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Recommended Citation

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<https://doi.org/10.17077/etd.rhbotyt3>

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GENDERING 'UNIVERSAL' HUMAN RIGHTS: INTERNATIONAL WOMEN'S
ACTIVISM, GENDER POLITICS AND THE EARLY COLD WAR, 1928-1952

by

Jo Ella Butterfield

An Abstract

Of a thesis submitted in partial fulfillment
of the requirements for the Doctor of
Philosophy degree in History
in the Graduate College of
The University of Iowa

December 2012

Thesis Supervisors: Associate Professor Johanna Schoen
Associate Professor Laura Gotkowitz

This dissertation analyzes how transnational feminist advocacy and ideas about gender shaped modern human rights doctrines that remain central to this day. After World War II, United Nations delegates drafted and adopted the Universal Declaration of Human Rights (UDHR). During this process, international feminist activists disagreed about how to incorporate women's long-standing rights claims into the emerging human rights framework. Fiery interwar debates about laws and standards that regulated female labor persisted, prompting influential U.S. feminists to oppose the inclusion of gender-specific rights. To challenge U.S. opposition, key delegates to the UN Commission on the Status of Women (CSW) forged an unofficial coalition. Despite the fact that these CSW delegates held competing ideas about gender and represented distinct national governments, they collectively crafted a significant but little-known women's human rights agenda and lobbied UDHR drafters to adopt it. Their proposals not only included political and civil rights, but also promoted particular economic and social rights for women as a group. They maintained, for instance, that child care and maternity leave should be obligations of the state. Indeed, the CSW insisted that recognition of their women's human rights agenda was essential to building a socially-just postwar order.

While Anglo-American women dominated interwar NGOs, the CSW showcased myriad international voices and won critical allies among liberal and conservative UN delegations by linking the advance of women's human rights to notions of modernity and democracy. As a result, the CSW made substantial political and civil rights gains, such as the guarantee of equal rights in marriage and divorce. Yet feminist delegates had to juggle their internationally-minded agenda with the interests they were to serve as national representatives. This task was further complicated by nascent Cold War politics and a growing anti-feminist backlash at the UN. In this context, UDHR drafters ultimately rejected the CSW's call for women's economic and social rights—a “social revolution” for women—in favor of the perceived stability of the “traditional” family. By the early 1950s, anti-communist pressures led the CSW to sever the pursuit of women's

rights from the developing human rights framework at the UN. Feminists' absence from the UN human rights debates over the next several decades removed a forceful challenge to U.S.-led efforts to privilege political and civil rights over economic and social rights, and fostered a tacit hierarchy of rights that persists to this day.

This dissertation places the CSW's competing vision of universal human rights at the center of the postwar human rights project, and expands our understanding of the history of international women's activism and human rights. By analyzing official UN records, delegates' papers and memoirs, and the records of governmental and non-governmental organizations, it reveals that postwar human rights advocacy was critically shaped by women's activism of the interwar period. Furthermore, this dissertation demonstrates that the CSW's demands for women's rights shaped the context from which the universal human rights framework emerged. Indeed, feminist activism and debates about the rights of women influenced UDHR drafters' views about human rights in ways that expanded, but also significantly curtailed postwar human rights standards. As a result, feminist activists continue to fight today for full recognition of women's rights as human rights.

Abstract Approved: _____
 Thesis Supervisor

 Title and Department

 Date

 Thesis Supervisor

 Title and Department

 Date

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Graduate College
The University of Iowa
Iowa City, Iowa

CERTIFICATE OF APPROVAL

PH.D. THESIS

This is to certify that the Ph.D. thesis of

Jo Ella Butterfield

has been approved by the Examining Committee
for the thesis requirement for the Doctor of Philosophy
degree in History at the December 2012 graduation.

Thesis Committee: _____
Johanna Schoen, Thesis Supervisor

Laura Gotkowitz, Thesis Supervisor

Michaela Hoenicke Moore

Michel Gobat

Paul Kramer

To the memory of Emily and Nicole and to my sister, Tara, for her remarkable contribution, beautiful spirit, and unwavering faith and friendship

ACKNOWLEDGMENTS

The journey—from start to finish—taken to bring this dissertation to conclusion has been a long but inspiring one. It would not have been possible without the aid of countless individuals and several institutions. The University of Iowa, Graduate College's Ballard Seashore Dissertation Writing Fellowship provided the financial support necessary to dedicate the time needed to complete the dissertation. I am indebted to the Arthur and Elizabeth Schlesinger Library, the Harry S. Truman Presidential Library, the Franklin and Eleanor Roosevelt Institute, and the Sophia B. Smith Library for the travel grants to conduct the research on which much of this dissertation is based. Support from the Stanley Foundation, the University of Iowa Departments of History and Gender, Women's and Sexuality Studies, and the UI Executive Council of Graduate and Professional Students enabled me to research at the National Library and Archives in Australia and the National Archives in the Dominican Republic. While archivists are often understood to be the gatekeepers of the treasures we seek, in each of these libraries and archives I found not border control but tour guides. I thank them all. My gratitude also goes to Brett Cloyd whose willingness to locate sources I truly appreciate and to Nancy Mashuda-Pohnl for her endless patience as I plowed through UN microfilm and repeatedly jammed the printer. Many offered shelter, fed, or assisted me during research trips. For this, I thank Ron LeClere, Matthew Butterfield, and Geraldo Peralta. I would like also to thank Sir Laurence Street and Kathy Roosevelt Ireland for granting me permission to cite the works of Jessie Street and Eleanor Roosevelt respectively. Their words help bring life to the pages that follow.

I am grateful for the faculty mentoring and the collegiality of my peers at the University of Iowa and beyond. My first debt is to the late Ken Cmiel who not only helped me to conceptualize the project, he believed in it and my ability to carry it off. I have received wise counsel from many UI faculty and staff, particularly from Connie

Berman, Cathy Komisaruk, Pat Goodwin, Colin Gordon, Greg Hamot, Paula Michaels, Leslie Schwalm, David Schoenbaum, Stephen Vlastos, Burns Weston and especially Lisa Heineman. I am grateful to the members of my committee, Michaela Hoenicke Moore, Michel Gobat and Paul Kramer for their thoughtful commentary on my dissertation. My deepest gratitude goes to my co-advisors Johanna Schoen and Laura Gotkowitz. They willingly read and commented on multiple drafts, pushed me to strengthen my analysis and to sharpen the prose. They provide brilliant models of graduate mentorship. I would also like to thank Carol Anderson and Tom Zeiler who facilitated the 2011 SHAFR summer institute on globalization and human rights, as well as my institute cohorts. They helped me to think more critically about both writing and teaching the history of human rights. I have been fortunate to have colleagues who assisted at various stages of the project. Thanks to Heather Cooper, Matthew Conn, Megan Threlkeld, Meghan Warner, Mandy Trevors, Denise Pate and especially Tracy Stuhr. My deep thanks and gratitude go to Anna Flaming, Colleen Kelley, Angela Keysor, and Susan Stanfield. Our writing group not only made the dissertation a better one, it helped keep me going when there seemed to be no end in sight.

Finally, I want to thank my family and friends. My mom and dad, Connie and Joe, have bolstered me with their love and eternal belief in my ability to achieve my goals. My smart nieces, Amber and Brianna, have brought sunshine to my life when things looked gloomy. My brother, Lindsey, and network of extended family have all have been supportive. Longtime Marion accomplices and many other dear friends have provided much needed stress relief. Sophie, Cece and Cady provided the joy of unconditional tail-wags. My sister, Tara, has permitted my crises to become her crises by taking vacation time to travel with me to numerous archives and by editing footnotes at the eleventh hour. Finally, I express my deep gratitude and affection to Doug Hansel who has contributed to my success and happiness in more ways than I could possibly count. Mostly, I am indebted to him for reminding me that there was more to life than the dissertation.

ABSTRACT

This dissertation analyzes how transnational feminist advocacy and ideas about gender shaped modern human rights doctrines that remain central to this day. After World War II, United Nations delegates drafted and adopted the Universal Declaration of Human Rights (UDHR). During this process, international feminist activists disagreed about how to incorporate women's long-standing rights claims into the emerging human rights framework. Fiery interwar debates about laws and standards that regulated female labor persisted, prompting influential U.S. feminists to oppose the inclusion of gender-specific rights. To challenge U.S. opposition, key delegates to the UN Commission on the Status of Women (CSW) forged an unofficial coalition. Despite the fact that these CSW delegates held competing ideas about gender and represented distinct national governments, they collectively crafted a significant but little-known women's human rights agenda and lobbied UDHR drafters to adopt it. Their proposals not only included political and civil rights, but also promoted particular economic and social rights for women as a group. They maintained, for instance, that child care and maternity leave should be obligations of the state. Indeed, the CSW insisted that recognition of their women's human rights agenda was essential to building a socially-just postwar order.

While Anglo-American women dominated interwar NGOs, the CSW showcased myriad international voices and won critical allies among liberal and conservative UN delegations by linking the advance of women's human rights to notions of modernity and democracy. As a result, the CSW made substantial political and civil rights gains, such as the guarantee of equal rights in marriage and divorce. Yet feminist delegates had to juggle their internationally-minded agenda with the interests they were to serve as national representatives. This task was further complicated by nascent Cold War politics and a growing anti-feminist backlash at the UN. In this context, UDHR drafters ultimately rejected the CSW's call for women's economic and social rights—a “social

revolution” for women—in favor of the perceived stability of the “traditional” family. By the early 1950s, anti-communist pressures led the CSW to sever the pursuit of women’s rights from the developing human rights framework at the UN. Feminists’ absence from the UN human rights debates over the next several decades removed a forceful challenge to U.S.-led efforts to privilege political and civil rights over economic and social rights, and fostered a tacit hierarchy of rights that persists to this day.

This dissertation places the CSW’s competing vision of universal human rights at the center of the postwar human rights project, and expands our understanding of the history of international women’s activism and human rights. By analyzing official UN records, delegates’ papers and memoirs, and the records of governmental and non-governmental organizations, it reveals that postwar human rights advocacy was critically shaped by women’s activism of the interwar period. Furthermore, this dissertation demonstrates that the CSW’s demands for women’s rights shaped the context from which the universal human rights framework emerged. Indeed, feminist activism and debates about the rights of women influenced UDHR drafters’ views about human rights in ways that expanded, but also significantly curtailed postwar human rights standards. As a result, feminist activists continue to fight today for full recognition of women’s rights as human rights.

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INTRODUCTION: AN ALTERNATIVE VISION OF 'UNIVERSAL' HUMAN RIGHTS

In 1942, columnist Alma Lutz asked readers of the National Woman's Party's *Equal Rights* publication: "Does the Atlantic Charter Apply to the Women of the World?" Lutz answered her rhetorical question by arguing that the Atlantic Charter must be *made* to apply to women.¹ Across the globe, activists like the young South African Nelson Mandela were demanding that the Atlantic Charter's promise of human rights apply to all people.² In her column, Lutz deliberately attached the women's rights struggle to the freedom calls of others. Issued jointly by U.S. President Franklin D. Roosevelt and British Prime Minister Winston Churchill, the 1941 Atlantic Charter was intended, in part, to distinguish the democratic Allies from the fascist Nazi regime. The Atlantic Charter declared that the Allies' aim was to "respect the right of all peoples to choose the form of government under which they will live." The assertion suggested the right of self-determination and thereby fueled demands for racial equality and

¹ Lutz was a veteran of the women's suffrage struggle in the United States. She contributed a regular column, "A Feminist Thinks it Over," to the National Woman's Party publication, *Equal Rights*. Alma Lutz, "Freedom for Women Throughout the World," (22 June 1942). The article was originally printed in *Equal Rights*, but like many of her wartime columns it was also reproduced and mailed to women's organizations in the form of a pamphlet. People's Mandate Committee Records, series B, box 13, folder "Miss Alma Lutz," Swarthmore Peace Collection, Swarthmore, PA. Hereafter People's Mandate Committee records.

² Nelson Mandela and African National Congress drafted its own Charter to link their struggle with the pronouncement of the Atlantic Charter and the Allies fight against racism and tyranny. Paul Gordon Lauren, *The Evolution of International Human Rights: Visions Seen, 3rd edition*, (Philadelphia: University of Pennsylvania Press, 2011), 141; Filipino General Carlos Romulo who, as a member of the UN Commission of Human Rights, helped draft the 1948 Universal Declaration of Human Rights "was thrilled to read the brave words" of Roosevelt and Churchill and "wondered only" if the Atlantic Charter also covered the Pacific. See Thomas Borstelmann, *The Cold War and the Color Line: American Race Relations in the Global Arena* (Cambridge: Harvard University Press, 2001). 29; Carol Anderson argues that, for African Americans, the Atlantic Charter was "revolutionary" as it appeared to be a "pledge" by Roosevelt and Churchill "to correct the injustices of the past and create a much more human world order." Anderson, *Eyes off the Prize: The United Nations and the African American Struggle for Human Rights, 1944-1955* (Cambridge: Cambridge University Press, 2003), 17. For the Atlantic Charter's significance generally see Elizabeth Borgwardt, *A New Deal for the World: America's Vision for Human Rights* (Cambridge: The Belknap Press of Harvard University Press, 2005), 1-86.

independence across the globe. The Atlantic Charter also built on President Roosevelt's earlier Four Freedoms speech by asserting "that *all the men* in all the lands" could live "in freedom from fear and want."³ Wartime proclamations of human rights promised a postwar order founded on fundamental freedoms and human dignity.

By attaching women's rights claims to the Atlantic Charter's promises, Lutz argued that discriminatory gender ideologies were not being adequately challenged. Japanese internment, discrimination against African American soldiers, and Nazi atrocities all exposed the dire consequences of doctrines based on racial superiority. Lutz, however, warned: "Women must not be so eager to help the yellow man, the black man, and the much persecuted Jew win equality and freedom that they forget the freedom of the *women of these groups* and *themselves*."⁴ She implied that a postwar expansion of rights would not come to women—of any race or ethnicity—without feminists' active engagement. Lutz argued that women could not expect that their wartime "work and sacrifice will be rewarded with freedom and full equality. It just does not happen that way." Instead she insisted that "freedom comes only to those who know it belongs to them, and expect and demand it."⁵ For Lutz, women's historical struggle to gain inclusion in doctrines that promulgated the "rights of man" demonstrated that fact.

With each wartime proclamation that guaranteed postwar rights and freedoms, many women's organizations demanded inclusion. Drawing on President Roosevelt's Four Freedoms, the U.S. National Women's Trade Union League published a pamphlet, entitled "The Four Freedoms of Women Workers." Just as President Roosevelt looked

³ President Franklin D. Roosevelt's State of the Union Address (6 January 1941) is commonly referred to as the Four Freedoms speech. He articulated freedom of speech and worship and freedom from fear and want as four fundamental freedoms. Emphasis added.

⁴ Alma Lutz, "Freedom for Women Throughout the World" (22 June 1942). People's Mandate Committee records, series B, box 13, Folder "Miss Alma Lutz." Emphasis added.

⁵ Ibid.

forward to a “world founded upon four essential human freedoms,” unionized women wanted a postwar order that recognized the “basic rights of working women.” They forwarded their call to international women’s organizations to spread the idea that human freedoms, including working women’s rights, should be incorporated into the principles of the postwar order.⁶ In 1942, the Allies announced the Declaration of the United Nations, which bound signatories to the Atlantic Charter’s principles. Signing the declaration became a prerequisite for United Nations membership at its founding in 1945. Responding to growing expectations that the new international organization formed at the war’s end would establish human rights guarantees, the Woman’s World Party (WWP) published a statement in the *New York Times*. The United Nations council had “declared their object to be freedom for the whole world.” As a result, these feminists insisted “that freedom for women is one freedom that could, and should, be established now, in the territory of the United Nations, without waiting for the conclusion of the war.”⁷ Like other activists, feminists actively demanded women’s inclusion in the emerging human rights pledge.

The story of Nelson Mandela’s long struggle for racial justice and of the import of racial ideologies in the postwar human rights project are well understood popularly and have received considerable attention from scholars. Yet we know surprisingly little about the role that feminist activists and ideas of gender played in forging the human rights standards that were drafted at the end of World War II. In 1945, the nascent United

⁶ National Women’s Trade Union League, “Four Freedoms for Women Workers.” The Council of Action for Equal Pay in Australia reprinted the pamphlet for distribution there. Jessie Street Papers, MS 2683/3/770, National Library of Australia, Canberra, Australia. Hereafter Street papers.

⁷ The WWP was an international organization founded by the U.S National Woman’s Party. “Women’s Party Urges Full World Equality: Delegates to Forward Demands to United Nations,” *New York Times* (10 May 1942), 37; “World Woman’s Party Demands of the United Nations Freedom and Equality for Women,” *Equal Rights* (May 1942), in People’s Mandate Committee records, series B, box 30, folder “World Woman’s Party.”

Nations negotiated the UN Charter and, in 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights. They are doctrines that serve as the foundation of modern human rights standards to this day.⁸

By placing women activists and ideas about gender at the center of this study, “Gendering ‘Universal’ Human Rights: International Feminist Activism, Gender Politics and the Early Cold War, 1928-1952” seeks to transform our understanding of postwar human rights doctrines. I argue that feminist activists and ideas about gender informed the human rights standards established by the United Nations Charter and the Universal Declaration of Human Rights (UDHR) in central ways. Feminist delegates to the United Nations made significant but little known contributions to the human rights doctrines. They challenged the distinction between public and private rights by demanding identical civil rights with men, particularly in marriage. In this case, they won not only equal rights in marriage, but also at its dissolution. In doing so they challenged the gender hierarchy of the traditional nuclear family. Yet, they also fought for—and won—the retention of the UN Charter’s promise of equal rights, the right of equal pay, and more inclusive language throughout the UDHR. They successfully opposed a push to define life as beginning at the moment of conception. CSW feminist delegates were not however successful in their bid to demand rights as mothers, such as state paid child care or maternity leave. These rights, feminists argued, were essential to mitigate the economic disadvantages women experienced as a result of their social responsibilities as mothers. Yet even where they failed to achieve their objectives, feminist pressure and debates about the rights of women shaped the human rights framework that emerged from the United Nations during the early years of the Cold War. Feminist lobbying

⁸ Louis Henkin has described the UDHR as “the holy writ to which all pay homage, even if sometimes the homage is hypocrisy.” “Human Rights: Ideology and Aspiration, Reality and Prospect,” in *Realizing Human Rights: Moving from Inspiration to Impact*, ed. Samantha Power and Graham Allison (New York: St. Martin's Press, 2000), 11.

forced UDHR drafters to confront ideas about gender by engaging in debates about women's social roles as mothers, power relations within marriage, and the relationship between the family and the state.

Feminist Activism and Human Rights History

“Gendering ‘Universal’ Human Rights” draws on and seeks to intervene in three different, yet related areas of study: histories of human rights; feminism and international feminist activism; and activist-based scholarship on women's human rights. The study of feminism and human rights share many commonalities as both histories can be studied in terms of the development of an *idea* and as *social movements*. The historiographies of each explore how ideas have shaped the politics of inclusion and exclusion and how these ideas, in turn, prompted movements that challenged exclusionary practices. The study of feminism, which examines ideas about gender by exploring the import of women's sameness and difference from men, has something to offer human rights scholars, who grapple with a system of human rights that purports to be “universal” yet must be applicable to particular times, locales, and cultural understandings. Histories of feminist activism and the role of gender ideologies remain, however, largely distinct from work on the postwar human rights project.

Until recently, most scholarship on feminists' international activism has focused on trans-Atlantic cooperation in the interwar era, especially by exploring women's agency at the League of Nations.⁹ Work on women's transnational activism, such as

⁹ I refer to nation to nation or regional women's activism as transnational. I use international when referring to bodies that incorporate a more global composition. During the interwar era this included parts of what we would today call the global South, with the prominent exception of the majority of African nations. The interwar scholarship, quite appropriately, ends most often in 1945 and only briefly mentions women's work at the United Nations, citing the Cold War as handing a death-blow to women's international activism. Leila Rupp, *Worlds of Women: The Making of the International Woman's Movement* (Princeton: Princeton University Press, 1997) is the standard bearer; Carol Miller, “Geneva - The Key to Equality”: Inter-war Feminists and the League of Nations” *Women's History Review* 3:2 (1994): 219-245; Nitza Berkowitz, *From Motherhood to Citizenship: Women's Rights and International Organizations* (Baltimore & London: Johns Hopkins University Press, 1999); Karen Offen, ed.,

analyses of women's inter-American cooperation, also emphasizes the interwar period. These studies demonstrate that transnational activism shaped and aided the legitimization of women's national agendas.¹⁰ Building on this scholarship, my work links the interwar with the largely understudied immediate postwar era during which United Nations' delegates negotiated and adopted international human rights standards.¹¹ It shows that activists' national and transnational interwar experiences profoundly shaped their post-World War II international women's human rights activism.

Globalizing Feminisms, 1789-1945, edited by Karen Offen (London & New York: Routledge Press, 2010). Bonnie Anderson, *Joyous Greetings: The First International Women's Movement, 1830-1860* (Oxford: Oxford University Press, 2000) looks at an earlier period and Karen Offen's *European Feminisms, 1700-1950* (Stanford: Stanford University Press, 2000) takes a longer view.

¹⁰ K. Lynn Stoner and Francesca Miller are pioneers in this work. See Stoner, "In Four Languages But with One Voice: Division and Solidarity within Pan American Feminism, 1923-1933" in *Beyond the Ideal: Pan Americanism in Inter-American Affairs*, edited by David Sheinin (Westport, CT: Greenwood Press, 2000), 79-94; Francesca Miller, "The International Relations of Women of the Americas, 1890-1928," *The Americas* 43: 2 (October 1986): 171-182; Francesca Miller, *Latin American Women and the Search for Social Justice* (Hanover & London: University Press of New England, 1991); Elizabeth Manley, "Poner Un Grano Arena: Gender and Women's Political Participation under Authoritarian Rule in the Dominican Republic, 1928-1978" (Ph.D. Dissertation, Tulane University, 2008); Megan Threlkeld, "'Women's Challenge to the World': U.S. Women's Internationalism and U.S. Mexico Relations, 1916-1939" (Ph.D. Dissertation, University of Iowa, 2008). For Pan-Pacific women's activism see Angela Woollacott's "Inventing Commonwealth and Pan-Pacific Feminisms: Australian Women's Internationalist Activism in the 1920s-30s," in *Globalizing Feminisms*. Other works explore the tensions between feminists in the metropole and colony. See for example, Margot Badran, *Feminists, Islam, and Nation: Gender and the Making of Modern Egypt* (Princeton: Princeton University Press, 1995).

¹¹ A handful of articles connect the interwar and postwar years. Christy Jo Snider, "The Influence of Transnational Peace Groups on U.S. Foreign Policy Decision-Makers During the 1930s: Incorporating NGOs into the UN" *Diplomatic History* 27: 3 (2003): 377-404 for the League setting a precedent to invite NGOs to the founding UN conference; Paula Pfeffer, "'A Whisper in the Assembly of Nations': United States Participation in the International Movement for Women's Rights from the League of Nations to the United Nations," *Women's Studies International Forum* 8:5 (1985): 459-471 for how U.S. rivalries shaped women's activism; Helen Laville, "A New Era in International Women's Rights?: American Women's Associations and the Establishment of the UN Commission on the Status of Women," *Journal of Women's History* 20:4 (2008): 34-56 argues that U.S. women's groups identified with their government more than they did international sisterhood; Marilyn Lake argues that the Commission on the Status of Women shifted to an equality-based argument from one rooted in self-determination at the League, "From Self Determination via Protection to Equality via Non-Discrimination: Defining Women's Rights at the League of Nations and the United Nations," in *Women's Rights and Human Rights: International Historical Perspectives*, Patricia Grimshaw, Katie Holmes & Marilyn Lake, eds. (New York: Palgrave, 2001), 254-271. Bonnie Smith, ed., *Global Feminism Since 1945: Rewriting History*, (London and New York: Routledge, 2000) explores postwar feminism around the globe, but situates feminists in their national contexts.

Scholars tracing the history of human rights have demonstrated that multiple factors, such as the 1930s global economic disaster, repugnance of racist and fascist ideologies that led to the horrors and humanitarian crisis of WWII, and decolonization and racial equality struggles all fostered a postwar commitment to establishing international human rights standards.¹² Some works credit United States-based ideas with promulgating a new vision of human rights while others specifically credit the pragmatism of Eleanor Roosevelt with shepherding the Universal Declaration of Human Rights to adoption.¹³ In contrast, and to highlight the universality of the UDHR, several

¹² Ken Cmiel made the call for more scholarly attention to history of human rights. Kenneth Cmiel, "The Recent History of Human Rights," *American Historical Review* 109:1 (February 2004): 117-135. Akira Iriye, Petra Goedde and William Hitchcock, eds., *The Human Rights Revolution: An International History* (New York: Oxford University Press, 2011). Roland Burke, *Decolonization and the Evolution of International Human Rights* (Philadelphia: University of Pennsylvania Press, 2010); A.W. Brian Simpson, *Human Rights and the End of Empire: Britain and the Genesis of the European Convention* (New York: Oxford University Press, 2004); Carol Anderson, *Eyes off the Prize*; Jean Quartaert, *Advocating Dignity: Human Rights Mobilizations in Global Politics* (Philadelphia: University of Pennsylvania Press, 2010); Roger Normand and Sarah Zaidi, *Human Rights at the UN: A Political History of Universal Justice* (Bloomington: University of Indiana Press, 2008); Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001); Lauren, *The Evolution of International Human Rights*; Micheline R. Ishay, *The History of Human Rights: From Ancient Times to the Era of Globalization* (Berkeley: University of California Press, 2004); Johannes Morsink: *The Universal Declaration of Human Rights: Origins, Drafting & Intent* (Philadelphia: University of Pennsylvania Press, 1999) and "World War Two and the Universal Declaration," *Human Rights Quarterly* 15 (1993): 357-406; "World War Two and the Universal Declaration," *Human Rights Quarterly* 15 (1993): 357-406; William Korey, *NGOs and the Universal Declaration of Human Rights: A Curious Grapevine* (New York: Palgrave, 1998); Ruth B. Russell, *A History of the United Nations Charter: The Role of the United States, 1940-1945* (Washington: Brookings Institute, 1958). Most of the monographs take a long view, citing religious, philosophical and political developments (such as socialism) as contributing to the idea that all human beings were equal in dignity and worth. For other works that emphasize the evolution of the human rights idea see Lynn Hunt, *Inventing Human Rights: A History* (New York: W.W. Norton & Co., 2007); Jeffrey N. Wasserstrom, et al., *Human Rights & Revolutions, 2nd edition* (Lanham: Rowman & Littlefield Publishers, Inc, 2007).

¹³ For a positive interpretation of the U.S. contributions see Borgwardt, *A New Deal for the World*; A. Glenn Mower, Jr., *The United States, the United Nations, and Human Rights: The Eleanor Roosevelt and Jimmy Carter Eras* (Westport: Greenwood Press, 1979); Jason Berger, *A New Deal for the World: Eleanor Roosevelt and American Foreign Policy* (New York: Columbia University Press, 1981); J.H. Burgers, "The Road to San Francisco: The Revival of the Human Rights Idea in the Twentieth Century," *Human Rights Quarterly* 14(1992): 447-77; Blanche Wiesen Cook, "Eleanor Roosevelt and Human Rights: the Battle for Peace and Planetary Decency," in *Women and American Foreign Policy: Lobbyists, Critics, and Insiders*, ed. Edward Crapol (New York: Greenwood Press, 1987); Blanche Wiesen Cook, "'Turn Toward Peace:' E.R. and Foreign Affairs," in *Without Precedent: The Life and Career of Eleanor Roosevelt*, edited by Joan Lightman and Marjorie Hoff-Wilson (Bloomington: Indiana University

other works stress the agency of non-U.S. actors, particularly Lebanon's Charles Malik, René Cassin of France, Peng-chun Chang from China and the Chilean Hernán Santa Cruz.¹⁴ Thus, most histories credit the triumph of liberal internationalism and many of these emphasize the primacy of America's human rights vision. Recently, however, others have suggested that conservative objectives, such as the imperial powers' drive to subvert minority rights, propelled the project. More provocatively, one scholar argues that the UDHR drafting process is irrelevant to the history of human rights.¹⁵ Yet, despite differing perspectives, all of these works demonstrate that the ideological Cold War between the United States and the Soviet Union was a critical factor in shaping the postwar human rights project, including the text of the UDHR and the superpowers' wavering commitment to international enforcement.¹⁶ While these are important

Press, 1984); M. Glen Johnson, "The Contributions of Eleanor and Franklin Roosevelt to the Development of International Protection for Human Rights," *Human Rights Quarterly* 9:1 (February 1987): 19-49. For more skeptical approaches see Kirsten Sellers, *The Rise and Rise of Human Rights* (Thrupp, United Kingdom: Sutton Publishing Limited, 2002); Michael Ignatieff, ed., *American Exceptionalism and Human Rights* (Princeton: Princeton University Press, 2005); Tony Evans, *U.S. Hegemony and the Project of Universal Human Rights* (New York: St. Martin's Press, 1996).

¹⁴ Glenda Sluga, "René Cassin: Les droits de l'homme and the Universality of Human Rights, 1945-1966," in *Human Rights in the Twentieth Century*, edited by Stephen Ludwig Hoffman (Cambridge: Cambridge University Press, 2011), 107-124; Paolo G. Carroza, "From Conquests to Constitutions: Retrieving a Latin American Tradition of the Idea of Human Rights," *Human Rights Quarterly* 25:2 (2003): 281-313; Mary Ann Glendon, "The Forgotten Crucible: The Latin American Influence on the Universal Human Rights Idea," *Harvard Human Rights Journal* 16 (2003): 27-39; Susan Waltz, "Universalizing Human Rights: The Role of Small States in the Construction of the Universal Declaration of Human Rights," *Human Rights Quarterly* 23 (2001): 44-72; Habib C. Malik, ed., *The Challenge of Human Rights: Charles Malik and the Universal Declaration* (Oxford: Charles Malik Foundation, 2000); Glendon, *A World Made New*; Lauren, *The Evolution of International Human Rights*; Morsink, *The Universal Declaration of Human Rights*; Ishay, *The History of Human Rights*.

¹⁵ Mark Mazower, *No Enchanted Palace: The End of Empire and the Ideological Origins of the United Nations* (Princeton: Princeton University Press, 2009); Mazower, "The Strange Triumph of Human Rights, 1933-1950," *The Historical Journal* 47:2 (2004): 379-398. Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge: the Belknap Press of Harvard University, 2010); Moyn, "The First Historian of Human Rights," *American Historical Review* 16:1 (February 2011): 58-79.

¹⁶ Because of this—and the concomitant fact that few NGOs dedicated specifically to advancing international human rights developed during the early Cold War—it has been suggested that the postwar creation of international human rights standards is not a significant moment in the history of human rights. Instead the 1970s, with the collapse of the Cold War consensus, the success of anti-colonial struggles, and

insights upon which my work builds, the existing scholarship largely overlooks the key role that both feminist activists and ideas of gender played in the creation of modern human rights standards.¹⁷ Exploring the activism of feminist delegates and interrogating

the development of specifically dedicated human rights NGOs, are identified as the more apt “origins” of the explosion of the post-Cold War human rights movement. It is my contention that we must take care not to conflate the related, but distinct, development of the human rights *idea* and human rights *movements*. The 1970s were most certainly an important moment in the history of human rights. The movements that developed in the 70s, such as Helsinki Watch, were the precursors to the organizations we know today. Indeed, Helsinki Watch became Human Rights Watch. Nonetheless, the 1970s human rights movements grounded their claims on the human rights doctrines of the 1940s. It would be difficult to tell the story of 1970s human rights without acknowledging the role that international human rights standards created in the 1940s played both in terms of what human rights were and to whom they belonged. Furthermore, while the drafters of international human rights standards in the 1940s believed that some form of “enforcement” was desirable, with very few exceptions, 1940s policymakers never considered international enforcement in the form of direct intervention. The most dramatic proposals, at the time, centered on an International Court to “arbitrate” human rights violations or expulsion from the United Nations. More widely, policymakers held that international enforcement should center on insuring domestic reciprocity legislatively and possible international censure. For the UN Commission on Human Rights list of potential implementation schemes see UN Doc. E/C.4/21 (25 June 1947). For Helsinki see Sara Snyder, *Human Rights Activism and the End of the Cold War* (New York: Cambridge University Press, 2001).

¹⁷ The role of gender in the formation of foreign policy has received considerable attention. For the standard call to use gender as a category of analysis see Joan Wallach Scott, *Gender and the Politics of History, Revised Edition* (New York: Columbia University Press, 1999, c. 1986); For foreign policy specifically see, for example, Kristin L. Hoganson, *Fighting for American Manhood: How Gender Politics Provoked the Spanish American and Philippine-American Wars* (New Haven: Yale University Press, 1998); Emily Rosenberg, “Consuming Women: Images of Americanization in the ‘American Century’,” *Diplomatic History* 99:3 (1999): 479-98; Rosenberg, “Gender,” *Journal of American History* 77:1 (1990): 116-24. Frank Costigliola, “‘Unceasing Pressure for Penetration’: Gender, Pathology, and Emotion in George Kennan’s Formation of the Cold War,” *Journal of American History* 83:4 (1997): 1309-39. There are several articles that describe women’s activities at the San Francisco conference and their subsequent work on the UN Commission on the Status of Women. They typically either treat the UN Commission on the Status of Women (CSW) as an uncomplicated monolithic group or explore the agency of an individual. Morsink’s legislative review of the drafting process, *The Universal Declaration of Human Rights*, 116-129; Johannes Morsink, “Women’s Rights in the Universal Declaration,” *Human Rights Quarterly* 13 (May, 1991), 229-56; Glendon, *A World Made New*, 112; Arvonne S. Fraser, “Becoming Human: The Origins and Development of Women’s Human Rights,” in *Women, Gender and Human Rights: A Global Perspective*, ed. Marjorie Agosin (New Brunswick, NJ: Rutgers 2001), 15-64; Felice D. Gaer, “And Never the Twain Shall Meet? The Struggle to Establish Women’s Rights as International Human Rights,” in *The International Human Rights of Women: Instruments of Change*, ed. Carol Elizabeth Lockwood, Daniel Barstow Magraw, Margaret Faith Spring, and S.I. Strong (Washington D.C.: American Bar Association, Section of International Law and Practice, 1998), 7-11; Margaret Galey, “Women Find a Place” and “Forerunners in Women’s Quest for Partnership,” both in *Women, Politics and the United Nations*, ed. Anne Winslow (Westport, CT: Greenwood Press, 1995), 1-27; Torild Skard, “Getting Our History Right: How Were the Equal Rights of Women and Men Included in the Charter of the United Nations?,” *Forum for Development Studies* 1 (June 2008): 37-60; Leonore Coltheart, “Citizens of the World: Jessie Street and International Feminism,” *Hecate* 31:1 (2005): 182-195. Midtgaard, Kristine. “Bodil Begtrup and the Universal Declaration of Human Rights: Individual Agency, Transnationalism and Intergovernmentalism in

the role of gender ideologies demonstrates that both liberal-minded internationalists and agents of conservative interests, indeed, even a dictatorial regime, used the human rights project to promote disparate agendas.

In contrast, and paying particular attention to gender, feminist activist and legal scholarship has critiqued the absence of women's human rights from mainstream human rights projects. Working in the 1990s to forge a "women's rights are human rights" international agenda, scholars and activists argued that "existing human rights mechanisms" failed to guarantee women's human rights.¹⁸ Activists and scholars have demonstrated that a significant contributing factor to this failure is the existence of a public/private distinction in the recognition of human rights, which is fostered by a tacit hierarchy that privileges political and civil over economic and social rights.¹⁹ Hence the

early UN Human Rights," *Scandinavian Journal of History* 36:4 (September 2011): 479-99; Doris H. Linder, "Equality for Women: The Contributions of Scandinavian Women at the United Nations 1946-66," *Scandinavian Studies* 73:2 (Summer 2001):166-208; Allida Black, "Are Women 'Human?': The UN and the Struggle to Recognize Women's Rights as Human Rights," in *The Human Rights Revolution: An International History*, Akira Iriye, Petra Goedde and William Hitchcock, eds. (New York: Oxford University Press, 2011), 133-155; Marilyn Lake's work, "From Self Determination via Protection to Equality via Non-Discrimination: Defining Women's Rights at the League of Nations and the United Nations," is an exception to the other largely descriptive treatment. Lake acknowledges that the "equality-based" arguments did not mean identical treatment. Nonetheless, she suggests that the UN conceptualized citizenship as masculine and "rebuffed" women's claims. My work builds on Lake's insightful article, complicating the narrative by demonstrating the significance of women's national, transnational and international activism and by explicating the role of gender politics in shaping both the women's agenda and the outcome at the United Nations.

¹⁸ Charlotte Bunch and Niamh Reilly, *Demanding Accountability: The Global Campaign and Vienna Tribunal for Women's Human Rights* (Rutgers University: Center for Women's Global Leadership and New York: United Nations Development Fund for Women, 1994), 15; Charlotte Bunch, "Women's Rights as Human Rights: Toward a Re-Vision of Human Rights," *Human Rights Quarterly* 12 (November 1990): 486-498. Other standards include Rebecca J. Cook, ed., *Human Rights of Women: National and International Perspectives* (Philadelphia: University of Pennsylvania Press, 1994); Julie Wolpers and Andrea Peters, eds., *Women's Rights, Human Rights: International Feminist Perspectives* (New York: Routledge, 1995).

¹⁹ Niamh Reilly, *Women's Human Rights: Seeking Gender Justice in a Globalizing Age* (Malden, MA: Polity Press, 2009), 32-34; Hilary Charlesworth, "What are 'Women's International Human Rights'?" 58-86; Celina Romany, "State Responsibility Goes Private: A Feminist Critique of the Public/Private Distinction in International Human Rights Law," both in *Human Rights of Women: National and International Perspectives*, 85-115; Donna Sullivan, "The Public/Private Distinction in International

international community often acknowledges state—or public—abuses of human rights, such as the imprisonment of political dissenters, but often ignores violations perpetrated by non-state actors in so-called “private” spaces like the home or businesses.

Demonstrating the interdependence of human rights, scholars argue that to deny one type of right places the attainment of all other rights at risk. While the political and civil rights of women are often less secure than men’s, the most egregious disparity rests with women’s social and economic rights, which in turn makes them more vulnerable to a host of other violations.²⁰ This state of affairs emanates most profoundly from the fact that females continue to be less valued than males. Furthermore, the “prevalence of value systems” that prioritizes women’s social responsibility as resting on the uncompensated labor of child-rearing perpetuates the de-valuation of women.²¹ On a global level, more women live in poverty, have less access to education and medical care, and are more likely to be the victims of violent—often sexualized—crime in both wartime and peace.²²

By identifying ways in which the international community has failed to address the human rights of women, feminist and activist scholarship has played an important part in placing women’s human rights in the global spotlight and contributed to significant advancements in recognizing the often gender-specific nature of human rights

Human Rights Law," in *Women's Rights, Human Rights: International Feminist Perspectives*, 126-134; Bunch and Reilly, *Demanding Accountability*, 63-64.

²⁰ Anne Firth Murray, *From Outrage to Courage: Women Taking Action for Health and Justice* (Monroe, ME: Common Courage Press, 2008); Bunch and Reilly, *Demanding Accountability*.

²¹ Charlotte Bunch and Niamh Reilly, *Demanding Accountability*, 64. For the consequences of male preference see Amartya Sen, “More Than 100 Million Women Are Missing,” *The New York Review of Books* 37: 20 (December 20, 1990).

²² Nicholas D. Kristoff and Sheryl WuDunn, *Half the Sky: Turning Oppression into Opportunity for Women Worldwide* (New York: Alfred A. Knopf, 2009); Anne Firth Murray, *From Outrage to Courage*; Rhonda Copelon, “Recognizing the Egregious in the Everyday: Domestic Violence as Torture,” *Columbia Human Rights Law Review* 25 (1994): 291-367.

violations. For example, the Rome Statute of the International Criminal Court explicitly identifies conflict-rape as a crime against humanity. Likewise, gender-based persecution has been recognized in asylum cases, and domestic violence has been reconceptualized as torture.²³ Furthermore, the work of activists and legal scholars has contributed to an understanding that women's human rights must be "mainstreamed" into the larger international system of human rights.

In evaluating the utility of existing human rights mechanisms, most of the "women's rights are human rights" scholarship that examines the UDHR focuses on language. Some scholars single out the "sexist" nature of the UDHR's language.²⁴ Others point to the preamble's inclusion of "equal rights" and conclude that a liberal ideology underpinned the doctrine.²⁵ In other words, these scholars assert that the

²³ Some argued that conflict rape was implicitly a crime against humanity in the Geneva conventions, but as Rhonda Copelon argues the prohibitions were not about protecting the human rights of women, they were conceptualized as crimes against male honor. Rhonda Copelon, "Toward Accountability for Violence Against Women in War," in *Sexual Violence in Conflict Zones: From the Ancient World to the Era of Human Rights*, edited by Elizabeth Heineman (Philadelphia: University of Pennsylvania Press, 2011), 235; Rhonda Copelon, "Gender Crimes as War Crimes: Integrating Crimes against Women into International Criminal Law," *McGill Law Journal* 46 (2000): 217-240; Eduardo Arboleda, United Nations High Commissioner for Refugee, Regional Representative to John Ashcroft, U.S. Attorney General (January 9, 2004). RE: Matter of Rodi Alvarado Peña (A73 753 922). *Advisory opinion on international norms: Gender: Related persecution and relevance to 'Membership of a Particular Social Group' and 'Political Opinion'*; Rhonda Copelon, "Recognizing the Egregious in the Everyday: Domestic Violence as Torture," 25 (1994): 291-367.

²⁴ Morsink, *The Universal Declaration of Human Rights*, 120; Helen Bequaert Holmes, "A Feminist Analysis of the Universal Declaration of Human Rights," in *Beyond Domination*, edited by Carol Gould (Totowa, NJ: Rowman and Allanheld, 1983), 250-64. Reilly, *Women's Human Rights*, in the brief section on the CSW points out that given the legal disadvantages married women faced and the number of women still without political rights it is no wonder that the CSW focused on women's political and civil rights and had "blind-spots" when it came to women's economic and social rights, 50.

²⁵ Laura Parisi, "Feminist Praxis and Human Rights," *Journal of Human Rights* 1:4 (December 2002): 571-585; Hilary Charlesworth, "Human Rights as Men's Rights," in *Women's Rights, Human Rights: International Feminist Perspectives*, 103-113. Most of this scholarship, however, bypasses the UDHR entirely and looks to the 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) as women's first challenge to the primacy of political and civil rights. Niamh Reilly, *Women's Human Rights*, 45. The entire volume of the landmark *Human Rights of Women: National and International Perspectives*, edited by Rebecca Cook, takes CEDAW as the starting point of women's human rights. Yet scholars debate whether this explicitly gender-based mechanism replicates a liberal feminist tradition or whether it more adequately acknowledges difference rooted in gender-based

UDHR advanced identical rights for men and women and ignored women's gender-specific rights claims. Instead, these scholars locate the earliest possible origins of a UN women's human rights agenda with the 1979 adoption of the Convention on the Elimination of All forms of Discrimination Against Women.²⁶ But this version UN women's human rights activism does not take into account the gendered history of the UDHR drafting process or the intellectual framework of the 1940s feminist activists who sought to shape the UDHR's rights guarantees. In doing so, this study reveals the development of a short-lived, but significant effort to promote postwar women's human rights agenda. It was a struggle that engendered a lasting legacy.

Feminist delegates to the UN Commission on the Status of Women (CSW) forged a coalition to advance an alternative vision of universal human rights. Their vision promoted identical and political and civil rights for men and women as individuals, yet it also advanced particular economic and social rights for women as a group. In short, feminist delegates crafted an understanding of universal rights that did not, by definition, exclude particular rights for women. Unlike mainstream U.S. feminists, the coalition of CSW delegates did not believe that demanding equal rights or equality necessitated identical treatment. Indeed CSW delegates premised their rights demands on the UN Charter's promise of equal rights. In doing so, they rejected the largely Anglo-American

experiences and thereby better serves the guarantee of women's human rights. For one view see Natalie Hevener Kaufman and Stephanie A. Lindquist, "Critiquing Gender Neutral Treaty Language: The Convention on the Elimination of All Forms Against Women," in *Women's Rights, Human Rights: International Feminist Perspectives*. For an alternative view see Niamh Reilly, *Women's Human Rights*, 44-68.

²⁶ Recently scholars have turned their attention to the "re-birth" of women's international activism of the 1970s, largely identified with the UN Decade for Women, which was highlighted by the 1975 UN Conference of Women held in Mexico City. See Jocelyn Olcott, "Cold War Conflicts and Cheap Cabaret: Performing Politics at the 1975 United Nations International Women's Year Conference in Mexico City," *Gender and History* 22:3 (November, 2010): 733-754 and "Globalizing Sisterhood: International Women's Year and the Limits of Identity Politics," in *Shock of the Global: The 1970s in Perspective*, edited by Niall Ferguson, Charles Maier, Erez Manela, and Daniel Sargent (Cambridge: Harvard University Press, 2010).

idea that equality meant that men and women would be treated identically.²⁷ Feminist delegates to the UN—who rose to positions of prominence during the interwar era in transnational and international venues—did not hold a dichotomous view about the language of equality. They argued that rights claims based on women’s civil and political citizenship were not the same as those they needed to enjoy the status of full social and economic citizens. While the liberal democratic project has historically relied on the individual’s relationship to the state, 1940s feminist activists recognized that the boundaries between the so-called public and private spheres were blurry at best. As a result, the CSW delegates not only argued for identical civil and political rights *as individuals*, they insisted on particular economic and social rights *as women*.

Despite the fact that UN feminist activists largely rejected this dichotomized view, scholars continue to conceptualize women’s deployment of arguments made simultaneously in the name of sameness and difference as paradoxical. Intellectual and political histories of feminism and feminist activism inevitably explore the *equality* versus *difference* “paradox.”²⁸ For decades historians have reproduced the problematic

²⁷ In their introductory essay, “Why Feminisms and Internationalisms” to *Gender & History* 10:3 (November 1998), Mrinalini Sinha, Donna Guy and Angela Wollocott argue that the study of feminist internationalism has the power to challenge the “West as our default frame of reference for internationalism,” 351. Scholars exploring feminists outside the hegemonic tendencies of Anglo-American feminism (and the histories that explore it) have demonstrated that feminists consistently employed arguments based on sameness and difference. European feminists, especially those from Scandinavia have historically employed “relational” arguments, which draw simultaneously on difference and sameness. Karen Offen makes this point regarding much of European feminism, particularly Scandinavian countries, *European Feminisms*, 15. Offen challenges Scott for imposing the 20th century “equality” versus “difference” debate on a period when women did not understand their difference to be paradoxical, but instead “relational.” Asunción Lavrín, *Women, Feminism and Social Change in Argentina, Chile, and Uruguay, 1890-1940*, (Lincoln: University of Nebraska Press, 1995) discusses the idea that different treatment is necessary for equality in terms of “compensatory feminism,” 5.

²⁸ The citations offered on the history of feminism and feminist activism are intended to be representational of dominant arguments and historiographical trends globally; they do not purport to be inclusive. Primarily intellectual histories, such as Joan Scott’s *Only Paradoxes to Offer: French Feminists and the Rights of Man* (Cambridge: Harvard University Press, 1996) and Louise Newman’s, *White Women’s Rights: The Racial Origins of Feminism in the United States* (New York: Oxford University Press, 1999) explore how discourse shapes the women’s rights struggle; women make choices regarding their relationship to men based on a historically contingent framework of ideas, these choices can both

equality versus difference dichotomy by relying on the intellectual framework of Anglo-American feminists.²⁹ During the UDHR drafting debates feminists from around the globe engaged in prolific debates about what equality meant. Thus, by de-centering Anglo-American feminists and by reframing the contest in the terms 1940s CSW

reinforce the ideological framework or they can challenge it in the hope of ultimately reshaping it. In contrast, histories that are predominantly political, like Karen Offen's *European Feminisms 1700-1950: A Political History* (Stanford: Stanford University Press, 2000) or Karin Roseblatt's *Gendered Compromises: Political Cultures and the State in Chile, 1920-1950* (Chapel Hill: University of North Carolina Press, 2000) explore how women maneuver within movements to achieve rights and equality (political, civil, social, and economic) within specific historical moments. These particular histories also deftly demonstrate that how women conceptualize gender relations (sameness or difference) and evaluate their strategic options informs the decisions that activists make. Karen Offen uses the category "relational" to make the argument that difference and equality is a false dichotomy, but she does not further distinguish between different types of "relational" feminisms, *European Feminisms*, 21-22.

²⁹ The perpetuation of the false dichotomy led to feminist histories that argued that the only "true feminists" in the United States were the small contingent of National Woman's Party activists who promoted "equality" between men and women. See Susan Becker, *The Origins of the Equal Rights Amendment: American Feminism Between the Wars* (Westport, CT: Greenwood Press, 1981); Leila Rupp and Verta Taylor also emphasize the NWP contingent in their work, *Survival in the Doldrums: The American Women's Rights Movement, 1945-1960* (New York: Oxford University Press, 1987). The dichotomy has also been extended to non-U.S. contexts. In *Only Paradoxes to Offer* Joan Scott explores French feminists rights claims and argues that republican ideals of democracy depend on an "abstract" individual in order to create the idea that all men were equal before the law and a "unique" individual to distinguish one person from another. Naturalizing "sexual difference" allowed men to be simultaneously abstract individuals (with universal rights) and unique (distinct from women). Other scholars have explored how women employed their "difference" from other racial or social groups to demonstrate their similarities to men of the same social class or racial group in making claim to the rights of citizenship. Scholars exploring this approach also find an unresolvable paradox. Scott's work theorizes the "paradox" that Nancy Cott, *Grounding of Modern Feminism*, argues underpinned modern feminism and feminist activism. Karin Roseblatt, *Gendered Compromises* argues that class played a significant role in how women constructed their gender relations to men during the popular front period. As a result, feminists' attempt to build a cross class alliance threw them into a paradox, arguing for sameness and difference simultaneously. Somewhat differently, K. Lynn Stoner *From the House to the Streets: The Cuban Women's Movement for Legal Reform 1898-1940* (Durham: Duke University Press, 1997) argues that Cuban women were able to "assimilate dualities," such as "equality and separateness without the attendant blow to linear logic." Stoner addresses Cuban women's ability to manage "dualities," which she argues advantaged Cuban women over their U.S. counterparts, because she recognizes that the hegemonic tendency to identify fault in the "logic" of using sameness and difference simultaneously, 5. Dorothy Sue Cobble, *The Other Women's Movement* and Louise Newman's *White Women's Rights* are notable exceptions to the paradox trend in U.S. history. Newman argues that women made these arguments simultaneously because they believed that they were the same as white men (race-based) and also fundamentally different from white men (sex-based). Taken in the historical context of emerging social evolutionary theory, Christian benevolence, and progressivism these simultaneous assertions were not contradictory claims that created any "tensions" or paradoxes, 17-19.

feminists employed we disrupt the “equality” versus “difference” historical narrative.³⁰ This approach also reveals significant parallels between how both human rights and feminist activists conceptualize the limits and possibilities of using the language of universality and equality in their struggles.

An Alternative Vision of Universal Human Rights

The founding of the United Nations presented feminist activists with an opportunity to press their long-standing women’s rights demands in a new arena. For two months in the spring of 1945, the Allied-partner nations negotiated and adopted the United Nations Charter, which established the principles, purposes, and rules of governance for the new organization.³¹ During the drafting process, feminist delegates made significant contributions to the United Nations Charter by securing women’s equal right to participate in the new UN and by ensuring that the Charter’s non-discrimination clause included sex as a protected category. To promote international cooperation, the UN Charter established the Economic and Social Council (ECOSOC) as one of the organization’s principle organs. Non-governmental organizations (NGOs), including the Commission to Study the Organization of Peace, and several Allied-partner nations lobbied for the inclusion of both human rights guarantees and a commission on human rights to secure them. A human rights commission was the only ECOSOC commission specifically singled out for creation within the text of the United Nations Charter itself.

³⁰ In so doing, I support the work of scholars like Dorothy Sue Cobble who have challenged this false dichotomy and reclaimed the feminist label for U.S. women who rejected the language of equality associated with identical legal treatment, but who promoted the idea that men and women were of equal worth. Dorothy Sue Cobble, *The Other Women’s Movement: Workplace Justice and Social Rights in Modern America* (Princeton: Princeton University Press, 2004).

³¹ I generally employ the term “Allied partner-nations” to denote the countries allied against the Axis in World War II. Most studies of the UN during the early postwar era refer to these countries as “small nations” or “small powers” or for nations, such as Australia, “middle power.”

Feminist delegates vigorously debated how best to incorporate women's rights into the emerging UN human rights framework.³² On one side of the debate were feminist conference plenipotentiaries, like the Dominican Minerva Bernardino and her Australian counterpart Jessie Street. They had strong support from other Latin American feminist delegates, particularly Bertha Lutz of Brazil. These women were unwilling to place the fate of international women's rights solely in the hands of the UN Commission on Human Rights. Instead, they advocated for the creation of a separate women's commission to promote and safeguard women's rights in the new international organization. On the other side of the debate was the U.S. female delegate, Virginia Gildersleeve and NGO consultants for the United States government, who were leaders of mainstream women's organizations, like the League of Women Voters. This contingent vehemently opposed the creation of a separate women's commission as a "backward" step that would segregate women from political power in the United Nations. Women's rights were best advanced by working through the Commission on Human

³² NGOs and allied-partner nations objected to the 1944 Dumbarton Oaks proposals, which outlined a blueprint for the United Nations. The talks at Dumbarton included only the United States, Soviet Union, Great Britain and later China, excluding all other allied-partner nations. At the U.S. government's prodding, human rights were mentioned only in Chapter 9 of the Dumbarton Proposals, stating that: "With a view to the creation of conditions of stability and well-being, which are necessary for peaceful and friendly relations among nations, the Assembly should facilitate solutions of economic, social and other humanitarian problems and promote respect for human rights and fundamental freedoms." The Chinese delegation, which attended the second round of the Dumbarton Oaks "conversations," made an unsuccessful (although none too forceful) appeal to expand the role of human rights in the Charter and to include a clause on racial equality. The Commission to Study the Organization of Peace, in cooperation with the American Association for the United Nations, lobbied the U.S. government and its San Francisco delegation to establish a human rights commission. See Clark Eichelberger to Virginia Gildersleeve (21 March 1945), Clark Eichelberger Papers, box 155, New York Public Library, New York City, NY. The CSOP also lobbied other organizations to press for the establishment of a "commission on human rights and fundamental freedoms." See "Minutes," National Council of Women of U.S. Inc., Executive Committee Meeting (25 March 1945), National Council of Women of the United States Inc. Records, 1888ca-1970, Microfilm Series 2, Biennial & Executive Committee Meetings, Subseries 2.2 files, fiche 94, (Ann Arbor: MI: University Microfilms Inc., 1988). New York Public Library, New York City, New York. Hereafter U.S. National Council of Women Records. The NCW voted to send a letter endorsing the CSOP proposal at this meeting. New Zealand and Australia also held a joint summit to protest the Dumbarton proposals on similar grounds, but emphasized economic and social rights. See also Lauren, *The Evolution of International Human Rights*, 168-69.

Rights. The debate continued after the United Nations established a sub-Commission on the Status of Women in 1946 and as international feminists—both activists and UN delegates—jockeyed to control the commission’s agenda.

These debates over strategic approaches were rooted in disparate ideas of gender and wildly divergent views on the implications of employing the language of “equality” or “equal rights.” Informed by their struggle against the campaign for the Equal Rights Amendment to the U.S. Constitution and similar Inter-American initiatives for the ratification of an international equal rights treaty, mainstream U.S. women’s organizations opposed the blanket use of equal rights or equality language. They worried that such proposals implied that men and women would be treated identically under the law and would thereby jeopardize hard-won domestic protective labor legislation, as well as international standards set by the International Labor Organization.

But this understanding of equality was a minority position. Most of the feminists engaged in the postwar United Nations project did not believe that demanding “equality” or “equal rights” necessitated identical legal treatment. While these activists held varied gender ideologies, they all believed that the attainment of equality demanded some rights that were the same as men, but also particular rights that recognized the social roles women filled as (potential) mothers. For some this meant maintaining protective labor standards, for others it meant demanding women’s economic and social rights as laborers both inside and outside the home. This was not a new debate. The protective labor legislation debate had been a divisive issue in several national contexts during the interwar period and it had spilled into the international arena.

The creation of the League of Nations and the interwar emphasis on establishing and codifying international law and standards offered feminist activists an opportunity to work for women’s rights in a distinctly international way. Anglo-American controlled NGOs advocated for women’s rights primarily by working to shape policy at the League of Nations. During the interwar era, feminists involved with the Inter-American

Commission of Women (IACW) also began to press their regional agenda at an international level. Women's efforts to shape policy at the national, transnational, and international level during the interwar informed their approaches to postwar feminist activism.

The formation of the United Nations and its efforts to promote international cooperation emphasized democratic processes. The UN Charter declared the "equal rights" of "nations large and small." Among international women's organizations, U.S. feminists had historically exercised considerable influence relying on both their much needed financial support and long-time tradition of leadership to do so. In the United Nations, they could no longer assert uncontested control over international agendas. Indeed, rather than working from the sidelines, women from non-Great Power nations, like Street and Bernardino, participated in the United Nations political process on an unprecedented scale. In the end, internationally-minded feminist activists overcame U.S. opposition by better connecting their agenda with the fledgling United Nations' project of securing a peaceful, prosperous postwar order and by building informal coalitions.

The Australian Jessie Street, a chain-smoking, leftist grandmother in her mid-50s forged an unlikely alliance with Minerva Bernardino from the Dominican Republic, a savvy political chameleon. In her mid-30s, Bernardino had, for the past decade, balanced her work at an inter-American feminist organization with the complicated demands of serving the brutal right-wing dictator Raphael Trujillo. Bernardino and Street came from distinct political regimes, held competing ideas of gender, and employed very different strategic approaches. The success of feminist activists, like Street and Bernardino, reveals the limits of America's ability to impose its vision of human rights on the international community. Furthermore, Bernardino and Street's collaboration and the promotion of women's human rights reveals the human rights project as one that could simultaneously advance the agendas of liberal reform-minded internationalists and those of conservative agents alike.

Together, Bernardino, Street and an often tenuous alliance of other UN feminist delegates forged an alternative vision of universal human rights. Their vision encapsulated both the shared humanity of men and women, but also recognized difference rooted in gender-based experiences. For example, they lobbied for women's rights as mothers, working to include childcare and paid maternity leave as an obligation of the state. At the same time they worked to shore up their civil status as individuals, demanding equal rights in marriage and divorce; demands that challenged the traditional gendered hierarchy of the family. The feminist delegates worked to mainstream their vision of women's human rights throughout the United Nations, particularly with the new UN Commission on Human Rights.

At its first official meeting, the United Nations established the Commission on Human Rights (CHR) whose first substantial task was to draft an international bill of rights. Deadlocked over theories of human rights (why human beings have rights) and how an international bill of rights might be enforced, the CHR grappled with whether to prioritize a declaration, a statement of principles and aims, or a legally-binding covenant. Ultimately the commission decided to work simultaneously on a declaration, a covenant, and a study on implementation. Over the course of nearly two years the CHR debated and negotiated. In the fall of 1948, however, the CHR produced *only* a draft declaration.³³ Before the United Nations adopted what came to be named the Universal Declaration of Human Rights (UDHR), drafts of the document were: circulated to member states for comment; approved by the Economic and Social Council; and debated by more than eighty General Assembly committee and plenary meetings, which included representation from every UN member state. Shortly before midnight on December 10th 1948, the

³³ The covenant was to follow the next fall, in 1949. In the end, in 1966 two separate covenants were produced, one on political and civil rights and another on economic, social and cultural rights. They did not go into force until 1976.

General Assembly adopted the UDHR without a single negative vote and only eight abstentions.³⁴

At every stage of the process, feminist delegates labored—often with great difficulty—to incorporate their vision of women’s human rights into the UDHR. Feminist delegates made significant, but little known contributions to the Universal Declaration of Human Rights. Yet tensions between international and national interests ultimately marginalized the feminist delegates more far-reaching proposals. First, women’s internationally-minded agenda sometimes conflicted with the national obligations they were expected to fulfill. Second, Cold War polemics initially created an opening, but the same conflict ultimately hindered the activists’ ability to have their voices heard. Third, by 1947 feminists operated within an increasingly anti-feminist environment at the UN; popular diatribes circulated that blamed feminism for the deterioration of the traditional, stable, nuclear family. In the formative years of the United Nations, stability appeared more critical than ever as one international crisis after another threatened to pitch the world into another global conflagration. Weakened by these political and social hurdles, feminist delegates faced considerable difficulty in surmounting the UDHR drafters’ traditional perceptions of gender. For example, in the end, the UDHR ultimately entitled women to special assistance—but not rights—as mothers. In doing so, drafters conceptualized women in their social roles not as rights bearing self-determinate beings, but as dependents. By the early 1950s, the triumph of anti-communist politics marginalized many of the feminist delegates and a reconstituted Commission on the Status of Women abandoned their call for women’s particular economic and social rights in favor of a traditional liberal rights agenda. They did so independently of the embattled UN Commission on Human Rights, severing women’s

³⁴ The Soviet Union and its five “satellite” states abstained as did South Africa and Saudi Arabia.

rights from the mainstream human rights project at the United Nations. The legacy was the erasure of the more fluid understanding of equality and universality held by feminist delegates in the immediate postwar era. Feminists' absence removed a forceful challenge to U.S.-led efforts to privilege political and civil over economic and social rights and fostered a tacit hierarchy of rights that persists to this day. Furthermore, as the UN set about drafting legally-binding human rights conventions, women's particular rights remained disconnected. Not until the 1990s would activists gain substantial—if limited—ground in linking women's rights to human rights

Labeling Feminists

While the UN Charter declared the “equal rights of men and women,” activist delegates debated what equal rights meant and advocated for equality in very different ways. For the purpose of the dissertation, I label as “feminists” all women engaged in promoting the idea that men and women were “inherently of equal worth.”³⁵ The proliferation of specific feminist labels evinces the difficulty of sorting, categorizing and ultimately attaching a singular label to women who often had multiple agendas and held nuanced views.³⁶ Throughout the dissertation, instead of employing a cacophony of labels in an attempt to capture important distinctions, I tend to offer feminists' political leanings and articulate their objectives and strategies, analyzing whether they were based primarily in beliefs that emphasized women's sameness or difference from men. Women

³⁵ This definition draws, in part, on that offered by Estelle Freedman, *No Turning Back*, 7.

³⁶ Karen Offen, “Defining Feminism: A Comparative Historical Approach,” *Signs* 14:1 (autumn 1988): 119-157; Nancy Cott “‘What’s in a Name?’”: The Limits of ‘Social Feminism’; or, Expanding the Vocabulary of Women’s History,” *Journal of American History* 76:3 (December 1989):809-29. Newer work on feminism tends to avoid the strict application of problematic labels. Christine Stansell, *The Feminist Promise, 1792 to the Present* (New York: Random House, 2010) largely avoids labels, dividing feminists along the lines of those who employed the “politics of mothers”—who evaded direct challenges to patriarchy—and their more individualistic daughters who demanded an entire restructuring of the social order. This work and Estelle Freedman, *No Turning Back* center on U.S. history, but “internationalizes” it by drawing parallels or contrasts throughout.

activists and delegates were more political operatives than philosophically reflective ideological purists. But, where possible, I identify whether feminists essentialized women's difference or believed it socially-constructed.³⁷ Coalitions also often contained women who held competing ideas of gender, but collaborated to meet larger objectives. In these cases, I name the coalition instead of trying to pin a specific brand of feminism to any single group.³⁸ I do, however, label two types of feminists who maintained a single focus and objective. For those who rejected any type of differential legal treatment, I use the "liberal" feminist label. This contingent consisted primarily of women affiliated with the U.S. National Woman's Party.³⁹ For women whose single priority was safeguarding protective labor legislation, I use the term "labor" feminists.⁴⁰ Most of these women were from trade unions that had close ties to the U.S. Women's Bureau.

Locating Feminist Activists and Gender Ideologies

Histories that trace the development of postwar human rights standards invariably rely on the records of the United Nations Commission on Human Rights. To locate the

³⁷ Individual women, no doubt, held specific beliefs, but did not always articulate whether they believed women's difference to be an essential aspect of their biology or part of their constructed social roles. While the source—essentialist or constructionist gender ideologies—can often be teased out of individual arguments, the lack of consistency among arguments made by individual women points to the fact that, in at least some, if not many instances, activists deployed their arguments strategically as often as they did ideologically.

³⁸ For example, I call the coalition of U.S. women who opposed the creation of a separate UN women's commission, the Washington Committee. Women who served on the UN Commission on the Status of Women and sought to shape the UDHR based on the charter they drafted I call feminist delegates or CSW feminists.

³⁹ Other histories have referred to these women as "equality," "egalitarian," "individualistic," or "sameness" feminists. I use liberal feminist as it better encapsulates their ideology while not re-inscribing the false equality versus difference debate.

⁴⁰ The term is Dorothy Sue Cobble's, *The Other Women's Movement*, 3. These feminists have been called "social," "difference," or "relational" feminists.

agency of women activists and the import of gender ideologies, I extend the exploration into the debates over the creation and program of the UN Commission on the Status of Women, debates that were fundamentally about how to incorporate women's rights into the emerging UN human rights framework. While activist delegates pressed their rights claims at the UN Human Rights Commission, the vague summary records of these meetings offer limited insight. While the records of the UN Commission on the Status of Women share this fault with their human rights counterpart they more explicitly address women's human rights and better illuminate how women envisioned the human rights project.

To more fully analyze women's activism, I supplement the official UN records with the personal papers of key delegates, their advisors and correspondents; and the records of both national and international non-governmental organizations. To explicate the role that gender ideologies played in drafting the UDHR, I incorporate U.S. Presidential papers, State Department and Women's Bureau records and the records of their existing counterparts in Australia and the Dominican Republic. The papers, memoirs, and writings of influential UDHR drafters and the largely untapped records of the International Social Policy Committee—which crafted U.S. human rights policy—provide vivid accounts of the gendered notions of human rights employed by delegates and policy-makers. By situating key delegates not only in the international circles in which they moved, but also within their specific transnational and national context, we can tease out a nuanced picture of women's human rights struggles in the 1940s.

Organization: The National, Transnational and International

This dissertation charts and analyzes the creation and fate of UN feminist delegates' alternative vision of human rights. By heeding historian of human rights Kenneth Cmiel's advice to "attend to the nuances of political language in different cultural settings" to "keep a sharp eye on the specific political stakes at any given

moment” and to mind the “careful and constant interplay between the local and the global,” this dissertation aims to demonstrate the significance of both feminist political activists and ideas about gender to the creation of postwar human rights standards.⁴¹ Formed within specific cultural and political contexts, women’s disparate ideas of gender intersected with their national, transitional and international activism to shape feminists’ ideas about human rights and their efforts to secure them for women in the postwar era.⁴²

Chapter one examines women’s activism at the transnational and international levels. This chapter illustrates how the interwar push to establish and codify international law and standards created an opportunity for women to advocate for their rights in a *distinctly* international way. The chapter establishes that the *women’s rights* activism of the interwar years served as the foundations of feminists’ *human rights* activism in the UN. I map the multiple feminisms, tactics and platforms women activists used to promote the rights of women in the international arena between 1920 and the outbreak of WWII. I demonstrate that women’s interwar activism in both the League of Nations and the Inter-American Commission of Women dramatically shaped the form, content, and strategies of the coalition of women engaged in the postwar campaign. Women like Street and Bernardino gained national recognition as international feminist leaders during the interwar era, which set the stage for their significant role in the postwar human rights project.

Chapters two through four explore the creation of a tacit alliance among international women activists who labored to incorporate the rights of women into the

⁴¹ Kenneth Cmiel, “The Recent History of Human Rights,” *American Historical Review* 109:1 (February 2004): 117-135.

⁴² I also heed Thomas Bender’s suggestion to “imagine a spectrum of social scales, both larger and smaller than the nation” without “excluding the nation.” Thomas Bender, “Historians, the Nations, and the Plentitudes of Narratives,” in *Rethinking American History in a Global Age*, edited by Thomas Bender, et al. (Berkeley: University of California Press, 2002), 8.

UN human rights framework. The chapters weave an exploration of the formation of alliances (and opposition) with an analysis of how feminist delegates came to elaborate their vision of women's human rights by situating three key delegates in their national, transnational, and international contexts. The Dominican Minerva Bernardino, Dorothy Kenyon of the United States, and the Australian Jessie Street were only three of the fifteen delegates on the UN Commission on the Status of Women. These three feminist delegates are, in many ways, representative. But each also made specific, notable contributions to the women's human rights project in the United Nations and were some of the most active and vocal delegates. All three women held competing ideas of gender, advanced different strategic approaches, and came from distinct political regimes, which to varying degrees affected the autonomy of their activism. Furthermore, as Kenyon, Street, and Bernardino were all involved in the project of promoting international women's rights from the interwar era through the adoption of the 1948 Universal Declaration of Human Rights, their perspective also permits an examination of change and continuity in women's international activism.

These three chapters illustrate how the women's diverse backgrounds shaped their intellectual frameworks and influenced their respective international priorities. Each chapter explores the varying degree of autonomy each woman exercised as she navigated between her national obligations, the feminist delegates' internationally-minded agenda, and political pressures from both state and non-state actors. Chapter two focuses on Minerva Bernardino's interwar work with the Inter-American Commission of Women, which had a long history of advancing absolute civil and political equality for women through international treaties. It concludes with the founding conference of the United Nations in the spring of 1945. Throughout this period, Bernardino's position as a transnational and international activist and her public advocacy for civil and political rights made her useful to the right-wing dictator Rafael Trujillo. Bernardino fostered Trujillo's ability to promote the Dominican Republic as a modern, progressive

democracy and helped to draw attention away from his atrocities. But her affiliation with a volatile dictator also limited Bernardino's activism in important ways.

Chapter three explores the activism of Judge Dorothy Kenyon. It begins by demonstrating how Kenyon's work at the League of Nations informed U.S. women's decision to prioritize education and women's civil and political rights. Kenyon was a labor feminist who had strong ties to U.S. women's groups that believed that women's difference from men demanded legal recognition and therefore focused on safeguarding protective labor legislation. While Kenyon and her NGO allies adopted the rhetoric of human rights, they were anxious about a legally-binding international human rights framework that advanced anything other than civil and political rights. They feared that if economic and social rights were included in the human rights platform, "equality" feminists would use the UN Commission on the Status of Women to obliterate hard-won protective labor standards. Kenyon collaborated with other American women's groups to shape the contours of U.S. foreign policy on women's human rights at the UN. They enjoyed considerable success in the nascent years of the United Nations.

Chapter four traces the development of Australian Jessie Street's feminism in both the national and international contexts. The global depression of the 1930s and Street's travels to the Soviet Union reinforced her belief that economic dependence stood at the core of women's oppression and deepened her socialist sympathies. Street believed that the advancement of women's rights was a central tenet of a peaceful postwar order. She also recognized that a successful United Nations depended on continued cooperation among the wartime allies and labored to bring women from communist nations into the coalition. In 1947 and 1948, Street pressed tirelessly to expand the authority of the new women's commission and to craft a charter on women's rights that did not prioritize civil and political rights, but that gave equal emphasis to economic and social rights for women who worked both inside and outside the home. Street represented a Labor government and was therefore well-positioned to advance women's economic and social

rights. Yet in the context of increasing Cold War tensions, Street prioritized the internationally-minded women's agenda and continued cooperation with women from Soviet republics over her obligations as a national representative. It was a decision that allowed her to advance the agenda, but that also cost Street her appointment. Together these chapters demonstrate that the feminist delegates used the UN Commission on the Status of Women as the primary vehicle through which they promoted their internationally-minded agenda. Furthermore, despite the women's disparate ideological frameworks and national constraints, feminist delegates forged an alternative vision of universal human rights that included women's equal, identical civil and political rights as well as particular economic and social rights as women.

Chapter five returns to an exclusive focus on the international context. This chapter analyzes feminist delegates' success at incorporating their vision of women's human rights into the Universal Declaration of Human Rights throughout the drafting process. While the feminist delegates made significant contributions to the UDHR, they succeeded primarily in advancing their political and civil rights claims as individuals. Their more far-reaching proposals were not adopted. This chapter demonstrates how Cold War politics, a rising anti-feminist climate at the UN, and collisions between national obligations and the feminist delegates' international objectives worked to limit their ability to overcome traditional ideas of gender about women's social roles as wives and mothers.⁴³

In the end, even where the CSW delegates failed to achieve their objectives, their lobbying efforts on behalf of women's human rights, forced UDHR drafters to confront

⁴³ By paying particular attention to U.S. policy positions, this chapter also takes heed of Louis Pérez's thoughtful challenge to Thomas Bender, et al., to examine the "deeds" of the state and to acknowledge how the actions of a powerful nation can impact the lives of "others" in the global community. Louis A. Pérez, "We Are the World: Internationalizing the National and Nationalizing the International," *History and September 11: A Special Issue, Journal of American History* 89:2 (September 2002): 558-566.

ideas about gender. Feminist delegates challenged the traditional gender hierarchy of the family and thereby engendered debates about women's social roles as (potential) mothers, power relations in marriage, and the relationship between the family and the state. Debates about women's rights shaped the human rights framework that emerged in the postwar era.

One could argue that the influence of feminist activists occurred largely in the abstract, that in the end, they merely shaped the language imbedded in a human rights doctrine. 1940s feminist delegates to the UN Commission on the Status of Women understood the difference between attaining women's human rights in theory and practice. They did make a failed proposal to travel to member states to engage in ground-level activism in various locales. In 1949, they held the third commission session in Beirut, Lebanon and organized a parallel NGO forum to pressure the Lebanese government for women's full political and civil rights.

Nonetheless, CSW delegates also recognized that the primary human rights project of the immediate postwar era was to draft standards by which nation-states would be held accountable. Early on, the new UN human rights commission decided that they would not act on complaints of human rights violations until they had first established standards. By the time the UN adopted the Universal Declaration of Human Rights, Cold War politics made human rights action at the international level untenable. Even if the standards were not legally-binding, delegates understood that the articulation of specific standards would create significant moral pressure on nations to comply. They believed that the project would, in the end, lead governments across the globe to alter their domestic laws, giving women rights they did not previously enjoy. Indeed, one of the first orders of business that each commission attended to was the formal recognition of member-states that had recently enfranchised women. Dorothy Kenyon made the point

well when she declared that the CSW's responsibility was to "name names and point fingers" at nations that failed to recognize the human rights of women.⁴⁴ Indeed, *naming and shaming* continues to be one of human rights advocates' most effective tools. One cannot "name names and point fingers," holding nations to account for human rights violations, if there are no recognized, common standards by which to judge. This dissertation tells the story about how a small, loosely defined coalition of United Nations activist delegates sought to shape those standards, why they succeeded in some cases, but ultimately failed in others.

⁴⁴ Dorothy Kenyon to Frieda Miller (7 September 1948), Kenyon papers, box 58, folder 14.

CHAPTER ONE: “THE MANTLE IS FALLING OFF THE SHOULDERS OF THE ANGLO-SAXONS:” WOMEN’S INTERWAR INTERNATIONALISM AND THE FOUNDATIONS OF WOMEN’S UNITED NATIONS ACTIVISM

In the spring of 1945, as the Second World War drew to a close, delegates of the Allied nations converged on San Francisco. They came to draft the Charter for the new United Nations and thereby restructure the post-war international order. During the conference, Dr. Bertha Lutz, a Brazilian delegate—and one of the few women plenipotentiaries—wrote exasperated letters to her U.S. mentor, Carrie Chapman Catt:

Your Brazilian daughter and the Latin [A]merican women with Australia have been doing great battle to get an article into the [United Nations] Charter giving women representation and participation on equal terms... The mantle is falling off the shoulders of the Anglo-Saxons and we shall have to do the next stage of the battle for women. We shall do so.¹

Bertha Lutz’s letters to Catt reveal both women activists’ objectives and the tensions that strained their effective collaboration at the founding of the UN. First, Lutz and her supporters wanted the right to shape international policy at the UN on equal terms with men. Second, the Brazilian and her “admirable” Australian ally, Jessie Street, demanded that the UN Charter specifically incorporate a statement of equality between men and women.² The women activists wanted not only assurances of their equal standing; they wanted it penned in ink. Finally, near the close of the conference, Bertha Lutz introduced a resolution to create a separate UN women’s commission, which became known as the Brazilian Declaration. Forming a small, unofficial coalition, the women from Latin America “with Australia” hoped to spark a social “revolution” for the human rights of women.³ In doing so, these activist delegates quickly found themselves in a power

¹ Bertha Lutz to Carrie Chapman Catt (21 May 1945), Reel 12 of the National American Woman Suffrage Association Microfilm Records, 1839-1961 (Washington, D.C.: Library of Congress Photoduplication Service, 1981). Hereafter NAWSA records.

² Bertha Lutz to Carrie Chapman Catt (21 May 1945), NAWSA records, reel 12.

³ “An Interview with Minerva Bernardino,” *INSTRAW News* 18 (autumn 1992):16.

struggle with U.S. and British feminists opposed to the creation of a separate women's commission.

The new coalition's agenda and the opposition to it did not simply materialize at San Francisco in the spring of 1945. Instead, the positions different feminist contingents staked out were rooted in the interwar years; a period that witnessed the heyday of women's international activism.⁴ Feminist activists' engagement with the interwar movement to codify international laws and standards spawned their postwar advocacy for the right to participate in the UN, the promotion of equality, and the dispute over a separate commission. The founding of the League of Nations and the International Labor Organization (ILO) after World War I created new opportunities for internationally-minded activists to press their long-standing rights claims. Indeed, one woman heralded the creation of inter-governmental organizations as a "golden opportunity" for feminist activists.⁵ They could, for the first time, use the international arena to pressure their national governments to comply with women's rights laws and standards established by international bodies. At the same time, regularly scheduled inter-American conferences generated similar opportunities for activists working in the Western Hemisphere and feminist agitators soon founded the Inter-American Commission of Women (IACW). Yet neither contingent operated in a vacuum. European activism influenced the IACW and it, in turn, shaped the contours of European activism.

⁴ The period beginning in the late 19th century, but particularly the interwar years, up to outbreak of WWII is often described as the "first wave" of women's internationalism. The disruption of WWII, which was quickly followed by the onset of the Cold War, is largely described as eviscerating women's internationalism until the "second wave," which began with the UN Decade of Women and the subsequent 1979 CEDAW convention. This project aims to contribute to current work that argues against a distinct "waves" narrative. See Kathleen Laughlin and Jacqueline L. Castledine, eds., *Breaking the Wave: Women, their Organizations, and Feminism, 1945-1985* (New York: Routledge, 2011).

⁵ Doris Stevens to Bertha Lutz (23 September 1933), Doris Stevens papers, folder 62.11, Arthur and Elizabeth Schlesinger Library, Radcliffe Institute of Harvard University, Cambridge Massachusetts. Hereafter Stevens papers.

In the process of lobbying for change, activists experimented with the best means of influencing policy. They formed NGO super-coalitions, semi-official advisory committees, and official commissions integrated into policy-setting bodies. The effectiveness of each format was a matter of considerable debate and divided the activists. On the one hand, NGO activism offered women's groups autonomy from national political pressures. NGOs created space for the development and proliferation of ideas about how to use international pressure to advance women's legal status. Yet the lack of official political power limited NGO activists' ability to shape policy. On the other hand, official participation in inter-governmental bodies gave women greater access to the political decision-making process, but they did so as national representatives, not international activists. This situation limited their independence and political effectiveness. Feminists' experiences with these disparate forms of advocacy played a role in the 1945 debate over the desirability of a separate UN women's commission.

Furthermore, feminists' interwar efforts to influence the international legal and standard setting movements exposed fissures among women activists. Feminists working in Geneva and through the IACW were more political actors than philosophers, but what they thought certainly informed what they did. Feminists held disparate gender ideologies based on whether they believed that women's sameness or difference mattered most in the creation of international law and standards. Women's gendered ideas informed their views on issues and the organizations with which they chose to work. Feminist activists formed alliances for change by establishing new organizational entities when disputes over objectives or priorities erupted. While women's organizing preferences were ideologically-driven, they often took on personal characteristics, with women forming deep loyalties and animosities toward their perceived friend or foe. Women's various gender ideologies were apparent in the debates over protective labor legislation, the international equal rights treaty, and the 1930 Hague Conference on the Codification of Nationality Laws. The most contentious debate was whether a proposed

international equal rights treaty would obliterate protective labor standards established by the ILO, which set standards for working women's employment. This vociferous, gendered debate reared its head again in 1945.

The dispute over the creation of the women's commission also had other ideological underpinnings. After World War I, newly enfranchised Anglo-American women sought to strengthen the base and reach of their political power by enlarging the scope of their activities and by working to bring women from the global South into the international women's rights movement. Anglo-American feminists labored to naturalize their leadership role in the interwar organizations through ideas of national and cultural superiority, but they were ideas often filtered by ideas about race and ethnicity.⁶ U.S. women also used their financial resources to exert influence over international NGOs. Women like Bertha Lutz recognized the parallels between the U.S. government's power and the Anglo-American dominated leadership of transnational and international women's organizations. While she cooperated with these organizations, Lutz pushed back against U.S. women's efforts to dictate agendas by emphasizing differing cultural beliefs held by Latin American and U.S. women.

Exploring the interwar connections between women's work at Geneva and that of the IACW complicates the story of women's postwar UN activism. While studies on women's inter-American and League of Nations activism remain largely distinct,

⁶ I use the term "Anglo-American" to describe the liaisons between U.S. and English feminists. While feminists from places like Australia were also technically "Anglo-American" they understood their status as British Dominions apart from the motherland, and lacking the political power that their allies in London held. For more on these tensions, see Chapter Four. Carol Miller argues that the emphasis on U.S. and British women is largely a source issue. The wars, especially the Second World War, scattered the papers of women's organizations and in many cases they were destroyed. Papers housed or sent to the U.S. and Geneva represent the bulk of extant sources. See Carol Miller, "Lobbying the League: Women's International Organizations and the League of Nations," (Ph.D. dissertation, University of Oxford, St. Hilda's College, 1992), 18. But the focus on U.S. and British women has also resulted, no doubt, from their dominant leadership position in the early years of women's NGO activism.

women's interwar correspondence suggests a more interwoven history.⁷ The routes of activists' letters ran not just east to west or north to south, but crisscrossed the globe in myriad ways.⁸ IACW activists were at the epicenter of interwar feminist internationalism and behind many of the most significant—and contentious—legal initiatives on behalf of women's rights.

Putting the IACW at the center of women's international activism reveals a mutually dependent, often strained, relationship between women from the "Great Power" countries and their counter-parts from the so-called "small and medium-sized" nations. Indeed, during the interwar years, Anglo-American women depended on allies, especially those from Latin American and the British Dominions to achieve their objectives. This was particularly true for Doris Stevens, the IACW chair, who relied on Latin American allies to garner support. Predominantly male Latin American plenipotentiaries became crucial allies at Inter-American conferences, but also in European forums. In turn,

⁷ Scholars have not given sufficient attention to the significant links between women's NGO activism at the League and their inter-governmental work through the IACW. But this appears to be changing. Francesca Miller argues that Latin American women's efforts at lobbying the League of Nations was not a "viable strategy" as the U.S. was not a member and the Latin American nations wielded less power than their European counterparts. Miller, *Latin American Women and the Search for Social Justice*, 84. Her later work on Inter-American collaboration acknowledges that the forum offered Latin American women the opportunity to shape the international arena. See Miller, "Latin American Women and the Transnational Arena" in *Globalizing Feminisms*, 193-203. The essays in the *Globalizing Feminism* suggest that scholars are beginning to recognize the importance of a more global approach to women's internationalism. For example, both Ellen Dubois "Internationalizing Married Women's Nationality: The Hague Campaign of 1930," 204-216 and Francesca Miller's "Latin American Women and the Transnational Arena" in *Globalizing Feminisms*, 193-203 more explicitly recognize the role of the Inter-American Commission of Women at the League of Nations. Karen Offen, eds., *Globalizing Feminisms, 1789-1945*, edited by Karen Offen (London & New York: Routledge Press, 2010).

⁸ In the early 1930s both Lutz and Street were corresponding with the IACW, which was, as we shall see working in both the Western Hemisphere and Geneva. For example, in July 1931 the Brazilian Federation for the Advancement of Women passed a resolution opposing the Hague Nationality Treaty and sent it to Doris Stevens, acting as a representative of the IACW in Geneva, fighting its ratification. Stevens thanked Lutz for the cable, stating "It's good to have us all working together." Doris Stevens to Bertha Lutz (17 July 1931), Stevens papers, folder 61.11. Street was highly interested in the work of the IACW and hoped to create something analogous to it in the "British Empire." Jessie Street to Doris Stevens (14 February 1929), Stevens papers, folder 48.5.

“small” nation activists capitalized on their “Great Power” connections to gain access to political authority in their own countries. By the end of the Second World War, Bertha Lutz and Jessie Street were nationally prominent feminist activists with significant international experience. They also hailed from nations anxious to exert power in the postwar international arena.⁹ This, and their interwar international feminist activities, catapulted the “South American” Bertha Lutz and the feminist from “Down Under” Jessie Street to the center of women’s activism at the end of World War II, displacing the old Anglo-American vanguard.¹⁰

I begin the story of women’s UN activism at the conclusion of World War I. Issues that drove feminist activism at the 1945 San Francisco conference took root in the interwar era. This chapter first explores women’s efforts to claim an international voice at the end of World War I. Anglo-American dominated international organizations did so by pressuring the League of Nations and by extending the reach of their influence into the global South. While women’s organizations became more inclusive, tensions among feminists based on cultural ideas of race and gender challenged activists’ ability to forge a collective international identity. The most persistent debate centered on whether women’s sameness or difference mattered most in the creation and codification of international laws and standards, especially regarding the dispute over protective labor legislation and the equal rights treaty. This chapter turns to the significant, but often under-emphasized role that the Inter-American Commission of Women played in advancing an internationally-minded agenda. While the IACW provided one model of organizing, women experimented with different means to shape policy. The chapter

⁹ When invitations for the San Francisco conference went out, “middle-sized nations,” especially Australia and Brazil, jockeyed for positions of influence in the new UN. The appointment of women delegates, no doubt, lent credibility to their status as advanced nations.

¹⁰ “Woman Politician From Down Under,” *New York Post Daily Magazine* (23 August 23, 1945), Street papers, MS 2683/5/64.

analyzes the benefits and challenges of different feminist organizing approaches. It concludes by demonstrating that feminists' interwar experiences shaped how delegates to the new United Nations envisioned women's postwar activism. For the Latin American activists, such as Bertha Lutz and Minerva Bernardino, effective feminist activism hinged on the creation of a separate women's commission.

Demanding an International Voice

When women first reached across national borders to form alliances with women of other lands, they did so through non-governmental organizations (NGOs). The first organization, established to focus exclusively on the status of women, was the International Council of Women (ICW).¹¹ Founded in 1888 by U.S. suffragists Susan B. Anthony and Mary Wright Sewall, the ICW's primary principle was the "Golden Rule" and its primary purpose was to "stimulate the sentiment of Internationalism among women throughout the world."¹² When the ICW divided over women's suffrage, proponents led by Carrie Chapman Catt founded the International Woman's Suffrage Alliance. The Alliance prided itself on its more feminist position, contrasting their organization with the "benevolent charitable debating society" of the ICW.¹³

¹¹ An 'International Congress of Women' of organized women met earlier in Paris in 1878, but it did not develop into a sustained organization as did the International Council of Women.

¹² Quoted in Leila Rupp, *Worlds of Women*, 19. The first National Council of Women was formed in the United States in 1888.

¹³ Quoted in Leila Rupp, *Worlds of Women*, 25. The International Alliance (International Woman's Suffrage Alliance) was founded in 1904. Not unlike other efforts at international collaboration, conflict pervaded women's efforts to organize. In *Worlds of Women*, historian Leila Rupp argues that "women committed to internationalism forged bonds not only despite but in fact through conflict." Leila Rupp, *Worlds of Women*, 3. Yet, while negotiating disputes could no doubt strengthen bonds, it was also potentially divisive. The very proliferation of women's international organizations is due largely to strong disagreements among women about priorities and methods of achieving those aims. Another early example of fissure occurred with the outbreak of WWI, women allied with the International Alliance established the Women's International League for Peace and Freedom, prioritizing peace activism

Prior to World War I, activists working on behalf of women's rights used their international organizations to press for national change. Organizations like the International Council and Alliance dominated the scene. They gathered at congresses and adopted strategies and agendas. While they formed international ties, activists targeted national law and policy. Their collaboration demonstrated to national governments that women the world over demanded reforms. They hoped the strength of their international numbers would move national policy makers. While the International Council and the Alliance were technically open to women of all nations, they largely excluded those from what we would today call the global South. The women who participated were predominantly from England, Europe and the U.S. and they were mostly white, Protestant, college-educated, and from the upper or middle classes.¹⁴ While the membership was largely Anglo-European, for decades, English and U.S. women held the reins of power. Despite the exclusionary nature, the Anglo-American leadership nonetheless understood their trans-Atlantic work as "international," as though England, the European nations and the United States were effectively the world.

After World War I, the creation of inter-governmental organizations, like the League of Nations, offered feminists the opportunity to agitate in a distinctly international way.¹⁵ Women activists could now work to shape not only national, but international policy on women's rights. As a result, activists altered their strategic approaches. Some labored to insert women's equality into international treaties while

¹⁴ For a detailed analysis of the characteristics of women who participated in international organizations see Leila Rupp, *Worlds of Women*, 52-81.

¹⁵ Scholars like Akira Iriye, *Global Community: The Role of International Organizations in the Making of the Contemporary World* (Berkeley: University of California Press, 2002) have emphasized the role of NGOs in forging an international community. See also Steve Charnovitz, "The Emergence of Democratic Participation in Global Governance (Paris, 1919)," *Indiana Journal of Global Legal Studies* 10:45 (2003):45-77 and "Two Centuries of Participation: NGOs and International Governance," *Michigan Journal of International Law* 18 (1997):183-286.

others pushed for the creation of labor standards to shield working women from industrial exploitation. Both feminists who emphasized women's difference from men and those that stressed their similarities were vigilant about issues that had the potential to impact the global status of women, such as nationality laws. British feminist Vera Brittain articulated the sentiment when she stated: "Women have come to regard the League as the one fitting instrument through which justice can be done to women, completely and for all time."¹⁶ Across an increasingly diverse ideological spectrum, internationally minded women agreed that the creation of the League of Nations and the internationalist impulse behind it demanded women's broader participation.

U.S. President Woodrow Wilson's Fourteen Points served as the basis for negotiating the end of World War I and for the establishment the League of Nations, through which international diplomacy would be conducted.¹⁷ It promised a new era of international politics and an end to the old practice of secret diplomacy by which alliances unwittingly drew the world into global conflagration. The League emphasized international law and "scrupulous respect for all treaty obligations" as a necessary condition for securing the future peace.¹⁸ Of the major WWI powers, the U.S. alone failed to join the concert of nations. The U.S. Senate bucked the idea of drawing the nation into potentially entangling European power politics. Yet the U.S. government was far from isolationist. For example, during the interwar years, administrations supported American economic interests abroad, collaborated at the Hague Conference on the Codification of International Law, contributed to the International Labor Organization,

¹⁶ As cited in Marilyn Lake, "From Self-Determination via Protection to Equality via Non-Discrimination," 254.

¹⁷ President Woodrow Wilson's Fourteen Points (8 January 1918).

¹⁸ The Versailles Treaty (28 June 1919), Part I: The League of Nations Covenant, Preamble. On the role of international law and peace see Martti Koskenniemi, *The Gentler Civilizer of Nations: The Rise and Fall of International Law, 1870-1960* (Cambridge: Cambridge University Press, 2002).

and took an active role in disarmament talks.¹⁹ In doing so, the U.S. government also became a reluctant participant in international debates over women's rights.²⁰ Feminist activists worked feverishly in the interwar years to negotiate space for women's inclusion. Much of women's NGO activism in the early years concentrated on giving women a voice in international matters. At the 1919 Paris Peace Congress, in his role as chair, President Wilson received a delegation of women from international organizations. The International Alliance presented a resolution, arguing that the League had to be "democratic and representative" to be effective:

Whereas Half of the people of the world are women; be it Resolved, That women should be equally eligible with men to the body of delegates to the Executive Council and to the permanent Secretariat, and should be appointed to all permanent commissions on the same terms as men.²¹

The Alliance insisted that women shared equally in war's "unspeakable results of invasion, bombardment, shipwreck, famine, and disease, hard toll and bitter loss." As a result, it was "profoundly unjust that they should be without a voice in government."²² Women's organizations wanted the ear of their own governments and a seat at the international table.

Believing that women plenipotentiaries would be natural allies in the fight to improve women's status, activists lobbied for their appointment at the League. The

¹⁹ While the U.S. participated in the ILO from the outset, it did not officially join the organization until 1934.

²⁰ For U.S. support of American economic interests, see Emily Rosenberg's classic, *Spreading the American Dream: American Economic and Cultural Expansion, 1890-1945* (New York: Hill & Wang, 1982). For US role in the Washington Conference of 1921, which established disarmament standards see Thomas Buckley, *The United States and the Washington Conference, 1921-1922* (Knoxville, TN: University of Tennessee Press, 1970); Akira Iriye, *The Globalizing of America, 1913-1945* (New York: Cambridge University Press, 1993), chapter 5.

²¹ "Women's Petition to League Framers," *The New York Times* (13 April 1919), 20.

²² Ibid.

secretary of the International Alliance reminded affiliates to make nominations for League delegates, but to do so “with the greatest care.” The Alliance suggested that women should be “experts in political and feminist questions, of lucid and quick intelligence, who will be able to safeguard the interests of women.”²³

Women’s pressure resulted in mixed results at the League. Some were positive. The framers of the League Covenant incorporated women’s right to equal participation. Article Seven stated that “All positions under or in connection with the League, including the Secretariat, shall be open equally to men and women.”²⁴ Women also gained the right to be represented on delegations to the League affiliated International Labor Organization. Its constitution guaranteed that when the organization debated issues regarding women’s employment, the delegation include a woman.²⁵ This was a significant achievement at a time when many national governments barred women from holding public office. The insertion of such provisions represented a sharp theoretical break from a past where international diplomacy was men’s exclusive domain.

Feminists believed that Article Seven lent legitimacy to their demands. They consistently reminded their representatives of the guarantee and refused to cede any ground gained. Bessie Rischbieth, the president of an Australian NGO affiliated with the International Alliance, sent a series of resolutions to her national government. One of them included a protest over the intention to replace the retiring woman who had led the League’s Opium and Social Questions section—the only woman to lead a section—with a male director. She insisted: “The appointment of a man shows a complete disregard for the just claims of women to increasing equality in the work of the League.” Furthermore,

²³ Emilie Gour to “Presidents of Auxiliaries” (5 July 1932), MS 2004/5/unnumbered, Bessie Rischbieth Papers, National Library of Australia, Canberra, Australia. Hereafter Rischbieth papers.

²⁴ League of Nations, Covenant of the League of Nations (28 April 1919), Article 7

²⁵ Constitution of the International Labour Organisation (ILO) (1 April 1919), Article 3.

Rischbieth demanded that the government be more responsive. She exclaimed: “We do feel if I may put the matter to you bluntly that we have some right to know what position the Australian delegation...is likely to take up when they are in Geneva.” She continued: “To be quite frank we are so tired of the reply” that the government will “give careful consideration...etc., etc.” to our communications.²⁶ Rischbieth’s letter demonstrates that not only did women believe that they had a right to be heard and to serve, but that they found the government’s failure to act on their demands exasperating.

Despite Article Seven’s potential, by the mid-1920s the League of Nation’s record on women’s participation was poor. Very few women served as plenipotentiaries. Women employed by the League were concentrated in low-level work and overwhelmingly placed in the social and humanitarian fields. The International Council of Women argued that joint coordination of women’s NGOs was necessary to improve the record. This would allow them to “mobilize the potential motherhood of the world” to more effectively demand women’s appointments.²⁷ To do so, they formed the Joint Standing Committee of the Women’s International Organizations. By 1927, the JSC was operational and began pressing for the appointment of women. Throughout the interwar years women’s NGOs coordinated with each other to secure the appointment of women to decision-making positions in the League and the International Labor Organization. At the 1945 UN founding conference, securing an article similar to the League’s Article Seven was the first item on the agenda of Bertha Lutz and her supporters.

²⁶ Australian Federation of Women Voters (Bessie Rischbieth) to John Curtin (22 May 1931), Rischbieth Papers. MS 2004/5/1212. Emphasis in the original.

²⁷ Leila Rupp, *Worlds of Women*, 37.

Going Global

The national post-WWI suffrage victories in many (but not all) of the Anglo-European nations also compelled the International Woman's Suffrage Alliance to reflect on its future aims. Along with women in Europe (such as the French, Swiss and Italians) who remained disenfranchised, most women living in the global South were also without political rights. The Alliance leadership contemplated whether to maintain a single focus on suffrage until all women were enfranchised or to expand the agenda, incorporating peace work and other "reforms [that] are necessary to establish a real equality of liberties, status and opportunities between men and women."²⁸ The Alliance adopted an expanded platform and with it a new name, the International Alliance of Women for Suffrage and Equal Citizenship.

With the expanded agenda came a drive to extend the reach of the Anglo-European dominated organizations. After World War I, both the International Council and Alliance sought to enlarge their membership base, drawing organizations such as the Brazilian Federation for the Advancement of Women into the fold. The incorporation of women from the global South made women's organizations more "international," yet indigenous women from colonized or mandate territories continued to be largely excluded. Furthermore, following the 1917 Bolshevik Revolution, women from the Soviet Union and those allied with the Communist Party did not widely participate in "bourgeois" international women's organizations. While women's "international" NGOs sought to broaden the base of their collaboration, U.S. women's groups also labored to organize hemispheric work, forming regional organizations. They embarked on these initiatives with the belief that U.S. women possessed the ability to enlighten those they considered less adept at feminist organizing, advising on everything from transnational

²⁸ Quoted in Rupp, *Worlds of Women*, 23.

collaboration to specific domestic agendas.²⁹ Catt reported: “Latin American women do not at all like to be told or shown how to do things, so I am planning to show them some things...without appearing to do so.”³⁰ In turn, Latin American women sought to use their new connections to achieve domestic objectives, which included access to political positions. In a letter to Catt, Lutz stated that Brazilian President Vargas “seemed rather pleased with the idea of sending a woman there [the U.S.] in a delegation as he thought it would be considered as a proof of the progress of this country.”³¹ The idea that women’s rights represented a marker of modernity for Latin American leaders proved a powerful tool for interwar activists.

