ideology in this process, whereby a characteristic typical of a group of welfare recipients has been selected and identified as constituting the cause as well as the effect of poverty. She discusses how the imaginary of welfare discourse remains laden with moral and normative judgements. These judgements are centred on stereotypical assumptions about single mothers in the context of poverty, corresponding to the popular and political classification of the poor as either 'deserving' or 'undeserving'. The mother is modified by her legal relationship, or lack thereof, with a male, and is classified by whether or not she is single, a fact that is positioned as both central and significant in the discourses (Fineman 1995, pp. 205-223).

Instead of terms such as 'single mothers', or 'single parents' that are mostly used gender-neutrally in demographic categorisations, 'solo mothers' is here used methodologically, as an analytical tool, to disturb the different discourses that over time have led to the Swedish welfare model as well as the present Europeanizing ones. Most 'single parents' are mothers, in that mothers in fact mostly have the primary everyday responsibility for the child.¹ From a legal view-point, parenthood and the maintenance obligations associated with family law are

¹ Of the roughly 500 000 children in Sweden who live separated from one of their parents, the majority live with their mother; 21 percent of children live alternately for an equal period with both parents and 10 percent live with the other parent for some of the time, see Statistics Sweden (SCB), *Demografiska rapporter 2007:2*, available at http://www.scb.se/statistik/publikationer/LE0102_2006A01_BR_BE51ST0704.pdf

primarily based on biological ties. However, welfare regimes tend to target family units whether or not these line up with the 'family' of family law. The result is a policy emphasis upon 'single' mothers (who are not in a relationship). If and when a single mother is partnered she becomes invisible to law and policy. Therefore, the term 'solo' mothers, rather than 'single' parents or 'single' mothers is used to identify women who have been or currently are single, irrespective of their reasons for being alone and regardless of new relationships. The kind of state support *solo* mothers receive can tell us something about the strength or weakness of the social rights of women with families. The more difficult and stigmatized solo motherhood is in society, the greater the barriers against opting out of a bad marriage or cohabitation (Hobson, 1994, p. 176). As an analytical concept, 'solo mothers' offers a tool for interrogating critically the manner in which gender equality and social rights discursively link to each other over time and thus shows how the social practices of gender are constructed, re-constructed, contested, and transformed in the Swedish welfare model in time and space. The term 'solo mothers' promotes the achievement of an alternative means of understanding gender equality beyond the dual-earner family and raises questions about gender and power relations emanating from a social context characterised by diversity and inequality.²

From patriarchy to gender neutrality in social and family law

Using the concept of solo mothers, how then can gender equality in relation to social rights be understood in a Swedish context? In order to answer this question, it is useful to look at the history of the Swedish welfare model. Seen over time, social law in the Swedish as well as in other Nordic welfare regimes gradually replaced a system of social security based on a patriarchal ideology, in which solo mothers and their children were constructed as problematic. The assumption that women were first and foremost provided for within marriage long had effects on the reality for the un-provided, of which unmarried mothers

² Based on feminist theory, the overarching purpose of the academic dissertation (Wennberg, 2008), which this paper is based on, was to reveal historical and context-dependent constructions of normality in social security law, and from that to elucidate gender and power relations and processes of exclusion in the Swedish welfare model. See also Wennberg, 2007.

were a part. This resulted in social exclusion and stigmatization and their having a hard time managing. In addition, their disadvantaged position was reinforced by their situation in a fundamentally sex-segregated labour market. This kind of logic of separation meant that solo mothers especially were at risk of becoming poor and, rather than being included in the first social insurance schemes more than a century ago, primarily had to rely on punitive poor relief. During this period, in the triangular drama between industrialism/capitalism, democracy and the gender system, antagonistic ideas about integration or segregation of the sexes played an intrinsic part. Thus, the growing conflict between the sexes created an ideological dilemma for women: whether to emphasise sameness or difference in relation to men. The conflict between the sexes came to be defined as a woman's issue that was transformed into a series of problems that the system could simply manage, without questioning the fundamental gender-based order in society. The underlying conflict between the sexes was made invisible and the vision of an overall equality was maintained. This pattern of dealing with gender was therefore a silenced ideology, and became the fundamental feature of the Swedish welfare state that subsequently developed. In this conflict, the tension between married and unmarried employees and housewives was significant (Hirdman 1990, pp. 82-83).³ Equality in marriage law was a means of reinforcing the institution of marriage (Melby et al., 2006, pp. 140 ff).

The concept of *folkhem* (literally, the home of the people), which refers to the Swedish welfare state, became the symbol of unified Social Democratic politics during the 1930s. Ideas articulated in relation to the 'population issue' expressed a modern vision of the family and justified social protection (SOU 1936:15).⁴ In contrast to the kind of patriarchal practices that characterised the earlier social order, in which the masters of employees in agricultural production were responsible for ensuring the needs of members of the household, social insurances, social assistance and social services developed in the welfare state, compensated

³ The theory of a 'gender system', elaborated by Yvonne Hirdman (1990) is explained as being patterned by two principles. First, the sexes are to be kept apart, and secondly, with the male norm as prime, the keeping apart of the sexes is a precondition for women's subordination. This subordination is, as explained in this theory, based on the notion of women and men as being fundamentally different to each other.

⁴ Alva and Gunnar Myrdal (1934, reprinted 1997) suggested in their most influential work of that time: *Kris i befolkningsfrågan* (The population crises) fundamental social policy reforms as a remedy, for in their view, the disorganised and outdated family.

for social disadvantages in an industrialized society through redistribution of wealth. To some extent solo mothers were recognized as being in need of social welfare protection. However, the measures were still characterised by moral conditioning and disciplinarianism.⁵

The ‘employment strategy’ is one significant aspect of the Swedish welfare model. It is essentially the assumption that paid work for women and men is the pre-condition for both social security and gender equality. This strategy, firmly established after the 1950s, was combined with collective responsibility, in solidarity, for ensuring the financial needs and care needs of the citizens. At the same time, the self-support principle, which was initially based on liberal ideas (Eek, 1954) was undergoing a transition. The self-support principle – the idea that people are responsible for their own support – was originally understood to require those of limited means to repay any poor relief provided to them, but it was subsequently tied into the assumption of universal employment and the system of social insurances.

The elaboration of family social legislation was also significant for the Swedish welfare state. The state was positively conceived to have duties in relation to its citizens, who were to be ensured a certain standard of living. Materially, the welfare state implied a very specific understanding of the rule of law. Material interests and social needs, rather than social protection and equality in the formal sense, were the focus and this ‘needs perspective’ characterises social practices in the Swedish welfare state. Social security law and social protection⁶ were constructed as the primary responsibility of the state to provide welfare benefits for all residents who lacked sufficient resources, e.g. for solo mothers and children. This ‘resource idea’ was discursively embedded in politics and law and resulted in a general welfare system.

⁵ Foucault (1979) explained how the art of governing in early modern Europe, was concerned with a particular way of guiding the behaviour of individuals and groups, e.g. the guidance of children, families, communities and individuals. He meant that the exercise of power in policy measures focused on individuals, and the technologies of power implied disciplinary power.