Women from Latin America who participated in transnational organizing were from the upper and middle-classes. The wives and daughters of diplomats were often the first line of participants in women’s congresses. These representatives were convenient and reduced travel expenses. For example, Flora de Oliveira Lima, wife of the Brazilian Minister to Washington, served as the Inter-American Commission of Women’s first Brazilian representative. Increased educational opportunities in the late 19th and early 20th century provided a new pool of activists concerned with a variety of social issues.³² Often well-educated women, like the Brazilian Bertha Lutz, relied on both family connections and income from newly opened employment opportunities to travel and advocate internationally. By the early 1930s, this group of activists increasingly replaced women that served solely as the result of their familial ties to diplomats. For example, in

²⁹ Megan Threlkeld, “The Pan-American Conference of Women, 1922: Successful Suffragists Turn to International Relations,” *Diplomatic History* 31:5 (November 2007): 801-828.

³⁰ Quoted in Rupp, *Worlds of Women*, 78. Catt also sent Lutz a seven-point constitution that Catt wanted Lutz to use in founding the Brazilian Federation. Lutz to Catt (21 July 1931), NAWSA records, reel 12. Lutz indicates in this letter that she still had the constitution from 1922.

³¹ Bertha Lutz to Carrie Chapman Catt (2 April 1936), NAWSA records, reel 12.

³² Francesca Miller, *Latin American Women and the Search for Social Justice*, 35-67.

1933, the IACW chair Doris Stevens reached out to Lutz to assume de Oliveira Lima's reporting responsibilities.

Bertha Lutz became active in national and international feminist politics at a young age. Born in 1894 in São Paulo, her parents had immigrated to Brazil. Lutz's mother was from England and her father Switzerland. She earned a law degree in Rio de Janeiro and one in biology from the University of Paris. In 1919, she became the Secretary of the National Museum in Rio—one of the first women in Brazil to hold a high-level civic position. That same year, Lutz traveled to Washington D.C. to the first International Labor Organization conference in 1919. She attended the 1922 Pan American Conference of Women held in Baltimore and sponsored by the International Alliance's U.S. affiliate, the National League of Women Voters.³³ At the Baltimore conference, Catt, as the International Alliance President (and honorary President of the National League of Women Voters), convinced Bertha Lutz to federate Brazil's existing feminist organizations, a membership requirement of the International Alliance. In doing so, Lutz is considered a founder of the Brazilian Federation for the Advancement of Women.³⁴ Catt also enlisted Lutz and others to form the Pan American Association for the Advancement of Women. While this particular effort floundered, a variety of other Pan-American women's groups did flourish in the interwar era.³⁵

³³ For the 1922 Pan American Conference and U.S. women's agenda see Megan Threlkeld, "The Pan-American Conference of Women, 1922," 801-828.

³⁴ Prior to 1922, the major Brazilian feminist organization was the League for the Emancipation of Women, founded by Lutz in 1919.

³⁵ Some of the more active non-governmental organizations were the *Union de Mujeres Americanas*, Peoples Mandate for Inter-American Peace and Cooperation (originally part of WILPF, the Mandate broke off and formed an independent organization in 1936, it underwent several name changes between 1935 and 1949), the Inter-American Congress of Women, and the Pan-American Roundtable. Alliance members from the Australian branch of the International Alliance were instrumental in the success of the Pan-Pacific Women's Association established in 1930.

By the end of the 1920s, women from the Pacific region also began to see the value of regional organizing and in 1928 held a Pan-Pacific conference. Sponsored by the Pan-Pacific Union in Honolulu, the organization began with a focus on solidifying peace and the bonds of friendship among those of the Pacific region. U.S. social reformer and peace activist, Jane Addams presided. In 1930, women formally established the Pan-Pacific Women's Association and the organization took on a more distinctly feminist perspective. Delegates from Australia, New Zealand, Canada, China, Fiji, Japan, Java, the Philippine Islands, U.S. and both American and British Samoa participated in the organization. Jessie Street, an Australian feminist became an early member and supporter of the PPWA. By 1930, Street's work spanned the globe. As President of the United Association of Women—an Australian umbrella feminist group—she worked with both the International Council and Alliance. She also became a founding member of Equal Rights International, a short-lived women's organization that concentrated on promoting an equal rights treaty at the League of Nations.

Both Street and Lutz worked with the International Alliance and engaged in regional feminist work. They also both corresponded with Doris Stevens, the Inter-American Commission of Women's chair.³⁶ These feminists' experiences with both international NGOs and transnational organizations reflect how women's activism in the interwar years crisscrossed the globe in myriad ways.

While the U.S. voted to stay out of European geopolitics, rejecting membership in the League of Nations, it had no such apprehension when it came to the Western Hemisphere. The 1823 Monroe Doctrine warned European powers that the U.S. government considered Latin America its backyard. Even prior to the 1904 Roosevelt Corollary, which formally rationalized interventionist policies, the U.S. did not hesitate to

³⁶ There are numerous correspondences between the IACW and both Lutz and Street. See for example, Stevens papers, folders 62.11 and 48.5.

exercise its power throughout the hemisphere. Administrations imposed a variety of interventionist policies, which ranged from dollar diplomacy to full-scale military occupation.³⁷ Beginning in the late 1920s, the U.S. engaged in new efforts to improve its image and relationship with its southern neighbors. To demonstrate a new cooperative spirit, in 1930 President Hoover declared an official Pan American Day. In 1933, President Roosevelt announced the Good Neighbor Policy, promising non-intervention.³⁸ One important aspect of this growing trend of hemispheric cooperation was a commitment to holding more regularly scheduled inter-American conferences.

In 1928, Cuban women invited other American feminists to help pressure delegates at the 6th Inter-American Conference to address the rights of women. At the previous conference—the 1923 Santiago conference—members of the Pan-American Union, under feminist pressure, passed a resolution that recommended the inclusion of women in delegations and pledged to study discriminatory legislation.³⁹ But the

³⁷ For dollar diplomacy see Emily Rosenberg, *Financial Missionaries to the World: The Politics and Culture of Dollar Diplomacy, 1900-1930* (Durham: Duke University Press, 2003). On U.S. occupational policies see Hans Schmidt, *The United States Occupation of Haiti, 1915-1934* (New Brunswick, NJ: Rutgers University Press, 1995, c.1971); Michel Gobat, *Confronting the American Dream: Nicaragua Under U.S. Imperial Rule* (Durham: Duke University Press, 2005); Bruce Calder, *The Impact of Intervention: The Dominican Republic during the U.S. Occupation of 1916-1924* (Princeton: Markus Weiner Publishers, 2006 [c. 1984]); for the exercise of U.S. power prior to the Roosevelt corollary see Jules Benjamin, *The United States and the Origins of the Cuban Revolution: An Empire of Liberty in an Age of National Liberation* (Princeton: Princeton University Press, 1990); For U.S. intervention in the Philippines, “acquired” during the War of 1898, see Paul Kramer, *The Blood of Government: Race, Empire, the United States, and the Philippines* (Chapel Hill: University of North Carolina Press, 2006).

³⁸ For FDR’s Good Neighbor Policy generally see Fredrick Pike, *FDR’s Good Neighbor Policy: Sixty Years of Generally Gentle Chaos* (Austin: University of Texas Press, 1995). David Sheinin, ed., *Beyond the Ideal: Pan Americanism in Inter-American Affairs* (Westport, CT: Greenwood Press, 2000) explores Pan-Americanism. For the women’s role in promoting the Good Neighbor Policy see Threlkeld, “Women’s Challenge.”

³⁹ The 1923 Santiago Inter-American conference was the first to shift the focus beyond primarily commercial relations and to challenge U.S. hemispheric imperialism. At this conference a contingent of “unofficial” women delegates called for the inclusion of women as delegates and pressured the American states to address the unequal status of women. The conference passed an advisory declaration (non-binding) pledging to consider ways to revise civil legislation where it was “inconsonant with the present cultural condition of women.” The declaration also requested that governments prepare a study of the position of women so that it could serve as the basis of an investigation at the next conference. Thus, the

subsequent Havana agenda excluded any mention of women's issues. Doris Stevens, the U.S. National Woman's Party's international chair and a few other feminist activists joined the Cubans. They were met by a handful of women from the Caribbean basin (including Puerto Rico and the Dominican Republic), Mexico, and Argentina. Together they lobbied PAU delegates to fulfill their pledge and address discrimination against women. The activists marched at the statue of José Martí with thousands of Cuban women demonstrating for suffrage. Their numbers caught the attention of the recalcitrant PAU delegates and they eventually capitulated, allowing the activists to address the conference.⁴⁰ Stevens took the opportunity to propose an equal rights treaty, which she and others had discussed as a possible strategy at a 1926 International Alliance congress. The treaty was a simple one: "The Contracting Parties agree that, upon ratification of this treaty, men and women shall have equal rights within the territories over which they have jurisdiction."⁴¹

Stevens understood international law as an effective means of forging a more egalitarian society. Ratification of an international treaty obliged national governments to align their domestic laws with treaty requirements. In her speech Stevens argued that the rights of women were an appropriate subject of treaty action:

Discriminations against women have already been made the subject of action by convention by certain [nations] of the

declaration effectively tabled direct action on women's rights issues until the next conference (a tactic frequently employed to evade unwelcome issues). See "Resolution on the Rights of Women," reprinted in *Report of the Delegates of the United States of America to the Fifth International Conference of American States, held at Santiago, Chile, March 25 to May 3, 1923* (Washington D.C.: Government Printing Office, 1924), 209. Yet the agenda for the 1928 Havana Conference failed to include the issue of women's rights and Cuban women invited women from the Women's International League for Peace and Freedom and the NWP to join them in protest of the exclusion. See K. Lynn Stoner, *From the House to the Streets*. For the invitation to WILPF see Francesca Miller, *Latin American Women and the Search for Social Justice*, 95.

⁴⁰ Cuban Elena Mederos de González led the plenary session. Doris Stevens introduced the demand for an equal rights treaty.

⁴¹ The NWP leader Alice Paul, author of the U.S. Equal Rights Amendment, drafted the treaty.

Americas and amongst the European nations through the League of Nations. If discriminations against us as women on the sole ground of sex can be made the subject of international conventions, so can our rights.⁴²

Stevens pointed out that the convention prohibiting women from night work had been deemed an appropriate subject of international concern. She declared emphatically: “We want no more laws written for our good and without our consent.”⁴³ Indeed, she believed that if protecting women was a legitimate topic of international law, their emancipation could also be a worthy theme. While PAU delegates summarily dismissed the idea of an international equal rights treaty, the women activists could not be completely ignored. Reacting to the pressure, the PAU agreed to create a temporary women’s commission to study the civil and political status of women in the Americas. Stevens’ colleagues unanimously elected her chair of the new Inter-American Commission of Women.

While granting authority for a study was a far cry from endorsing an equal rights treaty, the creation of the Inter-American Commission of Women nonetheless produced a political opening for feminists. The formation of the ad-hoc commission provided a forum through which women activists could legitimately insist that the PAU hear their demands. The PAU charged the new commission with conducting a thorough investigation into women’s civil and political status throughout the Americas. They were to present a report to the delegates of the 1933 conference to be held in Montevideo, Uruguay. For Stevens, the Montevideo conference represented not just an opportunity to present the IACW’s findings, but to press for concrete reforms.⁴⁴

⁴² Stevens’ Havana speech as cited in Jane Gosling, “A Short History of the Inter-American Commission of Women,” unpublished essay (n.d.), Stevens papers, folder 68.15.

⁴³ Ibid.

⁴⁴ Doris Stevens to Bertha Lutz (23 September 1933), Stevens papers, folder 62.11.

Relations of Power: Tensions between North and South

While U.S. and Latin American feminists collaborated, ideologically-based tensions pulsed beneath the surface. Anglo-American ideas of national superiority blended—often inextricably—with ideas about racial difference. While condescension is not hard to find among the U.S. feminist correspondence with Latin American activists, it is difficult to identify it as specifically race-based. In direct communications between U.S. activists and the Latin American women they worked with, there is little hint that racial ideologies shaped their relations. This becomes evident, however, in Anglo-American communications with one another.⁴⁵ Echoing the rhetoric of colonial rationalization, explanations of difference between Anglo-American and Latin American women were often framed in terms of geographic differences. In a letter to Lady Aberdeen, President of the International Council, Catt explained why the Brazilian Federation had not yet joined Aberdeen’s Council. Catt declared that “the South American women are very difficult to stir into activity” as it was “too hot to move with vigor” in Brazil.⁴⁶ In 1935, just one year after the nearly 20-year U.S. military occupation of Haiti ended, the IACW embarked on a “propaganda” trip to the country, hoping to stir-up support for women’s suffrage and the IACW’s agenda. U.S. feminists who embarked on the trip maintained images of the land as both exotic and uncivilized. Arguing that she needed a traveling companion, IACW volunteer Mary Winsor declared: “I positively shall not go to Haiti alone.” She also needed an adequate expense account as “it is not possible to live, let alone work, in the tropics unless one is fairly

⁴⁵ The classic work on how ideas of race shape ideas of national superiority is Michael Hunt, *Ideology and U.S. Foreign Policy* (New Haven: Yale University Press, 1987); For U.S. and Latin America specifically, Lars Schoultz, *Beneath the United States: A History of U.S. Policy Toward Latin America* (Cambridge: Harvard University Press, 1998).

⁴⁶ Carrie Chapman Catt to Lady Aberdeen (27 June 1927), NAWSA records, reel 12.

comfortable.”⁴⁷ U.S. feminists, therefore, engaged in a discourse that Mary Renda has demonstrated continued to shape racist U.S. cultural stereotypes.⁴⁸

Race also played a role in the way that activists interacted and strategized. Doris Stevens wrote to a colleague that she worried about sponsoring Minerva Bernardino’s (Dominican Republic) visa application as Bernardino was “colored” and suitable employment might be difficult for her to find. Stevens thought that given the recent riots in Harlem over African Americans’ lack of employment opportunities in their “own black belt,” Bernardino would be better off going to the U.S. territory of “Porto Rico” instead of the mainland.⁴⁹ In another racially charged instance, IACW representative Helena Hill Weed explained to Stevens that she wanted to wait on the publication of photos from Haiti until she could have them “retouched” as it was “difficult to tell the photographer exactly what we need to accentuate or minimize racial features.”⁵⁰ Stevens acknowledged the difficulty, assuring Hill Weed that they would “dress up” whatever was sent to the IACW.⁵¹

Latin American women’s activism was also influenced by ideas about racial difference and national identity. In her 1945 correspondence to Catt, Lutz situated her identity by drawing on racial and cultural distinctions. On the one hand, she shared an identity with Bernardino, positing “Latin American” women against the oppositional “Anglo-Saxons.”⁵² This served to distinguish Latin America generally from the

⁴⁷ Mary Winsor to Doris Stevens (14 February 1935), Stevens papers, folder 70.6.

⁴⁸ Mary A. Renda, *Taking Haiti: Military Occupation and the Culture of U.S. Imperialism, 1915-1940* (Chapel Hill: University of North Carolina Press, 2001).

⁴⁹ Doris Stevens to Helena Hill Weed (26 March 1935), Stevens papers, folder 70.6.

⁵⁰ Helena Hill Weed to Doris Stevens (2 April 1935), Stevens papers, folder 70.6.

⁵¹ Doris Stevens to Helena Hill Weed (3 April 1935), Stevens papers, folder 70.6

⁵² Bertha Lutz to Carrie Chapman Catt (3 June 1945), NAWSA records, reel 12.

dominance and often oppressive actions of the “Northern colossus.”⁵³ The descendent of an English mother, she identified as Brazilian not as “Anglo-Saxon.” But Lutz drew further distinctions. She also situated herself apart from the Dominican, distancing herself from an African-Brazilian heritage, by pointing to Bernardino’s “mulatto” appearance and her apparent African-Dominican roots.⁵⁴ In contrast, Bernardino self-identified as being of Spanish racial and cultural heritage and emphasized Latin American women’s shared struggle.⁵⁵

Women from Latin American were quick to point out when U.S. feminists failed to understand even elementary cultural differences. While the younger Lutz was always respectful of her older mentor Catt, she did not always succumb to Catt’s advice. When Catt pushed Lutz to collaborate with the Young Women’s Christian Association, Lutz refused.⁵⁶ She informed Catt that the “Catholics won’t work with them” given the missionary history of the Protestant group.⁵⁷ On another occasion, when Catt pressed Lutz to cooperate with the International Council of Women, Lutz again refused. For

⁵³ Michel Gobat, *Confronting the American Dream*, 5. Lutz decried U.S. policy toward Brazil after the Vargas coup in 1930. In 1932 she wrote to Catt that “The countries in Europe (France) have refused to sell arms to the Brazilian dictator [Vargas]” But that “America is selling Curtis planes etc. for bombarding open cities.” She asked Catt if she could try and “intervene to prevent America allowing the sale of airplanes etc. to the federal government. It is a government defacto, though recognized, and uses it [the planes] for killing people here.” Bertha Lutz to Carrie Chapman Catt (15 September 1932), NAWSA records, reel 12. By the mid 1930s, however, Lutz had become a Vargas supporter, heralding his feminist position. Bertha Lutz to Carrie Chapman Catt (2 April 1936), NAWSA records, reel 12.

⁵⁴ Bertha Lutz to Carrie Chapman Catt (3 June 1945), NAWSA records, reel 12.

⁵⁵ “Palabras de Minerva Bernardino, Presidenta de la Comisión Interamericana de Mujeres, en el almuerzo que le dedicó la ‘Pan American Society’ en el Hotel Waldorf Astoria de New York, el 11 de abril de 1944 para condecorarla con la ‘Medalla Bolívar-San Martín’” reprinted in Minerva Bernardino, *Lucha, Agonía y Esperanza: Trayectoria triumphal de mi vida* (Santo Domingo: Editoria Corripio, 1993), 51-54.

⁵⁶ Catt even acknowledged Lutz’s hesitation, “I know that you didn't like the YWCA...but the ones here are all good women.” Carrie Chapman Catt to Bertha Lutz (22 June 1936). Yet in a subsequent letters Catt continued to press the issue. Carrie Chapman Catt to Bertha Lutz (24 June 1936) & (1 August 1936), NAWSA records, reel 12.

⁵⁷ Bertha Lutz to Carrie Chapman Catt (15 July 1936), NAWSA records, reel 12.

Lutz, the International Council could make “no constructive contacts as it is too amorphous and too little dynamic or dramatic to appeal to South America.” Furthermore, Lutz declared that “it [the International Council of Women] is an amateurish organisation that fosters a kind of amateurish interest in things ... and I disapprove of it.” Instead, Lutz sought to organize “professional women driven to work by economic pressure—and they will be far too busy, too practical, too economically active and too radical to be dabbling in culture.”⁵⁸ Brazilian poverty and women’s economic dependence required practical feminism, not lavish cultural exchanges.

While Lutz may have been uninterested in “cultural exchanges,” her own cultural beliefs, especially regarding ideas of gender, shaped her views on women’s activism. Lutz’s feminism leaned toward ideas that rooted women’s subordination in their economic dependence. Yet she was also influenced by ideas of honor espoused by Brazilian Catholic feminists, which proclaimed that “without God, Fatherland, Honor and Family, there is no feminism possible.”⁵⁹ While Lutz personally had “lost her faith,” she continued to write about founding a feminist “convent” where she could retreat and reflect in order to “remake the women’s movement.”⁶⁰ Bertha Lutz’s and Doris Stevens’ disparate ideas of gender collided at the 1933 Inter-American Conference in Montevideo, Uruguay. Lutz’s hyperbolic descriptions of Stevens’ behavior at Montevideo illustrate how a dispute that began over priorities, devolved into a gendered battle over proper womanhood. In a convoluted account of conference, Lutz indicated

⁵⁸ Bertha Lutz to Carrie Chapman Catt (13 June 1932), NAWSA records, reel 12.

⁵⁹ Cited in Susan K. Besse, *Restructuring Patriarchy: The Modernization of Gender Equality in Brazil, 1914-1940* (Chapel Hill: University of North Carolina Press, 1996), 164.

⁶⁰ In an undated 1932 letter to Catt, Lutz wrote that she should have gone to a convent, but did not as she lost her faith. Bertha Lutz to Carrie Chapman Catt (1932), NAWSA records, reel 12. On founding a feminist convent see Bertha Lutz to Carrie Chapman Catt (26 December 1937), NAWSA records, reel 12.

that Stevens had been “tipped off” about a motion Lutz proposed. Stevens, in turn, had a member of the Mexican delegation move for adjournment to quell Lutz’s motion. Stevens’ conspirator was, Lutz alleged, “paid...in kisses for this.”⁶¹ Lutz decried Stevens’ tactics as unbecoming to “decent women.” Lutz referred to Stevens as a “sex-mad psychopath” in one letter and as a “nympho[maniac]” in another. She insisted that “Miss Stevens and her interamerican [sic] commission has become an international nuisance.” They would “ruin the movement” as their “morals are atrocious.” At Montevideo, Lutz had “suffered from them and of the shame they put upon womankind.”⁶²

Lutz was appalled at Stevens’ deployment of her sexuality for political gain. Stevens had a reputation for courting support through flirtation.⁶³ A modern woman, Stevens was a product of the 1920s sexual revolution, a revolution that clearly troubled Lutz. In a letter to Catt, Lutz explained: “The Latin American is a man to whom sex appeal is very fascinating. The InterAmerican [sic] commission of women does that.” Indeed, Stevens had “left many of the latin american [sic] men under the impression that feminists are like the greek [sic] women who shared the life and the loose living of the men of Athens.”⁶⁴

Stevens’ ideas about gender differed from most IACW activists. Stevens, no doubt, thought Lutz priggish. The IACW biographical sheet on Lutz stated that while she

⁶¹ Berth Lutz to Carrie Chapman Catt (2 April 1936), NAWSA records, reel 12.

⁶² Ibid.

⁶³ Leila Rupp, “Feminism and the Sexual Revolution in the Early Twentieth Century: The Case of Doris Stevens,” *Feminist Studies* 15:2 (summer 1989): 289-309. Rupp argues that Stevens was a somewhat reluctant participant in the sexual revolution, maintaining traditional ideas about men and women by marrying the men she had affairs with.

⁶⁴ Bertha Lutz to Carrie Chapman Catt (12 February 1934), (1 December 1934) & (7 July 1936), NAWSA records, reel 12.

was “radical in most ways she is conservative too.”⁶⁵ Yet unlike Lutz, most IACW activists supported the chair’s inter-American initiatives despite these differences. Stevens advocated for identical legal treatment between men and women. Her approach was rooted in liberal, individual rights ideology which stood in stark contrast to a group-based rights approach that Latin American women often advocated. As K. Lynn Stoner has demonstrated, activists in Latin America were more likely to “emphasize the rights of mothers” and to envision feminism as an instrument to fight “broad political and social struggles” in service of “social justice.” Stoner attributes this to the “corporatist state tradition in which individuals are categorized according to their membership in groups and granted rights accordingly.”⁶⁶ Yet during Stevens’ tenure with the IACW, she was able to nurture broad ideological support among the women with whom she worked. She did so by advocating for the equal rights treaty in the context of civil and political legal reforms. This focus side-stepped the issue of protective labor legislation, which was entangled with women’s economic and social rights.

Through their work cataloguing women’s political and civil legal inequality for the Montevideo report, IACW activists throughout the Americas widely accepted the idea that legal reforms offered an opportunity to attain varying objectives.⁶⁷ As middle and upper-class women, they expressed a shared faith in the potential power of the international law.

⁶⁵ Undated biographical sheet on Bertha Lutz, Stevens papers, folder 62.6.

⁶⁶ Stoner, “In Four Languages But with One Voice,” 79-94.

⁶⁷ Stoner, “In Four Languages But with One Voice,” 87.

The Debates over Protective Labor Laws and the Equal Rights Treaty

Word of the IACW's 1928 equal rights treaty spread to other internationally-minded feminists and quickly became a matter of debate. Stevens began to receive both congratulations and queries. The Australian Jessie Street wrote to Stevens requesting information on the treaty. Street saw the treaty "as a possible rallying point" and hoped it would "work up some real Feminist enthusiasm."⁶⁸ Another activist suggested that they take the equal rights treaty to Geneva as a means to challenge the ILO's international standards, which regulated working women.⁶⁹ Others saw this as a threat as a potentially disastrous development. Known as protective labor legislation, the laws took a variety of forms. They excluded women from certain occupations deemed dangerous and limited the number of hours or the times of day women worked. Dependent on one's perspective, the laws either restricted or protected working women.

In the early 1920s, both U.S. and British feminists engaged in pitched battles over the issue of protective labor legislation. In the U.S., the issue came to the fore in 1923 when the National Woman's Party introduced the Equal Rights Amendment (ERA) in Congress.⁷⁰ The international equal rights treaty that Stevens introduced at Havana in 1928 was modeled on the U.S. Equal Rights Amendment. ERA advocates, largely NWP activists, believed that the amendment would single-handedly advance the status of

⁶⁸ Jessie Street to Doris Stevens (14 February 1929), Stevens papers, folder 48.5.

⁶⁹ Betty Archdale to Ada Bromhan (24 July 1930), Rischbieth papers, MS 2004/5/1096.

⁷⁰ Between 1924 and 1938 the ERA was introduced to a judiciary sub-committee at every Congress. By 1943, the House and Senate Judiciary Committees had given it a favorable recommendation on five different occasions, but always failed in the necessary 2/3 vote to pass the Amendment, the first phase before it would be sent to the states for ratification. It was reintroduced to the 79th Congress in 1945. The Amendment before the legislature in 1945 read: "Equality of Rights under the law shall not be denied or abridged by the United States or by any State on account of sex." "Congress and the several States shall have the power within their respective jurisdictions, to enforce this article by appropriate legislation." "This amendment shall take affect three years after the date of ratification." *Congressional Digest* 25:12 (December, 1946):289-320; *Congressional Digest* 22:4 (April, 1943): 99-128.

women by necessitating identical treatment under the law. The international equal rights treaty was intended to accomplish the same objective as the ERA; ratification would oblige the U.S. government to rewrite national laws that distinguished on account of sex.

Yet NWP activists were in the minority. Most U.S. women's groups advocated for women's "equality," but feared a "blanket" constitutional amendment. As Dorothy Sue Cobble has argued, these feminists wanted both "equality *and* special treatment."⁷¹ They believed that while all workers deserved protection from capitalist excesses, it would be foolish to jeopardize laws that currently shielded working women from exploitation and potentially hazardous working conditions. Thus, for these women, the achievement of equality did not rest with identical treatment. Any legal instrument that dictated identical legal treatment, including either an equal rights amendment or treaty, potentially threatened essential labor laws. To combat the Equal Rights Amendment, and protect labor laws for women, domestic women's groups coordinated with the new U.S. Department of Labor's Women's Bureau.⁷² Instead of the ERA, these activists advocated for equal pay legislation and promoted women's unionization.

⁷¹ Dorothy Sue Cobble, *The Other Women's Movement*, 7.

⁷² Opponents of the ERA feared that all laws that currently differentiated on account of sex would be deemed unconstitutional if the amendment passed, disrupting the current judicial precedent that permitted distinctions in the case of a demonstrated state interest. For labor laws, the precedent was *Muller v. Oregon* (1908), which found that the "physical well-being of woman" was "an object of public interest and care" necessary "to preserve the strength and vigor of the race." The Court determined that the physical and social differences between men and women justified "a difference in legislation." *Muller v. Oregon*, 208 U. S. 412 (1908). Some of the most active groups that cooperated in their opposition to the ERA included the National League of Women Voters, the National Consumers League and the National Women's Trade Union League. The National American Woman's Suffrage Association became the National League of Women Voters (NLWV), revising its mission from achieving suffrage to non-partisan voter education and promoting the active participation of women in the political process. Catt served as the NLWV's honorary president until her death in 1947. Created in 1920, the Women's Bureau was responsible for collecting information, studying, and making policy recommendations on matters concerning the nation's working women. The Bureau's director, Mary Anderson, coordinated the "Committee to Defeat the Un-Equal Rights Amendment," which lobbied Congress against the amendment. For the cooperation between the U.S. Women's Bureaus and women's NGOs see Kathleen Laughlin, *Women's Work and Public Policy: a History of the Women's Bureau, U.S. Department of Labor, 1945-1970* (Boston: Northeastern University Press, 2000), 36-38 and Cynthia Harrison, *On Account of Sex: The Politics of Women's Issues, 1945-1968* (Berkeley: University of California Press, 1988), 81-3.

In Britain, the issue came to the fore in 1926 when the Labor Government proposed an expansion of England's protective laws. While many women's groups supported the maneuver, other British women joined forces to create a new organization specifically to fight the expansion. For these women, as for the leadership of the U.S. National Woman's Party, all legal distinctions lent legitimacy to women's second-class status; equal rights legislation and protective labor law were contrary propositions.⁷³

Each side made legitimate, compelling arguments to support their position, which contributed to the impasse among women's organizations. Laws regulating women's employment did technically restrict employers' ability to exploit women workers by limiting work hours and providing for rest periods. But they also limited some women's opportunities by prohibiting them from working in certain more lucrative occupations.⁷⁴ Such mixed consequences generated debate and often conflict as women argued about what mattered most—the protection of working women or equal employment opportunities. In 1929, a professor of economics explained: “To the protectionists these

⁷³ The new organization was the Open Door Council. The two most significant existing groups that drew women to support the Open Door were the 6-Point Group and the Women's Freedom League. Lady Pethick-Lawrence presided over the Women's Freedom League, which splintered from the Pankhurst oriented Women's Social and Political Union over leadership style during the fight for suffrage. Lady Rhonnda chaired the 6-Point Group, which came into being after suffrage. The 6-Point group focused on six specific legislative reforms, including equal pay for teachers, improved legislation for the unmarried mother and her child, improved legislation on child assault, and for the widowed mothers, as well as equal rights to guardianship and civil service opportunities. The new Open Door Council contested labor laws, but also opposed the contentious Endowment of Motherhood proposal, which sought to compensate women for their unpaid maternal labors. Both of these groups were frequent allies of the U.S. National Woman's Party. Pethick-Lawrence and Rhonnda assumed leadership roles in the World Woman's Party, a group that actively supported the creation of the special commission Bertha Lutz proposed in 1945.

⁷⁴ In 1929, the *Annals of the American Academy of Political and Social Sciences* 143:1 (May 1929): vi-376 commissioned an issue dedicated to working women. In it, the debate over protective labor legislation featured prominently. The entire issue is dedicated to working women: as college teachers, married women, as farmers, etc. The debate was not over whether women should be working, but the conditions of their employment. The publication came out just prior to the onset of the global depression, married women working was not considered deleterious to the economy. In a similarly commissioned 1947 issue, the debate shifted from women's working conditions to whether or not women who worked outside the home contributed to society or destroyed it. See Chapter Five.

minorities of women who are hurt by legal protection have been unimportant. Their loss of opportunities is the usual sacrifice made for the optimum good.”⁷⁵ But she continued: “To the anti-protectionists, these minorities are at women’s industrial frontiers. They are so valuable to the advance of the majorities that their need for greater freedom from the law must be met.”⁷⁶ The economist warned that given the current debates “we seemed doomed to stand still.”⁷⁷ Advocates for labor legislation tried to break the stalemate by making nuanced distinctions about the differences between laws that regulated and those that prohibited, supporting the former while recognizing the latter as somewhat problematic.⁷⁸

The attempt by anti-ERA activists to make nuanced distinctions between regulatory and prohibitive labor laws gained little traction in the public debates. Part of the reason for this was the National Woman’s Party’s publicity genius. The NWP never sought to build a mass organization. Instead the leadership envisioned themselves as a small, dedicated vanguard. NWP officers were adept at publicity and courted alliances at major publications, particularly the *New York Times*. One of the NWP’s most effective means was to work the press in such a way that everyday terms became inextricably affiliated with their agenda. Nancy Cott argues that the NWP so successfully associated its actions with “feminism” that those opposed to the NWP’s work would no longer publicly identify themselves as feminists, lest they be mistaken for one of the militants.⁷⁹

⁷⁵ Elizabeth Faulkner Baker, “At the Crossroads in the Legal Protection of Women in Industry,” *Annals of the American Academy of Political and Social Science* 143:1 (May 1929): 277.

⁷⁶ Ibid, 277.

⁷⁷ Ibid, 279.

⁷⁸ See for example, Mary Winslow, Director of Special Studies, Women’s Bureau, U.S. Department of Labor, “The Effects of Labor Legislation on Women’s Work,” *Annals of the American Academy of Political and Social Science* 143:1 (May 1929): 280-285.

⁷⁹ Nancy Cott, *The Grounding of Modern Feminism*, 134.

NWP feminists also worked to associate the terms “equality” and “equal rights” with their campaign for the ERA and the international treaty. NWP activists argued that opposition to the ERA or the treaty was inherently a stance for inequality. The pro-protectionist U.S. Women’s Bureau director, Mary Anderson recalled the NWP’s rhetorical maneuvers with frustration. “The trouble with the whole thing is that they [NWP] had coined a phrase that was hard to beat. No one is against ‘equal rights’ for women and that phrase is the most powerful argument they have.”⁸⁰ Less generously, Bertha Lutz complained, “there [sic] methods are [as] unscrupulous as those of [H]itler whose acute sense of publicity they possess.”⁸¹ While all feminists wanted equality, they disagreed on the means to achieve it.

Both U.S. and British activists battled for and against protective labor laws in their own countries, but the debate also became an international one. Protective laws originated in Britain, but as modern industrial practices spread, other nations followed suit, including the United States and many in Europe.⁸² The International Labor Organization, founded in 1919 by the League of Nations, placed protective labor laws at the top of its agenda. In taking up the task to establish international labor standards, the ILO quickly endorsed the prohibition of night work for women, codifying distinctions between the male and female workforce in one of its first conventions.⁸³ The 1919 ILO Convention facilitated the expansion of these laws (at least in theory) to areas in Latin America, the Middle-East and Asia where governments were engaged in modernization

⁸⁰ See Mary N. Winslow, *Women at Work: The Autobiography of Mary Anderson, As Told to Mary N. Winslow*, 162.

⁸¹ Bertha Lutz to Carrie Chapman Catt (2 April 1936), NAWSA records, reel 12.

⁸² British laws had regulated women’s employment since the 1840s when Parliament passed a series of laws prohibiting women’s employment in underground mines and limiting millwork hours.

⁸³ International Labor Organization, *Women’s Convention* (no. 4), 1919.

schemes; bringing the nation's laws in line with international standards was an important marker of modernity.

The codification of international standards also contributed to the expansion of women's interwar activism. Chilean feminist Marta Vergara, a member of the Movement for the Emancipation of Chilean Women (MEMch) became active with the IACW, cooperating with Stevens to enshrine the principle of equality in international law. Vergara also worked at the national level against laws that distinguished the workforce based on sex.⁸⁴ At the same time, women affiliated with the U.S. Women's Bureau provided an array of information about its activities to feminists around the globe. In an effort to shore up support for protective legislation, for example, the Women's Bureau sent films propagandizing their efforts to promote women's labor legislation to international congresses. They lobbied for other nations to form institutions similar to the protectionist driven U.S. Women's Bureau.⁸⁵

Not surprisingly, the ILO's insertion of protective labor legislation into the global arena exacerbated existing conflicts and generated a dizzying number of new women's organizations. For example, in 1929 anti-protective labor legislation activists broke away from the International Alliance over a disagreement about protective laws. They established the Open Door International and attracted women interested in collaborating across national borders to fight protective labor legislation.⁸⁶ Labeling the ILO an

⁸⁴ For the various MEMch (Movimiento pro Emancipación de la Mujer Chilena) activists' position on women's wage work see Karin Alejandra Roseblatt, *Gendered Compromises*, 80-94. Linda Littlejohn, an Australian feminist, was active in the founding of the Open Door International and returned to Australia to found a national Open Door Council. See Marilyn Lake, *Getting Equal: The History of Australian Feminism* (St. Leonards, NSW, Australia: Allen & Unwin, 1999), 168.

⁸⁵ See for example, Bertha Lutz, "Report of the Brazilian Feminist Congress, June 19th-20th 1931," Stevens papers, folder 62.11. In the report Lutz indicates that "Movie pictures of the Women's and Children's Bureau of Washington were greeted with much applause." One of the demands made by the Congress was for the creation in Brazil of "Bureau of Women and Children, like that of the United States."

⁸⁶ The 6-Point Group (through its affiliation with the British Open Door Council) orchestrated a parallel meeting alongside the International Alliance's 1929 Berlin Congress.

“enemy of women,” the Open Door insisted: “The time has come to promote the formation of [an] international body...as it became daily clearer that the problems created by the work and influence of the International Labour Organization was a menace to women all over the world.” Indeed, they contended that “nothing but an international organization would be in a position to combat its [ILO] attack on women workers...”⁸⁷ Yet some feminists soon became frustrated by Open Door’s reluctance to pursue the equal rights treaty as the best strategy for opposing protective legislation and standards. As a result, these feminists formed yet another organization, Equal Rights International. ERI pursued the equal rights treaty as its primary goal. The Australian Jessie Street, a founding member of ERI, asserted that “it will not be long before all States will be forced to come into line with the new civilization which will make it imperative that all human beings, whether men or women, have the same opportunity to live fully and work successfully.”⁸⁸

While the fissures over protective labor legislation were inherently ideological, the battle lines were often also personal. For instance, in 1926, Alice Paul applied for International Alliance membership on behalf of the NWP. Carrie Chapman Catt founded the Alliance and served as the honorary president of its U.S. affiliate, the League of Women Voters. The League of Women Voters staunchly supported protective laws and opposed the ERA. Alice Paul founded and led the National Woman’s Party, primary advocates of the ERA. More than a decade earlier, the NWP had splintered from the suffrage organization run by Catt over strategies and tactics.⁸⁹ Animosity between the

⁸⁷ Open Door International Manifesto as cited in Nitza Berkowitz, *From Motherhood to Citizenship*, 92.

⁸⁸ “Equal Rights International Press Release,” (16 September 1930), Stevens papers, folder 67.9.

⁸⁹ The National American Women’s Suffrage Association, led by Carrie Chapman Catt, adopted a state-by-state policy to winning votes for women. When they lobbied Congressional leaders, they wooed with their charm and poise. A group of younger feminists, led by Alice Paul, and indoctrinated into the cause by the more militant Britain’s Pankhurst suffragettes, who formed part of NAWSA’s Congressional

two ran deep. At the International Alliance congress, Catt worked behind the scenes to oppose the admission of the rival NWP, even threatening to withhold critical U.S. funds.⁹⁰ Despite awareness that Catt's campaign would lead to the rejection of the NWP's application, Alice Paul insisted her group be given a hearing at the international congress.⁹¹ While the NWP received support from several Alliance members, the board ultimately rejected their application. When it did, a British organization withdrew its membership application in a show of solidarity.⁹² NWP activists, including Doris Stevens and these British allies were soon floating the idea of an international equal rights treaty.⁹³ Shortly after the 1926 congress, Stevens became the NWP's international

Union, broke away from the National American Women's Suffrage Association, forming the National Woman's Party. Strategically, the NWP prioritized the adoption of a national constitutional amendment, approaching women's enfranchisement from a federal instead of the state level. Tactically, they opted for a national campaign against the Democrats in power who had failed to support suffrage. They picketed Wilson's White House during WWI where crowds attacked and the police arrested the activists of the NWP, earning them the badge of militancy. For more on the suffrage split see Cott, *The Grounding of Modern Feminism*, 53-81.

⁹⁰ Rupp, *Worlds of Women*, 141.

⁹¹ Paul's insistence was most likely the result of her awareness that many Alliance members rejected protective labor legislation. For example, in 1924 Alliance member Paulina Luisi, a founder of the Uruguayan National Council of Women and a rare woman delegate to the League of Nations, lectured the Alliance arguing, "that legislation designed to protect women actually regulated them." Rupp, *Worlds of Women*, 152.

⁹² The group was the British 6-Point Group active in the formation of both ODI and ERI. Several Alliance members were outraged at the tactics used to deny the NWP membership and introduced a resolution to condemn protective legislation. It failed only narrowly. Pfeffer, "A Whisper in the Assembly of the United Nations," 462.

⁹³ There are a couple of origin stories about the idea of an international equal rights treaty. Marilyn Lake indicates that it came into being at the 1926 Paris Congress as recalled by British feminist Vera Brittain. Lake, "From Self Determination via Protection to Equality via Non-Discrimination: Defining Women's Rights at the League of Nations and the United Nations," 259. Carol Miller, "Lobbying the League," 184-85 suggests that idea of the treaty originated with Sir Alfred Zimmern who told the International Federation of University Women in 1927 that it would be a long time before the League of Nations considered such a thing. Zimmern statement seems less like a proposal than a response to a query about his opinion on the viability of such an idea. In addition, given that Paul and Stevens were no doubt aware that Catt led the charge against the NWP and that an international Equal Rights Treaty promised to provide the same headache for Catt and like-minded others in the international arena as did the ERA in the U.S., it seems likely that the 1926 International Alliance Congress was the seed, which then developed further at the IFUW Congress in 1927.

chair and it was in this capacity that she traveled to Havana and introduced the equal rights treaty in 1928.

The inter-governmental structure of the IACW permitted Stevens to paper over significant ideological differences in ways that women's NGOs found impossible to do. NGOs held congresses where they adopted positions on issues and set priorities, which made them more democratic, but also conflict-ridden. In contrast, the IACW was less democratic. The PAU set parameters for the commission's work. While the commission's mandate was to study the civil and political status of women in the Americas, Stevens stretched it by introducing a blanket equal rights treaty. The treaty language was broad, "men and women shall have equal rights." If adopted, Stevens certainly intended for the treaty to nullify protective labor laws in the U.S. and standards at the ILO. Yet she explained the treaty's intent vaguely to her Latin American contacts. The treaty was simply to establish "the principle that all countries...shall hereafter make all their national laws confirm to the principle of equality."⁹⁴ She insisted on the "principle of equality" without, however, defining specifically what it should look like in various national contexts.⁹⁵ This generally permitted her to avoid direct engagement with the contentious issue of protective labor legislation and to work with IACW women who both supported and opposed gender-specific treatment.⁹⁶ Stevens understood that

⁹⁴ Doris Stevens to Bertha Lutz (23 September 1933), Stevens papers, folder 62.11.

⁹⁵ Bertha Lutz to Doris Stevens Lutz (2 June 1931), Stevens papers, folder 62.11.

⁹⁶ For example Stevens worked with activists like Chilean Marta Vergara, who opposed protective labor legislation as contrary to the principle of equality. For Vergara (like Stevens) the principle of equality imbedded in the Equal Rights Treaty lent legitimacy to her opposition to special legislation, which she believed disadvantaged women. At the same time, Stevens also worked with the Brazilian feminist Carmen Porthino, who believed that the principle of equality validated the need for special legislation. Such laws worked to compensate for inequalities that resulted from women's different social roles. Bertha Lutz proved to be the exception. Her insistence that the IACW expand its mandate to economic and social questions placed protective legislation on the table and eviscerated Stevens' efforts to side-step the issue. For Vergara see Karin Alejandra Rosemblatt, *Gendered Compromises*, 80-94. For Porthino see "Report of the Brazilian Feminist Congress" (28 July 1931), Stevens papers, folder 62.11.

many of her colleagues did not necessarily understand the equal rights treaty and protective labor legislation to be mutually exclusive legislative agendas.

Crisscrossing the Globe: The Equal Rights Treaty

In the summer of 1928, just six months after introducing the equal rights treaty at Havana, Stevens briefly shifted her focus from the new hemispheric work to trans-Atlantic collaboration. She followed international diplomatic activity to Paris. To avoid entering a potentially entangling bi-lateral alliance with France, U.S. Secretary of State Frank B. Kellogg orchestrated a multi-party treaty designed to outlaw aggressive war.⁹⁷ Havana had demonstrated to Stevens the equal rights treaty's potential. In Paris, and acting as the NWP international chair, Stevens joined fellow activists from Britain, Italy, Germany and France.⁹⁸ As Kellogg's car approached the gate of the French President's summer château, the women unfurled a "We Demand an Equal Rights Treaty" banner. French officers quickly seized it and when the women refused to disperse, officials "manhandled" and arrested the activists.⁹⁹

Stevens used the arrest to gain high-profile press coverage for the international equal rights treaty.¹⁰⁰ In her statement she explained: "We tried to take this opportunity to present the plenipotentiaries here assembled an equal rights treaty for signature. We want to raise the status of women throughout the world by means of an international

⁹⁷ For U.S. governments attempt to use the treaty to avoid a binding French-U.S. alliance see Robert Ferrell, *Peace in their Time: The Origins of the Kellogg-Briand Pact* (New York: Norton, 1969 [c. 1952]).

⁹⁸ Betty Gram Swing of the NWP joined Stevens as did her ally from the British 6-Point Group, Lady Rhondda.

⁹⁹ "Paris Jails Feminists," *Los Angeles Times* (29 August 1928), 1.

¹⁰⁰ The women's arrest was front page news in the *Los Angeles Times*, the *New York Times*, (29 August 1928); *Chicago Tribune* (29 August 1928). *The Washington Post* carried the story of p.3 (29 August 1928); *The Manchester Guardian* covered the news on page 8 (28 August 1928); *The Times of India* carried the story on page 9 (29 August 1929) and again the next day on p. 8.

agreement. Men act in concert, so must women.” Citing both the new Kellogg Briand Pact and the League of Nation’s 1926 Convention on Slavery, Stevens argued that international agreements “which abolish subjection in any form are the ones most precious to humanity...” as they raise “the dignity and status of human beings.” For Stevens, an equal rights treaty would be an “even greater” accomplishment as “under its terms one-half of the human race is affected and the dignity of the whole sex will be raised...”¹⁰¹

Women active with the new Inter-American Commission of Women were quick to capitalize on the “hostile attitude” Stevens and her associates encountered in Paris. In the press, they drew a “startling contrast” to the activists’ reception at Havana. Flattering the male delegates from the “New World,” Panamanian Clara Gonzalez declared that at Havana feminist activists “were received by the men...with the open-mindedness and instinctive response to all ideas of liberty and justice.” These, she declared, were “characteristic of the Western World.” Muna Lee Muñoz Marín of Puerto Rico also distinguished between Latin American and European men: “Feminism in this hemisphere counts men as well as women among its ardent champions.”¹⁰² Flattering their male colleagues was an effective tactic employed by the IACW and congruent with a non-confrontational style of activism, which most IACW delegates believed more effective.¹⁰³

¹⁰¹ “Paris Jails Feminists,” *Los Angeles Times*, (29 August 1928), p. 1.

¹⁰² “10 Women Arrested at Dinner to Envoys,” *New York Times* (29 August 1928), p.1.

¹⁰³ Lynn K. Stoner has argued that activists in Latin American were more likely to “...hesitate to attack patriarchy as a main source of gender repression.” Instead of emphasizing the oppression inherent in a male-dominated society, IACW activists, including Stevens appealed to men’s sense of justice and praised their collaboration. Stoner, “In Four Languages,” 86. For a more detailed examination of IACW tactics to court support of Latin American delegates see Chapter Two.

The distinction drawn by Lee and Gonzalez was not lost on Stevens. After Paris, Stevens began attending international conferences, not under the auspices of the U.S. National Woman's Party, but as the chair of the new Inter-American Commission of Women. The support offered by her new IACW colleagues and their ability to court support from male delegates gave women activists a new tool in their struggle. The IACW would henceforth play an expanded role, linking work done in the Western Hemisphere and Geneva.

While the U.S. had rejected membership in the League of Nations, the government did not isolate itself from League matters. In October of 1929, the U.S. Secretary of State received an invitation from the League of Nations to participate in the Hague Conference on the Codification of International Law. In his recommendation to President Hoover, Secretary of State Henry Stimson argued that it was "most important that this Government should be represented at the Conference." While the Hoover administration intended to take an active role in negotiating the new standards, the State Department made it clear that it did not expect its delegation to formally sign any legally-binding conventions.¹⁰⁴

The deleterious effect of disparate nationality laws had been a feminist concern for some time and they brought the issue to the attention of inter-governmental organizations.¹⁰⁵ Women's pressure is evident in the League's invitation to the Hague conference:

¹⁰⁴ Secretary of State to President Hoover (12 December 1929), Foreign Relations of the United States 1930, vol. I (Washington DC: US Government Printing Office, 1945), 206-08. Hereafter *FRUS* 1930 vol. I. For U.S. reticence to participate in treaty ratification generally, see Natalie Hevener Kaufman, *Human Rights Treaties and the Senate: A History of Opposition* (Chapel Hill: University of North Carolina, 1990).

¹⁰⁵ Bertha Lutz, "Nationality of Married Women in the American Republics," *Bulletin of the Pan American Union* 2 (April 1926): 392. The IACW studied nationality laws as one of its primary focuses. Alice Paul served as the chair of the nationality committee. In Europe, the British feminist Chrystal Macmillian, a woman active in several international organizations, championed the cause of equal nationality. See Karen Knop and Christine Chinkin, "Remembering Chrystal Macmillian: Women's

The Assembly, considering the question of nationality which is of special interest to women, and that Article 7 of the Covenant embodies the principle that all position under or in connection with the League shall be open equally to men and women, expresses the hope that Members of the League...will consider the desirability of taking these considerations into account in composing their delegations.¹⁰⁶

League officials recognized that to ignore feminist activists on the nationality issue would be to invite a unified reaction. Despite the League's urging to include women delegates, governments did not widely acquiesce.

The lack of female delegates did not deter feminist organizations. Acting as the IACW chair, Stevens sailed with a delegation to make their position known. Women staged a parade, sporting different colored sashes that represented the degree to which their nation's nationality laws discriminated against women. The IACW delegation pledged to "stop at its source any move to give women anything less than equal rights with men in the question of nationality after marriage."¹⁰⁷ The IACW, therefore, introduced an equality clause at the Conference, which permitted "no distinction based on sex in the law or practice relating to nationality."¹⁰⁸

Stevens relied on her inter-American contacts to introduce the equality measure. Marta Vergara, a member of the IACW's nationality committee, helped Stevens win the support of Dr. Miguel Cruchaga of Chile.¹⁰⁹ While the U.S. delegation did not oppose

Equality and Nationality in International Law," *Michigan Journal of International Law* 22 (2000-2001): 523-585.

¹⁰⁶ The Secretary General of the League of Nations to the Secretary of State (15 October 1929), *FRUS* 1930 vol. I, 205-206.

¹⁰⁷ "Doris Stevens Sails For Hague Meeting: Will Plead for World Law Giving Women Equal Citizenship Rights With Their Husbands," *New York Times* (21 March 1930), 32.

¹⁰⁸ Alice Paul, the chair of the IACW's committee on nationality, drafted the equality statement.

¹⁰⁹ In a letter recommending Vergara, Stevens recalled Vergara as "an ace" who had represented the IACW at both the Hague Conference and at the League of Nations. See Doris Stevens to Grace Frysinger (5 May 1936), Stevens papers, folder 67.13.

the equality clause, they would not introduce it. They believed that there was “not the slightest possibility that the Conference will adopt” the principle.¹¹⁰ Stevens argued that it was “far better” to consider the equality proposal “than to write a convention we shall subsequently have to overturn.” The IACW delegates lobbied delegates at The Hague and coordinated an avalanche of telegrams from the American Institute of International Law, headed by an IACW ally in the PAU. Indeed, “cables of protest...were sent hourly by feminists of the United States and the twenty-one Latin American republics represented in the Inter-American Commission of Women.”¹¹¹

The primarily male delegation did not welcome the “offensive” intrusion of women into what they clearly perceived as their exclusive domain. Despite the support Stevens received from her Latin American colleagues and the long-standing work of women activists to normalize women’s participation at international conferences, the chair, Dr. Heemskerk of the Netherlands, balked at the IACW’s tactics. He issued an order to exclude the feminists from areas of the Palace where delegates congregated so that the women could “propagate their ideas.” He explained to the press that “the presence of the ladies and the communiqués they spread in the daily press in which things were mentioned not intended for publication were offensive to the delegates.” Furthermore, Heemskerk noted he had a responsibility to “take care that delegates...may hold confidential conversations undisturbed and unspied [sic] upon.” IACW activists would be treated like journalists and confined to a “place set apart for them in the Peace

¹¹⁰ *FRUS* 1930, vol. I, p. 210.

¹¹¹ The ally was international lawyer John Scott Brown. “Women See Rebuff on Nationality Law: Miss Doris Stevens Pleads With The Hague Conference Not to Perpetuate Inequalities,” *New York Times* (2 April 1930), 11. U.S. women lobbied Hoover to support the principle of equality and to reject the convention which did not include it. When the U.S. did not sign the convention, U.S. women’s groups took credit for this national victory. Yet, as Ellen DuBois argues, it was certainly also rooted in concern that the U.S. Senate would fail to ratify the international convention and thereby harm U.S. credibility internationally. Ellen DuBios, “Internationalizing Married Women’s Nationality: The Hague Campaign of 1930,” in *Globalizing Feminisms*, 204-216.

Palace.”¹¹² In the end, the IACW failed to secure the principle of equality in the nationality treaty.¹¹³ Nonetheless, they had again garnered the support of Latin American male colleagues. It was support they sorely needed.

While Stevens traveled to The Hague under the auspices of the IACW, she and her new colleagues also began working feverishly to gather and collate the information on American women’s legal status, preparing a report to present at the 1933 Montevideo Conference. Stevens believed the conference was critical. It was, she asserted, “a golden opportunity to make our demands upon the Conference impressive...”¹¹⁴ In the end the IACW introduced 22 tomes of evidence that documented the radical disparity between men and women’s legal positions throughout the Western Hemisphere.

To mitigate this inequality, Stevens developed a three-pronged approach at Montevideo. First, she and her IACW colleagues sought to validate the necessity of their commission’s work. They had produced their report and now it was time to eradicate the inequalities it revealed. The PAU needed the Inter-American Commission of Women to promote the advancement of women’s legal status. This led to the second and third initiatives. The IACW introduced the Montevideo Equal Nationality Treaty to insure that the “unsatisfactory Hague Treaty” did not “flourish in this continent.”¹¹⁵ They also re-introduced the Equal Rights Treaty.

The U.S. government rejected the premise that international treaties were an appropriate means to address women’s rights. Delegates of the new Roosevelt administration traveled to Montevideo prepared to sideline all IACW action. They

¹¹² “Women Protest Ban at the Hague,” *New York Times* (10 April 1930), 7.

¹¹³ Plenipotentiaries of forty-five nations drafted the Nationality Convention at the 1930 Hague Conference on the Codification of International Law.

¹¹⁴ Doris Stevens to Bertha Lutz (23 September 1933), Stevens papers, folder 62.11.

¹¹⁵ *Ibid.*

carried instructions to oppose both treaties and to reject the continuation of the women's commission:

It seems undesirable from the point of view of the United States...for...an indefinite continuation of the Inter-American Commission of Women, particularly since American representation on that body has not served to reflect the views of this Government and of major groups of women with respect to the status of women in industry and in various social relations...If the Conference proceeds to vote...recommending the indefinite continuation...you should refrain from voting thereon, stating that you are without instructions.¹¹⁶

The Roosevelt administration supported the U.S. Women's Bureau and domestic NGOs that backed protective labor legislation. By abstaining, the U.S. government hoped to derail the IACW without a direct confrontation with Stevens and her NWP allies. The government's desire to evade the subject of women's rights, however, soon conflicted with the execution of a new foreign policy doctrine.

In an effort to demonstrate that Roosevelt intended to make good on his promise to be a Good Neighbor, the delegation had to partially reverse its IACW policy position. The Montevideo Conference was the first inter-American conference of Roosevelt's Good Neighbor Policy administration and represented an important test. The U.S. delegates' instructions included an explicit explanation of what the new policy implied for conference decorum. The delegation was to refrain from assuming "a role of leadership in the Conference." Instead, their attitude "should be to favor the friendly expression of views by the delegates of various countries and...to support only those proposals which appear to be in the common interest and which merit the unanimous approval of the American Republics."¹¹⁷ The U.S. delegation quickly found itself in the

¹¹⁶ "Instructions to the Delegates to the Seventh International Conference of American States, Montevideo, Uruguay," (10 November 1933), *Foreign Relations of the United States 1933, vol. IV*. (Washington DC: US Government Printing Office, 1950), 84-85. Hereafter *FRUS 1933, vol. IV*.

¹¹⁷ *FRUS, 1933, vol. IV, p. 45.*

minority on the future of the IACW, as most Latin American nations supported its continuation. The U.S. also soon discovered itself alone in its opposition to the Nationality Convention.¹¹⁸ The State Department, therefore, altered its course and instructed the delegation to agree to the convention. There was, however, considerably less willingness by the American Republics to accede to the blanket equal rights treaty; only four nations pledged their signatures.¹¹⁹ As a result, the U.S. maintained its opposition to the equal rights treaty as “not an appropriate subject for a Treaty.”¹²⁰

Given their success, albeit limited, the Montevideo conference solidified IACW feminist activists’ commitment to furthering the equal rights cause via international treaties. Following her return, Stevens addressed a crowd of NWP supporters: “At Montevideo it was primarily *the method used* which brightened not only our hearts, but the hearts of enlightened jurists as well. We took a clean, untraveled road. The treaty method of establishing equality was established. That gain cannot be overestimated.”¹²¹

The potential implications of the equal rights treaty as a back-door method for attacking domestic protective legislation and the ILO conventions was not lost on pro-labor legislation activists. In fact, the treaty “method” so alarmed pro-legislation feminists from the U.S. League of Women Voters that they went on record opposing *all*

¹¹⁸ Nationality laws in Latin American tended, on the whole, to be less discriminatory than in parts of Europe, but inequalities did exist. Bertha Lutz, “Nationality of Married Women in the American Republics,” *Bulletin of the Pan American Union* 2 (April 1926): 392

¹¹⁹ The conference overwhelmingly passed a resolution of intent on the subject of equality, but only four nations supported a binding treaty. Paraguay, Uruguay, Cuba and Ecuador signed the Montevideo Equal Rights Treaty.

¹²⁰ *FRUS*, 1933, vol. IV, p. 84.

¹²¹ “Speech by Doris Stevens, Chairman of the Inter-American Commission of Women, at the “Victory Dinner” in Her Honor Last Saturday in Atlantic City” and “Treaty Method Best at Wiping Out Inferiority Stigma,” both in *Equal Rights* (16 June 1934), Thomas Pardo, ed., National Woman’s Party Records, 1913-1972, (Glenn Rock, NJ: Microfilming Corporation of American, 1977-1978), reel 155. Emphasis in the original. Hereafter cited as NWP records.

of the Montevideo treaties. This included the one on nationality, an issue they actually supported. The IACW-friendly press quickly picked up on the rift and the League of Women Voters scrambled to conduct damage control. The League president wrote the *New York Times* insisting that the League of Women Voters supported equal nationality but that they were “opposed to all blanket legislation in any form.” The LWV argued that blanket legislation expressed “mere sentiment” and was a “hindrance to effective legislation” that specifically addressed inequality.¹²²

U.S. women, fearful that an equal rights treaty would jeopardize protective labor legislation, were not the only opponents of the IACW’s agenda. Bertha Lutz traveled to Montevideo as an advisor to the Brazilian delegation. It was a position that Stevens helped to secure for her.¹²³ But Lutz was not so easily convinced that Stevens’ tactic of absolute legal equality was indeed the most effective. While Lutz worked heartily for Brazilian women’s suffrage, she viewed it as a tool to promote women’s broader emancipation. Lutz paid particular attention to women’s poor economic condition, which she related to their social responsibilities as mothers. As such, women required special legislation to compensate for any resulting disadvantages.¹²⁴ As a new member of the

¹²² “Foe Tells View On Women’s Pact,” *New York Times* (21 December 1933), 18. The *New York Times* article insinuated that First Lady, Eleanor Roosevelt had used her political influence to shape the State Department’s oppositional stance to the Montevideo Treaties. Roosevelt was a member of the League of Women Voters. In the article the LWV president, Anna Lord Strauss denied Roosevelt’s involvement. Lord Strauss argued that the League had always supported equal nationality and had in fact played a major role in securing passage of the 1922 Cable Act, which acknowledged a woman’s right to hold a nationality of her own. That the League lobbied against all treaties indicates the danger protective labor laws advocates saw in all blanket legislation, the Equal Rights Amendment and Montevideo treaties alike. Despite the negative publicity, the LWV persisted in its opposition, testifying to Congress against ratification of the Montevideo nationality treaty. See Susan Becker, *The Origins of the Equal Rights Amendment*, 184.

¹²³ Stevens to de Oliveira Lima (15 March 1934), Stevens papers, folder 62.13.

¹²⁴ For instance Lutz supported the demand that “housewives be considered as an economic unit,” for the right of married women to work, equal pay “based on work and not on sex,” and “seats for women workers in business or industry” as well as paid maternity leave and special railway “carriages for women at rush hour.” See Bertha Lutz, “Report of the Brazilian Feminist Congress, June 19th to 20th, 1931,” Stevens papers, folder 62.11.

Brazilian Chamber of Deputies, Lutz worked to pass a bill “creating a woman’s bureau” and a “general statute, a sort of [M]agna [C]arta for women.” While she was not successful, she felt her efforts were an important step in raising awareness about women’s need for gender-specific legislation.¹²⁵ For Lutz, sex-based distinctions did not hamper women’s fight for justice; instead they could be important tools in leveling the playing field.

While Stevens and Lutz’s ideological differences eventually pitted the activists against each other, both cooperated in the run-up to Montevideo. Each stood to gain by doing so.¹²⁶ Lutz was, according to the IACW’s own account, “considered the leader of feminism in Brazil” and Stevens relied on Lutz’s collaboration to gather information for the Montevideo report.¹²⁷ For Lutz, Brazil had just experienced a “revolution,” and collaboration with the IACW offered Brazilian activists additional leverage in arguing for the inclusion of women’s rights in the new constitution. Lutz was canny enough to understand U.S. and Brazilian political relations in general and to capitalize on the new regime’s desire to emphasize its status vis à vis other American republics. She argued that if the U.S. appointed women delegates to inter-American conferences it would be helpful in persuading the Brazilian government to do the same. In a letter to Stevens, she declared: “If there is any woman delegate approved to the American delegation, please let us know at once, with all details for publicity, including photos.”¹²⁸

Hints of the ideological tensions between Lutz and Stevens were present in their early encounters. In 1931, the two had corresponded about an upcoming Brazilian

¹²⁵ Bertha Lutz to Carrie Chapman Catt (26 December 1937), NAWA records, reel 12.

¹²⁶ Stevens wrote Lutz, pleading, “I know of no one else in Brazil but you, to whom to appeal.” Doris Stevens to Bertha Lutz (19 February 1932), Stevens papers, folder 62.11.

¹²⁷ “Bertha Lutz,” undated biographical sheet, Stevens papers, folder 62.6.

¹²⁸ Bertha Lutz to Doris Stevens (6 October 1933), Stevens papers, folder 62.11

Federation congress, Lutz requested that the IACW send a resolution on the political and civil rights of women. Stevens agreed, but in perusing the expansive Brazilian congress agenda, she warned Lutz: “I trust you not to make me even seem to depart from my life-long adhesion to equality.”¹²⁹ Lutz fired back: “You may be sure that I will see to it that you are not represented in any way in favor of discrimination, since I know your point of view perfectly.”¹³⁰ While the two held competing gender ideologies, each knew where the other stood.

Despite Stevens’ concerns, she believed that Lutz would support the IACW Montevideo “equality” agenda. Lutz, however, surprised Stevens and pursued an independent course.¹³¹ She called for the IACW to expand “into economic and social questions.”¹³² To do so, Lutz proposed the creation of women’s section within a Pan-American Labour Bureau and a new program for women that “included everything from

¹²⁹ Doris Stevens to Bertha Lutz (2 May 1931), Stevens papers, folder 62.11. Emphasis in the original.

¹³⁰ Bertha Lutz to Doris Stevens Lutz (2 June 1931), Stevens papers, folder 62.11. The letters between Lutz and Stevens are wrought with tension. Stevens’ persistent queries to Lutz about the status of her work on Brazilian laws for the Montevideo report clearly annoyed Lutz. In one particularly poignant letter Lutz bristled at Stevens’ single-minded focus on the Montevideo report. Lutz explained that she had not sent information because for one she had been “recovering from a severe illness, which nearly cost me my life.” Additionally, Lutz reminded Stevens that “I remember writing to tell you that we did not supply the information because since the revolution there is not one focus of legislation that is not being totally remodeled. Consequently, it seemed useless to send information, destined to be, soon, valueless.” See Lutz to Stevens (6 October 1933), Stevens papers, folder 62.11.

¹³¹ Stevens feared that Lutz’s association with Catt and the International Alliance would prevent Lutz from cooperating with the IACW. This was a particularly salient concern in the early years as the IACW was so closely allied with activists from the National Woman’s Party. See notation at the bottom of a 1929 speech, “A Paz Americana, Preludio Da Paz Universal!” given by Bertha Lutz. The speech was broadcast to the women of the Americas, hailing the enfranchisement of Ecuadorean women, the bottom of the speech contains the notation: “Miss Macdermott thinks this article most important as it proves that Bertha Lutz’s contingent will work with the Commission of Women.” Copy of speech and note in Stevens papers, folder 62.11. Stevens came to believe that Lutz was deceptive about her position on “equality” in order to win Stevens’ endorsement for the position at Montevideo. See Stevens to de Oliveira Lima (15 March 1934), Stevens papers, folder 62.13.

¹³² Bertha Lutz to Carrie Chapman Catt (2 April 1936), NAWSA records, reel 12.

political rights to social welfare.” This, Lutz argued, “would have obliged (the IACW’s) program of equality to give way to a wider program...”¹³³ Lutz had the support of the U.S. woman delegate Sophanista Breckinridge, a social reformer with ties to Hull House, the University of Chicago social science faculty, and the U.S. Women’s Bureau. But according to Lutz, Breckinridge was no match for the politically astute Stevens. In fact, Lutz reported that Stevens “terrorised” the U.S. delegation and that she (Lutz) was the “only one with courage to go after their blood.”¹³⁴

Bertha Lutz pushed back against the assumption that the U.S.-led IACW had the right to set the inter-American agenda. Believing the IACW—and Stevens’ deployment of her sexuality—was a “positive disgrace,” Lutz tried to put the IACW “out of existence.”¹³⁵ Lutz identified Stevens as the power behind the commission and, therefore, proposed moving the IACW headquarters from Washington D.C., wrenching it from Stevens’ grip. Lutz believed that the future of effective inter-American feminist cooperation necessitated the destruction of Stevens’ “monopoly.” Lutz left the conference convinced that the IACW harmed the women’s movement and avoided any future collaboration with Stevens. Instead, she expanded her cooperation with the U.S. Women’s Bureau contingent.¹³⁶

¹³³ Bertha Lutz to Frieda Miller (18 February 1936), NAWSA records, reel 12. Lutz wrote to Miller in 1936 prior to the upcoming Inter-American Peace Conference to be held in Buenos Aires. In her letter Lutz recalled her efforts at Montevideo and her mistreatment by Stevens in an effort to solicit Miller’s support in subverting any “equality” action by the IACW at the conference. Frieda S. Miller was an Industrial Commissioner in New York where she worked for Frances Perkins before Perkins joined Roosevelt’s cabinet. Miller became the Director of the Women’s Bureau after Mary Anderson’s retirement in 1944. Miller regularly attended ILO conferences and often served as a US delegate

¹³⁴ Bertha Lutz to Carrie Chapman Catt (6 May 1936), NAWSA records, reel 12.

¹³⁵ Bertha Lutz to Frieda Miller (18 February 1936), NAWSA records, reel 12.

¹³⁶ As plans for a Pan-American Peace Conference were being negotiated in 1936, Lutz was in communication with Frieda Miller, the U.S. representative to the recent Santiago ILO conference. Lutz met Miller when she traveled through Brazil after the conference, carrying a letter of introduction from the US Secretary of Labor, Frances Perkins. Lutz and Miller brainstormed ways to supplant the IACW equality agenda with one that might advance the position of working women. Lutz believed the best hope

Stevens and her supporters fought Lutz's efforts to re-shape the IACW. Staying away from economic and social questions was exactly how Stevens papered over the protective labor legislation debate in her inter-American work. The idea of an inter-American entity that resembled either the ILO or the U.S. Women's Bureau struck Stevens as a catastrophic development.¹³⁷ She and her supporters also believed that to relocate the commission would be its "death blow."¹³⁸ The IACW relied on funds from U.S. benefactors and its space in the Pan-American Union building facilitated the groups' access to valuable allies on the permanent staff. When Stevens discovered Lutz's agenda, the commission chair responded with what Lutz described as "gangster tactics." After learning of Lutz's proposal for a Pan-American women's bureau, Stevens convinced her "friends to stay away," preventing a quorum so that the measure would not pass.¹³⁹ The IACW survived the Montevideo conference intact and began actively promoting the equal rights and nationality treaties in the inter-American context.

The IACW soon, however, also looked to expand its reach into Europe. Stevens sent a letter to Geneva, explaining to Helen Archdale of Equal Rights International that "both treaties are open to adherence of all States." International women's NGOs wasted

rested with pressuring delegations to appoint women plenipotentiaries. She recalled that as a mere technical advisor she was powerless to combat the IACW at Montevideo. In the appointment of delegates however, it was critical that the "right ones (be) sent" so that they could bring "something new into being, and to curtail the evil effects of the existing situation." Lutz hoped that Miller would enlist the support of Secretary Perkins and even the First Lady, Eleanor Roosevelt if necessary. If they failed in getting sufficient numbers of women delegates appointed, Lutz suggested a parallel conference sponsored by Perkins "on continental relations in regard to the home, children, living, and working conditions..." Bertha Lutz to Frieda Miller (18 February 1936), NAWSA records, reel 12.

¹³⁷ Helen Archdale to Doris Stevens (8 April 1934) & Doris Stevens to Helen Archdale (25 April 1934), Stevens papers, folder 67.9.

¹³⁸ Flora de Oliveira de Lima to Stevens (23 May 1934), Stevens papers, folder 62.13. The Brazilian de Oliveira Lima called the idea to move the IACW from D.C and the Pan-American Union "simply stupid."

¹³⁹ Bertha Lutz to Frieda Miller (18 February 1936), NAWSA records, reel 12.

little time in pressing the League of Nations Secretariat about officially opening the Montevideo treaties for signature at Geneva. Stevens reported that the Secretariat had “evidently been very busy answering all enquiries.”¹⁴⁰ A special committee of women’s NGOs established by the League to study the nationality question added the Montevideo treaties to its “equality program.”¹⁴¹ The IACW had pushed its way to the center of European activism.

While officials at the League of Nations were generally supportive of women’s demands for greater participation, they were hesitant to broach an international equal rights treaty. To do so would have placed them in the middle of the controversial protective labor legislation disputes. Instead the League consistently insisted that labor laws were solely the ILO’s concern. Stevens complained that “it looks as if the Secretariat were hoping that the treaty was closed.” In fact, the Secretariat informed women’s groups in Geneva that the treaty was not open for signature by League members “without ever taking the trouble to ask the Director General or the Governing Board of the Pan American (Union) whether this was so.”¹⁴² Despite this set-back, Stevens insured activists that the treaties were indeed open for signature. The League, however, remained reticent about officially tackling the treaty issue.

Despite the fact that U.S. women like Stevens held high-profile roles in international activism, they were, in fact, restrained by a lack of power at Geneva. Furthering IACW work at the League of Nations depended on the collaboration of sympathetic delegations. It was a powerlessness they fully grasped. Alice Paul, chair of

¹⁴⁰ Stevens to Helen Archdale (17 May 1934), Stevens papers, folder 67.9.

¹⁴¹ The program included the approval of both the Montevideo Equal Nationality and Rights Treaties as well as the adoption of amendments to the League Covenant to include the principle of equality between men and women.” Alice Paul to Mabel Vernon (2 April 1937), People’s Mandate Committee records, series B, box 30, folder, “World Woman’s Party.”

¹⁴² Doris Stevens to Helen Archdale (25 April 1934), Stevens papers, folder 67.9.

both the Nationality Consultative Committee at the League and the IACW's nationality committee, resorted to writing the U.S. president of another inter-American group to ask for help in gaining the support of "a few outstanding South American women, who are good feminists." Greater support from South American women, Paul argued, was necessary because, "you know how pitifully little strength we [U.S. women] have over here [Geneva]."¹⁴³ To circumvent the League's obstinate position on the Montevideo treaties, Stevens suggested that there was "nothing to prevent Chile or any other sovereign government from inviting adherence through the League."¹⁴⁴ Indeed, in 1934, League members from Latin American nations lobbied—on behalf of the IACW—to place the Montevideo Equal Rights Treaty on the 1935 League Assembly's agenda.¹⁴⁵

Some women, however, saw the reliance on Latin American delegations as more problematic than helpful. Linda Littlejohn, an Australian feminist, identified the "very great disagreement" on protective labor legislation as one prohibitive factor, but singled out the lack of support from "the big European States or Great Britain" as the Montevideo's equal rights treaty's real problem. She proposed crafting another treaty that included only political and civil equality, leaving "industrial" equality to a later date. Littlejohn pointed out that the Montevideo Equal Rights Treaty had only been ratified by "four South American States." It had not been "accepted" by any "European" nation or the United States. A new treaty might be "accepted by the generally recognised (politically important) states." While she believed "national jealousy" to be "a foolish thing" she argued that it mattered. She contended that the inter-American origins of the

¹⁴³ Alice Paul to Mabel Vernon (2 April 1937), People's Mandate Committee records, series B, box 30, "World Woman's Party."

¹⁴⁴ Doris Stevens to Helen Archdale (8 May 1934), Stevens papers, folder 67.9

¹⁴⁵ They were Argentina, Bolivia, Cuba, the Dominican Republic, Haiti, Honduras, Mexico, Panama, Peru and Uruguay.

Montevideo equality treaty prejudiced its adoption by Europeans. Indeed, Littlejohn argued that the unconditional pursuit of the Montevideo treaty was tantamount to “knocking our heads against a brick wall.”¹⁴⁶ She evidently believed that the Latin American delegations lacked the political significance to lead European nations on the women’s rights front.

When the League took up the issue in 1935 (and again in 1936), most members continued to reject the idea that women’s legal equality was an appropriate subject for international consideration. While the League “expressed appreciation” for the “strength and extent of the movement for the removal of differences in the legal position of the sexes,” and felt “sympathy” for the “ideas underlying this movement” it could not take action. The Secretariat stated that certain governments believed that the “status of women was so essentially a matter of domestic jurisdiction that it ought not be considered” as “within the field of action of the League.”¹⁴⁷ Frustrated by the League’s failure, Stevens complained to an ally in Geneva: “Forgive me if I seem impatient at the League’s attitude towards women. One naively hopes always that Europe will find reasons for doing something instead of reasons for not doing something.”¹⁴⁸ Although the League rejected the idea that women’s equality was an appropriate subject of international legislative concern, feminist pressure had, at least, forced its consideration. They could not have done so without the support of sympathetic delegates, particularly from Latin America.

¹⁴⁶ Linda Littlejohn (ERI) to Alice Paul (1 December 1935), Stevens papers, folder 67.9.

¹⁴⁷ Kerstin Hesselgren, “Report of the First Committee to the Assembly,” UN Doc. E/HR/ST/1 (1 May 1946), Annex 4. The UN Commission on the Status of Women report reprinted the League of Nations Committee on the Legal Status of Women documents. This report contains a summary of League action regarding the Montevideo treaties.

¹⁴⁸ Doris Stevens to Helen Archdale (17 May 1943), Stevens papers, folder 67.9.

Challenges of Women's Interwar Activism: Insider and Outsider Status

In the interwar years, women formed a variety of collaborative committees to shape policy at the League of Nations, the Pan-American Union and the International Labor Organization. They experimented with NGO super-coalitions, semi-official advisory committees, and official commissions integrated into policy-setting bodies. Each held its advantages and disadvantages. Women drew important, yet often different, lessons from these experiences. The difficulty in reaching a consensus among women who all wanted equality but envisioned different means to achieve it proved problematic. The perpetual shortage of funds was similarly challenging. But the primary driver behind women's quest was finding access to sufficient power to force change without limiting their autonomy.

The IACW provided one model and it faced several obstacles in its first years. The first was the commission's ambiguous status and related precarious financial situation. Until 1938 it was an ad-hoc commission. This left the IACW in the position of having to prove its relevance every few years. Although the PAU established the Inter-American Commission of Women and provided office space in its Washington D.C. building, the IACW received no financial support from the organization. The commission raised all of its own funds, employed a few women (paying them with donations from wealthy benefactors) and relied on the volunteerism of dozens more. While this penniless condition was a hardship much bemoaned by Stevens, it also allowed the group independence. Stevens described the IACW's founding dilemma to Australian activist Jessie Street: "We did not ask for governmental appropriations because we felt at that time we might jeopardize the creation of the Commission." Stevens elaborated that later, in 1933, they considered requesting funding, but that "at this time most of the American governments were in a depressed financial condition...and again we were eager to get our recommendations adopted." Stevens argued that while they enjoyed "free headquarter space in the Pan American

Building...as well as the prestige which goes with being in the permanent secretariat,” she believed financial dependence would make the commission “less free in our work than we are now.” She concluded: “We are, therefore, still supporting ourselves privately although this is the more difficult route.¹⁴⁹ While the IACW was attached to the “permanent secretariat” at its inception in 1928, the commission itself gained permanent status in 1938. Only then was it eligible to receive an annual, if meager, budget.¹⁵⁰

Compounding the difficulty of funds and status during the interwar years was Stevens’ struggle to get delegates appointed. With the 1929 stock market crash in the U.S. and the subsequent disastrous economic shockwaves, appointing a delegate to serve on the IACW appeared low on the list of national priorities. By 1930, only seven nations had technically appointed a delegate to the IACW. The expense of travel compounded the difficulty of securing adequate conference representation.¹⁵¹ Despite these hardships, Stevens used her leverage and successfully lobbied governments to appoint specific women for official Inter-American meetings. For example, Stevens lobbied the Dominican dictator Trujillo to officially appoint Minerva Bernardino as a delegate and Stevens “did everything possible” to see that Lutz received an appointment to Montevideo.¹⁵²

¹⁴⁹ Doris Stevens to Jessie Street (15 September 1936), Stevens papers, folder, 61.15.

¹⁵⁰ The IACW position was secured with the 1948 Pact of Bogota, which established the Organization of American States (replacing the former Pan-American Union), when it included the commission in the new statute as an “organic” part of the OAS.

¹⁵¹ See for example L.S. Rowe (Director General of the PAU) to Stevens (25 January 1929), Stevens papers, folder 62.11, which states that the “Brazilian Department of Foreign Affairs” expresses “deep regret that owing to the lack of necessary appropriations” they were “unavoidably prevented from designating a representative of Brazil on the Inter-American Commission.” The global depression only exacerbated financial hardships, but nation’s decisions not to fill their representation on the IACW also speaks to “women’s issues” broadly as being of low-level concern for many of the governments.

¹⁵² Doris Stevens to de Oliveira Lima (15 March 1934), Stevens papers, folder 62.13; Doris Stevens to Bertha Lutz (23 September & 6 November 1933), Stevens papers, folder 62.11; Doris Stevens to Rafael Trujillo (26 June 1938), Stevens papers, folder 60.10. When Stevens was unsuccessful in moving a government, she compensated by foregoing official appointments and instead creatively filling IACW

Given its paltry funds, ambiguous status, and recalcitrant governments, the work of the IACW depended on its ability to collaborate with domestic feminist organizations. Stevens and her colleagues spent much energy trying to identify feminist activists and organizations already in place from which they could solicit cooperation. For example, they used contacts at U.S. consulates throughout the hemisphere, corresponded with domestic women's organizations, and kept up-to-date biographical files on activists, their publications, and organizational activities.¹⁵³ When the IACW sought to gather the information necessary to draft the Montevideo report, it relied on local women's groups to provide information.¹⁵⁴

Stevens needed support not only from hemispheric allies she also needed cooperation from "friendly" U.S. women's groups. When Stevens learned of "a secret campaign" to remove women's civil and political rights from the 1936 Buenos Aires conference agenda, she reached out to NGOs to pressure the U.S. government.¹⁵⁵ To do

positions. She allowed friends of the group to serve as "unofficial delegates." Stevens sent wealthy women affiliated with the NWP on travel missions throughout the hemisphere on behalf of the IACW. Stevens also used her own discretion to send envoys representing the IACW to congresses sponsored by women's organizations globally. In her 1931 communication with the Lutz about the Federação Brasileira Pelo Progreso Feminino Congress, Stevens recommended that certain women already in Brazil serve as the IACW representative to the Congress. Doris Stevens to Bertha Lutz (2 May 1931), Stevens papers, folder 62.11.

¹⁵³ On communications with embassy staff see for example, Allan Dawson (U.S. embassy in Brazil) to Doris Stevens (24 February 1937), Stevens papers, folder 65.9. For an example of the detailed biographical information maintained by the commission see Stevens papers, folder 74.4. For publications see Minerva Bernardino to (directora de "Vanitas") Nair Mesquita (20 May 1936), Stevens papers, folder 62.11.

¹⁵⁴ For more on how the IACW worked to establish transnational ties see Chapter Two. While these women could not travel to inter-American conferences, unless they did so at their own expense, they performed the on-the-ground work of collecting data for the IACW reports on women's status. See for example the letter from Doris Stevens to Bertha Lutz (12 November 1931), Stevens papers, folder 62.11, which thanked Lutz for accepting the sub-committee position for research on Brazil.

¹⁵⁵ Stevens and others believed that Frances Perkins, the Secretary of Labor, supported the efforts of the Women's Bureau, placing pressure on the Department of State to remove women's rights from the agenda. See Jane Norman Smith to Doris Stevens (18 July 1936), Stevens papers, folder 62.14.

so, Stevens even called upon the leaders skeptical of the IACW's equality agenda. In writing to Dorothy Detzer, head of the U.S. section of the Women's International League for Peace of Freedom, Stevens assured Detzer that contacting President Roosevelt committed her to "nothing more than that you think it desirable that this [civil and political rights of women] be discussed." Stevens argued that "regardless of amendment or treaty opinions you hold, you will see the justice of discussion." She reminded Detzer that the IACW had cooperated with WILPF by writing "to all of our best women to sign your petitions." She closed her letter playfully: "Have I not been a good girl and not tried to commit you to any particular brand of feminism?"¹⁵⁶ While the IACW was technically an inter-governmental group, it needed the participation of non-governmental organizations throughout the Americas to effectively operate.

At the 1938 Inter-American Conference, the IACW gained official status, but delegates also became more accountable to their respective national governments. The reliance on governments would, in the end, be the most difficult challenge IACW feminists faced. As the IACW fought for a more secure position within the PAU, the current delegates' positions became more precarious. While the shift stabilized the future of the commission, it also weakened its independence. Wishing to rid itself of Doris Stevens, the Roosevelt administration proposed that the entire commission be purged of delegates and reconstituted. The other delegations rejected the large-scale purge, voting that IACW delegates could only be replaced as positions became vacant. After the conference, however, the U.S. administration simply announced that Stevens had been

¹⁵⁶ Stevens reminded Detzer of their admiration of Republicans who had maintained "a front of solidarity although hating each other cordially, in many cases. It is lamentable that women have not yet learned this." Stevens to Detzer (2 July 1936), Stevens papers, folder 62.14. Stevens also reached out to groups she knew to be supportive. She enlisted the help of Lena Madsen Phillips, the President of both the National and International Federation of Business and Professional Women's Clubs. Lena Madsen Phillips to President Franklin D. Roosevelt (1 July 1936) and of Mrs. Lloyd Biddle, secretary of the General Federation of Women's Clubs, Mrs. Lloyd Biddle to President Roosevelt (4 July 1936), Stevens papers, folder 62.14.

replaced. Despite objections from the PAU that there was no vacancy on the commission, the Roosevelt administration stood firm; Stevens was not the U.S. delegate.¹⁵⁷ In another instance, following a 1943 coup d'état in Argentina, the new government recalled their delegate, the current IACW chair.¹⁵⁸ Working as a governmental representative carried the risk of removal and jeopardized program continuity. But it also had advantages. While the IACW remained reliant on sympathetic delegates it enjoyed the stature of official status. Even Bertha Lutz conceded that the “success of Doris Stevens comes from the fact that she works through governments.”¹⁵⁹

The nearly universal outrage over The Hague Convention, which pegged a woman's nationality to that of her husband, spawned the first women's committee officially endorsed by the League of Nations. The Secretary General invited women's organizations to make a recommendation to the League on the issue of nationality. To do so, they formed the Women's Consultative Committee on Nationality, which provided another model for activists. Briefly united in a solidarity that women's groups could not muster over protective labor legislation, they rallied to wage an all-out campaign against the Hague Convention's ratification. The Consultative Committee included a wide variety of women's organizations as well as the Inter-American Commission of Women. In fact, Stevens credited the IACW with providing the precedent for such a move.¹⁶⁰

¹⁵⁷ Roosevelt understood the matter as an “internal” one. During the standoff the work of the IACW ground to a halt. The PAU finally relented in November and nominated a new chair. For nearly a year the dispute paralyzed the IACW. Stevens took all of the records with her when she left; IACW correspondence from 1928 to 1938 is part of the Stevens collection at the Schlesinger Library. For more on her ouster see Chapter Two.

¹⁵⁸ The delegate was Ana S. de Martinez Guerrero. “Changed Status Seen for Argentine Women: Friends Say Mrs. Martinez Guerrero Ouster Shows Trend,” *The New York Times* (24 November 1943) commented on Guerrero's removal, arguing that it was a sign of the Ramirez government's anti-feminist policies that were “currently gripping the nation,” 14.

¹⁵⁹ Bertha Lutz to Carrie Chapman Catt (13 March 1937), NAWSA records, reel 12.

¹⁶⁰ International Alliance member, Crystal Macmillian, a long advocate of a woman's right to her nationality, formed a special committee of women's NGO representatives to press the League to place the

Despite the fact that the League Secretariat encouraged the creation of the committee, they furnished no funds to support its work. Nor, as a temporary consulting committee, did it have the same stature as regular standing committees. It operated, therefore, more like an NGO than an official committee.

The Women's Consultative Committee on Nationality managed to postpone ratification of the Hague convention in 1931. But different gender ideologies exacerbated by personality clashes soon obliterated the brief moment of cooperation. Disputes devolved into fractious camps over whether the nationality law should be written so as to give women independent nationality as advocated by the Alliance or to be identical to men as the IACW proposed. The IACW, represented at Geneva by Alice Paul (and occasionally Doris Stevens), held an unswayable commitment to identical treatment for men and women under the law. This frustrated other women's groups who believed that identical nationality laws might actually disadvantage women; women were better served by independent nationality. Feminist leaders at Geneva argued that Alice Paul was only content if she directed the course of action.¹⁶¹ U.S. women's dominance,

questions of nationality. In addition to the IACW, the special committee included the International Council and Alliance, Equal Rights International, the International Federation of University Women, the World Young Woman's Christian Association, as well as the World Women's Christian Temperance Union. This special committee became the Women's Consultative Committee on Nationality under the auspices of the League and the All-India Women's Conference joined. For IACW credit see, Stevens to de Oliveira Lima (9 February 1931), Stevens papers, folder 62.13.

¹⁶¹ Helen Archdale of Equal Rights International, an organization ideologically aligned with Paul's contingent warned Stevens that while all praised "the undoubted force and driving power of A. [Alice] Paul" the "other drawbacks to collaboration" with Paul were regrettable. Helen Archdale to Doris Stevens (19 May 1935), Stevens papers, folder 67.9. Alice Paul also participated in the Consultative Committee as a member of ERI and the IACW. At one point Paul and her supporters tendered their resignations to ERI. Paul did so when she could not muster enough enthusiasm amongst the ERI to concentrate more effort on the work of the Women's Consultative Committee on Nationality and in opposition to a Spanish resolution, which argued for increased women's participation in the League on the grounds that they were peace-loving. While Paul and others would have welcomed women's participation, the essentialist view of women no doubt caused their negative reaction. See Alice Paul, E. van den Bosch de Jongh, Lily van der Schalk Schusters, Dr. Rosa Welt Straus, & Lilian von Matsch to Winifred Mayo (4 March 1932), Stevens papers, folder 67.9. In 1938, Paul and like-minded feminists formed the Woman's World Party, creating an international organization again under Paul's leadership and largely funded by the U.S. National Woman's Party. See also Rupp, *Worlds of Women*, 148.

personality clashes and the inability to reach a consensus caused many to question the committee's value. Some women's groups withdrew their membership.¹⁶² The League of Nations liaison for voluntary organizations even thought that the committee's failure to reach a consensus on the nationality question was "doing the Women's Organizations more harm than good."¹⁶³

Soon activists began looking for new ways to effectively collaborate. Jessie Street of Australia suggested that women press the League to form a "standing committee" on women's issues. She argued that it was "difficult to get them [the League of Nations] to take action because "the majority of men of all countries" viewed "the inferior status of women" as a "matter of little importance." What they needed was "an official committee...with the same status of existing [League of Nations] committees."¹⁶⁴ The League was unresponsive. NGOs frustrated with the ineffectiveness of the Nationality Consultative Committee soon sought a way to shore up women's lobbying strength from outside the official League structure. In 1931, eleven of the largest international women's NGOs banded together to form the Liaison Committee of International Women's Organizations. Their stated aim was to "develop the influence of women in international affairs" and to make their "united international action desirable and effective."¹⁶⁵

¹⁶² Both the International Alliance and the International Federation of University Women withdrew their membership in the Committee.

¹⁶³ Rupp, *Worlds of Women*, 148.

¹⁶⁴ Jessie Street to Helen Archdale (5 March 1932), Stevens papers, folder 67.9.

¹⁶⁵ The Liaison Committee merged with the older Joint Standing Committee in 1936, which had concentrated primarily on increased participation of women in the League. Statement of purpose in the notice of the merger of the Joint Standing Committee and the Liaison Committee. Street papers, MS 2683/5/280 (n.d.). While Alice Paul worked to expand the Nationality committee's mandate beyond the issue of nationality, the Consultative Committee remained technically limited to advising the League on the question of nationality. The Liaison Committee, therefore, also offered the ability to weigh in on issues more comprehensively. Indeed the Liaison Committee served an expanded agenda that ranged from nationality to disarmament.

For Liaison Committee activists, the numbers behind their organization mattered. Yet for the body of policymaking delegates in the League, numbers mattered little unless there was a consensus. A consensus created pressure to act. As a supra-NGO, the LC labored to reach a broad agreement about issues while also allowing for distinctions among organizations. While this permitted each NGO to maintain its own principles, it also made consensus unlikely and therefore placed little pressure on the League. For instance in 1935, the group supported “the principle” of an equal rights treaty.¹⁶⁶ Some groups, however, only supported the treaty when it included a preamble that effectively separated women’s political and civil rights from their “industrial” ones.¹⁶⁷ This preamble was of course unsatisfactory to women activists opposed to protective labor legislation. In the end, there was “a general feeling that it would be an advantage if the different organizations presented their particular points of view” to the League regarding the equal rights treaty.¹⁶⁸ Helen Archdale explained to Doris Stevens that the idea of a joint memorandum “did not suit the sentiments of any present.”¹⁶⁹ In a letter to Stevens, an ally claimed that the Liaison Committee welcomed her as one would “poison ivy at a picnic.”¹⁷⁰ Ideological clashes prevented joint action and permitted the League to avoid addressing women’s inequality at the international level.

Neither the divided Consultative Committee nor the Liaison Committee proved to be effective in preventing the ratification of the Hague Convention. With the Women’s Consultative Committee unable to draft a unanimous opinion, the League Secretariat

¹⁶⁶ Statement of purpose in the notice of the merger of the Joint Standing Committee and the Liaison Committee (n.d.), Street papers, MS 2683/5/280

¹⁶⁷ Linda Littlejohn to Alice Paul (1 December 1935), Stevens papers, folder 67.9.

¹⁶⁸ Minutes of the Liaison Committee (25 May 1935), Stevens papers, folder 67.9.

¹⁶⁹ Helen Archdale to Stevens (19 May 1935), Stevens papers, folder 67.9.

¹⁷⁰ Jane Norman Smith to Doris Stevens (18 July 1936), Stevens papers, folder, 62.14.

recommended that member states adopt the prejudicial convention, which they did in 1937.¹⁷¹ Given this defeat, and unable to reach a consensus on the equal rights treaty, the Liaison Committee of Women's International Organizations requested that the League of Nations create an official committee to study the legal status of the world's women. Supporters believed that a League-guided study might finally prompt the organization to act. While some hoped it would foil the equal rights treaty campaign, others hoped the study's finding would support it.¹⁷² In 1938, the League of Nations responded to the united pressure and created the Committee for the Study of the Legal Status of Women.¹⁷³ The committee would study public, private, and criminal laws, documenting disparities in the treatment of men and women. The idea of documenting women's legal status had a direct parallel to the IACW's Montevideo report.¹⁷⁴

The creation of the committee demonstrates the League's ambivalent position on women's rights. On the one hand, the fact that the League capitulated and created an official committee on par with other committees shows the success of women's collective pressure. The formation of the committee of experts marked an important move away from the League's consensus that women's rights were a matter of the "internal political and social organization of states" and thus had "no international character."¹⁷⁵

¹⁷¹ The nationality debacle demonstrates the central role that both personal and organizational antagonism played in women's interwar activism. As Leila Rupp has noted there was certainly enough common ground regarding nationality that a compromise agreement should have been attainable. Rupp, *Worlds of Women*, 150.

¹⁷² Quoted in Miller, "Geneva—The Key to Equality," 235.

¹⁷³ In September of 1937, the League of Nations appointed a small expert committee to make recommendations on the terms of reference and composition of a full committee, the full committee was formed in January of 1938. Kerstin Hesselgren served as the *rapporteur* of the small expert committee.

¹⁷⁴ Dorothy Kenyon, the U.S. delegate on the League committee, requested the Montevideo information for the committee's review.

¹⁷⁵ Quoted in Miller, "Geneva—The Key to Equality," 235.

Furthermore, the committee also recognized that women's NGOs could render "invaluable services." Women's organizations were experienced information gatherers. They would also be essential in helping the committee distinguish when and where theory and practice in the law diverged. They would certainly press national governments to respond to the League's questionnaires.¹⁷⁶

On the other hand, the League continued to reject direct action on the legal status of women. Its "scheme of work" reveals the League's reticence to act in the absence of unanimity among women's NGOs. An equal rights treaty was off the table from the start. The committee warned that "the status of women is not a question which at present one can hope to see settled for all countries by the adoption of a simple all-embracing formula."¹⁷⁷ To evade the contentious debates over protective labor legislation, the committee exempted itself from studying issues within the "sphere of the International Labor Organization."¹⁷⁸

The committee's structure and commentaries reflected the League's criticism of women's groups. The committee chair warned that their priority was not to pass judgment but to work on "purely objective lines," implying that women's fight against inequality was somehow prejudicial.¹⁷⁹ The committee cautioned the institutes that had been retained to help gather and collate information that "nothing should appear in the

¹⁷⁶ Committee for the Study of the Legal Status of Women, "Minutes of the 12th Meeting," (9 April 1938), UN Doc. E/HR/ST/1 (1 May 1946), Annex 4. The UN reprinted the reports of the Committee of Experts for use by the delegates of the new Commission on the Status of Women.

¹⁷⁷ Kerstin Hesselgren, "Report of the First Committee to the Assembly," UN Doc. E/HR/ST/1 (1 May 1946), Annex 4.

¹⁷⁸ Committee for the Study of the Legal Status of Women, "Minutes of the 12th Meeting," (9 April 1938), UN Doc. E/HR/ST/1 (1 May 1946), Annex 4.

¹⁷⁹ Committee for the Study of the Legal Status of Women, "Minutes of the 12th Meeting," (9 April 1938), UN Doc. E/HR/ST/1 (1 May 1946), Annex 4.

survey which savors of criticism or of direct or indirect propaganda.”¹⁸⁰ The League would not condone action that might name and shame governments with poor records on women’s rights. The League rejected a committee composed of NGO representatives like the Women’s Consultative Committee. Instead it was a “committee of experts,” bypassing women’s NGOs in favor of legal scholars and practitioners.¹⁸¹ It did include “experts of both sexes,” three men and four women.¹⁸² The League, however, apparently believed that the endeavor would be more fruitful if it included men and women, took no position on women’s inequality and kept women’s NGOs in check.

But women’s NGOs would not be denied a voice. In one instance they successfully challenged the League’s appointment of a French female lawyer whom NGO leaders believed lacked sufficient feminist credentials.¹⁸³ In another, NGOs successfully lobbied for the appointment of U.S. feminist lawyer, Judge Dorothy Kenyon.¹⁸⁴ Women worked through their organizations to send pertinent information to the League Secretariat, offering “copious documentation” about women’s legal inequality.¹⁸⁵

Throughout the interwar years, women’s NGOs had gradually incorporated women from across the globe. Yet, the League’s committee of experts initially sought to

¹⁸⁰ Committee for the Study of the Legal Status of Women, “Aide-Memoire for the Scientific Institutes,” (12 April 1938), UN Doc. E/HR/ST/1 (1 May 1946), Annex 4.

¹⁸¹ The only exception was Kerstin Hesselgren of Sweden.

¹⁸² Kerstin Hesselgren, “Report of the First Committee to the Assembly,” UN Doc. E/HR/ST/1 (1 May 1946), Annex 4.

¹⁸³ Rupp, *Worlds of Women*, 13.

¹⁸⁴ See the early 1938 letters to Dorothy Kenyon from various international women’s NGOs, Kenyon papers, box 39, folder 10.