⁶ The concept of ‘social protection’ is commonly used as an overarching concept encompassing social insurance, social assistance and social security. The concept of ‘social security’ on the other hand is often seen to include two kinds of instruments: replacement income schemes and adjustment income schemes. A broader understanding of social security also includes prevention and rehabilitation measures. In the latter meaning of social security ‘loss of earnings’ as well as ‘loss of well-being’ issues are dealt with through ‘social security’(see Stendahl, 2003, p. 34)

The distinctive features that characterised the Swedish model up to the 1950s were based on the notion of a male labour market and a sex-segregated mode of thinking, implying full employment, equality and universalism, in fact merely for men. Up to the mid-1950s, social policies in Sweden were dominated by a bread-winner ideal that was part of a normative order based on a 'house-wife contract'. The second compromise in the Swedish model, encompassing the normative relation between women and the state and the unpaid domestic work performed by women that was a precondition for welfare reforms, started to change during the 1960s. Women's right to perform waged work was established and the care of children gradually came to be regarded as a societal responsibility. During the later part of this period reconstructing the notion of income security became increasingly dominant, paving the way for the conception of a dual bread-winner model.

Social security in the Swedish welfare state eventually came to be gender-neutrally constructed without the visualisation of particular needs, and to be based on the notion of a dual-earner and dual-carer family. Nonetheless, the general welfare system was key for the inclusion of solo mothers and their children. Through the construction of a general system of social security with individualised social security benefits and social services (e.g. in the form of publicly-financed day care) that enhanced women's labour-market participation in the 'woman-friendly' Swedish welfare state (Hernes 1987) it became possible for women to opt out of family dependence without stigmatization and without becoming poor. The Swedish model of social security provided general protection and made it possible for women to form households of their own.

The new type of social contract, a sexual or gender contract, was undeniably based on the individuality of women and men (Pylkkänen, 2009). However, a special feature of Swedish (and Nordic) legal culture is the notion that individual duties and responsibilities are more important than individual rights. Thus, social security in the Nordic welfare states has an individual base, in combination with a supportive community when needed, in contrast to other legal cultures which mainly emphasize the family as the maintaining and caring unit. The Nordic countries, characterised by their individual models of social security, have accordingly favoured women's waged work. Social rights oriented towards 'positive freedom', are thereby understood to have a potential to transform the private-public divide,

because they are based on a link between the private sphere and public participation. (Nousiainen, 2001, p. 34 ff).

Nevertheless, the strong notion of a dual-earner dual-carer family, in which equality is assumed to be attained through the parties in a nuclear family, concealed the structurally disadvantaged position of solo mothers. The benefit – waged work – for married or co-habiting mothers could also be seen as a loss: women were coercively constructed to become bread-winners. For solo mothers, who even earlier had primarily been supposed to be workers, this new freedom did not imply any far-reaching changes. In general, solo mothers fitted neither into previous nor into the new perception of maintenance relations within the family. Solo mothers must often fulfil dual roles as earners and caregivers and actually perform these twin tasks. This is not fully recognized in laws that were once based on the notion of a house-wife contact, and were later based on a dual earner dual carer family.

Constructions of normality in social security regulations in the welfare state still involved processes of exclusion and inclusion. In the 1950s gender constructs were still largely based on the traditional family model, giving rise to the notion of a male labour market and women's financial dependence on a husband. This also had an effect on the boundaries of social citizenship for solo mothers. The explanation of social law in the welfare state as being solidaristic (Ewald, 1986; Tuori, 2002, pp. 53-69) seems in general insensitive to women's life experiences, and especially to the life experiences of solo mothers. More particularly, it does not take into account women's dual role as caregivers and earners.

As a result of the 'resource idea' explained above – that is, that citizens who lack resources ought to be supported within the welfare system – this group of mothers has come to the attention of government investigatory works, in which their needs were recognized. In the 1970s and 1980s the widest possible social justice and equal living conditions for children living in various family forms was affirmed as the aim of social support (SOU 1983:51; Ds 1981:18).