¹⁸⁵ Committee for the Study of the Legal Status of Women, “Minutes of the 12th Meeting,” (9 April 1938), UN Doc. E/HR/ST/1 (1 May 1946), Annex 4.

exclude many of them. The “experts” from Europe, the UK, U.S., and Scandinavia proposed limiting their international study to “civilized countries.” Studying women under the “Western type” legal system effectively excluded the Middle-East and South East Asia. The committee’s chair argued that it would be too difficult to study “primitive races” or the systems of “Moslem and Hindu law.”¹⁸⁶ In the mid-1930s, the All-India Women’s Conference, an NGO based in Delhi, had joined both the Women’s Consultative Committee and the Pan-Pacific Women’s Association and collaborated with organizations like the International Council, Equal Rights International and the IACW. In the face of strong opposition, led by India, the committee reversed its decision; the global South would not be ignored.¹⁸⁷

The onset of the war marked a significant turning point in women’s international activism. The war halted the work of the League of Nations, including that of the committee of experts; the committee would not finish its reports. With the League of Nations defunct, women’s activism in Geneva reduced to a trickle. At the same time, the 1939 ouster of Doris Stevens shifted the IACW’s center of power from North to South. By 1943 the Dominican Minerva Bernardino, a protégé of Stevens, held the chair. Largely insulated from the ravages of war, the IACW kept up its work, but concentrated on fostering hemispheric solidarity in the face of growing havoc in Europe. In Europe, Alice Paul and supporters had recently established—another—Geneva-based international woman’s NGO, the Woman’s World Party. But the war forced Paul’s return to the United States. In this atmosphere, the promotion of the equal rights treaty dissipated and fears of its challenge to international protective labor standards lessened,

¹⁸⁶ Committee for the Study of the Legal Status of Women, “Aide-Memoire for the Scientific Institutes,” (12 April 1938); “Minutes of the 12th Meeting,” (9 April 1938); “Report on the Progress of the Enquiry,” (23 January 1939), UN Doc. E/HR/ST/1 (1 May 1946), Annex 4.

¹⁸⁷ Committee for the Study of the Legal Status of Women, “Decisions Taken by the Committee at its Third Session,” (22 July 1939), UN Doc. E/HR/ST/1 (1 May 1946), Annex 4.

at least temporarily. As the war raged, the Allies articulated their war aims, promising a postwar order that guaranteed human freedoms. Internationally-minded feminist activists like Bertha Lutz, Minerva Bernardino and Jessie Street would seize the opportunity to insure that women's freedom and equality was part of that program.

Conclusion

As an Allied victory drew near and plans for the United Nations founding conference began to take shape, activists set their sights on the drafting the United Nations Charter. Margery Corbett Ashby, President of the International Alliance of Women, informed the elderly Carrie Chapman Catt that wartime conditions made British women's travel to the UN founding conference difficult. This was complicated by the fact that "the PM [Prime Minister] is good old Tory in all that concerns women." An English representative from the International Alliance to the San Francisco conference was unlikely. Ashby assured Catt that they were, however, sending a deputation to the British government "so that when equality of the races is emphasized" in the UN Charter "there should also be emphasized equality between men and women."¹⁸⁸ At San Francisco, however, it was not the old-guard of the Alliance—the "Anglo-Saxons"—carrying the "mantle," but the "Latin Americans with Australia."¹⁸⁹

The longtime Anglo-American leaders recognized the transfer of power. After the conference, Corbett Ashby noted that "South American women... had much more place there [San Francisco] than [did] Europe." Reminiscing to her old-friend, Ashby reminded Catt of the days when they had carried the mantle. They had "worked very hard and went on deputations to Wilson for the League" and that in doing so they "got

¹⁸⁸ Margery Corbett-Ashby to Carrie Chapman Catt (10 March 1945), Carrie Chapman Catt papers, box 3, folder 11, New York Public Library, New York City, New York. Hereafter Catt Papers.

¹⁸⁹ Bertha Lutz to Carrie Chapman Catt (21 May 1945), NAWSA records, Reel 12.

the paragraphs into the Covenant of the League of Nations giving equality (on paper) to women.” While they were no longer in the forefront, she insisted that “our work was so well done” in the interwar years.¹⁹⁰ Ashby did, however, credit the Alliance with promoting Lutz’s appointment to the Brazilian delegation.¹⁹¹

When invitations for the San Francisco conference went out, “middle-sized nations,” especially Australia and Brazil, jockeyed for positions of influence in the new UN. Roosevelt had intimated that Brazil deserved a spot among the major powers, and President Vargas certainly hoped that Brazil would garner a permanent seat on the UN Security Council.¹⁹² Herbert Evatt, the Australian foreign minister, likewise aimed to situate Australia as a significant global player.¹⁹³ The appointment of women delegates, no doubt, lent credibility to their status as advanced nations.¹⁹⁴ In 1945, both Bertha Lutz and Jessie Street were politically aligned with their respective governments. Their national prominence, international experience, and politics largely explains how the

¹⁹⁰ Margery Corbett Ashby to Carrie Chapman Catt (10 August 1945), Catt papers, box 3, folder 11.

¹⁹¹ Margery Corbett Ashby to Carrie Chapman Catt (10 August 1945), Catt papers, box 3, folder 11.

¹⁹² As early as 1943, President Roosevelt had dangled the possibility that he would promote a bid to place Brazil on any future security council when the new postwar international security organization was established. See Michael Weis, *Cold Warriors and Coups d’Etat: Brazilian-American Relations 1945-1964* (Albuquerque: University of New Mexico, 1993), 17. When France and China became the other two powers to hold permanent seats on the Security Council, Lutz commented that the “Anglo-Saxon nations have shown a singular lack of intelligence in their choice” for the Security Council. Indeed “Britain would have been safer with Australia and the U.S.A. with Brasil or Mexico.” See Berth Lutz to Carrie Chapman Catt (3 June 1945), NAWSA records, reel 12.

¹⁹³ Joan Beaumont, “Making Australian Foreign Policy, 1941-1969” in *Ministers, Mandarins, and Diplomats, Australian Foreign Policy Making*, edited by Joan Beaumont, et al. (Melbourne: Melbourne University Press, 2003). 1-18.

¹⁹⁴ China also appointed a woman delegate, Miss Wu Yi-fang. According to the U.S. delegate Virginia Gildersleeve, Wu received her appointment after the news of Gildersleeve’s appointment reached China. Virginia Cochran Gildersleeve, *Many a Good Crusade: Memoirs of Virginia Crocheron Gildersleeve* (New York: The Macmillian Company, 1952), 351.

“South American” Bertha Lutz and the “Down Under” feminist Jessie Street came to be among the handful of women delegates at the UN founding conference.

The feminist delegates and non-governmental organizations at the San Francisco conference had some shared aspirations for the new United Nations, commitments firmly rooted in their interwar experiences. Securing the participation of women remained a key priority for feminists across the ideological spectrum. They also widely recognized that the immediate postwar era would create a window of opportunity to press feminist claims with the international community. To this end, they insisted that gender equality be included alongside that of racial equality in the UN Charter. On these important issues feminists widely agreed.

Lutz, however, recognized a potential tension between human rights and women’s rights. Her resolution to create a separate women’s commission emerged alongside calls by several national delegates and NGOs for the United Nations to establish a human rights commission. Lutz believed that securing President Franklin D. Roosevelt’s ‘Four Freedoms’ presented a tremendous challenge.¹⁹⁵ Given the enormity of the UN’s new human rights commitment, the Brazilian delegate did not believe that the proposed human rights commission would adequately protect women’s interests. Lutz therefore requested “a committee of women under the Commission of human freedoms.”¹⁹⁶ As United Nations delegates negotiated new international human standards, a separate women’s commission would safeguard and promote the rights of women.

¹⁹⁵ Franklin Roosevelt articulated the Four Freedoms: freedom of speech and worship and freedom from fear and want in a message to Congress, 6 January 1941. For the role of the Atlantic Charter in solidifying US support for the war and establishing human rights as an aim of the war see Elizabeth Borgwardt, *A New Deal for the World: America’s Vision for Human Rights*, 1-84.

¹⁹⁶ Samuel Moyn cites the paucity of the words “human rights” in the *New York* and *London Times* as evidence to support his argument that the 1940s should not be hailed as the origins of the modern human rights movement. See Moyn, *The Last Utopia*, appendix 1, p. 231. As Lutz’s letter indicates in her use of “human freedom,” the human rights idiom was in its infancy in the immediate postwar era. Not only did the public employ variations of the term human rights, so too did political actors at the epicenter of the project.

Lutz's Brazilian Declaration sparked a contentious, high-stakes struggle between internationally-minded feminists who debated whether the proposed human rights commission would adequately protect and promote women's rights.¹⁹⁷ In contrast to Lutz, U.S. and British feminists concerned with safeguarding protective legislation opposed the creation of a separate women's commission. The sole female delegate, Virginia Gildersleeve, and other major American women's groups, acting as official advisors to the U.S. delegation, rejected the idea. Led by the League of Women Voters, these influential U.S. women's NGOs argued that all rights issues should be left to the proposed UN Commission on Human Rights. Women were, after all, human beings. These groups, aligned with the U.S. Women's Bureau understood the IACW—an organization that had been an integral part of the Pan-American Union—as a nuisance. They suspected that a separate UN women's commission might function in the same way, jeopardizing gender-specific laws and standards. Instead of opposing the commission on these contentious grounds, however, they argued that a separate commission would potentially marginalize women within the United Nations.

When the U.S. and British delegations opposed the Brazilian Declaration, other UN feminist delegates pushed back. Lutz argued that U.S. and British opposition demonstrated that Anglo-Saxon women had abandoned the international struggle for women's rights. She was disappointed “that women from the countries where women have the most rights are the most conservative.” The Brazilian chided Catt, the long-time president of the League of Women Voters: “Your American women's associations here gave us very lukewarm support.”¹⁹⁸ She charged the U.S. delegation with being “reactionary” and its female delegate Gildersleeve with being “a very old-fashioned anti-

¹⁹⁷ See UN Doc. UNCIO Series, Doc. 389 (English) I/2/21, 3.

¹⁹⁸ Bertha Lutz to Carrie Chapman Catt (21 May 1945), NAWSA records, reel 12.

feminist.” A charge she also leveled at the female British advisors.¹⁹⁹ In the end, and “contrary to all expectations,” Lutz asserted that her coalition “had no support at all from Britain and America.”²⁰⁰

Initially, Lutz feared that other Latin American women delegates might not support the idea of a separate women’s commission either. She speculated that the chair of the Inter-American Commission of Women, Minerva Bernardino, might view a UN women’s commission as a threat to the “prestige” of the IACW.²⁰¹ Lutz’s longstanding animosity toward Doris Stevens rendered the Brazilian skeptical of a cooperative IACW. Yet Bertha Lutz had come to believe that Stevens owed her success to the fact that she operated not from the outside, but from the inside. Despite Lutz’s doubts, Bernardino and the other Latin American women delegates gave their complete support to the creation of a women’s commission.

Minerva Bernardino’s support for a women’s commission would prove critical. Bernardino and her allies had, over the years, cultivated the support of Latin American delegates through their work at the IACW. While the U.S. and British opposition had successfully tabled the proposal for the women’s commission at the San Francisco conference, Minerva Bernardino would take up the fight, lobbying the first UN General Assembly. But she would do so without the support of Bertha Lutz. Lutz departed the UN scene shortly after she left the San Francisco conference. Populist dictator Vargas succumbed to pressure to step down and to hold democratic elections in the fall of 1945. Lutz went the way of Vargas, not to return to the United Nations until Vargas returned to power in 1952. While the feminist “mantle” had shifted to new shoulders in the postwar

¹⁹⁹ The British advisors included Florence Horsbrugh (Parliamentary Secretary to the Ministry of Health) and Ellen Wilkinson (Minister of Education).

²⁰⁰ Bertha Lutz to Carrie Chapman Catt (21 May 1945), NAWSA records, reel 12.

²⁰¹ Bertha Lutz to Carrie Chapman Catt (3 June 1945), NAWSA records, reel 12.

era, Bertha Lutz would not help to carry it. Instead, it would be Minerva Bernardino, a feminist who served a different dictator.

CHAPTER TWO: THE DICTATOR'S FEMINIST?: MINERVA BERNARDINO, THE INTER-AMERICAN COMMISSION OF WOMEN AND THE PROMOTION OF WOMEN'S POLITICAL AND CIVIL RIGHTS

On March 14th 1995, 88 year-old Minerva Bernardino, long-time former plenipotentiary for the Dominican Republic, took center-stage at the United Nations (UN). Bernardino beamed as the First Lady of the United States, Hillary Rodham Clinton, heralded the Dominican's "long and distinguished service to the United Nations and her devotion to the cause of equal rights for women."¹ Within a year, two prestigious Hispanic-American organizations also recognized Bernardino's work. Following her death three years later, the Twenty-ninth Assembly of the Inter-American Commission of Women (IACW) passed a tribute resolution acknowledging Bernardino as "an outstanding fighter in the battle for women's rights."² These tributes by the United Nations, U.S. actors, and the inter-American community all celebrate the life and feminist activism of Minerva Bernardino.

Amidst these accolades, however, scholars of the Dominican Republic challenge the rosy reputation of their most internationally famous twentieth-century feminist. For Dominican scholars studying the Era of Trujillo—the brutal dictatorship of Rafael Leonidas Trujillo Molina (1930-1961)—Bernardino's complicity in the "excesses and abuses" of the *Trujillato* cast her legacy as that of a despised collaborator.³ Bernardino's

¹ The Franklin and Eleanor Roosevelt Institute, "Special Citation" (14 March 1995). Reprinted in *Women and the United Nations: Speeches Delivered at a Conference in Honor of Eleanor Roosevelt and Commemorating International Women's Day and the 50th Anniversary of the United Nations* (Hyde Park, NY: The Franklin and Eleanor Roosevelt Institute, 1995), 77.

² The Hispanic Heritage Foundation, accessed 21 January 2010, http://www.hispanicheritage.org/hispanic_det.php?id=46; MANA, a national Latina organization (founded originally as Mexican-American National Women's Association) also recognized Bernardino at its "Las Primeras" Awards Gala in 1990—the first year the NGO issued awards, accessed 23 February 2010, <http://www.hermana.org/orgfrm.html>; Inter-American Commission of Women, 29th Assembly (16-18 November 1998), CIM/RES, 196 (XXIX-O/98).

³ See for example, "A la luz desmanes y abusos de familia Bernardino" (9 September 2008), which is a particularly candid review of Victor Grimaldi's *Sangre en el barrio del Jefe* (Santo Domingo: Editora Corripio, 2007), accessed 6 December 2009, <http://www.agn.gov.do/departamentos-agn->

debut in inter-American feminist activism at the 1933 Montevideo Conference closely followed Trujillo's ascent to power. Despite Bernardino's accomplishments in the annals of transnational and international feminism her likely complicity in at least some of the "excesses and abuses" of the dictatorship takes precedence in an academy that labors to shape the Dominican national memory and to situate the brutalities of the *Trujillato* within it.⁴

dominicana/dep-hemeroteca-biblioteca/historia-dominicana/144-a-la-luz-desmanes-abusosnde-familia-bernardino.html. Bernardino is mostly remembered and despised for her likely role in alerting Trujillo to the doctoral thesis of Columbian Ph.D. candidate, Jesús de Galíndez Suárez. Galíndez was a Spanish immigrant to the Dominican Republic, which he then fled in 1946 (after he came to the attention of the Trujillo regime for his pro-labor position in the settlement of a labor dispute), coming to the U.S. In March 1956, he disappeared shortly after defending his dissertation, published posthumously as Jesús de Galíndez Suárez, *The Era of Trujillo: Dominican Dictator*, edited by Russell H. Fitzgibbon (Tucson: The University of Arizona Press, 1973). Legal testimony given in 2000 named Bernardino as the person who informed Trujillo of the dissertation. Testimony reprinted in Victor Grimaldi, *Sangre en el barrios del Jefe*, 72-3. Bernardino's brother Felix served as one of Trujillo's henchmen. Despite these efforts to hold the Bernardino family accountable for their "excesses and abuses," the Fundación de Minerva Bernardino, operated by her niece, Tatiana Bernardino Bido, labors to reposition Bernardino within the Dominican national memory, offering scholarships to "promote women's roles in relevant positions in the public and private sectors, both nationally and internationally." The foundation promotes Bernardino's accomplishments in the international and inter-American community through public commemorations, such as leading a mass in Bernardino's honor to celebrate what would have been her 100th birthday. See the article in *Listín Diario* (30 May 2007), accessed 31 January 2010, <http://listin.com.do/app/article.aspx?id=14745>. The Foundation also distributes a hagiography compiled by Minerva Bernardino, *Lucha, Agonia y Esperanza: Trayectoria trunfal de mi vida* (Santo Domingo: Editoria Corripo, 1993). Bernardino donated a signed copy another compilation of her feminist speeches, Minerva Bernardino, *Su Lucha por los Derechos de la Mujer* (Santo Domingo: n.p., 1976) to the Archivo General de la Nación, Santo Domingo, Dominican Republic; a move, no doubt, intended to shape a positive legacy.

⁴ For the form and function of constructing a past generally, see the Robert Lowenthal's classic, *The Past is a Foreign Country* (Cambridge & New York: Cambridge University Press, 1985), especially, 35-73. For the difficult task of coming to terms with the past, regarding authoritarian regimes or civil wars see Pricilla B. Hayner, *Unspeakable Truths: Confronting State Terror and Atrocity* (New York and London: Routledge, 2001). While Hayner's book looks specifically at the role of Truth Commissions, the introduction explores the tensions between a desire to forget and to remember. Unlike many other Latin American nations, the Dominican Republic has not engaged in a Truth Commission process. Trujillo's rule preceded the rise of the renowned bureaucratic authoritarian regimes, such as that of Augusto Pinochet. Following Trujillo's assassination, Joaquín Balguer—an official of the Trujillo regime ruled off and on—and more on than off—until 1996. (Balguer did not serve as the President of the Dominican Republic from 1978-1986, during which time documents from the Era of Trujillo became more widely available). In 2000, the United Nations designated November 25th International Day for the Elimination of Violence Against Women, in memory of the assassination of the Mirabel sisters, iconic resisters of the Trujillo dictatorship. UN Doc. A/Res/54/134 (7 February 2000). In 2009, UNESCO granted the "Documentary Heritage on the Resistance and Struggle for Human Rights in the Dominican Republic, 1930-1961" its Memory of the

The contested nature of Bernardino's legacy signals a need to explore the complexity of her role as a representative of the Dominican Republic, her formative bonds with U.S. feminists, and her long-time cooperation and leadership in both the inter-American community and the United Nations. The example of Bernardino demonstrates the necessity of situating global activists not only in their international surroundings, but also within their transnational and specific national contexts. Furthermore, Bernardino was not a static character. To understand the tensions between her role in forging an international women's human rights agenda in the United Nations and her later complicity in the brutalities of *Trujillato*, it is necessary to explicate how Bernardino first translated her idea of women's rights—developed in a Dominican context—into an inter-American vision of women's rights during the 1930s and early 1940s.⁵

World Heritage Register status; a UNESCO program aimed at the “preservation and dissemination of valuable archive holdings and library collections worldwide,” accessed 21 January 2010, http://portal.unesco.org/ci/en/ev.php-URL_ID=26956&URL_DO=DO_TOPIC&URL_SECTION=-465.html. The Memorial Museum of Dominican Resistance, Federation of Patriotic Foundation and General Museum Secretariat of the National Secretariat of the National Secretariat of Culture of the Dominican Republic petitioned for UNESCO support for their project to “help the Dominican people to retrieve and openly express their memory,” accessed 20 January 2010, http://portal.unesco.org/en/ev.php-URL_ID=46269&URL_DO=DO_PRINTPAGE&URL_SECTION=201.html. The Memorial Museum labors to “foster access to all sources related to this period of our recent history and to honor the memory of several generations that suffered lack of freedom, justice and human rights.” It does so with the conviction that: “Recognition of this heritage will strengthen the resolve of humankind to prevent such crimes against humanity from occurring ever again,” accessed 20 January 2010, <http://infolac.ucol.mx/mow/reuniones/nominations/eng/Domhumanrights.pdf>.

⁵ A note on the sources used in this chapter is in order. The chapter relies heavily on the early correspondence of the Inter-American Commission of Women. These sources are labeled Doris Stevens papers. Stevens served as the commission chair from its founding in 1928 until the Roosevelt administration ousted her in 1939. As the PAU technically nominated Stevens as the chair, Stevens contested her removal. When she failed, she took all of the IACW correspondence from the Pan American Union office and placed it with her personal papers. While communications between Trujillo and Bernardino are extant in the National Archives of the Dominican Republic, they are primarily from later years. These letters do not provide much personal insight into Bernardino. They are, after all, letters from a diplomatic servant to a renowned dictator. I am unsure of whether any of Bernardino's personal correspondence (other than that held on the receiving end by other activists) exists. In personal email communications with Bernardino's heirs, the question remained unanswered despite multiple queries. The family, it seems, remains dedicated to promoting Bernardino's feminist accomplishments and to this end, will only offer the hagiography, Minerva Bernardino, *Lucha*. Personal email correspondence with Tatiana Bernardino Bido (7 September 2007, 3 January 2008, 9 January 2011).

The promotion of international human rights standards occupied a central place in the founding of the United Nations. Latin American women assumed an unprecedented role in the nascent years of the UN; two of the only four women to sign the UN Charter were the Dominican Minerva Bernardino and Bertha Lutz of Brazil. Minerva Bernardino rose to a position of prominence in inter-American feminist circles in the early 1930s. By 1943, Bernardino chaired the Inter-American Commission of Women. She was the only woman plenipotentiary at the 1945 Inter-American Conference on the Problem of War and Peace, a conference that challenged the Big Three's (U.S., Great Britain, and the Soviet Union) blueprint for the United Nations. Later that same year, Bernardino represented the Dominican Republic at the UN's founding conference. For decades, Bernardino managed to maintain a position of political influence in international circles, a feat unprecedented for Dominican diplomats working for Trujillo's regime. Bernardino was, therefore, uniquely positioned to guide the form and content of women's UN activism. She played a critical role in shifting feminist activists' rhetoric from *women's rights* to *human rights*. For Bernardino, the transition was one more of nimble strategizing than a new political vision.

Bernardino deftly navigated an intricate web of personal ideology, national obligations, transnational alliances, and international opportunities. Today, Bernardino's feminist ideology would be deemed essentialist: women's gendered social roles were the natural byproduct of their biological (sex) difference from men. For Bernardino, women possessed an "innate nobility and humanity," which stemmed from their role as (potential) mothers.⁶ At the same time, she did not believe that this inherently disadvantaged women in their civil relationship to men; laws could grant women legal equality without jeopardizing protections for women in the form of labor laws.

⁶ Minerva Bernardino, "Pan American Day Speech," (1943), Stevens papers, folder 66.4.

This stood in stark contrast to the views of her closest U.S. allies, notably Bernardino's mentor, Doris Stevens, the IACW's first chair. During the interwar years, most U.S. women's rights activists argued either strictly from a position of sameness, promoting equality on the basis of identical rights to men or from the perspective that men and women were inherently different, which required laws—such as protective labor legislation—that reflected these differences.⁷ For Bernardino, this dichotomous view was nonsense. Nonetheless, the Dominican feminist had to reconcile her own “difference” feminism and her work with U.S. “sameness” activists.

Bernardino's early transnational work, under Stevens' leadership, required Bernardino to promote the IACW's agenda. The platform of the women's commission included an international equal rights treaty, which guaranteed full legal equality between men and women. While the treaty did not distinguish between civil and political rights and economic and social ones, the IACW promoted the treaty's adoption by highlighting political and civil inequalities. This permitted Stevens to side-step contentious debates on how legal equality would affect protective labor legislation. She labored to frame the inter-American equality debates as an issue of justice; Stevens rejected maternalist arguments—women demanding their rights based on their role as mothers—as an inherently flawed strategy. For the IACW chair, recognition of “difference” legitimized legal inequality. In contrast, “difference” feminists in the United States opposed the equal rights treaty. These activists argued that the treaty would effectively wipeout labor laws that protected working women from industrial exploitation. Bernardino's difference feminism never interfered with her IACW equality activism; loyalty to Stevens always prevailed over ideology. Under Stevens' leadership, Bernardino avoided

⁷ For the tensions among U.S. feminists see chapter one.

difference arguments and championed the civil and political rights of women throughout the western hemisphere as a matter of social justice.

By the time Bernardino reached her pinnacle of power in the mid-1940s, she struggled between maintaining Stevens' single-minded commitment to absolute legal equality and acknowledging women's difference by championing women's social roles as mothers. When possible, Bernardino supported a more expansive agenda: one that included women's economic and social rights, especially where their roles as mothers compounded discrimination. This ingratiated Bernardino to other Latin American activists who emphasized women's duty as mothers to make their rights claims. Her talent for discreet collaboration with other delegates was a skill she developed in her work with the IACW and continued in the UN.

As a representative of the Dominican Republic, Bernardino served at the whim of an unpredictable right-wing dictator. This necessitated the successful fulfillment of her national obligations. Bernardino's growing ties to the IACW situated her as a valuable, but not indispensable, instrument of Trujillo. Bernardino balanced her IACW rights activism with Trujillo's goal of promoting the Dominican Republic as a modern, progressive and democratic nation to the international community.⁸ In particularly tense diplomatic moments, Trujillo would turn to Bernardino and the IACW to draw attention away from his atrocities by pointing to the progress of Dominican women under his "democracy."

⁸ The idea that Trujillo used women's rights as a symbol of modernity is not new. I contribute an understanding of how his drive to do so facilitated women's international activism. See Robert Crassweller's classic, *Trujillo: the Life and Times of a Caribbean Dictator* (New York: The MacMillan Company, 1966), 193-94; Richard Turits, *Foundations of Despotism: Peasants, the Trujillo Regime, and Modernity in Dominican History* (Stanford: Stanford University Press, 2003) 86-87 argues that despite the fact that Trujillo granted women legal equal civil status in 1940, the law actually re-inscribed male patriarchal authority, 220-221. Elizabeth Manley, "Poner Un Grano Arena" argues that the IACW legitimized feminist action in the Dominican Republic, 51-63.

The Inter-American Commission of Women generally, and Doris Stevens more specifically, facilitated Bernardino's ability to promote Trujillo's vision of the Dominican Republic. As chair, Stevens courted support for the IACW's political and civil rights agenda by any means necessary. For instance, during the interwar years, Stevens fostered a spirit of Pan-Americanism by denouncing U.S. hemispheric imperialism when it served her purpose and by capitalizing on it when expedient. At the same time, the rise of Latin American dictatorships during the depression years complicated Stevens' task of promoting women's political and civil equality. She would ultimately choose to ignore the contradiction between support for an authoritarian ruler and the promotion of women's meaningful democratic participation. Stevens and her Dominican protégé fought for women's rights, but in doing so lent legitimacy to Trujillo's undemocratic regime. Trujillo, in turn, became a staunch ally of the IACW.

This chapter charts Bernardino's feminist orientation in the Dominican Republic, her indoctrination into women's Pan-American activism by Stevens, and her rise to top of the IACW hierarchy. The 1933 Inter-American Conference initiated Bernardino's close relationship with Stevens and the IACW, which eventually led to a Faustian bargain between the two feminists and the dictator, Trujillo. The chapter then turns to Bernardino's rise within the IACW, exploring her work at both the Inter-American Conference on the Problems of War and Peace and the 1945 United Nations Conference on International Organization, which drafted the UN Charter.

Stevens' and Bernardino's activism reveals a paradoxical relationship between authoritarianism and the promotion of women's civil and political rights. Stevens, as the IACW chair, and later Bernardino, as the representative of one of the most notorious dictators in Latin America—a man known for massive human rights violations—played pivotal roles in promoting political and civil rights for women internationally. As an agent of Trujillo's dictatorship, Bernardino could promote women's civil and political rights for women. To do so threatened little; the civil and political arenas were ones in

which Trujillo lorded over and therefore offered Dominican women no meaningful rights. Yet Trujillo would not permit a challenge to the patriarchal privilege of Dominican men. This limited Bernardino's ability to advocate openly for economic and social rights for women as self-determinate beings. To do so threatened to undermine men's patriarchal privilege over women as wives and mothers. Bernardino's ability to promote women's rights internationally thus hinged on the political realities of the Dominican national context.

The *Trujillato* and Women's Rights: The Dominican Context

The expansion of educational opportunities for Dominican women sparked a nascent feminist movement. As in many places, education fostered Dominican women's entry into civic participation as reformers.⁹ Nationalist projects looked to women to play a central role in the "civilizing" mission that would transition a "backward" society into a "modern" democracy.¹⁰ The U.S. military occupation (1916-1924) created new challenges for elite women activists. They had to "negotiate between two opposing ideas of Dominican womanhood." On the one hand, the "paternalistic occupying force" promoted the advancement of Dominican women as a means to modernize society. On the other hand, male nationalist opponents of U.S. imperialism framed their honor in terms of their ability to shelter the "virtue of their wives and children" against the U.S. occupation both physically and ideologically.¹¹ Women thus occupied a pivotal place in

⁹ For the role of education in promoting a feminist consciousness throughout Latin America see Francesca Miller, *Latin American Women and the Search for Social Justice*, 35-67.

¹⁰ For the Dominican Republic see April J. Mayes, "Why Dominican Feminism Moved to the Right: Class, Colour and Women's Activism in the Dominican Republic, 1880s-1940s" in *Gender & History* 20:2 (August, 2008): 349-371. Karin Alejandra Rosemblatt, *Gendered Compromises* explores women's role in the Chilean modernization project.

¹¹ April J. Mayes, "Why Dominican Feminism Moved to the Right," 359.

Dominican nationalists' opposition to U.S. imperialism.¹² Rafael Trujillo was no stranger to the centrality of women to ideas of modernity or to women's positioning as symbols of national honor.

U.S. armed forces trained Rafael Trujillo as an officer in the Dominican National Guard. During the occupation, Trujillo rose through the ranks. Shortly after it ended, he participated in the 1930 Civil Movement, which displaced the democratically elected (yet unpopular) President, Horacio Vásquez.¹³ The Civil Movement facilitated Trujillo's consolidation of power and initiated his political stronghold over Dominican political and civil life, a grip he maintained for over thirty years. During his reign, Trujillo either served as the official head of state or lorded over the Dominican Republic through puppet presidents. Regardless of his official status, Trujillo was always the center of power. He ruled in an often brutal, sometimes "populist," but always unpredictable manner.¹⁴

¹² For similar contentions see Laura Briggs, *Reproducing Empire: Race, Sex, Science, and U.S. Imperialism in Puerto Rico* (Berkeley: University of California Press, 2002). For the "political uses of patriarchy" prior to the U.S. military occupation see Teresita Martínez-Vergne, *Nation & Citizen in the Dominican Republic, 1880-1916* (Chapel Hill: University of North Carolina Press, 2005), 122-25.

¹³ For the creation of the *Guardia Nacional Dominicana* see Bruce Calder, *The Impact of Intervention*, 54-62. Eric Roorda, *The Dictator Next Door: The Good Neighbor Policy and the Trujillo Regime in the Dominican Republic, 1930-1945* (Durham: Duke University Press, 1998), 21-22, for Trujillo's rise through the ranks of the *Guardia Nacional*.

¹⁴ Prominent U.S.-based scholars of the Dominican Republic, Richard Turits and Lauren Derby have both challenged the absolute power of Trujillo's authoritarian government, arguing that the longevity of his reign demanded a social base. Richard Turits, *Foundations of Despotism* argues that Trujillo's land reforms engendered support from rural peasants. Derby points to the interplay between formal and informal politics wherein the intersection between the state and civil society (a shadow state via the Dominican National Party) created a "dialectic of coercion and consent" evident in the practice of denunciations (of bureaucrats) and panegyrics (to Trujillo) published in national papers. Doing so helped to foster a culture of fear not dependent on the actual exercise of violence among the new class of state and party officials. Lauren Derby, "In the Shadow of the State: The Politics of Denunciation and Panegyric during the Trujillo Regime in the Dominican Republic, 1940-1958" *Hispanic American Historical Review* 83:2 (May 2003): 295-344. In Lauren Derby, *The Dictator's Seduction: Politics and Popular Imagination in the Era of Trujillo* (Durham: Duke University Press, 2009) Derby explores how the "combination of patronage and fear created a culture of compliance," 7.

The Dominican feminism that emerged in the post-occupation period was an eclectic one. In 1931 (one year after Trujillo's takeover) Abigaíl Mejía de Fernández, a divorced, single mother, established the *Acción Feminista Dominicana* (AFD). The women's organization brought together "modern" women who demanded expanded professional opportunities and political and civil rights alongside women who heralded themselves as the nation's moral force. While the AFD's members had different priorities, the organization legitimized its activism through a discourse on women's special role as mothers. To meet these varying objectives, the AFD platform included beautification projects, night-schools to improve women's literacy, the eradication of prostitution, improved children's health, suffrage, and the goal of strengthening ties with international women's organizations.¹⁵ Over the next decade the AFD quickly grew, establishing branches in all the nation's provinces. Leaders of the AFD contacted the Inter-American Commission of Women to announce its formation. They wrote: "While we are very behind in this great global movement calling for the vindication of the rights of women, we have awakened and are prepared to fight tenaciously to achieve the desired success of our ideals." In doing so the AFD expressed a "great desire" to forge transnational ties with other feminist organizations.¹⁶

Trujillo became involved with the AFD very early on. He spoke at the AFD's first annual celebration in 1932. Trujillo announced that "it would benefit our Dominican society if our women brought their delicate sentiments to the public arena."¹⁷ While

¹⁵ For the eclectic nature of Dominican feminism post-occupation see April J. Mayes, "Why Dominican Feminism Moved to the Right," 360. For *Acción Feminista Dominicana's* early (and eclectic) feminist agendas see Livia Veloz, *Historia del Feminismo en la Republica Dominicana* (Santo Domingo: n.p., 1977), 16-20; Elizabeth Manley, "Poner Un Grano Arena," 1-15.

¹⁶ Licda. Consuelo González Suero (Directora General) and Dra. Gladys E. de los Santos (Secretaria General), AFD to Comisión Interamericana de Mujeres (14 Agosto 1931), Stevens papers, folder 66.1

¹⁷ Quoted in April J. Mayes, "Why Dominican Feminism Moved to the Right," 349.

rooting his statements in women's difference—"their delicate sentiments"—the dictator promised the AFD that he would reconsider women's role:

We enjoy in the Dominican Republic a democracy, which has never shown a stronger and more liberal character, a democracy which must go beyond the limits set for the development of women...I favor this movement of social justice for women. I believe the time is ripe to begin considering the need of granting women the right of citizenship...May this declaration, which for the first time in this country occupies the mind of the head of State, be proof of my profound devotion to the exercise of human liberty."¹⁸

From the outset, Trujillo recognized that expanding women's civil status, even if only in theory, could cloak his dictatorship in the rhetoric of democracy. The dictator wasted little time bringing organized women into the fold of his democratic illusion. By 1934 the AFD's publication, *Fémína*, featured a full-page photo spread of the dictator—a sure sign that the AFD was already participating in the demonstration of loyalty that Trujillo demanded.¹⁹ By engaging in adulation for the dictator, women in the Dominican Republic promoted their centrality to Trujillo's regime. Yet Trujillo's acceptance of domestic women's activism would consistently hinge on women's ability to demonstrate both their feminine difference *and* their deference to him.²⁰

In the liminal moment between the AFD's founding and its co-optation by Trujillo, the women's group successfully marshaled enough clout to achieve two significant goals.²¹ First, it applied public pressure to convince Trujillo to send a

¹⁸ Trujillo speech to AFD (15 May 1932), Stevens papers, folder 66.1.

¹⁹ For the issue of *Fémína*, see Elizabeth Manley, "Poner Un Grano Arena,"¹⁴. See Lauren Derby, "In the Shadow of the State" for the politics of adulation or "panegyric."

²⁰ Elizabeth Manley, "Poner Un Grano Arena," 48.

²¹ In 1942, Trujillo incorporated the AFD into the *Partido Dominicano*—his official political organ—the only political party permitted at the time. At this time, the AFD lost any semblance of independence. It was the same year that the Dominican women were granted the right to vote. At this time, the AFD became the *Ramas Feminista* the women's branch of the Dominican Party. Scholars debate the complicity of AFD activists in their co-optation, the extent of it, and when the AFD effectively ceased to act as an independent organization. Mayes, "Why Dominican Feminism Moved to the Right," argues

Dominican representative to the 1933 Inter-American Conference in Montevideo, Uruguay. In her role as the IACW chair, Stevens sent the AFD a telegram, requesting the nomination of a Dominican delegate. The AFD reproduced Stevens' telegram in a major daily newspaper.²² In response, Trujillo acquiesced and permitted the AFD to select a representative. They chose the young twenty-six year old activist Minerva Bernardino, who had joined the AFD in its earliest days.²³ Born in El Seibo, an interior province in the eastern part of the Dominican Republic, Bernardino was one of seven children. Seventeen at the end of the U.S. occupation, she received a secondary education and joined Trujillo's civil service, working as a public school inspector. Bernardino was a modern woman. According to her biography, she was a founder of the AFD and rode on

that elite white feminists within the AFD cooperated with the Trujillo's co-optation as a means to validate their influence over women of color. Daisy Coco De Filippas, "The Politics of Literature: Dominican Women and the Suffrage Movement Case Study: Delia Weber," in *Winds of Change: The Transforming Voices of Caribbean Women Writers and Scholars*, edited by Adele S Newman and Linda String-Leek (New York: Peter Lang, 1998) argues that Trujillo's incorporation of the AFD decimated women's independent activism. Elizabeth Manley, "Poner Un Grano Arena," focuses less on what "the regime destroyed" and instead demonstrates that the AFD's work constructed "what was politically possible for Dominican women," 15. She argues that women were "more than symbols" for the Trujillo regime. Their participation "altered significantly perceptions of gendered behavior, political participation, and social mobilization." In turn, this "political activity...created space for a slow but inexorable re-conceptualization of the role of women in public life," 1-2. Lauren Derby, "In the Shadow of the State," argues that the *Partido Dominicana* (Dominican Party) functioned as a "Shadow-State" in the DR. The Dominican Party was the only official party throughout most of Trujillo's tenure. However, in the interest of promoting the image of democracy, Trujillo would occasionally permit the emergence of oppositional parties. Most famously he did so in the brief easing of political oppression during the "democratic opening" that followed WWII. Roberto Cassá, *Los Orígenes del Movimiento 14 de Junio, La Izquierda Dominicana I* (Santo Domingo: Editoria Universitaria, 1999) argues that it was this opening that facilitated the emergence of the 14 June Movement that organized opposition to Trujillo and coordinated the 1959 coup attempt. This movement is widely known for Trujillo's brutal crackdown after its failure as depicted in Julia Alvarez's fictionalized account of the role of the Mirabel sisters in the revolutionary movement and their murder: *In the Time of Butterflies* (New York: Plume, 1994) and in the subsequent film. Today in the Dominican Republic, large posters of the sisters hang in the Zona Colonial, street vendors sell children's books on the heroism of the sisters and the \$200 peso bears their image.

²² For the reproduction of the telegram see Elizabeth Manley, "Poner Un Grano Arena," 58.

²³ See Minerva Bernardino, *Lucha, Agonía, y Esperanza*, xxii; Livia Veloz, *Historia del Feminismo*, 28-29.

horse-back throughout the countryside to promote women's suffrage.²⁴ Bernardino recalled that both her mother and father encouraged her independence and that she was reared in an atmosphere that was, at the time, "most unusual in my country."²⁵ Both she and her sister, Consuela, moved in public circles. While Bernardino was the first woman plenipotentiary for the country, Consuela studied gynecology in the United States and was the first woman authorized to practice it in the Dominican Republic.

The AFD's second successfully attained goal was the *voto de ensayo* (test vote), which followed the Montevideo Conference. When Bernardino returned from the conference, Trujillo granted the AFD's request for a "test vote." The vote intended to demonstrate that Dominican women, despite their feminine difference, desired political enfranchisement. The *voto de ensayo* took place in May of 1934. The AFD heralded the test as a huge success, tallying the total of voting women at over 96,000.²⁶ Despite the turn-out, Trujillo declined to grant women suffrage. While histories of the AFD credit the organization with persuading Trujillo to hold the test vote, it also served the dictator's interests. The act of "test" voting worked to legitimize Trujillo's façade of democracy. The AFD's disappointment that the *voto de ensayo* did not win their political rights only bolstered the idea that meaningful democratic participation existed in the Dominican Republic. When AFD women challenged Trujillo's unresponsiveness, he suspended the organization. Carmita Landestoy, an AFD activist, confessed to Doris Stevens that

²⁴ For her travels on horseback see Minerva Bernardino, *Su Lucha*, 77. Contradictory evidence of her being present at the moment of the AFD's inception exists. But, it is clear that she was a very early member if not a founder as Bernardino is pictured in a 1932 photo of the AFD, see photo in Minerva Bernardino, *Su Lucha*, 79.

²⁵ Quote from *Christian Science Monitor* interview as cited in Minerva Bernardino obituary, *New York Times* (4 September 1998), A20.

²⁶ See Livia Veloz, *Historia del Feminismo en la Republica Dominicana*, 37. Veloz reproduces an AFD publication that broke the vote out by province. The total population in the Dominican Republic in 1935 was listed as 1, 479, 400.

women were afraid to hold meetings.²⁷ Drawing different lessons in the aftermath of the test vote, Dominican women divided. Some women chose to re-declare their loyalty to Trujillo, others left the movement, and a few—like Bernardino—found new ways to work for women’s rights.²⁸

Throughout the 1930s, Bernardino’s presence on the IACW increasingly aligned with Trujillo’s own objectives. In 1933, U.S. President Franklin D. Roosevelt formalized the policy of ‘non-intervention’ by establishing the Good Neighbor Policy.²⁹ Despite the commitment to end intervention, U.S. diplomats disagreed on exactly what this promise meant. Several Latin Americanists in the U.S. State Department held that it applied only to military intervention; they believed that the new policy did not—and should not—include diplomatic interference aimed at undermining unsavory regimes.³⁰ To counter unfriendly U.S. diplomats and a growing anti-Trujillo exile community, Trujillo embarked on a multi-pronged publicity campaign. This included acts such as naming major thoroughways in Santo Domingo (renamed Ciudad Trujillo in 1936) after U.S. presidents.³¹ Trujillo also co-opted the language of Pan-Americanism. At the 1936

²⁷ Landestoy noted in a letter to Doris Stevens that Dominican women had disappointed Trujillo in their bickering over the test vote. As a result, Trujillo shut them down. Carmita Landestoy to Doris Stevens (31 October 1934), Stevens papers, folder 66.2.

²⁸ Bernardino argued that Trujillo shut down the AFD because, under Meija’s leadership, the organization was not properly functioning. Minerva Bernardino to Doris Steven (28 January 1935), Stevens papers, folder 66.2.

²⁹ Fredrick Pike, *FDR’s Good Neighbor Policy*. For the women’s role in promoting the Good Neighbor Policy see Megan Threlkeld, “Women’s Challenge.”

³⁰ There is an entire continuum of potential diplomatic interference that U.S. diplomats employed, ranging from the diplomatic corps refusing to be seen publicly alongside a head of state to non-recognition. See Beatrice Berle and Travis Beal Jacobs, eds. *Navigating the Rapids: From the Papers of Adolf Berle* (New York: Harcourt Brave Jovanvich, Inc., 1973), 212-214; Spruille Braden, *Diplomats and Demagogues: The Memoirs of Spruille Braden* (New Rochelle: Arlington House, 1971) for contemporary diplomats’ debates over the meaning of “non-intervention.”

³¹ Eric Roorda argues that Trujillo used a variety of techniques to shape his image and that of the Dominican Republic to the outside world. This particular method, Roorda labels publicity. This included naming the Malecón—the major avenue running along the Caribbean Sea in Santo Domingo—Avenida de

Inter-American Conference in Buenos Aires, Trujillo called for the creation of an “American League of Nations,” appealing for a formalized agreement among the nations of the Western Hemisphere.³² As historian Eric Roorda argues, when Trujillo “mimicked” the rhetoric of the Good Neighbor Policy, “the same words seemed to mean different things.”³³ Trujillo escalated his calls for an American League of Nations at the 1938 Inter-American Conference held in Lima, Peru. U.S. officials regarded Trujillo’s most recent effort to promote Pan-Americanism as an attempt to recover “any prestige abroad he feels he may have lost as a result of the Haitian incident.”³⁴

By the “Haitian incident” the diplomat was euphemistically referring to the 1937 genocide perpetrated against people of Haitian descent (many of whom were technically Dominican citizens) living on the Dominican/Haitian border. Scholars estimate that, on Trujillo’s orders, anywhere between ten to fifteen thousand Haitians died, hacked to death by machete or by bludgeoning. The dictator’s anti-Haitian sentiment was a striking feature of his tenure. In this case, he hoped to shore up the contested border between Haiti and the DR as well as to “de-Haitianize” the Dominican side. By negotiating reparations with the Haitian government, the Trujillo regime tried to prevent the massacre from escalating into a full-fledged international incident.³⁵ Trujillo, therefore, had a vested interest in polishing his tarnished image within the inter-American community.

George Washington. To this day, the avenue’s official name remains George Washington, but residents of Santo Domingo refer to it as Malecón. Other methods Trujillo used included the Dominican Lobby in the U.S., mimicry, and symbols. See Eric Roorda, *The Dictator Next Door*, 110.

³² For Trujillo’s promotion of an American League of Nations see Eric Rooda, *The Dictator Next Door*, 118-120.

³³ Eric Roorda, *The Dictator Next Door*, 118.

³⁴ R. Henry Norweb (U.S. Minister Ciudad Trujillo) as quoted in Eric Roorda, *The Dictator Next Door*, 119.

³⁵ The initial reparation was \$750,000, but in the end Trujillo paid only \$525,000. See Robert Caweller, *Trujillo*, 158-59 and Eric Roorda, *The Dictator Next Door*, 127-144.

The IACW and the *Trujillato*: The “American” Context

The 1933 Montevideo conference propelled the twenty-six year old Bernardino into the balancing act that she would manage throughout her career. Bernardino strove to please Trujillo and Stevens. Doris Stevens became an important mentor to Bernardino, shaping the young delegate’s ideas about women’s activism. When Bernardino arrived at the conference, Stevens quickly recruited the Dominican to assist the IACW. At Montevideo, the women’s commission presented volumes of evidence documenting women’s political and civil inequality throughout the hemisphere. To mitigate this inequality, they introduced an international equal rights treaty.³⁶ The treaty guaranteed women’s absolute equality.³⁷ Stevens hoped the treaty would force not only identical civil and political rights for men and women but also require their identical legal treatment in the workplace. She rejected rights claims made in the name of motherhood because they legitimized distinctions in the law and thereby perpetuated inequality.³⁸ At the conference, Bernardino balanced her role as both a Dominican and an IACW representative. While she acknowledged her alliance with the maternal-oriented AFD feminists, she simultaneously towed Stevens’ strict equality line. In the opening lines of her speech, Bernardino spoke of her *compañeras* in the AFD, claiming that she carried their voice across the skies and seas.³⁹ But her argument more accurately echoed the

³⁶ The IACW also introduced a treaty to guarantee women’s nationality rights. For more on the Montevideo conference see Chapter One.

³⁷ The treaty stated simply: “The contracting States agree that upon ratification of this Treaty, men and women shall have Equal Rights throughout the territory subject to its jurisdiction.”

³⁸ For Stevens identical legal treatment was the surest way to eradicate protective labor legislation law; laws she believed discriminated against women. While Stevens wanted the equal rights treaty to extend to all domains, she was always careful not to dictate to other IACW activists exactly what equal rights would like in their respective national contexts. Stevens thus avoided contentious debates about protective labor legislation in the IACW. For more on the tensions between equal rights and protective legislation see Chapter One.

³⁹ “[Aquí, es oportuno señalar que la voz de mis compañeras que forman parte de la ‘Acción Feminista Dominicana,’ viajó conmigo por siete días consecutivos a través de mares y cielos.] “Párrafos

voice of Stevens. Bernardino informed the predominantly male delegations that her “strong sisters of the entire continent” demanded that the conference take all “measures necessary” to recognize the “civil and political rights of women on a level of absolute equality with men.”⁴⁰ Bernardino’s politically nuanced and strategically adroit speech ingratiated her to Stevens and served as her ticket into the IACW’s inner sanctum.

The steps Bernardino took next remain somewhat unclear. After the Montevideo conference, Bernardino returned to the Dominican Republic. She resumed her job as a public school inspector, organized on behalf of the test vote, and maintained a correspondence with Stevens. Shortly after the test vote, however, Bernardino began a quest to come to the United States.⁴¹ Carmita Landestoy, a Dominican feminist who had temporarily worked at the IACW, appealed to Stevens on Bernardino’s behalf. Landestoy tried to get her friend a job with the women’s commission. She vaguely indicated that Bernardino was in a difficult position, stating simply that she “has no money as of now.”⁴² Bernardino soon initiated her own appeals, never mentioning any

de uno de los discursos pronunciados por Minerva Bernardino, Delegada de la República Dominicana a la Comisión Interamericana de Mujeres durante una sesión plenaria de la VII Conferencia Internacional Americana, Montevideo, Uruguay, Diciembre de 1933” in Minerva Bernardino, *Lucha*, p.38.

⁴⁰ [(M)is denodadas hermanas de todo el Continente... para demander de está VII Conferencia Internacional Americana que se tomen las medidas necesarias para estimular a los gobiernos de América al reconocimiento de los derechos civiles y políticos de la mujer, en el plano de la más absoluta igualdad con el hombre.] Ibid.

⁴¹ Why Bernardino did so is a matter of debate that revolves around the veracity of Bernardino’s later accounts of her relationship to Trujillo. In distancing herself from the regime later in life, accounts indicate that she sought voluntary exile, see note 52. But Bernardino is also known for inflating her importance, which raises larger questions about her overall reliability. Bernardino’s 1993 memoir clearly shows a tendency to inflate her importance to the early IACW and even to the founding of the AFD. Bernardino’s egotism in her later life is also a feature many find unattractive. Elizabeth Manley, “Poner Un Grano Arena,” cites a reference in which Bernardino, in her 80s, insisted that she was the most important Dominican feminist to ever live.

⁴² Carmita Landestoy to Stevens (15 November 1934), Stevens papers, folder, 66.2.

difficulty with Trujillo. She wrote only that she longed for “the moment to be among you, my dear Colleagues and sisters of the same ideal.”⁴³

The requests made by Landestoy and Bernardino were not unusual. The IACW served as a networking resource and informal kinship system for women activists working throughout the Western hemisphere. This legitimized the commission’s role in the inter-American community and strengthened activists’ loyalty to the IACW generally, and to Stevens specifically. Sending letters of introduction, the IACW put women from the U.S. traveling in Latin America in contact with local women.⁴⁴ For women coming from Latin America to the U.S., the IACW arranged luncheons, orchestrated contacts, and labored to coordinate scholarships for young women.⁴⁵ Stevens actively promoted this vision of Pan-American sisterhood, housing visitors and occasionally lending money.⁴⁶ The Brazilian Bertha Lutz—no fan of Stevens—recognized the power of the IACW’s informal role, alleging that its support came from “women glad enough of free housing at the Belmont house.”⁴⁷ Throughout the 1930s the IACW offered temporary

⁴³ Minerva Bernardino to Doris Stevens (15 September 1934), Stevens papers, folder 66.2

⁴⁴ Pauline Branyon, a journalist with the *Georgian American*, contacted Stevens prior to a trip to South America. On her return, Branyon wrote to Stevens thanking her and stating, “Your name was an open sesame in Brazil, Uruguay, and Argentina.” Pauline Branyon to Stevens (27 Oct 1938), Stevens papers, folder 62.1.

⁴⁵ Doris Stevens to Carmita Landestoy (17 November 1943), Stevens papers, folder 66.2.

⁴⁶ Stevens had arranged for Bernardino to spend time with friends in New York during the summer immediately after her arrival. Landestoy and Bernardino did some sight-seeing together and networked with other Latin American women, such as Mexico’s unofficial IACW delegate Margarita Robles de Mendoza, and co-founder of the Union de Mujeres Americana, Evangeline Antay de Vaughan. Both Vaughan and Mendoza housed Bernardino while she was in New York. In September, Bernardino’s stint in the Big Apple came to a close and the IACW mailed the Dominican the \$10.00 train fare to make her way to D.C.. Western Union to Bernardino (1935), Stevens papers, folder 66.2. Bernardino and Landestoy had a falling out in 1945 when Landestoy came out in protest against Trujillo’s brutalities. See Carmita Landestoy, *Yo Tambien Acuso!* (Havana and New York: n.p., 1946), 23.

⁴⁷ Bertha Lutz to Carrie Chapman Catt (14 May 1936), NAWSA records, reel 12. The Belmont house was owned and operated as the headquarters of the U.S. National Woman’s Party. Stevens became active with the IACW through her role as the NWP’s international chair. For the relationship between the IACW and NWP see Chapter One.

employment to women wishing to come or extend their stay in the United States. Stevens sought wealthy women to “sponsor” the “voluntary” work of visitors to offset the costs.⁴⁸

Despite the vagueness of Bernardino’s letters, or perhaps because of it, Stevens knew that the Dominican feminist may have run into trouble with the dictator. The IACW chair fretted over creating an employment offer as a “front” to get Bernardino to the United States. Yet, Stevens agreed to do so “if her [Bernardino’s] life is in danger...for some political reason.”⁴⁹ Stevens ultimately told Bernardino that for one month, the IACW could offer her room and board (the “bare living expenses”) in exchange for commission work.⁵⁰ Shortly after the Dominican arrived, Stevens wrote that Bernardino was working at the IACW because Trujillo had abruptly terminated her civil service employment. Bernardino had, apparently, confronted Trujillo on his failure to enfranchise women after the test vote.⁵¹ While it is unlikely that Bernardino

⁴⁸ Stevens to Mary Winsor (22 July 1935) & (28 January 1938), Stevens papers, folder 93.6.

⁴⁹ Stevens to Helena Hill Weed (26 March 1935), Stevens papers, folder 70.6. Similarly, in 1935 Bertha Lutz was questionably accused of election fraud. See “Brasil, Proceso Electoral Contra Una Diputada,” *La Prensa*, Buenos Aires (9 March 1935) in Stevens papers, folder 62.11. A frustrated Lutz, who believed her persecution stemmed from challenging a prominent and well-positioned legislator wanted to leave the country. The charges were later dropped and Lutz remained in Brazil, serving as a congresswoman in 1936. Heloise Brainerd to Mary Corbett (11 February 1935), Stevens papers, folder 62.11. Curiously, in the extant sources, Bertha Lutz never mentioned her political problems to her U.S. mentor, Carrie Chapman Catt, despite the fact that the *New York Times* covered the incident. “Brazilian Fraud Charged” (5 February 1935) & “Brazil Seeks to Try Feminist” *New York Times* (19 March 1935) in Stevens papers, folder 62.11.

⁵⁰ Doris Stevens to Minerva Bernardino (5 Feb 1935), Stevens papers, folder 66.2.

⁵¹ Trujillo was an extremely volatile man and his unpredictability was unnerving to those who served him. Legislators would sign their own resignations at the time of their inauguration and be given them in the midst of a speech if they fell from Trujillo’s favor. See Robert Crassweller, *Trujillo*, 76-78. For the remarkability of Bernardino’s tenure see Lauren Derby and Ellen DuBois, “The Strange Case of Minerva Bernardino: Pan American and United Nations Women's Rights Activism,” *Women's Studies International Forum* 32 (2009): 43-50.

“confronted” Trujillo, it does seem likely that she, for some reason, fell from the dictator’s grace—at least temporarily.⁵²

In the mid-1930s, Bernardino was more the IACW’s feminist than the dictator’s feminist. After Bernardino’s arrival in the U.S., she worked both officially and unofficially for the IACW. At the same time, she searched for more permanent employment that would enable her to extend her stay. By 1936, she found part-time work translating and supplemented her income by giving Spanish lessons in Washington D.C. Even after she found other work, Bernardino continued to volunteer with the IACW, demonstrating a commitment to the women’s commission and its cause. While Stevens often solicited donations to compensate Bernardino for some of her labors, the Dominican barely scraped by; she lived on a paltry sum in the nation’s capital.⁵³ Despite being underpaid, she was a valuable asset to the IACW.

Bernardino’s IACW participation enabled Stevens to distance the commission’s goals from the very real record of U.S. dominance in the region. Stevens capitalized on Bernardino’s Spanish skills and her “Latin-Americanness” to present the IACW as working on behalf of Latin American women, not a U.S.-driven agenda. Stevens instructed Bernardino to “speak for Latin American women, not me...” Furthermore, she insisted that Bernardino’s “approach had best be the concern of Latin American women and their need to have this [women’s equality] discussed; their chagrin [that it had been

⁵² Stevens indicated that Bernardino’s was in “voluntary exile from the ruthless Trujillo.” This was due to Bernardino’s repudiation of Trujillo’s failure to enfranchise women following the ‘voto tentative.’ Trujillo, as a result, “abolished her job the following day.” See Doris Stevens to Mary Winsor (22 July 1935), Stevens papers, folder, 93.6. In years to come, Winsor periodically donated money to the IACW to pay for Bernardino’s “volunteer” work. Manley questions the truth of Bernardino’s voluntary exile claim. Stevens, in her (unpublished) memoirs drafted in the 1960s indicates Bernardino’s was a voluntary protest exile, but Manley suggests that this might be due to “selective memory.” See Elizabeth Manley, “Poner Un Grano Arena,” 62. This 1935 letter indicates that Stevens, at the time of Bernardino’s arrival, asserted that Bernardino was protesting the dictator.

⁵³ Doris Stevens to Mary Winsor (28 January 1938), Stevens papers, folder 93.6.

removed from the 1936 conference agenda], etc...”⁵⁴ Stevens was certainly aware of tensions between certain Latin American governments and the United States. Likewise, the IACW had a strained relationship with the U.S. government. When the U.S. delegation opposed the IACW’s equality agenda at the Montevideo conference, Stevens launched into a “scathing denunciation of U.S. imperialism.” She charged the Roosevelt administration with trying to “sabotage” both Pan-Americanism and international feminism.⁵⁵ In 1939, Stevens wrote to a Dominican ambassador to seek his “excellent and admirable” assistance. Stevens warned the ambassador that the U.S. government was secretly working to put the IACW under its control.⁵⁶ By commiserating about U.S. interference, Stevens won support. To stand with the IACW presented an opportunity to stand against U.S. hegemony.

Stevens was, however, not above deploying the imperial power of the United States when expedient. In one instance, she tried to capitalize on the economic and political power of the United Fruit Company in Guatemala. She wrote the company’s president, Francis Hart, to request that he use the fruit company’s power to press for women’s rights in Guatemala. Hart responded regretfully that he had, “(t)alked to our Tropical people” and they “opposed support for your program.”⁵⁷ While United Fruit

⁵⁴ Memorandum for Minerva Bernardino by Doris Stevens” (n.d.), requesting that Bernardino poll countries that failed to send remarks to the PAU governing board to re-place women’s civil and political equality on the 1936 Buenos Aires conference agenda. Stevens papers, folder 62.14.

⁵⁵ K. Lynn Stoner, “In Four Languages,” 87.

⁵⁶ Doris Stevens to Señor don Tulio Cestero (26 January 1939), Stevens papers, folder 66.4. Stevens cited hearsay from U.S. diplomat Sumner Welles to make her argument.

⁵⁷ Frances Hart to Doris Stevens (9 September 1936), Stevens papers, folder 69.11. In 1936, to obtain tax reductions, UFCO lent the Ubico dictatorship in Guatemalan one million dollars. For the influence of UFCO in Guatemala see Walter LaFeber, *Inevitable Revolutions: The United States in Central America* (New York & London: W.W. Norton & Company, 1993), 76-85; Piero Gleijeses, *Shattered Hope: The Guatemalan Revolution and the United States, 1944-54* (Princeton, NJ: Princeton University Press, 1991), 8-25. For the most indicting account of UFCO see Stephen C. Schlesinger and Stephen Kinzer, *Bitter Fruit: The Story of an American Coup in Guatemala* (Cambridge: Harvard University Press, 2005, c.1982).

was infamous for manipulating the local political scene, empowering women was apparently too interfering of an action—even for United Fruit. In another instance, Bertha Lutz—a woman opposed to Stevens’ agenda—reported that the IACW chair convinced the Cuban delegation that she was “so powerful that the President of the United States yielded to her and obliged the delegation to do as she wished.” Stevens allegedly warned the Cubans that if they failed to cooperate, she would convince the U.S. government to withdraw guarantees made on “the Platt amendment and no [United States] intervention.” The Cuban and U.S. governments had recently negotiated the abrogation of the 1903 Platt Amendment, which for the past three decades had subverted genuine Cuban sovereignty.⁵⁸ While it is clear that Stevens possessed little power with the Roosevelt administration—indeed it opposed her agenda— it is unlikely that Lutz concocted the entire Platt Amendment scenario. Stevens most likely invoked the Platt amendment to gain Cuban support for her objectives. Cuban support for the IACW agenda would offer their delegation a means to oppose the U.S. government’s hegemonic ambitions.

United States imperialism was, however, a double-edged sword for Stevens. It was a useful tool, but potentially risky. Identifying with U.S. interests could undermine the unity of women working in inter-American circles. The work of the *Union Mujeres de Americana* (UMA) is a case in point. The UMA’s objective, like the IACW, was to promote women’s advancement through inter-American cooperation. The UMA, however, identified U.S. *imperialismo* as a key obstacle to achieving social justice.⁵⁹ Evangeline Antay de Vaughan, one of the co-founders of the UMA, made an appeal to her “sisters of the same race” to promote Simón Bolívar’s dream of a united Latin

⁵⁸ Bertha Lutz to Carrie Chapman Catt (7 July 1936), NAWSA records, reel 12.

⁵⁹ Minerva Bernardino to Doris Stevens (20 April 1938), Stevens papers, folder 62.4.

America.⁶⁰ A united Latin America, Vaughan believed, stood a better chance of establishing a balance of power between the United States and its southern neighbors. For Vaughan, Pan-Americanism represented Latin American solidarity in the face of U.S. impositions. She thus questioned the ability of the U.S.-led IACW to adequately represent Latin American women.⁶¹

Bernardino worked to foster cooperation between Stevens and Vaughan. When Bernardino first arrived in the U.S., she met and befriended Vaughan.⁶² Bernardino quickly found herself in the middle of a feud between two influential women. Stevens, speaking as a U.S. citizen, believed her derision of U.S. hegemony bolstered women's solidarity. In contrast, she viewed Vaughan's deployment of imperialism as undermining effective collaboration. As a result, Stevens consistently snubbed Vaughan. This, of course, made cooperation between the two organizations difficult.⁶³ Bernardino tried to persuade Vaughan that while the U.S. government was imperialistic, Stevens was not complicit in this agenda. In a speech to the UMA about the IACW's Montevideo work, Bernardino argued that the commission was not an extension of U.S. imperialism; it sincerely worked for women's liberation.⁶⁴ The Dominican also labored to convince a skeptical Stevens that the UMA's statements about imperialism were not entirely sincere; Vaughn invoked U.S. imperial power as a means to rally support for the UMA's goals.

⁶⁰ Evangeline Antay de Vaughan, "Speech Delivered at the Inauguration of the Radio Programs of the UMA," (5 March 1937), Stevens papers, folder 92.1.

⁶¹ Evangeline Antay de Vaughan to Doris Stevens (23 November 1936), Stevens papers, folder 92.1.

⁶² The other co-founder was Mexican, Margarita Robles de Mendoza, a woman who frequently served as an unofficial IACW delegate.

⁶³ For nearly two years, Bernardino tried to arrange a meeting between the two women. Stevens avoided meetings with Vaughan, often canceling the appointments Bernardino arranged at the last minute.

⁶⁴ Minerva Bernardino to Doris Stevens, (20 April 1938), Stevens papers, folder 62.4.

Bernardino argued that Stevens well knew that to deploy rhetoric denouncing U.S. imperialism could be a successful strategy.⁶⁵ Bernardino's persistence paid off and she eventually swayed Vaughan and Stevens to cooperate with each other. The UMA would later even honor Stevens for her work on behalf of women of the Americas.⁶⁶ Shuttle diplomacy was a skill that Bernardino developed in the 1930s and it served her well throughout her career.⁶⁷

While Bernardino tried to foster collaboration among inter-American feminists, Trujillo worked to shore up his legitimacy through Dominican women. In May 1938, Trujillo's political party orchestrated a *voto simbólico*. Earlier that year, Trujillo had declared that he would not accept another term as president. The intent of the symbolic vote was to demonstrate the people's desire to retain the 'Great Benefactor' as their leader. Women were encouraged to participate in this theatre. Following the staged vote, the papers proudly announced that women outstripped men in their support of the dictator.⁶⁸ Despite this show of "support" Trujillo installed Jacinto Peynado as the Dominican President. Peynado was, however, merely a titular head of state. In deference to Trujillo (and demonstrating his subordinate position) the new president placed a large neon sign on the top of his house, proclaiming "God and Trujillo."⁶⁹

Stevens capitalized on Trujillo's renewed interest in Dominican women, an interest he had demonstrated by permitting women's participation in the symbolic vote.

⁶⁵ Ibid.

⁶⁶ Minerva Bernardino to Petrolina Angelica Gomez (26 July 1938), Stevens papers, folder 66.3.

⁶⁷ See Chapter Four.

⁶⁸ "342, 458 Mujeres Votaron por La Creador de la Paz Dominicana," *La Opinión* (18 May 1938), 1.

⁶⁹ Roberts Crassweller, *Trujillo*, notes that U.S. diplomat, R. Henry Norweb recalled that Trujillo once called Peynado from the next room "with the air of whistling for a well-trained house dog," 166-67.

She hoped to retain Bernardino's valuable services, a goal complicated by the Dominican's unofficial IACW status.⁷⁰ The next Inter-American conference was scheduled to be held that December in Lima, Peru. In a June 1938 "Private and Confidential" letter to Trujillo, Stevens lamented the fact that Bernardino did not hold an official title. Stevens stressed the importance of this formality, indicating that Trujillo could appoint Bernardino by decree, by "a simple letter from you to me," through his Washington legation, by a letter to the PAU director, or "any way you chose." For good measure she included a sample appointment decree issued by the Bolivian government.⁷¹

In appealing to Trujillo, Stevens signaled to the dictator her potential as an ally. She stroked Trujillo's insatiable ego, sang Bernardino's praises, and raised the specter of Haiti to grab the dictator's attention.⁷² Stevens spoke of Trujillo's "great interest in the emancipation of women" and "the confidence of *your* women in you," referring specifically to the May *Voto Simbólico*. She assured Trujillo that Dominicans would "follow you in your designation of a woman to represent the Dominican Republic."⁷³ Stevens' flattery was purposeful and it would have assured Trujillo that she was not an enemy, but someone willing to assist in legitimizing his grip on Dominican life.

⁷⁰ Bernardino's precarious financial position prompted her to look for a position with another inter-American feminist organization. "Copy of letter which Miss Bernardino wrote as specimen of work for Miss Vernon," (January, 1938), People's Mandate Committee records, series B, box 2A, "Bernardino." Stevens reported that after much soul searching, and desiring not to harm the IACW program Bernardino decided to stay with the IACW. Doris Stevens to Mary Winsor (28 January 1938), Stevens papers, folder 93.6.

⁷¹ Doris Stevens to Raphael Trujillo (26 June 1938), Stevens papers, folder 60.10.

⁷² While the enormity of Trujillo's ego was quite popularly known, Stevens would have had personal knowledge of this. At Montevideo, Bernardino—as was the custom of Dominican diplomats—presented Stevens with an inscribed photo of Trujillo. Stevens thanked Trujillo for the portrait, informing him that it "hangs in our headquarters where it receives constant admiration." Doris Stevens to Raphael Trujillo (11 April 1934), Stevens papers, folder 66.1. Self-portraits were one of Trujillo's favorite gifts and served to conflate the nation and the man. Richard Turits, *Foundations of Despotism*, 95.

⁷³ Doris Stevens to Raphael Trujillo (26 June 1938), Stevens papers, folder 60.10. Emphasis mine.

Stevens spared no accolade in promoting her protégé, Bernardino. In her letter to Trujillo, Stevens emphasized the “countless personal friends” Bernardino had forged through her work in “the bosom of the Commission.” She declared that Bernardino was “trusted and loved” not only by Stevens and the commission, but also by “women leaders throughout all the American Republics.” She reminded Trujillo that the IACW’s work took place at the “central offices in the Pan-American Union.” This would have verified Bernardino’s potential worth in the Inter-American community. Stevens went on to laud Bernardino’s qualifications. She had tremendous oratory “eloquence” and exhibited “effectiveness” in her “political and administrative” work. Bernardino’s “experience in diplomatic conferences” would be a boon to Trujillo.⁷⁴ Stevens assured the dictator that Bernardino was not only qualified but strategically also an excellent choice.

Perhaps the most striking invocation Stevens made in support of Bernardino was in reference to Haiti. Trujillo’s recent massacre of Haitians and the two countries continuing border dispute had received wide press coverage; Stevens could not have been unaware about Trujillo’s brutalities. Both the Dominican exile community and the U.S. National Negro Congress sent the IACW copies of their protest petitions regarding the Haitian slaughter. The petitions demanded action against Trujillo’s regime.⁷⁵ Fully cognizant of the Haitian massacre, Stevens assured Trujillo of Bernardino’s “patriotism” and offered him a striking “example” of it. Bernardino had been present at a PAU congress in Washington D.C. when a Haitian delegate moved to rename the entire Island

⁷⁴ Doris Stevens to Raphael Trujillo (26 June 1938), Stevens papers, folder 60.10.

⁷⁵ Max Yergan, “Informacion por la prensa: El National Negro Congress De Los Estados Unidos y La Cuestion Dominico-Haitiana” (9 December 1937), Stevens papers, folder, 66.2; Doctor Angel Morales, et al., Cablegram to President Vincent (9 November 1937), Stevens folder, 66.2. For more on the U.S. press coverage and governmental responses, particularly the U.S. see Eric Roorda, *The Dictator Next Door*, 127-144. For evidence that Stevens possessed full knowledge of the extent of the dictator’s reach and his abuses see the journal article by Charles Thomson, “Foreign Policy Reports: Dictatorship in the Dominican Republic” *Foreign Policy Association* 12:3 (15 April 1936). Stevens filed this reports with her papers on the Dominican Republic, Stevens papers, folder 66.2.

of Hispaniola, “Haiti.” Knowing Trujillo’s profound hatred of the Haitian government (and indeed it seems all Haitian people), Stevens informed Trujillo that Bernardino “at once took the floor to oppose this proposal with all the fire and eloquence at her command.” This was despite the fact that Bernardino was not an official delegate, but merely an IACW observer.⁷⁶ To solidify “Minerva’s fixed status vis-à-vis her government” and the IACW, Stevens exploited a genocidal act.⁷⁷

Stevens’ flattering letter to Trujillo likely prompted the dictator to invite the IACW chair to visit the Dominican Republic. Bernardino had unsuccessfully tried to get Stevens to make a trip to the island right after the 1933 Montevideo conference.⁷⁸ In 1938, Trujillo extended an invitation to Stevens. He asked her to visit Ciudad Trujillo (Santo Domingo) and meet with him to discuss the “next steps” to be taken to enfranchise Dominican women.⁷⁹ Stevens initially declined. She was too busy with preparations for the 1938 Lima Conference. Stevens stated that her initial refusal put Bernardino in a “high-state.” In the end, because of Bernardino’s perseverance and the fact that “Dominican women were so insistent and the President [Trujillo] so eager,” she relented and accepted the invitation.⁸⁰

Trujillo’s invitation to Stevens served the dictator’s interests. Trujillo asked Stevens to visit before he stepped down as president. Arguing that he wished to improve the lot of Dominican women in his final days of power, Trujillo strove to solidify

⁷⁶ Doris Stevens to Raphael Trujillo (26 June 1938), Stevens papers, folder 60.10.

⁷⁷ Doris Stevens to Evangeline Antay de Vaughan (16 September 1938), Stevens papers, folder 92.1.

⁷⁸ Minerva Bernardino to Doris Stevens (7 April 1934), Stevens papers, folder 66.1.

⁷⁹ “Doris Stevens to Meet President Trujillo on Plans to Enfranchise Dominican Women,” *New York Times* (10 August 1938), 17.

⁸⁰ Doris Stevens to Mary Winsor (21 July 1938), Stevens papers, folder 93.6 and Doris Stevens to Madelaine Slyvain (21 September 1938), Stevens papers, folder 70.4.

Dominican women's support. To this end, the press inflated Stevens' significance. The papers declared that Trujillo was to host the "great world renowned North American feminist" as his "distinguished guest." At the same time, the adulation Stevens received in the Dominican press flattered the IACW chair. Trujillo arranged for Stevens to address the Dominican Congress. She would be the first woman ever to do so. Stevens, a woman engaged in a seemingly perpetual battle with her own government, was delighted.⁸¹ In true Trujillo fashion, the dictator pulled out all the stops to impress the U.S. feminist leader.⁸² Given the high profile of the Haitian massacre and the mounting external opposition to his regime, Stevens' visit had the potential to shift attention away from Trujillo's atrocities and toward his progressive, modernist actions. Indeed, it might improve his reputation in inter-American circles.⁸³

If Trujillo wagered that his invitation to Stevens would engender a new defender of his dictatorial regime, he was correct. The socialist press certainly saw it that way. The *Daily Worker* covered Stevens' visit and declared that Trujillo was "hiding behind the skirts of one duped American woman, Doris Stevens." The paper went on to condemn the fact "that the bloodiest dictator in the Americas" had ordered a "massacre" causing the "rivers [to run] red with the blood of Haitian peasants" whose "gunmen clubbed and bayoneted Negro families."⁸⁴ In response to these allegations, Stevens explained that

⁸¹ In every letter and article Stevens wrote on her trip to the DR, she mentions with pride that she was the first woman to every address the Dominican congress.

⁸² For Trujillo's habit of wining and dining visitors and his display of excessive hospitality to enlarge his list of supporters see Eric Roorda, *The Dictator Next Door*, 155-164.

⁸³ "Distinguida Huesped," *Listín Diario* (12 August 1938), 1. The front page of this edition carried a large photo of Stevens. The next day's *Listín Diario* also placed Stevens on the front page: "Anoche ofrecieron magnificas disertaciones la Sra. Stevens y la Srta. Minerva Bernardino," 1. The column described Stevens as "la gran feminist norteamericana de renombre mundial." The papers covered Stevens' entire visit, reporting on her meetings with prominent Dominicans and her sight-seeing excursions.

⁸⁴ Harry Gannes, "World Front" in the *Daily Worker* (16 August 1938), Stevens papers, folder 76.16.

she did not “endorse” dictatorship. Instead, she argued, if “we [the IACW] conferred only with such heads of governments as measured by our standards of democracy, we would accomplish little indeed.” She concluded with the prediction that women’s suffrage “will be an accomplished fact there [the Dominican Republic] very soon.”⁸⁵ The IACW leader admitted that she had been “getting some abuse by mail and otherwise for having gone to confer such a ‘cruel dictator,’ etc. etc....” Nonetheless, she was prepared “to take that [abuse] for the good of the objectives.”⁸⁶

But Stevens’ statements belied her newfound support for Trujillo. Before her visit to Ciudad Trujillo, Stevens confessed to a friend how disturbing it was that millions of people “suffered horribly under the now almost universal dictatorship of this hemisphere.”⁸⁷ Specifically referring to the Dominican Republic, Stevens told a reporter: “Women can’t vote if there are no elections at which to vote.” She also told the correspondent: “You can’t quote me about the dictatorships because of my position [as IACW chair].”⁸⁸ But Stevens’ contact with Trujillo apparently changed her outlook on meaningful democratic participation. Following her trip as Trujillo’s guest, Stevens recommended that an international feminist congress be held in the Dominican Republic. She endorsed the location because she was confident that Trujillo, a friend of women, would do everything in his power to insure its success.⁸⁹ In another letter, Stevens

⁸⁵ Doris Stevens to Maud Malone (21 September 1938), Stevens papers, folder, 76.16.

⁸⁶ Doris Stevens to Evangeline Antay de Vaughan (16 September 1938), Stevens papers, folder 92.1

⁸⁷ Doris Stevens to Muna Lee Muñoz Marín (8 February 1937), Stevens papers, folder 79.7.

⁸⁸ Doris Stevens to Eva vB. Hansl (26 Feb 1936), Stevens papers, folder 69.11.

⁸⁹ Stevens to Angela Acuña de Chacón (25 April 1939), Stevens papers, folder 65.1.

praised her new friend and mocked his critics. She wrote: “The ‘bandit’ came through handsomely” on his women’s rights promises.⁹⁰

The paradox imbedded in Stevens’ dogged commitment to improving women’s political and civil equality and her willing collaboration with an authoritarian ruler is confounding. Indeed, by late 1938 Stevens seemed to be of the opinion that, in general, American dictatorships presented no obstacle to improving women’s status:

I am not one of those who thinks there is any new trend of fascism in South America. They have had dictatorship of varying degrees for so long that there is little Europe can teach them on this front. Also, in spite of it all, women continue to advance on the political rights front.⁹¹

On the one hand, Stevens’ support for Trujillo seems unconscionable. Anti-Trujillo exile groups believed so. Ex-patriots cabled Stevens and charged that the “so called emancipation of Dominican women would be a cynical mockery” given that under Trujillo “Dominican citizens are brutally deprived of their political rights.”⁹² Yet, on the other hand, Stevens believed that her collaboration with dictators produced results. Dictators, can (and do) press agendas without having to establish a cultural consensus amongst the body politic. Mala Htun’s work on abortion and divorce in Latin America in the latter part of the 20th century corroborates Stevens’ uncomfortable theory. Htun argues that dictatorships are more likely to advance women’s rights quickly than are functioning democratic systems of government.⁹³ Stevens viewed Trujillo’s support for

⁹⁰ Doris Stevens to Fannie Hurst (16 September 1938), Stevens papers, folder 69.12.

⁹¹ Doris Stevens to Helen Robbins Bitterman (29 October 1938), Stevens papers, folder 62.1.

⁹² Union Revolucionaria Dominicana (n.d.) to Doris Stevens. The URD sent the radiogram to Stevens in care of the American Legation in Ciudad Trujillo, Stevens papers, folder 66.6.

⁹³ See Mala Htun, *Sex and the State: Abortion, Divorce, and the Family under Latin American Dictatorships and Democracies* (New York: Cambridge University Press, 2003). I do not intend to imply that the right to vote where no legitimate democracy exists is equivalent to the dilemma presented by restricted access to legal abortion or divorce.

women's civil and political equality as progress. For Stevens, the advance of women's rights—if only in theory—helped make credible a gender ideology in which men and women were political and civil equals.⁹⁴ Internationally-minded feminists like Stevens were acutely aware that European dictators were moving in the opposite direction.⁹⁵ At this time, any support in favor of women's rights was, perhaps, a particularly salient victory, despite the untenable nature of the regime.

Bernardino: Balancing Authoritarianism and Women's Human Rights

From late 1938 until the end of World War II the balancing act that Bernardino managed grew increasingly difficult. In 1938 the IACW became embroiled in turmoil. Throughout the war, Bernardino was called upon to promote hemispheric solidarity in the name of democracy, even as she represented a dictatorial regime. And, if this were not enough, as the war drew to a close U.S. and Dominican relations became strained. Bernardino had to negotiate her loyalty to Stevens, cooperation with other IACW delegates, and her service to a dictator in an era marked by rhetoric on democracy and human freedoms. Her performance during this period illustrates her continued commitment to women's equality, an uncanny instinct for political survival, and skillful diplomatic finesse. These traits facilitated her rise to the top of the IACW hierarchy by the mid-1940s.

⁹⁴ Stevens was not alone. During Vargas' first years of power, Lutz smuggled letters out of the country that decried the new dictatorship, implying to Carrie Chapman Catt that the Stimson Doctrine of non-recognition should apply to the new Brazilian regime. See for example, Bertha Lutz to Carrie Chapman Catt (15 September 1932), NAWSA records, reel 12. Yet, by the latter part of the 1930s, Vargas had offered Lutz a position of influence on the Constitutional Committee and Lutz wrote to Catt praising Vargas' feminist credentials. Lutz even asked Catt to arrange to meet the President's wife and daughter as they were also good feminists. Bertha Lutz to Carrie Chapman Catt (2 April 1936), NAWSA records, reel 12.

⁹⁵ Karen Offen, *European Feminisms*, 363-65; Claudia Koonz, *Mothers in the Fatherland: Women, the Family and Nazi Politics* (New York: St. Martin's Press, 1987).

For Bernardino, the 1938 Lima Inter-American conference was a moment both of triumph and uncertain change. Bernardino had joined Stevens on the trip to the Dominican Republic, demonstrating to Trujillo her close ties to the IACW leader. The visit won Bernardino the appointment as the official Dominican delegate on the women's commission.⁹⁶ Bernardino was now on Trujillo's payroll.

At the same time, the IACW came under attack. In the face of the mounting political crisis in Europe, the Roosevelt administration worked to shore up hemispheric solidarity. The U.S. government, however, also confronted increasing pressure from domestic women's groups that wanted an immediate halt brought to the IACW's equal rights treaty work. Labor feminists active in Roosevelt's New Deal Administration opposed the Equal Rights Amendment to the United States Constitution and understood the international treaty as a back-door method to win ratification of the ERA. For labor feminists, the amendment was sure to eradicate hard-won protective labor legislation designed to shield the nation's working women from the excesses of industrial capitalism.⁹⁷ While the administration had made tentative moves to undermine the IACW at both the 1933 and 1936 Inter-American conferences, the U.S. government turned up the heat at Lima. The U.S. delegates proposed a purge of the entire commission; their specific target was, however, Doris Stevens. Recognizing this, the majority of the delegations at Lima rejected the bid to remake the commission and supported its chair.⁹⁸ Stevens survived the U.S. attempt to oust her at Lima, but her reprieve was short-lived. By the end of the next year she was out. The Roosevelt

⁹⁶ Trujillo appointed Bernardino by Presidential decree. Decreto No. 2411 (15 de Agosto de 1938), Archivo General de la Nación, Santo Domingo, Dominican Republic, hereafter AGN.

⁹⁷ For more on these debates in both the U.S. and internationally, see Chapter One.

⁹⁸ "U.S Meets Defeat on Women's Board: Delegation Overruled at Lima as Commission Wins Thanks and Order to Continue," *New York Times* (23 December 1938), 6.

administration simply announced her replacement; the PAU board could elect whomever it chose among the IACW delegates to be chair, but Stevens was not the U.S. delegate.⁹⁹ After months of wrangling, the PAU board elected Ana Rosa S. de Martinez Guerrero from Argentina as chair and Bernardino to the new position of vice-chair.¹⁰⁰

Mary Winslow, an employee of U.S. Department of Labor's Women's Bureau, replaced Stevens, shifting the United States' delegate's objectives away from the equal rights treaty. Winslow, a labor feminist, rejected Stevens' focus on absolute legal equality and called for women's cooperation on social justice projects, such as women's workplace protections and children's welfare.¹⁰¹ Winslow branded Stevens' drive for the equal rights treaty as an "imposition of the theories of the northern group." She argued that it had been guided by the false vision that the women of Latin America were "one enormous mass." While Latin American women were certainly not all like-minded, Winslow's statement ignored the wide-spread support the former IACW chair enjoyed

⁹⁹ President Roosevelt understood the matter as an "internal" one. During the standoff the work of the IACW ground to a halt. "Envoy Contests Winslow Choice, Capt. Alfaro of Ecuador Says Stevens Has Our Only Post: No Vacancy Exists," *New York Times* (3 February, 1939), 8. The PAU finally relented in November and nominated a new chair. For nearly a year the IACW the dispute paralyzed the IACW. Stevens took all of the records with her when she left.

¹⁰⁰ "Roosevelt Ousts Doris Stevens Stirs a Tempest" *New York Herald Tribune* (16 February 1939) copy in Louise Leonard Wright Papers, box 1, folder 15. Arthur and Elizabeth Schlesinger Library, Cambridge, MA. Hereafter Louise Wright Papers. According to Bernardino, Argentina began lobbying for the top spot as early as June. Minerva Bernardino to Doris Stevens (9 June 1939), Stevens papers, folder 66.4.

¹⁰¹ For the efforts of the Roosevelt administration and the National League of Women Voters to oust Stevens see Susan Becker, *The Origins of the Equal Rights Amendment*, 183-186. For the work of the IACW and the U.S. delegation's positions at Montevideo, "Instructions to the Delegates to the Seventh International Conference of American States, Montevideo, Uruguay, Washington, November 10, 1933, Chapter III: Political and Civil Rights of Women," in *Foreign Relations of the United States, Diplomatic Papers, 1933, Volume IV, The American Republics* (Washington D.C.: Government Printing Office, 1950), 84-85, 174-175, 203-209, 211-214. The instructions to the Lima delegate argued that the IACW, since its 1928 founding, had created "irritation and annoyance." The instructions pressed for the U.S. representatives to insure women's issues were handled by national delegations "without the high-powered pressure of a group of persons not representative of...the governments of their respective countries." For Lima see *Foreign Relations of the United States, Diplomatic Papers, 1938, Volume IV, The American Republics* (Washington D.C.: Government Printing Office, 1956), 74-75.

among the commission's delegates. Indeed, many of the IACW delegates "expressed indignation" at the idea that they opposed an equality agenda.¹⁰² Yet Winslow insisted that the IACW's goal of legal equality "was not a program adapted to the women of Latin America."¹⁰³

While the equal rights treaty had been a northern idea, Winslow seemed to miss the fact that most IACW delegates did not see women's equality and social legislation as mutually exclusive propositions. Like most U.S. activists, Winslow and Stevens understood full legal equality and workplace protections for the hemisphere's mothers as incompatible. Yet Stevens had always recognized that most IACW delegates understood women's full legal equality and their special rights as mothers to be constitutive aspects of social justice.¹⁰⁴ To this end, Stevens had advanced the equal rights treaty, but never dictated how the principle should be understood in different national contexts. She had, however, always labored to keep the rhetoric of motherhood out of rights claims.

At Lima—Stevens' last conference—the IACW pressed the equal rights treaty, but also agitated for—and won—a "Declaration (non-binding) in Favor of Women's Rights." The Declaration noted that women comprised half of the population of the Americas and demanded women's "full rights as an act of the most elementary justice." Yet the IACW declaration also called for women's "full protection and opportunity in work" and recognized that women's "high sense of responsibility as mothers entitles

¹⁰² Gaeta Wold Boyer to Helen Archdale (19 March 1940), Stevens papers, folder 93.5.

¹⁰³ For the cooperation of the U.S. Women's Bureau and anti-ERA NGOs, particularly the National League of Women Voters see Kathleen Laughlin, *Women's Work and Public Policy: A History of the Women's Bureau, U.S. Department of Labor 1945-1970* (Boston: Northeastern University Press, 2000), 36-38; Cynthia Harrison, *On Account of Sex: The Politics of Women's Issues, 1945-68* (Berkeley: University of California Press, 1988), 81-83. Comments of Winslow quoted in "Remarks at Meeting of Legislative Department, League of Women Voters, at Y.W.C.A: Mary Winslow" (9 January 1940), Stevens papers, folder 93.5.

¹⁰⁴ For more on the different perspectives on equality and special labor legislation see Chapter One.

them to the enjoyment of all their rights.”¹⁰⁵ The Declaration ground women’s claim to full equality in their social roles as mothers and simultaneously suggested that women deserved protection. At the conference, Bernardino sought a middle-ground between Stevens’ absolute equality line and other delegates’ deployment of women’s gendered roles. Bernardino did not mention motherhood. Instead, her speech simply tied “social justice” for women to the attainment of their absolute political and civil equality.¹⁰⁶ The success of the Declaration suggests that the embattled Stevens had lost her ability to completely control the IACW agenda.¹⁰⁷

The disconnect between U.S. women’s position on the equal rights treaty and the majority of IACW activists was due in part to women’s understanding of their different political systems. For U.S. women, the equal rights treaty had potential constitutional implications as it would require all domestic laws to comply with treaty obligations. Subsequent juridical review of all laws, including protective legislation, would be subject to the new equality provision. U.S. feminists widely believed that this would have necessitated identical legal treatment. In contrast, many women living under civil law systems demanded full political and civil equality alongside laws that recognized women’s unique “responsibility as mothers.”¹⁰⁸ This was certainly true for Mexico’s

¹⁰⁵ “The Lima Declaration in Favor of Women’s Rights,” reproduced in *The Report of the Delegation of the United States of America to the Eight International Conference of American States, Lima Peru, December 9-27, 1938* (Washington D.C.: U.S. Government Printing Office, 1941), 128-129; “U.S. Meets Defeat on Women’s Board,” *New York Times* (23 December 1938), 6.

¹⁰⁶ Palabras pronunciadas por Minerva Bernardino, Delegada de la República Dominicana a la Comisión Interamericana de Mujeres durante una sesión plenaria de la VIII Conferencia Internacional Americana. Lima, Peru 21 de Diciembre de 1938” in Minerva Bernardino, *Lucha*, 41, 44.

¹⁰⁷ It is also possible that because of its non-binding status, Stevens saw little harm in the Declaration.

¹⁰⁸ The Lima Declaration in Favor of Women’s Rights,” reproduced in *The Report of the Delegation of the United States of America to the Eight International Conference of American States, Lima Peru, December 9-27, 1938* (Washington D.C.: U.S. Government Printing Office, 1941), 128-129.

IACW representative, Amália Caballero de Castillo Ledón. For women like Ledón, legal equality did not mean identical legal treatment. In Bernardino's case, where Trujillo established the law of the land, an equal rights treaty could mean civil and political equality and differential treatment.

Bernardino most likely had ambivalent feelings about Stevens' 1939 removal. On the one hand, Bernardino admired her mentor. Stevens had played a pivotal role in Bernardino's IACW rise. On the other hand, Stevens' departure created an opportunity for Bernardino to assume a more prominent leadership role. Bernardino lobbied quite heavily for the lead position, but it appears she did so only once it was clear that Stevens would not retain her seat.¹⁰⁹ Stevens' U.S. allies hoped that Bernardino would uphold the dedication to absolute legal equality and that the Dominican might even be a "pain in the neck" to the new U.S. delegate.¹¹⁰ Bernardino did continue to advance women's civil and political rights as an important IACW goal, but she also increasingly—and discreetly—supported the reliance on women's status as mothers to validate rights claims. Her new approach melded the one she learned from Stevens, her Dominican feminist roots, and her IACW colleagues' desire to use women's social roles to claim rights.

Despite Bernardino's shift, she continued to value the opinions of her long-time mentor. After Stevens' departure, Bernardino assured Stevens that political and civil rights would remain a priority. Criticizing Stevens' replacement, Bernardino wrote, "As you know our chairman is not interested in this [civil and political equality] problem. As I have said many times, the Commission will never have a woman of your abilities and

¹⁰⁹ See Minerva Bernardino to Doris Stevens (14 August 1939), Stevens papers, folder 66.4; Doris Stevens to Abigail Mejía (29 Nov 1939), Stevens papers, folder 66.4.

¹¹⁰ Unsigned letter to Doris Stevens on 'U.S. Senate Memorandum' letterhead (1 Nov 1939), Stevens papers, folder 66.9.

interest in our cause.”¹¹¹ When Trujillo’s regime “enfranchised” women in 1942, a clearly ecstatic Bernardino wrote to Stevens: “You can imagine how happy I feel...As you know that has been the greatest dream of my life.” Acknowledging Stevens’ role, Bernardino declared: “But the truth is Doris, that you will be forever linked to that great event.”¹¹²

While Bernardino worked to maintain her ties to Stevens during the war years, the relationship between Trujillo and the Roosevelt administration shifted. At the onset of the war and up until an Allied victory seemed assured, Inter-American efforts focused on cooperation in defense of democracy. Trujillo capitalized on the opportunity to gain lend-lease dollars and IACW delegates promoted hemispheric solidarity. But the constant distinctions between the democracy-loving Allies and the tyranny of the Axis leaders made U.S. support for Trujillo’s dictatorship awkward. To manage this awkwardness, Bernardino encouraged the bonds of friendship with the U.S., argued for Pan-American solidarity, and labored to promote the illusion of Dominican democracy, all of which served Trujillo well.¹¹³

In 1943, the PAU-board elected Bernardino as the IACW chair and the Dominican quickly recognized both the opportunities and challenges her new role presented. While few would have been fooled, she used her position to present a democratic image of the DR. Shortly after she assumed the top job, Bernardino

¹¹¹ Minerva Bernardino to Doris Stevens (22 May 1942), Stevens papers, folder 66.4.

¹¹² Minerva Bernardino to Doris Stevens (22 May 1942), Stevens papers, folder 66.4.

¹¹³ “A Woman’s War, Too: Pan American Day Conference Will Hear Speakers From the Latin Republics,” *New York Times* (11 April 1943), 11. Bernardino made multiple speeches throughout the war on women’s role in strengthening Pan-American solidarity. See for example, “Palabras de Minerva Bernardino, Presidenta de la Comisión Interamericana de Mujeres, en el almuerzo que le dedicó la ‘Pan American Society’ en el Hotel Waldorf Astoria de New York, el 11 de abril de 1944 para condecorarla con la ‘Medalla Bolívar-San Martín’” reprinted in Minerva Bernardino, *Lucha, Agonia y Esperanza: Traectoria triumphal de mi vida* (Santo Domingo: Editoria Corripio, C. por A., 1993), 51-54.

publicized Trujillo's "enlightened" position on women. Through her PAU office, she disseminated information on the First Women's Congress held in Santo Domingo, which celebrated the one-year anniversary of women's suffrage. The congress' resolution called on all women of the Americas to join their Dominican sisters and "contribute toward the defense of the sacred principle of democracy."¹¹⁴ Likewise, the *Pan-American Bulletin* printed an article titled, "Women's Suffrage Referendum in the Dominican Republic." The article appeared a full two years after the referendum. While the referendum was not new, Bernardino's influence at the PAU was.¹¹⁵ In a 1943 Pan-American speech, Bernardino took the opportunity to situate the Dominican Republic among the "defenders of democracy" in the battle against the "totalitarian powers."¹¹⁶

Bernardino used the same Pan-American speech to signal the importance of Inter-American cooperation, but she also warned against those who might undermine it: "[L]et us remember...To take care in the selection of men and women working in official organizations engaged in fostering the Good Neighbor Policy. The mistaken attitude of a few can seriously hamper the progress of Inter-American relations..."¹¹⁷ Bernardino publicly stressed that the Good Neighbor Policy's promise of non-intervention was "essential to effective hemispheric cooperation."¹¹⁸ In doing so, Bernardino reminded the U.S. to keep its nose out of Dominican business. At the same time, she worked to demonstrate U.S. and Dominican ties. In her new role as chair, she secured multiple

¹¹⁴Minerva Bernardino to Mabel Vernon (17 February 1943) & Mabel Vernon to Minerva Bernardino (4 March 1943), People's Mandate Committee records, series B, box 11, folder, "Inter-American Commission of Women."

¹¹⁵ *Pan American Bulletin* 68 (February, 1944): 146.

¹¹⁶ Minerva Bernardino, "Pan American Day Speech," (1943), Stevens papers, folder 66.4.

¹¹⁷ Ibid.

¹¹⁸ Inter-American Commission of Women, *Information Bulletin*, no.4 (June-July 1942), 13.

visits to the White House to discuss both children's welfare and women's important postwar roles. The photo-opportunities with First Lady Eleanor Roosevelt reinforced the image of the U.S. and Dominican Republic as friendly allies and abetted Trujillo's image as a democratic partner in the war effort.¹¹⁹

Bernardino's efforts should, however, also be understood as an attempt to demonstrate her value to Trujillo, but also to legitimize her work as the IACW chair. In an atmosphere where dictatorship conjured images of Hitler, and the rhetoric of democracy appeared to be the best ideological weapon against fascism, presenting the Dominican Republic as a key democratic ally also served Bernardino's self-interest. Her political capital with the IACW resided in her ability to promote the rights of women. The remainder of Bernardino's Pan-American speech illustrates her ability to successfully balance these multiple agendas:

We must not forget that women are a powerful force in all countries and because of their innate nobility and humanity, they definitely should be called upon to aid in the preservation of American Solidarity. The women of Latin America trust that in the reconstruction of tomorrow they will share on equal terms with the men the responsibilities which citizenship entails in the solution of all problems. Otherwise any struggle for democracy cannot be justified, since women represent half of the population of the world.¹²⁰

She went on to laud the Dominican Republic as one of only three Latin American nations where women could both vote and hold public office. While Bernardino's audience included her IACW colleagues, it was no doubt also a delicate reminder to Trujillo that the promotion of "democracy" demanded the inclusion of women.¹²¹ In the midst of a

¹¹⁹ "Las mujeres de las Américas afrontarán las responsabilidades en la postguerra," no date or publication information listed, People's Mandate Committee records, series B, box 11, folder "Inter-American Commission of Women."

¹²⁰ Minerva Bernardino, "Pan American Day Speech," (1943), Stevens papers, folder 66.4.

¹²¹ The IACW was only one of many women's organizations working during the war for women's inclusion in postwar planning. For example, in the U.S. women activists established the Women

rising international awareness of human rights abuses, Trujillo needed Bernardino if he wished to project a democratic image.

The Allies, and the Roosevelt administration in particular, used the language of human rights to promote war cooperation and participation. In a January 1941 speech to Congress, Roosevelt made his Four Freedoms speech, in which he declared that all people deserved to live their lives with freedom from fear and want and with freedom of worship and speech. During Roosevelt's meeting with British Prime Minister Winston Churchill in August of 1941, the two issued a joint statement—the Atlantic Charter—intended to distinguish the beleaguered Allies from the Axis aggressors ideologically. The Atlantic Charter incorporated Roosevelt's call for freedom from want and fear and declared self-determination a right of all.¹²² Following the United States' entry into the war, the U.S. opened the Declaration of the United Nations for signature in January of 1942. Signatories promised to abide by the principles of the Atlantic Charter. The Dominican Republic and eighteen other Latin American nations signed the wartime statement.¹²³

As the tide of the war turned in favor of the Allies, State Department officials began to question the United States' relationship with the hemisphere's dictators. Several Latin Americanists in the U.S. State Department argued that the time had come to condemn “undemocratic” governments.¹²⁴ In 1944, Assistant Secretary of State for

in World Affairs committee and consistently sent the State Department the names of women qualified for appointments. For more on the Women in World Affairs Committee see Chapter Three.

¹²² For more on the Atlantic Charter as foundational in postwar human rights see Elizabeth Borgwardt, *A New Deal for the World*, 1-84.

¹²³ The Dominican Republic was one of the original twenty-six signatories. However, several would sign on only at the last minute (March 1945) as it became a precondition for participating in the United Nations.

¹²⁴ Beatrice Bishop Berle & Travis Beal Jacobs, eds., *Navigating the Rapids*, 474.

Latin American Affairs, Adolf Berle, sent a circular to U.S. diplomats in Latin America. He instructed them to conduct their affairs with “a greater affinity and a warmer friendship to those governments which rest upon the periodically and freely expressed consent of the governed.”¹²⁵ In turn, the State Department turned up the heat on Trujillo, sending Ambassador Ellis Briggs to the Dominican Republic. According to a contemporary of Briggs, the new Ambassador “treated the monster [Trujillo] with chilly correctness and soon won his venomous hate.”¹²⁶ Briggs wrote to Secretary of State Cordell Hull from Ciudad Trujillo, warning that:

The small Caribbean countries and our relations with them constitute a sort of show-window through which our inter-American relations are carefully examined by other—and more important nations with which we are dealing...As a result we should decline to endorse the Trujillo dictatorship.¹²⁷

With the Allies on the verge of winning the war against tyranny abroad, continued support for Latin American dictators exposed the United States to allegations of hypocrisy.

Yet the United States would not alienate Trujillo for long. By the end of 1944, the State Department had both a new Acting Secretary of State, Edward Stettinius, and a new Assistant Secretary of Latin American Affairs, Nelson Rockefeller. Rockefeller had met Trujillo and had been charmed by his infamous hospitality.¹²⁸ Rockefeller and Stettinius reversed the State Department’s hostile position and instead emphasized

¹²⁵ As quoted in Donald M. Dozer, *Are We Good Neighbors?: Three Decades of Inter-American Relations, 1930-1960* (Gainesville: University of Florida Press, 1959), 212.

¹²⁶ Spruille Braden, *Diplomats and Demagogues*, 116. Briggs tried to extend the isolation of Trujillo to the private sector and impose “non-participation by American companies and citizens in the political affairs of the Dominican Republic.” Quoted in Eric Roorda, *The Dictator Next Door*, 185.

¹²⁷ Quoted in Eric Roorda, *The Dictator Next Door*, 223, 185. While this quotation comes from two different chapters in Roorda they are from the same letter (Adolf Briggs to Cordell Hall, 21 July 1944).

¹²⁸ Eric Roorda, *The Dictator Next Door*, 129-191.

friendly relations with the United States' hemispheric allies regardless of their democratic dispositions. The State Department, therefore, pulled a quick about-face on its chilly relations with Trujillo and accepted the resignations of diplomats, such as Briggs, who were seen as too critical of dictatorship. The effort to undermine the Trujillo dictatorship would have to wait.

For Stettinius and Rockefeller, hemispheric solidarity was crucial. The U.S. government would need friends at the newly scheduled Inter-American Conference on the Problems of War and Peace to be held in Mexico City in February of 1945 and the upcoming United Nations Conference on International Organization (UNCIO) slated for the spring that same year. Shoring up its alliances with Latin American nations at the Inter-American conference *before* the United Nations Conference on International Organization (UNCIO) convened became a U.S. priority. At the UNCIO the Allies would draft the charter for what would become the United Nations. A solid hemispheric bloc promised to deliver nearly two-thirds of the potential votes. This would be particularly critical if cooperation with the Soviet delegation broke down at the UNCIO. One U.S. delegate from the San Francisco UNCIO conference recalled: "The mere existence of this bloc of votes, generally at our disposal, exasperated the Soviet delegation. Having them vote with us was not always as easy as it seemed to the Russians and...a good deal of persuasion had to be used."¹²⁹

The Inter-American Conference on the Problems of War and Peace had been called in response to Latin American governments' exclusion from aspects of postwar planning. The U.S. government failed to invite its hemispheric allies to the 1944 Dumbarton Oaks talks where the United States, Great Britain, and the Soviet Union drafted a blueprint for the United Nations. Latin American leaders had been assured

¹²⁹ Virginia Gildersleeve, *Many a Good Crusade*, 329.

that their wartime cooperation would be rewarded with a spot at the negotiating table. In response to their exclusion and to what many regarded as a return to the prewar *realpolitik*, the Mexican government lobbied for an “extraordinary” Inter-American Conference.¹³⁰ In his regularly syndicated column, Sumner Welles, former State Department Latin American specialist, characterized the reaction as “a wave of indignation at the cavalier treatment to which they [the Latin American nations] have been subjected...”¹³¹ The Pan-American Board set a February date for the Inter-American Conference. It would be held in Mexico City at Chapultepec Castle.

The Inter-American conference, popularly referred to as “Chapultepec,” insured that the UNCIO would not simply rubber-stamp the Dumbarton Oaks proposals. In all, Latin American nations proposed over 140 resolutions to amend the Dumbarton plan. Many of the resolutions referred to the exclusion of Latin American delegates, evoked the Atlantic Charter and the Declaration of the United Nations or made reference to the centrality of the Four Freedoms to the new world order.¹³² Recognition that the protection of human rights was intrinsic to the promotion of peace was a predominant theme. Several delegations demanded that the new international organization incorporate a bill of rights into its charter. Many of these governments bolstered this claim by calling

¹³⁰ Here “extraordinary” denotes a non-regularly scheduled conference. For a good overview of the negative reaction to Dumbarton Oaks see Paul Gordon Lauren, *Evolution of International Human Rights*, 166-177.

¹³¹ Sumner Welles, “Mexican Conference,” *Washington Post* (21 Feb 1945), 8.

¹³² See for example, Resolution by the Delegation of Mexico, “International Protections of the Essential Rights of Man” and the Final Act: XIII and XXX, reprinted in *Report of the Delegation of the United States of America to the Inter-American Conference on Problems of War and Peace, February 21-March 8, 1945* (Washington DC: United States Government Printing Office, 1946), 156-158, 82, 102. Hereafter *Report of the U.S. Delegation to Chapultepec*.

for the creation of a special commission to enforce human rights guarantees in the postwar order.¹³³

At Chapultepec, Bernardino labored to balance her role as the IACW chair with her status as a Dominican delegate. As a full plenipotentiary, and the only female one, she voted on behalf of the Dominican Republic, not the IACW.¹³⁴ The Dominican delegation introduced two resolutions. The first resolution, the “Rights of Women in the Americas,” specifically bore Bernardino’s mark. It called for a “higher degree of equality between men and women in all that refers to the possession, enjoyment, and exercise of civil and political rights.”¹³⁵ The second was a resolution on “Social Legislation to Protect Workers.” While the resolution did not focus on women specifically, it did contain a single line that called on governments to provide “maternity care” for women workers.¹³⁶ Together the Dominican resolutions demonstrate Bernardino’s adherence to Trujillo’s ideology on the “rights” of women. She could promote women’s political and civil “rights” in the public realm, which Trujillo controlled, and that therefore had little meaning. Bernardino would also accept the fact that in the private realm, women as wives and mothers might be offered protection or “care.” Bernardino could not challenge the patriarchal hierarchy of the family.¹³⁷ In

¹³³ Delegation of Cuba, “Declaration of International Duties and Rights of the Individual,” and Delegation of Mexico, “International Protection of the Essential Rights of Man,” reprinted in *Report of the U.S. Delegation to Chapultepec*, 140-141 and 156-158.

¹³⁴ “Significación del plan de paz de Dumbarton Oaks,” *La Nación* (9 February 1945), 1 heralded the Dumbarton Oaks just prior to the conference convocation.

¹³⁵ Delegation of the Dominican Republic, “Rights of Women in the Americas,” reprinted in *Report of the U.S. Delegation to Chapultepec*, 289.

¹³⁶ Delegation of the Dominican Republic, “Social Legislation to Protect Workers,” reprinted in *Report of the U.S. Delegation to Chapultepec*, 226.

¹³⁷ Richard Turits, *Foundations of Despotism* argues that Trujillo entrenched the patriarchal privilege of men to build a social base of support for his regime, which was particularly true of men in the countryside, 220-21.

short, as public citizens of the *Trujillato* women had “rights.” As the wives and mothers, women were protected as dependents of the patriarchal pact.

For Bernardino’s colleague, Mexican representative Amália Caballero de Castillo Ledón, the new IACW’s vice-chair, recognition of women’s social roles was critical to the attainment of their rights. As the host country, Mexico introduced more resolutions to the Dumbarton plan than any other nation. Ledón collaborated with Bernardino on pressing for women’s civil and political rights. Ledón, however, premised her demands on women’s “self-abnegation” as mothers. She argued that if it was true that “right implies duty, it is no less true that duty implies right.” Men could no longer deny women “their true political, social, cultural and economic place.”¹³⁸ Women’s duty as mothers entitled them to rights. Ledón went even further and introduced a resolution calling for the American republics to draft a Charter for Women and Children. The Charter would serve as a “Continental formula for safeguarding the rights and the physical, moral, social, political and economic protection of women and children, which is their due.”¹³⁹ Like the Lima Declaration of 1938, Ledón’s Charter drew on images of both protection and rights.

Bernardino’s position as Trujillo’s representative mandated that she promote the dictator’s vision. As the IACW chair, Bernardino’s political capital rested on her ability to promote women’s rights and the objectives of her feminist colleagues. Bernardino found a solution to this tricky political dilemma by shifting from specific women’s rights demands to the largely undefined language of human rights. While Bernardino certainly would have supported maternity care, her public speeches addressed only women’s

¹³⁸ Resolution by the Delegation of Mexico, “Civil and Political Rights of Women,” reprinted in *Report of the U.S. Delegation to Chapultepec*, 234-238.

¹³⁹ Resolution by the Delegation of Mexico, “A Charter for Women and Children,” reprinted in *Report of the U.S. Delegation to Chapultepec*, 266-269.

political and civil equality. In speaking on behalf of her resolution on the “Rights of Women in the Americas” she avoided the rhetoric of motherhood entirely and instead backed her claim with the newly popular human rights idiom. Bernardino exclaimed that the “Vote is a human right [and] it should belong to all adult individuals of society.”¹⁴⁰ By not speaking on behalf of resolutions grounded in motherhood Bernardino continued to distance herself from the precarious terrain of maternalist arguments, the shaky ground between the often conflated language of protection and rights of mothers.¹⁴¹ Furthermore, at Chapultepec, Bernardino abandoned the controversial and polemic equal rights treaty. By discarding the equal right treaty, Bernardino turned toward the new promise of human rights and simultaneously appeased influential U.S. labor feminists.

At Chapultepec, Bernardino and Ledón also collaborated on another longstanding goal of the IACW. They pressed “Governments of the American Republics [to] take into consideration the cooperation of women in the formation of their respective delegations to international conferences including the forthcoming conference to be held at San Francisco.”¹⁴² They demanded women’s right to participate in shaping the new world order.

The Final Act of Chapultepec included a commitment to women’s civil and political rights. It recommended drafting a charter for women and children, and acknowledged women’s right to participate in the formation of international policy. But

¹⁴⁰ Quoted in “Inter-American Conference on Problems of War and Peace,” *Equal Rights*, (March-April 1945), NWP records, reel 155.

¹⁴¹ Indeed, Stevens’ colleagues in the U.S. National Woman’s Party criticized the Final Act of Chapultepec because “a good many ‘protective laws’ for ‘women and children’” had been “contemplated” at the conference. Edith Goode to Mabel Vernon (26 March 1945), People’s Mandate Committee records, series B, box 8, folder “Miss Edith J. Goode.”

¹⁴² “Inter-American Conference on Problems of War and Peace,” *Equal Rights* (March-April 1945), NWP Records, reel 155; Delegation of Mexico, “Participation of Women in the Delegations of the General International Organization,” *Report of the U.S. Delegation to Chapultepec*, 238.

the Final Act also reads as a subtle jab at the U.S. government. The Act recalls the exclusion of Latin American nations from the Dumbarton negotiations and reiterates the Atlantic Charter's principles, a reminder to their powerful neighbor to the north not to ignore its friends. Delegates insisted that Chapultepec's Final Act be distributed to all national delegations attending the upcoming San Francisco conference. U.S. foreign policy expert, Sumner Welles asserted that "the Declaration on Dumbarton Oaks [issued at Chapultepec] is tantamount to a public warning on the part of the Latin-American governments that they will discuss at San Francisco the extension of authority of the smaller countries within the international organization."¹⁴³ Latin American delegates would be heard at the UNCIO.

Writing Women's Rights into the UN Charter

The Chapultepec Conference set the tone for Latin American participation at the United Nations Conference on International Organization in the spring of 1945. Delegates from the allied-partner nations and NGO observers soon persuaded the Great Powers to give the promotion of human rights a more prominent role in the new Charter.¹⁴⁴ Although the Dominican government did not list Bernardino on their initial delegates' roster, given her value, the government reconsidered and soon added her as a

¹⁴³ Sumner Welles, "Chapultepec," *Washington Post* (21 March 1945), 8.

¹⁴⁴ See Paul Gordon Lauren, *The Evolution of International Human Rights*, 177-198. In letters lobbying the U.S. delegation to support human rights, the Commission to Study the Organization of Peace argued that the "nature of the criticism of the Dumbarton Oaks proposals by governments of the smaller nations" and by "sections of opinion in the United States" demonstrated that "inclusion of human rights will facilitate acceptance of the Charter, both at the San Francisco Conference and in the Senate." See Clark Eichelberger (Commission to Study the Organization of Peace) to Virginia Gildersleeve (21 March 1945), Clark Eichelberger papers, box 155. Acting Secretary of State, Edward Stettinius explained in a report to the U.S. President Truman why human rights were included: "Many people in this country and throughout the world expressed the hope that this purpose [human rights and fundamental freedoms] of the Organization could be given more emphasis and spelled out more completely in the Charter." Edward Stettinius, Chairman of the United States Delegation, Secretary of State, *Charter of the United Nations: Report to the President on the San Francisco Conference* (New York: Greenwood Press, 1969, originally printed in 1945), 38.

full plenipotentiary.¹⁴⁵ Ledón also traveled to the San Francisco conference as an advisor to the Mexican delegation.¹⁴⁶ They were joined by thousands of NGO representatives, national delegates, advisors, observers, and members of the press who had descended on the city of San Francisco. Bernardino and Ledón soon found allies among the attendees to help them guarantee that women's voices would be heard.

At the conference, the Latin American delegations took the lead in inserting the topic of women's status into the deliberations. Bernardino and Ledón soon allied with Bertha Lutz of Brazil to introduce women's rights-based amendments to the UNCIO. Dr. Bertha Lutz of Brazil was a scientist and senior staff member of the National Museum in Río de Janeiro. As we have seen, Lutz had been active in inter-American initiatives since the early 1920s and had cooperated with the IACW in gathering Brazilian information for the 1933 Montevideo report. Her distaste for Stevens, however, initially caused her to doubt Bernardino's motives.¹⁴⁷ Despite Lutz's caution, the women delegates from Latin American nations soon reached a mutually agreed-upon agenda.

The delegates identified three primary goals: the incorporation of a non-discrimination statement into the Charter, an equal participation clause, and what would become a divisive resolution to create a commission of women, modeled on the IACW. The Australian Jessie Street quickly allied with the Latin American delegates and became a strong voice for their amendments and resolutions, cooperating on committee votes. In the 1930s Street had worked with activists in Geneva and regularly corresponded with

¹⁴⁵ República al Departamento de Relaciones Exteriores, leg. 707500, AGN.

¹⁴⁶ While Bernardino enjoyed the status of full plenipotentiary, Ledón served as an advisor to the Mexican delegation.

¹⁴⁷ For Lutz's interwar affiliation with the IACW see Chapter One.

Stevens about the IACW's work.¹⁴⁸ Together the women from Brazil, the Dominican Republic, Uruguay, Mexico, and Australia formed an unofficial coalition to promote a women's rights agenda.

Their first success, achieving a blanket statement of non-discrimination, emanated originally from a joint amendment introduced by Lutz, Bernardino and Ledón. It symbolized years of their arduous labor to demand equality with men. Several nations had already introduced amendments demanding the inclusion of racial equality in the charter.¹⁴⁹ The Latin American contingent strove to insure that any non-discrimination article included sex as well as race as protected categories.¹⁵⁰ To aid in their initiative, Isabel Pinto De Vidal a prominent Uruguayan senator and conference delegate, also introduced an anti-discrimination proposal that incorporated sex and racial equality.¹⁵¹

At San Francisco, germinating Cold War politics began to affect the solidarity of the Great Powers. A shift from the original Dumbarton proposals by either the United States or the U.S.S.R. put pressure on the other delegation. In the case of the non-discrimination statement, it was Stalin's Soviet Union—which had previously opposed any mention of human rights—that “oddly enough” was the first great power to support a

¹⁴⁸ For more on Street, see Chapter Four.

¹⁴⁹ The racial equality demand was also made during the drafting of the League of Nations charter, but rejected. See Paul Gordon Lauren, “Racial Equality Requested and Rejected” in *Power and Prejudice: The Politics and Diplomacy of Racial Discrimination* (Boulder: Westview Press, 1996), 82-107. For an example of a resolution that included racial non-discrimination see India's resolution: UNCIO, General, Doc. 2 (English) G/14 (h) (4 May 1945). Vijaya Lakshmi Pandit, a woman that would later play a very influential role in the UN, lobbied “with particular vigor in public” for the Indian amendment. Pandit was not however part of the “official” Indian delegation at the UNCIO. Paul Gordon Lauren, *The Evolution of International Human Rights*, 190.

¹⁵⁰ For their joint resolutions see UNCIO, General, Doc. 2 (English) G/25 (5 May 1945). Although Chile did not have a woman delegate present the Chilean delegation also introduced a sex non-discrimination amendment, UNCIO Doc. 2 (English) G/7 (i) (1), 3 (6 May 1945).

¹⁵¹ UNCIO, General, Doc. 2 (English) G/7 (a) (1) (5 May 1945). The resolution included race, sex, belief or social status. In addition it called for “These liberties and rights are to be defined in a special charter.”

statement of non-discrimination. Immediately following the Soviet Union's shift, the United States delegation also "promptly approved" a more prominent role for human rights and the principle of non-discrimination.¹⁵² The U.S. privately interpreted the Soviet reversal as "playing up to the smaller nations."¹⁵³ Once the Soviet delegates acquiesced it would have been politically untenable for the U.S. to stand against the non-discrimination clause. As the sponsoring powers, the U.S., Soviet Union and Great Britain introduced the non-discrimination amendment that became the actual text of the ratified Charter. One of the stated "Purposes" of the United Nations thus became "promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion."¹⁵⁴

The second successful effort led by the coalition was a statement ensuring the eligibility of men and women to participate equally in the United Nations.¹⁵⁵ The Latin American alliance of Bernardino, Ledón and Lutz jointly introduced a resolution to insure that all positions in the United Nations would be equally open to men and women. Drawing on the previous decade of IACW activism to use international law to promote women's rights, the Latin American coalition of women cited "developing international law and policy" as their justification.¹⁵⁶ This amendment, "Clause 8" or the equal participation clause, met surprising resistance.¹⁵⁷ Many nations, including the U.S.,

¹⁵² Virginia Gildersleeve, *Many a Good Crusade*, 351-352. While Gildersleeve may have thought it "odd" that the Soviet Union would promote "equality" the principle was consistent with the Soviet Constitution's (theoretical) guarantee of racial and gender equality. Furthermore, it signaled the beginning of the Soviet's use of equality to test the limits of the U.S. democratic narrative. See Chapter Five.

¹⁵³ Paul Gordon Lauren, *The Evolution of International Human Rights*, 190.

¹⁵⁴ United Nations Charter, Chapter I, Article 1.

¹⁵⁵ United Nations Charter, Chapter III, Article 8.

¹⁵⁶ Un Doc. UNCIO collection, Doc. 2 (English) G/25 (5 May 1945).

¹⁵⁷ Uruguay introduced a similar resolution, UNCIO, Doc. 2 (English) G/7(a) (28 September 1944).

argued against the equal participation clause on the grounds that it infringed on national sovereignty. Opponents depicted the resolution as potentially dictating who they could appoint as UN delegates.

Bernardino, Street and other Latin American women collaborated to press for the equal participation clause. Since the activists worked on different aspects of the Charter, they introduced the resolution to multiple committees.¹⁵⁸ In one committee, Lutz and Street coordinated their speeches. They highlighted the hypocrisy of rights talk and the present effort to discriminate against women's participation. Street spoke first. She argued that "in every country laws have been interpreted to apply to men only." She therefore asked the committee "to leave no doubt in the minds of anybody at the present time...[or] in the future...as to the eligibility of women to hold any position in the United Nations." Lutz rose to speak immediately after Street. Lutz declared that from "the Magna Carta down to the Declaration of Rights, the Preamble, the American Constitution, etc., etc. you will find that men have never found it unnecessary to make a statement of their rights."¹⁵⁹ As women had, in 1919, gained an equal participation clause in the League of Nations Covenant, they would not now—twenty-six years later—accept a backward move. Yet, the equal participation measure prevailed only after it became clear that the principle of domestic jurisdiction would be enshrined alongside human rights guarantees in the UN Charter.

Once the conference confirmed that the new UN would establish a commission on human rights, the coalition demanded that a separate women's commission be created

¹⁵⁸ Ledón, Street, Pinto de Vidal and Lutz served on Commission I, Committee II (Committee I/II). It was the General Provisions Commission and its work entailed membership, amendments and the Secretariat. Bernardino served on Commission II, Committee I (Committee II/I) the General Assembly Commission. The committee work entailed structure and procedure. UNCIO, Doc. 357, I/2/19 (15 May 1945); UNCIO, Doc. 350 (English) II/1/14 (16 May 1945).

¹⁵⁹ Jessie Street and Bertha Lutz speeches as quoted in "United Nations decisions on the Status of Women Commission at the San Francisco Conference (1945), Street papers, MS 2638/5/249.

alongside it. Led by Lutz, the activists argued that a separate commission was essential to safe-guarding the interests of women. Delegates believed (correctly) that one of the commission's first tasks would be to draft an international bill of rights. Jessie Street argued that a women's commission was critical. The past, she insisted, demonstrated that "most human rights had been enjoyed exclusively by men and denied to women."¹⁶⁰ The women's commission would insure that the UN did not repeat the mistakes of the past—women would participate in the future deliberations over human rights. Lutz introduced the resolution to create a separate commission, arguing that women's status had to be "radically improved." She reminded delegates that the purpose of the "Economic and Social Council [was] to promote human rights and fundamental freedoms for all without distinction of sex."¹⁶¹ A women's commission would help the UN to fulfill this promise.

The resolution on the separate commission pitted the women's coalition against the U.S. delegate, Virginia Gildersleeve and her allies. Gildersleeve, Dean of Barnard College, opposed the special commission as unnecessary and believed it "vulgar" to make requests on behalf of women at the conference.¹⁶² Leaders in the U.S. Women's Bureau worried that a separate women's commission might prove as dangerous to protective labor legislation as the IACW had under Stevens' leadership. The Women's Bureau briefed Gildersleeve prior to the conference. They were anxious that if created, a separate women's commission would take an activist stance and push the international equal rights treaty, once again jeopardizing labor legislation for women. Several U.S. women's groups supported Gildersleeve's opposition to the women's commission. For

¹⁶⁰ Jessie Street, "United Nations decisions on the Status of Women Commission at the San Francisco Conference (1945), Street papers, MS 2683/5/249.

¹⁶¹ UNCIO. Doc. 833. II/3/57 (7 June 1945).

¹⁶² Virginia Gildersleeve, *Many a Good Crusade*, 352.

instance, the U.S. League of Women Voters, long-time allies of the Women's Bureau, insisted that a separate commission would be a "backward step" for women.¹⁶³ Invited to the conference to act as official advisors to the U.S. delegation, the League of Women Voters argued that the days of women's separate organizing had passed, an ironic position for an all women's organization. The League representatives speculated that a separate body designed to agitate for women's status would, in the end, potentially marginalize women.¹⁶⁴ The opposition of the U.S. League of Women Voters outraged the Latin American women delegates. It was a "disappointment" Lutz charged, that "the women from the countries w[h]ere women have the most rights are the most conservative."¹⁶⁵ Bernardino spoke out against the League's obstructionism, insisting that U.S. opposition was "retarding the advance of women everywhere."¹⁶⁶

In the face of strong opposition from the U.S. (and Great Britain) the coalition of women activists did not succeed at San Francisco in gaining a separate women's commission. They had, however, won the warm support of many delegations.¹⁶⁷ At the closing session, Lutz distinguished the work of Latin American women from their northern counterparts stating that the equal participation clause was the "Latin American contribution to the constitution of the world."¹⁶⁸ Winning a separate women's

¹⁶³ Confidential report of informal conversations on proposed Commission on the Status of Women under the Social and Economic Council of the United Nations Organization by Rachel Conrad Nason, Secretary League of Women Voters," (undated), Fried Miller Papers, box 7, folder A-37-143.

¹⁶⁴ Although the League was not one of them, a few of the business and professional women's groups had recently begun to question the future of women's separate organizing domestically. Nancy Cott, *The Grounding of Modern Feminism*, 109, 230-234.

¹⁶⁵ Bertha Lutz to Carrie Chapman Catt (21 May 1945), NAWSA records, reel 12

¹⁶⁶ Edith Goode to Alice Paul, (28 May 1945), NWP records, reel 174.

¹⁶⁷ UNCIO. Doc. 924. II/12 (12 June 1945).

¹⁶⁸ "United Nations Conference and Equal Rights," *Equal Rights* (July-August 1945), NWP records, reel 155.

commission was not an objective that the coalition of activists would simply put to rest. Following San Francisco, Bernardino, Street, Lutz, and their allies engaged in a full-scale lobbying initiative to place the women's commission on the agenda of the first official meeting of the United Nations General Assembly.

During the San Francisco Conference, Trujillo appears to have viewed Bernardino as a trustworthy and valuable member of the Dominican delegation; Bernardino apparently operated with considerable autonomy. While the Minister of Foreign Relations in Ciudad Trujillo requested copies of Bernardino's speeches, it was not until months after the conference.¹⁶⁹ In his reports to Trujillo, the Dominican Ambassador never questioned Bernardino's activism.¹⁷⁰ Unlike other nations, Trujillo paid Bernardino the same stipend to attend the San Francisco conference that he gave to the Dominican Ambassador to the United States. In fact, he even paid her more some members of the delegation.¹⁷¹ Trujillo, enjoying a brief respite from hostile U.S. diplomats, appears to have had confidence in Bernardino to promote a positive image of the Caribbean nation. Indeed, her status as a full delegate provided a living depiction of Trujillo's apparently progressive action on women's rights. Bernardino proved capable of balancing her multiple agendas. She could be both the dictator's feminist and an advocate for women's rights internationally.

¹⁶⁹ Dr. J.M. Sanz Lajara to Emilio García Godoy (8 August 1945), República al Departamento de Relaciones Exteriores, leg. 707500, AGN.

¹⁷⁰ Emilio García Godoy to Rafael Trujillo (27 April 1945 & 7 June 1945) República al Departamento de Relaciones Exteriores, leg. 707500, AGN.

¹⁷¹ Cable from Peña Batlle to Emilio García Godoy República al Departamento de Relaciones Exteriores, leg. 707500, AGN. Jessie Street discovered that she was being paid less than her male colleagues and filed a complaint.

Conclusion

Bernardino's case highlights the importance of exploring the national and transnational contexts from which women's postwar international activism emerged. Bernardino's Dominican feminist roots emphasized women's biological and therefore social difference from men, a difference rooted in women's role as (potential) mothers. Yet her work with the IACW, and her commitment to Stevens, necessitated that Bernardino promote the equal rights of men and women by rejecting maternalist arguments. She was able to reconcile her understanding of gender, based on difference, with Stevens' gender ideology, which emphasized sameness, by limiting her rights claims to the civil and political realm. Bernardino avoided, with Stevens' complicity, entering into debates about women's social and economic rights. This allowed Bernardino, during the interwar years, to serve the IACW and not offend a brutal, vengeful dictator.

Bernardino's role as diplomatic servant of Trujillo's dictatorship both permitted her to engage in women's rights activism and simultaneously restricted her ability to do so. On the one hand, Bernardino's obligations to the regime of Trujillo limited the type of rights claims she could promote. Bernardino advocated for women's political and civil "rights" in the public realm—the realm Trujillo lorded over—because, given the restrictions on democracy in general, to promote women's rights had no meaning in the Dominican Republic. As Doris Stevens had once remarked, "women can't vote if there are no elections at which to vote."¹⁷² On the other hand, Bernardino recognized that to emphasize women's need for economic and social *protections* would have pleased Trujillo, but outraged Stevens. Nor could Bernardino challenge the patriarchal hierarchy of the family by demanding *rights* for women as mothers. Yet Bernardino's political capital with the IACW necessitated that she support the objectives of her fellow delegates. IACW representatives, like Amália Ledón, drew on women's duty as mothers

¹⁷² Doris Stevens to Eva vB. Hansl (26 Feb 1936), Stevens papers, folder 69.11.

to make rights claims. Bernardino therefore had to broach the subject of women's economic and social roles cautiously. This was particularly the case as the distinctions between acceptable ideas of *protection* and those of *rights* were not always made clear. Indeed, Bernardino's colleagues like Ledón often used both the language of rights and protections simultaneously. While the arguments of IACW representatives often employed the language of both rights and protections, Bernardino recognized that this was murky territory, a gray area in which she could not afford to enter and hope to continue to please both Trujillo and her feminist colleagues.

Bernardino's service to the dictator permitted her to actively engage in the promotion of women's rights both transnationally and internationally. For Trujillo, the objective of Bernardino's women's rights activism was to distract the international community from the dictator's atrocities and promote a vision of the Dominican Republic as a progressive, modern "democracy." But her activism also helped to legitimize women participation in international politics in the postwar era. Bernardino's clout as the chair of the IACW facilitated the creation of a coalition of feminist activists at the UN. During the founding conference, this coalition pressed for important women's rights initiatives. Bernardino and her allies placed women's rights on the UN human rights agenda.

Initially, the wartime introduction of human rights rhetoric complicated Bernardino's already tricky task. In an era marked by rhetoric on democracy and human freedoms, Trujillo's unsavory dictatorship was a hard sell. Yet Bernardino had been perfecting her diplomatic prowess, primarily through the IACW, for twelve years. The new *human* rights idiom offered Bernardino the rhetorical device she needed to continue to promote women's political and civil equality. The language of human rights also allowed Bernardino to cloud the rhetoric surrounding her IACW colleagues economic and social rights demands. Still largely undefined, the flexible language of human rights permitted Bernardino to remain in the grace of the dictator and work alongside women

who demanded the rights of mothers at the nascent United Nations. Yet as feminist delegates to the United Nations began to articulate specific rights demands over the next several years, Bernardino's position as the agent of a dictatorial regime would ultimately limit her—and her allies'—ability to advance a more comprehensive vision of women's human rights. As feminist delegates to the United Nations began to articulate specific demands over the next several years and to press the UN to adopt their proposals, Bernardino's position as the agent of a dictatorial regime would ultimately complicate her—and her allies'—ability to advance a more comprehensive vision of women's human rights.

CHAPTER THREE: "TAKING THE INITIATIVE ON BEHALF OF U.S. POLICY:"
DOROTHY KENYON, U.S. WOMEN'S ORGANIZATIONS AND THE WOMEN'S
HUMAN RIGHTS DEBATE

On a September evening in 1946, Judge Dorothy Kenyon took the train from New York City to Washington D.C. to prepare with fellow "Washington Committee" activists for a large women's NGO conference. A practicing attorney, Kenyon was active in a wide variety of non-governmental organizations (NGOs) and had been an expert on the League of Nations' committee that studied women's legal status. Given her experience, the Washington Committee sought Kenyon's advice. The Washington Committee was an ad-hoc group of prominent women with ties to the U.S. Women's Bureau and the presidents of the "Big Four" mainstream women's organizations.¹ The four NGOs had acted as official consultants to the U.S. delegation at San Francisco, where the Allied nations drafted the UN Charter. The activists formed the Washington Committee after the San Francisco conference and had been meeting regularly since.

The September meeting was the product of several months of calculated planning to convene twenty-five other "mainstream" women's groups to discuss the "political implications of the successful leadership of Latin American women at San Francisco."²

¹ Playing on the wartime language of the "Big Three" (The United States, Great Britain, and the Soviet Union) women activists referred to the four largest mainstream women's NGOs as the Big Four. They included the American Association of University Women, the National Federation of Business and Professional Women's Clubs, the National League of Women Voters and the General Federation of Women's Clubs.

² Mrs. Anna Hartwell Johnstone to Miss Anna Lord Strauss (21 June 1945), Frieda Segelke Miller Papers, box 7, folder A-37-143, Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter Frieda Miller papers. Prominent Women included: Mary Anderson (Former Director of the Women's Bureau), Mrs. Dreyfus Barney (former Liaison Committee—Geneva), Dr. Jane Carey (Department of State), Alice Cheyney (Former staff member ILO), Dr. Ester Brunauer (Department of State), Doris Cochrane (Department of State), Kenyon (League Committee of Experts), and Frieda Miller and Rachel Nason (Women's Bureau). NGOs that attended the meeting included: The Big Four, National Association of Women Lawyers, National Council of Negro Women, National Women's Trade Union League, Democratic Women's Club, Women's International League for Peace and Freedom, National Council of Jewish Women, Associated Country Women of the World, American Federation of Teachers, Committee on Women in World Affairs, Young Women's Christian Association, Quota Club International, American Friends Service Commission, Liaison Committee of Women's International Organizations, Women's Action Committee, Pan-Pacific Women's Organization, Amalgamated Clothing Workers,

U.S. women organizations needed to respond to the Brazilian proposal to create a separate women's commission in the United Nations. Comprised of predominantly labor feminists, the Washington Committee would craft their response to the Brazilian Declaration without the National Woman's Party's "equal rights" proponents.

Dorothy Kenyon played a key role in the Washington Committee, collaborating to reassert the leadership of American women and to craft an alternative to the Brazilian Declaration. The Washington Committee's invitation to the women's NGO meeting noted:

Women representatives of other nations vigorously urged the inclusion of equal rights and opportunities for women in the Charter. A specific proposal for the establishment of a special Commission of Women...was put forward by the Brazilian delegation...Subsequently, several foreign women delegates have been in Washington and New York urging support for this project. There seems little question that it will become a lively issue soon after the new organization [United Nations] begins to operate.³

The Washington Committee believed that the first General Assembly would revisit the issue of a separate commission. They informed the invitees that "the United States did not...support the proposal for the establishment of the Commission of Women...There is every reason to assume that American representatives in the new United Nations Organization will now welcome whatever advice may be offered on the subject."⁴ The Washington Committee aimed to forge a consensus on the UN's approach to women's rights among the other mainstream organizations, such as the Young Women's Christian Association, to maximize their influence with the State Department.

National Council of Catholic Women, Junior League of America, Soroptimist Club, Associated Women of the American Farm Bureau, and the United Council of Church Women.

³ "Big Four" invitation to women's organizations (24 August 1945), Women's Bureau records box 22, folder, "UNESCO, Commission on the Status of Women, 1945."

⁴ "Big Four" invitation to women's organizations (24 August 1945), Women's Bureau records, box 22, folder, "UNESCO, Commission on the Status of Women, 1945."

The debates over the creation, scope, and program of a separate women's commission were fundamentally debates about how to incorporate women's rights into the emerging United Nations' human rights framework. These decisions were shaped as much by strategy as they were by ideology. This chapter examines the role of U.S. feminist activists in the women's human rights debates of the immediate postwar period. It begins with Kenyon's involvement in the League of Nations study on women's status, a project that shaped U.S. women's commitment to information-gathering and education at the UN. The chapter turns to the San Francisco conferences and the debates over the creation of a separate UN women's commission where drastically divergent views on women's participation emerged. In formulating the U.S. position on a women's commission, Dorothy Kenyon was both a key player and representative of the aims of mainstream American women's organizations led by the Washington Committee. She stood at the nexus between the ambitions of influential women's groups and the cooperative, but cautious policymakers in the State Department. As the spokesperson for mainstream NGOs, Kenyon worked with both the State Department and women's organization to find a pathway to promoting women's rights that met national and international objectives for both the U.S. government and the NGOs.⁵

Disparate ideas about women's leadership and their role in international policy informed feminists' views on the women's commission. First, U.S. activists were reluctant to cede power to women from outside the "Great Power" nations. Anglo-American women had historically led international feminist initiatives and they were

⁵ Helen Laville, "A New Era in International Women's Rights?," 34-56 acknowledges the dispute among U.S. women in the creation of their international positions, but emphasizes U.S. women's group's identification with the government's objectives over international sisterhood as a primary motivating force for the U.S. women's position and subsequent shift to support the CSW. I identify factors that complicate and elaborate on her argument.

unwilling to simply hand the “mantle” over to women from “backward” countries.⁶ Second, Washington Committee activists argued that women’s participation in international policy was their due and would also improve the UN’s chances of success. The time had come to include women alongside men in policymaking. A separate commission jeopardized this vision. In contrast, pro-commission advocates argued that not only did the UN need women’s participation to succeed, but that a separate women’s commission was the best means to insure that the fledgling United Nations’ attained its objectives. In the end, this argument won pro-commission supporters the necessary allies they needed to establish the women’s commission.

For the Washington Committee, the debate over the women’s commission was also about strategy. After the United Nations established a commission along the lines of Bertha Lutz’s proposal, activists and UN delegates jockeyed to define the scope of the commission’s work. Kenyon, leaders of the U.S. Women’s Bureau, and their NGO colleagues understood that the commission’s activities had the potential to shape how the international community approached the human rights of women. During the debates over the commission, Washington Committee representatives confronted concerns that their long-time opponents from the National Woman’s Party would use the commission to advance its “equal rights” agenda. If the commission pressed an “equal rights” international treaty, the Washington Committee leaders feared that both domestic gender-specific legislation and the ILO’s international standards would be at risk.

As a result, Kenyon and her allies promoted the inclusion of political and civil rights, but rejected bringing women’s economic and social rights under the “human

⁶ From San Francisco, Bertha Lutz informed her mentor Carrie Chapman Catt that the mantle of women’s international activism had fallen from the shoulders of the “Anglo-Saxons.” Bertha Lutz to Carrie Chapman Catt (21 May 1945), NAWSA records, reel 12. The U.S. female delegate to the San Francisco conference referred to the Latin America and Australia as “backward” countries. Gildersleeve, *Many a Good Crusade*, 353.

rights” umbrella. Initially the UN human rights project suggested that the enforcement of rights would rest not solely at the national level, but the international as well. In contrast, the ILO set standards, which placed moral pressure on nations to comply, but compliance was voluntary. The Washington Committee hoped that to distinguish between rights of a political and civil nature and those that were economic and social would insulate protective labor standards from the uncertainty of the new human rights project. In other words, the Washington Committee acceded to possible international guarantees and enforcement of political and civil rights, but preferred to keep women’s economic and social rights firmly entrenched within national enforcement. Thus, none too ironically, labor feminists—women historically committed to promoting women’s economic and social rights—ultimately chose to prioritize women’s civil and political human rights in the United Nations. In doing so, they had the power of the U.S. government behind them.

Kenyon and the League of Nations’ Study

In January 1938, as the League of Nations looked to appoint experts to its Committee to Study the Legal Status of Women, Judge Dorothy Kenyon’s support for protective labor legislation made her the U.S. labor feminists’ favored candidate. At the same time, she was a lamentable choice for proponents of the U.S. Equal Rights Amendment (ERA) and the international Equal Rights Treaty. A YWCA leader informed Kenyon that Alice Paul of the National Woman’s Party had “stirred up a good deal of trouble in Geneva about the composition of the [League] committee of experts.”⁷ Indeed, Paul and others sent telegrams opposing Kenyon’s nomination as she was “against equality” and “well known to be for protective legislation and opposed [to the]

⁷ Henrietta Roelofs to Dorothy Kenyon (24 January 1938), Kenyon papers, box 39, folder 10.

equal rights amendment.”⁸ The YWCA representative feared that the opposition would result in the League’s failure to appoint an American and “it would be pretty bad if no American woman were on that commission.”⁹

Fifty years-old at the time of her appointment, Dorothy Kenyon had recently left her law practice to fill a temporary vacancy on the Municipal Court in New York City, earning her the life-long title of Judge. Born in 1888 into a family of privilege, she was the oldest of three children and the only daughter. Her father and two brothers were also successful attorneys. Kenyon graduated from Smith College in 1908 with an A.B. in economics and history and with a J.D. from New York University Law School in 1917. She had wanted to attend Harvard Law—as had her brothers—but could not; Harvard Law, at the time, did not admit women.¹⁰ Kenyon served as a director of the American Civil Liberties Union and was a member of the AAUW, National Association of Women Lawyers, Committee on Women in World Affairs, League of Women Voters and held office with the International Alliance of Women. She was also an active member of the American Association of the United Nations, an NGO that lobbied for the inclusion of human rights in the UN Charter and pressed for international implementation of human standards. Kenyon also freely lent her name to progressive and “mildly left-wing” causes.¹¹ A “witty advocate” for women’s rights who claimed to always side with the

⁸ Telegrams excerpted in Dorothy Kenyon to Lucille Oliver (5 February 1938), Kenyon papers, box 39, folder 11.

⁹ Henrietta Roelofs to Dorothy Kenyon (24 January 1938), Kenyon papers, box 39, folder 10; “New York Woman Gets League Post,” *New York Times* (29 January 1938), 7; “Judge Dorothy Kenyon Is Dead; Champion of Social Reform, 83,” *New York Times* (14 February 1972), p. 32.

¹⁰ Dorothy Kenyon testimony to the Tydings Senate Committee, p.447. Dorothy Kenyon, Federal Bureau of Investigation File, FOIA request No.: 1144715-000. Received from FBI on 7 April 2010.

¹¹ Durward Sandifer to Alger Hiss (30 December 1944), Lot File 61-D-146, Alger Hiss Papers, 1940-1946, box 7, folder, “Delegates.” General Records of the Department of State, Records Group 59, National Archives and Records Administration, College Park, MD. Hereafter Hiss papers. Kenyon was described as “well-liked by people who know her at all.”

“underdog,” she described herself as an “independent, liberal Rooseveltian democrat, devoted to and actively working for such causes as the improvement of living and working conditions of labor and the preservation of civil liberties.”¹² In other words, Kenyon worked for civil and political as well economic and social rights.

Kenyon was committed to the League Study, but concerned with its limitations. The committee of experts managed to commission “a purely scientific fact-finding study” of women’s public, private, and criminal standing under national law.¹³ The League study did not address women’s economic rights. Instead, the League insisted that these rights were the sole purview of the International Labor Organization. Kenyon accepted this limitation, but hoped that in areas the committee did explore, they would examine not only the law as written, but its actual application.¹⁴ Responding to a critic who alleged the new committee had done “nothing but talk,” Kenyon fired back that it was not her “custom to be associated on a committee which does nothing.” She exclaimed that the “committee is so close to my heart that your imputation that it was nothing and would not amount to anything touched me to the quick.”¹⁵ Thus, Kenyon’s work on the League committee convinced her that if properly executed, efforts undertaken at the international level could indeed improve the status of women around the globe.

But the charge that the committee did little more than talk was not as far off as Kenyon indicated. Of seven experts, Kenyon was one of four women to serve on the

¹² “Judge Dorothy Kenyon Is Dead; Champion of Social Reform, 83,” *New York Times* (14 February 1972), p. 32; Kenyon testimony to the Tydings Committee (14 March 1950), 377.

¹³ Dorothy Kenyon to Lucille Oliver (9 May 1938), Kenyon papers, box 39, folder 10.

¹⁴ Dorothy Kenyon to Lucille Oliver (9 May 1938), Kenyon papers, box 39, folder 10. For instance, reporting to one interested party, Kenyon admitted that it would be extremely difficult to determine “precisely what ‘equal rights’ means and the various methods to obtain it in the various countries” under the current limitations.

¹⁵ Dorothy Kenyon to Miss J. Destimauville (21 July 1938), Kenyon papers, box 39, folder 11.

commission and she later reported that the men on the commission, while “excellent lawyers,” did “not care particularly about the problems of women.” In fact, they “made no effort to get the committee together.”¹⁶ The only finalized report was the one on public law and its findings were limited to areas operating under common and civil law systems. Kenyon lamented the fact that the committee had been unable to explore the condition of women under “purdah, Mohammedan custom, or in Japan [where] the women are little better than personal slaves.”¹⁷ In July of 1939, just months before the Nazis marched on Poland, the committee held its last meeting. Kenyon believed that information was the key to effectively educating leaders and the public. Information was a necessary precursor to effectively advancing change. As a result, completing the work that she started in the League committee and implementing modifications to correct its shortcomings remained a priority for Dorothy Kenyon. Kenyon held firm to the idea that women’s international activism should center on information-gathering and education.

To be a “Good” Delegate: Gendering International Political Participation

The U.S. government’s postwar economic and political strength offered an opportunity for American women’s groups. The U.S. government had played only a peripheral role in the League of Nations. American women activists, therefore, had few interwar opportunities to lobby their own leaders to take action on women’s rights internationally. As World War II drew to a close, the State Department, ever cognizant of the failure of the Senate to ratify membership in the League of Nations, understood

¹⁶ Minutes of the “United-Nations and Women’s Interest” meeting (29 March 1946), Women’s Bureau records, box 8, folder C-G-1-2.

¹⁷ “Minutes of Conference on the United Nations and the Special Interests of Women, Wednesday, September 19, 1945, Interdepartmental Auditorium, Washington D.C.,” Women’s Bureau records, box 8, folder C-G-1-1.

that American NGOs had ability to influence public opinion.¹⁸ The government relied on NGOs to endorse the Dumbarton Oaks blueprint and to promote U.S. participation in the United Nations. For example, the League of Women Voters held panels and distributed pamphlets to explain the importance of U.S. participation to its constituents. But it was not a one-sided agreement. If the State Department wanted organizational assistance, they had to give serious consideration to the policy demands of domestic groups. Furthermore, the U.S. government had emerged from the war the most powerful nation in the world. Therefore, women's groups in the U.S. were positioned to influence international affairs more than ever before. It was a potential power activists fully grasped and hoped to exercise.

American women activists believed that their work on behalf of the war effort would translate into improved opportunities for women. While working women riveted airplanes, women who moved in the nation's policymaking circles had their eye on shaping the postwar policy. The Women's Bureau engaged in postwar planning, drafting "reconversion" plans in an effort to prevent the wholesale displacement of the female workforce at the war's end. At the same time, prominent NGO leaders worked to insure that women won appointments to postwar organizations and as conference delegates. In 1942 educators Dr. Emily Hickman and Mary Wooley founded the Committee on Women in World Affairs, which consisted of representatives from an eclectic group of women's organizations and prominent feminist activists.¹⁹ The committee compiled

¹⁸ Dorothy Robins, *Experiment in Democracy: The Story of U.S. Citizen Organizations in Forging the Charter of the United Nations* (New York: The Parkside Press, 1971).

¹⁹ Susan Hartman, *American Women in the 1940s: The Home Front and Beyond* (Boston: Twayne Publishers, 1982), 148-49. Organizations belonging to the group were the National Woman's Party, Women's International League of Peace and Freedom, Women's Overseas Service League, Young Women's Christian Association, National Federation of Temple Sisterhoods, Zonta International, National Council of Jewish Women, National Council of Negro Women, Farmers Educational and Cooperative Union of American, National Council of Women, National Association of Women Lawyers, and National Federation of Business and Professional Women's Clubs. An executive committee collected names from the organizations and selected by vote the list of women to forward to U.S. policymakers. "Minutes of

lists of “qualified” women for specific openings and placed these in the hands of policymakers. The women stressed to officials that they did not want women appointed to international conferences “for political reasons or as representatives of women’s organizations.” Instead, “their aim was to make known women who were especially qualified.”²⁰ At the September NGO meeting Hickman warned that all groups needed to pressure the State Department for women’s appointments because “lacking pressure the general tendency is to appoint qualified men even though women may be equally or better qualified.”²¹

Women’s pressure paid off. In formulating lists of delegates to represent the United States at the San Francisco conference, policymakers indicated that the delegation should include one senator and member of the House of Representatives from each political party as well as “one outstanding woman leader.”²² Yet, while the Women in World Affairs committee labored to get qualified women appointed on grounds of their professional experience, male policymakers in the State Department sought to capitalize on women’s gendered qualifications. A memorandum for President Roosevelt suggested that the woman should be “a mother with sons or daughters in the service.” Yet the short

Conference on the United Nations and the Special Interests of Women, Wednesday, September 19, 1945, Interdepartmental Auditorium, Washington D.C.,” Women’s Bureau records, box 8, folder C-G-1-1. It was one of the few umbrella groups in which the National Woman’s Party participated alongside mainstream women’s NGOs. Elisabeth Christman to Rose Schneiderman (6 June 1946), Women’s Trade Union League of America Records, Microfilm, M-64, collection vi, reel 2. Arthur and Elizabeth Schlesinger Library, Radcliffe Institute for Advanced Study, Harvard University, Cambridge, MA. Hereafter NWTUL records.

²⁰ State Department Memo of Conversation (8 November 1945), Subject Files of Durward Sandifer: Department Assistant Secretary of State for United Nations Affairs, 1944-1954, box 12, folder, “Conferences and Participation of Women.” General Records of the Department of State, Records Groups 59, National Archives and Records Administration, College Park, MD. Hereafter Sandifer papers.

²¹ “Minutes of Conference on the United Nations and the Special Interests of Women, Wednesday, September 19, 1945, Interdepartmental Auditorium, Washington D.C.,” Women’s Bureau records, box 8, folder C-G-1-1.

²² “Memorandum for the President” (14 December 1944), Hiss papers, box 7, folder, “UNCIO subject files A-I.”

list included few women that met the active-duty mother “qualification” and instead was populated largely by unmarried professional women.²³ The former U.S. expert at the League of Nations, Judge Dorothy Kenyon, made the list. So too did the Dean of Barnard College, Virginia Gildersleeve. Neither Kenyon nor Gildersleeve were married, nor did they have children.²⁴ The State Department noted that Kenyon would be particularly helpful on “legal questions, social policies and human rights.”²⁵ Perhaps signaling Roosevelt’s commitment to a successful system of collective security over the promotion of international human rights, the President selected Gildersleeve, the candidate with “broad experience in the development of private international organizations.”²⁶

Sixty-eight years old at the time of her appointment to the San Francisco conference, Gildersleeve had long been dedicated to women’s education and peace-building. She was one of the founders of the International Federation of University Women and a member of the Commission to Study the Organization of Peace. As Dean of Barnard College, Gildersleeve focused her energy on equality of opportunity, working

²³ “Qualified Women to Represent the United States and the United Nations Conference on the General International Organization” (16 November 1944), Hiss papers, box 7, folder “UNCIO subject files A-I.” As was typical of mainstream women’s organizations, they assumed a non-partisan position and their lists included women from both political parties. The State Department list of potential women delegates to the San Francisco conference drew heavily on the CWWA’s list and, indicative of Roosevelt’s desire to build bi-partisan support for the UN, also included both Republicans and Democrats.

²⁴ While Kenyon had several long-term relationships with men, she consciously chose to remain unmarried. Gildersleeve had a long time intimate relationship with Caroline Spurgeon, a British woman, with whom she founded the International Federation of University Women in 1919. Later in life, Gildersleeve had a long-term relationship with Elizabeth Reynard a woman who worked with Gildersleeve in the WAVES during the Second World War and who was Gildersleeve’s assistant at the United Nations Conference on International Organization in 1945.

²⁵ “Qualified Women to Represent the United States and the United Nations Conference on the General International Organization” (16 November 1944), Hiss papers, box 7, folder “UNCIO subject files A-I.”

²⁶ Durward Sandifer to Alger Hiss (30 December 1944), Hiss papers, box 7, folder, “UNCIO subject files A-I.”

to open Columbia University's professional schools to women. Reflecting on her appointment to the San Francisco conference, the Dean noted:

I myself knew that I had been appointed partly because I was a woman, an appointment urged by a committee representing women's organizations...But I hoped that I had been chosen also because I had considerable experience in international affairs and in the study of the organization of peace. I was confident that I could serve my sex as well as my country best by just being a good delegate.²⁷

Gildersleeve based her emphasis on being a "good delegate" on arguments that highlighted the similarities between men and women, a vision she believed demonstrated a modern gender ideology. She recalled that the British women delegates were likeminded. They too had downplayed their role as representatives of women, insisting that "we are *not* 'women delegates.' We are delegates of our country and ministers of our government."²⁸ Gildersleeve contrasted this enlightened, progressive stance with what she labeled the "old militant feminism" exhibited by women from the "backward" countries.²⁹ Instead of emphasizing women's difference, as Bertha Lutz and her colleagues did, Gildersleeve argued that women "at this stage of advancement" were better off to "not talk too much about abstract principles of women's rights but to do good work in any job they get, better work if possible than their male colleagues."³⁰

Gildersleeve was among those who believed that highlighting gender inequality was not only "backward," it was counter-productive. She asserted that the "British and American men were bored and irritated by the repeated and lengthy feminist speeches."

²⁷ Gildersleeve, *Many a Good Crusade*, 350.

²⁸ Gildersleeve, *Many a Good Crusade*, 349. The British "delegates" were actually present as advisors to the British delegation and included Florence Horsbrugh (Parliamentary Secretary to the Ministry of Health) and Ellen Wilkinson (Minister of Education).

²⁹ Gildersleeve, *Many a Good Crusade*, 353.

³⁰ Gildersleeve, *Many a Good Crusade*, 353

She indicated that members of the American delegation nicknamed Dr. Bertha Lutz the “Lutzwaffe,” calling it a “humorous adaptation” of the German Luftwaffe that had devastated Europe during the war.³¹

The Dean acknowledged, however, that while the “British and American men hated being lectured on the virtues and rights of women, some of the men of other nationalities felt differently about it.” Gildersleeve admitted that many male delegates admired the tenacity and commitment of the feminist delegates like Lutz, Street and Bernardino.³² Not coincidentally, the delegates that supported the feminists were from Allied-partner nations that also lobbied heavily to improve the power of their own countries vis à vis the Great Powers. Some of the feminists’ greatest supporters were the delegations from the British Commonwealth and Latin America.

An Unexpected Development: Equal Rights and the UN Charter

At the San Francisco conference, the South African premier Field Marshall Jans C. Smuts was one of the few delegates who had also been actively involved in establishing the League of Nations. He was regarded as the quintessential elder statesman.³³ When Smuts received the Dumbarton Oaks proposals, he worried. The Big Three (and later China) had dispatched a series of expert technical advisors to draft the blueprint for the United Nations, hoping to free the hard work from diplomatic showboating. But the language of Dumbarton Oaks reflected the technical intent; it was dry and wholly uninspiring. Smuts believed that to preserve the British Empire, the

³¹ Gildersleeve, *Many a Good Crusade*, 352-353.

³² Gildersleeve, *Many a Good Crusade*, 353.

³³ For Smut’s role as an architect of the League of Nations and a principle opponent of the Japanese bid for a racial equality clause at the Paris Peace Conference see Marilyn Lake and Henry Reynolds, *Drawing the Global Colour Line: White Men’s Countries and the International Challenge of Racial Equality* (New York: Cambridge University Press, 2008), 296-99.

United Nations needed to be strong and it needed the participation of all three of the world's great powers. Smuts feared that the Dumbarton Oaks proposals, as drafted, would fail to inspire the widespread support needed to insure the success of the United Nations. Prior to the conference, Smuts convinced his British Commonwealth colleagues to support the addition of a preamble. A rousing preamble, Smuts hoped, would win the hearts and minds of the people and thereby force the powers to accede to a strong institution.³⁴

The preamble Smuts introduced at the San Francisco conference represented an unexpected victory for many female activists. It included the language of "equal rights." While motivated by his desire to see the UN succeed, Smut's experiences at the League of Nations, no doubt, shaped his preamble. At the Paris Peace Conference in 1919, Smuts had been among the opponents of the Japanese drive to include a racial equality statement in the covenant.³⁵ Smuts' United Nations preamble included a call to "reestablish faith in fundamental human rights, in the sanctity and ultimate value of the human personality, in the equal rights of men and women and of nations large and small." The language of equality between "nations large and small" insured that countries like South Africa, New Zealand, and Australia would have a voice in the UN, but did so without specifically acceding to racial equality.³⁶

By including the promise of equality between men and women, Smuts secured the feminist delegates' support. Smuts certainly knew about women's persistent activism at

³⁴ Mark Mazower, *No Enchanted Palace*, 61.

³⁵ For an excellent account of the League of Nations racially equality battle, see Paul Gordon Lauren, *Power and Prejudice: The Politics and Diplomacy of Racial Discrimination* (Boulder: Westview Press, 1988), 76-101. The Japanese proposals challenged racist immigration laws of white settler societies and thus were flatly rejected by the U.S. and British Dominions.

³⁶ While the preamble did not include racial equality, the text of the Charter's non-discrimination clause included sex and race. UN Charter Article 1(3).

the League and their present activism at the San Francisco conference. Smuts won profuse praise from many of the activists. In writing to Carrie Chapman Catt, Bertha Lutz stated that “Field Marshall Smuts seems to me to be a great man.”³⁷ World Woman’s Party representative Alice Morgan Wright wrote to a colleague that of all the men at the conference, Latin American men had been the most helpful, “except Smuts who sits enshrined on the pedestal of his preamble of course.”³⁸ In an article in the NWP’s *Equal Rights* newsletter, a conference observer recalled that “the Equal Rights provisions [of the UN Charter] did not appear by magic. As always they were the result of tremendous conviction and work... You will never really know what a hard fight was waged by the women of these committees to secure these provisions—but the Declaration of Equality in the Preamble you owe to the vision of Field Marshall Smuts.”³⁹

Virginia Gildersleeve was not, however, a supporter of the Smuts preamble. Trained as an English literature professor, she believed that the Field Marshall’s preamble was “clumsy” and “awkward.” Revealing her American exceptionalist tendencies, Gildersleeve believed that it lacked the “simplicity and beauty” of the U.S. Constitution’s preamble.⁴⁰ To correct this literary tragedy, Gildersleeve sought to re-write it, a task she noted—in gendered language—was “like attempting to warm over somebody else’s flat soufflé.”⁴¹ Since Smuts’ preamble had been unanimously adopted

³⁷ Bertha Lutz to Carrie Chapman Catt (3 June 1945), NAWSA records, reel 12. Jessie Street also showed her admiration for Smuts, saying that “Field Marshall Smuts turned out to be a fine champion for women.” Street International Woman’s Day speech, Melbourne Australia (8 March 1946), Street papers, MS 2683/3/687.

³⁸ Alice Morgan Wright to Mabel Vernon (3 August 1945), People’s Mandate Committee records series B, box 30, folder, “Alice Morgan Wright.”

³⁹ Anita Politzer, “United Nations Conference and Equal Rights,” *Equal Rights* (July-August 1945), NWP papers, reel 3.

⁴⁰ Gildersleeve, *Many a Good Crusade*, 344-45.

⁴¹ Gildersleeve, *Many a Good Crusade*, 345. Gildersleeve’s assistant was Elizabeth Reynard an instructor at the WAVES training school in the Bronx.

“in principle,” Gildersleeve’s challenge was to bring eloquence to the text while “preserving the essential ideas.”⁴²

Gildersleeve’s preamble proposal eliminated the clause on the equality of men and women. Instead it reaffirmed only the equality of nations and the “equal rights of men.”⁴³ Gildersleeve’s willingness to eliminate women from the equality clause is not surprising given her approach as a “woman” delegate. She believed that delegates who called “attention frequently to women and their problems” were “unlady-like” [sic] in using their position as national plenipotentiaries.⁴⁴ Bertha Lutz reported that at the outset of the conference, Gildersleeve requested that the women delegates make no motions specifically on behalf of women. The Dean would not have made such a request unless she believed such action probable. Her intuition was likely the result of her consultations with the U.S. Women’s Bureau prior to the conference. Frieda Miller, the director and staunch labor feminist, met with Gildersleeve and a League of Women Voter’s representative to prepare for San Francisco.⁴⁵ The “action of women’s groups seeking an equal rights treaty at various international assemblies” was always on the Women’s Bureau’s radar.⁴⁶ The Women’s Bureau wanted Gildersleeve on guard should the issue of “equal rights” come into play. Gildersleeve failed in her attempt to exclude

⁴² Gildersleeve, *Many a Good Crusade*, 344.

⁴³ The opening lines of Smut’s preamble read: “to prevent a recurrence of the fratricidal strife which twice in our generation has brought untold sorrow and loss upon mankind.” Gildersleeve’s draft read: “Determined to save succeeding generations from the scourge of war, which in our time has brought untold sorrow to mankind.” This is the version that appears in the ratified charter with the addition of “twice” in our lifetime. For the text of the two drafts see Gildersleeve, *Many a Good Crusade*, 345-346.

⁴⁴ Gildersleeve, *Many a Good Crusade*, 350. For the “unlady-like” charge see Bertha Lutz to Carrie Chapman Catt (21 May 1945), NAWSA records, reel 12.

⁴⁵ The LWV representative was Anne Hartwell Johnstone.

⁴⁶ Report of the Activities of the Women’s Bureau #10 (April 1945), *Records of the U.S. Women’s Bureau of the U.S. Department of Labor, 1918-1965, Part I*, edited by Dale Grinder (Frederick, MD: University Publications of America, 1986), Microfilm, Reel 3, Hereafter Women’s Bureau microfilm.

women from the equal rights clause, attributing her failure not to feminist pressures, but to the general reverence for the aging statesman.

While the UN Charter holds the status of a legally binding treaty, scholars debate the binding nature (and significance) of preamble language in international treaties to this day.⁴⁷ Regardless of its technical legal status, proponents of the equal rights treaty celebrated the preamble as a victory. The activists noted, however, that “danger still lurks in many quarters. There is a niche reserved for the ILO in the Charter.”⁴⁸ Representatives of the World Women’s Party immediately wrote to the State Department and the International Labor Organization, questioning the continued legality of international protective labor conventions in light of the Charter’s declaration of equal rights.⁴⁹ They asked: if “the ILO functions under the Charter, will treaties and conventions that conflict with the principle of equal rights for men and women have to be automatically revised to conform to the principles enumerated in the Charter?”⁵⁰ The ILO’s response reminded the activists that it had no power of enforcement, and that member states drafted their own legislation upon convention ratification. As a result, “the action of the United Nations at San Francisco will not affect their [convention’s]

⁴⁷ The legal nature of Declarations and Preambles or “soft law” continues to be a debate in international law. See for example Dinah Shelton, “Introduction: Law, Non-Law and the Problem of ‘Soft Law,’” in *Commitment and Compliance: The Role of Non-Binding Norms in the International Legal System*, Dinah Shelton, ed. (New York: Oxford University Press, 2000), 1-20. Samuel Moyn’s, *The Last Utopia: Human Rights in History* (Cambridge, MA: The Belknap Press of Harvard University Press, 2010), 61-62 discounts the force of preambular language as “ornamental.” Yet, as we will see, the feminist delegate often rooted their arguments on the preamble’s statement of equal rights.

⁴⁸ Nora Stanton Barney, “Report on San Francisco,” *Equal Rights* (July-August 1945), NWP records, reel 3.

⁴⁹ Letter to State Department reprinted in Nora Stanton Barney, “Report on San Francisco,” *Equal Rights* (July-August 1945), NWP records, reel 3; Elizabeth Rowe to Nora Stanton Barney (23 April 1945), NWP records, reel 174.

⁵⁰ Letter to State Department reprinted in Nora Stanton Barney, “Report on San Francisco,” *Equal Rights* (July-August 1945), NWP records, reel 3.

status.”⁵¹ But even the ILO seemed unsure of the charter’s implication and closed their letter stating: “This does not mean, however, that they might not be revised and discussed at a later date.”⁵² Activist delegates seized upon this unexpected victory. They could now point to the preamble’s equal rights provision as evidence that the United Nations had a responsibility to address discrimination against women.

At the San Francisco conference, Bertha Lutz used the new preamble’s equal rights provision to promote her resolution to create a “committee of women under the commission of human freedoms.”⁵³ At one of the many conference closing sessions, both Field Marshall Smuts and Bertha Lutz spoke on the importance of the United Nations Economic and Social Council (ECOSOC) and its charge to promote the observance of human rights. In his closing remarks, Smuts singled out the committee’s work on ECOSOC as the most important they had done.⁵⁴ Lutz heralded the significant work done by the female delegates from “Brazil, Uruguay, Mexico and Santo Domingo” who inserted “basic human rights for all, regardless of race, creed or sex.” She praised Smuts for his inclusion of the “equality of men and women before the law” in the charter’s preamble and the “magnificent” support the Latin American women received from various male delegations, singling out the Indian delegate Sir Ramaswami Mudaliar for commendation. This support, Lutz believed, proved that the “world is thinking along

⁵¹ Elizabeth Rowe to Nora Stanton Barney (23 April 1945), NWP records, reel 174.

⁵² Elizabeth Rowe to Nora Stanton Barney (23 April 1945), NWP records, reel 174.

⁵³ Bertha Lutz to Carrie Chapman Catt (3 June 1945), NAWSA records, reel 12. .

⁵⁴ Smuts identified the League of Nation’s political emphasis as its greatest weakness and credited future economic and social cooperation as necessary for the prevention of war. While the Dumbarton Oaks proposals included a nod to economic and social cooperation among member nations, activist delegates and NGOs at San Francisco successfully elevated ECOSOC to a principle organ of the UN. Lutz insisted that the creation of ECOSOC was “an attempt to fan the flame of hope so that it may not die down and flicker out in the hearts of this sorely tried generation.” “Verbatim Minutes of the Second Meeting of Commission II,” UN Doc. 909 II/II (11 June 1945).

these lines of elementary justice.”⁵⁵ Gildersleeve’s exclusion from the list of supporters was conspicuous. For Bertha Lutz, her supporters represented a progressive gender vision. Gildersleeve did not.

Gildersleeve defended her rejection of the Brazilian Declaration on several grounds. First, Gildersleeve argued that it would potentially marginalize women’s influence in the United Nations. If women were “segregated” in a “feminine commission” it might permit “men to keep them out of other commissions and groups.”⁵⁶ At the conference, Gildersleeve argued:

[T]he position of women in her country [U.S.] was well established and equal opportunity for women had often been demonstrated in action... Where woman as a group suffer from discrimination, the Delegate [Gildersleeve] believed that the commission on human rights contemplated in the draft charter would be effective in bringing about the eventual disappearance of such disadvantages.⁵⁷

Gildersleeve’s emphasis on individual equality of opportunity and assurances that the human rights commission would safeguard women’s interest as a social group struck the Latin American and Australian feminists as completely detached from women’s historical experience. Furthermore, Gildersleeve’s use of U.S. women’s status to gauge the necessity of a separate commission was ethnocentric, normalizing the experience of white-middle-class American women. Such women had little in common with the majority of the globe’s female population.

Advocates for the women’s commission believed it foolhardy to cede total authority to the human rights commission. Instead, they believed that only a separate

⁵⁵ “Verbatim Minutes of the Second Meeting of Commission II,” UN Doc. 909 II/II (11 June 1945).

⁵⁶ Gildersleeve, *Many a Good Crusade*, 352.

⁵⁷ “Summary Report of the Twentieth Meeting of Committee II/3 (6 June 1945),” UN Doc. 833, II/3/57 (7 June 1945).

commission of women—that was officially part of the UN structure—would reliably safeguard and promote women’s rights. For these delegates, the creation of the UN presented a unique opportunity to mandate women’s political, social, economic and civil equality at an international level. By enshrining a commitment to the protection of women’s human rights as a fundamental obligation of the new international body, they hoped to use a separate commission to apply political as well as moral pressure on the nations of the world. These delegates’ direct experiences with trying to advance women’s rights internationally during the interwar years convinced them that they needed unmediated access to power and decision-making.⁵⁸ While the text of the UN Charter did not, in the end, specifically include reference to a women’s commission, its supporters did manage to forward the Brazilian Declaration to the General Assembly’s preparatory commission. The women’s commission would be revisited.

After the conference, pro-commission delegates embarked on a public relations campaign to build support for their initiative before the first General Assembly met. En route to the East Coast, Bertha Lutz stopped along the way and spoke not only of the potential of the commission, but denounced U.S. women’s opposition.⁵⁹ Jessie Street also remained in the United States and met with Lutz’s mentor, the revered American feminist Carrie Chapman Catt, to demonstrate support for the Brazilian Declaration. One feminist newsletter noted that a group had gathered to hear “Jessie Street’s compelling message.”⁶⁰ At the same time, representatives of the World Woman’s Party, the

⁵⁸ Doris Stevens, "Treaty Method Best for Wiping Out Inferiority Stigma" in *Equal Rights* (June 1934), NWP records, reel 3; Jessie Street to Bessie Rischbieth (June 1934) Rischbieth Papers, MS 2004/5/1785. See also Jessie Street, *Truth and Repose: Jessie Street, A Revised Autobiography*, edited by Lenore Coltheart (Annandale, NSW: The Federation Press, 2004), 195-196.

⁵⁹ Dr. Bertha Lutz, “Brazil and Her Women,” speech to at the American Federation of Soroptimist Clubs, Proceedings of the Ninth Biennial Convention, Estes Park, CO (June 26-July 1, 1945). In author’s papers, received by mail from the Soroptimist Foundation, Philadelphia, PA.

⁶⁰ Ruth M. Snyder, “Australia’s Helping Hand,” *Equal Rights* (July-August 1945), NWP records, reel 3.

international arm of the U.S. National Women's Party, prepared to help their allies lobby the General Assembly to establish a women's commission.

Taking the Initiative on Behalf of U.S. Policy

Feminists across the ideological spectrum believed that the UN Charter held the potential to bolster women's activism in a radically new way. After the First World War, the creation of the League of Nations, International Labor Organization, and the movement to codify international laws and standards offered feminists the opportunity to extend their policy-oriented activism into the international arena. Activists understood that the human rights provisions of the UN Charter held even further strategic potential. International agreements under the League of Nations—whether conventions, treaties or ILO labor standards—were based squarely on the principle of domestic jurisdiction. Nations signed conventions if they perceived an advantage to insuring that their national laws complied with international standards. While these agreements carried a certain degree of moral force, the League of Nations possessed no means to enforce compliance.

The UN Charter was different. While the Charter also had a strong statement that guaranteed the primacy of domestic jurisdiction, unlike the League of Nations, the UN had a Security Council, which had the power to take “action” should a threat to “international peace and security” exist.⁶¹ At the same time, the UN charged the Economic and Social Council (ECOSOC) with “promoting respect for, and observance of, human rights and fundamental freedoms for all.”⁶² ECOSOC could report to the Security Council either directly or through the General Assembly.⁶³ Human rights advocates and policymakers widely believed that the first task of the UN Human Rights

⁶¹ UN Charter Article 2(7); UN Charter Chapter 7.

⁶² UN Charter Article 62(2).

⁶³ UN Charter Articles 65 & 62(3).

Commission would be to draft an enforceable international bill of rights.⁶⁴ In light of the charter's assertion of domestic jurisdiction, advocates of international enforcement studied, debated and proposed means to enforce human rights standards at the international level.⁶⁵ Activists widely believed that the UN's new human rights obligations, therefore, had the potential to reach beyond the boundaries of the nation-state.

Certainly no feminist activist believed that the UN would land boots on the ground solely because a state failed to protect the rights of women.⁶⁶ Yet the specter of international enforcement did create new motivations for states to comply. When it came to women's rights, activists understood that the UN could exercise its influence in at least moderately coercive ways. For example, the UN could refuse to admit new members that failed to meet basic international human rights standards.⁶⁷ This represented a marked departure from the defunct League's record of strictly protecting domestic jurisdiction. Feminist activists around the globe had a vested interest in how the UN would structure its approach to women's human rights.

⁶⁴ The idea of an international bill of rights started circulating in the early years of World War II. Its most famous advocate was the British author H.G. Wells who wrote a syndicated column about human rights as a principle war aim and also toured to promote the idea. On enforceability, the U.S. delegate Eleanor Roosevelt stated at an ECOSOC session that "...no bill of Human Rights will be worth anything unless it is enforceable." UN Doc. E/PV.4 (28 May 1946).

⁶⁵ For example, Quincy Wright, a member of the American Association of United Nations' implementation committee (on which Kenyon also served), argued in a position paper that according to the terms of the Charter, a breach of peace that resulted from violation of an explicit international obligation such as those in International Bill of Rights would mean the Security Council could intervene and not violate the Charter's domestic jurisdiction clause. Quincy Wright, "Implementation Committee Draft Paper," (undated), Kenyon papers, box 27, folder 4.

⁶⁶ Several activists did however both draft plans and argue for the necessity of an independent UN police force. See for example Alice Morgan Wright Papers, Arthur and Elizabeth Schlesinger Library, Ratcliff Institute, Harvard University, Cambridge, MA, box 8, folder 8A and 16. Hereafter Alice Morgan Wright papers.

⁶⁷ Indeed feminist advocates through Begtrup and the Danish delegation made this proposal to the General Assembly in 1946. UN Doc. A/Bur/43 (October 1946).

While the World (National) Woman's Party supported the idea of a women's commission, mainstream U.S. women's groups opposed it. The divide among U.S. women's groups over the creation of the separate commission was largely strategic. This is evident in the fact that the stand adopted by each camp appears—at first glance—at odds with their traditional arguments. At the conference, mainstream women's organizations—which historically argued that women's difference from men required different treatment—opposed the creation of special commission of women. The specter of an international equal rights treaty factored heavily into their opposition. As we have seen, the U.S. Women's Bureau and the leaders of most mainstream women's groups opposed the Equal Rights Amendment (ERA) to the U.S. Constitution and the international treaty, both of which threatened protective labor legislation. UN commissions would likely have the power to introduce resolutions and conventions, including an equal rights treaty. If the women's commission fell under the leadership of “extreme Equal Righters,” then mainstream women's organizations would once again be faced with opposing “equal rights” to safeguard protective labor legislation in the international arena and possibly at home.⁶⁸ They formed the Washington Committee to combat this threat.

In contrast, the National (World) Woman's Party—which traditionally emphasized women's sameness and argued for identical legal treatment for men and women—supported the special commission. The endeavor to establish a separate women's commission had the full support of World Woman's Party at the San Francisco conference. While the World Woman's Party was technically the international affiliate of the U.S. National Woman's Party, its representatives at the San Francisco conference

⁶⁸ Mrs. Anne Hartwell Johnstone to Anna Lord Strauss (21 June 1945), Frieda Miller papers, box 7, folder A-37-143.

were all American women.⁶⁹ They were also all committed to the “treaty-method” established by the Inter-American Commission of Women at Montevideo. NWP activists believed that a special commission of women could be an effective vehicle for promoting the international equal rights treaty.⁷⁰ The commission would give activists access to the halls of power in the new United Nations. While NWP activists questioned the wisdom of positioning the separate commission under the Human Rights Commission, they nonetheless supported the Brazilian Declaration, winning them the gratitude of the non-U.S. coalition of delegates.

The Washington Committee publicly stressed that a commission of women would marginalize women at the UN. This contingent’s political rights were secure and had witnessed tangible improvements in women’s access to education and professional opportunities in their lifetimes. They thus argued that a separate women’s commission smacked of “segregation.”⁷¹ One representative mocked the idea of a separate commission as tantamount to “giving women a separate room of their own.”⁷² If the UN created a commission “of” women, they would undoubtedly be relegated to service on it and not on other important bodies. Women’s views on equal pay might be welcome

⁶⁹ Indeed the representative’s conference correspondence uses NWP and World Woman’s Party interchangeably.

⁷⁰ NWP activists understood that the equal rights treaty also would be a potentially expedient route to passage of the U.S. Equal Rights Amendment.

⁷¹ Activists widely used the term “segregation,” conjuring negative images of Jim Crow laws which many of the Women’s Bureau employees campaigned against. For example, Frieda Miller cancelled her season tickets to a local theatre after they refused voluntary desegregation. See also speech by Dorothy Kenyon, “Victories Won: A Stock Taking and an Inventory: On the International Front” (4 May 1947), Kenyon papers, box 20, folder 12. Kenyon argues that those that did not want a separate commission worried about segregation and that “there was too much segregation in the world already and that it was just the thing which women themselves were fighting hard to abolish.”

⁷² Mrs. Anne Hartwell Johnstone to Anna Lord Strauss (21 June 1945), Frieda Miller papers, box 7, folder A-37-143.

at the UN, but their positions on the Security Council would not.⁷³ For these activists, a special commission of women under the human rights commission was bad strategy; it had the very real potential to marginalize women as a group. To counter this approach, the Washington Committee argued that a commission “of” women was in violation of the charter clause that guaranteed men and women equal participation rights. If women did not want to be excluded, they could hardly exclude men.

The Washington Committee’s emphasis on the equal participation clause also worked to build the broadest possible consensus among other mainstream American women’s groups. The Washington Committee did not want to alienate potential allies ambivalent about the commission’s potential to press for blanket equal rights statements. For instance, there were significant contingents of women who supported the Equal Rights Amendment, but belonged to organizations still “officially” opposed to the amendment.⁷⁴ U.S. women’s groups also attempted to keep national politics out of the international debates. American women were aware that commission supporters like Jessie Street and Minerva Bernardino had accused disputing U.S. women of impeding the success of international women’s activism. From San Francisco, one NWP observer noted:

⁷³ Confidential report of informal conversations on proposed Commission on the Status of Women under the Social and Economic Council of the United Nations Organization by Rachel Conrad Nason, Secretary League of Women Voters,” (undated), Frieda Miller papers, box 7, folder A-37-143.

⁷⁴ For example, the AAUW’s membership was divided over the ERA. One AAUW member wrote the national leadership exclaiming that she had been working in Geneva for the appointment of “at least one [committee of experts] member...who is an egalitarian.” She was dismayed to see the AAUW’s backing of Kenyon and opposed an “endorsement where the opinions of its members are so divided.” Emily M. Smith to Kathryn McHale (9 February 1938), Kenyon papers, box 39, folder 10. In an unsigned letter to Anita Pollitzer (10 March 1946), NWP records, reel 175, the author argues that the AAUW should split into a “swarm” for the ERA and another opposed to it. “Seriously, if the all the enlightened but stupid university women urge the 48 legislatures not to ratify, it will certainly be difficult.” At the time of the San Francisco conference the National Business and Professional Women’s Clubs and the General Federation of Women’s Clubs—two of the big Four technically supported the ERA, yet the NBPW and the GFWC opposed the separate women’s commission on the grounds that it would marginalize women.

We have at San Francisco this surprising situation: women delegates from South America, Australia and China favoring full civil, political and economic equality for women, while women of the United States are so divided...Foreign delegates tell us that the disagreements among our own women is an obstacle at each international conference and therefore obstructs the advancement of women all over the world.⁷⁵

The Washington Committee also recognized the frustration of the non-U.S. delegates. Indeed, one representative insisted that the “opportunity calls for fresh thinking and evaluation, without regard to historical or personal associations.”⁷⁶ This was easier said than done. Yet, given that “foreign women delegates” supported the use of equal rights language, the Washington Committee tried to veil—sometimes only thinly—their concern that its use internationally would legitimize the ERA at home.⁷⁷

To effectively reassert their leadership, U.S. women’s organizations needed to craft a credible alternative to the Brazilian Declaration. The League of Women Voters’ San Francisco consultant, Anne Hartwell Johnstone, understood that “if the majority of nations are persuaded that women need the special attention...we [U.S. women’s groups] are involved whether we like it or not.”⁷⁸ If they did not act, Johnstone warned, they would have “to attack a doctrinaire view which we will be pushed if we default—leaving us as usual in the negative role—which internationally is almost impossible.” Furthermore, if mainstream women’s organizations failed to “take the initiative on behalf of U.S. policy,” NWP activists certainly would. Johnstone therefore proposed an “off

⁷⁵ Edith J. Goode (NWP UNCIO observer) to fellow NWP member Laura Kendall, (23 May 1945), NWP records, reel 175. Goode’s reference to China is curious. By all accounts the Chinese delegate, Miss Wu Yi-fang, supported the U.S. policy positions.

⁷⁶ Confidential report of informal conversations on proposed Commission on the Status of Women under the Social and Economic Council of the United Nations Organization by Rachel Conrad Nason, Secretary League of Women Voters,” (undated), Frieda Miller papers, box 7, folder A-37-143.

⁷⁷ “Big Four” invitation to women’s organizations (24 August 1945), Women’s Bureau records, box 22, folder, “UNESCO, Commission on the Status of Women, 1945.”

⁷⁸ Anne Hartwell Johnstone to Anna Lord Strauss (21 June 1945) Frieda Miller papers, Folder A-37-143.

the record meeting” in Washington D.C. of the “Big Four” and other key women “to review the facts, and the spirit, of the developments at San Francisco.”⁷⁹ To help coordinate their efforts, the League turned to their longtime allies in the Women’s Bureau. The director of the bureau, Frieda Miller, who was also a frequent U.S. delegate to the ILO, agreed to act as their “information center.”⁸⁰ Between June and September, the big Four held a series of “informal conversations” to draft a strategic alternative to the Brazilian Declaration.⁸¹ As they elaborated their vision over the next couple of months, they began to refer to themselves as the “Washington Committee.” The positions and actions taken by the Washington Committee reflected their concern over the potential marginalization of women, their anxieties over blanket statements of equality, and the belief that they—mainstream U.S. women’s groups—were the most capable and therefore rightful leaders.

At the September meeting, the first order of business was to convince other NGOs that the situation required U.S. women’s leadership. The Washington Committee informed the women’s organizations that non-U.S. delegates believed that American

⁷⁹ Johnstone outlined the developments at the conference to Strauss who then wrote to Miller at the Women’s Bureau, forwarding Johnstone’s recommendations. Hartwell Johnstone to Lord Strauss (21 June 1945), Frieda Miller papers, box 7, folder A-37-143; Anna Lord Strauss to Frieda Miller (2 July 1945), Frieda Miller papers, box 7 folder A-37-143.

⁸⁰ Confidential report of informal conversations on proposed Commission on the Status of Women under the Social and Economic Council of the United Nations Organization by Rachel Conrad Nason, Secretary League of Women Voters,” (Undated), Frieda Miller papers, box 7, folder A-37-143..

⁸¹ For the historic cooperation between mainstream women’s groups and the Women’s Bureau see Kathleen Laughlin, *Women’s Work and Public Policy: A History of the Women’s Bureau, US Department of Labor 1945-1970* (Boston: Northeastern University Press, 2000); Cynthia Harrison, *On Account of Sex: The Politics of Women’s Issues, 1945-68* (Berkeley: University of California Press, 1988). For organization histories of the NGOs see See Louise M. Young, *In the Public Interest: The League of Women Voters, 1920-1970* (New York, Westport and London: Greenwood Press, 1989); Inez Hayes Irwin, *The Story of Alice Paul and the National Woman’s Party* (Fairfax: Denlinger’s Publishers, LTD, 1964); Barbara Stuhler, *For the Public Record: A Documentary History of the League of Women Voters* (Westport: Greenwood Press, 2000).

women had been “lethargic” and had criticized their “complacency.”⁸² Furthermore, Dean Gildersleeve’s U.S.-centric approach had alienated pro-commission advocates at San Francisco. Dorothy Kenyon stressed the urgency of U.S. women’s action on behalf of the Washington Committee:

[T]he legal, personal, political, economic, and basic rights of human beings are of special concern to the United Nations and of special concern to women...The United States now has a chance to exert leadership in the United Nations. And the women of other countries are looking to us for help. No other country is in the same strategic position to help and, if we don’t do so, it will hurt us as well as them.⁸³

U.S. women needed to be prepared to “exert immediate and energetic leadership.”⁸⁴

In contrast to Gildersleeve, mainstream NGOs acknowledged that the human rights commission might not be sufficiently interested in women’s rights. Dr. Hickman of the Committee on Women in World Affairs warned that the human rights commission would likely prove inadequate as “those most active in setting it up had been primarily concerned with the basic human rights in other fields.” The specific rights of women might therefore be largely ignored by the human rights commission. Although women did need to safeguard their interests, a separate women’s commission under the human rights one was not the answer. To American women it gave the impression that women’s rights were subordinate to human rights; that women, were somehow, not quite human.⁸⁵

⁸² “Minutes of the Conference on the United Nations and the Special Interest of Women, Wednesday, September 19, 1945, Interdepartmental Auditorium, Washington D.C. (Summarized from notes taken by Mrs. Nason and Mrs. Mitchell),” (undated), Women’s Bureau records, box 8, folder C-G-1-1.

⁸³ Ibid.

⁸⁴ Draft of the “Recommendation by the Conference on the United Nations and the Special Interests of Women, Held in Washington September 19, 1945,” (undated), Women’s Bureau records, box 8, folder C-G-1-1.

⁸⁵ For example, Dorothy Kenyon often stated in speeches that her “pet name for it [SCSW] was the Sub-Commission on the Sub-Human Rights of Women.” See Dorothy Kenyon, “Women and the United Nations” speech (1947), Kenyon papers, box 20, folder 12.

While the Washington Committee adopted the rhetoric of human rights, they questioned the utility of the potential legal human rights framework for women. The leaders who had been at the San Francisco conference stressed to the other NGOs that *all* “women spoke a universal language of human rights and fundamental freedoms.”⁸⁶ Yet AAUW president Dr. Helen Reid distinguished between human rights rhetoric and enforcement. She explained the differences between the “new school of international law” and the old method of international standard setting done by the ILO. The ILO method established international standards, but left enforcement to the particular nations. In contrast, under the new human rights concept, “the individual has international as well as national rights.” She warned that the pursuit of this was uncertain as the UN Charter carried a strong domestic jurisdiction clause and that “at present women’s rights are all matters of domestic jurisdiction.” Therefore, the ILO model better served women’s interests. This would permit them to continue to organize at the national level to support “effective domestic action” to implement the international standard.⁸⁷ The potential changes to enforceability that accompanied the proposed international bill of rights represented a radical and uncertain departure from women’s previous international activism.

To further argue against blind pursuit of the new “human rights concept,” Kenyon and others illustrated the successes and failures of women’s previous efforts to promote women’s rights internationally. In doing so, they highlighted the success of past educational work, information-gathering and standard-setting. Kenyon’s summary of her League of Nations work stressed the importance of information collection as a necessary

⁸⁶ “Minutes of the Conference on the United Nations and the Special Interest of Women, Wednesday, September 19, 1945, Interdepartmental Auditorium, Washington D.C. (Summarized from notes taken by Mrs. Nason and Mrs. Mitchell)” (undated), Women’s Bureau records, box 8, folder C-G-1-1.

⁸⁷ Ibid.

foundation for effective activism. The Director of the Women's Bureau, Frieda Miller, outlined the effectiveness of the ILO model in standard-setting. The former U.S. delegate on the Inter-American Commission of Women, Mary Winslow, argued that the IACW's most useful purpose was information sharing.⁸⁸ The Washington Committee labored to convince the other mainstream NGOs that the most effective means of activism consisted of careful study, sharing information, and working to establish standards at the international level, which were enforced through national legislation.

Not only would enforcing women's rights at the international level be ineffective, creating machinery that did so was potentially dangerous. The articulation and guarantee of rights at the international level simply left too much to chance. This was particularly true if the UN created a separate woman's commission and permitted it to establish rights without proper consultation with mainstream American women's groups. In a not-so-subtle reference to the past equal rights treaty efforts, one Washington Committee member warned that if a separate women's commission were created "it might become a vested interest of a group of non-representative women."⁸⁹ If the international bill of rights guaranteed women equal (identical) economic and social rights, years of effort to establish gender-specific labor legislation standards, which shielded working women from exploitation, would be jeopardized.

By the end of the conference the Washington Committee had its consensus. The NGOs endorsed a plan to push for a technical committee of experts—composed of men and women—responsible to ECOSOC. A technical committee could advise all agencies and commissions on women's issues, making recommendations to these bodies if

⁸⁸ "Minutes of the Conference on the United Nations and the Special Interest of Women, Wednesday, September 19, 1945, Interdepartmental Auditorium, Washington D.C. (Summarized from notes taken by Mrs. Nason and Mrs. Mitchell,)" (undated), Women's Bureau records, box 8, folder C-G-1-1.

⁸⁹ Ibid.

necessary. While a technical committee could serve as a “friendly watching agency” it would not have the power to assume an activist position and forward treaties independently.⁹⁰ The Washington Committee presented its plan as an improved modification of the Brazilian Declaration. It protected women’s interests, prevented their marginalization, and would not be empowered with the ability to set an independent agenda. The group also endorsed other recommendations that included the resumption of the League of Nations’ study and a UN world women’s conference, which would build support for the study. These last two suggestions were firmly rooted in traditional strategies of women’s international activism.

While the Washington Committee had convinced a large contingent of U.S. women’s NGOs, the task of swaying the women’s commission proponents and the State Department remained. The Washington Committee sent a statement of endorsement to each attending NGO for use with their national members, international affiliates, and the State Department, insuring that the groups stayed on message. They also charged individual women with contacting Bertha Lutz and others from the San Francisco conference to try and win them over to the alternative.⁹¹ Kenyon wrote to Miller after the conference, exclaiming: “Don’t you feel we really got somewhere that day and that we put something over on the slow moving organizations?” But, she added: “I am disturbed about who is going to take the matter up with the South American countries. It

⁹⁰ Draft of the “Recommendation by the Conference on the United Nations and the Special Interests of Women, Held in Washington September 19, 1945,” (undated), Women’s Bureau records, box 8, folder C-G-1-1.

⁹¹ Rachel Nason to Anna Lord Straus (3 August 1945), Frieda Miller papers, box 7, folder A-37-143; “Confidential report of informal conversations on proposed Commission on the Status of Women under the Social and Economic Council of the United Nations Organization by Rachel Conrad Nason, Secretary League of Women Voters,” (undated), Women’s Bureau records, box 7, folder A-37-143.

requires a diplomatic job of no mean order to persuade them that ours is a good idea.”⁹² But the Washington Committee’s immediate challenge was with the State Department.

The Washington Committee’s proposal met partial resistance at the State Department. Alger Hiss, who headed the office of Special Political Affairs, questioned the technical committee proposal.⁹³ First, he explained that for reasons of both efficiency and economy, the U.S. position was to limit the number of committees and commissions.⁹⁴ Additionally, Hiss noted that to establish a technical advisory committee of women might set a dangerous precedent. He argued that every “minority” group would, in turn, demand a special commission. Second, he doubted that the Economic and Social Council would welcome the oversight of a technical committee. The underlying, but unstated assumption was that ECOSOC might not welcome *women’s* technical assistance. Hiss did support the NGOs’ proposals to resume the old League study and the idea of a world women’s conference.⁹⁵ In short, he supported traditional forms of women’s international activism.

After the meeting with the State Department, the Washington Committee made modest revisions to its recommendations. While the Washington Committee originally planned to prioritize the technical committee, they now advised organizations to “place a greater interest on the suggestions made for a conference of women of all the United

⁹² Dorothy Kenyon to Frieda Miller (22 September 1945), Kenyon papers, box 58, folder 4.

⁹³ Alger Hiss played a key role in preparations and in the early days of the United Nations. At the San Francisco, Hiss served as the conference General Secretary. That Hiss played a large role in selecting UN delegates and advisors would later contribute to allegations by anti-UN contingents, such as the American Legion, that the UN was populated with communist subversives.

⁹⁴ “Department of State Memorandum of Conversation (10 October 1945), Hiss papers, box 20, folder, “Economic and Social Council.”

⁹⁵ Women’s Bureau Office Memo, Rachel Nason to Frieda Miller, “Interview with Alger Hiss” (12 October 1945), Women’s Bureau records, box 8, folder, C-G-1-1; State Department Memo of Conversation (10 October 1945), Hiss papers, box 20, folder, “Economic and Social Council.”

Nations.” This would permit women to “review possible procedures and arrive at greater areas of agreement among the women of the world.”⁹⁶ In reviewing the account of the State Department meeting, Kenyon wrote to Frieda Miller: “It looks as though there [is] still a good deal to do at the State Department. Aren’t they stuffy! V. Gildersleeve is just like them, all so complacent and smug about things.”⁹⁷

The shift to the emphasis on a world conference reflects the inherent tensions of feminist organizing. When acting as a social group, women faced the difficult task of negotiating ideological differences. As the interwar debates demonstrated, women’s effectiveness often hinged on their ability to either mask disunity or to forge a consensus, the latter the more difficult task given the disparities of gender ideologies. At the State Department meeting, Hiss asked about the unanimity of the proposals, inquiring specifically whether the NWP had been at the September conference. Anna Lord Strauss, President of the League of Women Voters, informed Hiss that they had not included the NWP as “she saw no way of estimating the reaction of so unaccountable a group.”⁹⁸ There was no masking the differences between mainstream women’s organizations and the NWP. Yet the Washington Committee believed that the proposal for a world conference had the potential to help them push their agenda among internationally-minded feminists. But they would have to be cautious of NWP activists. One committee member wrote that their recommendations for the conference needed to be specific to “avoid domination by feminist agitators who may get themselves appointed as official delegates.” By insisting that the conference included national and international women’s

⁹⁶ “Memo to all Members of the September 19th Conference,” (undated), Women’s Bureau records, box 8, folder, C-G-1-1.

⁹⁷ Dorothy Kenyon to Frieda Miller (22 October 1945), Kenyon papers, box 58, folder 14.

⁹⁸ Women’s Bureau Office Memo, Rachel Nason to Frieda Miller, “Interview with Alger Hiss,” (12 October 1945), Women’s Bureau records, box 8, folder, C-G-1-1; State Department Memo of Conversation (10 October 1945), Hiss papers, box 20, folder, “Economic and Social Council.”

organizations, mainstream U.S. women's groups could "offset the feminist angle if it develops."⁹⁹ Despite the fact that the NGOs re-prioritized their plans to accommodate the State Department, they did not abandon their recommendation for the technical committee.

To meet Hiss' objection, the Washington Committee used arguments that attempted to distinguish between race and gender equality struggles, yet ultimately acknowledged their commonality. In attempting to separate the two, the activists argued that "the chief objection to this proposal is fear of precedent. This objection is based on classifying women as a minority group, when instead their interests are both universal and of universal concern."¹⁰⁰ The women's groups did not want to be denied a voice on account of State Department fears that African American or anti-colonial activists might do the same. In the United States, African Americans were a minority group, women were not. While most of the leaders of the Washington Committee were sympathetic with the plight of African Americans and supported desegregation and anti-lynching legislation, they also, it seems, were hesitant to tie the success of their battle to that of racial justice. Their recommendations reminded organizations that: "To a large extent existing discriminations are matters of domestic jurisdiction; they can be dealt with directly only through action of the member government."¹⁰¹ In mustering the argument in favor of domestic jurisdiction, U.S. women's groups aimed to de-legitimize the international enforcement of any potential equal rights guarantees. Activists argued, therefore, that while women's international interests were universal, the particular rights

⁹⁹ Frieda Miller to Rachel Nason, "Miss Hickey on UNO," (24 October 1945), Women's Bureau C-G-1-1. Hickey specifically invoked Article 71 of the UN Charter.

¹⁰⁰ "Recommendations by the Conference on the United Nations and the Special Interests of Women held in Washington September 19, 1945." Women's Bureau records, box 8, folder C-G-1-1.

¹⁰¹ "Recommendations by the Conference on the United Nations and the Special Interests of Women held in Washington September 19, 1945." Women's Bureau records, box 8, folder C-G-1-1.

of groups were a matter of national concern. In doing so, U.S. women's groups legitimized the government's right to treat social and racial groups as it saw fit.

The Committee on Women in World Affairs kept up the pressure to include qualified women on U.S. delegations. Their target was the first General Assembly to be held in London. When the State Department explained that the London delegation would very likely be the same as the San Francisco one, the committee director, Emily Hickman objected. She asserted that "there would be great dissatisfaction" with such a delegation and handed policymakers their short list. Virginia Gildersleeve was not on it. Her affront to non-U.S. women delegates at San Francisco made her a liability. Instead, at the top of the list was the recently widowed First Lady of the United States, Anna Eleanor Roosevelt. Hickman suggested that "probably no woman in the country has a closer knowledge of domestic and foreign affairs" than Eleanor Roosevelt. Additionally, "Mrs. Roosevelt has the confidence of a great body of American women."¹⁰² President Truman did not reappoint the official San Francisco delegation in its entirety as the State Department intimated. While the Congressional representatives stayed the same, Roosevelt replaced Gildersleeve.¹⁰³

¹⁰² State Department Memo, Alice McDiarmid to Alger Hiss (16 November 1945), Hiss papers, box 20, folder, "General Assembly."

¹⁰³ The U.S. appointed five full delegates and five alternate delegates. Truman's new Secretary of State, James Byrnes led the delegation, replacing Stettinius. Stettinius however took the second slot on the London delegation, as the new U.S. Ambassador to the United Nations, a position he resigned from in June of 1946. The other three full delegates were the Senators Arthur Vandenberg and Tom Connally, both also served at San Francisco. Eleanor Roosevelt was the fifth full delegate. Charles Eaton and Sol Bloom, both of the House of Representatives also again represented the U.S., but this time as alternate representatives. The Committee on Women in World Affairs made it clear to the State Department that the appointment of "a woman as an Alternate Representative would not be satisfactory." State Department Memo of Conversation (8 November 1945), Sandifer papers, box 12, folder, "Conferences and Participation of Women."

“Women May Not Consider the Weather When Men Are Writing Charters”

Pro-commission advocates took their struggle to London. There they labored to convince other UN delegations that the key to fostering postwar peace and prosperity included not only women’s participation, but also the creation of a separate women’s commission. Despite the fact that they did not gain Roosevelt’s endorsement, they were able to use the former first lady’s prestige to make their case.

When Eleanor Roosevelt left for the first General Assembly in London she worried about how her contributions would reflect on women in general. In her autobiography she recalled that she accepted her nomination with “fear and trembling.”¹⁰⁴ Commenting on her General Assembly appointment she noted:

I walked on eggs. I knew that as the only woman on the delegation I was not very welcome. Moreover, if I failed to be a useful member, it would not be considered merely that I as an individual had failed but that all women had failed, and there would be little chance for others to serve in the near future.¹⁰⁵

As Roosevelt’s reminiscence indicates, women delegates were highly conscious of their visibility.¹⁰⁶ Like Gildersleeve, Roosevelt emphasized her ability to be a good delegate. Unlike Gildersleeve, Roosevelt believed it appropriate for women delegates to comment on their status, particularly their lack of representation.