The overall objectives of gender equality policies in the 1990s meant that women and men should have the same rights, the same responsibilities and opportunities in all essential areas of life. Essentially, this overall objective, among other objectives, came to mean equal distribution of power and influence; the same opportunity for women and men to be

financially independent; and the same responsibility for women and men to take care of the home and the children (Prop. 1993/94:147). Even if mothers living on their own with children are shown demographically to be a group with specific needs and living conditions, they have not been legally targeted as a group. This oversight could be seen as being rooted in a hidden value, a concept of a model family that has not been sufficiently systematically criticised and reflected upon. It may, however, also be argued that the justification for financial and care provision in the Swedish welfare state has in many respects implied the inclusion of solo mothers into the mainstream of society. The special needs of solo mothers were clearly recognised in policy discourse during the 1970s and 1980s and during this period of time solo mothers were supposed to be resourced by means of redistributive measures laid down in law. This resource idea, as will be shown below, is now being questioned in family and gender-equality politics, and in government investigatory works when preparing for future legal reform of the Swedish welfare model.

The Swedish welfare model in transition

These discourses, which have developed over several decades of the Swedish welfare model, make visible how solo mother's disadvantaged position is historically and culturally embedded in the welfare system. In the following part of the article, I take up the elaboration of the more current discourses on gender equality and social rights in the Swedish welfare state.

Initially, it needs to be stressed that current changes in welfare legislation take place in a legal and political context, in which national law is increasingly affected by international laws, and in which domestic power struggles, international politics and economic globalisation have a greater impact on legal regulation and on the discursive ways of representing social reality. Soft law measures in the EU include the commonly agreed objectives of combating social exclusion and discrimination, of promoting social justice and social protection, and of gender equality (Art. 3(3) EU Treaty) The strategy of mainstreaming gender (Art. 8 Treaty on the Functioning of the European Union) is an important mechanism for promoting these objectives. Overall, these soft law measures have an impact on the Swedish welfare model. EU governance extends into the Member States, not necessarily through social and family

policies as is conventionally understood, but rather in terms of shaping discourses and processes through subtle patterns of influence on, and the insinuation of, particular values, ways of thinking and agency. The human rights discourse in the EU, which emphasizes private autonomy within the conceived 'normal' family in order to eliminate dependence on public support, seems in fact to involve a formal understanding of gender equality. The idea of 'active citizenship' and the objective of 'active inclusion' (COM (2005) 706) in the EU seem to be based merely on economic and market interests in flexible labour. In general, this conception of citizenship is poorly adjusted to women's life experiences.⁷ In Sweden, the institutional roots of Swedish social security – how social security is organised and administered – and the assumptions underlying legal regulation and legal principles, have been brought into question as a result of these EU influences.

Making work pay

One impact of a more market-oriented discourse on the Swedish welfare system concerns the relationship of benefits to work. This has a gendered aspect, because the role of the transfer system differs for men and women. Female recipients of social assistance receive sickness insurance, pre-retirement insurance, parental insurance and housing allowance more often than men. On the other hand, men are more often compensated through unemployment insurance. Almost all the children living with parents born within the country and in receipt of long-term social assistance were children of 'single parents' (Socialstyrelsen, 2004). In order to satisfy the specific needs of women and men, and hence promote increased justice between the sexes, differences between men and women as groups need to be recognised, while at the same time such recognition implies a risk that these differences will be reconstituted and that gender stereotypes will be reinforced. Gender neutrality in law may have sex-based consequences.

The Nordic model, which sees work as the basis for the welfare of individuals and society, and in which income-related social insurance schemes are based on individually earned income, is now being compared to other welfare models. The relationship between efficiency

⁷ See Carin Ulander-Wänman in this edition.

and equality, with reference to the ‘capability approach’⁸, is seen as one of the cornerstones for the reform of social insurance. With support from economic theory, it has been argued that ‘the one who can earn the same without endeavour, or almost the same income in addition to having more time for leisure, will choose the path of least endeavour’ (SOU 2006:86, p. 30). It is therefore maintained that attitudes to work are of crucial importance since social insurance implies subsistence without personal work. Thus, legal regulations and the administration of insurance need to be based on a strong link to work: the stronger the link the more generous a system ought to be (SOU 2006:86, p. 40). The fact that individuals can now move freely within the EU, without losing their social rights is seen as one of the advantages in social insurance, but also demands adjustments in legal regulation so that states can maintain control of their systems (SOU 2006:86, p. 44).