¹⁰⁴ Eleanor Roosevelt, *The Autobiography, of Eleanor Roosevelt* (New York: Da Capo Press, 1992, [Harper Collins, c.1961]), 299.

¹⁰⁵ *Ibid.*, 305.

¹⁰⁶ The press fostered the sense of women’s anomalous presence by highlighting differences between male delegates and their “feminine” counterparts. Articles often noted delegates’ views in passing, but dedicated the majority of their print to women’s physical descriptions. For example, one article described Bernardino as “very feminine. She loves frilly dresses and flowered hats. She always wears platform shoes on her tiny feet, which are undoubtedly the smallest at the U.N. General Assembly.” If columnists’ primary objective was to assure the public that these political women were not a threat, they surely succeeded. See for example, “Six Women Lead in UNO Assembly: Mrs. Roosevelt as Delegate is One of the Most Popular at London Sessions,” *New York Times* (14 January 1946), 16; “Men Delegates Talk Too Much, U.N.’s Feminine Bloc Says,” *Washington Post* (27 January 1946).

At the 1946 London General Assembly, feminist plenipotentiaries confronted two major issues: women's participation and the creation of the women's commission. While all women delegates and feminist activists agreed that the international community needed to increase the level of women's participation, they remained divided over the women's commission. Delegates opposed to the commission emphasized that women's participation and interest in the United Nations was key to the new organization's success. In contrast, pro-commission women tied the success of the new UN not only to increased participation of women, but to the establishment of the women's commission itself.

The primary concern for Roosevelt was not the women's commission, but increasing support for the UN and women's participation in it. Roosevelt believed that the latter would no doubt help bring about the former. At a press conference, the former First Lady announced that she would like to see more women represented because "the more women feel they are involved in the success of something, the more interest they take, and I think it is important that women as well as men take a deep interest in the success of this organization."¹⁰⁷ Likewise, Marie-Hélène LeFauchaux, a member of the French delegation who had been active in the French resistance, introduced a resolution that asserted: "Feminine participation should occupy a more important place in the various delegations to the next conference of United Nations."¹⁰⁸ The success of the United Nations demanded the broader participation of women. After a UN committee reviewed LeFauchaux's resolution, they concluded that it would be "inadvisable that the

¹⁰⁷ "United States Delegation, Memorandum of Press Conference held by Mrs. Franklin D. Roosevelt, Conference Room Grosvenor Square, 2:20 P.M., Tuesday, January 15, 1946," Eleanor Roosevelt Papers, box 4575, folder, "UN Publications, Refugee Proposals 1946," Franklin D. Roosevelt Presidential Library, Hyde Park, New York, Hereafter Roosevelt papers.

¹⁰⁸ Margaret Collins Weitz, *Sisters in the Resistance: How Women Fought to Free France, 1940-1945*, (New York: John Wiley and Sons, Inc., 1995), 175. UN Doc. A/Bur/27, (8 February 1946).

General Assembly should undertake to make any definite recommendations to delegations as to their composition.”¹⁰⁹ Protecting domestic jurisdiction garnered first priority; there could be no official resolution dictating women’s participation to sovereign governments. However, the committee did allot time for the women to make a joint statement to the General Assembly.¹¹⁰ To this end, the women delegates and advisors drafted the Open Letter to Women of the World.¹¹¹

The Open Letter based women’s claim to participation squarely on their wartime efforts and gendered responsibilities as mothers. On February 12, 1946, Eleanor Roosevelt read the “Open Letter to the Women of the World” in the General Assembly. Despite this title, their male colleagues were also a primary target audience.¹¹² The letter requested that male delegates encourage women to “share in the work of peace and reconstruction as they did in war and resistance.” It called on women to “train their boys and girls alike, to understand world problems and the need for international cooperation.”¹¹³ Roosevelt reminded the assembled delegates “that this new chance for peace was won by the joint efforts of men and women working for common ideals of human freedom.” States that prohibited women “by law from assuming the full rights of citizenship” did a disservice to both their national interests and the international

¹⁰⁹ UN Doc. A/46 (12 February 1946).

¹¹⁰ Ibid.

¹¹¹ At a meeting of the women delegates, hosted by Roosevelt, Dr. H. Verwey of the Netherlands suggested that the women might “send an appeal to the women of the world asking them to participate and take interest in the work of the UNO.” “Meeting of the Women Delegates and Advisors to the General Assembly, Called by Mrs. Eleanor Roosevelt, Tuesday, January 15, 1946 at 6:00 P.M., at 20 Grosvenor Square,” Roosevelt papers, box 4562, folder, “Miscellaneous Documents.”

¹¹² “Draft of Statement by the Women Delegates, Alternates and Advisors to the General Assembly of the UNO, January 30, 1946,” Roosevelt papers, box 4563, folder, “Miscellaneous Documents.”

¹¹³ Ibid.

community.¹¹⁴ Roosevelt asked for the cooperation of their colleagues in promoting women's participation.

While the women delegates were drafting the Open Letter, the WWP was building support for the women's commission by lobbying delegations. Commenting on their lobbying work, WWP activist, Amelia Himes Walker reported: "April in San Francisco or bleak January in London—women may not consider the weather when men are writing charters."¹¹⁵ In lobbying delegations, the WWP emphasized the necessity of the women's commission if the United Nations was to meet its aim of postwar peace. Roosevelt was committed to protective labor legislation, opposed the ERA, and therefore did not support the American NWP activists.¹¹⁶ The WWP sent its British member, Lady (Emmeline) Pethick Lawrence, to lobby Eleanor Roosevelt, distancing their advocacy for the special commission from any association with the American ERA debate.¹¹⁷ In her ten-point appeal to Roosevelt, Pethick Lawrence framed the request

¹¹⁴ UN Doc. A/46 (12 February 1946).

¹¹⁵ Amelia Himes Walker, "Mission to the First Assembly" (undated), Alice Paul Papers, box 101, folder 1320, Arthur and Elizabeth Schlesinger Library, Radcliffe Institute for Advanced Study, Harvard University, Cambridge, MA. Hereafter Paul papers. The WWP also tried to build support among British women's NGOs. Several of the British organizations had received materials from the Washington Committee, arguing against the commission. The WWP set out to change British women's minds. To counter criticism that it would marginalize women, the WWP representatives emphasized that they wanted a separate women's commission, but hoped that both men and women would serve on it. This shift seemed to sway several, but not all, organizations to the separate commission camp. Amelia Himes Walker to Alice Paul (17 January 1946), Paul papers, box 104, folder 1379. The British Affiliate of the Business and Professional Women's Club supported the idea along with several organizations that had worked with the NWP during to interwar years to oppose the ILO's protective labor stance

¹¹⁶ Additionally the NWP had vilified Roosevelt in the press when her husband removed Doris Stevens from the Inter-American Women, blaming the First-Lady and her protective legislation allies for the decision. Roosevelt's opposition to the ERA was reported widely. See Becker, *The Origins of the Equal Rights Amendment.*, 79. Her attitude toward the NWP is quite apparent in her "My Day" (1 June 1946) column. Roosevelt papers, box 3149, folder, "My Day, April-June 1946." See also Edith Goode to Alice Paul, (1 April 1946), NWP records, reel 175. For a concise account of Roosevelt's position on the ERA and her "pragmatic," but "ardent feminism" see Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York, Random House, 2001), 90-93.

¹¹⁷ Pethick Lawrence was technically the World Woman's Party President, but she was merely a titular head. Alice Paul continued to set the agenda for the NWP and the World Woman's Party. Aged

for the special commission not as necessary to agitate for women's rights, but to deal "with raising the status of women's citizenship in the backward countries, and inculcating in all women the same sense of public responsibility as practical citizenship that is common in Russia, the U.S.A and Britain and in many of the smaller nations."¹¹⁸ In other words, women in other countries needed the help of progressive, Anglo-American women so that they could fulfill their duty as citizens, not claim their rights as women. Likewise, speaking at a deputation to the chair of the Economic and Social Council, Rasawami Mudaliar, Pethick Lawrence argued:

This commission of men and women to lift the status of women throughout the world, will be one of the greatest influences which will bring about the ultimate aim of the United Nations Organization, to unite men and women, nations and races, in goodwill and cooperation and to check those instincts of greed and domination which lead to war. We believe that it [Commission on the Status of Women] will help to bring in the new era of Peace and Security and the ultimate advance of the whole race.¹¹⁹

The WWP argued that the women's commission was critical to the United Nations' ability to establish peace and security. Furthermore, the human rights commission would be insufficient. Pethick Lawrence explained: "We realize the problems of displaced persons, persecuted Jews, and economically exploited races are so immediate and urgent that status of women will inevitably fall to the background and be lost sight of unless they are dealt with by a special commission."¹²⁰ Nothing short of a separate women's

seventy-nine at the time of the London Assembly, Pethick Lawrence was a member of the old-guard of women's agitation against protective labor legislation for women. She was a founder of the British Open Door Council and its international arm the Open Door International.

¹¹⁸ Pethick Lawrence appeal to Eleanor Roosevelt, Roosevelt papers, box 4592, folder, "N-O-P, January 1946."

¹¹⁹ "Lady Pethick Lawrence Talks on Equal Rights," *Equal Rights* (April-March 1946), NWP records, reel 3.

¹²⁰ Ibid.

commission would adequately unite men and women in their efforts to build a new postwar era.

While the WWP worked to shore up support, so too did Minerva Bernardino. Bernardino was the only woman delegate from the San Francisco contingent present at London. Bertha Lutz's international presence went out the door with the populist Brazilian dictator Getúlio Vargas, who yielded to elections in the fall of 1945.¹²¹ Bernardino petitioned both old allies from San Francisco and new delegates to support Lutz's proposal for a separate women's commission. Bernardino quickly won over Bodil Begtrup, a social democrat from Denmark. Begtrup was one of the rare former League of Nations female (alternate) delegates; she also had a long record of activism with national and international women's NGOs. She was sympathetic to the assertion that only a women's commission—which was an integral part of the UN—would sufficiently promote and protect women's interests.¹²² At the same time, Bernardino and her WWP allies maintained the critical support of influential members of the small nations. Both Mudaliar of India and New Zealand's Peter Fraser, who had supported Bertha Lutz at San Francisco, extended their cooperation to the pro-commission alliance at London.¹²³ As the President of ECOSOC (Mudaliar) and the chair of ECOSOC's committee on social and humanitarian affairs (Fraser), both men were well-positioned to offer assistance.

¹²¹ When Vargas returned to power in 1952, he appointed Lutz as the Brazilian delegate to the Commission on the Status of Women.

¹²² Begtrup had not been at San Francisco, but had been briefed on the women's work by a Scandinavian colleague. Doris H. Linder, "Equality for Women," 168-170.

¹²³ Betty Gram Swing (NWP representative in London) to Alice Paul, (February, 1946) noted that "Peter Frazer (sic) will champion our cause as he did in San Francisco" Lady Pethwick Lawrence (World Woman's Party representative in London) to Alice Paul, (5 February 1946), "Mr. Peter Fraser, Prime Minister of New Zealand has offered to move the resolution from the floor of the Council to-morrow morning," NWP records, reel 175; Lillian Pascoe Rutter to Alice Paul (20 January 1946), Paul papers, box 104, folder 1379. While they had the help of these delegates, NWP activists also bemoaned the absence of General Smuts, Street and Bertha Lutz, exclaiming, "None of our friends are here!!!" Himes Walker to Alice Paul (17 January 1946), Paul papers, box 104, folder 1379.

Minerva Bernardino seized the opportunity presented by the Open Letter to advance the women's commission. After Roosevelt spoke, Bernardino eloquently praised the letter, but also decried the disparities between men and women's status internationally. She took the occasion to remind the Assembly of the Charter's promises of equal participation and equality, advancing them as "powerful reasons for women to demand the fulfillment of those principles." Bernardino insisted:

The status of women [committee] is so important, as it will contribute to the abolition of any existing discrimination by reason of sex, which retards the prosperity and the intellectual, social and political development of the nations of the world. In the name of the women from my country, who for many years have been enjoying the same privileges and rights that men enjoy, and in the name of the women from Latin America, and especially those from countries that still walk in obscurity, without the inherent rights to which the dignity of their sex, and their responsibilities as mothers of the race, should entitle them, I salute all the delegations here present for the full support they have given to our appeal.¹²⁴

Bernardino praised her progressive homeland (a necessary ritual for any delegate of Trujillo's regime) and claimed her authority as the IACW chair to argue for the women's commission on the basis of progress and women's maternal duties. The commission was essential to fulfill the charter's promise of equality and to advance an era of peace and prosperity.¹²⁵ Peter Fraser closed the Open Letter discussion by declaring that the Economic and Social Council had been "keenly aware of the importance of establishing a sub-commission on the status of women." One would indeed be established.¹²⁶ The activists had finally won their struggle.¹²⁷

¹²⁴ Ibid.

¹²⁵ Bernardino did not refer to a "commission of women," but she did maintain Lutz's original proposal to establish a separate committee under the Commission of Human Rights.

¹²⁶ UN Doc. A/SR.46 (12 February 1946).

¹²⁷ The pro-commission proponents' victory had come despite the fact that Frieda Miller served as Roosevelt's London advisor and had been working to advance the Washington Committee's objectives. Miller attempted to sway Roosevelt on the issue of the separate women's commission, advising Roosevelt that the creation of a technical committee to safeguard women's interest was preferable to a committee

The Economic and Social Council's resolution that established the sub-Commission on the Status of Women (SCSW) reflected everything that mainstream U.S. women's organizations had tried to resist. Kenyon and others had cabled a joint resolution to the United Nations: "We urge that it be a committee of experts, whether men or women, in preference to a committee of women."¹²⁸ Kenyon, as a former League committee expert, drafted a personal appeal, arguing that the "new committee" should continue and expand the League's study.¹²⁹ Yet ECOSOC's resolution establishing the commission included the names of nine women—no men—that would serve on a "nuclear" commission on the status of women. The nuclear sub-commission would make recommendations about the permanent sub-commission, including its composition, objectives, program of action, and its relationship to other UN bodies and non-governmental organizations. The sub-commission's parent body, the Human Rights Commission (also at this point a "nuclear" commission) would hear their report and make its own recommendations to the Economic and Social Council. After this, the SCSW terms would be set. In short, the sub-commission had the potential to define women's human rights for the international community and the power to shape the future of UN women's activism. Furthermore, the list of SCSW delegates did not include a single U.S. or British woman. An NWP observer, who also had been at the San Francisco

composed of women. Fully aware of the support Bernardino and others had garnered, Miller wrote from London to inquire as to whether women's organizations were "unalterably opposed" to having women's issues addressed under the Human Rights Commission. Frieda Miller to Eleanor Roosevelt, (15 January 1946), Roosevelt papers, box 4562, folder, "M-December 1945-January 1, 1946." Roosevelt dutifully took the State Department's line and questioned the necessity of a separate commission. "United States Delegation, Memorandum of Press Conference held by Mrs. Franklin D. Roosevelt, Conference Room Grosvenor Square, 2:20P.M., Tuesday, January 15, 1946," Roosevelt papers, box 4575, folder, "UN Publications, Refugee Proposals 1946." Frieda Miller to Mary Cannon (21 January 1946), Kenyon papers, box 55, folder 10.

¹²⁸ Cable to President Mudaliar of the Economic and Social Council through Frieda Miller, (11 February 1946), Frieda Miller papers, box 7, folder A-37-143.

¹²⁹ Kenyon to Mudaliar, (19 February 1946), Kenyon papers, box 55, folder 10.

conference, speculated about the exclusion of Anglo-American women, “remembering the performance of the women representatives of those [U.S. and Great Britain] countries it occurred to me that the omission of them this time was with design and perhaps a good design.”¹³⁰

“An Educational, Rather than a Protagonistic Approach”

Mainstream U.S. women’s groups believed that the pro-commission activists’ success at London demanded an immediate response. While no U.S. (or British) woman had been appointed to the “nuclear” commission, and American women’s NGOs had opposed its very existence, they had no intention of being excluded. In March of 1946, just as she had six months earlier, Kenyon boarded the train from New York City to Washington D.C. She and her Washington Committee colleagues would, once again, make a claim to leadership and attempt to define the commission’s composition, purpose, and work. The Washington Committee’s proposals for the SCSW reflected their commitment to an advisory and educational—not activist— commission. They recognized that they faced several obstacles, but also enjoyed one significant advantage. The State Department had requested that women’s NGOs offer “authoritative information on possible courses of action.”¹³¹ To provide the requested “authoritative information,” the Washington Committee sought to once again build a consensus on the UN’s approach to women’s human rights. To do so, they held a series of meetings that culminated in a large gathering of NGOs where they presented their recommendations to the State Department.¹³² With the endorsement of mainstream U.S. women’s groups, the

¹³⁰ Edith Goode to Alice Paul (1 April 1946), NWP papers, reel 175.

¹³¹ Rachel Nason to Constance Williams (21 March 46), Frieda Miller papers, box 7, folder A-37-143.

¹³² Kenyon, representatives from the Big Four and the Women’s Bureau first convened a slightly expanded version of the Washington committee to craft new proposals. They aimed for the appearance of

Washington Committee hoped to convince the State Department that their position represented the aspirations of millions of American women. U.S. women's organizations had the ear of their government. If properly orchestrated, they stood to have its power behind them as well.

The Washington Committee's discussion of the sub-commission's delegates reveals their sense of cultural and national superiority; they were both frustrated and alarmed at their exclusion. The sub-commission on the Status of Women (SCSW) included Minerva Bernardino, Bodil Begtrup and women from France, Chile, India, China, Lebanon, Poland and the Soviet Union.¹³³ Despite Bernardino's long leadership in inter-American circles and her status as a full plenipotentiary at both San Francisco and London as well as Begtrup's experience at the League of Nations, the NGOs commented that the sub-commission members were "not a very remarkable group." Furthermore, the women seemed simply aghast at the appointment of Gabriela Mistral, who had only recently won a Nobel-Prize for her poetry. One member wondered out loud: "Why should a poet be on it?" Did the Economic and Social Council simply pull out any "name that popped into their head?" With the exception of Begtrup and

diversity, inviting the National Council of Negro Women, two Catholic women's organizations and the National Council of Jewish Women. They also met periodically with State Department officials before the NGO conference. Meeting with the State Department insured that the Washington Committee's recommendations were in line with U.S. objectives and there would be no embarrassing priority reversals. Rachel Nason to Frieda Miller (25 March 1946), Women's Bureau records, box, 8, folder C-G-1-1; Constance Williams to Frieda Miller (25 March 1946), Frieda Miller papers, box 7, folder A-37-143. Once again, the Washington Committee meticulously coordinated the consensus-building meeting of the large group of NGOs. The Washington Committee pre-formulated their suggestions for the sub-commission and the meeting's agenda listed their detailed recommendations. The NGO meeting would convene at a morning session to gain endorsement and then be joined by State Department representatives for the afternoon session. Frieda Miller, "to encourage prompt attack" in the morning session would "read [the] Recommendations only. Ask for discussion [and] return to [the] comment paragraph only if questions develop." Rachel Nason to Frieda Miller (17 April 1946), Frieda Miller papers, box 7, folder A-37-143.

¹³³ UN Doc. E/20 (16 February 1946) and E/27 (18 February 1946). The commission included: Begtrup-Denmark, Bernardino-Dominican Republic, Jurdak-Lebanon, Amrit-Kaur, replaced by Mehta-India, Mistral-Chile (resigned), Vienot replaced by LeFauchaux-France and Wu replace by New-China. Poland later appointed Kalinowska, but the Soviet Union never sent a delegate

Bernardino, the members had little-to-no knowledge of the others as feminist “experts.”¹³⁴

Ever the lawyer, Kenyon identified the lack of a representative from a common-law country as a primary deficiency. While she recognized that English-speaking nations that practiced common-law did not represent the “largest population” they were the “most powerful.” Their lack of representation effectively rendered Great Britain, Australia, New Zealand, Canada, and the United States voiceless. Others noted that none of the delegates held law degrees. In their recommendations to the State Department, Kenyon argued that the future sub-commission should be representative “geographically [and] culturally” and selected “on the basis of differences in legal systems.” She insisted that the lack of common law representation was a “weakness [that needed] to be remedied.”¹³⁵ Kenyon summed up their criticism of the nuclear commission: “It isn’t a committee of experts and it isn’t a representative committee of the world.”¹³⁶ Experts, apparently, consisted solely of the same women who had dominated women’s interwar activism. In short, experts were Anglo-American women.

Mary McLeod Bethune, President of the National Council of Negro Women, the only African-American women’s group represented, noted the ethnocentric tone of the meeting’s leaders. She questioned the degree to which the committee was actually concerned with the opinion of the “6 ½ million brown American women in the

¹³⁴ At the meeting, representatives speculated about the other women. A few seemed familiar with Angela Jurdak of Lebanon and New of China, both of who were living in the United States at the time. Mary Leach Notes, “Conference of Women’s Organization,” (29 March 1946), Women’s Bureau records, box 8, folder C-G-1-2.

¹³⁵ “Report of the Conference between Representatives of National Women’s Organizations and members of Staff of Department of State,” National Council of Negro Women records, series 5, box 34, folder 9, Mary McLeod Bethune Council House, National Historic Site Records Collection, Washington D.C. Hereafter NCNW records.

¹³⁶ Mary Leach Notes, “Conference of Women’s Organization,” (29 March 1946), Women’s Bureau records, box 8, folder C-G-1-2.

international and national [NCNW].”¹³⁷ When her colleagues on the committee stressed the need for the sub-commission delegates to have technical legal expertise, Bethune objected. She agreed that the committee needed to have “representative membership,” but argued that the delegates needed “not only brains, but soul...technical ability had to be balanced with social consciousness.” Bethune jotted in her personal notes: “[The] apparent assumption [was] that the sub- committee members were not expert merely because the women present did not know about them.” She concluded that this was “a rather illogical basis for conclusions of any kind.”¹³⁸

It was not the first time Bethune challenged her colleagues. At a previous meeting, the NGOs had discussed the importance of U.S. leadership at the international level. Bethune reminded the women leaders that “in order to gear ourselves for international cooperation we must have the courage to clear up such issues here in the United States as the poll tax. Otherwise, we may be the laughing stock of foreign countries.”¹³⁹ While one colleague supported Bethune’s statement, the committee quickly moved on to the next agenda item.¹⁴⁰ The exchange illustrates U.S. women’s hesitancy to link the struggles for gender inequality with that of race. It was position that would later facilitate U.S. officials’ ability to promote human rights policies at the UN that sought to promote (white) women’s rights while simultaneously avoiding criticism of endemic racial injustice.¹⁴¹

¹³⁷ Mary Leach Notes, “Conference of Women’s Organization,” (29 March 1946), Women’s Bureau records, box 8, folder C-G-1-2.

¹³⁸ “Mary M. Bethune Notes on the March 29th Meeting,” NCNW records, series 5, box 34, folder 9. Emphasis in the original.

¹³⁹ Minutes of the Conference Meeting (19 September 1945) Women’s Bureau records, box 8, folder C-G-1-1.

¹⁴⁰ Mary Leach Notes, “Conference of Women’s Organization,” (29 March 1946), Women’s Bureau records, box 8, folder C-G-1-2.

¹⁴¹ See Chapter Five.

Further evidence of the NGOs' tendency to distinguish between race and gender equality struggles is evidenced in their position on U.S. representation. Since ECOSOC had already named the nuclear commission, the NGOs queried Women's Bureau director Frieda Miller about demanding the addition of an American woman, noting that their British counterparts had done so. Miller informed the group that the U.S. delegation was allowed to choose seats on only three commissions. They did not select the women's commission as one that required American representation. To demand a position on the nuclear commission, at this point, would likely embarrass the U.S. government and was, therefore, unadvisable.¹⁴² Yet Eleanor Roosevelt held a seat on the nuclear Commission on Human Rights. As the supervisory body, human rights commission delegates were entitled to ex-officio seats on the women's sub-commission. Mrs. Roosevelt could therefore sit on the SCSW. But the NGOs did not understand Roosevelt's work on racial justice issues as qualifying her to represent women's interests.¹⁴³ The Women's Bureau noted that although Roosevelt was "sympathetic" to the "status of women" and held a strong anti-ERA position, she was "more interested in the problem of race."¹⁴⁴ Yet, if provided with a women's advisor, Roosevelt—given her prestige—would be an acceptable alternative. Frieda Miller, Roosevelt's advisor in London, volunteered to pursue this option with the State Department. Roosevelt was a better alternative than no representation at all.

For the Washington Committee, the Dominican Minerva Bernardino and the Danish delegate, Bodil Begtrup, presented the greatest challenge to the lack of U.S.

¹⁴² "Mary M. Bethune Notes on the March 29th Meeting," NCNW records, series 5, box 34, folder 9.

¹⁴³ For a work that distinguishes between Roosevelt's racial justice work domestically and her failure to do so internationally see Carol Anderson, *Eyes Off the Prize*.

¹⁴⁴ Rachel Nason to Constance Williams (21 March 46), Frieda Miller papers, box 7, folder A-37-143.

representation. The Washington group saw Bernardino as under the NWP's influence, and given her tenure on the IACW, likely to push for a commission of direct activity. While Bernardino had abandoned the international equal rights treaty at the Chapultepec, San Francisco and London conferences, she had reportedly been spending "much time" with members of the NWP. U.S. women's groups feared that Bernardino would again take up the issue of an international equal rights treaty.¹⁴⁵ The Sub-commission could offer her a venue to do so. The social democrat, Bodil Begtrup had cooperated with Bernardino and activists in London to push for the commission. Begtrup was a member of the International Alliance of Women (IAW), an organization affiliated with the U.S. League of Women Voters. Begtrup proved her political acumen by convincing the international leadership to go against the U.S. branch and support the separate women's commission.¹⁴⁶

The Washington Committee once again argued that the situation at the United Nations required the experienced leadership of U.S. women. Kenyon informed State Department policy makers that given their "experience under the League [of Nations]," they had unique insight into the sub-commission's potential problems. Their paternalistic statement to the State Department read:

The women of the United States are urgent that women throughout the world be freed from their traditional discriminations. In comparison with many other countries the women of the United States are in a fortunate position...for this reason, they have a keen sense of responsibility, and the responsibility of their country, to take leadership and furnish support for prompt and energetic action

¹⁴⁵ Women's Bureau Office Memo Nason to Miller, "RE: Meeting with Hiss October 12, 1945," Women's Bureau records, box 8 folder C-G-1-1; "Round Table Conference of Women's Organizations convened the British BPW. Subject: The pros and cons of the Establishment of a Commission of Women under ECOSOC in the UN," Frieda Miller papers, box 7, folder A-37-154 British Correspondence.

¹⁴⁶ Doris H. Linder, "Equality for Women," 168-173.

to “promote...fundamental freedom for all without distinction as to...sex.”¹⁴⁷

With sincere intentions, the Washington Committee asserted the import of U.S. women’s leadership. American women believed they were in a position to uplift women around the world. Indeed, both they and their country had a responsibility to do so.

While the NGOs agreed on the necessity of U.S. women’s leadership, they again evaluated the pros and cons of an activist sub-commission. Their discussions reflect the tensions between U.S. feminists’ efforts to distinguish political and civil rights from economic and social rights. Frieda Miller seemed hesitant to give the sub-commission any power to make recommendations. Miller, who had frequently served as a U.S. delegate to the ILO, warned against the sub-commission engaging in too much “independent work.” For Miller, who had witnessed the chaos at London and knew that procedural uncertainty still reigned in the nascent United Nations, granting the commission authority to make recommendations set a potentially dangerous precedent. Miller informed the commission that while the current lack of precedent actually gave them a unique opportunity to shape procedure, danger lurked in establishing poor ones. Miller argued that establishment of all international standards should be done based on the ILO model, which began with lengthy consultation with member states, followed by a detailed technical study on which recommendations would then be based. The “job of actual implementation” she reminded the NGOs should be left to “each nation [and] to national groups.”¹⁴⁸ In other words, the sub-commission should not attempt to propose standards that suggested women had rights outside the framework of the nation-state. Anna Lord Strauss of the League of Women Voters agreed that the “sub-commission

¹⁴⁷ “Suggestions and Recommendations for the United States Sub-Commission on the Status of Women,” (25 April 1946), Women’s Bureau records, box 9, folder C-G-1-3. Ellipses in original.

¹⁴⁸ Mary Leach Notes, “Conference of Women’s Organization,” (29 March 1946), Women’s Bureau records, box 8, folder C-G-1-2.

[should] do a minimum” and work primarily through specialized agencies, such as the ILO. Strauss argued that women “weaken our own stand as women if we do things as women per se.”¹⁴⁹ If the sub-commission assumed an educational instead of an activist role, the task of making arguments on behalf of women as a social group would be left to specialized agencies. According to this plan, women would not be required to diminish their political capital struggling to improve women’s status.¹⁵⁰

Kenyon, however, drew attention to the difference between promoting women’s economic and social rights and their political and civil ones. While the ILO existed to establish standards for economic and social rights, the UN had no corollary outside the human rights commission to advance women’s political and civil rights. She proposed that in areas where no specialized agencies existed, such as one on women’s political and civil rights, the women’s commission should feel free to set “black and white” standards.”¹⁵¹ They could, in turn, insist that the human rights commission follow specific standards. For Kenyon, there was no danger in permitting action on women’s civil and political status; these were clearly applicable to men and women alike. Identity of treatment in these fields was welcome. Political and civil rights stood in contrast to women’s social and economic rights, where the rights and responsibilities of (potential) mothers demanded equity, but not “equal” or identical legal treatment. On the matter of civil and political rights an activist commission, even if swayed by members of the NWP, represented no threat.

¹⁴⁹ Mary Leach Notes, “Conference of Women’s Organization,” (29 March 1946), Women’s Bureau records, box 8, folder C-G-1-2.

¹⁵⁰ “Preliminary Draft Agenda for Discussion on March 29, 1946,” (undated), Frieda Miller papers, box 7, folder A-37-143. The same was true for United Nations Educational, Scientific, and Cultural Organization (UNESCO). The women’s commission might prompt UNESCO to complete a study on women’s educational opportunity, but UNESCO retained responsibility for action. “Preliminary Draft Agenda for Discussion on March 29, 1946,” (undated), Frieda Miller papers, box7, folder, A-37-143.

¹⁵¹ Mary Leach Notes, “Conference of Women’s Organization,” (29 March 1946), Women’s Bureau records, box 8, folder C-G-1-2.

The NGOs' final recommendations privileged an educational instead of an activist sub-commission role, but also acknowledged the necessity of political and civil rights work. Kenyon acted as the NGOs' spokesperson and "summarized the consensus" for the State Department. The former League of Nations expert stated that American women wanted a program of "fact-finding, dissemination of information and standard setting." But she qualified this statement by arguing that the "fundamental objective" of the commission should be to cooperate and improve the "efficiency" of other UN commissions and specialized agencies. If "necessary" the sub-commission could "work out with them [specialized agencies] new procedures and standards." Kenyon sought the assistance of the State Department in promoting American women's objectives at the United Nations:

This group recognizes that this basic concept [education and support] may not be universally accepted...a position may be advanced which would emphasize a Sub-commission program of direct activity...Such a position in the view of the group, would be exceedingly unfortunate. An educational, rather than a protagonistic approach, should be the goal."¹⁵²

The NGOs wanted U.S. assistance in preventing an activist commission. To counter any "protagonistic" approach advocated by the sub-commission delegates, NGOs argued that the U.S. should sponsor their recommendations at the United Nations.

The NGOs' list of sponsored recommendations reveals their persistent effort to shape UN women's human rights policy and their decision to restrict the commission's efforts to civil and political rights initiatives. Furthermore, for safe measure, U.S. women labored to limit even civil and political rights work to merely educational activities. First, the NGOs argued that the League study be resumed, expanded to include the study of the law in both theory and practice, and kept up-to-date. Armed with the accurate

¹⁵² "Meeting of Representatives of National Women's Organizations, March 29, 1946-Washington D.C.," Roosevelt papers, box 4593, folder "Documents 1945-1950 Sub-Commission on Status of Women."

information, U.S. women could identify where their assistance was most urgent. Second, international women's conferences should be convened. NGOs could guide the development of the sub-commission's program. American women's NGOs wanted to participate in setting the commission's agenda regardless of who served as official delegates. Third, educational assistance should be offered to recently enfranchised women. Central to this objective was the need "to equip women, through suffrage and participation in political life, to maintain their status and to carry effectively their responsibilities as individuals and citizens." The U.S. League of Women Voters had established such a voter education program and would forward the necessary materials to the UN for their distribution commission delegates. They limited the commission's work on economic and social rights to "review and appraisal of operating agencies (ILO, UNESCO, etc.)."¹⁵³ In other words, the NGOs wanted the commission to focus their efforts on rights American women already possessed. Having reached a consensus on the program of the sub-commission, the NGOs hoped the State Department would rubberstamp their proposals. But unexpected challenges emerged.

The Washington Committee soon found itself in the awkward position of having to argue for the sub-commission's right to direct activity, while simultaneously opposing an activist commission. In their meeting with State Department representatives, one official noted that while not wishing "to discourage" the women, the sub-commission

¹⁵³ "Suggested Outline for Informal Conference of Women's Organizations on United Nations Sub-Commission on the Status of Women," (11 April 1946), Women's Bureau records, box 9, folder C-G-1-3. A subsequent policy recommendation acknowledged that establishing the commission's terms of reference would "require time and careful review." Nonetheless, American women's organizations expected "that [an] opportunity would be given for review and comment on proposals before the [the] final recommendation is made by the Sub-commission." "Suggestions and Recommendations for the United Nations Sub-Commission on the Status of Women (25 April 1945), Women's Bureau records, box 9, folder C-G-1-3;" Mary M. Bethune Notes on the April 17th Meeting," NCNW records, series 5, box 34, folder 9. In December of 1946 the League of Women Voters submitted a "Report on how the League of Women Voters has helped U. S. women to use the franchise granted to them in 1920" to the United Nations as a guide for female voter education. Frieda Miller papers, box 7, folder A-37-143.

was “limited by Charter to making studies and reporting.”¹⁵⁴ Although the Washington Committee wished to circumscribe the sub-commission’s activities, they objected to the government’s limited interpretation. The League of Women Voters representative argued that Article 68 of the Charter required ECOSOC to promote human rights. Thus, if women “worked for” the sub-commission’s empowerment, it could endeavor as far as the “power Council itself.”¹⁵⁵ Kenyon, who advocated for the commission to take action on women’s political and civil rights, defended the Commission’s right to perform all the functions that the NGOs proposed.¹⁵⁶ An NWP activist—present as a Women’s International League for Peace and Freedom representative—noted the shift between the morning NGO meeting and the afternoon session with State Department officials. She wrote: Kenyon “made a more forceful presentation of the purpose of the SCSt [Sub-commission on the Status of Women] than I expected her [to] do from her remarks in the morning.”¹⁵⁷ She noted: “I had the feeling she [Kenyon] was getting the young man told... They certainly know that women are not going to take no as the answer.”¹⁵⁸ U.S. women would not cede complete control of the work of the sub-commission to either the State Department or to a group of women they believed lacked adequate expertise.

U.S. women’s groups also addressed their lack of representation. While the organizations indicated that they would be “pleased” to have Mrs. Roosevelt represent them in the interim, they insisted that “the United States should press” for membership on

¹⁵⁴ Edith Goode to Alice Paul (18 April 1946), NWP records, reel 175.

¹⁵⁵ “Report of Conferences Between Representatives of National Women’s Organizations and Members of the Staff of the Women’s Bureau and the Department of State,” (17 April 1946), NCNW records, series 5, box 34, folder 9.

¹⁵⁶ Edith Goode to Alice Paul (18 April 1946), NWP papers, reel 175.

¹⁵⁷ Edith Goode to Alice Paul (18 April 1946), NWP papers, reel 175.

¹⁵⁸ Edith Goode to Alice Paul (18 April 1946), NWP papers, reel 175.

the permanent commission.¹⁵⁹ Miller had assured the NGOs that the permanent sub-commission would most likely have broader representation than did the nuclear one. They could lobby for a seat at that juncture. The League of Women Voters' president, Strauss, suggested that they reserve their political capital with the State Department and not press for a place on the women's commission. It simply wasn't necessary: "We don't need to claim it because they [the sub-commission] will come to us anyway."¹⁶⁰ Yet, Strauss was in the minority. The majority of members insisted that a U.S. woman be appointed on the permanent commission. Miller assured the women that "no doubt if the U.S. wants membership they can have it." The task would not be persuading the UN, but to convince the State Department of its necessity.¹⁶¹

For mainstream women's groups, Dorothy Kenyon's demonstrated leadership at the NGO meetings, legal expertise, and experience at the League of Nations made her the unanimous choice to represent the U.S. Kenyon's name had been circulating in feminist circles as a potential delegate since the announcement of the women's commission. When the representatives left the last meeting, they went back to their offices and began writing letters to the State Department. They demanded U.S. representation on the permanent commission and enthusiastically endorsed Kenyon for the job.¹⁶²

Washington Committee members also concerned themselves with the nomination of non-

¹⁵⁹ Women's Bureau, "Suggestions and Recommendations for the United Nations Commission on the Status of Women, (25 April 1946), NCNW records, series 5, box 34, folder 9.

¹⁶⁰ "Mary Leach's Notes on the March 29th Meeting," Women's Bureau records, box 8 folder C-G-1-2.

¹⁶¹ The U.S. delegation could only make three requests for slots on commissions, they did not use one of those for the SCSW. See Frieda Miller's explanation, Mary Leach Notes, "Conference of Women's Organization," (29 March 1946), Women's Bureau records, box 8, folder C-G-1-2.

¹⁶² There are dozens of letters to the State Department recommending Kenyon (and several nominating both Kenyon and Miller) in the General Records of the Department of State, Records Group 59, National Archives and Records Administration, College Park, MD decimal files, 501.BD 1-149 to 4-3047. Hereafter State Department decimal files.

U.S. commission members. In evaluating potential nominees activists carefully considered each woman's ideological position. Those who held similar views on protective labor legislation were endorsed. Those who supported the international equal rights treaty were not.

The Washington Committee representatives were not the only ones to aggressively promote like-minded candidates. Quite unsurprisingly, NWP activists responded with their own nominees. One NWP activist who had been at San Francisco, wrote Alice Paul, informing her that the Committee on Women in World Affairs had selected Kenyon as the nominee of choice. She asked: "How can we by-pass all this pressure for a protective law advocate?" The NWP activist suggested that Paul would make the best delegate but that her appointment "could only be achieved through the support of other countries' representatives; and there it would run up against Mrs. Roosevelt's opposition."¹⁶³ Another NWP activist suggested that their strategy should be to "turn our attention from persons to principles."¹⁶⁴

The principles the NWP activist referred to centered on how the sub-commission would define equality and deploy "equal rights" language. The positions held by NWP activists and mainstream women's organizations reflect their different visions for promoting the human rights of women. NWP activists believed that adopting general statements of principles set precedents that could be used as evidence for action. Indeed, activists began to repeatedly refer to the UN Charter's statement of equal rights to ground their rights claims. A strong statement of equality by the sub-commission would offer new hope that these principles would be enforceable at the international level. In an article for the *Independent Woman*—the news magazine of the Business and Women's

¹⁶³ Edith Goode to Alice Paul (1 April 1946), NWP records, reel 175.

¹⁶⁴ Alice Morgan Wright to Alice Paul (20 April 1946), NWP records, reel 175.

Professional Clubs—a writer sympathetic to the goals of the Woman’s World Party argued that the work of the women’s commission paved the way for implementing the principle of equality throughout the United Nations:

Now the Commission on the Status of Women may submit reports for formulation into international treaties. It is the hope of the World Woman’s Party and of all women everywhere working to raise the status of women that it will be possible to put before the Assembly of the United Nations the Equal Rights Treaty.¹⁶⁵

The NWP activists hoped to advance the equal rights treaty. They would promote equal rights language when at all possible.¹⁶⁶

The specter of the equal rights treaty coupled with the real potential for international enforcement put the Women’s Bureau and their NGO allies on notice. For Kenyon and the Washington Committee, blanket statements of equality did not sufficiently distinguish between women’s political and civil rights and their economic and social ones. Instead, the surest route to promoting women’s rights was by specific action: a study, a conference, and programs in coordination with the ILO and UNESCO.¹⁶⁷ The international arena was useful for standard setting, for creating as, Kenyon argued, a “measuring rod.”¹⁶⁸ But enforcement, particularly of women’s economic and social rights, should remain at the national level. After attending a human rights commission session, a Women’s Bureau staffer issued a memo, warning that there

¹⁶⁵ Katherine Gault, “Women in the U.N.: Question of “Equal Rights” Bids Fair to Come Before All Countries in Treaty Form,” *Independent Woman* (1946).

¹⁶⁶ For instance the NWP successfully convinced the SCSW delegates to modify a statement on women’s health to include women and men. Nason to Sater (16 May 1946), Women’s Bureau records, box, 10, folder C-H-4-1-2-3.

¹⁶⁷ Edith Goode, NWP member present at the April 17th Washington Committee meeting under the auspices of WILPF noted: “At no point was there a statement of the ends or objectives of all this—principles or of the business of bringing in the member nations into conformity with the Charter, the U.S.A. or any other.” Edith Goode to Alice Paul (18 April 1945), NWP records, reel 175.

¹⁶⁸ Mary Leach Notes, “Conference of Women’s Organization,” (29 March 1946), Women’s Bureau records, box 8, folder C-G-1-2.

was an emphasis on implementation and that “it suggests that...a statement on the freedom of women might be enforceable at the international level.”¹⁶⁹

Protective labor law advocates tried to warn SCSW delegates that the specific language of equal rights was potentially disastrous and sent the commission reports on the legal implications of the term for American working women.¹⁷⁰ The Washington Committee became certain that the NWP had “convinced [the] Sub-Commission that the organizations which do not agree with them cannot be trusted to develop equal rights.” They urged the NGOs to “emphasize” that they too had “devotion to equality for women” in all their interactions with the sub-commission.¹⁷¹ The Women’s Trade Union League leadership volunteered “to have a talk with Mrs. Bodil Begtrup, making it clear to her that we too are for equal rights, but to distinguish it from the Woman’s Party brand of equal rights.”¹⁷²

Mainstream women’s NGOs, therefore, had no intention of leaving the sub-commission entirely in the hands of Roosevelt or the State Department. The State Department had endorsed the Washington Committee’s policy proposals and sent the agenda to the UN Assistant Secretary General for consideration. Miller also forwarded the NGOs “Suggestions and Recommendations” to Roosevelt, which served as the basis of her position paper at the sub-commission meetings.¹⁷³ Yet, to oversee the work and

¹⁶⁹ Rachel Nason to Women’s Bureau Staff Interested (undated, but likely 1 May 1946), Women’s Bureau records, box, 10, folder, C-H-4-1-2-3.

¹⁷⁰ Nason to Sater, (22 May 1946), Women’s Bureau records, box15, folder “UN Commission on the Status of Women.”

¹⁷¹ Nason to Sater, (4 May 1946), Women’s Bureau records, box 10 folder C-H-4-1-2-3.

¹⁷² WTUL letter from Elisabeth Christman to Helen Sater, (6 May 1946), Women’s Bureau records, box 15, folder UN Commission on Status of Women.

¹⁷³ Letter to the Honorable Henri Laugier from the U.S. Representative to the United Nations (25 April 1946), Department of State Decimal Files, 501.BD-Women/5-746. Frieda Miller letter to Eleanor Roosevelt, April 25, 1946. Frieda Miller papers, box 7, folder A-37-143. The State Department’s official

keep an eye on the sub-commission sessions, the Women's Bureau also appointed its own official observer, Helen Sater. The Bureau pulled Sater from her responsibilities as a regional representative to take the new assignment.¹⁷⁴ She was to develop a relationship with the delegates, transmit all breaking developments and file regular reports on the SCSW's activities. The Women's Bureau would, in turn, disseminate all pertinent information to the NGOs.¹⁷⁵ As the SCSW session opened in New York City, American women's organizations took their place in the spectators' seats. The stakes were high and the tensions ran deep.

**“Some of Us Felt that the Report...
Covered Too Much Ground”**

The ideological and strategic differences among American women's organizations quickly erupted at the sub-commission meetings. Helen Sater, the Women's Bureau observer, reported on the very first session:

Alice Paul cornered me after the session and put on quite a show. I've never seen anyone quite so angry (mad is the word). She certainly flayed the Women's Bureau and its Director. She wondered why the Bureau should have an observer at the Sub-Commission meetings when for 26 years we had concentrated on defeating equal rights for women, etc. etc. etc., etc. Then she said that for the Director of the Women's Bureau to appear at a hearing against equal rights was propaganda and illegal etc. etc.¹⁷⁶

position paper and recommended agenda in Roosevelt's papers are nearly identical to the Washington Committee's position paper. Roosevelt papers, box 4593, folder f.

¹⁷⁴ Rachel Nason to Helen Sater (18 April 1946), Women's Bureau records, box 10, folder, C-H-4-123.

¹⁷⁵ Women's Bureau Office Memo to Mrs. Sater from Mrs. Nason, April 18, 1946. RE: Observations of sessions of UN Sub-Commission on Status of Women. Women's Bureau records, box 10, folder C-H-4-1-2-3.

¹⁷⁶ Memo to Frieda Miller from Helen Sater, RE: Observation of sessions of Sub-Commission on Status of Women #3—Strictly Confidential, (30 April 1946), Women's Bureau records, box 10, folder C-H-4-1-2-3.

Congress had recently held hearings on the Equal Rights Amendment and Alice Paul's rebuke highlights the degree to which American women's organizations linked the domestic ERA struggle with the potential of the SCSW's international work. The Washington Committee's ties to the Women's Bureau—and the degree of legitimacy it lent the anti-equal rights contingent—clearly frustrated Paul and NWP members. They contacted the State Department to register their dissatisfaction about the Women's Bureau's presence at the sub-commission meetings. For them, it represented unjustified government interference.¹⁷⁷

In an effort to influence sub-commission members the competing U.S. NGOs played the media and jockeyed for access to the delegates. Although all of the observers at the meeting were U.S. women, National Woman's Party members used their Woman's World Party moniker with the press, contrasting their international position with the purely domestic orientation of the allied Women's Bureau NGOs.¹⁷⁸ In turn, the Women's Bureau instructed the Washington Committee NGOs to emphasize their own international affiliations with the media.¹⁷⁹ In New York to assist Helen Sater, another Women's Bureau representative, Rachel Nason, warned that The Woman's Party was present “in force...with Alice Paul as General...apparently set to prevent Mrs. Sater or me from talking personally with any members of the Sub-commission.”¹⁸⁰ Indeed, their

¹⁷⁷ Department of State Memorandum of Conversation. Subject: Nominations for the U.S. Representative on the Commission on the Status of Women. Participants: Miss Alice Paul, Chairman, World Council of the NWP, Mr. Mulliken (30 August 1946), Department of State Decimal Files, 501.BD-Women/8-3046.

¹⁷⁸ Lucy Greenbaum, “Women of World Urge Rights on U.N.,” *New York Times*, (3 May 1946), 6.

¹⁷⁹ Mary Robinson to Frieda Miller (3 May 1946) Women's Bureau records, box 21, folder International UN 1946; Women's Bureau Memo Rachel Nason to Helen Sater (4 May 1946), Women's Bureau records, box 10, folder C-H-4-1-2-3.

¹⁸⁰ Rachel Nason to Women's Bureau Staff interested (undated), Women's Bureau records, box 10, folder C-H-4-1-2-3.

allies were “discouraged [from attending] at previous meetings ...by a crowd of [NWP] women at the door.”¹⁸¹ The NWP had an uncanny ability to rally activists, giving the appearance of a broader base of support. Alice Paul had actually tried to reserve seats at the commission meetings exclusively for the NWP.¹⁸² Nason alerted her colleagues that the NWP was going so far as to follow commission delegates “to and through their hotels.”¹⁸³ Sater cautioned, “...I think they [the NWP] are doing some clever behind the scenes work with other strategic people at the U.N. I’d like to put a detective on to trail them.”¹⁸⁴ She lamented that “there were no representatives of Women’s Organizations present with, what could be termed the Women’s Bureau point of view, with the exception of Dorothy Kenyon.”¹⁸⁵

Kenyon was, however, an influential ally. Her status as a League expert positioned her as an insider with the other SCSW delegates. The UN Assistant Secretary General paid tribute to Kenyon’s League of Nations work in his opening remarks. After the first meeting, Bodil Begtrup, the new women’s commission chair, invited Kenyon and Sater “to ried [sic] back to town with the Commission members in the United Nations limousine.” Sater reported that she and Kenyon “had Mrs. Begtrup [sic] to

¹⁸¹ Rachel Nason to Women’s Bureau Staff interested (undated), Women’s Bureau records, box 10, folder C-H-4-1-2-3.

¹⁸² To Frieda Miller from Helen Sater, Confidential Report from Doris Cochrane (6 May 1946), Women’s Bureau records, box 10, folder CH-4-1-2-3.

¹⁸³ Rachel Nason to Women’s Bureau Staff interested (undated), Women’s Bureau records, box 10, folder C-H-4-1-2-3.

¹⁸⁴ “Somewhat Confidential” Women’s Bureau memo Helen Sater to Frieda Miller (4 May 1946), Women’s Bureau records, box 10, folder C-H-4-1-2-3.

¹⁸⁵ Memo Helen Sater to Frieda Miller, RE: Observation of sessions of Sub-Commission on Status of Women #3—Strictly Confidential, (30 April 1946), Women’s Bureau records, box 10, folder C-H-4-1-2-3.

ourselves for a long talk.”¹⁸⁶ Begtrup asked Kenyon to give the sub-commission a report on the League committee’s work and queried the Judge about Roosevelt’s position on women’s issues. As a New York City resident, Kenyon also assumed the role of a good host, providing SCSW delegates with guest tickets to the Women’s City Club, so that they could have “tea or cocktails” with friends.¹⁸⁷ She also held a delegates luncheon. The meal was followed by an “informal discussion,” at which Kenyon briefed the organizations on the differences between U.S. women’s organizations.¹⁸⁸

Among the SCSW delegates, Kenyon labored to distance herself from U.S. women’s ideological and strategic disputes. While Kenyon was quite close with her Women’s Bureau colleagues, even staying at the home of Frieda Miller on her trips to Washington, D.C., the Judge was not as deeply entrenched in the personal politics as others. Even when Kenyon exchanged barbs with one NWP woman over the commission, the two had a friendly dinner together afterward.¹⁸⁹ To the SCSW,

¹⁸⁶ Helen Sater to Frieda Miller, “Strictly Confidential Office Memorandum,” (30 April 1946), Frieda Miller papers, box 12, folder A-37-250.

¹⁸⁷ Dorothy Kenyon to Bodil Begtrup (3 May 1946), Kenyon papers, box 55, folder 10.

¹⁸⁸ Helen Sater to Frieda Miller, “Strictly Confidential Office Memorandum,” (30 April 1946), Frieda Miller papers, box 12, folder A-37-250.

¹⁸⁹ Alice Morgan Wright to Alice Paul, (20 April 1946), NWP records, reel 175. Alice Morgan Wright reported that she confronted Kenyon at a social function: “I asked D. Kenyon if she was still against the [Equal Rights] amendment and she answered, “yes but we shall be getting all those things anyway.” I said “In spite of you?” and she replied “In spite of you!” Following the exchange, Morgan Wright reported that she and Kenyon had a chat about “their respective cats.” Another example of Kenyon’s less dogged commitment to the ERA is evident in her correspondence with WTUL member Blanche Friedman. Friedman and Kenyon were likeminded in that each saw the ERA conflict as so often personality driven. The two women discussed crafting an amendment that recognized equality and difference as an alternative, discussing language that was similar to the Hayden Rider attached to the ERA in 1950. The ERA at the time read: “Equality of rights under the law shall not be denied or abridged by the United States, or by any State, on account of sex. Congress and the several states shall have power, within their respective jurisdiction, to enforce this article by appropriate legislation.” The Hayden rider amended the language: “The provisions of this article shall not be construed to impair any rights, benefits, or exemptions now or hereafter conferred by law upon persons of the female sex.” See Dorothy Kenyon to Blanch Friedman (25 June 1946); Friedman to Kenyon (28 June 1946); Blanche Friedman to Elisabeth Christman (25 April 1946). NWTUL records, collection vi, reel 2.

Kenyon insisted that she welcomed the United Nations Charter's promise of "equal rights," but cautioned against a strict legal interpretation as potentially de-legitimizing hard-won protective labor standards in the United States.

Amidst the public wrangling between U.S. women's groups, the UN delegates tried to maintain control over the commission sessions. Bernardino and Begtrup both wanted a commission that would affect real change and collaborated to insure it. Begtrup and Bernardino feared that the publicity surrounding the Nobel-winning poet, Chilean Gabriela Mistral, might position her as a candidate for the chair position. Both agreed that she should not be entrusted with this responsibility. Mistral had no previous experience working for women's rights. Indeed, she had recently stated that women's political rights were unnecessary.¹⁹⁰ Cautious not to instigate any unnecessary resistance to the commission's work, the politically astute Bernardino approached Begtrup about becoming the commission's chair. Bernardino believed the sub-commission would be more persuasive if chaired by a woman from a democratic government. She would support Begtrup as chair, and settle for the vice-chair. Bernardino met with Mistral prior to the convening of the commission's three-week session, presumably to gain her support for the coalition's line up.¹⁹¹

Bernardino and Begtrup's collusion to orchestrate the SCSW leadership went unchallenged. At the first session of the Sub-Commission on the Status of Women on April 29, 1946, seven out of the nine women delegates arrived. Mistral reportedly refused to sit at the same table with Bernardino and never appeared at the sub-

¹⁹⁰ Dorothy Kenyon speech to Queens County Women's Bar Association (11 May 1946), Kenyon papers, box 20, folder 9.

¹⁹¹ Linder, "Equality for Women," 173-4; Eleanor Roosevelt's Column, "My Day" (11 May 1946), Roosevelt papers, box 3149, folder "April - June 1946."

commission meetings, resigning officially only after the commission got underway.¹⁹² Neither did the Soviet delegate ever arrive, suggesting that at least at the early stages the Soviet delegation took little interest in the activities of the women's commission. The SCSW elected Begtrup the chair and Bernardino as vice-chair. Together with five other women they assumed responsibility for crafting a program to improve women's status around the globe. The UN had empowered them to make recommendations on the composition, terms of references, and a program of activity to guide the promotion of women's rights.

To avoid the public wrangling and disruptive behavior of U.S. women's organizations, the SCSW delegates began to conduct much of their business privately. The Women's Bureau observer fretted:

It is difficult for observers to attend meetings...[T]hey have the meeting adjourned so that the Sub-commission could go into a private huddle-usually at some hotel. This makes it harder to contact and cultivate members as they are transported in U.N. official cars and whisked off under your nose...¹⁹³

Sidelining NGO representatives permitted the delegates to debate the scope and future composition of the permanent commission without constant disruptions.¹⁹⁴ The official

¹⁹² Nason to Miller, "Confidential Report from Doris Cochrane," (6 May 1946), Women's Bureau records, box 10, folder C-H-4-1-2-3; "Chilean First to Resign From United Nations Post," (4 May 1946), *New York Times*, 4.

¹⁹³ "Somewhat Confidential" Women's Bureau memo Sater to Miller (4 May 1946), Women's Bureau records, box 10, folder C-H-4-1-2-3.

¹⁹⁴ Begtrup noted that the private meetings also kept the commission's business out of the eye of the "unpleasant New York press," which had begun to "make fun of" the commission's aims. Cited in Midtgaard, "Bodil Begtrup and the Universal Declaration of Human Rights," 485. Another way the SCSW tried to retain control of the commission was to request that all nominations for the permanent commission be forwarded to Begtrup. The SCSW argued that it should screen all potential nominees. Women's organizations had concentrated on lobbying the State Department regarding appointments and Begtrup's announcement sent them scurrying. Rachel Nason to Mary Anderson, "Nominations for UN Sub-Commission of Women," (6 May 1946), Women's Bureau records, box 10, folder C-H-4-1-2-3. Following Mistral's resignation, NGOs lobbied for specific women to fill the empty seat. Given the Women's Bureau's authority with the administration, NWP activists quickly endorsed non-U.S. women for the job, favoring Bertha Lutz and Emmeline Pethick-Lawrence. Pethick Lawrence was a staunch supporter of the Equal Rights Treaty and had been effective at London. NWP observers were "sure that Dr. Lutz will be a

UN commission records reveal the SCSW's extensive use of "private huddles." Often, when a disagreement arose, the summary record notes that the commission adjourned to committee, reconvened, introduced a new resolution and voted without debate.¹⁹⁵

Indeed, the cooperative nature of the SCSW stands in marked contrast to similar UN sessions at the time. Begtrup commented on the collegiality of her commission, noting that women understood—better than men—the stakes of the UN's success.¹⁹⁶

Contrary to the desire of mainstream U.S. women's groups, the sub-commission delegates pressed for broad powers. Bernardino, for instance, argued that the SCSW needed "to do more than study the status of women, since women the world over were watching and awaiting the result of the Sub-commission's work."¹⁹⁷ Their role should be one of "direct action" in all spheres.¹⁹⁸ Bernardino pressed early in the sessions for the SCSW to immediately draft a charter aimed at "implementing the principle stated in the Preamble of the Charter, 'the equal rights of men and women.'"¹⁹⁹ The SCSW

choice of the Sub-Commission" and they wanted to "register ourselves on the band-wagon." Bernardino had already suggested that Lutz assume the seat vacated by Mistral, and Lutz's work to establish the commission was oft noted in meetings. While Lutz might not support their program of absolute equality, NWP members thought their strategy best served by gaining Lutz's favor. Edith Goode to Alice Paul (4 May 1946), National Woman's Party papers, reel 175. The UN did not fill the vacancy left by Mistral's resignation.

¹⁹⁵ Unfortunately, for the historian, that also means that there is less of a public record. In the records of one of the last sessions at which the commission members were considering their report, Bernardino noted that it was based on "hours of discussion both in private and in public." UN Doc. E/HR/ST/16 (15 May 1946).

¹⁹⁶ Harriet Eager Davis, "To Raise the Status of Women in all Fields," *Independent Woman* (September 1946).

¹⁹⁷ UN Doc. E/HR/ST/7 (3 May 1946).

¹⁹⁸ Helen Sater to Frieda Miller (4 May 1946), Women's Bureau records, box 10, folder C-H-4-1-2-3. .

¹⁹⁹ Helen Sater to Frieda Miller (4 May 1946), Women's Bureau records, box 10, folder C-H-4-1-2-3; UN Doc. E/HR/18/Rev.1, "Report of the Sub-Commission on the status of women to the Commission on Human Rights.

advocated for standard political and civil rights, including universal suffrage and equal rights in marriage, divorce, domicile, and guardianship of children. They discussed a wide array of women's economic and social rights, ranging from the economic exigencies that permitted prostitution to flourish to "health and social insurance legislation." including "special provisions for maternity and child care."²⁰⁰ In other words, the SCSW promoted a vision of human rights that included women's particular rights.

While the disputes between U.S. women's organizations clearly frustrated the SCSW delegates, Eleanor Roosevelt posed a more pressing problem. Roosevelt's power resided not only in her prestige, but also in her position as chair of the Commission on Human Rights, the SCSW's parent body.²⁰¹ The SCSW walked a delicate line with the former first lady. Even though as an ex-officio officer Roosevelt had no vote, the sub-commission could not afford to alienate the former First Lady. Indeed, one activist asserted: "Mrs. R. is the most powerful person in the world!"²⁰²

The main point of contention between Roosevelt and the majority of the SCSW delegates was the scope of the commission's activities. Roosevelt worked to keep the commission's program within the boundaries defined by U.S. women's organizations. She consistently objected to the commission's forays into economic and social issues, stressed the importance of political rights, and urged the commission to prioritize.²⁰³ For example, she argued that "the discussion...on the suppression of prostitution had not

²⁰⁰ UN Doc E/HR/ST.12 (10 May 1946).

²⁰¹ Begtrup pressed Kenyon for information on Roosevelt's opinion of the various women's organizations. "Strictly Confidential Office Memorandum," (30 April 1946), Frieda Miller papers, box 12, folder A-37-250.

²⁰² Amelia Himes Walker to Alice Paul (17 January 1946), Paul papers, box 104, folder 1379.

²⁰³ For Roosevelt's attempt to refer program initiatives to specialized agencies see for example E/HR/ST.12 (10 May 1946); UN Doc. E/HR.ST/15 (14 May 1946).

the slightest place in the commission report.”²⁰⁴ In fact, Roosevelt insisted that the commission was “going into far too much detail in their recommendations.” She made numerous attempts to steer the commission toward a focus on political and civil rights. Early in the session she argued that the commission should make specific recommendations on only “rights to which you give priority and on which all other rights rest...the fundamental right of women to political equality.”²⁰⁵ She argued that much of the work the sub-commission proposed properly belonged to the specialized agencies. Roosevelt did her best to follow the recommendations set out by the Washington Committee, working to eliminate economic and social rights from the commission purview. As the session drew to a close, she “urged members” to “simplify, condense and stress only the primary objectives.”²⁰⁶

As Roosevelt’s objections foreshadowed, the Commission on Human Rights (CHR) accused the sub-commission delegates of overreaching their objectives. The Human Rights Commission recommended that the SCSW focus on education and cooperation with UN specialized agencies (ILO, UNESCO).²⁰⁷ One CHR delegate even retorted that the requests made by the SCSW were more like the duties of a full-commission.²⁰⁸ Roosevelt, signaling her alliance with mainstream U.S. women’s groups

²⁰⁴ “Prostitution Fight is Mapped in UN: Mrs. Roosevelt Chides Groups for Too Much Detail,” *New York Times* (10 May 1946).

²⁰⁵ Sater to Miller (4 May 1946), Women’s Bureau records, box 10, folder C-H-4-1-2-3.

²⁰⁶ UN Doc. E/HR/ST/15 (14 May 1946).

²⁰⁷ UN Doc. E/HR/25 (15 May 1946).

²⁰⁸ UN Doc. E/HR/24 (14 May 1946). The *New York Times* reported both the human rights commission’s reaction: “U.N. Women’s Unit Chided on Ambition” and the sub-commission’s response: “U.N. Women Blunt on Full Equality,” *New York Times* (15 May 1946) & (16 May 1946), 10. Activists also commented widely on the terse treatment Begtrup received from the Human Rights Commission and speculated as to why it had been so. One woman noted that the “unenthusiastic reception of the report was interesting and surprising.” She commented that while it may have been on procedural grounds, those objections “may also have been a camouflage.” Dorothy Crook to Dorothy Kenyon (20 May 1946), Kenyon papers, box 55, folder 10. A Women’s Bureau observer noted that the Human Rights Commission

and illustrating the intersection between domestic and international politics, offered her own evaluation of the SCSW report. In *My Day*, her popular, syndicated column, Roosevelt reported:

Some of us felt that the report...covered too much ground. It is known that I have opposed a group of women in this country who have been in favor of an equal rights amendment to our Constitution. As some of them have been active in working on the outskirts, so to speak, of this subcommission, I suppose they felt that I would be in opposition to the report. That, of course, is not true...I am still opposed to an equal rights amendment, which would make it possible to wipe out much of the legislation which has been enacted in many States for the protection of women in industry...We cannot change the fact that women are different from men.²⁰⁹

Roosevelt's account indicates the NWP's visibility at the sub-commission sessions, as well as her own gender ideology, a worldview very much in line with the Washington Committee.

The final report of the nuclear sub commission was a mixed bag for the American women's NGOs. It did nothing to allay their fears about the future of United Nations actions on women's rights. It had something for each camp to celebrate and to condemn. It called for "equality with men in all fields of the human enterprise" and also for the "special consideration to women on the grounds of motherhood." In other words, the SCSW issued a blanket statement of equality, but also acknowledged gender-specific needs. Furthermore, the commission adopted a program of action that rejected a limited focus on cooperation and education.²¹⁰

did not publicize their review of the report, possibly to save the "embarrassment" that a gallery of feminist activists may have caused. Rachel Nason to Helen Sater (16 May 1946), Women's Bureau records, box 10, folder C-H-4-1-2-3.

²⁰⁹ Eleanor Roosevelt, "My Day," (1 June 1946), Roosevelt papers, box 3149, folder, My Day, April-June 1946. United Features Syndicate ran Roosevelt's six-day a week column in ninety papers all over the country. Estimates of her daily readership suggest an audience of over 4 million. The column ran from 1936 until 1962. For the influence of "My Day" see Allida M. Black, *Castling Her Own Shadow: Eleanor Roosevelt and the Shaping of Postwar Liberalism* (New York: Columbia University Press, 1996).

²¹⁰ UN Doc E/HR/18 Rev. I (28 May 1946).

In light of the Human Rights Commission's hostile reception, the SCSW delegates maneuvered to appeal directly to the Economic and Social Council.²¹¹ At the ECOSOC session where the reports of the Human Rights and women's commission were to be heard, Begtrup asked the Council to endow the women's commission with full, independent status. By gaining full commission status, feminist delegates hoped they could escape repeated attempts to restrict their work. Begtrup explained to the ECOSOC delegates:

The importance of this world wide social scheme which covers, in fact, the condition of half of the population of the world, the work ought to have the best possible working conditions and not be dependent on another Commission, and that it would give this work more weight in the social field if it was done by a full Commission. It has been said, in these days, that women's problems should not be separate from these of men. But however idealistic, this point of view is purely unrealistic and academic. And it would be, in the opinion of this Sub-commission of experts in this field, a tragedy to spoil this unique opportunity by confusing the wish and the facts.²¹²

The SCSW delegates would not squander the chance to secure women's human rights. Begtrup and others insisted that continued dependence on the CHR, chaired by Roosevelt, who had "done everything to kill" and "drag down" the Sub-commission's report could not be sustained.²¹³ ECOSOC elevated their commission to full-

²¹¹ In advance of the release of the SCSW's report to the CHR, in a private session the women drafted a memo to the President of ECOSOC, requesting that the Chair of the sub-commission, Bodil Begtrup, be granted permission to extend her stay in order to be present at the CHR review of the report and to also make "the necessary contacts with Members of the Economic and Social Council." This memo served two purposes. Begtrup's presence at the ECOSOC report review would provide her with an opportunity to defend their program of direct activity. The coalition also realized that support from key members of the ECOSOC would again be critical. In the event the CHR's recommendations attempted to limit the commission's scope, Begtrup had time to network with other nation's delegations prior to the convening of ECOSOC. See UN Doc. E/HR/ST/11 (7 May 1946).

²¹² UN Doc. E/P.V./4 (28 May 1946).

²¹³ Bodil Begtrup's comments on the CHR's oversight of the sub-commission as cited in Midtgaard, "Bodil Begtrup and the Universal Declaration of Human Rights," 485.

commission status. The new Commission on the Status of Women would assume the task of promoting the rights of women in the nascent United Nations.

“It’s Going to Be a Tough Spot”

A few short months after the women’s commission gained its new status, the U.S. government submitted Judge Dorothy Kenyon’s name as its nominee for the women’s commission. Her colleagues on the Washington Committee showered Kenyon with notes of congratulations. Having witnessed the ruckus surrounding the sub-commission’s sessions, Kenyon wrote to her longtime law partner: “It’s going to be a tough spot and I am going to need a lot of help.”²¹⁴

The difficulty of Kenyon’s position was amplified by new procedures decreed by the Economic and Social Council. While SCSW delegates were technically “experts,” the new full commission delegates would represent the perspective of their national governments. The SCSW had recommended that it be allowed to screen candidates, but the nation-state representatives on ECOSOC did not relinquish this authority. Nor, after considerable debate, did they accept the recommendation of both the human rights and women’s commissions that the delegations be comprised of “experts” not beholden to national policies. Dorothy Kenyon would have to maintain the support of mainstream women’s NGOs, cooperate with her commission colleagues, and do so within the boundaries established by the State Department.

To counter the ambitious (and potentially) dangerous program initiated by the sub-commission, Kenyon collaborated with the Women’s Bureau and State Department advisors to craft an alternative U.S. program. Neither Kenyon and her Women’s Bureau colleagues nor the State Department wanted the U.S. government to assume a negative role on the commission. Frieda Miller “stressed” to the new inter-departmental working

²¹⁴ Dorothy Kenyon to Dorothy Strauss (19 November 1946) Kenyon papers, box 55, folder 11.

group on U.S. policy that “it would be unfortunate for the Commission to center its activities on the report of the sub-commission. A fresh start should be made.”²¹⁵ To this end, Kenyon, Miller and State Department advisors agreed that the Commission should concentrate its attention on developing “a concrete realistic program of work, avoiding as much as possible theoretical and general debate.”²¹⁶ In other words, U.S. policy should be to oppose blanket statements of equality. Additionally, Kenyon had criticized the SCSW for issuing “a manifesto instead of a program of work.”²¹⁷ She would correct this by re-directing the women’s commission toward a program that emphasized women’s political and civil rights and cooperation with the ILO on women’s economic and social ones. Kenyon and Miller suggested that the U.S. introduce resolutions advancing their preferred program: the continuation of the League survey, a conference (now either a general or a regional one), and training women for political participation. Yet the astute Kenyon also noted that the U.S. should “recognize their [the U.S. proposal’s] weakness in the eyes of those who look for action.”²¹⁸ Indeed Kenyon’s comment foreshadowed the very difficulty she would encounter as the U.S. delegate: a commission with feminist activists determined to fight for direct action.

Yet her task would also be made somewhat easier. Despite their efforts to sway the sub-commission, the National Woman’s Party unexpectedly all but vanished from the international scene during the next two critical years for the CSW. The organization suffered a serious fracture over the NWP’s equal rights strategy. Alice Paul, the official

²¹⁵ State Department Memorandum of Conversation, “Commission on the Status of Women,” (30 October 1946), Frieda Miller papers, box 7, folder A-37-143.

²¹⁶ State Department Memorandum of Conversation (27 November 1946), Women’s Bureau records, box 10, folder C-J-1-3.

²¹⁷ Dorothy Kenyon to Dorothy Crook (23 May 1946), Kenyon papers, box 55, folder 10.

²¹⁸ State Department Memorandum of Conversation (27 November 1946), Women’s Bureau records, box 10, folder C-J-1-3.

leader of the Woman's World Party, and the actual power behind the national, had focused on the international strategy, diverting funds away from the domestic ERA struggle. A large contingent within the NWP objected and filed a lawsuit to halt the diversion of funds away from the national drive.²¹⁹ The lawsuit bogged down the organization's leaderships. The NWP, the staunchest proponents of identical legal treatment for men and women, would no longer have a vocal presence at the commission sessions.

Conclusion

The United Nations human rights project and feminist pressure to create a separate women's commission forced U.S. activists to grapple with the relationship between women's rights and human rights. Mainstream U.S. feminists based their stance on ideological and strategic priorities that diverged from those held by pro-commission advocates who eventually served on the women's sub-commission. American women believed that they were better equipped to lead the international feminist movement and successfully lobbied their government to promote their objectives. They did so by distancing the movement for women's rights from that of racial equality and by embracing a vision of women's human rights that included only civil and political rights initiatives. These traditional rights, rights American women largely enjoyed, could safely fall under the realm of international enforcement. In contrast, economic and social rights needed to remain shielded by international standards enforced at the national level.

While U.S. women had failed to prevent the creation of the women's commission, Kenyon was poised to now exert American leadership on it. Yet increasing tensions between the U.S. government and their wartime ally, the Soviet Union, complicated

²¹⁹ For the division and lawsuit see Leila Rupp and Verta Taylor, *Survival in the Doldrums*, 27-38. The division was also motivated by a dispute over leadership and the organization's name.

Kenyon's effort to impose a U.S.-driven agenda. The State Department attempted to bolster Kenyon's effectiveness by calling on their Latin American allies to support U.S. policy positions. Yet Bernardino's political acumen challenged the U.S.' ability to forge a hegemonic hemispheric bloc. Assisting Bernardino in this task was once again, the formidable Australian, Jessie Street. Reunited, the old San Francisco allies complicated Kenyon's drive to limit the commission to political and civil rights activism.

CHAPTER FOUR: “I AM UNREPENTANT:” JESSIE STREET, THE
COMMISSION ON THE STATUS OF WOMEN AND A NEW VISION
OF WOMEN’S HUMAN RIGHTS

Late on an April night in 1945, Jessie Street boarded a Royal Australian Air Force bomber. En route to San Francisco, under wartime conditions, the bomber flew over the Pacific. At San Francisco she would participate in the United Nations Conference on International Organization, which drafted the UN Charter. The fifty-six year-old, chain-smoking grandmother was accompanied by other—all male—members of the Australian delegation.¹ The bomber stopped several times to refuel before landing at a fogged-in San Francisco airport. It was not a comfortable flight. Perhaps the grueling trip helped to prepare the delegates for the nearly three months of a tiresome, sometimes tense, but ultimately “most inspiring” conference.² At the conference, Street participated in laying the ground-work for what she hoped would be a new world order. In a “Calling Australia” broadcast she declared: “We have fought the bloodiest war in history to end war as a means of settling international disputes and to establish the Four Freedoms throughout the world...[these goals] can be achieved by the United Nations Organisation.”³ In June, shortly after the conference concluded, Street embarked on another journey. Over a six-month period, she traveled to cities across the United States, Canada, England, France, the Soviet Union and India, delivering speeches on the twin goals of peace and women’s emancipation.

During her post-conference trips Street promoted the gains won at San Francisco on behalf of women and pressed for the creation of the UN Commission on the Status of

¹ As the only grandmother among the San Francisco delegates, Street was asked to give a Mother’s Day broadcast. She initially declined, calling Mother’s Day “just another racket,” but eventually relented. See Jessie Street to Kenneth Street (20 May 1945), Street papers, MS 2683/5/1140.

² Jessie Street to (Joseph) Ben Chifley (7 October 1945), Personal Correspondence of the Prime Minister, M1445/43 Australian National Archives, Canberra, Australia hereafter ANA.

³ Jessie Street “Calling Australia” broadcast (1945), Street papers, MS 2683/5/207-11.

Women (CSW). Street argued that continued cooperation among the Allies in the United Nations was critical to securing peace. Peace, however, was also contingent on establishing a more just society. Street believed that gender, race, and class oppression were related. Yet she believed that the elimination of sex-discrimination was the key to ending other forms of oppression. Women's experiences as nurturers attuned them to the plight of others in ways that men, with their interest in money and power, were not.⁴ Thus, social justice depended on women's emancipation. For women to be truly free and equal, they needed economic independence. Back at home, after nearly nine months' absence, Street crossed Australia to educate her compatriots about the United Nations' role in the inter-related work of eliminating sex-discrimination and winning the peace.⁵

Like her male colleagues, Street believed that Australia, as a "Middle-Power," had an important role to play in bolstering the work of the new United Nations. Street was a committed internationalist, but she also believed that to be effective the international system needed grassroots support. Not only was a strong United Nations a factor in establishing a socially just peace, the war had demonstrated that it was critical to Australian national security. While Bernardino and others were fighting to get the women's sub-commission elevated to a full commission, Street was in Sydney planning and hosting the 1946 "Win the Peace" Australian Women's Charter Conference. The conference aimed to promote the UN Charter's principles of equal rights and fundamental freedoms. In an effort to foster cooperation she hoped to bring women from the East and West together. Yet, as early as 1946, that collaboration proved challenging. By

⁴ See for example, Jessie Street, *Truth or Repose*, 96; Jessie Street poem, "Woman to Man," (undated), Doris Stevens papers, folder 61.15.

⁵ The idea that peace and women's emancipation were interrelated was not new. The Women's International League for Peace and Freedom had long made the connection. See for example, Harriet Alonso *Peace as a Women's Issue: A History of the U.S. Movement for World Peace and Women's Rights* (Syracuse: Syracuse University Press, 1993). Street worked with WILFP activists in Geneva in the 1930s.

February of 1947 she was once again on her way to the United States, this time as Australia's representative to the new full Commission on the Status of Women.

Street's feminist activism was shaped by her experiences in national, transnational, and international contexts. Lady Jessie Mary Grey Street was a member of the political aristocracy. Street was at once an Australian and a British subject, identities that were often in tension with one another. In Australia, England and the United States, she worked with poverty-stricken unwed mothers, prostitutes, and women trapped in bad marriages. Her experiences during the Great Depression and travels to the Soviet Union deepened her socialist sympathies. Her feminist work in these multifarious contexts solidified her belief that economic dependence was at the root of women's subordination.

Street's belief in the primacy of economics was grounded in her gender ideology. Women's difference from men emanated from the social roles they filled as mothers. Despite the socially constructed nature of these differences, Street did not believe that the law should treat men and women identically. Nonetheless, she opposed protective labor legislation for women. Street believed that this gender-specific treatment disadvantaged women in the workplace; all workers need protection from exploitation. Women's social responsibilities as mothers disadvantaged them in the market-based economy; protective labor legislation only compounded this disadvantage. To mitigate women's economic disadvantage, Street believed that the state had a responsibility to provide benefits to women, which both acknowledged their contribution to society and leveled the playing field. Thus, Street rejected gender-specific protections while promoting gender-specific economic rights. Women earned these economic rights for (re)producing the nation's citizens. For Street, this potentially dangerous endeavor—child-bearing—was akin to the service soldiers provided the state.⁶

⁶ "Martial maternalism" draws an analogy to "martial citizenship" likening the service of child-bearing to soldiering. This was different from "Republican Motherhood," an argument that feminists across the globe, including Australia, used to argue for their inclusion in the body-politic. See Linda

While her ideology shaped her activism, it was not determinate. Street was, above all, a strategist. During the interwar years, Street actively supported the League of Nations. But she became disillusioned by its failures to forge a world community morally bound by shared principles. While Street opposed the International Labor Organization's gender-specific protective labor standards she did not oppose the idea of international standards *per se*. Street understood that the development of United Nations human rights standards offered new opportunities to press for women's long-standing rights claims. Like Bertha Lutz at San Francisco, Street was unwilling to place the fate of the world's women entirely in the hands of the United Nations Human Rights Commission. Instead, Street believed that the history of feminist activism revealed that women needed their own commission if they were to be effective.⁷ She actively worked to create and then establish wide powers for the Commission on the Status of Women.

For Street, the CSW was a vehicle through which women could incorporate their rights claims into the emerging UN human rights framework. Street was among the strongest advocates of feminist activists' right to be heard and contribute to the development of postwar international human rights standards.⁸ Street would insist that the CSW's purpose was to work for equal, but not identical rights. While Street was

Kerber, *Women of the Republic: Intellect and Ideology in Revolutionary America* (Chapel Hill: University of North Carolina Press, 1980).

⁷ As early as 1932 Street argued that women would be more successful at shaping international policy if women had a special standing committee in the League of Nations. Jessie Street to Helen Archdale (5 March 1932), Doris Stevens papers, folder 67. 9.

⁸ The term International Bill of Rights was widely used until December 1948. In June 1947 the Human Rights Commission session decided to work on a Declaration (a statement of aims and principles) and a Covenant (a legally-binding document) simultaneously. They divided their work into three committees to prepare simultaneously the Declaration, Covenant, and a method of Implementation. Yet, until shortly before its adoption, on December 19th, 1948 the Universal Declaration of Human Rights was referred to as either the International Declaration or International Bill. Today, the UDHR, the Political and Civil Rights Convention, and the Convention on Economic, Social and Cultural Rights together comprise the International Bill of Rights.

committed to gaining individual political and civil rights, she stressed the importance of particular economic and social rights for women. Street believed that these were the most difficult for women to obtain and refused to see economic and social rights sacrificed to political and civil rights. In the CSW, Street labored to expand the list of specific rights articulated by the earlier sub-commission. The CSW's list of political, civil, social, economic and educational rights represented a so-called "charter" for women's rights.⁹ The list was to be used to not only guide the work of feminist delegates, but that of all UN branches, particularly the Human Rights Commission.

To achieve her aims, Street forged an unofficial alliance with other feminist delegates. Her alliances were both ideological and strategic. She coordinated with both Minerva Bernardino and Bodil Begtrup, whose efforts had guided the 1946 sub-commission's work. But, she also worked with the Soviet delegates from the U.S.S.R. and Byelorussia. The tacit alliance helped each activist to achieve their own goals. The alliances, however, had their limits. As the CSW became embroiled in cold-war politicking, Street's efforts to maintain cooperation between such a diverse coalition placed her work at the center of the growing divide between the two superpowers.

This chapter examines both the intended and unintended consequences of Jessie Street's activism. Street sympathized with the Soviet delegations and was dismayed with what she believed was their unwarranted, but growing isolation in the United Nations. As tensions between the United States and the Soviet Union grew, Street often aligned with the Soviet delegates. She believed that doing so fostered a spirit of continued cooperation among the former wartime allies. The fight for women's human rights could serve as an example of continued international collaboration. As the representative of a Labor government, Street was well-positioned to press for women's

⁹ For activists likening the sub-commission on the Status of Women report to a charter or manifesto see Chapter Three.

economic and social rights. Her tenure as a CSW delegate rested on her ability to represent a diverse national feminist contingent, promote Australia's interests, and press her own agenda internationally. Despite the intensification of the Cold War, Street persisted, above all else, in promoting the internationally-minded feminist agenda. Indeed, it is clear that she did not feel particularly bound by instructions from Canberra. Street insisted that she, not her male colleagues, was the Australian expert on women's rights. Furthermore, as early as 1946, more conservative women's groups began to challenge Street's appointment to the UN. In a growing anti-communist environment and with federal elections looming, Street's tenure became imperiled by calls to replace her. In the end, the tensions between her status as a national representative and an international activist collided. Street's fiercely independent character and commitment to international feminist objectives alienated her from the Australian national government. As a result, Street was unable to participate in the UDHR drafting debates. Nonetheless, her contributions were critical to forging the CSW vision for women's human rights at the United Nations.

Imperial Citizen, 'Waltzing Matilda,' and International Feminist

At the beginning of the 20th century, Australian nationalists envisioned a central role for white women in nation-building. Scholars argue that Australian federation was tied to efforts to distinguish the masculine Australian from the civilized, yet effeminate British aristocracy as well as from the unmanly, uncivilized Asian "coolie."¹⁰ Situated in the Pacific and threatened by an influx of "non-white" uncivilized, cheap laborers, Australian politicians federated their six colonies into a single nation in 1901. They did

¹⁰ Marilyn Lake and Henry Reynolds, *Drawing the Global Colour Line*, 137-165.

so, in part, to assert control over immigration policy.¹¹ Demanding that Australia was for white men, the government adopted the White Australia policy.¹² Australia was, however, a settler nation and needed to increase its population if it were to thrive; a fact recognized not only in Australia, but across the Pacific. Theodore Roosevelt, for example, wrote to an Australian colleague, “Australia needs more people. She needs full cradles.”¹³ The filling of cradles necessitated that white Australian women participate in nation-building through maternity.¹⁴ Maternalism was thus an effective political argument for Australian feminists.¹⁵ The nation’s mothers needed political representation and rights to safeguard the interests of Australia’s future citizens.¹⁶

¹¹ The six colonies became the six Australian states of today. Canberra is the capital and is situated southwest of Melbourne and north-east of Sydney in the Australian Capital Territory. The 1926 Imperial Conference issued the Balfour Declaration which inaugurated a new relationship between the United Kingdom and the (white) Dominions (Australia, Irish Free State, Newfoundland, Canada, New Zealand, and South Africa). The Balfour Declaration established the Dominions as “autonomous communities within the British empire, equal in status ... and freely associated as members of the British Commonwealth of Nations.” It also granted the Dominions the right to control their own internal and foreign policies. Canada and South Africa instigated the talks. Australian politicians were less keen and did not sign the declaration until wartime crisis of 1942.

¹² While racist immigration laws ran counter to the idea that all British imperial citizens could move freely throughout the Empire, politicians compromised with British colonial authorities and the White Australia policy restricted immigration through literacy tests instead of on an outright racial basis, a subterfuge they learned from likeminded southern United States’ politicians. Lake and Reynolds, *Drawing the Global Colour Line*, 146. Lake and Reynolds demonstrate that both ideas of race and the legislative practices they informed flowed across national borders of white settler-nations (specifically United States, South Africa and Australia). The White Australia policy remained official policy throughout the early postwar WWII era, they began to slowly erode.

¹³ Cited in Lake and Reynolds, *Drawing the Global Colour Line*, 163.

¹⁴ While the White Australia policy had its critics, it enjoyed wide support across the political spectrum. See Lake and Reynolds, *Drawing the Global Colour Line*; Angela Woollacott, *To Try Her Fortune in London: Australian Women, Colonialism, and Modernity* (New York: Oxford University Press, 2001); Marilyn Lake, *Getting Equal*, 76.

¹⁵ Maternalist arguments could also be inherently contradictory. See Marilyn Lake, “Child-Bearers as Rights-Bearers: Feminist Discourse on the Rights of Aboriginal and Non-Aboriginal Mothers in Australia, 1920-50,” *Women’s History Review* 8:2 (1999): 347-363.

¹⁶ Scholars of Australian women’s history have demonstrated white Australian women’s role in the “colonization” of Australia. See for example, Aileen Moreton-Robinson, *Talkin’ Up to the White Woman* (St. Lucia: Queensland Press, 2000). White feminists held a variety of positions on the “rights” of

Feminists asserted their rights to citizenship with arguments based not only on their biological potential, but also their superior moral character. In 1902, white women gained both the right to vote and hold office at the national level.¹⁷ To create a virtuous nation, mothers needed to safeguard their children's interests and tame the overly masculine, "marauding" Australian man, epitomized by the bushman and homosocial concept of mate-ship.¹⁸ Over several decades feminists won passage of a series of state-sponsored benefits granted in the name of maternal citizenship, such as a maternity allowance and child endowment, each a type of state-paid stipend.¹⁹ Indeed, Australian

Aboriginal mothers. Marilyn Lake, *Getting Equal*, 133-34 and "Child-Bearers as Rights-Bearers." What is distinct about feminists' involvement in the rights of aboriginal women is that it evolved out of the intersections between the imperial context and women's internationalism, specifically the British Commonwealth League, an organization of Dominion feminists affiliated with the International Alliance that strove to shape policy at the League of Nations. See Fiona Paisley, *Loving Protection: Australian Feminists and Aboriginal Women's Rights, 1919-1939* (Melbourne: Melbourne University Press, 2002).

¹⁷ As early as the late 19th century, white women had been eligible to vote in the Western Australia (1899) and South Australia (1894) colonies. Federal suffrage preceded the right to vote statewide by a narrow window in New South Wales (also 1902), Tasmania (1903), and Queensland (1904). Victoria did not pass it until 1908. White women were granted the vote at the federal level on the argument that the Commonwealth could not deny a right that women already possessed. Maternalism played a key role in suffrage arguments. See Marilyn Lake, *Getting Equal*, 19-40. But not unlike other nation's women's suffrage battles the arguments were multifarious, and included those that as citizens, women deserved representation, the "happy coincidence" that federation occurred at the height of state-wide suffrage campaigns, and the role of women in building a moral nation. See Audrey Oldfield, *Woman Suffrage in Australia: A Gift or A Struggle?* (Cambridge: Cambridge University Press, 1992), 217.

¹⁸ Marilyn Lake, "Frontier Feminism and the Marauding White Man," in *Gender and Imperialism*, Claire Midgley, ed. (Manchester: Manchester University Press, 1991), 123-136. The project necessitated the erasure of the double moral standard and the protection of women's bodily integrity, particularly that of young girls and the vulnerable, dependent wife. The World Women's Christian Temperance Union was very active in the Pacific region generally, and Australia specifically, and actively promoted the state's responsibility to protect women from predatory men. Ian Tyrell, *Woman's World, Woman's Empire: The Woman's Christian Temperance Union in International Perspective, 1800-1930* (Chapel Hill: University of North Carolina Press, 1991).

¹⁹ There were several different types of endowments—state-paid stipends—proposed and/or enacted. The child endowment was the first proposed, but feminists began to call for the mother's endowment in place (or to supplement) the child endowment to acknowledge women's work in the home as that deserving of an income. The 1912 Maternity Allowance was a one-time payment at the birth of a child, and equaled about the equivalent of five week wages.

feminist historian Marilyn Lake argues that post-suffrage feminists' "major political achievement was to create a maternalist welfare state."²⁰

When it came to rights claims, the roles of mother and wife, however, posited two different social relationships. The former granted women authority in the name of children, the latter challenged men's prerogatives to women's domestic and sexual services. Australia's need to prevent "race suicide" legitimized legal concessions to women's maternal authority. In contrast, calls to grant women rights as wives or wage earners challenged men's patriarchal authority and threatened Australian men's sense of masculinity.²¹ While Australian policymakers conceded to rights claims made in the name of motherhood, they resisted empowering women as wives or laborers. The state would help women protect the nation's children, but resisted challenges to men's authority over women.²²

In Australia, the tensions between women's rights as mothers and those as wives or workers came to the fore with the landmark 1907 Harvester judgment. The Harvester decision declared the right of white men to earn a family wage, an income large enough to support a wife and three children. The decision entitled all men—single or married—

²⁰ The literature on gender and the creation of the welfare state is voluminous. For Australia see Marilyn Lake, *Getting Equal*. For the United States, see for example: Theda Skocpol, *Protecting Soldiers and Mothers: The Political Origins of Social Policy in the United States* (Cambridge: Harvard University Press, 1993); Linda Gordon, *Pitied, But Not Entitled: Single Mothers and the History of Welfare* (Cambridge: Harvard University Press, 1994). For comparative approaches see Susan Pedersen, *Family, Dependence, and the Origins of the Welfare State, Britain and France, 1914-1945* (Cambridge: Cambridge University Press, 1993); Alisa Klaus, *Every Child a Lion: the Origins of Maternal and Infant Health Policy in the United States and France, 1890-1920* (Cornell: Cornell University Press, 1993); Seth Koven and Sonia Michel, eds., *Mothers of a New World: Maternalist Politics and the Origins of Welfare States* (New York: Routledge, 1993).

²¹ Marilyn Lake, "Marriage as Bondage: The Anomaly of the Citizen Wife," *Australian Historical Studies* 30:112 (1999): 116-129.

²² See Lake, *Getting Equal*, 103-6.

to the family wage.²³ The court fixed women's wages at approximately half the male rate. Harvester thus conceptualized women, not as workers, but as dependents regardless of their status as wage-earners. Self-supporting single women, primary earners, and women's whose labor provided a second income, were all paid approximately half the male rate.

Australian feminists responded to Harvester by attempting to position women as laborers. For mothers, women's work bearing and rearing children entitled them, like Australian men, to economic independence. Feminists worked to pass a Mother's Endowment Act, which would have given women a state-paid stipend for their work in the home.²⁴ They argued for a woman's legal right to a share of her husband's income.²⁵ For women engaged in paid employment outside the home, feminists waged equal pay campaigns. They were largely unsuccessful in challenging the assumption of a male head-of-household breadwinner.²⁶ Indeed, during the Great Depression, married women's right to work *at all* came under attack in Australia as in most nations.²⁷ Not until the rising demand for female labor during the Second World War did Australian women see any significant increase in their fixed rate of pay vis à vis men's wages.²⁸

²³ To negotiate conflicts between capital and labor, the Arbitration Court fixed minimum wages. Single men were entitled as they needed to prepare for marriage and the care of a family.

²⁴ Lake, *Getting Equal*, 101-06. For the (failed) Motherhood Endowment campaign in Britain see Susan Pederson, *Family, Dependence, and the Origins of the Welfare State*, 138-175.

²⁵ Street, in particular, argued, that women had a right to a share of the man's income. See Lake, "Marriage as Bondage," 124.

²⁶ For example, they failed to win either the Mother's Endowment Act or legal entitlement to a husband's income. Nor were they successful in their equal pay campaigns aimed at overturning Harvester or even in winning significant modifications to women's fixed wages.

²⁷ Nitza Berkowitz, *From Motherhood to Citizenship* asserts that the only nation not to restrict married women's rights to work during the Depression was Sweden, 94.

²⁸ During World War II, a special tribunal re-evaluated women's wages on a temporary basis. Women were paid between 60 and 100 percent the male rate. But this was only temporary. In 1950 the Arbitration Court did increase women's pay to 75%.

As an Australian, Street was a British subject—an imperial citizen. She was born as Jessie Mary Grey Lillingston in 1889. Her father was an Englishman employed by the Indian Civil Service. When she was just seven years-old, Jessie’s mother, an Australian, inherited the family’s station, Yulgilbar, in northern New South Wales and the family moved from India to Australia.²⁹ Street received her primary education in England, but attended university in Sydney. While Street embraced her British identity she also romanticized Australians’ fierce sense of independence.³⁰ A chapter of her autobiography is titled “Waltzing Matilda” after the unofficial national anthem of Australia. Street identified with the image of the Waltzing Matilda, which harkened to “the free spirit, resourcefulness and defiance of authority associated with the Australian national character.”³¹

International feminist activism offered Street the opportunity to bridge her national and imperial identities. After her university graduation, Street traveled to London, a not uncommon journey for young, middle to upper-class Australian women.³² Until the outbreak of WWI, she worked with British Pankhurst suffragists.³³ With the start of the war, Street turned her attention to work in a London settlement house. The house offered assistance to unwed mothers struggling to care for children born of relationships with British soldiers. In 1914 Street attended her first international feminist

²⁹ An Australian station is a large pastoral estate similar to a ranch in the United States or *estancia* in Latin America.

³⁰ Street, *Truth or Repose*, 74.

³¹ While scholars debate the meaning of the anti-establishment “bush ballad,” its place in Australian culture is undisputed. National Library of Australia, accessed 27 February 2012, <http://www.nla.gov.au/epubs/waltzingmatilda/index.php?p=home>. See Street, *Truth or Repose*, “Waltzing Matilda,” 187-216.

³² Angela Woollacott, *To Try Her Fortune in London*.

³³ While Street admired the militant work of the Pankhursts, she herself never wielded a glass-smashing hammer, and instead confined her work to canvassing. *Truth or Repose*, 31, 40.

conference, the International Alliance conference in Rome. The experience imbued her with a sense that women—despite differences of degree—shared a universal oppression. The subjugation of married women and the plight of those forced into prostitution by a lack of economic opportunity were particularly alarming to her. Street recalled that she came away from the conference “more of a feminist than ever.”³⁴ By 1915, she was in New York City working with women arrested for prostitution. These women, Street asserted, were the economically vulnerable daughters of recent immigrants. In 1916, Street returned to Sydney to marry Kenneth Street, son of a Supreme Court judge in New South Wales.

During the early interwar years, Jessie Street’s feminist aspirations collided with her obligations as a young wife and mother. She experienced the challenges married women with (four) young children faced, but she did so from a privileged position. While Kenneth Street was a young lawyer, in 1931, he became a State Supreme Court Judge like his father. Jessie Street’s class status shaped her early feminist perspective. The upwardly mobile couple’s social class permitted the hiring of domestic help; a fact that Street acknowledged “was the only means to [her] freedom.”³⁵ Street believed that the availability of domestic labor was so essential to women’s ability to contribute to society that she started a business that trained and placed domestic help. It was an endeavor that Street hoped would help to professionalize domestic service thereby elevating its status on the fixed-wage scale.³⁶ While this early entrepreneurial endeavor

³⁴ Street, *Truth or Repose*, 37.

³⁵ Street, *Truth or Repose*, 59.

³⁶ Street founded the Home Institute in 1923. Her Institute placed domestic workers in homes and coordinated the training classes with Domestic Arts department of the Technical College. The Institute had two primary goals: to ease the shortage of quality domestic help and to professionalize domestic service. On the eve of the Great Depression, the Institute employed over 300 domestics and supported an office staff of six.

had feminist intentions, it was not a class-conscious experiment. In fact, Street conducted her business with paternalistic fervor, paying the young women only a small portion of their income in cash and depositing the remainder into a savings account.³⁷ Nor did Street give much thought to the fact that long hours in domestic service offered little opportunity for her working-class charges to engage in the types of activities she thought essential to women's ability to live a full and productive life.

In the mid-1920s, Street became active in local feminist circles and joined Sydney's Feminist Club. But she soon grew disillusioned with members' primary concern with social activities rather than real activism. By the end of the decade, Street participated in founding the United Association of Women (UA). The UA was technically an umbrella group for several different organizations in the Sydney area, but also set an independent agenda to shape national policy.³⁸ Membership consisted largely of married upper-middle-class women and the early UA focused predominantly on the rights of married women. The UA's local agenda included items such as the Equal Guardianship of Infants Act, divorce law reform, and the Child Endowment Act.³⁹ They succeeded in winning the guardianship act and the endowment, but failed to win divorce reform. In short, they won concessions as mothers, but not as wives.

³⁷ The women received 5 shillings (a shilling is approximately 1/20 of a pound) per week in cash. The rest of their income was paid into a savings account to encourage the women to save. The minimum wage paid to each worker per week was just over 7 shillings per week.

³⁸ From its founding, with few exceptions, either Street or her colleague Linda Littlejohn served as the organization's leadership.

³⁹ Social legislation was largely the purview of state parliaments in the first half of the 20th century. During World War II and the Chifley government's tenure after, the Commonwealth assumed more legislative and financial responsibility. The New South Wales, Equal Guardianship of Infants Act came into force in 1932. The Family Endowment Act in New South Wales provided a child endowment to mothers in 1927. Child Endowment passed at the federal level in 1941, Window's Pensions in 1942, and Maternity Allowance (Leave) in 1943.

Street credited the Depression with politicizing her activism. During the Depression years, the Streets experienced some hardships, yet they were insulated from its worst effects. Jessie Street's home training and placement center went bust, but the family was able to maintain their household staff. As UA members endeavored, during the crisis years, to bring relief to those in desperate need, the organization actually expanded. When the government passed a law dismissing all married women teachers, the UA established an initiative to assist women in fighting their terminations on a case-by-case basis.⁴⁰ Street was particularly moved by the suffering of poor women. When she discovered that milk producers dumped unsold milk while the children of Sydney were malnourished, she began to question the capitalist system: "That ordinary men could be so conditioned by a profit-making society as to be blind to the health and welfare of babies and children made me despair."⁴¹ Street's conviction that the government had a responsibility to guarantee not only the political and civil rights of its citizens, but also their economic and social welfare was not atypical. The Depression generated widespread international support for the recognition of state-sponsored economic security and social safety nets.⁴²

For Street, a woman's economic independence was inextricably linked to the inviolability of her body. In an opinion editorial, Street wrote: "There can be no liberty

⁴⁰ Married women's right to work came under attack in nearly all Western nations. The UA cooperated with the Teachers' Federation in opposing the terminations. In the end, Street argued that only 140 out of the 400 women who were dismissed as a result of the Married Women Teachers and Lecturers Law lost their jobs. *Truth or Repose*, 94. The UA initiated several other significant projects to provide relief to women. See *Truth or Repose*, 87-92.

⁴¹ Street, *Truth or Repose*, 80.

⁴² For example, in the United States, President Roosevelt supported instituting an Economic Bill of Rights. The 1942 Beveridge report in England also argued for government accountability for the economic welfare of the nation's citizens and is credited with building the foundations for the British welfare state.

or independence of any kind without economic independence.”⁴³ Unmarried working women could not earn enough to survive. The consequence was that too often a woman “must sacrifice her body to gain food.”⁴⁴ The stakes of working women’s right to earn a living wage were high. For women in bad marriages it was not much better. The marriage contract entitled men not only access to women’s domestic services, but their sexual ones as well. For feminists like Street, the marriage contract represented the only remaining contract in the industrialized world that continued to rely on payment in-kind and not monetary exchange.⁴⁵ The economic dependence of married women, therefore, amounted to sexual slavery.⁴⁶ Economic independence freed women from unwanted and unwelcome sexual relations.⁴⁷ In a conference paper, Street wrote “...let our aim be the building up of a nation with an honest and true sex life.”⁴⁸ If wives were to have

⁴³ Jessie Street letter to the editor, *London Times* (28 May 1955), MS 2683/3/505-6. Emphasis mine.

⁴⁴ Jessie Street poem, “Woman to Man,” (undated), Doris Stevens papers, folder 61.15.

⁴⁵ See for example, the 1935 UA resolution to Equal Rights International as cited in Lake, “Marriage as Bondage,” 117. In a letter to the editor of the *London Times* (28 May 1955), Street argued that “We can say that almost without exception that the one remaining sphere to-day in which work is paid for in kind is the work of the wife and mother in the home. In return for cooking and cleaning, the rearing of children, and many other duties and responsibilities, she is legally entitled only to be fed, clothed and housed.” Street papers, MS 2683/3/505-6.

⁴⁶ In contrast to some feminist movements of the 1920s that incorporated notions of sexual freedom into its discourse, Australian feminism “defined itself in opposition to sexual freedom,” Lake, “Marriage as Bondage,” 122. Leila Rupp argues that the American feminist Doris Stevens was caught between the sexual revolution, both venturing into its domain, but also always retreating to more conventional relationships. See Rupp, “Feminism and the Sexual Revolution in the Early Twentieth Century,” 289-309.

⁴⁷ Marilyn Lake argues in “Marriage as Bondage” that within the “context of economic dependence, sexual relations were degrading for women.” As a wife she was subject to “one man’s whims and authority, to bodily violation, to unwanted pregnancy, to venereal disease,” 121.

⁴⁸ Jessie Street, “The Place and Treatment of Venereal Disease in Social Reform” (22 November 1916), Street papers, MS 2683/3/1325. Street was the only Australian feminist known to have attended the 1930 Zurich Birth Control Conference, learning that Australians had a much narrower view on contraception than did other Western nations, *Truth or Repose*, 75. For some Australian feminists birth control undermined their call for an equal moral standard by eliminating the consequences. See Lake, “Marriage as Bondage,” 124. Street continued to write about sexual moral standards into the 1950s. See

the dignity that was their due as self-determinate, rights-bearing human beings, women needed economic independence.

Ever the strategist, Street capitalized on Australian pronatalist sentiments—tied to anxiety about both race and masculinity—to argue for women’s economic emancipation. First, Street argued that pay inequality created a cheap pool of female labor, threatening men’s ability to earn a living wage and thereby their masculine responsibility to provide. Thus the state needed to fix minimum wage rates so that they were “paid to men and women alike.”⁴⁹ Yet, she also argued that unequal pay contributed to a falling birthrate. To correct this Australians needed to grant both equal pay and institute a family endowment system. In a policy paper she argued:

The present system of calculating the minimum wage is responsible for many of our problems to-day... Women are forced to accept a wage that covers only their barest necessities and allows for no dependents... [O]ne of the surest ways of making parenthood easier, more attractive and more secure is by additional payments of some kind. I venture to say that a system of adequate family endowment would do more to stimulate the birthrate than all other inducements.⁵⁰

Street letter to the *Daily Telegraph* (24 May 1949), MS 2683/3/437 and Street to Editor of the *Times* (London) (16 August 1955).

⁴⁹ The idea that equal pay should be instituted gradually was advanced by the UA as economically responsible. Street and others believed that an instant increase might shock the economic system, generating a economic recession. This approach was criticized by Muriel Heagney of the Council for Equal Pay Action, which demanded that the fixed wage be equalized immediately. See Pat Ranald, “Women’s Organizations and Communism,” in *Better Dead than Red: Australia’s First Cold War: 1945-1959, Vol.2*, edited by Ann Curthoys and John Merritt (Sydney: Allen & Unwin, 1986), 41-57.

⁵⁰ Street sent her article to Bessie Rischbieth, President of the Australian Federation of Women Voters, to be added to the agenda of the Triennial Conference and for publication in the AFWD’s magazine, *The Dawn*. Jessie Street to Bessie Rischbieth (7 July 1936), Rischbieth papers, MS 2004/5/1771. In 1934 she also sent a paper on “Income for Wives” for *The Dawn*. Jessie Street to Bessie Rischbieth (8 June 1934), Rischbieth papers, MS 2004/5/1674. In 1930 Street traveled to the United States and Europe. During her travels she studied various social insurance schemes and drafted one that she presented to the Australian government in 1932. Her plan eliminated the male preference inherent in the family wage and set a basic wage for the single worker—male or female. It then paid the family a child endowment for each child and the unpaid wife and mother a salary for her work in the home. She presented her General Social Insurance Scheme in 1932 to the government. The Prime Minister Joseph Lyons appointed an all male committee to report on it. Street believed that the commission dismissed her plan as an “impractical scheme of a visionary,” but also because she was “only a woman” and they believed her

If Australians wanted to populate the land with white citizens, women needed to be induced to reproduce. Women's economic independence would also insure that the (re) production of the national citizenry would be based on an "honest and true," not coercive, sex life.

During the 1930s, Australian feminists worked to shape not only national but international policy as well. The UA affiliated with the Australian Federation of Women Voters (AFWV). Through it women like Street shared their initiatives with women across the nation. Furthermore, the AFWV was associated with the International Alliance of Women, which connected Australian women to feminist activists around the globe. The AFWV pressured the government to appoint women delegates to International Labor Organization conferences and the League of Nations. In true democratic fashion, the AFWV had their membership elect a feminist delegate to promote among governmental leaders; Jessie Street was consistently on the AFWV ballot. Despite feminist lobbying efforts, Bessie Rischbieth, the President of the AFWV, was the only woman ever selected by the government to serve (as an alternate delegate) at the League of Nations.⁵¹

Beginning in 1930, Street became an active participant in the vibrant international feminist movement. She established lifelong relationships with a diverse array of activists. An Australian colleague promoted Street as a "good battler" on the international feminist scene.⁵² Street worked to remain informed about the Inter-

"incapable of understanding the mechanics and implications of economic reform." Street, *Truth or Repose*, 94.

⁵¹ AFWV, Nomination for Australian Woman Delegate League of Nations Assembly (1930), Rischbieth papers, MS 2004/5/959; Linda Littlejohn to Bessie Rischbieth (16 Feb 1933), Rischbieth papers MS 2004/5/1530.

⁵² Linda Littlejohn to Bessie Rischbieth (30 November 1932), Rischbieth papers, MS 2004/5/1492.

American Commission of Women's work on the Nationality and Equal Rights Treaties.⁵³ In 1930, she participated in the founding of the Geneva-based Equal Rights International, an organization dedicated to combating the ILO's gender-specific protective labor standards. For Street, the ILO's standards limited women's economic opportunities. Street argued that the "new civilization" that the League of Nations aimed to found required that "all human beings, whether men or women, have the same opportunity to live fully and work successfully." The actualization of this equality, she believed, would "depend on how many other women will join us." If they did, Street surmised, "a tremendous amount of energy and initiative will be released with great advantage to all the human race."⁵⁴ Women's equal economic participation was central to building a peaceful, prosperous world. The international community had a role to play in bringing about that change. But to achieve this also required effective women's activism. As a result, cooperation among feminists was more important to Street than the personal politics that often infused the interwar debates over equal rights and protective labor legislation. She consistently tried to bring the two sides together, maintaining friendships in both camps.⁵⁵

Street credited her socialist turn to the Great Depression, but her 1938 international travels also contributed to her new political consciousness. On this trip, Street visited both the United States and the Soviet Union. She was impressed by Franklin Roosevelt's New Deal program. For Street, the public works employment

⁵³ See Chapter One.

⁵⁴ Equal Rights International press release (16 September 1930), Doris Stevens papers, folder 67.9.

⁵⁵ Jessie Street to Helen Archdale (5 March 1932), Doris Stevens papers, folder 67.9. Street continued throughout her career to bridge women's personal and political divides. From New York in 1947 Street wrote that before she left she was going to see both the U.S. ERA and the protective labor feminists to see if something couldn't be done so they could "sink their differences" to better cooperate with the aims of the CSW. Jessie Street to Bodil Begtrup (17 March 1947), Street papers, MS 2683/5/54.

projects offered an example of capitalist society that directed policy for the “benefit all the peoples of the country.”⁵⁶ She also noted that the New Deal offered women employed in government service equal pay and “much better opportunities for promotion than in Australia.”⁵⁷ In London, an acquaintance with the Society for Cultural Relations with the Soviet Union arranged a trip to Soviet Union, offering Street the opportunity to visit the nation “shrouded in so much mystery.”⁵⁸ Throughout her travels in the Soviet Union, Street marveled at the policy of equal pay and at women working in jobs, such as train conductor, “reserved exclusively for men in Western countries.”⁵⁹ For a woman clearly frustrated by her inability to convince her government of the benefits of equal access or pay, the Soviet Union’s official policies were exemplary. The Soviet Union’s state-controlled economy and their position on women’s equality had allowed the communist nation to avoid the ravages of the Depression and improve the status of women at a time when it was imperiled elsewhere. For the remainder of her 1938 trip, indeed until the end of her activist days, Street presented lectures that trumpeted women’s equality in the Soviet Union.⁶⁰

While Street’s support for the communist nation was difficult politically, she did not demure. In 1939, the same year as the Nazi-Soviet Non-Aggression Pact, Street assumed the Presidency of the Australian Society for Cultural Relations with the U.S.S.

⁵⁶ Street, *Truth or Repose*, 131.

⁵⁷ Street, *Truth or Repose*, 190-91. Street made no comments on the inequalities present in the new Social Security Act. The Social Security Act constructed male dignity through contribution-based program, which became an entitlement in contrast to mother’s pension, or Aid to Families with Dependent Children, which became “welfare.” Alice Kessler-Harris, *In Pursuit of Equity: Women, Men and the Quest for Economic Citizenship in Twentieth Century America* (Oxford: Oxford University Press, 2001); Linda Gordon, *Pitied, But Not Entitled*.

⁵⁸ Street, *Truth or Repose*, 99.

⁵⁹ Street, *Truth or Repose*, 112.

⁶⁰ Jessie Street, “Women in the U.S.S.R.” (undated), Street papers, MS 2683/7/1176-1182.

R. While in the Soviet Union, Street's luggage and papers had been searched. Yet she dismissed this incident, declaring her "amusement at this fruitless inspection."⁶¹ Perhaps it was her single-minded focus on women's (theoretical) equality in the Soviet Union that allowed her to so blindly dismiss the brutalities of Stalin's police-state.⁶² Once Australia was at war with Germany, she weathered sharp criticisms that she was naïve and had been duped by her official communist minders. In 1940, the conservative Robert Menzies government argued that the nation should ban strikes and intern members of the communist party. Street recalled that those that didn't participate in the "clamor or renunciation of socialist ideas were branded either communists or fellow travelers—equally derogatory labels."⁶³ In 1941, Street reveled in the quick about-face Australians took once the Nazi's attacked the Soviet border; a move that thrust Stalin's regime into World War II on the side of Australia's much beleaguered motherland. Street felt vindicated, believing that her assessment of the Soviet Union had been more accurate than that of the vitriolic anti-communist press and conservative political parties.⁶⁴ Only days after the Nazi invasion, the Society for Cultural Exchange reoriented its mission, becoming the Russian Medical Aids and Comforts Committee, popularly known as the Sheepskins for Russia program. Throughout the war Street presided over the endeavor. In 1942, Street promoted the exchange of diplomatic representatives between the Soviet

⁶¹ Street, *Truth or Repose*, 112.

⁶² Barbara Evans Clements *Bolshevik Women* (Cambridge: Cambridge University Press, 1997) argues that while the Soviet Constitution guaranteed women equality, Stalin's regime bolstered patriarchy to solidify male support, particularly in rural areas.

⁶³ Street, *Truth or Repose*, 141.

⁶⁴ Street, *Truth or Repose*, 143-47. Street continued to believe that the press played a major role in the misrepresentation of the lives of people living under the Soviet-sphere of influence. See Street broadcast from Budapest (27 June 1948), Street papers, MS 2683/4/448-9.

Union and Australia, hoping to become Australia's representative to Moscow.⁶⁵ Much to her disappointment, the government nominated a man to fill the job.

More convinced than ever that women needed to participate actively in policy formation, Street stood for federal parliament. Despite being technically eligible since 1902, no Australian woman had ever been elected to Federal Parliament. Street joined the Labor Party in 1939 and in 1943 she ran for a parliamentary seat in her conservative home district. Street's feminist colleagues, regardless of party ideology, helped to staff her campaign office. Street noted that even her politically conservative feminist associates "were pleased at taking a small step closer to having women in Parliament."⁶⁶ Despite the feminist enthusiasm, Street understood that politics mattered. She queried the wisdom of her run, noting that she was well-known in her district, but that she was also "notorious as many of our well-to-do neighbors considered [that] my political views made me a traitor to my class."⁶⁷ While Street won the most votes in the first tally, she lost in the subsequent preference round.

Becoming a Middle Power: "A War to Win, A World to Gain"

Australia entered the war relying on the British imperial defense system and exited the war demanding that its status as a "Middle-Power" be recognized by the Great Powers and the international community. Scholars argue that conflict between Australians' republican aspirations and their sense of belonging to the British Empire played a key role in shaping how the Australian people have understood their role in the

⁶⁵ Jessie Street to H.V. Evatt (16 January 1942), Street papers, MS 2683/7/2.

⁶⁶ Street, *Truth or Repose*, 151.

⁶⁷ Street, *Truth or Repose*, 151.

world.⁶⁸ World War II brought this conflict to the fore. When Churchill failed to prioritize the defense of Australia against the Japanese, Prime Minister John Curtin openly called it an “inexcusable betrayal.”⁶⁹ With the outbreak of war in the Pacific, Curtin turned to the United States, publicly announcing that “Australia looks to America, free of any pangs as to our traditional links or kinship with the United Kingdom.”⁷⁰ As the war progressed, however, Curtin and his advisors came to believe that reliance on American power was not more attractive than their reliance on England. A contemporary of Curtin recalled that the Prime Minister abhorred the U.S.’ “dollar-chasing” character and believed it would become a “predatory economic and military power that would curb

⁶⁸Brian Galligan and Winsome Roberts: *Australian Citizenship: See You in Australia* (Carleton, Victoria: Melbourne University Publishing, 2004); Lake and Reynolds, *Drawing the Global Colour Line*, 137-165.

⁶⁹David Day, *John Curtin: A Life* (Sydney, N.S.W.: HarperCollins, 2006), 444. The moment Britain went to war with Germany in 1939, Australia too was at war. Shortly before the Japanese bombed Pearl Harbor, the Australian people ousted the conservative Menzie’s government from leadership. Australians were worried. The defense of their sparsely populated nation depended largely on the British imperial defense system. The new Prime Minister, Labor Party leader John Curtin had been critical of the Menzie government’s decision to go “all-in” to aid the British. With the outbreak of the war in 1939, the majority of Australian troops were deployed to help the British defeat Germany and Italy, leaving, many believed, the nation vulnerable. When the Nazis defied the Non-Aggression Pact with the Soviet Union in June of 1941, Australians understood that this removed a restraint on Japan. No longer did the Japanese have to worry about a potential Soviet threat to their forces in Manchuria. The Soviets would be busy in the east, leaving Japan free to begin a southward movement. Indeed, by August 1941, Japan began moving south into French Indochina. This meant that the only thing between Australia and southward moving Japanese forces was the poorly defended Singapore outpost. The Japanese bombing of Pearl Harbor brought the Australian dilemma into sharp relief. While Australia held a spot on the British War Cabinet, they had little influence in shaping strategy and it was clear that the Pacific region was low on Whitehall’s list of priorities. Lacking air support, Singapore fell in February 1942. When news of the fall of Singapore reached Canberra, it sent a “tremor of fear throughout Australia.” (David Day, *John Curtin*, 448). Curtin made a global broadcast in which he declared that Australians would fight to the death. He also dispatched his boisterous Foreign Minister, Herbert V. (Doc) Evatt to Washington D.C. to appeal for assistance. Evatt made little progress; Churchill and Roosevelt were committed to a Germany first policy. Japanese midgeet submarines entered Sydney Harbor and residential neighborhoods experienced some shelling. Curtin turned over command of Australian forces to General MacArthur upon his arrival in March 1942. By June of 1942, with the U.S. victory at the battle of Midway, Australia was largely out of danger. By the end of the war, it was clear to Curtin and his advisors that the British imperial system had failed them, but that no special relationship with the United States existed either.

⁷⁰David Day, *John Curtin*, 438-39.

Australia's own ambitions in the Pacific.”⁷¹ In the end, Curtin decided that by enhancing Australia’s status in the world through the United Nations, “Australian ambitions might be achieved beneath the...familiar shadow of the Union Jack.”⁷²

The sexual politics of friendly occupation only exacerbated Australian anxieties of American power. Street lampooned that “Columbus discovered America in 1492 and the Americans discovered Australia in 1942.”⁷³ On their way to the front, nearly one million American GIs passed through Australian cities.⁷⁴ Jessie Street recalled that Sydney’s “streets were quite safe and decent. After the arrival of the Americans it was different. The [American] officers as well as the other ranks acted as if we were a British colony they were taking over.” More alarmingly for Street, “this attitude extended to girls and women.” The liaisons between American GIs and Australian women resulted in rows between Australian soldiers who “had little money” and their cash-flashing American counterparts.⁷⁵ United States dominance in the region apparently threatened Australia’s political, economic and sexual sovereignty.

Jessie Street capitalized on the challenge Australia faced defending an under-populated, large nation. Prime Minister Curtin argued that the war demonstrated what Australians already knew: “Australia could not expect to hold indefinitely a large continent with a small population and a declining birth-rate.”⁷⁶ In a nation-wide radio

⁷¹ David Day, *John Curtin*, 522.

⁷² David Day, *John Curtin*, 523.

⁷³ Jessie Street to Kenneth Street (20 May 1945), Street papers, MS 2683/1/1140.

⁷⁴ Stuart McIntyre, *A Concise History of Australia, 2nd Edition* (Cambridge: Cambridge University Press, 2004), 196.

⁷⁵ Street, *Truth or Repose*, 162.

⁷⁶ John Curtin in the *Sydney Morning Herald* (21 October 1944), cited in David Day, *John Curtin*, 518. For a sense of scale, Australia’s land-mass is approximately the size of the United States. It has roughly 37,000 miles of coastline (mainland and islands) in contrast to an estimated 20,000 miles in the

broadcast, Street pronounced that the Soviet Union had nearly doubled their birthrate because “Mothers in Russia expect and receive the care and solicitude of the entire community.” Street argued that while Australians attached great importance to the soldiers who performed the “vital service of defending our country” they failed to recognize that women’s work “replenishing the race [was] of even greater national importance.” If Australians acknowledged and rewarded the “great army of mothers in our midst,” the nation could also fix the “problem of the falling birthrate.”⁷⁷

To insure that the “great army of mothers” achieved their social and economic rights in the postwar era, Jessie Street and her feminist colleagues formed the Australian Woman’s Charter Committee. In November 1943, ninety organizations participated in drafting the Australian Woman’s Charter, including women’s groups, patriotic bodies, church societies, trade unions and political parties. The banner across the top of the Charter proclaimed: “A War to Win: A World to Gain.” The charter included everything from a “Blanket Bill,” akin to the U.S. Equal Rights Amendment, to demands to provide the mother and/or homemaker with remuneration for her work in the home. Working women were to enjoy state-paid childcare. Gender specific benefits were critical to

United States. Australia’s population at the start of World War II was around 7 million; in the United States’ it was 132 million.

⁷⁷ Jessie Street, “Nation’s Forum of the Air, Session 2,” (2 August 1944), transcript in Street papers, MS 2683/3/666. For Australian leaders, like Prime Minister John Curtin and his outspoken Foreign Minister, Herbert V. (Doc) Evatt, fixing the falling birthrate was a long-term solution to the nation’s challenges. The United Nations collective security system provided a more immediate solution, reducing Australia’s reliance on either one of the two Anglo-American empires. Having been a political isolationist in the 1930s, Curtin was a recent convert to the internationalist spirit. The Australian Prime Minister made his case by arguing that the Australian people “had obligations as subjects of the British Commonwealth and inhabitants of a world community at large. The full expression of these responsibilities is to be a good Australian, a good British subject, and a good world citizen. They are complementary to each other.” (David Day, *John Curtin*, 525). Australia would do what it could to support the United Nations and carve out a significant role for Australia and other “middle powers” in it. Finance Minister (Joseph) Ben Chifley argued that the Australian government would not treat Roosevelt’s Four Freedoms as mere “placard.” David Day, *Chifley* (Sydney: HarperCollins, 2001), 383.

establishing “equal rights.” While Australian women had rallied to the war effort, the Charter drafters argued:

[W]omen must prepare for the post-war period. The reforms incorporated in the Woman’s Charter will benefit not only women, but every man and child. The clauses of the Charter seek to give a practical form to some aspects of the ideals of liberty, justice and democracy.⁷⁸

While the charter addressed a plethora of issues, including the racial persecution of Aboriginals and Hitler’s massacre of Jewish people, the bulk of the charter concentrated on eliminating women’s economic inequality, the root of their subordination.⁷⁹

Furthermore, this goal was tied to the international goal of peace. Street argued, that “the emphasis was on the fundamental need for full and free co-operation of men and women...to achieve peace at home and to establish and maintain international peace.”⁸⁰ Peace and justice in the home would promote international peace and justice.

Street, like her male colleagues, challenged the limited nature of the Allies 1944 Dumbarton Oaks proposals, which provided a blueprint for the United Nations.⁸¹ Street

⁷⁸ “A War to Win, A World to Gain: The Australian Woman’s Charter, 1943,” Street papers, MS 2683/3/19.

⁷⁹ “A War to Win, A World to Gain, The Australian Woman’s Charter, 1943,” Street papers, MS 2683/3/19; See also, Jessie Street, *Truth or Repose*, 170-173.

⁸⁰ Street, *Truth or Repose*, 173.

⁸¹ In the fall of 1944, shortly after the release of the Dumbarton Oaks proposals Australia and New Zealand met for talks in Wellington. In an assertion of their status as Middle Powers and as significant players in the Pacific region, the two nations demanded changes to the UN proposals and communicated their ambitions to Britain. The move by Australia and New Zealand paralleled that taken by Latin American nations at the Chapultepec Conferences, where the United States’ hemispheric allies introduced scores of amendments to the Dumbarton proposals (see chapter two). Australia and New Zealand argued that the new organization needed to play an expanded role in economic and social cooperation and the protection of human rights, particularly crucial was international cooperation in securing a postwar order that fostered full-employment. Their views were largely adopted at the British Commonwealth Meeting in London, April 1945. Australian Delegation Instructions for the San Francisco Conference, Street papers, MS 2683/5/623-35; H.V. Evatt, Press Release on Amendments to Dumbarton Oaks Proposals (3 May 1945), Street papers, MS 2683/5/661; Paul Gordon Lauren, *The Evolution of International Human Rights*, 165-67.

criticized the fact that the Dumbarton Oaks proposals contained “no reference whatsoever of women.”⁸² An article in *Equal Rights* noted that Jessie Street “upon her arrival in San Francisco immediately set to work upon this issue” and with “Australia’s Helping Hand” the UN Charter acknowledged women’s right to equality.⁸³ At San Francisco, Street also asserted her authority as a representative of a middle power, insisting that Australia had a productive role to play in shaping the postwar international order. To this end, she brought the Australian Woman’s Charter with her to the San Francisco conference. She coordinated a “masterly array of cables” from women’s NGOs, which urged delegates from all member states to incorporate the principles of the Australian Women’s Charter into the new United Nations Charter.⁸⁴ Support came from both conservative and communist-affiliated women’s organizations from Australian and international feminist groups.⁸⁵ Street credited the telegram campaign with “paving the way” for the Charter’s equality provisions.⁸⁶ It was the type of action that the U.S. delegate Virginia Gildersleeve found most unfortunate. Indeed, Gildersleeve characterized Street as “conspicuous at meetings” and as a “zealous and very militant feminist.”⁸⁷ But Street was not deterred. From San Francisco, she made a radio address in which she tied securing peace to women’s equality: “It is our universal hope that this organization [UN]

⁸² Jessie Street to My dear Fellow Members (16 May 1945), Street papers, MS 2683/5/18-19.

⁸³ Ruth Snyder, “Australia’s Helping Hand,” *Equal Rights* (July-August 1945), NWP records, reel 3.

⁸⁴ “United Nations Conference and Equal Rights” *Equal Rights* (July-August 1945), NWP records, reel 3.

⁸⁵ Sixty-eight Australian women’s organizations sent telegrams. Street papers, MS 2683/3/11a-e. The International Federation of Business and Professional Women’s communication reminded Street that there could be “no peace without social justice,” Street papers, MS 2683/3/12.

⁸⁶ Jessie Street to Mrs. Carlisle McDonnell of the Australian Federation of Women Voters (16 May 1945), Street papers MS 2683/5/16.

⁸⁷ Gildersleeve, *Many a Good Crusade*, 351.

will establish the rule of justice and liberty for all people in all lands and maintain peace and security throughout the world.” But she warned that this goal would not be achieved “until all barriers to the full participation of women in the political, economic and cultural life...are removed.”⁸⁸

After the conference, Street began her transcontinental trip to promote the feminists’ achievements at San Francisco and to press for the creation of the Commission on the Status of Women. Before leaving the United States, Street reconnected with the “doyenne” of feminist activists, Carrie Chapman Catt, whom Street had met in 1914 at an international feminist conference in Rome.⁸⁹ Street shared the Women’s Charter with Catt, hoping that her support would convince other feminists to back the creation of the UN women’s commission. Catt was impressed and wrote to Margaret Corbett Ashby, President of the International Alliance, proclaiming, “Let the news out, a World Charter for Women!” The renowned American suffragist likened Street’s 20th century charter to the 1848 Declaration of Sentiments. Catt asked Corbett Ashby to meet with Street, giving her “a good chance to talk with you privately and at length” and confided that Street’s “new scheme has filled me with optimism and hope and I trust it may come to you in the same spirit.”⁹⁰ In London, Street argued that the commission was essential. Women’s work at Geneva had not succeeded because they had not been able to act as an “official body or an integral part” of the League of Nations. As a result, Street argued that activists had “little opportunity to work with the officials of the League or with Member Governments to implement any resolutions.” Street concluded that “The United Nations presented different opportunities and different machinery was needed to take

⁸⁸ Jessie Street Broadcast (13 May 1945), Street papers, MS 2683/5/206.

⁸⁹ Street, *Truth and Repose*, 191.

⁹⁰ Carrie Chapman Catt to Margery Corbett-Ashby (1 August 1945), Catt Papers, box 3, folder 11.

advantage of these opportunities.”⁹¹ Street believed that a separate commission would enable feminists to place resolutions—like those embodied in the Australian Women’s Charter—directly on the United Nations’ agenda.

Street also believed that the success of the United Nations hinged on continued cooperation between the Allies. The growing specter of dissent among the wartime allies threatened the interrelated goals of securing the future peace and women’s rights. As early as the San Francisco conference itself, Street feared that the press was fanning the flames of mutual distrust between the East and West.⁹² This sentiment intensified the more she traveled. From London she wrote the new Australian Prime Minister Ben Chifley to warn him about the deteriorating spirit of cooperation. She believed that “there was not any real desire for co-operation in many influential quarters” either in the United States or Great Britain.⁹³ She feared that wartime “unity of feeling” had degenerated into “doubts, suspicions and self-seeking.”⁹⁴ She insisted that the press sensationalized diplomatic negotiations as a series of “crisis and clashes,” when in reality they were just “hard slogging work.”⁹⁵ Street noted that while there were certainly disagreements, this was exactly what the United Nations had been created to do, to work out differences peacefully.

Feminists, Street believed, could model the cooperative spirit for the leaders in the international community. After her meetings in London, Street crossed the English

⁹¹ Street, *Truth or Repose*, 196. For more on the Women’s Consultative Committee’s work at the League see Chapter One.

⁹² Street to UA (5 June 1945), reprinted in Heather Radi, ed., *Jessie Street, Documents and Essays* (Broadway, NSW: Women’s Redress Press, Inc), 197.

⁹³ Street to Chifley (7 October 1945), ANA M1445/43.

⁹⁴ Street to Chifley (20 October 1945), ANA M1445/43.

⁹⁵ Broadcast on the Australian Broadcasting Company (10 February 1946), Street papers, MS 2683/5/244-7.

Channel to join feminists from across Europe for the founding of a new organization, the Women's International Democratic Federation (WIDF), in Paris. Street heralded the organization as a successful cooperative effort between women from capitalist and communist nations. While many stalwarts of the international feminist movement attended the Paris conference, including Corbett-Ashby, the presence of “communist” feminists at the WIDF conference raised the eyebrows of longtime international activists skeptical of the new “left-wing” feminist organization.⁹⁶ Street's Australian colleague Bessie Rischbieth was one such skeptic. Rischbieth argued that the conference had been called under the pretense of charting a middle course between the “extreme” Right and Left, but that the participants were misled. Rischbieth argued that the “Conference took NO account of ‘Traditional Democracy’ or what is known as ‘British Democracy’—the representation of the people through Parliament, or in other words the Self-Determination of the people.” She alleged that the WIDF's Constitution was “quite Totalitarian” and advised her colleagues not to affiliate with the new organization. Instead they should maintain a vigilant “Watching Brief” on it.⁹⁷

Street, however, was determined not to let anti-communist rhetoric or actions destroy the spirit of wartime cooperation. To this end, she accepted an invitation from the U.S.S.R delegation to revisit Moscow. The people of the Soviet Union wanted to show Street their appreciation for her work on behalf of the Sheepskins for Russia campaign. Having witnessed the devastation the Russian people had suffered as a result

⁹⁶ Department of State Memorandum of Conversation (20 May 1946), State Department decimal files, 501.BD-Women/5-2046. The United States National Council of Women, Executive Committee Meeting (29 May 46), reported that the Congress of American Women (U.S. Branch of the WIDF) was “extremely dynamic” and that while the leaders were communists, the rank and file were not necessarily. They were concerned about its growing popularity. National Council of Women records, series 2, sub-series 22, fiche 94.

⁹⁷ Bessie Rischbieth, “Australian Federation of Women Voters Report by the Overseas Liaison Officer, 1939-1946,” (17 August 1946), Rischbieth papers, MS2004/5/unnumbered. Rischbieth got “stuck” in London at the outbreak of the war and spent its duration there.

of the war, Street was moved by their determination. Convinced that Australia could play in a role in “promot[ing] understanding and friendship,” she broadcast from the Soviet Union, also transmitting to Great Britain and Australia. She argued that “without the mutual confidence” of these “three great nations [Great Britain, Australian and the Soviet Union] we cannot hope to establish unanimity and agreement on international aims.” She hoped that “all peace loving people, all those that hate war [would] take advantage of the opportunities offered by the UNO [United Nations Organization] and do all they can do strengthen it.”⁹⁸

After appealing for cooperation, Street hoped that the average English and Australian citizen could be made to empathize with the plight of the people of the Soviet Union. She insisted that: “In the English speaking countries we talk of the clothes rationing and food shortage and think we have made many sacrifices, but here people have died of starvation and cold.”⁹⁹ Street hoped that her characterization could help to offset the press’ attempt to incite distrust.

Increasing East/West distrust was not the only pressing international political issue. Rising nationalist movements in the Middle East and Asia threatened Western empires. The Atlantic Charter’s promise of self-determination inspired colonized peoples and feminists alike.¹⁰⁰ Street drew parallels between the subjugation of women and colonial peoples:

The white races have dominated and exploited the coloured races and thereby gained material advantage and political and social prestige. The men of all races have dominated and exploited their

⁹⁸ Jessie Street speech (3 November 1945), Street papers, MS 2683/7/box 25 folder 4, “Speeches, lectures and broadcasts on the Australian Soviet Friendship Society.”

⁹⁹ Jessie Street speech (3 November 1945), Street papers, MS 2683/7/box 25 folder 4, “Speeches, lectures and broadcasts on the Australian Soviet Friendship Society.”

¹⁰⁰ See Elizabeth Borgwardt, *A New Deal for the World*, 28-45 for the inspiration the Atlantic Charter offered national independence movements.

women with similar benefits to themselves. It may be pleasant to be lord and master, but there can be no equality of rights and opportunities in this relationship. It is as out-of-date as the spirit of imperialism. The whole system of domination and exploitation must be replaced by co-operation of free and independent nations consisting of free and independent men and women.¹⁰¹

Nationalism and feminism were related movements, each intended to eliminate archaic vestiges of subordination, particularly economic dependence.¹⁰²

Street's selection as the delegate to San Francisco coupled with her vocal support for the Soviet Union thrust her into a battle with conservative women's groups when she returned home. Political differences put aside during the war had begun to reemerge. Other prominent feminist leaders, notably Bessie Rischbieth President of the Australian Federation of Women Voters, resented Street's positioning in the press as Australia's leading feminist. Rischbieth, who had also represented Australia at the League of Nations, was no doubt disappointed that she had not been selected.¹⁰³ In 1946, when Street re-convened the Australian Women's Charter Committee to update the Charter based on the achievements at San Francisco, several conservative women's groups lashed out. They argued that Street had no right to claim she was Australia's feminist representative to the world. While "we are in sympathy with your aims," they declared, "we feel our 'unspectacular' methods are more effective. Those under your leadership

¹⁰¹ Jessie Street to Assam Pasha (undated), Paul papers, box 101, folder 1320.

¹⁰² Street voyaged home via India—her birth country—to attend the All India Women's Conference. Street recalled that national independence was the primary topic of conversation and women's "spirit" for independence reminded her of the old suffrage days. Street spoke at the conference and argued that while women had a key role to play in the movement, feminists would have to be watchful so that their emancipation was not forgotten once the goal of independence was realized. Street, *Truth and Repose*, 212.

¹⁰³ Bessie Rischbieth, "Australian Federation of Women Voters Report by the Overseas Liaison Officer, 1939-1946," (17 August 1946), Rischbieth papers, MS 2004/5/unnumbered. Rischbieth questioned Street's belief that strict equality language would not threaten protective labor legislation or benefits granted in the name of motherhood in Australia. But, until the mid 1940s, she and Street effectively collaborated. In a 1938 letter re-introducing Street to Corbett Ashby, Rischbieth informed Ashby that Street was "a very active worker for Equality." Bessie Rischbieth to Corbett Ashby (16 March 1938), Rischbieth papers, MS 2004/4/1875.

are not-entitled to claim that they are truly representative of Australian women.”¹⁰⁴ Street wanted an international campaign, which incorporated both capitalist and communist nations, to fight for peace and the human rights of women. Her more conservative Australian colleagues preferred the activism of the interwar era, when communist women kept their distance.

In an effort to facilitate international cooperation, Street had invited women’s groups from around the globe to the Charter conference, communist and non-communist alike. Indeed, a Soviet delegation of six women traveled from Moscow to London in an attempt to join the conference. They were, however, denied permission to travel from London to Australia. In a desperate attempt to obtain their passage Street contacted the Prime Minister and urged him to intervene. She explained that she had cabled Mr. Molotov personally to extend the invitation and that it would “create an unfortunate impression in Russia if the women were turned back from London.” She added, that the Prime Minister might “imagine the reaction here if a delegation of six Australian women [were] turned back by Russian authorities.”¹⁰⁵ The delegation was forced to return to Moscow. Street’s fear that it would create an unfavorable impression in the Soviet countries was accurate. In an article titled, “Unrealized Journey of the Soviet Women Delegation to Australia,” *Pravda* reported the incident, arguing that the Australians prioritized the travel of “wool merchants” over the collaboration of progressive

¹⁰⁴ Letter duplicating the *Sydney Morning Herald* (19 June 46), Street papers, MS 2683/3/356.

¹⁰⁵ Jessie Street to Mr. Chifley (undated), Street papers, MS 2683/3/362. Street also contacted Foreign Minister, H.V. Evatt who was in London at the time. Evatt asked a colleague “to emphasise” to Mrs. Street that he had “not been involved in the matter.” Evatt to Allan Dalziel (19 August 1946), Street papers MS 2683/3/367.

women.¹⁰⁶ The episode had embarrassed Street and she committed herself to making amends for the slight Australia had imposed on the Soviet delegation of women.¹⁰⁷

The public attacks stung, but Street was unapologetic and defended the invitation to communist organizations. All organizations interested in securing peace through the promotion of women's emancipation had been invited to contribute resolutions. No one organization had been singled out or denied participation. Street charged the opposing women's organization with having made "an open declaration of the policy of non-cooperation." She suggested that their motivations were political, arguing that it was the "culmination of whispering campaign" that she had been subjected to since she ran for office as an Australian Labor Party candidate. She concluded, "If my offense is that I made cause with the less privileged men and women, I am unrepentant." She reminded the women's groups that prior to her parliamentary run the majority of them had supported her work on behalf of women. Furthermore, Street insisted that she had "never made any claims to represent all women's organizations."¹⁰⁸ Whether or not Australian women agreed on the degree to which Jessie Street represented them, a confident Chifley government submitted her name as Australia's representative to the Commission on the Status of Women.

“The Advance of Women is a Fairly Good Measure of the Advance of Democracy”

In 1946, as Jessie Street was lobbying to gain the Soviet women's delegation admittance into Australia, the United Nations was engaged in two important initiatives related to the human rights of women. First, in October 1946 the Danish delegation—on

¹⁰⁶ Helen Wright (UNRRA in Yugoslavia) sent Jessie Street (25 September 1946) a copy of the *Pravda* article. Street papers, MS 2683/3/375-78.

¹⁰⁷ Jessie Street to Helen Wright (5 November 1946), Street papers, MS 2683/3/379.

¹⁰⁸ Letter duplicating the *Sydney Morning Herald* (21 June 46), Street papers, MS 2683/3/356.

behalf of Begtrup and her allies—introduced a two-part resolution to the General Assembly on the Political Rights of Women.¹⁰⁹ The first part of the resolution called on member governments to “fulfill the purposes and ends of the Charter...by granting women the same political rights as men.”¹¹⁰ The second part of the resolution called for the Security Council and General Assembly to consider “the political rights of women” in dealing with new “applications for membership.”¹¹¹ The first part of the resolution suggested that the United Nations would place moral pressure on its members. The women’s commission was prepared to name and shame. The second part called for all future membership applications to be reviewed in light of that nation’s record on women’s political rights, threatening nations’ absolute right to determine their domestic political practices. It did so in a manner that would have real international political consequences. This bold portion of the resolution was immediately sent off to a legal committee for review.

Bodil Begtrup opened the political rights resolution debate by informing her colleagues that: “Freedom and democracy could be attained only with the collaboration of all the peoples of the world.” She ended by declaring that “the women of the world were ready and eager to play their part.”¹¹² With the membership portion lingering in

¹⁰⁹ Procedurally, resolutions must survive several levels of vetting before becoming eligible for a General Assembly vote. Resolutions on the status of women would have to be technically approved by ECOSOC before matriculating to the General Assembly’s Third Committee—the committee that managed social, cultural and humanitarian issues. This is where Begtrup first introduced the resolution. Once the 3rd Committee passed the resolution it could go to a vote on the floor of the General Assembly. Begtrup rationalized bypassing ECOSOC and going directly to the 3rd committee on the grounds that the ECOSOC has approved the portion of the sub-commission’s report that stated the United Nations should appeal to members that had not granted equal political rights to women. She made her comments to the General Assembly’s Third Committee UN Doc. A/C.3/71 (14 November 1946).

¹¹⁰ UN Doc. A/BUR/43 (30 October 1946).

¹¹¹ UN Doc. A/BUR/43(30 October 1946).

¹¹² UN Doc. A/C.3/71 (14 November 1946).

committee, the politically astute Begtrup withdrew it to force a vote on the first part of her resolution. Nearly all the female delegates on the committee spoke in favor of the resolution that “aimed at implementing the [Charter’s] principle [of equality].” Therefore, it could not “fail to receive unanimous adoption and therefore, unanimous implementation.”¹¹³

The debate that erupted over the Danish Political Rights resolution foreshadowed the increasing role that women’s rights would play as a proxy battle in the emerging confrontation between the United States and the Soviet Union. The State Department instructed Eleanor Roosevelt to register her support in principle, but not to support a vote. The justification was that the Charter already declared equality, making the resolution an “empty gesture.”¹¹⁴ Yet the United States’ hemispheric allies did not follow suit. Nearly all of the Latin American republics argued for its approval. Several suggested that the resolution be expanded to include civil as well as political rights.¹¹⁵

The Soviet republics were the most critical. They decried the willingness of states like the United States to make speeches about women’s rights, while ultimately failing to “take practical measures to ensure the equality of women with men.”¹¹⁶ The Ukrainian delegate argued that those members who maintained that women in some countries were

¹¹³ This particular statement was made by Agnes McIntosh of New Zealand. Begtrup, Bernardino, the French delegate, Marie-Hélène LeFauchoux, and the Polish delegate, Kalinowska, were all members of the SCSW and spoke forcefully for the resolution. To move the resolution through the General Assembly committee and final vote, the feminist delegates relied on allies in the General Assembly. The Scandinavian and Latin American delegations were particularly supportive. UN Doc. A/C.3/71 (14 November 1946); UN Doc. A/C.3/80 (16 November 1946); UN Doc. A/C.3/81 (18 November 1946).

¹¹⁴ UN Doc. A/C.3/71 (14 November 1946).

¹¹⁵ Venezuela, Panama, Chile, Ecuador, Brazil, and Peru suggested that the resolution be expanded. The Dominican Republic, Cuba recommended that the resolution be forwarded to the General Assembly. Argentina Mexico, Uruguay, and Nicaragua were also on the committee that unanimously adopted the proposal. Roosevelt voted for the proposal when the vote was taken.

¹¹⁶ The delegate was the Ukrainian, Dr. Medved. UN Doc. A/C.3/81 (18 November 1946).

perhaps not ready for equality made “an argument for granting equal rights to women, not an argument against it.”¹¹⁷ Furthermore, the resolution should be expanded to include women’s civil, economic and social rights. The U.S.S.R. delegate argued that “to speak of political equality alone might...imply discrimination against the other forms of equality to which women were entitled.” They noted that this was an equality that women in Soviet Republics had enjoyed since the October 1917 Revolution.¹¹⁸ Without a dissenting vote, the resolution passed on December 11, 1946.¹¹⁹ No nation wanted to be on record opposing the political rights of women. Yet this debate demonstrated that the rights of women might be fertile ground for drawing ideological distinctions between the political systems of the Soviet Union and the United States.

The second initiative was a survey. On the recommendation of the previous sub-commission, the Secretariat drafted a questionnaire on women’s rights to ascertain the legal and actual status of women throughout the United Nations. In 1946, when Kenyon briefed the sub-commission on the League of Nations study of women’s legal status, she had emphasized the critical nature of continuing the work. Heeding Kenyon’s advice, the sub-commission requested that the Secretariat prepare a questionnaire. The political rights section of the survey had been sent to member-states. National governments, however, had not readily responded to the questionnaires. When the Commission on the Status of Women readied to convene in February of 1947, only a few replies had been received.

Feminist delegates and national governments had different perceptions on the purpose of the CSW. For feminist delegates, the CSW presented an opportunity to shape

¹¹⁷ UN Doc. A/C.3/81 (18 November 1946).

¹¹⁸ UN Doc. A/C.3/81 (18 November 1946).

¹¹⁹ UN Doc. A/64/Add.1 (11 December 1946).

international policy on the human rights of women. Women's groups placed intense pressure on their governments to seek a seat. U.S. and British women's NGOs had insisted on representation. Likewise, both Australian and Latin American women's groups pressured their governments, a fact that surprised one U.S. official.¹²⁰ When Trujillo's foreign minister contacted the U.S. embassy to request support for a seat on the commission, the ambassador noted that "It is interesting that the Dominican Republic should consider the committee of sufficient importance to request assistance."¹²¹ While he might not have found the work of the women's commission important, Trujillo's regime had in fact been actively engaged in using the international women's movement to promote the Dominican Republic as a progressive, modern "democracy" since the 1930s.¹²²

But Trujillo's government was not the only one that saw the CSW as way to tout national achievements in the international arena. Western democracies and the Soviet Union also believed that the CSW might give them an opportunity to showcase their nation's democratic progress. A Department of External Affairs official noted that Australia "should be proud of the record we have in bettering the status of women. In many ways Australia could be taken as a working model for the Commission [on the Status of Women]."¹²³ U.S. policymakers also thought that the status of women in the United States set, perhaps, the best example of progressive action on the rights of

¹²⁰ Australia contemplated given up their seat when its term expired, but Australian women's groups vocally protested. See for example Doris Taylor (South Australian Status of Women Council) to Prime Minister Chifley (15 June 1948), ANA, Series 1838, 856/15 Part II; Australian Federation of Women Voters (28 October 1948) to Secretary John Burton, ANA, Series 1838, 856/15/ Part III, ARA office memo to Mr. Drier (12 February 1947), State Department decimal files, 501.BD Women/2-1247.

¹²¹ American Mission in Ciudad Trujillo to Secretary of State (26 July 1946) State Department decimal files, 501.BD Women/2-2646.

¹²² See Chapter Two.

¹²³ Shann to Alan Watt (7 Feb 1947), ANA, series 1838, 856-15/Part I.

women.¹²⁴ The Soviet delegation frequently argued that the Soviet Constitution granted women more rights than other nations.¹²⁵ If, as Eleanor Roosevelt suggested, “the advance of women is a fairly good measure of the advance of democracy,” then governments had a vested interest in promoting their feminist achievements.¹²⁶ The CSW offered governments the opportunity to do so.

Internationally-minded feminists’ objectives and that of national governments threatened to collide. Arguably the first significant decision that the Economic and Social Council faced—and one with important consequences—was the capacity in which commission delegates would serve. Commission members’ technical status, whether they would be UN appointed independent “experts” or national representatives, was fundamentally about whether feminist experts who served the commission would be able to vote their conscience or would be required to follow government instructions.¹²⁷ In short, it affected the degree to which the struggle for women’s rights would become politicized. The experts on both the Human Rights and Status of Women nuclear commissions recommended the continued use of experts over national representatives.

¹²⁴ See for example, S/HRW/ D-54/47 (16 May 1947), ISP records, 13:4A ISP Subcommittee 3, box 110, documents, 29-90, 1947.

¹²⁵ For example, early in the first session, Evodkia Uralova the Byelorussian delegate insisted that it was “difficult for them [Soviet delegates] to understand how women in other countries could exist” without the Constitutional rights guaranteed women in the Soviet Republics. UN Doc. E/CN.6/SR.6 (13 February 1947).

¹²⁶ Eleanor Roosevelt, “Women’s Rights” (undated) newspaper clipping in Anna Lord Strauss Papers, box 8, folder 154, Arthur and Elizabeth Schlesinger Library, Radcliffe Institute, Harvard University, Cambridge, MA. Hereafter Strauss papers.

¹²⁷ UDHR drafting histories largely dismiss the debate over the use of experts. Most simply state that the nuclear commissions—both the human rights and status of women—recommended independent experts over national representatives, but that the Economic and Social Council “summarily rejected” this idea. Scholars note that ECOSOC delegates, serving as national representatives, viewed the nuclear commission’s proposal to use experts as “far too ambitious and threatening” to national sovereignty. See Mary Ann Glendon, *A World Made New*, 31; Lauren, *The Evolution of International Human Rights*, 211. However, internal U.S. memoranda indicate far more ambivalence on the issue at the early stages.

This view initially had widespread support among U.S. policy makers who argued that experts “untrammled by governmental considerations” would produce more effective results.¹²⁸

Soon, however, U.S. government officials came to the realization that the decision to support experts over representatives was not consistent with political realities. As one policymaker argued, “in the case of the Soviet Union, and probably in...other countries, any nationals will certainly be representatives of their governments.”¹²⁹ Latin Americanists in the State Department concurred regarding the Dominican Republic: “Trujillo regards any Dominican appointed to an international body as his personal representative.” This was true even when delegates “were chosen not as Government representatives but as ostensible leaders in their own right.”¹³⁰ Given these facts, one

¹²⁸ OA (Kotschnig, Sandifer and Hendrick) to SPA (Hiss) (22 April 1946); Ross to Hiss (23 April 1946); Sandifer to Hiss (2 May 1946), Sandifer papers, box 8, folder “Human Rights, March 1945-December 31, 1947.” The Roosevelt administration had successfully deployed the use of experts in forging other multilateral institutions such as the “conversations” at Dumbarton Oaks and the Bretton Woods conference, which established the International Monetary Fund and what would become the World Bank. Using technical experts, the government argued, placed the work of crafting international cooperation above power politics. For a discussion of the benefits of experts at Bretton Woods and Dumbarton Oaks, see Borgwardt, *A New Deal for the World*, 91 and 142. Sandifer to Hiss (2 May 1946), Sandifer papers, box 8, folder “Human Rights, March 1945-December 31, 1947.” The shift to governmental representatives caused alarm in the human rights NGO community. Under the auspices of the American Association for the United Nations, no less than thirty organizations protested the decision to the U.S. government. They argued that not only were governments the primary violators of human rights but that they were also “likely to subordinate human rights to the particular interests of those governments.” If the U.S. delegation could not reverse ECOSOC’s decision, the NGOs suggested that the government appoint its delegate as an “uninstructed expert.” The NGOs argued that this type of U.S. leadership might “encourage other governments to do likewise.” The success of the Human Rights Commission depended upon delegates “quality and international reputation...their freedom of action, and consequently on the confidence they inspire in the peoples of the world.” American Association of United Nations to Mr. (John) Winant (22 September 1946), Kenyon papers, box 27, folder 14.

¹²⁹ Ross to Hiss (23 April 1946), Sandifer papers, box 8, folder “Human Rights, March 1945-December 31, 1947.”

¹³⁰ State Department memo of conversation (29 July 1946), State Department decimal files, 501.BD Women/7-2946.

policymaker insisted “our approach should be similar.”¹³¹ To meet the political realities, the U.S. reversed its earlier support for experts and advocated that member-states nominate representatives to the Council; the Council would, in turn, confirm appointments.¹³²

While CSW delegates understood that they represented their national governments, they also believed that they were selected because of their expertise. In her report to the Economic and Social Council, Jessie Street wrote that the Commission on the Status of Women had “taken note...that you [ECOSOC] regard our Commission as the body of experts on the status of women.”¹³³ In response to a query from Canberra about Jessie Street’s voting record, the Australian UN mission tried to explain: “The exact status of members has been confused...[and the commission members] regard themselves as experts. We seem to have fallen between two stools. We have representation, acting independently like experts and talking in the name of Australia.” The Australian representative noted, however, that they should not have expected it to be otherwise, as “we knew quite well Mrs. Street’s independence of character before she went.”¹³⁴ While some delegates acted with more autonomy than others, the commission

¹³¹ Ross to Hiss (23 April 1946), Sandifer papers, box 8, folder “Human Rights, March 1945-December 31, 1947.”

¹³² During a series of meetings, ECOSOC delegates—who were national representatives—aired a variety of positions on the issue of experts. The positions they took fell into three camps. The first rejected the idea of using experts, arguing that the commissions would be “more qualified to develop practical solutions” if they were in lock-step with their governments. Delegates from Norway and the Soviet Union made statements in favor of national representation. The second camp supported the use of non-governmental representatives who were experts in the field of human rights. Belgium, Lebanon, and Peru voiced their conviction that this was the best means to promote human rights. The U.S. and British representatives spoke on behalf of the “hybrid” approach. UN Doc. E/38 (31 May 1946).

¹³³ Jessie Street written statement to the Economic and Social Council (March 1947), Street papers, MS 2683/5/383.

¹³⁴ Memo to Alan Watt (undated, 1947), ANA, Series 1838, 856-15/Part I.

had a reputation for being independent.¹³⁵ John Humphrey, the head of the UN Division on Human Rights recalled:

More perhaps than any other United Nations body the delegates to the Commission on the Status of Women were personally committed to its objectives. Although they represented governments under whose instruction they worked, they acted as a kind of lobby for the women of the world. There was no more independent body in the United Nations.”¹³⁶

Despite the fact that the CSW delegates were technically national representatives, their commitment to the international feminist agenda challenged governments’ ability to manipulate the United Nations’ work on women’s human rights.

Forging Alliances

The CSW’s success depended on its ability to forge a consensus on its vision of women’s human rights. The shape of this vision hinged on the commission’s leadership. As one U.S. official noted, “by recognizing or not recognizing particular speakers at critical moments,” the commission chairs were in a position to “exercise considerable

¹³⁵ Kenyon was given detailed policy papers based on the agenda. Likewise British delegate Mary Sutherland’s policy papers offered specific instructions. Yet, not all member nations provided detailed instructions. For example, one Australian representative to the UN at the time complained that their policy papers “usually consisted of masses of background material, much of which was irrelevant, and then a section of instructions which many times simply said that the delegations should seek instructions later or that instructions would be telegraphed.” Alan Renouf, *The Champagne Trail: Experiences of a Diplomat* (Sydney: Australian Professional Publications, 1986), 106. Other governments weighed in only when the government believed a specific national interest to be a threat. Trujillo, of the Dominican Republic, was primarily concerned with ensuring that the permanent UN headquarters not be located in New York. This—he feared—would place the international organization in close proximity to the Dominican-exile lobby in the U.S. that vocally opposed Trujillo’s dictatorship. See for example, Emilio Garcia Goday to Secretario de Estado de Relaciones Exteriores (Peña Batlle), Ciudad de Trujillo (20 Nov 1946), 546, leg. 707502, Archivo General de la Nación, Santo Domingo, Dominican Republic. Bodil Begtrup was given considerable autonomy regarding women’s human rights, but was under strict instructions on the asylum and refugee issues. See Kristine Mitgaard, “Bodil Begtrup and the Universal Declaration of Human Rights,” 479-99.

¹³⁶ John Humphrey, *Human Rights and the United Nations: A Great Adventure* (New York: Transnational Publishers, Inc., 1984), 30.

influence.”¹³⁷ Two slates of candidates emerged and they were largely split along lines created in the debates over the creation of the commission and the scope of its agenda. Dorothy Kenyon and her British counterpart, Mary Sutherland, sought to bypass the sub-commission’s earlier work and to implement a narrow but “practical” program. In contrast, Minerva Bernardino, Bodil Begtrup, and Jessie Street pressed for leadership that would build upon the sub-commission’s work. Street brought the Soviet delegations into the fold. John Humphrey noted that the CSW built support for particular agendas by engineering commission leadership.¹³⁸

The Women’s Bureau and State Department collaborated on the development of U.S. policy regarding the CSW, elaborating a different vision of UN women’s human rights work. Neither had been especially satisfied with the work of the women’s sub-commission.¹³⁹ Eleanor Roosevelt had done her best to prod the 1946 commission to

¹³⁷ Human Rights Working Group (1 October 1946), Sandifer papers, box 8, folder “Human Rights, March 1945-December 31, 1947.”

¹³⁸ A.J. Hobbins, ed., *On the Edge of Greatness: The Diaries of John Humphrey: First Director of the United Nations Division of Human Rights, Volume 1, 1948-1949* (Montreal: McGill University Press, 1994), 65.

¹³⁹ While Kenyon often participated in drafting U.S. policy, she did not control it. The U.S. Women’s Bureau played an active role in the early stages of policy-planning, but the State Department had the final say. The Bureau’s director, Frieda Miller insured Women’s Bureau’s involvement, insisting that the State Department “be alert to our [the Women’s Bureau’s] penetrating interest” in the work of the Commission. Frieda Miller to Mr. Winslow (8 January 1947), Women’s Bureau records, box 10, folder CJ-1-3. Miller’s memo was intended to address the procedures that governed the International Social Policy committee, a new policymaking body. In 1946 the formation of policy toward ECOSOC commissions was diffuse. The State Department was expanding rapidly and new departments were created to manage the expanding policy demands created by U.S. participation in the United Nations. Turf war erupted and coordination and communication between delegates and policymakers was chaotic at best. By 1947, to better coordinate policy and communication, Truman had established the International Social Policy (ISP) Committee. It was an inter-departmental working group, but State Department officials chaired the sessions. ISP policies went through two levels of vetting, which began with a specialized sub-committee and matriculated to the general ISP Committee before becoming finalized. The director of the Women’s Bureau, Frieda Miller and Rachel Nason, whose responsibility it was to coordinate Women’s Bureau activities with non-governmental organizations assumed the primary responsibility for the initial drafting of policies that affected the CSW. The policies they crafted closely tracked the aspirations of U.S. women’s NGOs and were based on the 1946 meetings convened by the Washington Committee. For more on these meetings see Chapter Three.

prioritize women's political rights. While the sub-commission acquiesced to Roosevelt's pressure, tacking on a list of five political priorities, Begtrup made it clear that the commission did not prioritize political rights over others.¹⁴⁰ Furthermore, after the sub-commission session, both Bernardino and Begtrup were publicly critical of the lack of U.S. women's support.¹⁴¹ In the eyes of policymakers, Begtrup's failure to fully cooperate along the lines of U.S. policy had rendered her "incompetent" as a chair; they would not support her re-election.¹⁴² Minerva Bernardino was doubly problematic. By June of 1946, U.S. policy toward the Trujillo's regime had swung and the dictator was, once again, out of favor.¹⁴³ A new U.S. policy statement declared that the government would "firmly and discreetly discourage, and if necessary oppose" Dominican representation on ECOSOC commissions.¹⁴⁴ According the State Department, the

¹⁴⁰ As Eleanor Roosevelt was also the chair of the Human Rights Commission—the parent body of the women's sub-commission—the SCSW delegates did not want to alienate her. Their report would be vetted by the Human Rights Commission. For more on the tensions between Roosevelt and the SCSW see Chapter Three. In her opening remarks to ECOSOC, Begtrup thanked the Council for establishing the women's commission and stated that it showed a "deep understanding of the importance attached to the very fundamental social and economic inequalities which (sic) lies in the different status of men and women." She did not mention political rights. UN Doc. E/P.V.4 (28 May 1946). Indeed, while the sub-commission's report to ECOSOC conceded that the commission had given priority to political rights, it declared that "improvements in civil, educational, social and economic fields were especially important and therefore, these problems should be attacked simultaneously." UN Doc. E/HR/ST/13 (13 May 1946).

¹⁴¹ In concluding the sessions Begtrup made a statement about the report. In it she requested that U.S. women get behind the work of the sub-commission. She also declared: "I must stress that this is a United Nations report which scope is wider than the domestic problems of any one country." UN Doc. E/HR/ST 16 (13 May 1946). See also Women's Bureau Confidential Office Memorandum, Rachel Nason to Helen Sater (22 May 1946), Women's Bureau records, box 15, folder "UN Commission on the Status of Women."

¹⁴² Durward Sandifer to Leroy Stinebower (2 November 1946), Frieda Miller papers, box 7, folder A-37-143.

¹⁴³ The State Department had placed pressure on Trujillo's oppressive dictatorship in the waning months of WWII. As the San Francisco conference approached, the U.S. need to consolidate its hemispheric alliances took priority; Trujillo enjoyed a respite from unfavorable U.S. pressure. See Chapter Two.

¹⁴⁴ Department's Policy and Information Statement of June 15, 1946 on the Dominican Republic, quoted in State Department Memorandum of Conversation (29 July 1946), State Department decimal files, 501.BD Women/7-2946.

“absence of human rights in the Dominican Republic” disqualified Trujillo’s government from representation on either the Human Rights or Status of Women Commissions. Trujillo was not the only problem; Bernardino had posed “well-known difficulties” to U.S. policy positions on “women’s committees.”¹⁴⁵ The U.S. refused to endorse Bernardino’s candidacy to the CSW.¹⁴⁶ Therefore, in the days before the commission session began, Kenyon worked to secure support for their proposed slate of officers, which included the British delegate, Mary Sutherland as chair and Amália Ledón of Mexico as vice-chair.¹⁴⁷ The U.S. government believed that they had the Latin American delegations on their side. They had, after all, suggested that Amália Ledón serve as the vice-chair.

¹⁴⁵ When the Dominican ambassador lodged a complaint about the U.S.’ failure to support Bernardino’s CSW candidacy, the U.S. representative fired back. He suggested (incorrectly) to the ambassador that if “other American Republics had wished to support the Dominican candidacy” then Bernardino could have been elected. Another colleague in the State Department quickly moved to correct this misconception, and informed his colleague that indeed “all 4 Latins (sic) did so vote.” Despite opposition to Trujillo in inter-American circles, Bernardino, as the chair of the Inter-American Commission of Women, had carefully cultivated her political capital. Confidential Department of State Memorandum of Conversation, RE: Dominican Representation on Commission of Women (4 November 1946), State Department decimal files, 501.BD-Women/11-446.

¹⁴⁶ Confidential Department of State Memorandum of Conversation, RE: Dominican Representation on Commission of Women (4 November 1946), State Department decimal files, 501.BD-Women/11-446.

¹⁴⁷ The top priority for the U.S. government was to maintain Eleanor Roosevelt as chair of the Human Rights Commission. Since the U.S. could chair only one ECOSOC commission, Kenyon could not lead the CSW. The U.S. government preferred that the CSW chair “be drawn from other than the great powers.” Interestingly, for this policymaker, Great Britain had apparently ceased to be a “great power.” The original slate had the French delegate, Marie-Hélène LeFauchoux, as the *rapporteur*. Concerns that she might be under instructions to show sympathy for positions taken by the Soviet Union resulted in her being supplanted by the Chinese delegate, W.S. New as the *rapporteur*. The Chinese National government was, of course, engaged in a full-scale effort to win U.S. support for their civil war against Mao Zedong’s Revolutionary Army of Workers and Peasants. Confidential Annotated Agenda for the Commission on the Status of Women, SD/E/CN.6/1 (undated), Women’s Bureau records, box 10, folder CJ-1-3. Kenyon wrote to her friend Margaret Corbett Ashby who was the President of the International Alliance to request information about Mary Sutherland. She was not known to international feminist activists. Corbett Ashby responded that Sutherland might not “represent well,” but that she was competent. Dorothy Kenyon to Margery Corbett-Ashby (9 January 1947) and Corbett Ashby to Kenyon (3 January 1947), Kenyon papers, box 58, folder 4.

Bernardino, Begtrup and Street had all encountered U.S. and British recalcitrance at some point in the past two years and they therefore crafted an alternative slate. Shortly after Street arrived in New York, Bernardino orchestrated the Australian's introduction to Bodil Begtrup. Street reported: "I found her [Begtrup] a charming person, as is Miss Bernardino. Probably because we had so many interests in common, we were at home at once and quickly got down to business."¹⁴⁸ Street made contact with Elizavieta Popova and Evodkia Uralova the delegates from the U.S.S.R. and Byelorussia to shore up support for Begtrup as chair, Street as vice-chair and Uralova as the *rappporteur*.¹⁴⁹ Street was the lynchpin of the expanded, albeit tacit, alliance.

Despite the successful U.S. opposition to Bernardino's candidacy, the Dominican still exercised influence. At the first commission meeting in February 1947, Street's slate prevailed.¹⁵⁰ It succeeded largely because of Bernardino's support. Bernardino was not an easily sidelined political player. The day of the vote, neither Ledón nor the Venezuelan delegate, Isabel Urdaneta attended. Not coincidentally, both women also served on the Inter-American Commission of Women, which Bernardino chaired.¹⁵¹

¹⁴⁸ Jessie Street, "A Delegates Report" in the *Australian Women's Digest* (June 1947).

¹⁴⁹ For Street and Popova see Street papers, MS 2683 series 1, box 6, folder 43 "Annual Diaries." Street's "Diaries" are actually more like appointment books in which she makes notations. While the U.S. observer at the commission sessions described them as "the U.S. and U.S.S.R" slates, it is clear that Street and Bernardino, with Begtrup's complicity, orchestrated the line-up, not the Soviet delegation. Rachel Nason office memo to Mr. Hyde and Miss Miller (24 March 1947), Women's Bureau records, box 10, folder C-J-1-2-2.

¹⁵⁰ UN/CN.6/SR.1 (11 February 1947).

¹⁵¹ Minerva Bernardino's influence with Inter-American Commission of Women delegates was widely noted. The U.S. Women's Bureau believed that Bernardino and Ledón in particular worked in tandem. The Women's Bureau observer at the CSW session noted that Bernardino acted as an "unofficial" advisor to Ledón. Rachel Nason to Miller and Hyde (24 March 1947), Women's Bureau records, box 10, folder CJ-1-2-2. On one occasion, when Ledón visited the Women's Bureau with Begtrup, a staffer noted that Ledón was "probably reporting to Bernardino." Rachel Nason office memo to Helen Sater (22 May 1946), Women's Bureau records, box 15, folder "United Nations Commission on the Status of Women." But Bernardino's influence was also noted by other delegates. In a letter to Jessie Street, Bodil Begtrup wrote that she had already "written to Minerva so she would arrange [the vote] with her countries." Bodil Begtrup to Jessie Street (18 May 47), Street papers, MS 2683/5/59.

The Guatemalan representative was the only Latin American delegate present. She voted with Street.¹⁵² Not attending a meeting worked in much the same way as the age-old method of abstaining from a vote. It allowed one to oppose or support a position without a direct confrontation. The failure of the Latin American delegates to either attend or vote for the U.S. slate sent American policymakers into fits. State Department officials believed that it “was the worst possible slate of officers.” Furthermore, as the U.S. had supported the Latin American CSW candidacies, their absence and vote placed the U.S. in “an embarrassing position.”¹⁵³ Ironically, Bernardino’s U.S. orchestrated exclusion from the commission may have unintentionally made her ability to influence policy easier. Acting as an IACW observer at the commission meetings permitted Bernardino to canvass on behalf of certain initiatives without ever having to “vote” publicly with or against potential allies. For the representative of a brutal, volatile, and rabidly anti-communist dictator, this was no small thing. Despite the fact that CSW delegates represented their national governments, internationally-minded feminists collaborated to orchestrate the commission’s leadership in a way that would facilitate their objectives.

¹⁵² The Guatemalan delegate, Sara Basterrechea, represented the Juan José Arévalo revolutionary government that preceded Jacobo Arbenz. Arévalo’s government followed the ouster of the U.S. friendly Ubico dictatorship and was the first to challenge U.S. dominance in Guatemala. As Piero Gleijeses argues, Arévalo wanted “Guatemala to be a nation, not a banana republic.” See *Shattered Hope*, 378. The fourth Latin American delegate was de Echeverria from Costa Rica did not arrive until the third day, and according to the Women’s Bureau observer, Rachel Nason, Graciela Morales F. de Echeverria was “easily persuaded into the pro-Russian group.” Ledón and Urdaneta were not the only no-shows. Begum Ali-Hamid, although in New York, did not attend the first session. The Women’s Bureau observer noted that this was “presumably because she did not wish to vote for either the U.K. or the U.S.S.R. slate.” Rachel Nason office memo to Mr. Hyde and Miss Miller (24 March 1947), Women’s Bureau records, box 10, folder C-J-1-2-2.

¹⁵³ Policymakers in the State Department’s American Republics Affairs office had successfully pressed to include a large contingent of Latin American delegates on ECOSOC commissions against the judgment of others in the State Department who questioned supporting countries “which we are not sure will tend to support us.” Leroy Stinebower opposed the inclusion of four Latin American delegates. He served as a temporary delegate to the United Nations, but whose background was in U.S. international economic policy and so perhaps was more acutely aware of Latin American resistance to U.S. hegemony. Unsigned office memo (although clearly from someone in ARA) to Mr. Drier (12 February 1947), State Department decimal files, 501.BD-Women/2-1247.

**“It is Only When a Society Adopts
Visionary Ideas that Progress is Made”**

At their core, the women’s commission’s first session debates were about priorities and strategies. Drafting a consensus document would prove to be no easy task. While the CSW delegates were all members of the political elite, they came from distinct political regimes and diverse cultural backgrounds. Where the sub-commission had consisted of only nine delegates, fifteen women sat on the full Commission on the Status of Women. The delegates came from Australia, the Byelorussian Soviet Socialist Republic, China, Costa Rica, Denmark, France, Guatemala, India, Mexico, Syria, Turkey, U.S.S.R, the United Kingdom, the United States, and Venezuela.¹⁵⁴ Dorothy Kenyon commented on the commission’s diversity: “We spoke four different official languages...and came from different countries, with very different laws, cultures, habits and customs.”¹⁵⁵ Each delegate had her own priorities shaped largely by personal gender ideologies, the condition of women in her nation, and political considerations, which ranged from commission-centered politics to national and international interests.

For Jessie Street, the commission’s primary obligation was to implement the UN Charter. The Charter set out the principle of equal rights as one means of fostering a peaceful postwar era. For Street, this was fundamental. To achieve these goals, Street worked to strengthen the commission. She wanted a strong, clearly articulated set of aims to guide the commission’s work. She also worked to expand the specific set of rights objectives established by the sub-commission, especially regarding women’s economic

¹⁵⁴ Australia (Street), Byelorussian Soviet Socialist Republic (Uralova), China (New), Costa Rica (de Echeverria), Denmark (Begtrup), France (LeFauchaux), Guatemala (Basterrechea), India (Hamid-Ali), Mexico (Ledón), Syria (Cosmo), Turkey (Pektas), U.S.S.R (Popova), the United Kingdom (Sutherland), the United States (Kenyon), and Venezuela (Urdaneta). The primary area of under-representation on the CSW, and in the United Nations generally until the 1960s was that of the African nations. As colonial territories, they were “represented” by the metropole nations.

¹⁵⁵ Dorothy Kenyon speech, “Women are Human Beings” (May 1947), Kenyon papers, box 20, folder 12.

rights. She strove to insure that commission's representatives would be actively engaged in the work of the United Nations in all areas that potentially touched women's lives. This included the work of the Human Rights Commission, particularly the drafting of the International Bill of Rights.

Delegates' priorities were shaped, in part, by who they thought the commission should primarily serve. The CSW debated whether its objective was to extend the rights women in most developed nations already enjoyed to women in the developing nations or whether their task was to elaborate a progressive vision of women's human rights that would benefit all women. Kenyon and Sutherland prioritized rights that women in most industrialized nations already possessed. The object of their attention was often women from Asia and the Middle East, whose condition they likened to slavery. Kenyon, for example argued that to women who were "not much better than beasts of burden, the hewers of wood and drawers of water...[t]he Commission...owed a primary responsibility."¹⁵⁶ For Kenyon and her British colleague, Mary Sutherland this legitimized a focus on political and educational rights. Kenyon argued that "the task before the members of the Commission was to educate and to awaken the people to the importance of political rights of women in the achievement of true democracy."¹⁵⁷ Sutherland argued that political rights and educational opportunities had to be addressed in tandem. She introduced a resolution, asserting that the "full participation of women in public life can only follow full and free educational opportunities."¹⁵⁸ Both Kenyon and Sutherland took conservative approaches to the commission's action, proposing that the

¹⁵⁶ Speech by Dorothy Kenyon, "Victories Won: A Stock Taking and an Inventory: On the International Front" (4 May 1947), Kenyon papers, box 20, folder 12. Similar language appears in Dorothy Kenyon, "Victories on the International Front," *Annals of American Academy of Political and Social Science* 251 (May 1947): 17-23.

¹⁵⁷ UN Doc. E/CN.6/SR4 (12 February 1947).

¹⁵⁸ Kenyon's statement: UN Doc. E/CN.6/SR.4 (12 February 1947).

CSW work by introducing a series of resolutions that requested other branches of the United Nations to instigate studies or programs to improve women's status. For example, Kenyon introduced a resolution that requested the Secretary General to "urge" members to respond to the political rights questionnaire and Sutherland's recommended only that the Secretariat "speed up" its work on the educational portion of the questionnaire.¹⁵⁹ Both proposed that the International Labor Organization was the more appropriate entity to address women's economic rights. Throughout the session, the two delegates largely voted as a bloc, a point other delegates and commission observers noted with derision.¹⁶⁰

Street argued that the CSW should work to implement a progressive vision of women's human rights around the globe. Street believed that political rights and educational opportunities were essential, but also recognized that major resistance to either proposal was rare.¹⁶¹ No one on the CSW questioned the need to promote women's political rights or education. The problem was to emphasize these rights at the expense of others. Street protested the limits of Kenyon's and Sutherland's resolutions, disagreeing with the idea that political rights were contingent on educational opportunities. She insisted that while "educational and professional opportunities were important," there was no need to withhold the franchise until this was achieved. To do so, she argued placed "too much stress... on education vis à vis experience of life."

¹⁵⁹ Sutherland's resolution: UN Doc. E/CN.6/16 (14 February 1947).

¹⁶⁰ Dorothy Irwin, "Lake Success—And You," (May 1947), Kenyon papers, box 54, folder 1; Jessie Street to H.V. Evatt, "Confidential Report," (undated, 1947) Street papers, MS 2683/5/326-8.

¹⁶¹ Street for instance argued that "candidates for government office gave primary consideration to the needs of the electorate." If women wanted to obtain their objectives, they needed political rights. UN Doc. E.CN.6/SR6 (13 February 1947).

Indeed, Street contended that “people living in backward countries knew as well as those who had educational opportunities what was necessary for liberty.”¹⁶²

The Australian feminist argued that if the CSW was to make a real impact in the lives of all women, then it needed to fight for women’s economic rights. Street insisted that “in some countries, like Australia, action aimed at economic equality was even more important than...educational opportunities, since in Australia the latter had already been granted.”¹⁶³ Indeed, Street believed that it was only when a “society adopts visionary ideas” that progress be made.¹⁶⁴ Furthermore, Street’s long experiences demonstrated that the really tough slogging and most contentious disputes came over women’s economic and social rights, as these were the rights that challenged men’s prerogatives most dramatically. They were also the rights that feminists disagreed how to best guarantee. She had been engaged in that fight both nationally and internationally since the 1930s.

For Street, part of adopting visionary ideas included strengthening the Commission’s aims as articulated by the former sub-commission. Street praised Begtrup’s work, arguing that the sub-commission’s report should be used as a basis of the CSW’s work.¹⁶⁵ But she wanted stronger language and she wanted to eliminate the idea that political rights took priority over all others.¹⁶⁶ Street proposed that the CSW state its objective clearly and directly. Its job was to promote “women's rights in political,

¹⁶² UN Doc. E/CN.6/SR.4 (12 February 1947).

¹⁶³ UN Doc. E/CN.6/SR.12 (18 February 1947).

¹⁶⁴ Street, *Truth or Repose*, 173.

¹⁶⁵ UN Doc. E/CN.6/SR.7 (13 February 1947).

¹⁶⁶ The sub-commission’s report stated that “in practice” priority would be given to political rights since “little progress could be made without them.” But, “nevertheless” the report continued, “the civil, educational, social and economic fields were especially important and therefore, these problems should be attacked simultaneously.” UN Doc. E/38 (20 May 1946).

civil, economic, social and educational fields.” No one right would take precedence in the work of the commission. Additionally, Street contended that the commission’s aims include a statement on implementation. She proposed and won a clause that declared the commission would work for the rights of women “with the object of implementing the principle that men and women shall have equal rights.”¹⁶⁷ This gave more teeth to the commission’s work and reinforced the Charter’s pledge of equal rights. Not surprisingly, Kenyon objected to the inclusion of equal rights, arguing that there could indeed be “equality in slavery.”¹⁶⁸ But as Street had employed the language of the charter, Kenyon’s objection fell on deaf ears.

For Street, the clarification of aims was not just about women’s rights, it was about achieving a critical step toward the larger aims of the United Nations. To this end, Street pressed another motion. The new statement asserted that women’s rights were “an instrument for promot[ing] human rights and peace.” Member-states had a vested interest in achieving women’s equality. Furthermore, Street’s statement reminded member-states that they had “signed the charter.” In doing so, they had made a commitment “to reaffirm faith in fundamental human rights and equal rights of men and women.” The CSW expected, therefore, nothing less than the “full collaboration of governments.”¹⁶⁹

With the commission’s aims and expectations more clearly stated, Street and her allies moved to expand the specific list of rights that women demanded. Kenyon had criticized the sub-commission’s decision to list specific rights, calling it a “manifesto”

¹⁶⁷ UN Doc. E/CN.6/SR2 (11 February 1947).

¹⁶⁸ UN Doc. E/CN.6/SR2 (11 February 1947).

¹⁶⁹ UN Doc. E/281/Rev.1 (2 February 1947).

instead of a program of action.¹⁷⁰ But a manifesto—or a charter—was exactly what Street wanted the CSW to re-articulate. Street viewed Kenyon’s and Sutherland’s resolutions as largely empty gestures. Instead of resolutions asking governments to answer the questionnaire, Street believed that a strong list of specific rights would leave no doubt in the minds of member-nations, UN agencies, Councils, committees, or the General Assembly what women demanded. They would be on record as demanding women’s civil and political rights *as individuals*, but also particular economic and social rights *as women*.

To do so, the CSW evaluated the sub-commission’s original list of political, civil, economic, social and educational rights. The delegates agreed to retain the sub-commission’s list of political and civil rights largely unchanged.¹⁷¹ Street’s primary focus was on expanding the list of economic rights. The sub-commission’s report included general statements, which demanded equality in economic and social rights and responsibilities as well as “special consideration on the grounds of motherhood”¹⁷² For Street this was not nearly specific enough. In cooperation with others, especially the Soviet delegations, the commission enhanced the list of economic rights. The CSW concluded that the state had an obligation to provide paid “holidays” before and after child-birth. Working women would be permitted to take breaks—with pay—to nurse

¹⁷⁰ Dorothy Kenyon to Dorothy Crook (23 May 1946), Kenyon papers, box 55, folder 10; Helen Sater to Frieda Miller (4 May 1946), Women’s Bureau records, box 10, folder C-H-4-1-2-3

¹⁷¹ They made no changes to the list of political rights. Street proposed one of the only two amendments that modified women’s civil rights. She argued successfully that the list include married women’s right to determine her domicile, a key component of guaranteeing that human rights standards recognized the “dignity of the wife.” The SCSW report included the language the “dignity of the wife” in its report. For more on the role of the “dignity of the wife” in the human rights debates see Chapter Five. The other civil rights addition was to add monogamy to the section on marriage proposed by Hamid Ali of India. The Soviet delegations did win the insertion of non-discrimination clauses before both the civil and political rights section. The political rights clause included race, religion, and language. The civil rights section added nationality to the clause. See Chapter Five.

¹⁷² UN Doc. E/38 (20 May 1946).

children. Workplaces would provide crèches and specially designated rooms to nurse small children. Furthermore, for older children the state should provide a “wide network” of daycare centers, kindergartens, and medical centers.¹⁷³ Street noted that “For too long society has accepted the idea that ‘a woman’s work is never done.’”¹⁷⁴ These provisions would go a long way in permitting women who worked outside the home equal opportunities. Street and her allies succeeded in recording a list of women’s human rights.

Kenyon and Sutherland both objected to the CSW’s expansion of the sub-commission’s list of rights. Each wanted the CSW to start from scratch. Kenyon argued that while she agreed with the principle behind the list of rights, she disagreed with the method. She did not think that the CSW should draft a “charter on the rights of women.” If the commission wished to draft a charter, Kenyon argued, it would have to be done in a committee and then only after a complete study had been conducted. It could not occur quickly by simply amending the sub-commission report. Street, however, thought the entire “questionnaire” a ruse to delay action. At one point Kenyon argued that before any direct action could be taken the questionnaire results had to be collected, portions of which might take years to complete. Street fired back in disbelief, stating that women’s NGOs could finish the entire questionnaire in a matter of days.¹⁷⁵ Begtrup pressed a vote on the list of rights. Kenyon and Sutherland abstained.¹⁷⁶ Street and her allies won another important victory.

¹⁷³ UN Doc. E/281/Rev.1 (2 February 1947).

¹⁷⁴ Jessie Street to Lena Spiegel, (13 February 1948), Street papers, MS 2683/5/96.

¹⁷⁵ UN Doc. E/CN.6/SR.8 (14 February 1947).

¹⁷⁶ Sutherland argued that the list of rights was redundant as the UN Charter provided for women’s equality UN Doc. E/CN.6/SR.6 (13 February 1947).

The list of rights established the groundwork for translating women's rights claims into the emerging UN human rights project. At its recent session, the Human Rights Commission had established a drafting committee to begin work on the International Bill of Rights. For Street the job of the CSW was to guarantee that the universal human rights standards recognized women's particular rights. She believed that a CSW representative should directly participate in the work of Human Rights Commission's drafting committee. Furthermore, each draft should be submitted to the CSW for review.¹⁷⁷ This would permit the women's commission to both shape the future bill and to function as a women's human rights watchdog.¹⁷⁸

It was exactly the type of direct action that the U.S. and the British governments had tried to limit. The head of the Human Rights Division John Humphrey balked at the recommendation that a CSW member would directly participate in the drafting process. Instead, he suggested that it was more appropriate for a single representative to attend the Human Rights Commission sessions when drafts were debated. Sutherland firmly objected to the CSW's direct involvement in the drafting process, stating that "the Commission had no right to ask to be represented on a small committee appointed by another Commission...there was no reason to believe that the Commission on Human Rights would fail to realize that women's rights were part of human rights."¹⁷⁹ She conceded that, as Humphrey suggested, one representative might attend the Human Rights Commission session. Kenyon, not surprisingly, agreed.¹⁸⁰

¹⁷⁷ UN Document E/CN. 6/SR.12 (18 February 1947).

¹⁷⁸ UN Document E/CN. 6/SR.12 (18 February 1947).

¹⁷⁹ UN Document E/CN. 6/SR.12 (18 February 1947).

¹⁸⁰ UN Document E/CN. 6/SR.12 (18 February 1947).

Street countered. If they were to be denied the right to participate in the drafting process then all CSW officers should attend the Human Rights Commission sessions. Popova and Begtrup sided with Street. The “responsibility was too great for one person, there would be [a] need for consultation on the important questions that would arise.”¹⁸¹ Begtrup also reiterated the need for the CSW to receive copies of all drafts at the same time as Human Rights Commission members. Again, Street and her allies prevailed, defeating Sutherland and Kenyon by a large margin.¹⁸² Furthermore, Street moved that because of the urgency involved, the CSW needed to hold another meeting prior to the Human Rights Commission session so that the entire CSW would have the opportunity to evaluate the human rights document. While Street’s alliance prevailed, the women’s internationally-minded objectives soon came into conflict with emerging Cold War politics.

The Limits of Alliances

Street’s alliances proved critical in obtaining her objectives, but also required her to provide support. The Soviet delegations had specific aims, which tested the limits of the alliance. Popova and Uralova’s primary objective was to link the continued fight against fascism to the promotion of women’s rights. The Soviet push to prioritize opposition to fascism served two important goals. First, it kept the defeat of the Nazis at the fore, serving as a constant reminder to the allies of the critical Soviet wartime contribution. Second, situating communism in opposition to fascism helped to legitimize the Soviet Republics’ claim to democracy; fascism obliterated women’s rights, communism did not. One goal, which the Soviet delegates achieved, was to insert a clause, which declared that the eliminating the “remnants of fascism” was a primary

¹⁸¹ UN Document E/CN. 6/SR.12 (18 February 1947).

¹⁸² UN Document E/CN. 6/SR.12 (18 February 1947).

CSW goal.¹⁸³ They sought, however, to include the fight against fascism principally through an attempt to gain official UN recognition of the Women's International Democratic Federation, the women's NGO founded in Paris in 1945. To gain recognition for the organization required obtaining "consultative status" from ECOSOC. The Soviet delegates pressed the CSW to recommend that the WIDF be granted the highest level of consultative status. This would have entitled the WIDF to both submit written statements and participate without the vote in the commission, giving them considerable influence to shape the debates.¹⁸⁴ The WIDF's platform included the "annihilation of fascism" to secure peaceful collaboration among nations and the defense of women's economic, social and political rights.¹⁸⁵ Popova and Uralova noted that the WIDF was the largest women's organization in the world, citing its membership at 81 million—numbers they insisted lent it special status.¹⁸⁶

Several delegates had sympathy with the WIDF resolution. Street had been at its founding conference in Paris. She was certainly aware that many believed it was a communist front organization, which took its orders from Moscow.¹⁸⁷ Street's participation in the 1945 WIDF conference had generated a wave of conservative

¹⁸³ UN Doc. E/CN.6/SR.8 (14 February 1947); UN Doc. E/CN.6/SR10 (17 February 1947).

¹⁸⁴ The United Nations instituted a tiered approach to their arrangements with non-governmental organizations. The levels gave organizations various rights, the highest level, "A" status, gave NGOs the right to introduce resolutions and to participate in ECOSOC commissions without a vote. Consultative "A" status was reserved for organizations whose work covered all ECOSOC fields. With the exception of the American Federation of Labor, it was also limited to organizations that were international. The World Federation of Trade Unions, to which the CIO belonged also held Consult A status. Most women's organizations were granted consultative "B" status, which permitted them to submit written statements, but not to participate in commission debates.

¹⁸⁵ For the WIDF platform see "World Women's Body Is Set Up in Paris," *New York Times* (29 November 1945), 20. The protection of children was also a primary goal of the WIDF.

¹⁸⁶ UN Doc. E/CN.6/SR 3 (11 February 1947).

¹⁸⁷ "French Red Denies Moscow Cash Aid," *New York Times* (16 October 1946), 14.

opposition to her at home. Begtrup had attended and praised the 1946 founding of the WIDF's American branch, the Congress of American Women.¹⁸⁸ Kenyon had spoken at the Congress of American Women's conference on the U.S. Equal Rights Amendment in 1946.¹⁸⁹ The French delegate also supported recommending the WIDF, but questioned singling it out over others.

Despite Kenyon's familiarity with the WIDF, both she and Sutherland flatly rejected the Soviet delegates' WIDF initiative. When the WIDF issue arose, the State Department cabled urgent instructions. Kenyon was to oppose "unreservedly" any attempt to give special recognition to the WIDF. For U.S. policymakers, communism—not fascism—represented the current potential threat. Kenyon and Sutherland, correctly, noted that ECOSOC retained the right to determine NGOs' status and suggested that the request was outside the CSW's authority.¹⁹⁰ Kenyon personally questioned such a rigid stance.¹⁹¹ Her sympathy—however modest—foreshadowed Kenyon's growing discontent with her strict State Department instructions. Kenyon hoped to keep Cold War politics out of the CSW's conference room.

¹⁸⁸ Congress of American Women leaders included Susan B. Anthony, Muriel Draper, and Gene Weltfish. "Women of America Organize Own Pac," *New York Times*, (26 May 1946), 34. For the development and work of the Congress of American Women see Kate Weigand, *Red Feminism: American Communism and the Making of Women's Liberation* (Baltimore: Johns Hopkins University Press, 2001), 46-64.

¹⁸⁹ Anna Center Schneiderman to Kenyon (24 June 1946). Kenyon was also one of the sponsors of the 1946 Congress of American Women International Woman's Day Conference. See letter from Susan B. Anthony to Dorothy Kenyon and CAW program, Kenyon papers, box 55, folder 10. Following her testimony before the Tydings Committee, Kenyon became critical of the CAW and accused it of being a communist-front organization, a charge the leadership denied. See correspondence between Kenyon and Muriel Draper (April-May 1949), Kenyon papers, box 15, folder 38.

¹⁹⁰ ECOSOC established a NGO committee to review applications and make recommendations to ECOSOC about the level of status granted. UN Doc. E/CN.6/SR3 (11 February 1947); UN Doc. E/CN.6/SR10 (17 February 1947).

¹⁹¹ Outgoing telegram, Department of State to Kenyon and Tomilson (14 February 1947). State Department decimal files, 501.BD/Women/2-1447. Kenyon contacted the embassy in Moscow to request their view on the WIDF. Moscow responded that they had no specific information. Telegram Infotel No. 384 from Moscow (12 February 1948), Kenyon papers, box 53, folder 9.

Nonetheless, the United States and Britain's rigid opposition, coupled with the Soviet delegations' dogged determination, gave the appearance of a growing East/West divide on the commission. Several of the other delegates believed that a recommendation to ECOSOC was entirely within the scope of the CSW's authority. In a move intended to erase the appearance of disunity, Begtrup and Street suggested that both the WIDF and the old stalwart of Western women's organizations, the Liaison Committee, be given special recognition.¹⁹² Yet the very act of adding a "Western" organization to the WIDF resolution acknowledged the growing divide. The Soviet delegations, however, resisted any modification of their proposals. Their inflexibility did not ingratiate them to the other delegates. Throughout the session, the Soviet delegations consistently capitalized on openings to re-introduce their WIDF request. The most common tactic was to introduce an amendment to another delegate's resolution.¹⁹³ Delegates and observers became frustrated with the WIDF issue as it frequently delayed the commission's work, CSW business always circled back to the WIDF. As a U.S. observer

¹⁹² In a 1946 meeting with State Department officials, mainstream women's warned officials that the CSW might become "a sounding board" for new women's groups "inspired by left-wing groups which had their conference in Paris last fall [WIDF]." They suggested that the State Department press the United Nations to move slowly in granting consultative status to NGOs. Department of State, Memorandum of Conversation (20 May 1946), State Department decimal files, 501.BD-Women/2046. The State Department pressed U.S. women's groups to apply for consultative status through the Liaison Committee. One official warned that the pressure to recognize the WIDF would "be so great, they might not be able to stop it." For that reason he suggested that the Liaison Committee "be strengthened promptly." Women's Bureau Memo from Rachel Nason to Helen Sater (21 May 1946), Frieda Miller papers, box 7, folder A-37-143. Yet U.S. women's groups adamantly rejected only participating through the old Liaison Committee that had been founded to lobby the League of Nations. They argued that they saw this as an unjustified restriction on their ability to lobby the United Nations. Kenyon also opposed the idea. She believed that to force women's NGOs to align under the banner of the Liaison would be to line it up in opposition to the WIDF. She argued in a letter to Mary Sutherland that this was exactly "what the Russians want." Kenyon to Mary Sutherland (April 1947), Kenyon papers, box 56, folder, 4.

¹⁹³ Even Street did not escape the tactic. For example, in an effort to implement the recommendations of the CSW and to raise awareness of the commission's work, Street introduced a resolution recommending that the United Nations encourage the formation of coordinating committees in each member-state. Uralova moved an amendment to add to the WIDF to Street's resolution, which delayed debate on Street's resolution. UN Doc. E/CN.6/SR/5 (12 February 1947).

noted, the work of the CSW “was retarded by the insistence of the Soviet delegations that special recognition be given to the Women’s International Democratic Federation.”¹⁹⁴

Street’s efforts to empower the commission and to strengthen its work were increasingly overshadowed by her efforts to cooperate with the Soviet delegations. While several delegates supported granting both the WIDF and the Liaison Committee the same recognition, the press reported the initiative as largely driven by Street.¹⁹⁵ Margaret Corbett Ashby, President of the International Alliance, wrote to Street before the second session, offering a friendly warning to her longtime friend. She told Street that she hoped that this time the CSW did not “waste endless hours on the WIDF.”¹⁹⁶ It discredited the work of the commission.

The WIDF issue created a problem for Street’s Latin American allies. Bernardino had petitioned the CSW to arrange a formal cooperative relationship with the Inter-American Commission of Women. While she had Street’s support, Bernardino feared that the WIDF controversy would become linked to her efforts to gain special recognition for the IACW. While Ledón (Mexico), Urdaneta (Venezuela), and de Echeverria (Costa Rica) were fully behind the IACW appeal, Bernardino was concerned that she might not have enough votes. IACW vice-chair, Amália Ledón drew the CSW’s attention to ways in which the Inter-American Commission of Women had struggled with and found solutions to the same challenges the CSW now faced; they had valuable

¹⁹⁴ Rachel Nason to Frieda Miller (24 March 1947) Women’s Bureau records, box 10, folder C-J-1-2-2.

¹⁹⁵ United Nations Press Release, SOC/95 (19 February 1947), in Paul papers, box 99, folder 1299; “Special Rights Aim Again Loses In U.N.,” *New York Times* (20 February 1947), 11.

¹⁹⁶ Margery Corbett-Ashby to Jessie Street (31 December 1947), Street papers, MS 2683/3/407.

lessons to teach the United Nations commission.¹⁹⁷ Behind the scenes, Bernardino aggressively lobbied other delegations to line-up support for the IACW.¹⁹⁸

Street's ability to maintain her commitment to Soviet cooperation was put to the test when it collided with her loyalty to Bernardino and the IACW initiative. When Ledón introduced the resolution, the U.S.S.R. delegate Popova countered that it was only "natural to put the Democratic Federation of Women on an equal footing with the Inter American Commission of Women."¹⁹⁹ The Soviet delegations once again tacked the WIDF onto an existing resolution. The commission erupted. Kenyon and others pointed out that the WIDF was a *non-governmental* organization whose status ECOSOC would determine in due time. The issue had been decided. The IACW was different. It was an *inter-governmental* organization, and therefore required a distinct and separate arrangement. Ever the mediator, Street volunteered to submit a separate resolution again promoting recognition of the WIDF (and Liaison Committee) if the Soviet delegate withdrew her motion. She would not.²⁰⁰ Tacit alliances had their limits. Amália Ledón

¹⁹⁷ UN Doc. E/CN.6/SR7 (13 February 1947). The IACW delegates supported Street's efforts to expand the specific list of women's economic rights. Yet, they also stood behind prioritizing political rights for women. See for example UN Doc. E/CN.6/SR12 (18 February 1947). For these delegates there was still much work to be done; women could not vote in twelve Latin American nations. Throughout the session the Latin American delegations had not lined-up strictly behind Street or Kenyon, they had, not surprisingly, voted their interests. Not coincidentally, the IACW was also in the midst of preparing a Women's Political and Civil Rights Convention to present at the next inter-American conference to be held in Bogotá. The Bogotá Political and Civil Rights convention marked another distancing from the IACW's more expansive and polemic Equal Rights Treaty approach inaugurated by Doris Stevens in the 1930s. At Bogotá, the U.S. supported the political rights portion of the convention, but made a reservation on the civil rights portion, as outside of federal power. Civil rights remained the domain of the state. Despite this the U.S. delegation presented their position as important, as women in twelve Latin American nations remained without the vote. U.S. officials once again would support only those rights that American women already had. Alice Paul papers, box 99, folder 1300.

¹⁹⁸ Rachel Nason to Frieda Miller (24 March 1947), Women's Bureau records, box 10, folder, C-J-1-2-2.

¹⁹⁹ UN Doc. E/CN.6/SR11 (18 February 1947).

²⁰⁰ UN Doc. E/CN.6/SR 18 (21 February 1947).

argued that the IACW had not only played a significant role promoting women's rights since 1928, but that its work at San Francisco, along with Australia, had led to the CSW's establishment.²⁰¹ Uralova countered that "the present commission was in session not as the result of the Inter-American Women's Commission but because a victory had been won over fascism."²⁰² The Soviet commitment to the WIDF threatened Street's fragile coalition.

Kenyon and Street joined together in their vocal support of the IACW. Despite Kenyon's instructions to support the IACW in principle, but to oppose a formalized arrangement, she argued strongly for creating a special relationship between the two commissions. She indicated to her supervisors that doing so was necessary to gain Latin American support for her proposals.²⁰³ Ultimately Street supported the IACW over the Soviets. She argued that "Mrs. Popova and Mrs. Uralova were not aware of the invaluable work performed by the Inter-American Women's Commission. That Commission had pioneered equality of suffrage, pay, and many other rights for women in the Americas and had rendered a great service to womanhood at San Francisco."²⁰⁴ While Street tried to find the middle ground, her cooperation also had its limits.

Kenyon's unusual disregard for her instructions was, however, indicative of her efforts to forge a cooperative relationship. It was also one of the characteristics that distinguished her from her British colleague, Sutherland. Kenyon was an amiable figure and sought opportunities to collaborate. She described her feelings about it in a post-

²⁰¹ UN Doc. E/CN.6/15 (18 February 1947).

²⁰² UN Doc. E/CN.6/19 (24 February 1947).

²⁰³ S/HRW D-4/47 (5 March 1947)13:4A ISP Subcommittee 3 (S/Human Rights and Status of Women), box 110, Documents, 111-130, 1947, International Social Policy Committee Records, Records Group 353, United States National Archives and Records Administration, College Park, MD. Hereafter ISP records.

²⁰⁴ UN Doc. E/CN.6/SR.19 (24 February 1947).

session speech: “You can’t get too angry with a country when its delegate is sitting right at your elbow and you know and he knows that you are both decent human beings.”²⁰⁵ Kenyon was cooperative in a way that Sutherland was not. Sutherland was the only delegate *not* to vote for the commission’s final report. Instead she surprised her colleagues and submitted a minority report based on her belief that the commission had gone far beyond its reach.²⁰⁶ In contrast, Kenyon believed that the commission should demonstrate solidarity by presenting a unanimous report. The commission’s failure to do so opened it to unnecessary criticism within the UN and delegitimized its important work.²⁰⁷ The tacit alliance held well enough for the CSW to forge a consensus document on the human rights of women. The CSW’s vision of women’s human rights rested on the shared humanity of men and women, but also recognized difference based on gender-based experiences.