So far the actions proposed in response to EU objectives have resulted in partial amendments to social insurance legislation. The number of days compensated for in the form of sickness cash benefit, which in Sweden was previously unlimited, is now limited – in principle to a period not exceeding one year, unless there are special reasons, e.g. sickness that demands long-term medical treatment. Making work pay was strongly emphasised in the rules for unemployment insurance that came into force in 2007. The fees payable for unemployment insurance were raised and qualifications for eligibility were made more stringent through extension of the required work period prior to unemployment. Unemployment insurance is now meant to protect against loss of income from permanent work. Students, therefore, can no longer qualify for this benefit. The Swedish Confederation for Professional Employees questioned whether the new rules were compatible with Council Directive 79/7/EEC (OJ 1979 L 6, pp. 24-25), especially Article 4 on equal treatment for men and women in matters of social security, and whether they discriminate against women as they, more often than men, work part-time. The Swedish Government defended the new regulation claiming that the amendments in unemployment insurance are legitimate in the light of current social and labour market policies which are aimed at the creation of new vacant jobs. The kind of social

⁸ In reshaping the European Union’s social and employment policies, the concept of capability, developed by Amartya Sen (1985; 1999) in a series of economic and philosophical texts, has come to the attention of legal thinkers and is seen as a cornerstone for social law. According to Deakin (2005) the capability approach sees one of the principal purposes of social legislation and social rights as encouraging the participation of individuals in the labour market.

exclusion that unemployment implies is, according to the Government, meant to decline as a consequence of the new rules. (Prop. 2006/07:15, p. 45 ff). Moreover, the pros and cons of introducing obligatory unemployment insurance, as opposed to insurance in current law that is based on membership in an unemployment fund, are also part of the debate (SOU 2008:54).

The freedom of choice in family policies

A second impact of EU discourse in welfare policy is a shift from redistribution to free choice. The previous objective in the political field of financial security for families and children was to level out and reduce financial difference between families with and without children. The new objective is to work towards improved conditions where all families with children achieve a good standard of living (Prop. 2007/08:1, p. 11). Emphasis is laid on the importance of free choice and flexibility in contrast to the previous objective, which was aimed at redistribution (Prop. 2007/08:91, p. 17).

One example that reflects the reform of family policy is the introduction of a rule that authorises the municipalities to subsidise domestic care for children, instead of placing the child in publicly financed childcare arrangements (SFS 2008:307). Moreover, the payment of a bonus to those parents who decide to divide parental leave more equally has been introduced: the more equal the division, the higher the bonus (SFS 2008:313).

In weighing the redistributive effects of family policies, the marginal effects of income-tested benefits, such as last resort maintenance support and housing allowance, are emphasised in government policy and seen as embodying a risk that people will become trapped in benefit dependency. The policy objective therefore lays stress on families' chances of achieving a good standard of living through choice rather than the redistributive outcome of family policies. Therefore, rather than impose a particular redistributive outcome on families, the government now believes that differential outcomes, including different financial outcomes, need to be accepted since these outcomes depend on the particular conditions of families and the choices which they make. Equality cannot, according to this view, be imposed. The relationship to work is seen as the starting point for family support, reflecting the main objective that families with children are to earn their incomes from waged work. It is also assumed that in the future, where a relationship has ended, maintenance for children will be

increasingly regulated by means of private agreements between parents (SOU 2011:51). Diversity in childcare, through increasing the variety of suppliers, is targeted as part of the main objective, including the introduction of a child-care sum that will finance the increase in private forms of childcare. Family policy is expressed as respecting each family's free choice and providing support (Prop. 2007/08:1, p. 11 ff) but not as steering choices in any particular direction.