Nearly Every Nation Must Choose Between Alternative Ways of Life

The Commission on the Status of Women closed its session on February 24th 1947. On March 12th, U.S. President Harry S. Truman addressed a joint session of Congress, appealing for aid to Greece and Turkey. The United States needed to assist “free peoples” in their struggle against those who sought to impose “totalitarian regimes.” Truman drew a line in the sand, warning: “At the present moment in world history nearly every nation must choose between alternative ways of life.”²⁰⁸ U.S. aid would help

²⁰⁵ Dorothy Kenyon, “Citizenship and the United Nations,” speech made to Phi Beta Kappa (1947), Kenyon papers, box 20, folder 12.

²⁰⁶ UN Doc. E/353 (18 March 1947).

²⁰⁷ Kenyon’s views cited in State Department memo Louis Hyde to Otis Mulliken (1 November 1947), State Department decimal files, 501.BD-Women/11-147.

²⁰⁸ Harry S. Truman, Address before Joint Session of Congress (12 March 1947).

insure that the peoples of Greece and Turkey remained free of communist domination. The speech was quickly dubbed the “Truman Doctrine.”

Truman cited his request for aid to Greece and Turkey as means for the U.S. to give “effect to the principles of the Charter of the United Nations.” Yet the United States would offer the aid unilaterally; it would bypass the United Nations system. Supporters of the UN were quick to respond. Truman’s delegate to the Human Rights Commission, Eleanor Roosevelt, publicly criticized the move in her popular *My Day* column: “Feeling as I do that our hope for peace lies in the United Nations,” she stated, “I naturally grieve to see this country do anything which harms the strength of the UN.”²⁰⁹ Internationally-minded feminist activists also condemned the move.²¹⁰ Mabel Vernon, the president of an inter-American organization, wrote that they were going to fight “the Truman Doctrine because it by-passes the U.N.”²¹¹ Another called it a form of “American Imperialism” and as bad as “Fascism if they bypass the United Nations.”²¹² Jessie Street was particularly alarmed by the Truman Doctrine and worried about its implications for the viability of the United Nations. She wrote to her husband, “I believe a strong UN is the only hope for peace in the future.” She feared that the UN was being “undermined” and that “the aim of the present administration seems to be to undo all that Roosevelt did

²⁰⁹ Eleanor Roosevelt, “My Day,” (15 March 1947).

²¹⁰ Anna Lord Strauss, President of the National League of Women Voters memo to Presidents of local leagues (20 March 1947), Strauss Papers, Box 5, Folder 121, “NLWV Correspondence June 1, 1944 - Jan 19, 1945.” [Note the finding aid lists folder 121 as NLWV Correspondence 1947. The actual folder in the box is labeled as NLWV Correspondence June 1, 1944 -Jan 19, 1945]

²¹¹ Vernon to Baker (2 May 1947), People's Mandate Committee records, series B, box 2B, folder misc.

²¹² Alma Lutz to Mabel Vernon (23 March 1947), People’s Mandate Committee records, series B, box 13, folder, “Alma Lutz.”

and as quickly as possible.”²¹³ For Street, a strong United Nations was the best hope for peace and the advancement of women’s human rights.

The CSW’s fate would be decided by policymakers who increasingly viewed UN activities through the lens of the burgeoning Cold War. One week to the day following Truman’s appeal, delegates of ECOSOC sat down to review the CSW’s report. At stake was the CSW’s ability to incorporate the rights of women into the universal human rights standards being drafted at the United Nations. No delegation wanted to appear as though they opposed the work of the CSW. But several, particularly among the Anglo-American allies, were growing increasingly concerned about the CSW’s assertive demands and, it seems, their inability to control the women’s commission.

In the Economic and Social Council, the British delegate introduced Sutherland’s minority report, criticizing the CSW’s lack of practical action. The British proposal threw out nearly the entire CSW report, including the new aims and list of rights, which Street had fought to include. The British report argued that women’s economic rights were the purview of the International Labor Organization and that attaining “equal rights impartially for all citizens” was the job of the Human Rights Commission. Instead, the U.K approved only the work forwarded in Sutherland’s political and educational rights proposal.²¹⁴ This, in the opinion of the U.K., was a “more practical approach” and laid down a “concrete programme.”²¹⁵ The United States’ delegate largely agreed. He supported the initiatives introduced by Kenyon and suggested sending the majority of the other resolutions back to the Commission “for further study.”²¹⁶ His instructions were to

²¹³ Jessie Street to Kenneth Street (25 March 1947), Street papers, MS 2683/1/1455.

²¹⁴ UN Doc. E/353 (18 March 1947).

²¹⁵ UN Doc. E/SR.75 (19 March 1947).

²¹⁶ UN Doc. E/SR.75 (19 March 1947).

ignore the “charter” of women’s rights so that they could be stricken from the report and not revisited by the CSW at its next session.²¹⁷

Other delegations pounced on the conservative approach taken by the U.S. and British delegations. Representatives from Chile, India, New Zealand, and Peru also immediately came to the defense of the CSW. The Peruvian delegate questioned the motives of the United Kingdom, which appeared to “curtail drastically the scope of the Commission’s activities.” In fact, the Peruvian delegate wished that the CSW had placed “even greater emphasis on economic and social questions.” He noted that British and U.S. emphasis on “legal research...was of little practical value.”²¹⁸ The Soviets stood alongside these other delegations in their opposition to the U.S. and Great Britain. The Byelorussian delegate praised the commission members for their “excellent work.”²¹⁹ The U.S.S.R. delegate accused the U.K. delegate of “fear[ing] that the Commission might go too far in the implementation of its aims. He could not agree with that attitude.”²²⁰

The CSW’s defense of its work fell primarily to Uralova, the Byelorussian delegate. Begtrup had left the country and Street was down with the flu. Uralova expressed shock at the United Kingdom’s alternative proposal, indicating that it “was unexpected” and that it appeared to “represent a backward step.”²²¹ While Street could not be physically present, as the vice-chair, she forwarded a statement. Taking note of the U.K. report, Street argued that while the CSW “appreciates the importance of

²¹⁷ S/HRW D-4/47 (5 March 1947), ISP records, 13:4A ISP Subcommittee 3, box 110, documents/ 111-130, 1947.

²¹⁸ UN Doc. E/SR.75 (19 March 1947).

²¹⁹ UN Doc. E/SR.75 (19 March 1947).

²²⁰ UN Doc. E/SR.75 (19 March 1947).

²²¹ UN Doc. E/SR.75 (19 March 1947).

education” the “majority” believed “that education without political, civil, and economic rights...achieves very little for women.” Furthermore, since the UN Secretariat was equipped to get answers to the questionnaires, the “function of the CSW” was to remove “the generally recognized and obvious political, social and economic disabilities of women.” Finally she made an appeal for ECOSOC to recognize the CSW’s need to collaborate with the Human Rights Commission. She declared: “We regard as of particular importance asking that office bearers be present when the Human Rights Commission is discussing the draft Bill of Rights.”²²² Uralova concurred with Street’s analysis, but also made a separate, particularly Soviet-styled, appeal. In requesting approval of the report, she declared that the Commission would “assist in the final liquidation of fascism and in the promotion of international collaboration for world peace.” In order to do so, it was first “necessary to improve the status of women everywhere and to establish full equality of rights.”²²³ Uralova’s emphasis on fascism led the Anglo-Americans to question the CSW’s ideological bent.

The subsequent debates pitched the work of the CSW even further into the growing ideological and geopolitical confrontation between the Soviet Union and the United States. This time the contested sphere of influence was not a national border, but women. The first confrontation was over Bernardino’s IACW proposal to establish a formal relationship with the UN women’s commission. The Soviet delegation followed the tactic of their female counterparts and attached a last minute amendment, adding “and other similar organizations such as the Anti-Fascist Women’s Committee,” which, they argued, represented “80 million women in 16 Soviet Republics.”²²⁴ The Soviet

²²² Jessie Street written statement to the Economic and Social Council (March 1947), Street papers, MS 2683/5/56.

²²³ UN Doc. E/SR.75 (19 March 1947).

²²⁴ State Department telegram, New York Mission to the Secretary of State (26 March 1947), State Department decimal files, 501.BD-Women/3-2547.

delegates would not give the U.S. the upper-hand by allowing the UN to privilege the inter-American relationship over Soviet regional influence.

The Soviet move caught the U.S. delegation off-guard, forcing it to weigh its loyalty to the inter-American system against the Soviet challenge. Leroy Stinebower, the U.S. delegate had carried instructions to support cooperation between the CSW and the IACW, but not to approve a “formal” arrangement. It was important, however, that the delegate “avoid any appearance of opposition to cooperation” with the IACW.²²⁵ But the Soviet amendment had upped the ante. The U.S. delegate immediately voted against the entire resolution, but the Soviet amendment carried. Latin American delegates voted as a bloc in favor of the entire resolution; they had a long tradition of supporting the IACW in international settings and would not jeopardize the IACW’s request. The Latin American stance flabbergasted and outraged U.S. policy makers; they immediately worked to overturn the resolution and pressured the Latin American delegations to reverse their position.²²⁶ In the next meeting the U.S. would oppose cooperation with the IACW if the Latin Americans did not fight the Soviet amendment.²²⁷ While the U.S. government initially believed that its representation on the CSW would offer the opportunity to showcase the status of American women, women’s rights had suddenly become a political landmine. In the end, ECOSOC ultimately approved a generic

²²⁵ S/HRW D-4/47 (5 March 1947), ISP records, 13:4A Subcommittee 3, box 110, documents/111-130, 1947.

²²⁶ Telegram Leroy Stinebower to Dean Acheson (26 March 1947), informing that the Soviet Amendment passed by a vote of 8 to 7 with “all of the Latin American representatives supporting it,” State Department decimal files, 501.BD-Women/3-2547; State Department office memo (26 March 1947), requesting a position on whether to try and delete the entire resolution or to work to remove the Soviet amendment, stating that “the Latinos were afraid the cooperation of the Commission of Women [IACW] would fail” unless the U.S.S.R. amendment passed also. State Department decimal files, 501.BD-Women/3-2647.

²²⁷ Telegram Dean Acheson to Leroy Stinebower (26 March 1947), State Department decimal files, 501.BD- Women/3-2547.

resolution approving cooperation with inter-governmental organizations that made no specific reference to either the IACW or any Soviet-led women's organizations.

The ECOSOC debates over the CSW's participation in the Human Rights Commission highlighted the larger tensions between the universal and particular nature of women's rights. Given the heightened attention that the CSW had drawn, the women's presence during the Human Rights Commission session came under fire. ECOSOC initially acknowledged the CSW officers' right to attend the Human Rights Commission sessions and to receive copies of all drafts of the international bill of rights. This time, however, the Canadian delegate gave voice to the U.S. position.²²⁸ He argued that only the chair, Begtrup, should be represented. This would have excluded Street and Uralova. When the Soviet delegation forcefully argued that the Council seemed to be engaged in "a deliberate" attempt to prevent the CSW from doing its work, the Council agreed and supported the CSW officers' right to be present. The Canadian delegate, however, succeeded in limiting the women's participation. The representative could "be present" when the debates specifically concerned "the particular rights of women."²²⁹ On one level, ECOSOC's restrictive action legitimized women's gender-based "particular" rights claims. Yet ECOSOC delegates simultaneously revealed their gendered notions of women as rights-bearers. Women need not be present during the whole of the rights debates; male experiences sufficiently represented the human experience.

ECOSOC made a final decision that was to seriously hamper the CSW's ability to shape the UN's international human rights standards. It came in a motion to limit the CSW meetings to one per year. This meant that the CSW would not have the opportunity

²²⁸ S/HRW D-4/47 (5 March 1947), ISP records, 13:4A Subcommittee 3, box 110, documents/111-130, 1947.

²²⁹ UN Doc. E/386.Add.1 (28 March 1947). The U.S. delegate supported only one commission representative as this "should provide adequate representation of the views of the Commission." S/HRW-D-6-47 ISP records, 13:4A Subcommittee 3, box 110, documents 1-25, 1947.

to discuss the draft bill of rights prior to the next Human Rights Commission session. They would have to coordinate their comments trans-continently by mail. The U.S.S.R delegate argued poignantly that without another session, the CSW “would not be able to formulate its recommendations on the international bill of rights.” The United States delegate was unmoved. U.S. policymakers did not want the CSW to meet again in 1947. For one, if the next session was delayed until 1948, the rules permitted the election of new officers, which the U.S. wanted desperately to orchestrate.²³⁰ Second, the U.S. government was looking to cut costs. As it bore the brunt of the UN’s budget in the early years and Congressional leaders were making a lot of noise about wasteful United Nations’ spending, the troublesome CSW seemed like as good a place as any to cut the budget.²³¹ As one principal policymaker noted, he had little interest in the work of the women’s commission.²³²

Street and her allies were quite aware that the move to limit their sessions would have dire consequences for their work and quickly tried to reverse it. Street immediately sent a letter to the other CSW delegates, requesting they lodge a complaint with their governments. She informed them that the Canadian delegate “indulged in various irresponsible and inaccurate witticisms which were rewarded by considerable mirth at our expense.”²³³ Street wrote to the members of the Economic and Social Council, requesting they reconsider the decision to limit the CSW sessions.²³⁴ She made a

²³⁰ Rachel Nason to Hyde (U.S. delegation at UN) and Frieda Miller (24 March 1947), Women’s Bureau records, box 10, folder C-J-1-2-2.

²³¹ James Reston, “Budget Row is Tied to US World Role,” *New York Times* (19 February 1947), 2; Nancy MacLennan, “U.N. Is \$5,936,000 Over Budget Fixed by Assembly for All 1947,” *New York Times* (16 May 1947), 3; “Senators Warn on U.N. Budgets,” *New York Times* (3 July 1947), 5.

²³² Durward Sandifer to Leroy Stinebower (2 November 1946), Frieda Miller papers, box 7, folder A-37-143.

²³³ Jessie Street to Members of the CSW (2 April 1947), Street papers, MS 2683/5/56.

²³⁴ Street to Members of the Economic and Social Council (2 April 1947), MS 2683/5/57.

special appeal to Begtrup: “Our Commission is the only one whose second meeting has been curtailed. I do not think we should allow this.”²³⁵ Street implored, “Do what you can my dear Bodil to see that our Commission is not slighted. If we assert ourselves this time they will not try again to discriminate against us.”²³⁶ Begtrup protested to the President of ECOSOC.²³⁷ She also wrote to her British friends in the International Alliance “to do something about” the U.K. position. They responded that they were unable to convince their government to reconsider ECOSOC’s decisions.²³⁸

A second CSW session was critical to the feminists’ ability to insure that the international bill of rights included both their universal and particular rights. Street stressed “the importance of the Commission [on the Status of Women] meeting just before or at any rate concurrently with the Human Rights Commission.”²³⁹ Street insisted they “establish the fact that our work is related to the work of the Commission on Human Rights... and that we should meet as often as they do so that we can co-ordinate our work with theirs.”²⁴⁰ Furthermore, ECOSOC’s attempt to limit the CSW’s advice to women’s particular issues undermined the principle that women’s rights were human rights. Street argued that “the rights of women as human beings had been conspicuously absent in the past.” She insisted that ECOSOC be made to recognize that “all phases of the Bill of Human Rights would affect women.” She suggested that Begtrup try to

²³⁵ Jessie Street to Bodil Begtrup (4 June 1947), Street papers, MS 2683/5/60. While Street believed that it was only the CSW that had been limited to two meetings, in actuality four other commissions were also limited.

²³⁶ Jessie Street to Bodil Begtrup (4 June 1947), Street papers, MS 2683/5/62.

²³⁷ Bodil Begtrup to the President of the Economic and Social Council (14 June 1947), Street papers, MS 2683/5/63-4.

²³⁸ Bodil Begtrup to Jessie Street (18 May 1947), Street papers, MS 2683/5/59.

²³⁹ Jessie Street to Begtrup (17 March 1947), Street papers, MS 2683/5/54.

²⁴⁰ Jessie Street to Bodil Begtrup (7 April 1947), Street papers, MS 2683/5/58.

bypass ECOSOC's decision and "write to the Secretary-General and ask him that we should be present the whole time the Bill of Human Rights is under discussion."²⁴¹ Begtrup wrote to the President of Economic and Social Council and to Eleanor Roosevelt, the chair of the Human Rights Commission, requesting an invitation to the entirety of the next Human Rights Commission session.²⁴² The CSW needed to "follow the discussion of the draft as a whole."²⁴³ Women's rights could not be left to the sole discretion of UDHR drafters on the human rights commission.

For Begtrup and Street, ECOSOC's actions represented "a new discrimination" against women, but one rooted in old habits.²⁴⁴ For others, the rising Cold War was clearly the issue. The Byelorussian delegate represented the CSW during the ECOSOC debates; a Soviet woman spoke on behalf of the world's women, urging the adoption of a report on women's rights that drew on Stalin's insistence that the fight against fascism remain a priority for the UN. Although she arrived only in time for the last meeting of the CSW session, the Turkish delegate, Mihri Pektas suggested to Street that she consider the growing U.S./Soviet confrontation and the image Uralova projected. Pektas explained that during the ECOSOC meetings, the "Russians had taken our side very strongly." It seemed, therefore, that the other members of the Council took "rather a characteristic opposition." She suggested confidentially that it would be wise to have someone different, "and let us say... more congenial," serve as the *rapporteur* next

²⁴¹ Jessie Street to Bodil Begtrup (17 March 1947), Street papers, MS 2683/5/54.

²⁴² Bodil Begtrup to the President of the Economic and Social Council (14 June 1947), Street papers, MS 2683/5/63-4; Bodil Begtrup to Eleanor Roosevelt (14 October 1947) and Calvin Dixon to Mr. Burnett (16 October 1946), both Roosevelt papers, box 4577, folder "Human Rights Commission 1947."

²⁴³ Bodil Begtrup to the President of the Economic and Social Council (14 June 1947), Street papers, MS 2683/5/63-4.

²⁴⁴ Bodil Begtrup to the President of the Economic and Social Council (14 June 1947), Street papers, MS 2683/5/63-4.

time.²⁴⁵ Uralova's presence and commentary on fascism had only served to further identify the women's agenda with Soviet objectives.

A Waltzing Matilda

It seems likely that Street recognized that her support for the Soviet delegations would not sit well with some Australian domestic constituencies.²⁴⁶ Yet Street largely ignored the burgeoning Cold War politics and instead highlighted the discriminatory aspects of the CSW's treatment at the hands of ECOSOC. Street believed that she had the clout to reverse ECOSOC's decisions by appealing to the Australian Foreign Minister. In a letter to Evatt she explained that "with the exception of the British and U.S.A. members, the Commission agreed upon the main lines of work."²⁴⁷ If Australia was to assert its independence and authority in the new United Nations, Street needed the cooperation of her government. The CSW must be permitted to meet again this year. While the Australian government was eager to assert its independence, that enthusiasm did not extend to the UN Commission on the Status of Women. In rejecting Street's proposal, the Australian government also cited the need to economize. Canberra instructed its UN delegation to make it known that they considered a second meeting of the CSW "undesirable" and informed their delegate to "make our views known as widely

²⁴⁵ Mihri Pektas to Jessie Street (15 July 1947), Street papers, MS 2683/5/65.

²⁴⁶ In a UN photo from the 1947 session, taken after the CSW heard from international women's NGOs, including the WIDF, Street is conspicuously absent. The photo depicts both Uralova and Popova, the international WIDF leadership (and Mrs. Francois Leclerc) and Susan B. Anthony and Gene Weltfish, the Congress of American Women's leadership. All of whom, Street was on friendly terms with, UN Photo Number (NICA): 324076. Street, was likely aware that this was one photo opportunity that could be used against her. She appears in other photos taken that same day.

²⁴⁷ Dorothy Kenyon, Street asserted, had been restricted by the "instructions she received from the State department." Jessie Street to H.V. Evatt, "Confidential Report," (undated, 1947) Street papers, MS 2683/5/326-8.

as possible without having us officially quoted.”²⁴⁸ They would oppose, but not confront Street. The Australian UN mission officer responded that he would do what he could informally, but informed Canberra that Street had sent a letter to every member of the Economic and Social Council “entirely on her own responsibility” to press for another CSW session.²⁴⁹

Street was moderately more successful in pressing the need to translate international standards into local activism. While Australia needed the United Nations collective security system, the United Nations needed the support of its member-states. During the CSW sessions Street promoted a resolution that requested ECOSOC to urge national governments to form local coordinating agencies.²⁵⁰ The idea was to create local groups that would foster awareness and push for the implementation of international standards regarding women. Street’s effort signals her hesitancy to trust international enforcement mechanisms. While the government granted Street the authority to establish committees in each state under her chairmanship, they did not bestow any of the state authority or financial support that normally accompanied such commissions.²⁵¹

Street attacked the arguments for economy at both the national and international levels. The reduction in meetings endangered the United Nations’ viability, a necessary condition of insuring the twin goals of peace and women’s emancipation. Street denounced the general reduction of the UN budget, declaring that the current spending amounted to “less than half the cost of a battleship.” She warned that “the nations are

²⁴⁸ Cablegram Canberra, Department of External Affairs to Australian Delegation, United Nations General Assembly (4 July 1947), ANA series 1838, 856-15, Part II .

²⁴⁹ Colonel Hodgson to John Burton (10 July 1947), ANA series 1838, 856-15, Part II.

²⁵⁰ E/CN.6/13 (12 Feb 47) for Street’s original resolution and ECN.6/18 (14 Feb 47) for the resolution as passed by the CSW.

²⁵¹ Department of External Affairs memo (8 May 1947), ANA series 1838, 856-15, Part II.

apparently ready to spend millions on waging war, but they want to win the peace on the cheap.”²⁵² Street appealed to Evatt directly. She argued that the talk of limiting expenditures appeared to her as “nothing more than an excuse.” Instead, she saw it as “evidence that you, or the department or the government do not attach any importance to the work of the United Nations to remove discrimination against women.” Indeed to Street, it seemed as though the Australian government was “not prepared to spend a few hundred pounds on the basic work of improving the Status of women.” She insisted that United Nations needed women’s contributions to succeed. She speculated that the Prime Minister was “skeptical about this,” but warned, him that “Many men are not.”²⁵³ If Australia, and he as its international representative, wanted to lead, they had best not ignore the United Nations’ work on behalf of women. These efforts were part of the larger UN goals of peace and the creation of a just society. As the delegate of a Labor-led government Australians needed to be particularly vigilant about this. “Worker’s rights” were under attack in the United States, where “open advocates of Roosevelt’s New Deal” were now classified as “communists” or “fellow travelers.” Those who used such hyperbole did so to undermine the United Nations’ “collective security” system.²⁵⁴ Street labored to link Australia’s legitimacy as a Middle Power to the fight for women’s rights.

Yet it was Street’s independence and outspoken criticism that captured the attention of the Australian diplomatic corps’ old-guard. When they learned that she, as an officer of the CSW, would be traveling to Geneva for the human rights commission, policymakers quickly decided that they would prevent it. Canberra told its UN mission

²⁵² Jessie Street “Press Statement,” (undated 1947), Street papers, MS 2683/5/591-2.

²⁵³ Jessie Street to “My dear Bert” [Herbert V. Evatt], (6 February 1948), Street papers, MS 2683/5/94.

²⁵⁴ Jessie Street “Press Statement,” (undated 1947), Street papers, MS 2683/5/591-2.

to explain to the Secretary General that when they accepted the seat on the commission they did not anticipate that their delegate would be required to participate in additional sessions. Indeed they were “most anxious to control the movement of our nominee.”²⁵⁵ Street and Begtrup both protested to Evatt, but to no avail.²⁵⁶ Feminist colleagues planned a deputation to the Prime Minister to be complemented by a shower of telegrams, urging Street’s attendance.²⁵⁷ A political ally even called the Prime Minister to the floor of Parliament. The Prime Minister was emphatic in his response: “Australian delegates should attend conferences only when Australia’s interests warrant such attendance.”²⁵⁸ For Chifley, insuring the human rights of women did not, as Street suggested, constitute a pressing national interest.

Street’s service had also become a matter of debate within Australian feminist activist circles. An ally of Street’s reported on the commission sessions in a national broadcast. She informed her compatriots: “Each delegate... was an index of the position won by the progressive forces in her own country and of the influence of that country in the affairs of nations...[Street] was a credit to Australian women and her government.”²⁵⁹ The broadcast credited Street with expanding the commission’s objectives and authority and chastised the British and U.S. representatives for attempting to constrain the commission. In contrast, Bessie Rischbieth, the more conservative President of the Australian Federation of Women Voters, argued that it would have been

²⁵⁵ John Burton to Colonel Hodgson (11 August 1947), ANA series 1838, 856-15. Part II.

²⁵⁶ Bodil Begtrup to Jessie Street (9 November 1947), Street papers, MS 2683/5/92-93.

²⁵⁷ Form letter signed by Jessie Street (29 October 1947), Street papers MS 2683/3/402-3.

²⁵⁸ *Hansard* No. 29 (6 November 1947), p.1753. Copy in Street papers, MS 2683/5/289.

²⁵⁹ Dorothy Irwin, “Lake Success—And You,” (May 1947) Kenyon papers, box 54, folder 1.

impossible for Dorothy Kenyon, “a fine feminist,” to have done so.²⁶⁰ Street’s support for the WIDF was a major cause for concern. Rischbieth suspected Street of communist tendencies and wrote to Kenyon, giving her an account of the radio broadcast. In her response, Kenyon confirmed Rischbieth suspicions, declaring that the only explanation for such an account was that it was “a concealed left-wing attack on the part of those who are willing, for one reason or another, to play the communist game.”²⁶¹ Furthermore, Street’s used the Australian Women’s Charter Committee to found the coordinating agencies that she had recommended to carry out the CSW’s work locally. This, of course, usurped Rischbieth’s power-base and she set out to isolate Street as a radical who was un-representative of Australian women.²⁶²

Street remained unrepentant in her commitment to fostering continued Soviet cooperation and expanding the CSW’s reach. The Australian government, in order to quiet the vocal opposition of conservative women’s groups, and no doubt to cut costs, decided to prevent Street from also traveling to the next CSW session. Street argued that while Australia had nominated her, ECOSOC had appointed her to serve as Australia’s

²⁶⁰ Mrs. R.M Rischbieth, In Reply to Recorded Broadcast by Dorothy Irwin, (undated 1947), Kenyon papers, box 54, folder1. Other international organizations also criticized the role of the U.S. and British CSW delegates. See for example, “The Tasks of the Commission on the Status of Women,” *The International Woman Co-operator* (May 1947). Kenyon kept busy trying to correct what she believed were misconceptions about her efforts. See the correspondence between Kenyon and the President of the International Co-Operative Women’s Guild, Dr. Emmy Freundlich and Kenyon’s reply to the critical article in the November 1947 issue of the organization’s magazine. Kenyon papers, box 58, folder 11 and box 20, folder 12.

²⁶¹ Dorothy Kenyon to Bessie Rischbieth (17 December 1947), Rischbieth papers, 2005/5/2756.

²⁶² The president of one of the state AFWV branches wrote to Rischbieth, stating, “I do not think that we can entirely ignore Mrs. Street if she...[wants] to visit our cities. She is still a Vice President of the Federation [AFWV].” Furthermore the extent of Street’s communist inclinations was not entirely settled. The woman wrote, “I do not think we can brand the present committee [national CSW coordinating committee] communist.” It was likely “pink or red,” but if Street formally moved to affiliated it with the WIDF, “which is communistic,” then it would be settled. Dr. Davey (President of the South Australian Federation of Women Voters) to Bessie Rischbieth (6 April 1947), Rischbieth papers, MS 2004/5/unnumbered.

expert representative for two years. The government had no right to prevent her from attending. Despite explicit instructions from the Department of External Affairs that someone from the UN mission, already in New York, would take her seat, Street booked her own flight.²⁶³ Both the Secretary of the Department of External Affairs and the Prime Minister were flabbergasted to the point of disbelief that Street not only challenged their right to replace her, but traveled without permission.²⁶⁴ It did not further ingratiate her to the government.

Street's support for the Soviet delegations struck anti-communist contingents as outrageous and further imperiled her status as Australia's representative to the CSW. Her actions complicated the Chifley government's efforts to navigate a course clear of the rising Cold War. Australia was, at the time, simultaneously aiding the allies with the airlift to Soviet-blockaded Berlin and leading the United Nations' effort to negotiate a settlement of the crisis.²⁶⁵ The efforts of Chifley's Labor government to distance itself from the dire warnings of internal communist subversion and external domination were faltering. Furthermore, by the spring of 1948, Street's feminist competitors, once again, challenged her appointment. On the floor of parliament, Chifley was asked to respond to the "grave dissatisfaction" women's groups had to "Mrs. Street's continuous selection as

²⁶³ Once Street arrived, the Australian UN mission aided her in arranging housing and transportation, but it took a nearly three year battle with the government to gain reimbursement for her living expenses. While the United Nations was responsible for paying the travel expenses of delegates, the member-states were responsible for daily subsistence. Canberra debated publicly announcing that Street was not their representative, but was quieted when they realized they would be required to reimburse the UN for travel expenses already paid out. Furthermore, it would not be wise they decided, given Street's connection with feminist organizations, to pick a public fight with her over the expenses. ANA series 1838, 856/15, Part II.

²⁶⁴ See correspondence between Street, the UN mission, the Secretary of External Affairs (John Burton) and the Prime Minister (Ben Chifley), ANA, series 1838, 856/15, Part II.

²⁶⁵ The Foreign Minister, Herbert Evatt, was the President of the General Assembly during the Berlin blockade and sought—as a middle power—to negotiate a peaceful settlement. See Dalziel, *Evatt the Enigma*, 240.

Australian women's representative."²⁶⁶ Writing to her parliamentary representative, Rischbieth declared that in her "many years experience in the Women's Movement" she had never "known Australian women to be so upset" about anything as they were Street's work at the United Nations and "the formation of the Coordinating Agencies in Australia." Rischbieth identified the "root of the trouble" as Street's connections with the WIDF which, she warned, had been founded "under communist auspices."²⁶⁷ In a speech riddled with factual errors, the parliamentary representative challenged the Australian government's process of selecting representatives and warned that the current delegate had close ties with a communist organization, namely the WIDF.²⁶⁸ Street attempted to combat the misconceptions, but the damage was done.²⁶⁹ With domestic elections approaching and the U.S. decision to cut its Australian allies out of intelligence reports unless it steered a more mindful path regarding the communist threat, Chifley's government sacrificed Street.²⁷⁰ She would not be re-appointed. All her future efforts to shape the UN human rights project would have to be done as a NGO lobbyist, not as a

²⁶⁶ *Hansard* (21 April 1948), 1026, Parliamentary debates record cited in letter from Dorothy Taylor to Ben Chifley (15 June 1948), ANA, series 1838, 856/16, Part II. This particular inquiry was brought by Muriel Heagney from the Council for Action for Equal Pay. Throughout the 1930s Heagney criticized the "bourgeois" character of Streets' United Association's position on gradual implementation of equal pay. By 1947, Heagney suggested that Street was a likely communist. This is somewhat surprising as Heagney had during the 1930s characterized Street as more conservative. See Pat Randal, "Women's Organizations and Communism," 41-57.

²⁶⁷ Bessie Rischbieth to Dorothy Tangney (undated 1948), Rischbieth papers, MS2004/5/1933a-b.

²⁶⁸ The acting President of the Australian Women's Charter Committee responded to a query about Senator Tangney's charges, citing from the *Hansard* (19 June 1948). M. Warhurst to Mrs. MacLeod (12 September 1948), Street papers, MS 2683/3/425.

²⁶⁹ M. Warhurst to Mrs. MacLeod (12 September 1948), Street papers, MS 2683/3/425.

²⁷⁰ For the U.S. withdraw of intelligence sharing until the Australians beefed up their efforts against communists—internally and externally—as well as the failure of the Australian (Chifley, Evatt, and Burton) and U.S. governments to "speak the same language" when it came to the threat of communism see David Lowe, *Menzies and the 'Great World Struggle': Australia's Cold War, 1948-1954* (Sydney: University of New South Wales Press, 1999), 37-42.

voting member of the United Nations. Like the character of the “Waltzing Matilda,” Street’s independence was responsible for her downfall.

Conclusion

The tacit alliances Street forged in cooperation with her allies insured that women’s economic and social rights were placed squarely on the United Nations human rights agenda. They had established that all women’s human rights were within the domain of the CSW. Women’s economic and social rights would not be, as the U.S. and British delegations had hoped, relegated solely to the International Labor Organization. They had crafted a charter of women’s rights for use by the entire United Nations system, hoping to “mainstream” women’s rights throughout the new international body. Their vision of women’s rights included equal and identical political and civil rights *as individuals*, as well as equal, but particular, economic and social rights *as women*. They had insisted on—and won—the right, albeit limited, to take part in the drafting process of the new international bill of rights.

But the alliance forged in the effort to craft their inclusive agenda had come at a price. The strong support the activist delegates received from the Soviet republics affiliated their internationally-minded agenda with Soviet propaganda in eyes of the United States and many of its Anglo-American allies. In the midst of the growing battle of ideological legitimacy being waged throughout the new United Nations, the women’s agenda was quickly becoming a proxy fight. The activist delegates’ challenge would be to promote their agenda both with, and in spite of, Soviet support. It would not get easier as the Cold War got hotter.

CHAPTER FIVE: “WOMEN’S RIGHTS ARE HUMAN RIGHTS:” FEMINIST DELEGATES, THE COMMISSION ON HUMAN RIGHTS AND THE GENDERING OF ‘UNIVERSAL’ HUMAN RIGHTS

In December of 1947, Bodil Begtrup of Denmark and the Byelorussian, Evodkia Uralova traveled to Geneva to participate in the United Nations’ Human Rights Commission’s second session. As officers of the UN Commission on the Status of Women (CSW), Begtrup and Uralova labored to insure that those who drafted the Universal Declaration of Human Rights (UDHR) paid attention to the human rights of women. The Australian government had prevented their fellow officer, Jessie Street, from joining them. The Geneva session was the first opportunity CSW representatives had to press their rights claims with the human rights commission. Their task was momentous. At the most basic level they strove to maintain the principle enshrined in the 1945 UN Charter, namely that the equal rights of men and women were a basic human right and, therefore, a foundational element of a peaceful postwar order. Furthermore, during the recent CSW session, activist delegates had elaborated a vision of women’s human rights that included equal civil and political rights for women *as individuals*, and particular economic and social rights for women *as women*. While the process of establishing a basic “charter” had been a contentious one, in the end, the CSW issued a consensus on the human rights of women.¹ Indeed, Dorothy Kenyon insisted: “Women’s rights are human rights.”²

The CSW’s vision of universal human rights standards encapsulated the shared humanity of men and women, but also recognized differences rooted in gender-based experiences. Activists recognized that many rights blurred the artificial boundaries

¹ See Chapter Four. UN Doc. E/281/Rev.1 (25 February 1947). The United Kingdom was the only delegate to vote against the report and to issue a minority report.

² Dorothy Kenyon, “Freedom and Equality,” *Independent Woman* (March 1949), Kenyon papers, box 21 folder 3.

between the so-called public and the private spheres. Civil and political rights are understood as negative rights, or rights that protect the individual from the potential tyranny of the state. For example, while UDHR drafters emphasized the state's role in regulating and promoting marriage, feminist delegates demanded that the UDHR recognize women's rights within it and emphasized the "dignity of the wife."³ In contrast, economic and social rights are positive rights, which articulate the state's obligation to provide certain benefits to its citizens, such as social safety nets or the guarantee of a living wage. For feminist delegates, this meant insuring that in some cases the state promoted identical rights for men and women, guaranteeing, for instance, equal pay. At the same time, feminists also insisted that the state recognize the fact that women's social responsibilities as (potential) mothers disadvantaged them in the workplace. In these instances, the women argued, the state had an obligation to level the playing field by providing benefits such as state-paid child-care and maternity leave, rights women earned as the nation's mothers. Indeed, one CSW delegate asserted: "Our aim is to bring about a social revolution, no less, and one that possesses profound and perhaps unguessed [sic] potentialities."⁴

Feminist delegates and ideas of gender shaped the 'universal' human rights framework that emerged at the United Nations. CSW activists successfully pressed for significant, but little-known changes to the Universal Declaration of Human Rights. Their most far-reaching proposals, which entailed empowering women with rights as (potential) mothers, however, were not adopted. Yet, even where they failed to achieve their goals, pressure from activist delegates informed the debates. These contributions offer us new insight into the drafting process of the Universal Declaration of Human

³ UN Doc. E/38 (20 May 1946); UN Doc. E/281/Rev.1 (25 February 1947).

⁴ Dorothy Kenyon, "Freedom and Equality," *Independent Woman* (March 1949), Kenyon papers, box 21 folder 3.

Rights which, to this day, serves as the foundation of modern human rights standards. In a world still reeling from the devastation of World War II, on the precipice of what many feared was the start of a Third World War, and in a climate increasingly hostile to feminist activism, women delegates' lobbying efforts paradoxically both challenged and entrenched the existing gender order.

Ideas of gender also shaped UDHR drafters' understanding of human rights. As Alice Kessler Harris argues, policymakers' "gendered imagination" shapes "the boundaries of the politically plausible."⁵ Feminist delegates believed that the postwar era offered an opportunity to transform traditional gender relations. Yet, in the moment between the end of WWII and the adoption of the 1948 Universal Declaration of Rights, feminist delegates witnessed a rapid rise in anti-feminism that drew into question women's proper place in the postwar order. CSW feminists recognized that deep anti-feminist cultural strains hampered their efforts to incorporate particular rights for women in the UDHR, rights that challenged the gendered hierarchy of the home. In the immediate aftermath of the war, male delegates widely embraced opportunities to celebrate women's contributions to the war. For many, by 1947, that enthusiasm began to wane; anti-feminist cultural ideas crept into United Nations conference rooms.

The human rights framework that emerged in the postwar era was shaped not only by ideas of gender, but the actions of individual CSW delegates. Tensions between the women's internationally-minded agenda and the obligations they bore as national representatives influenced women's activism. While CSW delegates served as their nation's representatives, they believed that the commission had a responsibility to represent the rights of women, not specific governments. CSW delegates relied on their consensus charter to guide the positions they staked out during the drafting process.

⁵ Alice Kessler Harris, *In Pursuit of Equity: Women, Men, and the Quest for Economic Citizenship in 20th Century America* (Oxford & New York: Oxford University Press, 2001), 5-6.

ECOSOC's move to restrict the feminists' access to the UDHR debates—permitting them to contribute only when women's "particular rights" were at stake—compromised feminist delegates' ability to be effective advocates. Feminist delegates protested, insisting that "the rights of women as human beings" had been "conspicuously absent" from traditional rights documents. Delegates, like Jessie Street, had tried to convince the UN that the CSW should participate actively in the entirety of the drafting process as "all phases of the Bill of Human Rights would affect women."⁶ They were, however, unsuccessful. Since CSW officers could not vote or introduce motions, they struggled to effectively press their agenda with the members of the human rights commission.⁷ Their success came largely at the end, during the final debates in the General Assembly where advocates like Begtrup, Minerva Bernardino and Fryderyka Kalinowska served as *voting* members of the General Assembly. While they were able to offer critical support at times, their position as national representatives limited the ability of some delegates, especially Bernardino, to fully advocate for the CSW's aims.

The CSW's success also depended on their ability to court allies in the United Nations during uncertain times. While the Soviet delegations were among the feminists' most vocal advocates, CSW delegates needed the support of other allied partner-nations. On the heels of WWII's devastating and disruptive forces, one international crisis after another rocked the stability of the postwar order and seemed to dim the prospects of a successful UN. Indeed, with the 1948 Soviet blockade of Berlin, many believed the world was, once again, headed down the path to war. For many UDHR drafters, stability was the order of the day, not a social revolution. Policymakers across the ideological spectrum sought refuge in the family, affirming it as the fundamental organizing principle

⁶ Jessie Street to Bodil Begtrup (17 March 1947), Street papers, MS 2683/5/54. See also Chapter Four.

⁷ UN Doc. E/CN.6/SR.28 (9 January 1948).

of global society. Delegates hesitant to disrupt the gender order found allies among religious organizations, specifically Catholic lobbyists. Significantly, feminist delegates did *not* question the import of the family. Indeed, many delegates used their social role as mothers to stake rights claims. CSW delegates were willing, however, to challenge male privilege within the family. Debates about the marriage article were decidedly heteronormative.⁸ In the end, the UDHR guaranteed women's individual civil rights in marriage, yet simultaneously promised the family, not the individuals within it, state protection. The consequence was to affirm women's public civil rights, while entrenching the "traditional" family as a private institution insulated from state interference.

While the ideas of gender held by members of the CSW, lobbyists, and other UN delegates shaped the UDHR, so too did Cold War inspired politicking. As the ideological Cold War escalated in the United Nations, human rights served as a democratic barometer. In 1947, CSW delegates had labored—not without difficulty—to maintain a collegial and cooperative atmosphere, but all around them hostilities and suspicions grew. At the 1948 opening session, Begtrup contrasted the CSW with other United Nations commissions, declaring: "Fortunately, there is no iron curtain dividing women on the particular questions that concern them."⁹ While this was perhaps Panglossian, other United Nations' sessions had become venues where the Soviet and U.S. delegates squared off over the superiority of their respective political and economic systems. At stake was the validity of one's claim to global leadership. Each superpower camp

⁸ The Liaison Committee did submit a request that the text of the marriage article be changed from 'men and women' to 'all persons.' Their request was not, however, a challenge to the heteronormative assumption. Instead, it was based on a concern that the separate mention of the term women might undermine women's standing throughout the rest of the document. Gwendolyn Peel to Lyman White (20 March 1948), United Nations Archives, S-0441-40-12. New York City, New York. Hereafter UNA

⁹ UN Doc. E/CN.6/SR.20 (5 January 1948).

latched onto a set of specific rights claims as the true measure of democratic equality. The Soviet objective for the human rights project was to emphasize the role of the state in providing the conditions necessary for people to attain rights, particularly social and economic rights. They also stressed the principle of non-discrimination. The Soviets argued that their rights emphasis represented a new vision of democracy.¹⁰

For the United States, genuine democratic rights protected the individual's political and civil rights from undue state interference. While U.S. policymakers recognized the weakness in their democratic narrative when it came to the civil rights of African Americans, they understood their record on women's rights to be exemplary. As a result, they labored to treat gender and race as distinct issues. They intended to champion their record on women's rights, while selling a narrative of progress on the rights of African Americans, emphasizing the possibilities of American-style democracy.¹¹ The Soviet commitment to non-discrimination language challenged the United States' ability to treat gender and racial inequality separately. Indeed, the U.S. enjoyed little support for its efforts to limit the use of non-discrimination language or to restrict economic and social rights. In contrast, the U.S. did gain the support of most member states when it came to resisting the Soviet delegations' emphasis on state power.

During the drafting process, CSW delegates worked to insure that the UDHR reflected their vision of 'universal' human rights, which they had elaborated in their charter on women's human rights. In the immediate aftermath of WWII, feminist delegates had successfully linked the promotion of women's rights to the UN's objective of building a peaceful, prosperous postwar order. They did so by drawing on both the

¹⁰ See for example, UN Doc. E/800 (28 June 1948) Annex, "Statement made by the delegation of the United Soviet Socialist Republics, on 18 June 1948, in the Commission on Human Rights on the Results of the Commission's Work."

¹¹ Mary L. Dudziak, *Cold War Civil Rights: Race and the Image of American Democracy* (Princeton: Princeton University Press, 2000), 47-78.

Allied leaders promises of global order built on human dignity and fundamental freedoms and their contributions to the war effort. They successfully won the establishment of a women's commission on these grounds. By 1947, however, CSW delegates' argument about the inter-related projects of peace and women's rights began to collapse under multiple pressures. First, anti-feminist ideas surfaced in the popular press and accused feminists of destroying the family, the bedrock of society. These anti-feminist flames were fed by a second source of pressure: anxieties about the mounting political instability that gripped new, fragile international system. Feminists' calls for social revolution began to appear as more threatening than liberating. In this atmosphere, key allies that the women's lobby had traditionally relied on, particularly those from Latin America, ultimately chose to align with conservative, traditional forces, such as Catholic lobbyists, instead of the CSW. Finally, the human rights of women became a political football between the United States and the Soviet Union, pitching women's rights into the center the growing ideological Cold War. These pressures weakened feminist activists' ability to overthrow traditional ideas about women's roles as wives and mothers. While CSW delegates won concessions on their political and civil rights objectives, in the end, the UDHR promised women special assistance, but not rights as mothers. The UDHR, therefore, positioned women not as self-determinate rights bearing beings, but as dependents.

“We Must Conduct a Species of Psychological Warfare”

At its first full session in 1947, the Commission on Human Rights (CHR) established a drafting committee to commence work on an International Bill of Rights. Unable to reach a consensus on a theory of human rights, the Human Rights Commission turned to John Humphrey, the head of the UN Secretariat's Division of Human Rights, to

prepare a draft “of every conceivable right” to use as the basis of discussion.¹² Humphrey’s duties included work for not only the Commission on Human Rights, but that of the CSW as well. As such, he attended CSW sessions and was involved in the preparation of summary records, resolutions, reports, and the women’s status questionnaire. While Humphrey admitted that he was no “Thomas Jefferson,” he prepared a draft declaration by drawing on scores of material that had been submitted to the Secretariat.¹³ Despite this, Humphrey’s draft declaration took little notice of the Commission on the Status of Women’s “charter” for women’s rights.¹⁴

The CSW opened the second of its two-week sessions in January of 1948 amidst what feminist delegates understood to be a dramatically different climate. While it was certainly true geopolitically, feminist delegates also recognized the growing polemics over the “woman question.” Feminist delegates understood that the UDHR had the

¹² Delegates could not agree on whether the human rights existed merely because of positive law, “inalienable” natural rights, or as the result of a supreme being. As a result they largely side-step philosophical, political and religious underpinning, ultimately crediting human beings, “endowed by reason and conscience,” with possessing dignity. See Paul Gordon Lauren, *The Evolution of Human Rights*, 207-11; Mary Ann Glendon, *A World Made New*, 38-41. For “every conceivable right” see Mary Ann Glendon, *A World Made New*, 57.

¹³ John P. Humphrey, *No Distant Millennium: The International Law of Human Rights* (Paris: UNESCO, 1989), 149. The models Humphrey drew from came from a variety of sources, including member-state’s constitutions. He reviewed the treatise H.G. Welles wrote during the war and that the allies had dropped behind enemy lines. He examined the work of legal institutes, such as the American Law Institute. NGOs, like the American Association of the United Nations, had forwarded draft bills. Humphrey also consulted resolutions from UN delegations, primarily from Cuba and Panama who had lobbied to include a bill of rights in the UN Charter. See John P. Humphrey, *Human Rights & the United Nations*, 31-32.

¹⁴ Humphrey’s draft widely used gender-neutral language, such as “Every one,” throughout the text. But it also used phrases such as “man is a citizen” and freely deployed male pronouns. It included an article on the right to contract marriage, but only “according to the laws of the state.” This failed to recognize the CSW’s demand that the UN establish an international standard, guaranteeing equality in marriage and divorce that recognized the “dignity of the wife.” The draft listed economic and social rights, but ignored the rights of mothers and naturalized the male head of household UN Doc. E/CN.4/AC1/3 (4 June 1947).

potential to not only prod national governments to action, but that it might also influence the way the “common man” understood the human rights of women.¹⁵

CSW delegates interpreted United Nations’ actions within the larger context of an increasingly anti-feminist environment. In limiting women’s participation during the Commission of Human Rights meetings, the Canadian delegate argued that while it was only “natural” to allow women to contribute, it was also “logical” to limit their “advice” to those sections of the bill which dealt with women’s “particular rights.”¹⁶ He suggested, for example, that women “might want to answer something about the rights of nursing mothers.”¹⁷ While Street herself had long used maternalist arguments to demand rights, she rejected the often concomitant reduction of women’s worth to their biological function. CSW delegates, particularly Street and Begtrup, vocally objected to this line of reasoning. Women’s rights were both universal and particular. Incensed, Street commented on the “nursing mothers” barb, warning a fellow delegate that this should “give you a line on the thinking of some of them.”¹⁸ Begtrup responded that if “old ‘Adam’ shall always dominate...the hopes of women all over the world...may as well be buried.”¹⁹ In an official resolution, Street blasted ECOSOC and condemned their attempts to “deride and belittle” the CSW’s recommendations. This, she argued, “displayed both bad taste and ignorance.” Furthermore, ECOSOC had an obligation to implement the UN Charter’s ideal that equal rights were “fundamental to the

¹⁵ UN Doc. E/CN.6/SR.33 (14 January 1947).

¹⁶ UN Doc. E/AC.SR.84 (29 March 1947); UN Doc. E/425 (15 April 1947).

¹⁷ Jessie Street to Bodil Begtrup (7 April 1947), Street papers, MS 2683/5/58.

¹⁸ Jessie Street to Bodil Begtrup (7 April 1947), Street papers, MS 2683/5/58.

¹⁹ Bodil Begtrup to the President of the Economic and Social Council (14 June 1947), Street papers, MS2683/5/63-4.

establishment of democratic institutions.”²⁰ Not only were women’s rights human rights, they were essential to obtaining the UN’s objective of a democratic, peaceful, postwar order.

Delegates also lobbied their national governments to support the CSW’s aims at the United Nations. As we have seen, Jessie Street launched an unsuccessful campaign with her government to overturn ECOSOC’s decisions.²¹ Likewise, Begtrup commented on the general “feeling of hostility” the UN had begun to take toward women’s rights and wondered whether it was merely “reactionary” or represented a larger “male conspiracy.”²² Dorothy Kenyon took another approach. Frustrated by portrayals that her actions had limited the CSW’s work, Kenyon pressed the State Department to permit her to introduce a series of resolutions, advocating for separate women’s rights conventions. Although the State Department approved a Nationality Convention, they limited it to gathering legal information.²³ It called for no immediate action. While Kenyon was a firm believer in gathering the necessary information before taking action, even she began to see the State Department’s recalcitrance as obstructionist. She wrote to the Women’s Bureau director Frieda Miller, insisting that the U.S. resolution cite some of the already voluminous nationality studies conducted by the Inter-American Commission of Women or by the Women’s Bureau so that it would not be taken as yet

²⁰ UN Doc. E/CN.6/47 (8 January 1948).

²¹ See Chapter Four.

²² Bodil Begtrup to Dorothy Kenyon (15 July 1948) & Bodil Begtrup to Dorothy Kenyon (29 July 1948), Kenyon papers, box 57, folder 2.

²³ “Proposed US policy relating to problems in fields of Nationality, Domicile, Marriage and Divorce,” S/HRW D-162/47 (1 Dec 1947), Kenyon papers, box 53, folder 6; “Annotated Agenda, Commission on the Status of Women,” ISP S/HRW/ D-163/47 (1 December 1947), Kenyon papers, box 53, folder 1; UN Doc. E/CN.6/ 32 (7 January 1948).

another “delaying tactic.”²⁴ Women’s organizations also complained that their efforts were not being “taken seriously by the men” in the United Nations.²⁵

The sense that women’s rights initiatives were under attack was not limited to national delegations or the United Nations. Anti-feminism was on the rise in media and taking root in the conscience of the “man on the street” as well.²⁶ In his opening remarks at a Women’s Bureau conference, editor of the *Saturday Review of Literature*, Harrison Smith declared that all of the major periodicals were “violently attacking” women in a way that would have been unfathomable when the world was at war. When the conference turned to the upcoming U.S. elections, Smith, despite his feminist intentions, argued that women needed to look around for the “right man” to vote for. Kenyon called him out: “Why not the right woman?”²⁷ In 1947, the *Annals of American Academy of Political and Social Sciences* commissioned a special edition specifically to address the seemingly widespread confusion over what women’s roles should be.²⁸ The issue featured two dominant perspectives. The first was that future democratic progress—and the success of the United Nations—depended on furthering women’s rights. Feminists such as Kenyon, Frieda Miller of the Women’s Bureau, feminist

²⁴ Dorothy Kenyon to Frieda Miller (21 January 1947), Kenyon papers, box, 58, folder 2. For an insightful example of a shift away from concern about women’s rights in the UN, a U.S. position paper argued to exclude the CSW’s demands that national laws be reconciled with the principle of equal rights as an urgent matter on the grounds that it was “irritating.” Unnumbered ISP “Commission on the Status of Women, Recommendations on remaining items in 1948 report,” (7 June 1948), Kenyon papers, box 54, folder 4.

²⁵ Katherine Bompas to Dorothy Kenyon (4 October 1948), Kenyon papers, box 57, folder 2.

²⁶ UN Doc. E/CN.6/SR.33 (14 January 1948); UN Doc. A/C.3/SR.125 (8 November 1948). See Rebecca Jo Plant, *Mom: The Transformation of Motherhood in Modern America* (Chicago: The University of Chicago Press, 2010).

²⁷ The Report on 1948 Women’s Bureau Conference, “The American Women: Her Changing Role: Worker, Homemaker, Citizen,” (17-19 February 1948), Kenyon papers, box 21, folder 1.

²⁸ Mary R. Beard, “Woman’s Role in Society,” *Annals of American Academy of Political and Social Science* 251 (May 1947): 1-9.

historian Mary Beard, and Judge Florence Armstrong were some of the contributors who argued forcefully for women's rights.²⁹ Margaret Perry Bruton, a homemaker with three children who had done graduate work in history and Dr. Marynia Farnham posited the countervailing view. Both suggested that feminism had led not only to female discontent, but more alarmingly to the destruction of the stable nuclear family.³⁰

Farnham's 1947 book, *The Modern Woman: the Lost Sex*, which she co-authored with Ferdinand Lundberg, caused a media sensation.³¹ They argued that feminism, while well-intentioned, had failed to achieve the movement's goal of increasing women's happiness. For the authors, trained in Freudian psychiatry, the problem was that women had striven for "absolute equality with men." In doing so, women denied their "psychobiological" core, which consisted of a deep-seated longing for "dependence" and "to be protected and made secure." Furthermore, women's "strong desire for passivity and compliance" was central to building successful relationships with men.³² Feminists who denied this reality and instead left the home for the workplace or political activism wrought the "demoralization of society." The most dramatic consequence of women's neglect of their natural familial role was the breakdown of the home, evidenced in rising divorce rates and juvenile delinquency.³³ Throughout the greater New York City area,

²⁹ Mary R. Beard, "Woman's Role in Society," 1-9; Dorothy Kenyon, "Victories on the International Front," 17-23; Frieda Miller, "Women in the Labor Force," 35-43; Judge Florence Armstrong, "Women's Participation in Government, 94-103 in the *Annals of American Academy of Political and Social Science* 251 (May 1947).

³⁰ Margaret Perry Bruton, "Present-Day Thinking on the Woman Question," *Annals of American Academy of Political and Social Science* 251 (May 1947): 10-16; Marynia F. Farnham, "Battles Won and Lost," *Annals of the American Academy of Political and Social Science* 251 (May 1947): 113-119.

³¹ Ferdinand Lundberg and Marynia Farnham, *The Modern Woman: the Lost Sex* (New York: Harper, 1947).

³² Indeed it was imperative if she was to "obtain satisfaction in the sexual act...and the completion of her sexual cycle through pregnancy and childbearing." Marynia F. Farnham, "Battles Won and Lost," 118.

³³ Marynia F. Farnham, "Battles Won and Lost," 114.

the seat of the United Nations, Farnham widely spoke on panels and forums held to discuss the perils of the modern family and the status of women.³⁴ While *Modern Woman* was not the first, or last, bestseller to blame feminists for society's woes, Farnham was the "most frequently quoted writer on the modern woman" in the late 1940s.³⁵ She was hardly alone; magazines were awash with articles about divorce rates, juvenile delinquency, and the neurosis of women.³⁶

Feminists across the ideological spectrum commented widely on Farnham's treatise. In her article in the *Annals*, Mary Beard cautioned readers about accepting psychoanalysis as a true science.³⁷ A colleague of Beard's was alarmed at "what seems to be the rising wave of 'anti-feminism' of which *Modern Woman: the Lost Sex* is symptomatic."³⁸ After hearing the psychiatrist speak at a Women's Press conference, Kenyon wrote that she "violently disagreed with Dr. Farnham."³⁹ National Woman's

³⁴ See for example, "Speakers at Forum on Women's Problems Find Many Gains and also Some Resentment," *New York Times* (8 May 1947), 32; "World Challenge to the Family is Seen," *New York Times* (28 January 1948), 20; "Women in Careers is Subject of Debate, Psychiatrist is Critical, Editor Sees Opposition to Them Based in Propaganda," *New York Times* (17 July 1947), 17.

³⁵ Arnold W. Green and Eleanor Melnick, "What Has Happened to the Feminist Movement?" in Alvin W. Gouldner, editor, *Studies in Leadership* (New York: Russell and Russell, 1950), 183. Quoted in Leila Rupp and Verta Taylor, *Survival in the Doldrums*, 19. For an analysis of the place of the "Modern Woman" within the larger 1940s trends of psychoanalysts conflation of "sexual health with dichotomous gender roles," see Jane Gerhard, *Desiring Revolution: Second Wave Feminism and the Rewriting of American Sexual Thought, 1920 to 1982* (New York: Columbia University Press, 2001), 43-49.

³⁶ Leila Rupp and Verta Taylor, *Survival in the Doldrums*, 13-23; Jane Gerhard, *Desiring Revolution*, 43-49; For the connections between anti-communism and anti-feminism, especially the impact this had on women in the U.S. federal bureaucracy see Landon R.Y. Storrs, "Attacking the Washington 'Femocracy': Antifeminism in the Cold War Campaign against 'Communists in Government'" *Feminist Studies* 33:1 (Spring 2007): 118-152. Anti-feminist backlashes were of course not a new phenomenon. For the feminist backlash during the "first red scare" see Kim Nielson, *Un-American Womanhood, Antiradicalism, Antifeminism and the First Red Scare* (Columbus: Ohio State University Press, 2001); Karen Offen *European Feminisms* argues that the political history of European feminism demonstrates that the "patriarchal crust" attempts to resettle the earth after every feminist volcanic "eruption," 25-26.

³⁷ Mary R. Beard, "Woman's Role in Society," 2.

³⁸ Quoted in Leila Rupp and Verta Taylor, *Survival in the Doldrums*, 19.

³⁹ Dorothy Kenyon to Elizabeth Bradley (8 May 1947), Kenyon papers, box 56, folder 5.

Party supporter Alma Lutz warned her colleague that the “future looks dark” for feminists. She feared a rising “trend toward fascism in this country,” of which there was no greater evidence than the “*Lost Sex* publication” with its emphasis on “mothercraft.”⁴⁰ To counter anti-feminism and “to effect a change in the minds of men,” Bodil Begtrup argued that the CSW needed to “conduct a species of psychological warfare.” To do so, they would need the aid of “the press, radio, films, and other means of propaganda.”⁴¹ Begtrup introduced a resolution to solicit the UN Public Information Office’s help in promoting their feminist message.⁴² The Secretariat replied that the CSW proceedings already received “full coverage.”⁴³

The UN bureaucracy was unsympathetic at best. The CSW had two weeks in which to set out its aims for the upcoming year, to establish the projects the UN would undertake between CSW sessions. Yet the CSW consistently lacked translators, translated texts, and sufficient staff to enable to commission to meet on evenings or weekends to complete their ambitious agenda. They did not suffer silently, but filed official complaints and began demanding their own Division in the UN bureaucracy, headed by a competent woman.⁴⁴ CSW delegates were wary of Humphrey’s ability to

⁴⁰ Alma Lutz to Mabel Vernon (11 June 1947), People’s Mandate Committee records, series B, box 12, folder, “Alma Lutz.”

⁴¹ UN Doc. E/CN.6/SR.33 (14 January 1948).

⁴² UN Doc. E/CN.6/68 (14 January 1948).

⁴³ UN Doc. E/CN.6/SR.33 (14 January 1948).

⁴⁴ Once the CSW became a full commission it was entitled to a section head under Humphrey’s UN Human Rights Division. Yet the UN was slow to fill the position with a permanent staffer. After the CSW 1947 session, Amanda Labarca of Chile was appointed to the full-time position. NGOs also complained about the UN bureaucracy. The Liaison Committee lodged a complaint about the difficulties in not only obtaining documentation, often receiving it much too late to be of use. Gwendolyn Peel to Lyman White (20 March 1948), UNA S-0441-40-12

carry out their “energetic program.”⁴⁵ Their suspicion, it seems, was legitimate.

Revealing his own anti-feminist tendencies, Humphrey wrote that he disliked Begtrup and Bernardino, the former as humorless and the latter as incompetent; Jessie Street was “a damned nuisance.”⁴⁶

Had Harrison Smith, editor of the *Saturday Review of Literature*, heard Begtrup’s proposal for a propaganda war, he would have likely concurred. In a debate with Marynia Farnham, of *Lost Sex* notoriety, Smith argued, that this “flood of anti-feminist literature” was propaganda motivated by those who wished to see women returned “to the kitchen.” Indeed, Harrison argued that it was not women who were “neurotic,” but men. The cause of men’s neurosis “was the insecurity of the atomic age” and the fact that no one knew if we were “heading to another war or depression.”⁴⁷ Smith’s assertion that the insecurity of the “atomic age” and the escalating Cold War made men neurotic is evidence of the postwar era’s “crisis of masculinity,” which scholars argue facilitated the rise of anti-intellectual hyper-masculine diplomacy and promoted the nuclear family as a safe haven from the perils of the nuclear age.⁴⁸

“A Boiling Kettle:” The Postwar Context

During the war years, the Allies began planning to secure both peace and prosperity in the postwar era. For many the new international order based on the United

⁴⁵ Rachel Nason, an observer at the first CSW did note that Humphrey’s interest in the commission seemed to grow throughout the session. Rachel Nason to Louis Hyde (U.S. delegation to the UN) and Frieda Miller (24 March 1947), Women’s Bureau records, box 10, folder C-J-1-2-2.

⁴⁶A.J. Hobbins, ed., *On the Edge of Greatness*, 50, 65, 47

⁴⁷ “Women in Careers is Subject of Debate, Psychiatrist is Critical, Editor Sees Opposition to Them Based in Propaganda,” *New York Times* (17 July 1947), 17.

⁴⁸ For the postwar crisis of masculinity see K.A. Courdileone, “Politics in an Age of Anxiety: Cold War Politics and the Crisis in American Masculinity, 1949-1960,” *Journal of American History* 87:2 (2000): 515-45. For the security of the nuclear home see Elaine Tyler May, *Homeward Bound: American Families in the Cold War Era* (New York: Basic Books, 1988).

Nations' system of collective security and the international promotion of human rights and fundamental freedoms was the lynchpin to guaranteeing that their lives would return to some mythical sense of domestic normalcy.⁴⁹ Instead, as Harrison Smith noted, the years between 1945 and 1948 played out more like a long but dramatic theatrical performance in which the climax was unidentifiable, and thereby frighteningly unpredictable.

Between the drafting of the UN Charter and the end of 1948, a series of crises rocked the international community and threatened the United Nations' success. The U.S. decision to employ the atomic bomb over the cities of Nagasaki and Hiroshima spawned anxiety about the postwar era. Jessie Street's husband, Kenneth, wrote to his wife, capturing the apprehension of many. He expressed his relief that the "ghastly slaughter" of war was at an end. Yet his relief was tempered by an "intermingled fear" spawned by the "catastrophic effects of the atomic bomb," which made the "perils of

⁴⁹ Hopeful outlooks, as Harrison Smith noted, were often tempered by fears of a post-war depression. Re-integrating the millions of returning soldiers into the postwar economies was a concern for nearly all the Western allied-nations with active duty forces. It was particularly harmful on women economically, who were issued pink-slips en-masse. For the U.S. see for example, Alice Kessler Harris *Out to Work: A History of Wage Earning Women in the United States, 20th Anniversary edition*, (New York: Oxford University Press, 2003, [c.1982]), 291-300; Susan Hartman, *American Women in the 1940s*, 23-27; Kate Weigand, *Red Feminism*, 46-47. Despite wide-spread fears, instead of a Depression, the postwar era in Western nations ushered in an unprecedented era of prosperity, mass consumption, and a staggering boom in the ranks of the middle-class, particularly in the United States. See for example Glenn C. Altschuler and Stuart Blumin, *The GI Bill: A New Deal for Veterans* (Cambridge: Oxford University Press, 2009); Lizabeth Cohen, *A Consumer's Republic: The Politics of Mass Consumption in Postwar America* (New York: Vintage Books, 2003). As G. John Ikenberry, *After Victory: Institutions, Strategic Restraint, and the Rebuilding of Order After Major Wars* (Princeton: Princeton University Press, 2001) demonstrates there were actually several "postwar visions." United Nations human rights project is best represented by the "global governance" visions. When feminist activists engaged with UN politics discussed the postwar order, they drew on images of several postwar visions, which Ikenberry distinguishes between, including trade and monetary cooperation. While they also drew on the imagery of the Atlantic Charter, they understood it to include more than just an Atlantic Alliance system, but the foundations of the broader United Nations system. These feminist activists largely denounced systems that operated outside the United Nations system, as did the Truman Doctrine, the Marshall Plan, and later NATO, especially when they were based strictly on geopolitical models that emphasized the balance of power over shared a shared moral commitment to international cooperation, 163-214.

peace” seem “even more frightening” than the perils of war.⁵⁰ For feminist activists who had long argued that a peaceful world necessitated women’s international political participation, the atomic bomb offered further evidence of the dangers of male-dominated policy making.⁵¹

Furthermore, for many, the deteriorating relationship amongst the Allies was cause for alarm. As early as 1945, Brazilian delegate Bertha Lutz feared that the Allied partner nations would not even successfully conclude the UN Charter. She wrote, “The conference will peter out like the good night symphony of Haydn, where each musician gets up in turn, puts out his candle and withdraws from the stage.”⁵² The cascade of confrontational rhetoric on the part of the big-three leaders between 1946 and 1948 heightened doubts. Churchill’s 1946 ‘Iron Curtain’ speech, Stalin’s response, the Truman Doctrine, Marshall Plan and subsequent Soviet walk-out as well as the 1948 Czech coup d’état all indicated that the United Nations’ prospects were bleak. This culminated in 1948 with the Soviet blockade of Berlin and the U.S. decision to supply the city by air, transporting nearly 300,000 tons of much needed goods between June of 1948 and May 1949. Indeed, the Berlin crisis looked to be shoving the world toward yet another world war, the third such conflict in the lives of many. If that were not enough to raise anxiety, parts of Asia and the Middle East were also embroiled in conflicts, which

⁵⁰ Kenneth Street to Jessie Street (12 August 1945), Street papers, MS 2683/1/1261.

⁵¹ “The atomic bomb seems to be the final word in our argument, but the citizens of this land are still not convinced.” Edith Goode to Mabel Vernon (20 Sept. 1945), People’s Mandate Committee records, series B, box 8, folder “Edith Goode.” In an article arguing that the participation of women in government was essential to peace, Judge and feminist, Florence Allen argued that “The atomic age has indeed brought it about the fact that world organization is, as Einstein says, no longer merely desirable, but essential if the race is to survive.” Judge Florence Armstrong, “Women’s Participation in Government,” 103.

⁵² Bertha Lutz to Carrie Chapman Catt (3 June 1945), NAWSA records, reel 12. The symphony is more commonly known as Haydn’s “Farwell” Symphony, No. 45.

deeply divided UN member states.⁵³ In the fall of 1948, one observer noted that the United Nations was a “boiling kettle.”⁵⁴

The prospect of an international feminist social revolution seemingly promised only more uncertainty. With the world ostensibly on the precipice of World War III, Farham argued that feminism also threatened national security. She asserted that women “had succeeded so badly in her central task of rearing children that three million young men had to be rejected as unfit for military service” due to their “emotional incapacitation.”⁵⁵ Kenyon herself suggested that “this Pandora’s box of women’s freedom which we hope to let loose on the world is likely to have unpredictable results.” While “the timid may remain fearful,” Kenyon argued that the achievement of women’s human rights was part of the “inevitable march of progress.”⁵⁶

Dorothy Kenyon recognized that feminists’ demands produced further apprehensions within an already tense international community. For Kenyon, human rights protections offered a palliative for widespread anxiety over international uncertainty. Kenyon, therefore, worked tirelessly to promote the UN project, especially among women’s organizations. In an article for an international women’s NGO, Kenyon warned: “Before Hitler and the a-bomb we felt safe, but no more.” Kenyon asserted that

⁵³ China was embroiled in civil war; Korea remained divided at the 38th Parallel; the French government battled the Vietminh to re-establish its colonial authority in Vietnam. Indonesia was at war with its Dutch colonizers. In 1947 the Arab-Israeli conflict furthered tested the new UN system, deepening tensions between those who supported the 1948 creation of the Israeli state and those who lamented the plight of dispossessed Palestinian refugees. Charles Malik, the *rapporteur* of the CHR, was active in the new formed Arab League, while René Cassin who had lost family members in the Holocaust was an active supporter of Israel as was Eleanor Roosevelt.

⁵⁴ Alice Morgan Wright “Note for the People’s Mandate Report,” General Assembly, Paris 1948, (undated), People’s Mandate Committee records, series B, box 30, folder, “Alice Morgan Wright.”

⁵⁵ Marynia F. Farnham, “Battles Won and Lost,” 114-15.

⁵⁶ Dorothy Kenyon, “Equality and Freedom,” *Independent Woman* (March 1949), Kenyon papers, box 21, folder 3.

while there was anxiety over the current “atmosphere of heightened tensions,” tensions could inspire the imagination. Alluding to the wartime creation of specially designed amphibious landing craft, she offered the landing at Normandy beach as an example of the people’s ability to be creative in a crisis. The United Nations, Kenyon asserted could be “like the Normandy harbor.” Kenyon insisted that “we will need” the United Nations’ international bill of rights “if we are to live in peace, with security and freedom.” She concluded: “We must not fail.”⁵⁷ But Kenyon’s contributions to the postwar human rights project have been largely eclipsed by the image of the more famous U.S female delegate to the United Nations, Eleanor Roosevelt.

“The Wife of the Apostle”

Eleanor Roosevelt was likely the one woman who received more international attention than any other in the immediate postwar years.⁵⁸ Contemporary conversations about Roosevelt’s role in the UN demonstrate the unease over women’s emergence as international power brokers. Her authority was frequently tempered by an accompanying sentiment, which highlighted her familial role. One UN delegate referred to her as the “wife of the apostle of fundamental human rights and liberties” as he simultaneously praised Mrs. Roosevelt’s capable leadership.⁵⁹ Roosevelt herself set out to allay fears about the appointment of a woman to such a high-profile international post. In her “My Day” column, Roosevelt wrote that she hoped to contribute as an “individual and as my

⁵⁷ Dorothy Kenyon, “World of Women: A Constructive Philosophy for Our Time: The Modern Dilemma,” Kenyon papers, box 20, folder 11.

⁵⁸ Mabel Vernon to Mary Gertrude Fendall (20 October 1948), People’s Mandate Committee records, series B, folder, “United Nations General Assembly, Paris, 1948.” Members of women’s organizations were frustrated by the lack of coverage about other women. Mabel Vernon bemoaned that she had “seen no publicity about any women delegates except Mrs. Roosevelt.”

⁵⁹ UN Doc. A/PV/180 (9 December 1948).

husband's widow."⁶⁰ Indeed, Roosevelt gained her position in a manner that eased anxiety about women with power: through her familial affiliations. She was both a niece and wife to former Presidents. While scholars debate Roosevelt's contribution to the human rights project, she remains, to this day, the public face of the Universal Declaration of Human Rights.⁶¹

Anna Eleanor Roosevelt was, in many ways, policymakers' panacea to orchestrating a U.S. role in the UN human rights project best defined as 'first among equals.'⁶² Internationally, the creation of the UN symbolized a global commitment to fostering democratic processes. While U.S. political and economic capital generated unprecedented leverage for the government, it could not simply dictate policy and standards in the new UN. Nonetheless, while U.S. policy was not definitive, it mattered a great deal. The government sought to shape the drafting process from a position of

⁶⁰ Eleanor Roosevelt, "My Day" (13 September 1947) as reproduced in, *My Day by Eleanor Roosevelt: The Best of Eleanor Roosevelt's Acclaimed Newspaper Columns, 1936-1962*, edited by David Emblidge (New York: MJF Books, 2001), 129.

⁶¹ Most works are highly praiseworthy of Roosevelt's contributions. Indeed, the role she played in shepherding the Declaration to adoption amidst a chaotic international environment is commendable. Yet Roosevelt's "feminism" is often taken for granted, not probed. Jason Berger, *A New Deal for the World: Eleanor Roosevelt and American Foreign Policy* (New York: Columbia University Press, 1981); Blanche Wiesen Cook, "Eleanor Roosevelt and Human Rights: The Battle for Peace and Planetary Decency," in *Women and American Foreign Policy: Lobbyists, Critics, and Insiders*, ed. Edward Crapol (New York: Greenwood Press, 1987); M. Glen Johnson, "The Contributions of Eleanor and Franklin Roosevelt to the Development of International Protection for Human Rights," *Human Rights Quarterly* 9:1 (February 1987): 19-49. As historian Carol Anderson, *Eyes off the Prize* demonstrates, Roosevelt ultimately prioritized the battle against the Soviet Union over the NAACP's objectives. Roosevelt believed that denigrating American democracy in front of other member nations did not further the cause of human rights globally; it only strengthened the Soviet's hand. Eleanor Roosevelt, *The Autobiography*, 1992, "I Learn About Soviet Tactics," 309-313. In fact, on at least one occasion, Roosevelt agreed to use her close relationship with Walter White of the NAACP to keep the State Department informed about any potential challenges the NAACP might pose for the U.S. delegation. Department of State Memorandum of Conversation (24 August 1948) Sandifer files, box 8, folder "Human Rights Council."

⁶² Human Rights Working Group (1 October 1946), Sandifer files, box 8, folder "Human Rights, March 1945-December 31, 1947."

strength and leadership, yet did not want to appear as though it was dictating the international project.⁶³ Roosevelt facilitated the U.S. government's ability to do so.

Roosevelt was a crafty selection. By nominating her, the Truman administration embraced a high-profile role for the U.S. in the collaborative endeavor. While Roosevelt was a polarizing national figure, with admiration and scorn drawn largely along partisan lines, she was an international celebrity.⁶⁴ As F.D.R.'s wife, she captured the attention of the domestic and international public and world-wide press. Roosevelt's international prestige gave the U.S. government tremendous leverage in the United Nations. One policymaker commented on the advantage Roosevelt's status offered: "Always remember that there are some votes which [sic] can be secured only if Mrs. Roosevelt speaks to the delegates herself. This is a measure which [sic] must be sparingly used because if word gets around that Mrs. Roosevelt is talking to some of the delegates and not to others the others may be offended."⁶⁵

⁶³ The ISP records are replete with statements of U.S. policy followed by a caveat that argues that if the other members of the commission display a strong commitment to certain wording, that the U.S. delegate should be cooperative. For example, a position paper on the non-discrimination article (discussed in the text below), advised: "It is expected that there will be pressure for numerous references to non-discrimination in the Declaration. The United States should not oppose the inclusion of a single article on this subject covering the entire Declaration." Furthermore the paper instructed Roosevelt to take a "positive position" by moving the article's placement to one of prominence. S/HRW D-122/47 (12 September 1947), ISP records 13:4A Subcommittee 3, box 10, documents, 111-130, 1947.

⁶⁴ The American public's opinion of her role in the UN remained largely partisan driven. Truman's general correspondence is full of requests to the President not appoint or to remove "that woman" from the delegation. Some of the most vitriolic centered on allegations of communist sympathies, poor skills as a mother, and her (unwelcome) work for racial justice. See for example, White House Central Files: Office Files, Box 528, Folder, J—Endorsement, United Nations General Assembly (1945-46), J.D. Browning (Los Angeles, CA) to Mr. President (15 December 1945); E.R. Ford (San Antonio, TX) to President Truman (16 December 1945); Truman Papers. Harry S. Truman Library, Independence, MO. Hereafter Truman Papers, OF.

⁶⁵ Confidential memo from James Hendrick to James Simsarian, cc: Durward Sandifer, Otis Mulliken, Walter Kotschnig and Mr. DePalama (27 July 1948), Sandifer files, box 8, folder, "Human Rights General." Simsarian and Mulliken were to replace Hendrick as Roosevelt's advisors at the upcoming 1948 Third Committee Session of the General Assembly.

Roosevelt was not only an international celebrity, she had a global reputation as an advocate of racial equality—and she was a woman. Her presence lent credibility to policymakers’ efforts to sell the American democratic narrative.⁶⁶ Roosevelt opposed the U.S. Equal Rights Amendment as undermining gender-specific legislation for women. As she asserted in her “My Day” column, “you can’t change the fact that men and women are different, and it is fortunate for us that this is the case.”⁶⁷ Her position mirrored that of the U.S. Women’s Bureau and mainstream American women’s organizations. While these groups believed that Roosevelt was “sympathetic” to the “status of women,” they understood her to be “more interested in the problem of race.”⁶⁸ Most of the U.S. National Woman’s Party’s leadership, proponents of the U.S. Equal Rights Amendment, believed Roosevelt appointment to be nothing less than catastrophic.⁶⁹

Roosevelt did not hold the CSW delegates in particularly high esteem. Her opinion of the UN feminist delegates had perhaps been tarnished by her disputes with them at the first sub-commission, at which she served as an ex-officio officer. Roosevelt had battled with the sub-commission. She labored to restrict the women’s commission activities to advocating for attainable political rights objectives. In doing so, she had supported the goals of mainstream U.S. women’s organizations over the international

⁶⁶ Rachel Nason to Constance Williams (21 March 46), Frieda Miller papers, box 7, folder A-37-143. While Roosevelt publicly supported racial equality, the NAACP’s leadership was deeply divided over her commitment to their struggle. Carol Anderson, *Eyes off the Prize*, demonstrates that while Walter White promoted an alliance with Roosevelt as the best strategy, W.E.B. Du Bois did not see Roosevelt as an ally, 102.

⁶⁷ Eleanor Roosevelt, “My Day,” (1 June 1946), Roosevelt papers, folder, “My Day, April-June 1946.”

⁶⁸ Rachel Nason to Constance Williams (21 March 46), Frieda Miller papers, box 7, folder A-37-143.

⁶⁹ Alice Morgan Wright to Alice Paul (20 April 1946), NWP records, reel 175.

aims of the CSW. She continued to do so during the UDHR drafting process. Despite being cordial with Kenyon, Roosevelt was not a supporter.⁷⁰ Although both delegates held similar ideas about gender, Kenyon's involvement with the vocal, feminist CSW did not ingratiate her to Roosevelt. While the delegates were obligated to follow strict instructions, Kenyon grew increasingly frustrated by hers, even nominating—in violation of her instructions—the Soviet delegate for the CSW's vice-chair at the second session.⁷¹ This was not the way the former first-lady operated.

When Roosevelt found a U.S. policy position disagreeable she kept it out of the public eye, voicing her concerns only behind the scenes.⁷² She did not air dirty laundry publicly. Roosevelt recalled that if she disagreed with her instructions she had the “right to say so and try to get the official attitude changed or modified.” If that failed, her only option was to “appeal to the President to intervene” and if the dispute could not be resolved, she could “resign in protest.”⁷³ Roosevelt never had to “resign in protest” over U.S. human rights policy. Her advisors recalled that her positions were rarely divergent from those of the State Department.⁷⁴ Roosevelt was intellectually sharp and studied her delegate's material prodigiously. She followed her instructions explicitly, often employing verbatim language from her detailed position papers, and had advisors at the

⁷⁰ Harry S. Truman to Eleanor Roosevelt (22 September 1949), Truman papers, OF: 85 Q—Endorsements, Commission on the Status of Women. Roosevelt sent an official letter endorsing Kenyon for re-appointment at the request of women's organizations, yet privately Roosevelt informed the President that she did not personally endorse Kenyon.

⁷¹ UN Doc. E/CN.6/SR.21 (6 January 1948); State Department memo: Louis Hyde to James Cooley (14 January 1948), State Department decimal files 501.BD-Women/1-1448.

⁷² See for example, Department of State Memorandum of Conversation (24 August 1948) Sandifer files, box 8, folder “Human Rights Council.” Roosevelt expressed her concern about voting for the Declaration at the General Assembly because she feared that the approval of the Declaration might delay the completion of the Covenant. She was rather easily persuaded to follow the U.S. line.

⁷³ Eleanor Roosevelt, *The Autobiography*, 306-07.

⁷⁴ A Glenn Mower Jr., *The United States*, 39.

ready. Roosevelt recalled: “Mr. Sandifer was always seated just behind me to give me guidance. As time went on I could tell merely by his reactions whether the discussion was going well or badly. If I could feel him breathing down my neck I knew that there was trouble coming, usually from the Russians.”⁷⁵ When unscripted issues arose, Roosevelt advisors promptly scribbled responses in the margins of her instructions.⁷⁶

Eleanor Roosevelt relied on traditional notions of feminine comportment in the exercise of her diplomatic craft. Indeed, it was her persuasive hospitality that made her a valuable political operative for the U.S. government. She did not strong-arm other delegations; she had them for tea or to dine. In the final push to adopt the Declaration, one advisor spelled out the Roosevelt advantage to his colleagues:

As you know, Mrs. Roosevelt makes it a practice of entertaining all the delegates... This is done by small luncheon or evening sessions... [You] should make sure that people are lined up for luncheon everyday and you should also make plans for evening sessions. In each case the group invited must be carefully picked out so as to secure maximum efficiency in lining up votes...[It] is a pattern which Mrs. Roosevelt has used in the past...successfully.⁷⁷

According to her advisor, Roosevelt performed her duties with the perfect blend of “cunning and naiveté.”⁷⁸ Throughout her tenure in the United Nations, Roosevelt was often referred to as the “First Lady of the World.” This image drew on both her public role as a diplomat and her private, domestic role as F.D.R.’s widow. This “mixed” characterization epitomized the postwar tensions between women’s public and private roles.

⁷⁵ Eleanor Roosevelt, *The Autobiography*, 306.

⁷⁶ The ISP documents in Roosevelt’s papers are replete with instructions penned in the margins. Roosevelt papers, box 4577, folder “Human Rights Drafting Committee Papers, 1947.”

⁷⁷ Confidential memo from James Hendrick to James Simsarian (27 July 1948), Sandifer files, box 8, folder, “Human Rights General.”

⁷⁸ James Hendrick to Dean Rusk (7 July 1948) as cited in Anderson, *Eyes off the Prize*, 133.

The UDHR & the Gendered Hierarchy of the Home

The final Universal Declaration of Human Rights was the product of nearly two years of negotiations. From Humphrey's draft to the UDHR's 1948 adoption, the document advanced through a dizzying number of meetings. Drafting committees met regularly between the three main Commission on Human Rights sessions held in Lake Success, New York in early 1947, Geneva in December later that year, and again at Lake Success in the spring of May 1948. Before the UDHR came to the General Assembly floor for a vote, versions of it were circulated to member states for comment; approved by the Economic and Social Council; and debated by more than eighty General Assembly committee and plenary meetings, which included representation from every UN member state. The General Assembly debates lasted two months. Shortly before midnight on December 10th 1948, the United Nations adopted the UDHR without a single negative vote and only eight abstentions.⁷⁹ The document continues to serve, to this day, as the foundation of modern human rights standards.

In her opening remarks to the 1947 Geneva session, Bodil Begtrup reminded UDHR drafters of the project's importance to the "millions of women" the CSW represented. She declared: "I beg to remind you that the complete equality of men and women...belongs to fundamental human rights." There could be no doubt that "in the past" there has been great inequality, "especially in the case of marriage." She asserted that "a just and carefully written" Declaration had an important role to play not only in shaping "world public opinion," but also in moving "governments reluctant to fulfill the pledge" they made by signing the UN Charter. The job of the UDHR drafters was to create a "new world" and to do so they must "create a new way of thinking." She believed that if the rights of women were "taken up seriously" it would result "in happy

⁷⁹ The U.S.S.R. and the five Soviet aligned states (Ukraine S.S.R., Byelorussia S.S.R, Yugoslavia, Poland, and Czechoslovakia) all abstained as did South Africa and Saudi Arabia.

changes in the lives of millions of women who now toil in homes, factories, and fields all over the world.”⁸⁰

In fighting for women’s political and civil rights, Begtrup singled out marriage for a reason. The CSW recognized that while many women were still without political rights, there was little overt resistance to acknowledging women’s demand for a political voice. Begtrup’s political rights resolution unanimously passed the General Assembly in 1946. CSW representatives, rightly, did not expect to counter fierce opposition to their demand that women be granted equal political rights. Indeed, the UDHR gives women the same political rights as men.⁸¹ Their real challenge rested with women’s civil rights.

By arguing for the creation of a “new way of thinking,” Begtrup highlighted the critical role that marriage relations played in defining the equality of men and women, not only in the home, but in society. As Nancy Cott has deftly demonstrated, “marriage uniquely and powerfully influences the way differences between the sexes are conveyed and symbolized.” Through the public institution of marriage the state “can shape the gender order.”⁸² Furthermore, marriage is an institution that defies artificial attempts to separate the so-called public and private spheres. As a result, the CSW understood that UN action on civil rights offered an opportunity to do something concrete for women.⁸³

⁸⁰ Bodil Begtrup Report on 1947 Geneva session, Commission on Human Rights (undated), Street papers, MS 2683/5/folder 4, document unnumbered.

⁸¹ There was some debate about women’s political rights behind the scenes, but little open debate. To resist political rights for women would have been to take an untenable international political position. While feminists believed they would have little trouble with UN delegates, they also recognized that recalcitrant governments continued to resist empowering women politically. When the Greek government looked as though it would not enfranchise women, there was a flurry of communications amongst CSW members and NGOs on how to use the new United Nations to pressure the Greek government. See Kenyon papers, box 57, folder 3.

⁸² Nancy Cott, *Public Vows: A History of Marriage and the Nation* (Cambridge: Cambridge University Press, 2000), 3.

⁸³ UN Doc. E/CN.6/SR.29 (9 January 1948).

The marriage article was contentiously debated. Signaling its significance, Mexico's Amália Ledón recalled that “few articles of this Declaration gave rise to such prolonged debate.”⁸⁴ Arguably, it also underwent more textual changes than any other UDHR article, which further signifies the deep investment delegates and activists had in the outcome. Cold War posturing, CSW activism, and both delegates and NGO lobbyists' ideas of the family's proper gender order informed the debates on marriage.

The CSW established specific rights for women with respect to marriage. The 1946 sub-commission first articulated women's rights in marriage, which subsequent commissions endorsed. Hansa Mehta, a delegate from India served on the women's sub-commission, but also subsequently sat as a delegate on the Human Rights Commission. Mehta, who had been arrested during protests for Indian independence, was a strong figure on both commissions. She was to be one of the CSW's staunchest allies throughout the drafting process. In the 1946 women's sub-commission meetings, Mehta shared the All India Women's Charter with the other delegates and the document played a key role in their discussion of women's rights.⁸⁵ Indeed, the guiding principles spelled out at the beginning of the women's sub-commission report uses verbatim language from the All India Women's Charter.⁸⁶

The CSW largely accepted the specific set of rights claims established by the 1946 sub-commission. They added only a married women's equal right to establish the family's domicile. While the CSW ideas on marriage were bold, they were not necessarily explicit. The CSW charter stated simply that marriage must entail, “Freedom

⁸⁴ Ledón's report on the 1948 Lake Success CHR Session UN Doc. E/NC.6/83 (2 February 1949).

⁸⁵ UN Doc. E/HR/ST/5 (1 May 1946). Mehta also played a key role in working to grant the All India Women's Charter NGO consultative status at the United Nations. See Hansa Mehta to Lyman White, head of the UN non-governmental organizations section (21 April 1947), UNA, S-0441-15-07.

⁸⁶ UN Doc. E/38 (20 May 1946).

of choice, dignity of wife, monogamy, [and the] equal right to dissolution of marriage.”⁸⁷ They embraced the nebulous phrase the “dignity of the wife” as a condition of equal marriage.⁸⁸ Unpacking the sub-commission’s work sheds light on the CSW’s understanding of the marriage relationship. Mehta argued that entrance into the marriage contract should be based on mutual consent and minimum age requirements. The CSW encapsulated these ideas with their demand that women have “freedom of choice” in marriage.⁸⁹ While monogamy might have been understood as an element of “freedom of choice,” the CSW listed it as a separate item. In the debates, the French delegate LeFauchaux, challenged the inclusion of “monogamy” on the grounds that it was a cultural matter governed by different religious traditions. Mehta quickly asserted the commission’s responsibility to fight “old customs” wherever they existed and she received wide-spread support from the other delegates.⁹⁰ The commission listed monogamy as a separate item to signal the need to challenge traditions defended in the name of religion or culture. A fourth right was a woman’s equal right to divorce. Mehta proposed that women should have the right to dissolve marriage under certain conditions, such as “cruelty” or “impotency.”⁹¹ While Mehta’s work did not specify that men and women should have an equal right to end marriage, the sub-commission quickly and unanimously adopted the principle that women shall have an “equal right to breach of marriage.”⁹² The final principle established by the sub-commission was the idea that

⁸⁷ UN Doc. E/38 (20 May 1946).

⁸⁸ UN Doc. E/38 (20 May 1946).

⁸⁹ UN Doc. E/38 (20 May 1946).

⁹⁰ UN Doc. E/HR/ST/11 (7 May 1946).

⁹¹ UN Doc. E/HR/ST/5 (1 May 1946).

⁹² UN Doc. E/HR/ST/11 (7 May 1946); UN Doc. E/38 (20 May 1946).

marriage was to be based on the “dignity of the wife.” The only remaining marriage matters that Mehta introduced were that women were not the “property of men” and had a “right to limit her family.” Furthermore, women were entitled to economic independence through alimony and child support in the case of divorce.⁹³ The “dignity of the wife” thus encompassed the idea that women were not the legal, economic, or sexual property of men. CSW delegates from Kenyon to Street based their claims on these same fundamental principles.⁹⁴

The CSW recognized that marriage was both a relationship and a legal partnership. To this end, the women’s commission established a set of principles to insure that women retained their “legal personhood” following marriage.⁹⁵ For women, this was significant because it challenged the remaining vestiges of what is known as coverture in Anglo-American law, but that has similar legal counterparts throughout the world, including in societies governed by civil law based on Napoleonic Code and Sharia law.⁹⁶ In other words, women’s right to legal personhood meant that no longer would the husband’s legal identity “cover” the wife. She could freely enter into contracts, sue, acquire, inherit and dispose of property in her own name. While in most nations, “coverture” and legal principles similar to it, began to erode with the establishment of married women’s property acts, vestiges of it remained to differing degrees across the

⁹³ UN Doc. E/HR/ST/5 (1 May 1946).

⁹⁴ UN Doc. E/281/Rev.1 (25 February 1947); UN Doc. E/615 (26 January 1948).

⁹⁵ Humphrey’s draft used the language of a legal personality. UN Doc. E/CN.4/AC.1/3 (4 June 1947).

⁹⁶ Elizabeth V. Faue, “Citizenship: A Comparative History,” in *The Oxford Encyclopedia of Women in World History, Vol. I*, edited by Bonnie G. Smith (Oxford & New York: Oxford University Press, 2008), 388-392.

globe.⁹⁷ The CSW's charter addressed this and included "among others" women's "equal right to enter into contracts and to acquire, dispose of and inherit property," to establish domicile, retain their nationality, and to be guardians of their children.⁹⁸

The CSW's ideas on marriage, including the terms of the marriage contract and women's legal rights in it, served as the basis of their vision of women's civil rights as human beings. CSW delegates believed that the "family" was to be regarded as a "co-operative unit" with each partner holding an "equal status." Significantly, their vision did *not* challenge the import of the nuclear family itself. Instead, the CSW sought to alter the traditional gender hierarchy by demanding the equalization of economic, legal, and sexual power within the nuclear family.⁹⁹

The CSW's objectives ran counter to the aims of Christian lobbyists, especially Catholic women's groups. Catholic lobbyists argued that instead of the "dignity of the wife" the "emphasis" should be "on the dignity of the spouses."¹⁰⁰ In language that echoed Farnham's call for women to acknowledge their "psychobiological" core, one female Catholic lobbyist explained that equal rights in marriage, including "divorce might cause conflicts in the family[,] which one of the spouses must have the power to

⁹⁷ Elizabeth V. Faue, "Citizenship: A Comparative History," in *The Oxford Encyclopedia of Women in World History, Vol. I*, edited by Bonnie G. Smith (Oxford & New York: Oxford University Press, 2008), 388-392.

⁹⁸ On Marriage, the CSW demanded, "Freedom of choice, dignity of wife, monogamy, equal right to dissolution of marriage" as well as: "A married woman to have the same right to establish her domicile as a man or single women married." Guardianship: Equal Right to Guardianship of her own and other children. Nationality: Right to retain her nationality, and for her children the right to choose the nationality of the mother upon obtaining majority. Legal Capacity: Equal right to enter into contracts and to acquire, dispose of and inherit property. UN Doc. E/281.Rev.1 (25 February 1947).

⁹⁹ Karin Roseblatt, *Gendered Compromises* makes a similar argument about Chilean feminists during the popular front period. Roseblatt argues that elites saw the family as the fundamental means to progress and therefore supported the nuclear family, while also challenging men's power within it.

¹⁰⁰ Ledón's report on the 1948 Lake Success CHR Session UN Doc. E/NC.6/83 (2 February 1949).

settle.” Women had a particular responsibility to insure the happiness of the family. The lobbyist argued that “if the woman, in the interest of harmony, had to give way there was no cause for alarm because often the real victor was the one who yielded.”¹⁰¹ For these lobbyists, equal rights in marriage undermined the natural hierarchy of the family by promoting a false equality. Catholic lobbyists quickly made their objections to divorce known, denouncing the idea that the international community would “promote” the destruction of the family by guaranteeing divorce as a right.¹⁰² Divorce was not something to be affirmed. Catholic women’s groups argued that if the CHR permitted divorce, the bill of rights would offend the conscience of millions of women the world over.¹⁰³

Among the NGOs most active on marriage and the family was the World Union of Catholic Women’s Organizations (WUCW), led frequently by Catherine Schaeffer.¹⁰⁴ Schaeffer was an effective advocate and widely circulated a draft Declaration created by the National Catholic Welfare Conference, which established the inviolable rights of the person as being endowed by a beneficent deity and emphasized the “rights of family.”¹⁰⁵

¹⁰¹ Ledón’s report on the 1948 Lake Success CHR Session UN Doc. E/NC.6/83 (2 February 1949).

¹⁰² Joseph S. Rossi, S.J. *Unchartered Territory: The American Catholic Church at the United Nations, 1946-1972* (Washington D.C.: The Catholic University Press, 2006). Several delegations, such as Lebanon and the Netherlands also spoke out against including divorce as it would appear to the average man that the international community placed both on the “same footing.” UN Doc. A/C.3/125 (8 November 1948).

¹⁰³ UN Doc. E/CN.4/SR.58 (3 June 1948); Joseph Rossi, *Unchartered Territory*, 102.

¹⁰⁴ Catherine Schaeffer was involved in several Catholic organizations at the time, including the National Council of Catholic Women, the Catholic Association for International Peace, and served as a staff member of the National Catholic Welfare Conference. She became the assistant to the general secretary of the National Catholic Welfare Conference for United Nations Affairs and held the position from 1946-1972. Joseph Rossi, *Unchartered Territory*, 2-26.

¹⁰⁵ Joseph Rossi, *Unchartered Territory*, 98-99. NGOs with Consultative Status could request to speak at human rights commission sessions, but had to follow a strict procedure to do so. The NGO representative was required to make a request through the UN NGO section in which they had to specify which particular article they would like to be heard on. The NGO when then forward a request to

Schaeffer focused her energies on swaying the representatives of largely Catholic nations. She worked closely with Chile's Hernán Santa Cruz and Carlos Rumolo of the Philippines. She also formed a close allegiance with the Lebanese delegate Charles Malik, a Greek Orthodox Arab, who battled—and lost—a drive to include “the spiritual source of human rights” as the philosophical foundation of the UDHR.¹⁰⁶ As the human rights commission's *rappporteur*, Malik was one of the UDHR's most influential drafters. He also served as the President of the Economic and Social Council when it received the CHR's final draft and chaired the General Assembly committee and plenary meetings that shepherded the UDHR to adoption. The Catholic lobby had influential allies.

At Geneva, Charles Malik introduced a clause to the marriage article intended to elevate the status of the family within the human rights document. Malik acknowledged that his proposals drew on the draft text given to him by Schaeffer's Catholic lobby.¹⁰⁷ Malik's resolution, which asserted that “the family deriving from marriage is the natural and fundamental unit of society,” was widely supported and adopted at the Geneva session. Malik also promoted Catholic lobbyists emphasis on God and the family. He failed, however, to win support for a marriage article clause, which stated: “the family is endowed by the Creator with inalienable rights.” Malik also agreed with the Catholic position that to include divorce in the UDHR was tantamount to an international endorsement. When Hansa Mehta refused to back down from the idea that the marriage article, at minimum, must guarantee equality, a frustrated, Malik reminded the Indian

Roosevelt, as the commission chair. See for example, the request from the Liaison Committee to offer their position on the marriage article, Lyman White to Eleanor Roosevelt (8 June 1948), UNA S-0441-40-12.

¹⁰⁶ Joseph Rossi, *Unchartered Territory*, 101; Mary Ann Glendon, *A World Made New*, 133-134; Liaison Committee Consultant's Report (No. 4), Human Rights Commission, 3rd Session (24 May – 18 June 1948), Roosevelt Papers, box 4580, folder, “UN Publications, Human Rights Commission, 1948.”

¹⁰⁷ Glendon, *A World Made New*, 124-27; Joseph Rossi, *Unchartered Territory*, 100-101.

delegate that “I threw over God for you!”¹⁰⁸ The least she could do was give in on divorce.