Human rights and anti-discrimination

A third influence of the wider European discourse is in the area of human rights and anti-discrimination. In the past, Sweden has regarded the attainment of equality as something to be achieved through a strong welfare model, rather than through formal equality and anti-discrimination provisions. Now, however, Swedish scepticism with respect to statutory regulations in the area of anti-discrimination legislation is being re-evaluated. Today, the concept of anti-discrimination is not only reflected in labour law but is also addressed to societal fields outside working life, such as higher education, social welfare services, social insurance and unemployment insurance.

The Swedish Instrument of Government (SFS 1974:152) lays down an anti-discrimination clause (Chapter 1, Section 2) and this section also emphasises the state's responsibility to promote participation and equality in society. Public authorities are instructed to ensure equal opportunities for women and men, for instance by counteracting the gender-segregated labour market. Within this context, the new Discrimination Act (SFS 2008:567) replaces seven prior anti-discrimination laws in Sweden. The focus on individual needs which I described above, has in the past rendered discrimination based on a sex and gender perspective invisible in social welfare services. Favouring either men or women, when this is reasonable, for instance offering shelter to women exposed to violence, might have been seen to contravene a prohibition of discrimination. The new Act, however, ensuring more powerful protection against discrimination allows discrimination on the grounds of sex within the social services, if different treatment is motivated and justified. The same applies to health care.

Active citizenship and financial independence

A final example of the new ethos in the welfare system relates to the promotion of active citizenship. In contrast to the previous objective, which expressed the aim of attaining the same rights, responsibilities and opportunities in all essential areas of life for men and women, the new overall objective of equal opportunity politics expresses the view that women and men should have the same power to form society and their own life (Prop. 2005/06:155, p. 43 ff). The title of the report – *The Power to Shape Society and One's Own Life* – is meant to reflect the forward direction that is proposed for the future. The report indicates that despite national and international changes, which lead to displacement of power and responsibilities away from the centralised nation state towards both the regional and international levels of governance, the challenges involved in equal-opportunity policies will remain with the state. The conditions for work and subsistence, for having a family and being able to discharge one's *freedom and rights* as a *citizen* are said to be the central issues at stake. Although perspectives other than that of sex/gender have to be included in any analysis of equality policy, the order of the sexes is assumed to be the fundamental power order in each society (SOU 2005:66, p. 44-45).

A precondition for achieving the overall objective is said to be that the same rights, opportunities and responsibilities prevail in all areas of life. The objective is designed to express the Government's approval of equal opportunities in society, that is to say a society in which women and men collectively and individually have the same power to shape society and their own life. In the Government Bill (Prop. 2005/06:155) the continuation of equality of opportunity for women and men is emphasised, and it is expressed as being in need of following up as concerns various *groups*.

As part of this discussion, the concept of *active citizenship* has been explicitly introduced into Swedish discourse. In the first sub-objective which concentrates on *power and influence*, the conditions for decision-making are emphasized. In contrast to national citizenship the concept of active citizenship is seen to be better suited to expressing the inclusive and democratic idea that women and men should have the same opportunities to *participate* in the development of society. The second sub-objective is about equal financial opportunity as regards education and paid work for attaining *self-sufficiency* throughout life. The dual-earner dual-carer model,

which is a concept that has been used among gender researchers, is criticized for having its weak points, since the concept standardizes the notions of togetherness between two people and the nuclear family. In contrast to these notions, individual responsibility for subsistence and care for both men and women is emphasized (SOU 2005:66, p. 131).

The concept of *financial independence* has now been replaced with a concept that emphasizes *one's own independence* based on full-time work as normative for achieving the opportunity to become self-maintained and the opportunity to maintain one's children. The notion of *dependence as relational* is meant to be used only in the context of care relations, since everyone is seen as dependent on the care of others during various phases of life, that is, when we are children, fall ill or become old (Prop. 2005/06:155, p. 48; SOU 2005:66, pp. 131-132). The *dependence* on benefits, especially for 'single mothers', was given as one reason for introducing a tax reduction for this group (SOU 2005:66, pp. 142-145). This proposal, which was largely based on economic theory concerning the rationalization of human behaviour, was not, however, included in the Government Bill (Prop. 2005/06:155) and has not yet resulted in legal regulation. Nonetheless, this proposal was based on the supposed function of tax reduction in stimulating employment and to make work pay, that is, work should be more profitable than benefit dependence. Generous compensation and benefits might, according to the preparatory work, reduce incentives to work and thus produce poverty traps, in which single mothers are presently identified as an overrepresented group. The assumption is that this group of mothers is most sensitive to changes in the tax and transfer systems.

In the preparatory work for the new equal opportunity objectives the idea that poverty is being feminised in the Swedish context was rejected, without any definition whatsoever of the concept of poverty. At the same time, it was noted that the vulnerable situation of single mothers is derived from the objective of financial equality of opportunity for men and women. In reality, it is concluded in this report that women and men in Sweden both have the opportunity to combine waged work with care of children.

Social security for solo mothers in the context of active citizenship

As has been shown above, the active citizenship policies articulated today in Swedish policy discourse reflect international dialogue and common objectives and frameworks for social and economic change. The notions of social exclusion and of ‘active inclusion’ and a legalistic and formalistic understanding of gender equality are articulated in ways that could well mean new directions and principles in the normative structure of the Swedish welfare regime. This would have an effect on the constructions of normality in social law and on the boundaries of social citizenship in a Swedish context.

A strategy of targeting different groups of people, such as ‘single parents’, seems obvious in current equal opportunity policies. The need to reform social law now being articulated and the reforms now being prepared consider the capability approach, which is understood as constituting a cornerstone for future social law common to Member States of the EU (Deakin, 2005). Once again, the need to control the recipients of social benefits is significant and the perception of ‘benefit dependence’ underpins the idea that social exclusion is caused by an all too generous Swedish welfare model. European integration is not only reflected in the link between the labour market and social welfare but also in contemporary legal harmonisation exercises concerning family law in the Nordic countries and Europe. As Anu Pylkkänen points out, in a Nordic context, the liberal rights discourse in European family law is a novelty, more or less triggered by European integration (Pylkkänen, 2007).

Given the social conditions that have been proved to be characteristic of solo mothers – solo breadwinners in a sex-segregated labour market, and largely solo caregivers – this group, in spite of the vision of gender equality, risk being among the losers in a Swedish welfare model transformed according to the ideas now being articulated in policy discourse. The notion of active citizenship and social inclusion, as opposed to a passive dependence on welfare benefits and services, and hence social exclusion, are emphasized. While the rhetoric might seem to promote inclusion, however, the practicalities mean that it will be difficult for solo mothers to take advantage from the new regime. This shift in the use of concepts, from poverty to social exclusion, is not merely a change on a semantic level but also on a scientific and political level, indicating a shift from redistribution, to emphasising relational issues in social policies (Stendahl, 2003, p. 40).

In Swedish policy discourse, the starting point today for explaining social exclusion has largely come to be the abuse of social security and the assumption that social rights *per se* cause poverty, dependence and social exclusion. Strategies in legal regulation and in policies to strengthen the incentives to work, and for enforcing the freedom of choice in the perceived dual-earner/dual-carer family, reflect the kind of logic of separation that obscures the lived experiences of solo mothers.

As I have explained above, the new discourse about social welfare reflects a more work- and choice-oriented and less redistributive approach. The capabilities approach appears to concentrate on the notion of active security in the face of economic and social risks, social rights having the principal purpose of encouraging the participation of individuals in the labour market. Seen from the perspective of gender relations and the position of disadvantaged groups, the notion of active citizenship also requires new approaches to determine who comes within the scope of an inclusive and gender-equal social citizenship. In Sweden it is suggested that social insurance should become increasingly work-related. The legal principles which constitute the basis for national insurance, that is, solidarity and redistribution, are questioned in government investigatory works. The introduction of occupational insurance based on agreements between the parties on the labour market is being discussed. A definition of social insurance in line with this would mean the exclusion of groups of people, including solo mothers, who are not fully integrated into the labour market. Remembering the main features of the first social insurances established in Sweden more than a century ago, where insurance was only meant for those workers who acted correctly and that insurance had to be combined with strict control, it could well be questioned whether the new directions proposed for reform of social insurance could rather be characterised as *de-modernization* of the Swedish welfare model.

In a Swedish and Nordic context, the ideal of care has in the past referred to care for people who cannot manage without help. This political ideal has not been associated only, or even primarily, with the family, but also with public care provision. Public care services indeed have had de-familiarizing effects, and have been especially important for solo mothers in reconciling care responsibilities with their work, and hence for their social inclusion. The objectives in promoting private arrangements for care and free choice within the family, which is mostly conceived to be a nuclear family, are increasingly expressed in policy

discourse today. These new directions could well be characterised as *re-familiarization* of the Swedish welfare model.

The overarching aim of making work pay is expressed in policy discourse, and targeted groups, such as 'single mothers' or 'single parents' rather than the collective, are the centre of interest in preparatory works aimed at reforming the social security system. However, the aim of modernizing the welfare model while maintaining its core values is not strongly promoted, since gendered diversity and difference in citizenship are not sufficiently recognized. Rather than solidarity in a distributive welfare state, the talk is of subsidiarity on a horizontal level, that is, individual responsibility and private responsibilities in the family and in the household to ensure that needs are met.

Final words

A human-rights approach to social rights and gender equality raises the basic legal question of discriminatory practices and anti-discrimination laws. Extensive welfare policies, based on solidarity and public responsibility have, in Sweden, given the impression of a universal, overall equality. In Sweden, equality has been the basis for non-discrimination, rather than the existence of formal rights. Admittedly, it may still be claimed that equality of rights for women in Sweden start and end within the family, despite Sweden's reputation as the most gender-equal country in the world (Burman, Gunnarsson, Wennberg, 2004, p. 161; Gunnarsson, 2001, pp. 11-22). The solo-mother family is at risk of appearing to be a problematic and dependent family constellation and challenges dichotomies such as autonomy and dependency, private and public. Solo mothers are at once autonomous and dependent, and in a welfare setting which favours privatization of maintenance and care, as well as free choice in a dual-earner-dual-carer family, this group of mothers is at risk of being disadvantaged. Gender neutrality in law, based on the liberal notion of an active citizen being primarily a wage-earner, that does not recognise and acknowledge gendered difference and diversity among citizens, runs the risk of reproducing solo mothers as defective family formations and second-rate citizens. This group of mothers mostly exist, if they are recognised at all, as gender-neutral isolated analytic concepts, or just as modified by her legal relationship, or lack thereof with a (male) partner. Hence, this group of mothers is at risk of

being constructed as a dependent and defective family formation. Hegemonic gender and power relations are continuously constructed and re-constructed in this process.

As has been shown, discussions concerning the welfare of individuals today largely have a liberal profile: participation, independence, and free choice are discursively articulated in Swedish and European debates. Gendered inequality still involves a material component. Taken seriously, gender mainstreaming could be used strategically to unmask the gender-based structural phenomenon of exclusion. From a gender perspective, a theory of 'social citizenship' based on a principle of inclusion, would not only consider dependence on the market but would also be concerned with redistribution and material equality and the possibilities for women to live independently. Even when formal bodies of regulations are required to be sex-neutral in design, the outcome in social insurance and protection systems still contains gender differences that need to be recognized. In brief the equality of the results, that is, substantial equality, ought to be the key issue when sex-neutral regulations are applied in a reality that is systematically structured by gender.

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