The Commission on Human Rights was apprehensive about embroiling the UDHR in the highly contested debate over divorce.¹⁰⁹ Many delegates struggled, it seems, over whether their responsibility was to draft a document that would be universally acceptable or whether their charge was to assert universal equality in rights guarantees. Catholic women’s groups made the former argument. In contrast, CSW delegates urged that the UDHR—as a statement of aims—recognize equality between men and women in the family, which included equal rights in divorce. At Geneva, Begtrup read directly from the CSW’s “charter,” re-asserting their already well-known demands. She insisted that the CSW was not asking for “any special concessions,” only “for equality of rights.”¹¹⁰ When it came to the human rights of women, the CHR tried to forge a middle path and searched for language that would permit them to side-step the touchy issue of divorce. The United States, United Kingdom and India all suggested “equal rights in marriage” could also imply, without specifically stating, the right to divorce.¹¹¹ Even the ecumenical international women’s organization, the Liaison Committee, thought that a simple statement of equal rights in marriage, which avoided

¹⁰⁸ Liaison Committee Consultant’s Report (No. 4), Human Rights Commission, 3rd Session (24 May – 18 June 1948), Roosevelt papers, box 4580, folder, “UN Publications, Human Rights Commission, 1948.”

¹⁰⁹ The first CHR drafting committee, which met in the spring and summer of 1947, quickly sent the contentious article to its sub-commission on the Prevention of Discrimination and Protection of Minorities (PDPM). When the PDPM received the article, they too quickly punted and routed it back to the CSW. The women’s commission was not scheduled to meet until early 1948—after the next full Commission on Human Rights session. As a result, the draft Declaration discussed at Geneva in December of 1947 initially omitted the marriage article entirely.

¹¹⁰ E/CN.4/AC.2/SR.5 (8 December 1947).

¹¹¹ Liaison Committee Consultant’s Report (No. 4), Human Rights Commission, 3rd Session (24 May – 18 June 1948), Roosevelt Papers, box 4580, folder, “UN Publications, Human Rights Commission, 1948;” S/HRW D-35/48 (19 April 1948) ISP records 13:4A Subcommittee 3, box 111, documents 21-35.

specific mention of divorce, might be preferable.¹¹² The approved Geneva draft included the family as the fundamental unit of society and promised only equal rights in marriage. Begtrup had been unable to convince UDHR drafters to include a specific mention of divorce.

While Begtrup was unsuccessful in getting the CSW's views on marriage adopted at Geneva, she did win a significant victory in the contest between the Christian religious lobby and the CSW. Both Charles Malik and Santa Cruz of Chile had introduced amendments to the article on the right to "life, liberty, and security of person." While the two amendments were modestly different, the intent of both was to define life as beginning at the moment of conception.¹¹³ Both also resembled an article in the National Catholic Welfare Conference draft declaration.¹¹⁴ When the CHR delegates at Geneva took up this issue, Begtrup intervened. While the CSW had not specifically addressed abortion, Begtrup argued that their commitment to representing women the world over guided her opposition. She asserted that women in many countries, under certain restrictions, could legally obtain an abortion. To define life as beginning at conception threatened to deny some women access—however limited—to reproductive health services that they already enjoyed.¹¹⁵ The CSW's job was to expand, not restrict

¹¹² Liaison Committee Consultant's Report (No. 4), Human Rights Commission, 3rd Session (24 May – 18 June 1948), Roosevelt papers, box 4580, folder, "UN Publications, Human Rights Commission, 1948."

¹¹³ Chile addition: "Unborn children and incurables, mentally defectives and lunatics shall have a right to life..."; Lebanon addition: "Every one has a right to life and bodily integrity from the moment of conception..." UN Doc. E/CN.4/21 (1 July 1947). This is article 3 of the UDHR, but Article 7 in this draft.

¹¹⁴ The NCWC draft defined the protection of life as "The right to life and bodily integrity from the moment of conception, regardless of physical or mental condition, except in just punishment for crime." Cited in S/HRW D-34/47 (5 May 1947), ISP records 13:4A Subcommittee 3, box 110, documents 26-90.

¹¹⁵ Begtrup was supported by Mehta who also argued in the plenary session "that its provisions were not of general application and every state would be left free to legislate according to the needs and convictions of its people" as reported in United Kingdom brief for the Second Session of the Commission on the Status of Women sent to the Secretary of External Affairs, Canberra (15 Jan 1948), ANA series 1838, 856-15, Part II.

the rights of women. While the Chilean delegate speculated that women used “rape as a pretext” to obtain abortions, Begtrup’s argument prevailed with the support of Hansa Mehta.¹¹⁶ The CHR rejected the conception amendments, retaining the article as it stood.¹¹⁷

The limits ECOSOC placed on the CSW had an overall negative impact on the feminists’ ability to press their rights claims. Begtrup “emphasized” to her CSW colleagues the “difficulty of participating in a debate without the right to vote or the right to propose a motion.” In the end, the most she could do was to “express wishes.”¹¹⁸ Furthermore, while CSW officers had the right to participate in the Commission on Human Rights sessions, they did not have the “right” to participate in the drafting committees, which took place between full sessions. Nor did they have the right to be present when the CHR broke into small working groups where most compromises over language were struck. Considering the limitations placed on the CSW’s ability to fully participate, Jessie Street asserted: “It is no small wonder that the progress of women is so slow.”¹¹⁹ When Begtrup reported to the CSW that the right to dissolve marriage had been omitted “at the request” of voluntary organizations, Jessie Street immediately moved that the CSW reaffirm their commitment to a woman’s right to divorce. Street argued that while women were “divorced by men on the slightest pretext,” in many places it remained “practically unattainable” for women.¹²⁰ Street’s CSW colleagues

¹¹⁶ UN Doc. E/CN.4/SR.35 (12 December 1947).

¹¹⁷ UN Doc. E/CN.4/600 (17 December 1947).

¹¹⁸ Begtrup’s Report UN Doc. E/CN.6/SR.28 (9 January 1948). During the second CSW, Street pressed for the CSW to pass another resolution, urging that their right to participate be expanded. Indicative of feminists’ doubts that ECOSOC took the requests of the CSW seriously, the French delegate, LeFauchaux argued that it was unlikely that their request would be heeded. UN Doc. E/CN.6/SR.22 (6 January 1948).

¹¹⁹ Jessie Street form letter (19 November 1947), Street papers, MS 2683/403.

¹²⁰ UN Doc. E/CN.6/SR.28 (29 January 1948).

passed the resolution by an overwhelming margin.¹²¹ They would take their case to the CHR once again.

Amália Ledón, as the CSW's representative, took their fight for divorce to the 1948 human rights commission's session.¹²² Ledón argued that the Commission on Human Rights had a responsibility to address the issue of divorce explicitly. The CHR's job, she asserted, was to "provide a humanitarian, ample, and definite solution for a problem entailing such unjust and grievous consequences." She reiterated the CSW's demand: "Men and women shall have equal rights to contract or dissolve marriage."¹²³ Ledón asserted that within marriage laws throughout the world "there exists an undeniable fact, the fact of discrimination against women, which in many cases, results in prejudice and suffering for the women and the family." She also asserted the women's right to economic independence after divorce through the payment of alimony and child support.¹²⁴

The battle over the marriage article brought the issue of religious and cultural relativism to the fore in the 1940s debates over the human rights of women. The CSW had tackled these issues in their session. Delegates, like Kenyon and Street, often invoked language and arguments that implied the superiority of women from predominantly white, industrialized nations. Yet, in doing so, they often conflated culture and real legal disparities. Kenyon, for instance, argued that CSW work on political rights could help

¹²¹ The summary records do not include a roll-call of the vote. The vote carried 11 to 3.

¹²² UN Doc. E/800 (18 November 1948)

¹²³ E/CN.6/615 (26 January 1948); Ledón's report on the 1948 Lake Success CHR Session UN Doc. E/NC.6/83 (2 February 1949).

¹²⁴ Ledón's report on the 1948 Lake Success CHR Session UN Doc. E/NC.6/83 (2 February 1949).

women come from “behind the veil.”¹²⁵ Delegates from developing nations were willing to address legal disparities, but resisted the oversimplified cultural explanations often made by their colleagues. The delegate of India, Begum Hamid Ali, for instance, protested “the repeated introduction of the Koran and of Sharist law” in the discussion, which essentialized entire cultures based on a single fact. Hamid Ali argued that it was analogous to her charging the United Kingdom with “being medieval because it did not allow women into the House of Lords.” She insisted that “no government could achieve perfection...but that each could learn from all of the others.”¹²⁶

Ledón answered the religious and cultural challenge by declaring that the CSW was “responsible to all women of all ideologies, religions, races, etc.” The CSW’s job was to insure that no religious or cultural impediments stood in the way of women’s ability to be self-determinate. As a Catholic, Ledón informed the CSW that lobbyists had “naturally” come to her for assistance in opposing divorce. Ledón responded to the lobbyists by arguing that the CSW could not give “preference” to women from one sector over another. Furthermore, Ledón argued that the CSW’s position did not infringe on religious principles “since religious laws provide for the dissolution of marriage within,

¹²⁵ Dorothy Kenyon, “One World, One People” speech, Kenyon papers, box 20, folder 10; Kenyon, “One World, One People” press release, (12 December 1946), Women’s Bureau records, box 22, folder UNESCO Commission on the Status of Women 1946; Dorothy Kenyon, “Victories on the International Front,” *Annals of the American academy of Political and Social Science* 251 (May 1947): 17-23. For the history of the identification of the veil with cultural backwardness and attempts to eliminate the veil as a means of modernizations see Leila Ahmed, *Women and Gender in Islam: Historical Roots of a Modern Debate* (New Haven & London: Yale University Press, 1992) particularly “The Discourse of the Veil,” 144-168. For Soviet attempts to eliminate the veil as a means to establish control see Douglas Northrop, *Veiled Empire: Gender and Power in Stalinist Central Asia* (Ithaca, New York: Cornell University Press, 2004); For local leaders perpetration of violence against women as a means to resist Soviet authority see Marianne Kamp, “Femicide as Terrorism: The Case of Uzbekistan’s Unveiling Murders,” in *Sexual Violence in Conflict Zones*, edited by Elizabeth Heineman (Philadelphia: University of Pennsylvania Press, 2011), 56-72.

¹²⁶ UN Doc. E/CN.6/SR.26 (8 January 1948).

however, very restricted limits.”¹²⁷ More confrontationally, Jessie Street argued that the commission had a responsibility to draw attention to discriminatory “religious texts and laws” and introduced an appeal to all monotheistic religious leaders. Her appeal noted the “strong influence of tradition in the customs of religions,” but argued that religious leaders had a responsibility to “meet the changing needs and developments that occurred in the world.” She requested their assistance in implementing the Charter’s principle of equal rights. Organized religion had the power, indeed the responsibility, to help transform traditional ideas of gender.¹²⁸

The CSW made modest inroads with the human rights commission, but not in terms of divorce. Feminist delegates did convince the Commission on Human Rights to incorporate the concepts of a minimum age and full consent, which upon the Lebanese delegation’s suggestion later became “free and full consent.”¹²⁹ Feminists also convinced the CHR to remove the family “deriving from marriage” as the natural and fundamental unit of society. Removing “deriving from marriage” from the clause maintained the family as the natural and fundamental unit, but protected those who had not formally entered into a marriage contract as well as the status of children born out of wedlock.¹³⁰ It was a feminist principle that many women had advocated for decades.

¹²⁷ Ledón’s report on the 1948 Lake Success CHR Session UN Doc. E/NC.6/83 (2 February 1949).

¹²⁸ UN Doc. E/CN.6/45 (8 January 1948). Most CSW delegates tended toward a non-antagonistic approach with religious contingents. Indeed Street eventually withdrew her resolution due to a lack of support (14 January 1948).

¹²⁹ UN Doc. A/C.3/260 (12 October 1948).

¹³⁰ UN Doc. E/CN.4/SR.62 (7 June 1948); UN Doc. E/800 (18 November 1948).

Yet the CHR would commit to no more than the principle that men and women had “equal rights as to marriage.”¹³¹ They would not specifically include divorce.

The CSW obtained the women’s right to divorce only after the debates left the human rights commission and entered the General Assembly in the fall of 1948. Instead of the eighteen- member CHR, all fifty-four member states were represented in the General Assembly. Here, the CSW had voting allies, such as Begtrup, Minerva Bernardino and Poland’s Fryderyka Kalinowska, all of whom had served on the 1946 sub-commission. In the General Assembly they lent their voice to the CSW’s objectives. Begtrup argued that the marriage article was “one of the most important in the Declaration, particularly for women” as marriage was not only a “family tie,” but a “decisive social factor in [women’s] lives.” She argued that it was essential that “equal rights” in marriage covered divorce.¹³² Bernardino argued that the current draft text did not sufficiently express the idea of “absolute equality between men and women” in marriage.¹³³

In the end, the UDHR’s marriage article both advanced and limited feminists’ drive to insure the “dignity of the wife” in marriage. At the CHR’s Geneva session, the Soviets successfully proposed that marriage be “protected by the State.”¹³⁴ There was

¹³¹ UN Doc. E/800 (18 November 1948). In the final debates, on behalf of the U.S. government, Roosevelt continued to insist that equal rights in marriage could be interpreted to encompass divorce. UN Doc. A/C.3/SR.125 (8 November 1948).

¹³² UN Doc. A/C.3/SR.125 (8 November 1948).

¹³³ UN Doc. A/C.3/SR.125 (8 November 1948).

¹³⁴ UN Doc. E/CN.4/600 (17 December 1947) states that “the family shall be protected by society and the state.” The United States, quite unsurprisingly supported “protected by the law” over protected by the state. UN Doc. E/CN.4/AC.1/SR.38 (18 May 1948). It was changed to “entitled to protection” but the specific mention of state and society’s responsibility to protect in the subsequent Lake Success draft UN Doc. E/800 (28 June 1948). The Third committee reinserted the responsibility of state and society to protect the family. A/777 (7 December 1948). The final vote on adding “protection of the state” to the marriage article carried 25 to 12 (with 5 abstentions), for adding society as a responsibility bearer the vote carried 22 to 13. UN Doc. A/C.3/SR.124 (6 November 1948).

wide-spread support among delegates for a state commitment to protect the family.¹³⁵ The idea that UDHR drafters held the integrity of the family unit above women's rights within it is evidenced by the General Assembly's vote on the marriage article. On the question of divorce, feminist delegates had the full support of the Soviet delegate, who argued that to deny divorce "in the case of a family crisis was tantamount to a flagrant denial of freedom."¹³⁶ Feminist delegates, however, barely skinned by on the "equal rights in marriage and at its dissolution clause," winning by only a single vote.¹³⁷ UN delegates also approved the idea that not only should the state protect marriage, but that society also had an obligation to insure the institution's inviolability.¹³⁸ Indeed, the marriage article is the *only* UDHR article that declares a state's responsibility to protect. When the General Assembly put the entire marriage article to a vote it passed by an overwhelming margin. Retaining the article—despite significant opposition to divorce—signals UN delegates' commitment to promoting the family as does the broad support shown for state protection. Yet the resistance to divorce illustrates UDHR drafters' hesitancy to empower women within the family.¹³⁹ In the end, the UDHR guaranteed

¹³⁵ UN Doc. E/CN.4/AC.1/SR.38 (18 May 1948); At Geneva, the Soviets were their most successful inserting the obligations of the state. With the exception of marriage these were all subsequently removed. For example, the Geneva draft articles declared that the "State has a duty to take such measures..." or "The State is bound..."

¹³⁶ UN Doc. A/C.3/SR.125 (8 November 1948).

¹³⁷ Forty two nations participated in the equal rights in divorce debate. It passed 17 to 16 with 9 abstentions. UN Doc. A/C.3/SR.125 (8 November 1948). The text approved by the Third Committee used "divorce" not "dissolution." The sub-committee on language altered the text to read "dissolution" as more encompassing as it included annulment or death of a spouse. See sub-committee on drafting UN Doc. A/777 (7 December 1948). Article 14 of the UDHR clause one states: (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and found a family. They are entitled to equal rights as to marriage and at its dissolution.

¹³⁸ UN Doc. A/C.3/SR.124 (6 November 1948).

¹³⁹ UN Doc. A/C.3/SR.125 (8 November 1948). The vote was 37 to 3, with only 3 abstentions. In the final vote to adopt the UDHR Saudi Arabia was the only abstaining member state to base its abstention on the marriage article. UN Doc. A/C.3/SR.125 (8 November 1948). The specific objection was to the article's non-discrimination clause, which would have endorsed Muslim women's right to marry

women's individual civil rights in marriage, yet simultaneously promised the family, not the individuals within it, state protection.

The Equal Protection Formula: Gender, Race and the Cold War Context

While the CSW's marriage demands challenged male privilege within the family, it was not the only major point of contention during the debates. The marriage article had also become embroiled in Cold War politics. Eleanor Roosevelt opened the General Assembly debates by urging the adoption of the UDHR as drafted by the human rights commission, despite its shortcomings. She argued that the U.S., for example, believed that the Declaration should not include the right to marriage, but was prepared to accept the Declaration as it stood.¹⁴⁰ U.S. policymakers argued that it was "better to avoid the controversial subject" of marriage.¹⁴¹ During the General Assembly, Roosevelt's advisors warned her to "be alert" to any further attempts to attach an "anti-discrimination" clause that would throw into question "miscegenation laws," which existed in many U.S. states and would be "difficult to change."¹⁴² The non-

outside the faith. Yet no other predominantly Muslim country abstained from the vote on this ground. The Egyptian delegation also spoke about the problematic nature of the non-discrimination clause of the marriage article, but argued that the Muslim prohibition did not "shock the universal conscience, as did, for instance, the restrictions based on nationality, race or colour, which existed in certain countries." Indeed he proclaimed, that despite this objection, his delegation "was ready to vote in favour of the declaration of human rights." UN Doc. A/PV.183 (10 December 1948). Both Saudi Arabia and Egypt also protested the right to change one's religious beliefs. UN Doc. A/C.3/SR.91 (2 October 1948); A/PV.183 (10 December 1948). Afghanistan, Iran, Iraq, Lebanon, Pakistan, Syria, Turkey and Yemen were all predominantly Muslim member-states in 1948.

¹⁴⁰ UN Doc. A/C.3/SR. 89 (30 September 1948).

¹⁴¹ S/HRW D-35/48 (April 19 1948) ISP records 13:4A Subcommittee 3, box111, documents 2-35.

¹⁴² Just two months before the UDHR final vote, the *Perez v. Sharp* (Oct. 1, 1948) 32 Cal.2d 711, 198 P.2d 17, decision of the California Supreme Court argued that the state's ban on inter-racial marriage was illegal on the grounds that not only was it a denial of the 14th amendment's equal protection clause, but also the United Nations Charter. The U.S. Supreme Court would not make a similar ruling until 1967 *Loving v. Virginia* 388 U.S. 1, 87 S. Ct. 1817, 18 L. Ed. 2d 1010.

discrimination clause to the marriage article did resurface in the General Assembly debates. It was not the Soviet Union that re-introduced it, but Ledón's colleague on the Mexican delegation. Campos Ortiz argued that there had been "notorious cases of discrimination in marriage, particularly by the nazis [sic]."¹⁴³ The importance of non-discrimination legitimized its reiteration. Roosevelt and others fruitlessly objected on the grounds that the Declaration already contained a general non-discrimination clause.¹⁴⁴ Poland's Kalinowska argued that it was "logical to condemn... all other forms of discrimination that might affect freedom in marriage."¹⁴⁵ Bernardino supported it as based on the "most elementary human justice."¹⁴⁶ While a handful of other articles indicate that the right applies "without discrimination," the marriage article is the only one that reproduces a partial list of the prohibited discriminations articulated in the UDHR's non-discrimination article.¹⁴⁷ Throughout the drafting process, the marriage article, more than any other, challenged the U.S. drive to treat women's rights and racial discrimination as distinct, non-related issues.

The president of the National Council of Negro Women, Mary McLeod Bethune, recognized that the U.S. government's ability to assume the moral high ground on women's rights would be tempered by its record on racial inequality. Bethune had attended the Washington Committee meetings in 1945 and 1946, at which, American

¹⁴³ UN Doc. A/C.3/SR.124 (6 November 1948).

¹⁴⁴ UN Doc. A/C.3/Sr.124 (6 November 1948).

¹⁴⁵ UN Doc. A/C.3/SR.124 (8 November 1948).

¹⁴⁶ UN Doc. A/C.3/SR.124 (8 November 1948).

¹⁴⁷ The marriage article, in the final UDHR is article 14: (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and found a family. They are entitled to equal rights as to marriage and at its dissolution. (2) Marriage shall be entered into only with the free and full consent of the intending spouses. (3) The family is the fundamental unit of society and entitled to protection by society and the state.

women's NGOs drafted and communicated their objectives on women's human rights to the State Department. At these meetings, Bethune argued that both gender and racial inequality needed to be addressed or the U.S. would be the "laughing stock" of the international community.¹⁴⁸ Despite Bethune's prescient warning, mainstream U.S. women's groups resisted efforts to tie their struggle for women's rights with that of racial justice.¹⁴⁹ For the white leadership of most U.S. women's NGOs, and the policymakers they lobbied, the two issues were entirely distinct.

Two prominent factors undergirded policymakers and American women activists' ability to make the intellectual distinction between race and gender inequality. First, these U.S. actors conceptualized racial and gender discrimination in very different ways. While the U.S. had room for improvement on women's rights issues, the status of American women vis à vis the rest of UN members, was, they believed, excellent.¹⁵⁰ To this end, the UN Commission on the Status of Women project was one in which the U.S. could lead the world's women "out of the kitchen... out of the purdah... and out from behind veils."¹⁵¹

Indeed, U.S. women often juxtaposed women from the predominantly white, progressive, advanced industrialized nations—of which the U.S. was now the uncontested most powerful—with the condition of their darker sisters from "backward"

¹⁴⁸ Minutes of the Conference Meeting (19 September 1945) Women's Bureau records, box 8, folder C-G-1-1.

¹⁴⁹ See Chapter Three.

¹⁵⁰ Rachel Nason to Louis Hyde (U.S. delegation to the UN) and Frieda Miller (24 March 1947), Women's Bureau records, box 10, folder C-J-1-2-2.

¹⁵¹ Dorothy Kenyon, "One World, One People" speech, Kenyon papers, box 20, folder 10; Kenyon, "One World, One People" press release, (12 December 1946), Women's Bureau records, box 22, folder UNESCO Commission on the Status of Women 1946; Dorothy Kenyon, "Victories on the International Front," *Annals of the American academy of Political and Social Science* 251 (May 1947): 17-23.

nations.¹⁵² The fact that U.S. women's NGOs believed American women's experience to be instructive suggests that when they conceptualized the category of American "women," they envisioned women who looked much like themselves: white, educated and solidly middle-class. This image, however, did not align with the lived reality of most American women of color.¹⁵³ While Kenyon and her NGO colleagues recognized their inequality as women, they did not acknowledge the privilege their whiteness offered.¹⁵⁴

While American feminist activists agreed that their legal status in relation to women in less-developed nations was superior, they nonetheless recognized that even the United States had room for improvement, a recognition that male policymakers occasionally missed. For example, in 1946, the United Nations' Secretary General requested an update on the political status of American women. The responding State Department official recommended that the government simply reply with a copy of the 19th amendment. A watchful female colleague noted that this was perhaps an unwise response. While the 19th amendment guaranteed American women the right to vote, full political participation included more than the ballot. For her male colleague she offered a

¹⁵² For instance, Dorothy Kenyon, drawing on cultural images of whiteness and blackness, proposed the production of a UN pamphlet on suffrage, "showing 'good' countries in white and 'bad' [countries] in black." Kenyon argued that the pamphlet could be circulated as a means of naming and shaming governments to action, but of course, the U.S. in this instance would be one naming and shaming others. UN Doc. E/CN.6/SR6 (13 February 1947); UN Doc. E/CN.6/26 (13 January 1948); Melani McAlister, *Epic Encounters: Culture, Media, and U.S. Interests in the Middle East since 1945* (Berkeley: University of California Press, 2001) argues that cultural images create and sustain U.S. imperial power and ideas of white supremacy.

¹⁵³ The U.S. Women's Bureau's own reports noted disparities based on race and ethnicity. Kathleen Laughlin, *Women's Work and Public Policy*. 30-32.

¹⁵⁴ See Evelyn Brooks Higginbotham, "African American Women's History and the Metalanguage of Race," *Signs* 17: 2 (winter 1992): 251-273.

lity of discriminatory practices and legislation, including the poor record of women in elected office and bars on women's jury service.¹⁵⁵

The inability to sit on a jury or serve in the United States Congress, however, paled in comparison to the ever-present threat of racial violence. The manifestation of discrimination was thus the second factor that fostered an ability to envision gender and race as distinct issues. In 1946, national and international papers documented violent attacks against African Americans, many of whom were returning soldiers. Some of the more publicized incidents included the lynching of two couples in Monroe Georgia, large scale white-mob violence in places like Columbia, Tennessee and Cicero, Illinois, and a South Carolina sheriff who gouged out the eyes of Army Sergeant Isaac Woodward.¹⁵⁶ White racism manifested itself in public spaces in often brutally violent ways. NAACP officials called on President Truman to halt the racial violence and the President established an executive committee on civil rights.

While U.S. officials were confident in the status of American women, they did strike one brief note of caution about the UDHR marriage article. Humphrey's draft did not "allow for miscegenation laws."¹⁵⁷ The U.S. preferred that the marriage article be eliminated, but Roosevelt was not to be "one of a minority in opposition" if there was support for its inclusion.¹⁵⁸ If the issue of interracial marriage arose, Roosevelt was to

¹⁵⁵ United Nations Secretary General to the United States Secretary of State (24 December 1946), State Department decimal files, 501.BD-Women/12-2646; State Department memo, Tomilson to Kotschnig (7 January 1947), State Department decimal files, 501.BD-Women/12-2646; State Department memo, Miss Whiteman to Kotschnig, Mulliken and Thompson (12 February 1947), State Department decimal files, 501.BD-Women/12-2646. See Linda Kerber, *No Constitutional Right to be Ladies: Women and the Obligations of Citizenship* (New York: Hill and Wang, 1998), 124-220.

¹⁵⁶ Mary Dudziak, *Cold War Civil Rights*, 24-42.

¹⁵⁷ S/HRW/D-54/47(May 16 1947) ISP records 13:4A Subcommittee 3, box 110, documents 26-90, 1947.

¹⁵⁸ S/HRW/D-122/47 (19 September 1947) ISP records 13:4A ISP Subcommittee 3, box 110, documents 111-130, 1947.

quickly avert the debate. This was an issue of non-discrimination and not be discussed in conjunction with marriage.¹⁵⁹ As chair, Roosevelt was well-positioned to cut short debate. This early policy paper insisted that the “object of the proposal should be to assure women similar rights to men” in marriage.¹⁶⁰ Despite the clear intersection that interracial marriage drew between gender and racial inequality, policymakers insisted that issues of race were irrelevant to this clause. They did not want, it seems, the poor U.S. record on race to tarnish its shiny image as a women’s rights leader.

The Soviet delegations understood both racial and gender discrimination as manifestations of the inequalities inherent in the capitalist system. Soviet constitutions, at least theoretically, guaranteed both racial and gender equality and made discrimination a punishable offense. The Soviet Union used this fact not only to legitimize their own leadership, but to discredit the United States’ triumphant democratic narrative. At the first human rights drafting committee, Vladimir Koretsky, possibly the Soviet Union’s most distinguished international law expert, argued that the “first principle to be adopted in the formulation of the International Bill of Rights must be the destruction of discrimination and inequality.”¹⁶¹ In staking his claim, he meant to not only attack racial inequality, but to highlight gender injustice as well. At the next meeting, he pointed to South Africa’s abuse of Indians and the rampant inequality of women the world over as evidence of the moral imperative of the commission’s work.¹⁶²

¹⁵⁹ S/HRW/D-54/47(May 16 1947) ISP records 13:4A Subcommittee 3, box 110, documents 26-90, 1947.

¹⁶⁰ S/HRW/D-54/47(May 16 1947) ISP records 13:4A Subcommittee 3, box 110, documents 26-90, 1947.

¹⁶¹ UN Doc. E/CN.4/AC.1/SR.5.

¹⁶² UN Doc. E/CN.4/AC.1/SR.6.

Given the Soviet delegations' increasing emphasis on non-discrimination, U.S. policy positions became more defensive about distinguishing between gender and race. Acknowledging that the Soviet delegation might attempt to attach a non-discrimination clause to the marriage article, Roosevelt's new background material informed her that twenty-six U.S. states prohibited marriages "between people of different races and groups." Despite the fact that inter-racial couples were prohibited from marriage, policymakers continued to insist that American women enjoyed the "freedom to marry and choose their own marriage partners."¹⁶³ In fact Roosevelt was to "assert strongly...the equal status accorded women throughout the U.S."¹⁶⁴ Drafters of the U.S. policy position understood the marriage article to be primarily of interest to women in "Oriental" countries, where women confronted child marriage and polygamous practices. They did not see it as a primary concern for American women who were "generally" well off in terms of marriage laws.¹⁶⁵ For U.S. policymakers, marriage laws reflected the government. In the United States they were based on consent and personal liberty and therefore highlighted the nation's democratic ideas.¹⁶⁶ Interjecting race into this image spoiled the narrative. Better was the conception that much of the world stood in contrast to the United States. Policymakers asserted that "marriage practices vary widely and are deeply rooted in traditional patterns." This, U.S. officials believed, would place the majority of the other delegations on their side: "It is doubtful whether people throughout the world are yet ready to define marriage...specifically as a right in this Declaration,

¹⁶³ S/HRW/D-122/47 (19 September 1947) ISP records 13:4A Subcommittee 3, box 110, documents 111-130, 1947.

¹⁶⁴ S/HRW/D-122/47 (19 September 1947) ISP records 13:4A Subcommittee 3, box 110, documents 111-130, 1947.

¹⁶⁵ S/HRW/D-54/47(May 16 1947) ISP records 13:4A Subcommittee 3, box 110, documents 26-90, 1947.

¹⁶⁶ See Nancy Cott, *Public Vows*, 23.

thus subjecting it to the anti-discrimination clause.”¹⁶⁷ U.S. policymakers underestimated the tenacity of feminist delegates.

During its 1947 session, CSW delegates adopted the principle of non-discrimination. Their charter guaranteed “full equality for women to exercise all civil rights, irrespective of nationality, race, language or religion.”¹⁶⁸ Indeed, Kenyon had made the motion to reopen the debate in order to permit the Byelorussian delegate to submit her non-discrimination resolution.¹⁶⁹ In preparing for the second session of the Commission on the Status of Women, policymakers warned Kenyon about the dangers of non-discrimination language. They suggested that Soviet delegations might propose a “discrimination article along the lines of the U.S.S.R. proposal” at Geneva in 1947. Policymakers informed Kenyon that this would be “completely unacceptable.” The CSW was only to discuss “sex discrimination.”¹⁷⁰ CSW delegates had, however, already cooperated across ideological lines to prohibit discrimination.

The ECOSOC debates on the women’s agenda stood in stark contrast to the CSW’s attempt to maintain a spirit of collegiality. ECOSOC delegates used the CSW report to spar over women’s rights in marriage, further embroiling the CSW in Cold War politics. A member of the Chilean delegation, Luis David Cruz Ocampo, had served as the ambassador to Moscow prior to becoming a UN delegate. When in Moscow, his son met and married a woman who was a Soviet citizen. Ocampo had been struggling for

¹⁶⁷ S/HRW/D-122/47 (19 September 1947) ISP records 13:4A Subcommittee 3, box 110, documents 111-130, 1947.

¹⁶⁸ UN Doc. E/CN.6/SR.7 (13 February 1947); UN Doc. E/281/Rev.1 (25 February 1947); The CSW adopted a similar language covering political, economic and social rights.

¹⁶⁹ UN Doc. E/CN.6/SR.6 (13 February 1947).

¹⁷⁰ Walter Kotschnig Confidential Memorandum on Participation of Commission on the Status of Women in the Second Session of the Commission on Human Rights (30 December 1947), Kenyon papers, box 53, folder 3.

two years to secure permission for his daughter-in-law to leave the Soviet Union. While the Chilean ambassador's case received wide-spread media coverage, there were a handful of U.S. and British citizens also trying to secure passage for Soviet wives.¹⁷¹ The United States, Chilean, and British delegations collaborated by supporting an amendment to a CSW resolution that brought the issue to the attention of the human rights commission.¹⁷² The Soviet delegation opposed the amendment, arguing that it was a matter of citizenship, insisting that it was unrelated to equal rights in marriage, and was instead a matter solely within the boundaries of domestic jurisdiction.¹⁷³ The U.S. alleged that the Soviet Union "shut its eyes" to issues of inequality when they did not like the implications.¹⁷⁴ The Soviets countered with another resolution, which struck at a U.S. weakness. The Soviet delegation insisted that the Council forward another resolution to the CHR, indicating that ECOSOC "deplores all legislative measures which forbid marriages between persons differing as to colour, race, nationality or religion..."¹⁷⁵ This was necessary, the Soviet Union argued, to signal that "practices originating from racial hatred and traditions of discrimination similar to those practices by the Hitlerite and Fascist regimes...were all evils." Furthermore, "racial practices in

¹⁷¹ "Chile Asks U.N. to Study Soviet Ban on Wives' Exit" *New York Times* (29 May 1948), 3; "Chile is Supported on Detained Wives: U.S. and Britain Score Soviet for Separating Families" *New York Times* (25 June 1948), 14; "Soviet in UN Protest on Charge on Wives" *New York Times* (4 December 1948), 3.

¹⁷² Sutherland had been instructed to bring the issue before the CSW and successfully pressed a resolution on the necessity of "freedom of choice" in marriage. UN Doc. E/CN.6/SR.28 (9 January 1948); UN Doc. E/515 (January 1948). The Chilean delegates, with the complicity of the British and U.S. delegates, turned the CSW's "freedom of choice" argument into a debate over the "freedom of movement" and crafted a resolution insisting that international couples be permitted to reside together anywhere they could not legally be excluded. See UN Doc. E/AC.27.W.16 and UN Doc. E/1032 (26 August 1948).

¹⁷³ UN Doc. E/SR. 209 (23 August 1948).

¹⁷⁴ UN Doc. E/SR. 209 (23 August 1948).

¹⁷⁵ Resolution "D" voted on by ECOSOC UN Doc. E/1032 (26 August 1948) included both portions of the Chilean amendment (E/AC.27/W.16) and the USSR amendment (E/AC.27/W.18).

the United States might be found to be even more objectionable than those formerly obtaining in Germany.”¹⁷⁶ ECOSOC delegates therefore amended a CSW resolution to serve Cold War political agendas.

Kenyon was furious at the State Department for embroiling the women’s human rights project in Cold War politicking. She wrote to Frieda Miller that “the mysterious people” in the State Department who altered the CSW’s resolutions for political ends had caused great harm to U.S. prestige. She criticized the delegation for taking a “defensive position with the Russians” and warned that doing so was a blundering strategic error. The work of the CSW was no place in which to engage in a Cold War stand-off.¹⁷⁷ The State Department rebuffed her complaints, arguing that the Soviet delegation had used the discussion of the CSW report as a tactic to delay other action. U.S. officials blamed Soviet support for the women’s commission with generating antagonism toward the CSW’s work.¹⁷⁸ Kenyon confided to a friend: “The people in our own state department want us to fail.”¹⁷⁹

The discrimination challenge lodged by the Soviet Union forced U.S. policymakers to grapple with the inherent contradiction in their support for the UN human rights project. Their strong belief in the exceptionalism of American democracy collided with the reality of often violent race-based practices. In a paper intended to set out the pros and cons of a legally-binding agreement, one group argued that support for a

¹⁷⁶ UN Doc. E/SR. 209 (23 August 1948).

¹⁷⁷ Dorothy Kenyon to Frieda Miller (7 September 1948), Kenyon papers, box 57, folder 3.

¹⁷⁸ Dorothy Kenyon to Walter Kotschnig (8 September 1948), box 57, folder 3. Kenyon wrote a scathing letter to the Kotschnig at the State Department over their failure to consult with her regarding ECOSOC’s review of the CSW report.

¹⁷⁹ Dorothy Kenyon to Kerstin Hesselgren (29 June 1948), Kenyon papers, box 57, folder 3. After the second session, Kenyon confessed to Begtrup, “The real obstacle in confidence is some men in the U.S. State Department...We’ve had quite a battle with them.” Dorothy Kenyon on Bodil Begtrup (29 June 1948), Kenyon papers, box 57, folder 3.

covenant would allow the U.S. government to “take the offensive” against Soviet allegations of human rights violations by “fulfilling the principle [of equality and freedom] which it has often professed and for which it [the U.S.] has its greatest international reputation.” Indeed officials asserted that with the sole exception of racial discrimination the United States was the world’s “recognized leader” in human rights. Failure to support the covenant, policymakers argued, would both be “very damaging to the prestige of the United States” and to the “future of the United Nations program on behalf of human rights.”¹⁸⁰ Furthermore, there was little to be gained by trying to subvert United Nations’ “scrutiny” of the United States’ “defects, already well publicized in our own and foreign papers.” In fact, the United States had made “rapid and praiseworthy strides” as evidenced by the President’s Committee on Civil Rights. The covenant might actually aid the fight to improve “national legislation on civil liberties.”¹⁸¹

This was a particularly optimistic interpretation. By the middle of 1947, other U.S. policymakers believed they were under siege by the Soviet delegations. This contingent argued that “totalitarian countries” perceived “the simple fact that the United States is known as the land of freedom” as a “major threat” to Soviet leadership credibility. As a result, the Soviet delegations had initiated “a determined effort to destroy this picture of the United States” in the UN. Indeed, U.S. policymakers argued that the Soviet delegations had staked out the human rights project as a “battlefield of ideological warfare.”¹⁸²

¹⁸⁰ S/HRW D-113/47 (28 July 1948), Women’s Bureau records, box 22, folder, “UNESCO and Commission on the Status of Women, 1947.”

¹⁸¹ Ibid.

¹⁸² S/HRW D-113/47 (28 July 1948), Women’s Bureau records, box 22, folder, “UNESCO and Commission on the Status of Women, 1947.”

The United States' ability to counter this ideological battle with a legally-binding agreement was furthered hampered by domestic political considerations. Any a legally-binding agreement, such as that suggested by pro-covenant policymakers, would require Senate approval. It was a body in which racist Southern Democrats, committed to maintaining the racial status quo, held considerable sway. Perhaps the most egregious example was Mississippi Senator Theodore Bilbo who, on the eve of the 1946 elections, lambasted: "I'm calling on every red-blooded American who believes in the superiority and integrity of the white race to get out and see that no nigger votes, and the best time to do that is the night before!"¹⁸³ More typical in the 1940s were Senators such as Strom Thurmond, who were more likely to cloak their commitment to American apartheid in the language of state's rights.¹⁸⁴ In opposition to Truman's civil rights platform, Strom Thurmond led the revolt of Southern Democrats turned Dixiecrats from the 1948 Democratic National Convention. In light of these realities the policy paper noted that the chances of Senate approval were highly questionable as it would "interfere unduly with the prerogatives of the forty-eight states."¹⁸⁵ Not only would a covenant challenge the nation's absolute right of domestic jurisdiction, the U.S. federal government's accession would challenge state's prerogatives to establish its own civil rights legislation.¹⁸⁶

¹⁸³ *Senate Report No. 1, Parts 1 & 2*, 80th Congress, 1st Session, 1947, 9. The quote was aired in calls to not seat Bilbo for election misconduct and allegations of contract abuse.

¹⁸⁴ Kari A. Frederickson, *The Dixiecrat Revolt: and the End of the Solid South, 1932-1968* (Chapel Hill: University of North Carolina Press, 2001). This is not to argue that Thurmond was above the occasional racist diatribe only that, in the aftermath of a war fought against Nazi racism, state's rights were more palatable.

¹⁸⁵ S/HRW D-113/47 (28 July 1948), Women's Bureau records, box 22, folder, "UNESCO and Commission on the Status of Women, 1947."

¹⁸⁶ Roosevelt unsuccessfully proposed that the UN project incorporate a "federal clause," which would hold the federal government responsible while maintaining states' right to legislate human rights. Federal law would respect human rights, but the U.S. could not guarantee that state laws would follow suit. See S/HRW D-113/47 (28 July 1948), Women's Bureau records, box 22, folder, "UNESCO and

Two reports issued in fall of 1947 that drew attention to the violent consequences of states' right when it came to civil rights legislation. Just before the Geneva session, President Truman's Committee on Civil Rights released its report *To Secure These Rights*, which highlighted the pervasive use of extrajudicial violence. That the work of the President's Committee and the UN Human Rights Commission were intimately connected was not lost on the administration or observers. Alluding to the recent UN Charter, Truman called the *To Secure These Rights* report "an American Charter of human freedom in our time."¹⁸⁷ Others warned specifically about the threat racism posed to the U.S. position in the world, singling out a warning issued in the report: "The United States is not so strong, the final triumph of the democratic ideal is not so inevitable[,] that we can ignore what the world thinks of us or our record."¹⁸⁸ The report highlighted the implications of racial violence on effective U.S. international leadership on human rights:

A lynching in a rural American community is not a challenge to that community's conscience alone. The repercussions of such a crime are heard not only in the locality, or indeed only in our own nation. They echo from one end of the globe to the other, and the world looks to the American national government for...an explanation of how such a shocking event can occur in a civilized country.¹⁸⁹

Commission on the Status of Women, 1947." The ISP paper noted that a "federal/state" clause gave the federal states "almost an unfair advantage of treating such conventions" as 'recommendations.'" See also Carol Anderson, *Eyes off the Prize*, 137.

¹⁸⁷ "Statement by the President," *New York Times* (30 October 1947), 14.

¹⁸⁸ "Created Equal," *New York Times* (31 October 1947), 22; "Recommendations Made in Report on Civil Rights and Their Preamble," *New York Times* (30 October 1947), 14. The quote appears in the 'International Relations' section of "To Secure These Rights," 149. *To Secure These Rights* (1947), accessed 24 February 2011, <http://www.trumanlibrary.org/civilrights/srights4.htm#146>. Mary Dudziak, *Cold War Civil Rights*, argues that the international relations argument made in the Committee's report had a positive impact on civil rights legislation in the U.S. For a less optimistic analysis see Anderson, *Eyes off the Prize*.

¹⁸⁹ President's Committee on Civil Rights, *To Secure These Rights* (1947), accessed 11 January 2012, <http://www.trumanlibrary.org/civilrights/srights1.htm>. The committee cited articles 55 and 56 of the United Nations Charter as legitimizing federal civil rights legislation.

American racial violence was no longer purely a matter of domestic jurisdiction. Now the international community was asking questions.¹⁹⁰ But Truman had commissioned the report, and it could, if properly employed, be used as evidence of the U.S. commitment to human rights. Indeed, policymakers suggested that the one U.S. representative pre-empt Soviet commentary by walking into the meeting and tossing the report on the table.¹⁹¹

To Secure these Rights was not the only national report on racial violence to hit the United Nations in the fall of 1947. In early October, W.E.B. Du Bois leaked to the *New York Times* the contents of *An Appeal to the World*.¹⁹² The *Appeal* was a NAACP commissioned petition to the United Nations, which thoroughly documented the failure of the U.S. government to protect African American citizens from terrorism perpetrated by white racists.¹⁹³ In the *Appeal*, Du Bois wrote: “It is not Russia that threatens the United States so much as Mississippi; not Stalin and Molotov but Bilbo and Rankin.” In making his case that UN should address the plight of African Americans, Du Bois argued that the “discrimination practiced in the United States...cannot [persist] without infringing upon the rights of the peoples of the world and especially upon the ideals and the work of the United Nations.” Director of the UN Human Rights Division, John Humphrey agreed to receive the petition despite strong U.S. opposition. Not surprisingly the Soviet government took up the cause of the NAACP’s *Appeal* and advocated for a full review by

¹⁹⁰ Robert Cushman, “Our Civil Rights Become a World Issue,” *New York Times* (11 January 1948), SM12.

¹⁹¹ The delegate was Ralph Bunche who served as the U.S. “expert” on the UN sub-Commission on the Prevention of Discrimination and Protection of Minorities, Carol Anderson, *Eyes off the Prize*, 107.

¹⁹² George Streator, “Negroes to Bring Cause Before the U.N.,” *New York Times* (12 October 1947).

¹⁹³ The NAACP’s *Appeal* was neither the first, nor the last, petition sent to the UN by anti-discrimination groups. The National Negro Congress submitted a petition in 1946, which the UN returned with a request for documentation. In 1951 the Civil Rights Congress submitted *We Charge Genocide* another blistering condemnation of U.S. racism. See Carol Anderson, *Eyes off the Prize*, 181-209.

the UN General Assembly.¹⁹⁴ Du Bois' petition highlighted the tensions between the moral and legal obligations of human rights guarantees and the escalating stakes over the project in the UN.

The very public reports documenting American racial violence deepened the United States' commitment to insuring that the UDHR did not imply a legal obligation on behalf of the state. The very first UDHR draft, Humphrey's draft, included a non-discrimination article, which employed much stronger language than the original UN Charter's prohibition, asserting that there was to be "no discrimination whatsoever" and that there "shall be full equality before the law."¹⁹⁵ Humphrey's non-discrimination clause presented major challenges to U.S. policymakers' ability to balance national and international objectives. The first was that the guarantee of "no discrimination whatsoever" threatened to extend the promise from public—or governmental recognition—to the private sector.¹⁹⁶ Humphrey's draft, U.S. policymakers noted was a

¹⁹⁴ NAACP, W.E.B. Du Bois, editor, *An Appeal to the World: A Statement on the Denial of Human Right to Minorities in the Case of Citizens of Negro Descent in the United States of America and an Appeal to the United Nations for Redress* (New York: National Association of Colored People, 1947), 12-13. Humphrey agreed to accept the petition on 23 October 1947. The Soviet delegate in the sub-Commission on the Prevention of Discrimination and the Protection of Minorities argued that the United Nations review the report. While he had support from the Indian delegation, which had successfully censured South Africa, the commission rejected the proposal on the grounds that it was unfair to single out one petition for review. See John Halderman, "Report on the First Session of the Subcommittee on the Prevention of Discrimination and Protection of Minorities, Held at Geneva, November 24 to December 6, 1947, ISP D-3/48 (9 January 1948), ISP records 13:4A Subcommittee3, box 111, documents 1-20, 1948. For an in-depth treatment of the *Appeal* see Anderson, *Eyes off the Prize*, 58-112.

¹⁹⁵ Humphrey's draft included the protected categories mentioned in the UN Charter, but also added political creed. UN Doc. E/CN.4/AC.1/3 (4 June 1947).

¹⁹⁶ U.S. policymakers noted that the United States was not in a position not to discriminate against certain political parties, namely communism. Indeed the federal government instituted its loyalty program in 1947. S/HRW/ D-73/47 (23 May 1947), Women's Bureau records, box 22, folder, "UNESCO and the Commission on the Status of Women, 1947. The only other place Humphrey re-iterated the non-discrimination clause was the article on the state's obligation to provide access to higher education.

“substantial addition to the equality provision” of the UN Charter.¹⁹⁷ As Roosevelt’s position paper noted, the Secretariat’s draft went “beyond the reach of the law, in[to] the domain of education and the social advance of tolerance.” That the U.S. had already acceded to the Charter’s promise of equality posed a dilemma. Their challenge was to recognize the principle without placing the burden of governmental due diligence on policing the private sector’s desire to maintain racist practices. The non-discrimination article as drafted by Humphrey “effectively dim[med] the hope that the Declaration would be “politically acceptable.” The UDHR should adhere to the Charter’s principles without challenging race-based social practices, specifically Jim Crow laws.

But the article was problematic, not only in relation to race-based practices, but gender specific legislation as well. Since the Women’s Bureau representatives wrote the first draft of the non-discrimination policy paper, it is not surprising that it commented more about safeguarding protective labor legislation than it did race-based practices. Citing the Washington Committee meetings, the Women’s Bureau staff argued that language of equal rights was “so inflexible and flat as to deprive women of certain just and beneficial treatment, as in laws dealing with hours or conditions of work.” Furthermore, “the unqualified proviso” of “equal rights” language might force an amendment to the U.S. Constitution and was, therefore, undesirable. While they recognized that the UN Charter, quite unfortunately, used “equal rights” language, the UDHR should not do so without a caveat.¹⁹⁸ The U.S. government would safeguard gender-specific legislation by asserting that there would be no discrimination “except

¹⁹⁷ S/HRW D-73/47 (23 May 1947), Women’s Bureau records, box 22, folder, “UNESCO and the Commission on the Status of Women, 1947. The only other place Humphrey re-iterated the non-discrimination clause was the article on the state’s obligation to provide access to higher education.

¹⁹⁸ The policy paper declared that the “criticism” of the proviso “is in some measure apropos of the comparable Charter provision.” S/HRW D-73/47 (23 May 1947), ISP records 13:4A Subcommittee 3, box 110, documents 26-90, 1947.

such as reasonably justified by differences in physical structure or biological or social function.” In asserting this, the Women’s Bureau drew directly on proposed federal legislation recently introduced by mainstream women’s groups as an alternative to the Equal Rights Amendment.¹⁹⁹

State Department policymakers found a solution that permitted them to protect race-based practices under the cover of women’s rights. They rejected the Women’s Bureau’s proposal to add a qualifying clause to the full equality article. Instead they performed a legal sleight of hand. The new position paper instructed Roosevelt to replace the phrases “no discrimination whatsoever” and “full equality before the law” with the U.S. constitutional language of *equal protection*. The redrafted article promised “equal protection before the law” and the enjoyment of the Declaration’s rights “without distinction as to race, sex, language or religion.”²⁰⁰ Roosevelt’s instructions emphasized that the use of “equal protection” made unnecessary the special caveat protecting differential treatment of women. The U.S. Supreme Court had, of course, interpreted the 14th amendment’s guarantee of equal protection as permitting differential treatment of women in the presence of a demonstrated state interest, thereby serving the goal of protecting gender-based labor legislation. But the Court had also interpreted the 14th Amendment as allowing for the doctrine of ‘separate but equal.’²⁰¹

¹⁹⁹ The language was identical to H.R. 2007, 80th Congress; S/HRW D-73/47 (23 May 1947) ISP records, 13:4A Subcommittee 3, box 110, documents 26-90, 1947.

²⁰⁰ ISP D-88/47 (29 May 1947), ISP records 13:4A Subcommittee 3, box 110, documents 91-110, 1947.

²⁰¹ *Plessey v. Ferguson* 163 US 537 (1896) and *Muller v. Oregon* 208 US 412 (1908). ISP policy planners relied heavily on the finding that women were citizens in *Minor V. Happersett* 88 US 162 (1874) in combination with the 19th Amendment to argue that the distinctions would not jeopardize women’s status. However, they also recognized that any move from full equality to equal protection in the UDHR would “attract the attention” of members of the National Woman’s Party “who resent the limited interpretation placed in the 14th amendment.” Supplement to S/HRW D-35/48 Rev.1 (30 April 1948) ISP records 13:4A Subcommittee 3, box 111, documents 21-35, 1948.

The U.S. shift from “no discrimination whatsoever” and “full-equality before the law” to equal protection protected differential treatment and eliminated objections that the Universal Declaration would potentially challenge entrenched social practices, whether race or gender-based. Policymakers emphasized the role of the law—not the state—in the equal protection promise.²⁰² Under the Declaration, the law protected the individual from state discrimination; it did not demand that the state police the “advance of social tolerance.” Roosevelt’s policy position made it clear: “The ‘equal protection of the law’ phrase in the United States Constitution provides protection against government action only.”²⁰³ As Mary Dudziak has demonstrated, while the U.S. state itself was not free of discriminatory practices, it was in the process of crafting a narrative of racial progress to sell internationally, which emphasized the government’s work to address racial inequality.²⁰⁴ The U.S. would guarantee public, not private rights. Safeguarding race-based practices under the cover of women’s rights permitted U.S. policymakers to appease domestic constituencies and maintain its international image as a human rights leader.²⁰⁵

While the shift to equal protection language satisfied domestic women’s groups committed to protective labor legislation, U.S. policymakers were fully aware that the

²⁰² See for example, S/HRW 35-48 (19 April 1948) ISP records 13:4A Subcommittee 3, box 111, documents 21-35, 1948 noted that an “emphasis on the law is decidedly preferable.”

²⁰³ S/HRW 35-48 (19 April 1948) ISP records 13:4A Subcommittee 3, box 111, documents 21-35, 1948.

²⁰⁴ Mary Dudziak, *Cold War Civil Rights*, 47-78.

²⁰⁵ The Non-discrimination clause was not the only instance of the U.S. employing ideas of gender to safeguard Jim Crow. In the debate over the freedom of movement article, the government wanted to remove a clause that guaranteed “free choice of residence within the borders of the state” as it raised the “difficult problem of segregation in the United States.” Roosevelt’s instructions advised her to oppose the article on the example that there was no reason “why residence in a hotel cannot be limited to women, or to men; this is discrimination on the grounds of sex, but perfectly permissible and reasonable.” Article 10, S/HRW D-35 (19 April 1948), ISP records 13:4A Subcommittee 3, box 111, documents 21-35, 1948.

CSW had insisted on “full equality” and “equal rights” language. U.S. officials had no intention of opening Roosevelt up to another front of criticism in the UN. They instructed Roosevelt to associate herself “quickly and cooperatively” with the language of equal rights. Repeated opposition to the language of equality, policymakers believed, squared the U.S. delegate against the CSW’s objectives and perpetuated Soviet criticism; confrontation over equality language only created opportunities for the Soviets.²⁰⁶ Each time the U.S. protested the use of “equality,” the Soviet delegate harangued his U.S. counterpart. Indeed, Soviet delegates publicly catalogued the paucity of women in the U.S. government, their exclusion from jury service, and the ability of a Mississippi man to beat his wife with an axe providing the handle was shorter than two-feet.²⁰⁷ Continued opposition, policy officials argued, simply placed the U.S. in an untenable international political position. To satisfy both Roosevelt and American women’s groups that this change did not imply a reversal of U.S. policy, they suggested that Roosevelt make a statement for the record, indicating that the “equality for men and women must not be assumed to mean identity of practice.”²⁰⁸ In doing so U.S. policymakers acknowledged what CSW delegates had asserted all along.

²⁰⁶ For CSW criticism of U.S. women’s insistence that legal equality and special legislation could not exist simultaneously see Minerva Bernardino speech to the Convention of the Pennsylvania Federation of Democratic Women (23 May 1947), reproduced in *Equal Rights*, NWP records, reel 3; Nason indicated that Bodil Begtrup, Chair of the sub-commission and later the full commission had made a surprise visit to the Women’s Bureau. During the visit she informed Sater that she found the idea that “equal rights” and special considerations for women as mutually exclusive was “utterly confused.” Confidential Women’s Bureau office memo from Rachel Nason to Helen Sater (22 May 1946), Women’s Bureau records, box 15, folder “UN Commission on Status of Women.”

²⁰⁷ The Soviets pointed out that the U.S. Congress had a measly 9 women members; the U.S.S.R.’s Supreme Council included 227. UN Doc. E/CN.4/ SR.54 (10 June 1948). Roosevelt recalled that in response to the Mississippi charge: “We had no strong reply.” Eleanor Roosevelt, *The Autobiography*, 312.

²⁰⁸ Attachment 38 to ISP D-88/47 (29 May 1947), Corrigendum to Page 2, Roosevelt Papers, box 4577, folder, “Human Rights Drafting Committee Papers, 1947.” Emphasis in original. That the U.S. made the intellectual leap to accepting equal rights language before mainstream women’s organizations is evident in the U.S. promulgated postwar constitution for Japan, which asserted the equal rights of men and women.

The U.S. equal protection move was only partially successful. Widespread support for the principle of non-discrimination was one factor that limited its success. Early in the drafting process, the CHR asked the French delegate, René Cassin, to give Humphrey's draft a more organic form. As the only trained legislator on the commission, Cassin reorganized Humphrey's draft, giving it the basic outline it maintained throughout the drafting process. Cassin split Humphrey's article on non-discrimination and equality before the law into two distinct articles.²⁰⁹ This hampered the United States' ability to use the equal protection clause to cover both the principle of non-discrimination and legal equality. Despite U.S. attempts to re-combine the principles, the majority of UDHR drafters stood firm, non-discrimination would enjoy the prestige of a stand-alone article.²¹⁰

The United States was as committed to an expansive application of "equal protection" as was the Soviet Union to emphasizing non-discrimination. At Geneva, when the Soviet Union attempted to attach a non-discrimination clause to the marriage article, the U.S. moved to eliminate the marriage article entirely. While the U.S. consistently opposed the inclusion of the marriage article, Roosevelt's argument rested on the fact that women's rights in marriage were sufficiently protected by the article that guaranteed everyone a "legal personality" and equal civil rights. When this failed, the U.S. later moved to eliminate the legal personality clause, arguing that it was sufficiently covered by the new article on equal protection before the law. The Soviet delegation

John Dower, *Embracing Defeat: Japan in the Wake of World War II* (New York: W.W. Norton & Company, 1999), 361-385.

²⁰⁹ UN Doc. E/CN.4/AC.1/W.2 Rev.2 (June 1947).

²¹⁰For the U.S. effort see for example, E/CN.4/21, Annex C (1 July 1947). S/HRW D-122/47 (12 September 1947) ISP records 13:4A Subcommittee 3, box 110, documents 111-130, which reminded Roosevelt that the "United States would prefer to have the non-discrimination article covered by the 'equal protection' formula," and recognized that there would be "pressure for numerous references to non-discrimination in the Declaration."

poignantly asked Roosevelt what the elimination of the legal personality article would mean for the woman living in Georgia who “had no legal existence apart from her husband’s.” The Soviet attack forced Roosevelt to concede that marriage laws in the U.S. “varied from state to state.”²¹¹

The Soviet Union nearly convinced other member nations that the power of the state should be employed to prohibit non-discrimination, challenging the United States’ emphasis on the law. Asserting the “moral high ground,” the Soviet delegation introduced an amendment to the non-discrimination article, which made “any action establishing a privilege or discrimination” a “crime [that] shall be punishable under the laws of the state.”²¹² When the Chilean delegate questioned the Soviet emphasis on state power over legal protections, Alexei Pavlov responded that “if no provisions were adopted to prevent acts of discrimination, it would mean that practices such as lynching Negroes would continue.”²¹³ The Soviet amendment asserted the principle that nations had a responsibility to insure (via criminalization) that no discrimination was unacceptable, wherever it occurred. The law could not discriminate, nor could individuals. The clause threatened to protect victims of discrimination not only from state-sponsored acts, but also from private acts, including those that occurred in businesses, communities, and even in homes. In short, states had the responsibility to exercise due diligence in both the public and “private” realms. This also threatened to eliminate any advantages the United States gained through the use of equal protection language.

²¹¹ UN Doc. E/CN.4/AC.1/SR.37 (18 May 1948).

²¹² UN Doc. E/CN.4.SR.34 (12 December 1947). Interestingly, and offering further evidence that the Soviet delegations were not entirely sincere about their commitment to the women’s rights project, the Soviet crime mandate did not include sex discrimination in its list of prohibited discriminations.

²¹³ UN Doc. E/CN.4/SR. 34 (12 December 1947).

The Soviet delegation's criminalization mandate was only narrowly rejected.²¹⁴ In this case, the U.S. argument that it placed too much power into the hand of the state and that individual's rights were best protected by the law not state police powers prevailed. In his report to the Kremlin, the Soviet delegate lamented, "The Anglo-Americans want to leave out all obligations of the State with regard to the provision of human rights like sex equality, etc. [T]here is a general affirmation in the Declaration...but without any hint about who is responsible for the actual implementation of equality..."²¹⁵ Indeed, with the notable exception of the marriage article, the overall Soviet push to emphasize police power met with no success.

The Soviet delegation's failure to attach state power to the practice of discrimination and its success in doing so with the marriage article is instructive. Together the articles perpetuated the distinction between public and private rights. The UDHR did not invoke the power of the state in protecting individuals from private discriminations. It did invoke state power to protect the "traditional" family as an inviolable institution. In the UDHR, women's rights within the family were less of a priority than the rights of the sacred institution of the family.

The Universal and the Particular: Women Human Rights in the UDHR

The CSW's campaign to insure both rights as individuals and as women is further illustrated in their struggle over the UDHR's language and the debates over women's economic and social rights. Feminists waged a successful, but little-known campaign to alter the UDHR's language so that it was more gender inclusive and guaranteed women's

²¹⁴ S/HRW D-35/48 (19 April 1948) ISP records 13:4A Subcommittee 3, box, 111 documents 21-35 reminded Roosevelt that the U.S.S.R "came very close" to winning the adoption of the crime mandate at Geneva. 1947. Article 6 of the Universal Declaration of Human Rights declares only that "All are equal before the law and are entitled without any discrimination to equal protection of the law..."

²¹⁵ Bogomolov to Molotov (31 December 1947) as cited in Glendon, *A World Made New*, 93.

individual rights. Yet, when it came to women's economic and social rights, UDHR drafters would not empower women with rights as mothers. Instead, women were relegated to a dependent status through the offer of special assistance.

The CSW and its representatives were vigilant about drafters' use of language. One observer noted that feminist delegates "were especially needed as experts on equality rights." As long-time "victims of discrimination," feminists were capable of "detecting flaws in terminology—flaws which might, accidentally or otherwise, leave words of phrases open to interpretation."²¹⁶ In their fight for equal civil rights, CSW delegates challenged the legal principle embedded in systems like *coverture*—that "man" covered "woman." Several UDHR drafters, however, clung to the idea that the *word* "man" still covered "woman."

The preamble establishes why the UDHR was necessary and what it purports to accomplish. The UN Charter's preamble declared "the equal rights of men and women" and CSW feminists had used that fortuitous fact to press their rights claims at the international organization, consistently reminding delegates that they had signed the Charter and were, therefore, obligated to heed the CSW's advice. Throughout the drafting process, CSW delegates demanded that the UDHR affirm the UN Charter's promise. During the Commission on Human Rights sessions, the CSW representatives stressed that the preamble must incorporate the "idea of equality."²¹⁷

When René Cassin reworked the Humphrey draft, he included a preamble that drew on the Charter's language, reaffirming the principle of the equal rights. Yet the CHR ultimately chose to delay a discussion of the preamble until they had agreed upon

²¹⁶ Alice Morgan Wright Report on the General Assembly, Paris 1948 (undated), People's Mandate Committee records, series B, box 30, folder, "Alice Morgan Wright."

²¹⁷ Bodil Begtrup Report on 1947 Geneva session, Commission on Human Rights (undated), Street papers, MS 2683/5/folder 4, document unnumbered.

the UDHR's list of rights. At the final session, when UDHR drafters finally tackled the preamble, Ledón argued that a "full and precise" preamble statement on the equal rights of men and women would work to cover "the document as a whole."²¹⁸ But the CSW's pleas were not heeded by the human rights commission. The CHR's final preamble used language culled directly from the UN Charter, but omitted the equal rights promise.²¹⁹ The CSW had to rely, once again, on its allies in the General Assembly to guarantee that the UDHR did not represent a retreat from the UN Charter.

Minerva Bernardino led the charge in the General Assembly. Bernardino had been fighting for—often loosely articulated—equal rights language for nearly fifteen years.²²⁰ At the eleventh hour, CSW delegates depended on Bernardino to make a successful bid to incorporate equal rights in the preamble. Bernardino introduced an amendment to the preamble which asserted the equal rights of men and women.²²¹ In the final debate before the vote, Bernardino and her feminist allies successfully argued for an "equal rights" provision in the preamble, arguing that its absence "might be wrongly misinterpreted."²²²

²¹⁸ Ledón's report on the 1948 Lake Success CHR Session UN Doc. E/NC.6/83 (2 February 1949).

²¹⁹ UN Doc. E/800 (28 June 1948).

²²⁰ As Trujillo's representative, Bernardino regularly advanced the idea of "equal rights" for women. When it came to making specific rights claims, Bernardino historically emphasized political and civil rights. These were "public" rights that Trujillo permitted Bernardino to advance as they promoted his democratic façade, she was careful not to directly challenge patriarchal privilege. Bernardino was however, consistently evasive when it came to economic and social rights to women. For example, she informed the U.S. Women's Bureau that she supported protective labor legislation for women. For Bernardino's evasiveness on protective labor legislation see Chapter Two. For her conversation with the U.S. Women's Bureau see Confidential WB office memo from Rachel Nason to Helen Sater (22 May 1946), Women's Bureau records, box 15, folder "UN Commission on Status of Women." Bernardino also lent support to Jessie Street's drive to demand rights for working women and mothers, but she never publicly adopted this position. See Chapter Four.

²²¹ UN Doc. A/C.3/217/Corr.1. (6 October 1948).

²²² In the final plenary debates, Bernardino and others again reasserted its importance. UN Doc. A/P.V. 182 (10 December 1948).

The next significant victory came during the debates over article one. Article one is the first of two UDHR covering articles and is the closest that the document comes to establishing a theory of human rights, or establishing why human beings have rights. Covering articles function in a way similar to a preamble and are sometimes referred to as a *chapeau* in legal parlance. Their purpose is to help the reader better interpret or understand the intent of the articles that follow. Article one was contentious from the beginning. Early in the debates, drafters struggled to reach a consensus on a theoretical foundation for the existence of human rights.²²³ Regardless of the drafters' human rights theory, from the initial draft until the final session of the human rights commission, several UDHR drafters resisted the use of gender neutral terms in article one. While the text underwent several constructions, the principle remained the same: "all men" possessed human rights and that as "brothers" each man owed the other respect for their rights.²²⁴ CSW delegates persisted in their attempts to reconceptualize the rights bearer not only as man, but also woman. Furthermore, the CSW insisted that the principle of respect for one another's rights be rewritten so that it better captured the spirit of the social relationship between rights bearers than the term "brothers" suggested.

The persistent pressure the CSW placed on UDHR drafters eventually forced a change in the text of article one. Begtrup fought for modifications at the Geneva session,

²²³ Those with strong religious beliefs, such as Charles Malik, fought to found include a spiritual basis for human rights. Others, such as France's René Cassin argued for the principle of natural rights. In contrast, the Soviet delegations argued that rights rested only on positive law, or the rights the state granted the individual. For the differing positions on human rights theory see Mary Ann Glendon, *A World Made New*, 73-78, 144-48.; Paul Gordon Lauren, *The Evolution of Human Rights*, 207-11; Johannes Morsink, *The Universal Declaration of Human Rights*, 289-301.

²²⁴ Cassin's 1947 draft: "All men, being members of one family are free, possess equal dignity and rights, and shall regard each other as brothers." E/CN.4/AC.1/W.2 Rev.2 (June 1947); CHR's July 1947 draft; "All men are brothers. Being endowed with reason and conscience, they are members of one family. They are free, and possess equal dignity and rights. UN Doc. E/CN.E/21 (1 July 1947); Geneva Draft: "All men are born free and equal in dignity and rights. They are endowed by nature with reason and conscience, and should act towards one another like brothers." UN Doc. E/CN.4/600 (17 December 1947).

arguing that the use of “all men are brothers” was an “antiquated expression” and not reflective of the “new way of thinking.”²²⁵ In doing so she had the strong support of Hansa Mehta who also asserted that the language was “out of date” and could easily be construed to “exclude women.”²²⁶ Roosevelt resisted this as unnecessary. It was a position she had taken at an earlier drafting committee meeting when the Soviet delegation challenged the exclusive language. Koretsky argued that the expression perpetuated the “historical” idea of the “mastery of men over women” and excluded “one-half of the human species.”²²⁷ Roosevelt insisted then, and held to the principle at Geneva, that it was “customary” to use “man.” She—as a woman—had no objection to the language.²²⁸ At Geneva, UDHR drafters altered the text to read: “all men are born free...and should act towards one another like brothers.”²²⁹

When the CSW discussed the Geneva text at its next session, they expressed their discontent. Begtrup informed her colleagues that her experience at Geneva demonstrated that it was of “great importance” that CSW representatives remained vigilant.²³⁰ To this end, the CSW rewrote the article and unanimously voted to send their revised text to the Commission on Human Rights.²³¹ Their text substituted “all men” with “all people.” Furthermore, the CSW tried to better capture the idea that each individual owed respect to one another rights. To do so they replaced “to act towards one another *like brothers*”

²²⁵ Bodil Begtrup Report on 1947 Geneva session, Commission on Human Rights (undated), Street papers, MS 2683/5/folder 4, document unnumbered.

²²⁶ UN Doc. E/CN.4/SR.34 (12 December 1947); UN Doc. E/CN.4/AC.1/SR.13 (20 June 1947).

²²⁷ UN Doc. E/CN.4/AC.1/SR.13 (20 June 1947).

²²⁸ UN Doc. E/CN.4/AC.1/SR.13 (20 June 1947).

²²⁹ UN Doc. E/CN.4/600 (17 December 1947).

²³⁰ UN Doc. E/CN.6/SR.28 (9 January 1948).

²³¹ UN Doc. E/CN.6/SR.28 (9 January 1948); UN Doc. E/615/ (16 January 1948).

with “to act towards one another in the *spirit of brotherhood*.” While the CSW debated demanding “spirit of brotherhood and sisterhood,” they ultimately decided that “brotherhood” adequately expressed the social relationship between rights-bearers.²³² Ledón took this fight to the last CHR session. She argued that the UN Charter represented a departure from old “ambiguous expression” of “all men” and that the UDHR must follow this lead. The CHR had an obligation to use a “more precise and definite” language that “clearly and definitely” included women.²³³ While the UN delegates continued to debate and negotiate the text of article one, in the end, they adopted the CSW’s principles. The text of article one states: “All human beings are born free and equal in dignity and rights...and should act toward one another in a spirit of brotherhood.”²³⁴

CSW representatives also faced a “pronoun problem,” particularly when it came to economic and social rights. From the beginning, apart from article one, most articles in the UDHR used gender-neutral nouns such as “everyone” or “no one.”²³⁵ But

²³² Ledón’s report on the 1948 Lake Success CHR Session UN Doc. E/NC.6/83 (2 February 1949).

²³³ Ledón’s report on the 1948 Lake Success CHR Session UN Doc. E/NC.6/83 (2 February 1949).

²³⁴ UDHR, Article one. Johannes Morsink, *The Universal Declaration of Human Rights*, 119-120 notes that the final session of the CHR approved the text, “all people, men and women,” but that the draft transmitted to ECOSOC for approval stated “all human beings.” The discrepancy was not noted and “all human beings” was retained throughout the General Assembly, Third Committee debates. The phrase “all people, men and women,” was opposed by several delegates during the session for rendering an awkward French translation, “*tous les hommes, hommes et femmes*.”

²³⁵ Feminists, with minimum effort altered the few places that did not use gender-neutral nouns. For instance the preamble in the first draft reported out by the CHR drafting committee stated that the UDHR should be ever present in the “minds of men.” E/CN.4/21 (1 July 1947). Street argued against this construction insisting that it be replaced with “minds of men and women.” Street papers, MS 2683/5/75. In the end, the article was entirely rewritten and includes “every individual...keeping this Declaration constantly in mind...” The UDHR makes only one reference to “man” that is not followed by “woman.” It appears in the preamble and states that if man is to not to be compelled to resist “tyranny and oppression” through rebellion (as a last resort), then human rights must be protected by the rule of law.

possessive pronouns were much more difficult for feminist delegates to counter. Part of the dilemma was the gendered nature of most languages. Scholars have noted the “sexist” construction of the use of the male possessive pronoun, particularly in relation to articles that discuss the family. For instance, the right to work article includes the necessity of earning a wage adequate for the “well-being of himself and his family.”²³⁶

Early on, CSW delegates settled on a solution to the pronoun problem. Prevented by the Australian government from traveling to Geneva session, Street mailed her recommendations to Begtrup and Humphrey. She urged that whenever the UDHR used a “noun or pronoun denoting the male sex...[it] shall be taken to apply without discrimination to the female sex.”²³⁷ Begtrup introduced Street’s recommendation at Geneva. UDHR drafters accepted this idea in principle and agreed to include it in the commentary.²³⁸ When Begtrup reported on her success to the next CSW session, Humphrey, as the head of the UN Division on Human Rights, indicated that because of a technicality, the pronoun agreement was not actually recorded in the CHR’s commentary reports.²³⁹ The CSW debated how to handle this omission. Street suggested that a footnote be inserted in the UDHR. Kenyon argued that a footnote hardly seemed appropriate for a document of the UDHR’s nature.²⁴⁰ In the end, Begtrup sent Roosevelt a letter, documenting the CHR’s acceptance of the pronoun principle and

²³⁶ Johannes Morsink, *The Universal Declaration of Human Rights*, 120 refers to the male pronoun problem as an “oversight” on behalf of the CSW. Glendon, *A World Made New*, 189 dismisses the pronoun problem and instead argues that the UDHR despite this was a progressive document for the 1940s.

²³⁷ Street papers, MS 2683/5/75; UN Doc. E/CN.6/SR.28 (9 January 1948).

²³⁸ UN Doc. E/CN.6/SR.28 (9 January 1948).

²³⁹ UN Doc. E/CN.6/SR.28 January 1948).

²³⁹ UN Doc. E/CN.6/SR.28 (9 January 1948). Humphrey explained that the UN did not reproduce the commentary of the working groups in the reports, only the full session debates.

²⁴⁰ UN Doc. E/CN.6/SR.28 (9 January 1948).

suggesting that the commission might find a footnote appropriate.²⁴¹ While the CHR discussed the use of footnotes, in the end, they did not use them. Footnotes ran counter to the idea that the UDHR was to be simple enough for the “man on the street” to understand.²⁴² As a result, in the final debate before the UDHR’s adoption, Begtrup reasserted that feminist delegates understood that the entirety of the declaration “applied equally to men and women.” Harkening to the prevalence of anti-feminist sentiments, Begtrup indicated that it was necessary to repeat the principle of equality “without fear of incurring criticism, for the new way of thinking was far from prevailing in the world.”²⁴³ CSW delegates insisted that “his family” also meant “her family.”

Between the first and second CSW sessions, Bodil Begtrup informed her colleagues that while the CSW had lost its struggle to win a second session, they should nonetheless start to think about their next move. For Begtrup, the next move was for the CSW to make “clear its attitude” about protective labor legislation.²⁴⁴ In doing so, Begtrup signaled the long-standing contention over the use of the term “equality” or “equal rights” and its implications for protective labor standards. CSW delegates agreed that equality did not mean identical legal treatment. Indeed, it demanded the recognition of gender difference by acknowledging the rights of mothers. Yet the persistent conflict over protective labor legislation left them divided. A murky CSW position would not help the feminist delegates articulate their demands to the human rights commission.

Dorothy Kenyon and Jessie Street represented the two opposing poles of the debate. For Kenyon, women’s economic gains would best be attained by working to

²⁴¹ UN Doc. E/CN.6/SR.29 (9 January 1948).

²⁴² There was a strong commitment to the idea that the UDHR be written for the “common man” and not just the diplomat, lawyer or technician. See for example, UN Doc. A/C.3/124 (6 November 1948).

²⁴³ UN Doc. A/P.V. 182 (10 December 1948).

²⁴⁴ Bodil Begtrup to CSW delegates (5 September 1947), Street papers, MS 2683/5/68.

remove one obstacle at a time, for example, fighting for equal pay. It would not be achieved by destroying all protective labor standards currently in place in one fell swoop. For Street, women's equality depended on their economic independence. This meant, providing women who worked in the home with an independent income. It also meant creating conditions that allowed women who either chose or needed to work outside the home with the opportunity to be competitive in the labor market. Protective labor standards made women uncompetitive, restricting access to high-paying jobs. In contrast, state-paid child care and maternity leave offset the disadvantages women had as working mothers. In the first session, Jessie Street proposed a resolution critical of the ILO's protective labor legislation standards, but Kenyon successfully tabled the issue.²⁴⁵

While the CSW made some progress at its second session it did not settle the protective labor legislation debate. The persistent question for the CSW was whether their task was to forward a position that reflected current realities or whether their position should reflect the aspirations of women. The feminist delegates largely agreed that protective labor legislation did function, in some cases, to restrict women's opportunities, especially in developed nations that had general workplace protections in place. They acknowledged, however, that in regions of the world where labor unions had not organized to demand workers' rights or where states had yet to develop effective work place regulations, protective labor standards might still be beneficial.²⁴⁶ Begtrup argued: "It must be made clear that these special protections[,] which may at certain stages of development be thought a progress[,] are not the goal."²⁴⁷ In the second

²⁴⁵ Rachel Nason to Louis Hyde (U.S. delegation to the UN) and Frieda Miller (24 March 1947), Women's Bureau records, box 10, folder C-J-1-2-2.

²⁴⁶ Bodil Begtrup Report on 1947 Geneva session, Commission on Human Rights (undated), Street papers, MS 2683/5/Folder 4, document unnumbered; UN Doc. E/CN.6/SR.30 (12 January 1948).

²⁴⁷ Bodil Begtrup to CSW delegates (5 September 1947), Street papers, MS 2683/5/68.

session, Street and Kenyon tried to draft a joint resolution staking a CSW position on protective labor standards, which attempted to encapsulate the idea that protective labor standards were both beneficial and detrimental. In the end, unsurprisingly, this satisfied no one and the resolution failed.²⁴⁸ The closest the CSW came was to a consensus was a Soviet-based resolution, which stated in part that “in each country the rights of mothers and children shall be guaranteed by law.”²⁴⁹ The CSW also passed an additional resolution, emphasizing their demand for equal pay.

Three interrelated ideological factors came into play as CSW representatives lobbied to insure that the UDHR incorporated women’s particular rights into the universal framework. The first, and most difficult, was at its core a theoretical dilemma. CSW delegates, UDHR drafters and NGO lobbyist held different beliefs as to why women as (potential) mothers deserved rights. Related to this question were differing ideas about categorizing women with other societal dependents, specifically children. The third was a challenge to the very idea that particular rights could co-exist within the universal framework.

When representing the CSW, all feminist delegates took seriously their charge to promote the commission’s charter, yet the issue of protective labor legislation remained opened to interpretation. As a result, different representatives’ personal ideological worldviews came into play at different stages of the drafting process. Begtrup and Street argued that women’s particular rights were grounded in mothers’ service to society. Prior to traveling to Geneva, Begtrup wrote to her CSW colleagues and urged them to start making their demands based on the “rights of motherhood.” She opposed the current

²⁴⁸ UN Doc E/CN.6/63 (12 January 1948); UN Doc. E/CN.6/SR.30 (12 January 1948).

²⁴⁹ The Soviet Union initiated the resolution on women’s economic rights; the CSW adopted it in slightly modified form, UN Doc. E/CN.6/SR.30 (12 January 1948); UN Doc. E/615 (26 January 1948). The other part of the article declared that “women be granted equal rights with men to employment and remuneration therefore, leisure, social insurance and professional training.”

UDHR draft, which “put women and children together.”²⁵⁰ Perhaps more of a theorist than others, Begtrup understood the “rights of motherhood” as denoting the rights women earned based on their social role. In contrast, to speak solely of “mothers” tended to reduce women to their biological function and complicated feminist delegates’ efforts to distinguish women, as self-determinate beings, from dependent children. The distinction would help keep the rights of motherhood “clear of the special protection and care which society owes children.”²⁵¹ Although their rhetorical approaches were not identical, Street’s ideological view was similar. For Street, mothers were another category of laborer. Mothers’ rights stemmed from the labor they performed on behalf of society.²⁵²

The Soviet delegation’s support for the women’s agenda was crucial, but differed from the vision promoted by Street and Begtrup. Throughout the drafting process when it came to talk of mothers, the Soviet delegations consistently linked women and children. On the one hand, the argument made for the protection of “women and children” and family was an area in which the larger Soviet push to emphasize state power gained wide-spread support. On the other hand, the fact that the Soviets consistently linked women with children reveals that even the CSW’s most vocal supporters were more comfortable envisioning women—like children—as those in need of protection instead of as rights-bearing individuals. While the CSW insisted on the language of “rights,” the Soviet resolutions did not always follow this prescription. In preparing for Geneva, Begtrup wrote to Street, giving her an update on the recent CHR drafting committee meetings. Begtrup had been informed that Roosevelt disapproved

²⁵⁰ Bodil Begtrup to Jessie Street (9 Nov. 1947), Street papers, MS 2683/5/92; Jessie Street also advocated for the separation of women from children in relations to rights claims. UN Doc. E/CN.6/SR.36.Corr.1 (16 January 1948).

²⁵¹ Bodil Begtrup to Jessie Street (9 Nov. 1947), Street papers, MS 2683/5/92.

²⁵² See Chapter Four.

any specific mention of mothers. While “the Russian” had supported the inclusion of mothers, he lumped them together with children. Begtrup warned Street that they would “have to talk to Uralova” about not placing women and children in the same category.²⁵³ Despite this, at Geneva, the Soviet delegate introduced a resolution, declaring that “mothers and children are *entitled* to special protection and assistance by the State.”²⁵⁴

The CSW and UDHR drafters understood the language of *rights* as more forceful than that of *entitlement*. Rights, as one U.S. policymaker noted, implied an “absolute,” which existed apart from the positive law of the land.²⁵⁵ It is the main reason that the U.S. government insisted on a covering article for the UDHR’s economic and social rights, which qualified the state’s obligation to guarantee their attainment. In contrast, an entitlement was something granted by the government, not something that existed beyond the government’s ability to provide the guarantee. While CSW delegates held varying views on why mothers deserved rights, they all agreed that it was “rights” that women deserved. Rights were essential to obtaining genuine equality.

The CSW’s commitment to “equality” and the tension over why women as mothers deserved rights came to a head at Geneva. The debates further illustrate the difficulty in artificially separating the rights of women as mothers in the so-called public and private spheres. During the negotiations, drafters debated women’s economic and social rights both inside and outside the home. Regardless of the specific “sphere,” women’s rights were entangled with their social roles as mothers. The first instance came in a debate over equal pay, a long-standing feminist claim that crossed ideological

²⁵³ Bodil Begtrup to Jessie Street (9 November 1947), Street papers, MS 2683/5/92.

²⁵⁴ E/CN.4/AC.2/SR.6 (9 December 1947).

²⁵⁵ Unnumbered ISP on the “Right to Work” article (22 May 1947), Frieda Miller papers, box 8, folder A-37-184; ISP D-88/47 (3 June 1947), ISP records 13:4A Subcommittee 3, box 110, documents 91-110, 1947.

lines. Begtrup credited Uralova's "strong speech" on the "equality of economic and social rights" with winning a draft text that guaranteed women's "right to work under the same conditions as men and to receive equal pay for equal work."²⁵⁶ This new article not only promised equal pay in the workforce, it soon ran into a conflict with proponents of protective labor legislation.

This forced Begtrup to find a solution that both secured the CSW's objective of equal pay, yet carefully navigated the contentious issue of protective labor standards. Roosevelt, supported by the British delegate, argued that "the same conditions" language threatened to nullify protective labor legislation.²⁵⁷ In many "lengthy behind the scenes discussions," Begtrup attempted to work out a compromise, collaborating with representatives of trade unions, the Catholic women's lobby, and UDHR drafters.²⁵⁸ The solution settled on was a compromise, which asserted that women had a right to "work with the same advantages as men," leaving the status of protective legislation still vague.²⁵⁹ A U.S. policymaker reported to Kenyon that the compromise was crafted so

²⁵⁶ Bodil Begtrup Report on 1947 Geneva session, Commission on Human Rights (undated), Street papers, MS 2683/5/folder 4, document unnumbered.

²⁵⁷ Walter Kotschnig Confidential Memorandum on Participation of Commission on the Status of Women in the Second Session of the Commission on Human Rights (30 December 1947), Kenyon papers, box 53, folder 3.

²⁵⁸ The first solution was to insert a clause that guaranteed that *both* men and women should have "varying degrees of protection," especially because in many places women workers were not "sufficiently organized." Begtrup was committed to safeguarding the aims of the CSW—however undefined they remained—and worked to guarantee that women in undeveloped nations retained access to protective labor standards, while not specifically endorsing it for women in developed Western nations. Complicating her ability to do so was a separate debate over the status the UDHR would grant trade unions in insuring the rights of the worker. Begtrup after "listening to several days' discussion" decided to request new wording, which eliminated men and removed the reference to trade unionism so as not to embroil the CSW in additional controversy. Bodil Begtrup Report on 1947 Geneva session, Commission on Human Rights (undated), Street papers, MS 2683/5/folder 4, document unnumbered. On the trade union dispute see Johannes Morsink, *The Universal Declaration of Human Rights*, 168-181.

²⁵⁹ Cassin produced the compromise based on a suggestion made by the Uruguayan delegation. Walter Kotschnig Confidential Memorandum on Participation of Commission on the Status of Women in the Second Session of the Commission on Human Rights (30 December 1947), Kenyon papers, box 53,

that “the ‘equal rights’ provision was killed.” He noted that while Begtrup had vocally advocated for “equality” she did not protest this change.²⁶⁰ Begtrup had not protested for a reason. The language was in keeping with the CSW’s ambiguous position on protective labor legislation and “equal pay” secured an important right for women who worked outside the home.

Furthermore, Begtrup accepted the vague language on the understanding that the rights of motherhood would be addressed under other proposed articles. There were two on the table. The first, sponsored by the Soviet delegation, dealt with mother’s rights in the family in the context of the marriage article. Roosevelt quickly countered with the second proposal, suggesting that the “right of mothers and children to special protection” was more properly confined to the article on “social security,” which, at the time, covered governments’ responsibility to secure employment and provide social insurance.²⁶¹ Begtrup informed the CHR delegates that she wanted the term “mothers’ rights” and “protection of children” instead of the Soviet phrasing, which used protection in both cases. Yet, if mothers’ rights were to be addressed only in a single article, Begtrup preferred that they be discussed in terms of social and economic rights rather than solely in the article on the family.²⁶² Exercising her power as the chair, Roosevelt stated that

folder 3; Bodil Begtrup Report on 1947 Geneva session, Commission on Human Rights (undated), Street papers, MS 2683/5/folder 4, document unnumbered.

²⁶⁰ Walter Kotschnig Confidential Memorandum on Participation of Commission on the Status of Women in the Second Session of the Commission on Human Rights (30 December 1947), Kenyon papers, box 53, folder3.

²⁶¹ At the time social security was not interpreted to mean solely provisions of social insurance. The article’s first clause that stated: “Everyone has the right to social security,” which more adequately related the concept of security itself or, as some argued, “social justice.” See Johannes Morsink, *The Universal Declaration of Human Rights*, 199-210. The second clause of article 34 declared: “To the utmost of its possibilities, the state shall undertake measure for the promotion of *full employment* and for the *security* (here security was understood to mean social insurance) of the individual against unemployment, disability, old age, and all other loss of livelihood for reasons beyond his control.”

²⁶² UN Doc. E/CN.4/AC.2/SR.6 (9 December 1947).

the “protection of mothers and children” had been expressed in “principle” and would be taken up under the article on social security.²⁶³ Roosevelt ignored Begtrup’s distinction between the “rights” and “protection” of mothers. This conflation of rights and protection likely inspired Begtrup’s comment to her CSW colleagues that she “had some difficulty in making clear the difference between the ‘rights of motherhood’ and ‘protection of mothers.’”²⁶⁴ In the end, the Geneva text stated in one sentence that “Motherhood shall be granted special care and assistance.”²⁶⁵ This was followed by another sentence that declared: “children are similarly entitled to special care and assistance.” Begtrup told her colleagues that it was the “best to be obtained.”²⁶⁶

When Begtrup requested that women’s rights be addressed under economic and social rights, she suggested an article that did not yet distinguish between the state’s responsibility to provide employment and social insurance.²⁶⁷ The final Geneva draft, however, made this distinction. The shift came as the result of a successful U.S. drive to distinguish fully between the rights of the worker and the guarantee of social security. United States’ policymakers strove to insure that the economic and social rights articles

²⁶³ UN Doc. E/CN.4/AC.2/SR.6 (9 December 1947).

²⁶⁴ Bodil Begtrup Report on 1947 Geneva session, Commission on Human Rights (undated), Street papers, MS 2683/5/folder 4, document unnumbered.

²⁶⁵ UN Doc. E/CN.4/600 (17 December 1947).

²⁶⁶ Bodil Begtrup Report on 1947 Geneva session, Commission on Human Rights (undated), Street papers, MS 2683/5/folder 4, document unnumbered.

²⁶⁷ Begtrup insisted that the rights of motherhood be inserted in “Article 34,” which included both economic and social rights. Furthermore, while Cassin’s 1947draft (UN Doc. E/CN.4/AC.1/W.2 Rev.2) included a line, which stated that “Mothers and children have the right to special attention, care and resources,” the U.S. had successfully argued for its exclusion at a subsequent meeting, Lake Success draft UN Doc. E/CN.4/21 (1 July 1947). Thus, the draft debated at Geneva initially included no promise of mother’s (or children’s) rights. Begtrup helped insure that Geneva drafters included it, which was no small feat.

did not “infer implementation” or “categorically” imply a state obligation.²⁶⁸ Instead, U.S. policymakers insisted that the UDHR be worded in a “declaratory rather than mandatory form.”²⁶⁹ In arguing for a covering article for the economic and social rights section, Eleanor Roosevelt declared that “Men in need were not free men.” Yet the UDHR should not “define the methods by which Governments were to insure the realization of those rights.”²⁷⁰ For the U.S. government, an acceptable “right to work” statement would minimize the role of the state, emphasize that of trade unions, and insure that individuals bore some responsibility for insuring their own well-being. This was to be completely distinct from the promise of social safety nets.²⁷¹ In the end, with the provision on equal pay and the right to work with the same advantages as men, women retained rights as workers outside the home. In contrast, with the separation of workers’ rights from social security, mothers’ rights were not protected as workers; they were secured only under the provisions of social insurance.²⁷²

²⁶⁸ Unnumbered ISP on the “Right to Work” article (22 May 1947), Frieda Miller Papers, box 8, Folder, A-37-184; ISP D-88/47 (3 June 1947), ISP records 13:4A Subcommittee 3, box 110, documents 91-110, 1947; United Nations Charter, Article 55 and 56.

²⁶⁹ “Short form for United Nations Bill of Rights,” S/HRW D-121/47 (10 September 1947), ISP records, 13:4A Subcommittee 3, box 110, documents 111-30, 1947; S/HRW D-12/48 (16 February 1948), ISP records, 13:4A Subcommittee 3, box 111, documents 1-20, 1948; Unnumbered ISP on the “Right to Work” article (22 May 1947), Frieda Miller Papers, box 8, Folder A-37-184; ISP D-88/47 (3 June 1947) ISP records, 13:4A box, 110, documents 91-110, 1947.

²⁷⁰ UN Doc. E/CN.6/SR.64 (8 June 1948); A/C.3/SR.89 (30 September 1948).

²⁷¹ ISP D-89/47 (3 June 1947), Roosevelt papers, box 4577, folder “HR Committee Position Book.”

²⁷² By the conclusion of Geneva, the articles had been reworked into distinct articles and women’s rights as mothers fell exclusively under the “social insurance” provision, which was now Article 26: (1) Every one has the right to social security. The State has a duty to maintain or ensure the maintenance of comprehensive measures for the security of the individual against the consequence of unemployment, disability, old age and all other loss of livelihood for reasons beyond his control. (2) Motherhood shall be granted special care and assistance. Children are similarly entitled to special care and assistance. The articles on workers’ rights now encompassed articles 23 and 24: Article 23: (1) Every one has the right to work. (2) the State has a duty to take such measure as may be within its power to ensure that all persons ordinarily resident in its territory have an opportunity for useful work. (3) the State is bound to take all necessary steps to prevent unemployment. Article 24: (1) Every one has the right to

Begtrup and others were less alarmed than one might think at the final Geneva draft. CSW delegates had consistently argued that the rights of working mothers to benefits such as daycare and maternity leave should be the responsibility of the state and should be paid by “public monies.”²⁷³ If the burden was placed on individual businesses, feminist delegates believed that women workers would remain disadvantaged as private industry would view the employment of women as a financial liability.²⁷⁴

In the next major debates over the UDHR, a dichotomized view on universality and particularity regarding women’s rights threatened to prevail. During the 1948 spring session, the United States staked out a policy that all articles that specifically mentioned women were expendable.²⁷⁵ Policymakers in the U.S. Women’s Bureau represented this view most strongly. While they were the staunchest proponents of protective labor legislation, they rejected the idea that universal human rights should make specific mention of women. Those drafting the Women’s Bureau position argued that “women, like men, are human beings” and their specific mention undermined the “universal approach.” Mentioning women, they asserted, jeopardized the idea that women were entitled to the other rights enumerated in the Declaration, such as “freedom from slavery.” The Women’s Bureau argued that without the guarantee of these rights,

receive pay commensurate with his ability and skill, to work under just and favorable conditions and to join trade unions for the protection of his interests in securing a decent standard of living for himself and his family. (2) Women shall work with the same advantages as men and receive equal pay for equal work.

²⁷³ Jessie Street to Lena Spiegel (13 February 1948), Street papers, MS 2683/5/96.

²⁷⁴ Jessie Street to Lena Spiegel (13 February 1948), Street papers, MS 2683/5/96. Historian Linda Gordon explores how conceptualizing maternity benefits as commensurable service to the state was an option advocated to the United States Congress during the drafting of Title IV of the Social Security Act of 1935. Instead it became a system of welfare, emphasizing the child over the mother. Linda Gordon, *Pitied But Not Entitled*, 4, 166.

²⁷⁵ Supplement to #2 to S/HRW D-35/48 Rev.1 (10 May 1948), ISP records, 13:4A Subcommittee 3, box 111, documents 2-35, 1948.

“particular rights were not worth having.”²⁷⁶ Despite the CSW’s proposition that “universal” human rights could encompass rights that were both identical to and different from men, the Women’s Bureau held that “universal” meant solely identical. It was a view that mirrored the way they understood the language of “equality.”

The consistent Soviet support for the women’s agenda complicated U.S. efforts to eliminate particular rights for women. U.S. policymakers understood that by suggesting the deletion of all articles specifically pertaining to women’s rights they might become the “target of criticism by other nations.” This was particularly the case as the “U.S.S.R. have [sic] capitalized on the issue at previous meetings.” Before proposing their deletion policymakers instructed Roosevelt: “it will be essential to establish a strong position in support of equal status for women before any proposal is made to delete these references.”²⁷⁷ Policymakers’ emphasis on this point signals the degree to which debates about the rights of women had become embroiled in the ideological battle between the two superpowers.

The task of insuring that women’s particular rights were retained in the universal declaration fell to the CSW’s feminist allies from Latin America. As the CSW’s representative at the summer 1948 session, Amália Ledón fought to retain specific references.²⁷⁸ The specific mention of women, CSW delegates believed, made credible

²⁷⁶ Ibid.

²⁷⁷ Ibid.

²⁷⁸ Ledón fought unsuccessfully to retain “Every woman” instead of “Everyone” has the right to equal pay for equal work. Others, including Roosevelt argued against the inclusion of woman as unnecessary an awkward language. In contrast, Cassin urged that it was more important to “defend women than words.” In the end, CHR decided against retaining women and adopted the Chilean text that proposed “everyone” instead of “every woman.” The British delegate, explaining his position, insisted that he would take the advice of the two female CHR members, Roosevelt and Mehta, who had not believed the distinction noteworthy over the demands of the feminist-oriented CSW. Hansa Mehta had been a fierce advocate for the CSW’s political and civil equality agenda, yet in this case Mehta agreed that a specific mention of women might threaten to undermine women’s position throughout the Declaration. UN Doc. E/CN.6/SR.64 (8 June 1948).

their assertion that women’s particular rights could co-exist with the principle of universality. In keeping with the CSW’s opposition to the language of protection, Ledón successfully argued that the “right of mother and child” be retained.²⁷⁹ Yet Ledón did not make the same distinction that Begtrup had when it came to severing the rights of mothers from their children. Ledón understood that her role at the session was to represent the CSW. While Begtrup had made the argument to distinguish mothers from children, the CSW had never passed a resolution insisting on this fact. The most recent CSW resolution on women’s economic rights stated that “in each country the rights of mothers and children shall be guaranteed by law.”²⁸⁰ Indeed, for Ledón women’s rights came from their role as mothers and to distinguish them threatened to undermine the legitimacy of rights made in the name of motherhood. Ledón had historically used the language of rights and protections simultaneously in making rights claims.²⁸¹ By evading the use of protective language, and insisting that “rights” be retained, Ledón followed the letter of the CSW’s charter even if some of her colleagues would have viewed it as a backward step.

The next phase of the fight to retain women’s particular “rights” came during the General Assembly debates. Here, UN delegates further modified the shape that the Declaration would ultimately take. They relocated rights claims within the text to emphasize or prioritize certain articles and strove to clarify the desired intent of rights claims. Nonetheless, the basic rights and overall structure, which delineated negative and

²⁷⁹ See Chapter Two

²⁸⁰The Soviet Union initiated the CSW’s resolution on women’s economic rights; the CSW adopted it in slightly modified form: UN Doc. E/CN.6/SR30 (12 January 1948); UN Doc. E/615 (26 January 1948). The CSW also passed a separate resolution on equal pay, requesting the ILO and major trade unions to report to the commission at its next session on the measures they were taking to guarantee equal pay as essential to fulfilling the Charter’s promise of equal rights. UN Doc. E/615 (26 January 1948).

²⁸¹ See Chapter Two.

positive rights, remained intact. CHR delegates hoped that the General Assembly would make few changes, believing that their debates had fully aired, negotiated and established compromises that reflected the best possible Declaration to be achieved.²⁸² No one expected that the General Assembly debates would take months. In all the General Assembly held over eighty meetings and plenary sessions to discuss and revise the work of the human rights commission. John Humphrey believed that the prolonged nature of the debates resulted from a “simple lack of courage on the part of delegates when dealing with the Commission on the Status of Women.”²⁸³ CSW feminists and their allies tenaciously guarded their objectives and aims.

Once the UDHR reached the General Assembly for debate, CSW officers officially represented their national governments, not the women’s commission. Voting in the General Assembly as national delegates were several women who had represented the CSW at one point, including Begtrup, Bernardino, and the Polish delegate from the 1946 sub-commission, Kalinowska. Other allies included the Indian delegate Lakshmi Menon, a close friend of Hansa Mehta and the woman who would later become the head of the UN Women’s Section. The national obligations feminist delegates were expected to fill limited their ability to promote their internationally-minded agenda. To propose an amendment to the UDHR required the approval of national policymakers and a willingness to come out forcefully for a policy position. The broad spectrum of many delegates’ national objectives limited feminists’ ability to concentrate their efforts solely on the CSW’s goals. Minerva Bernardino was the exception; the Dominican representative limited her contributions largely to feminist issues. To comment widely on issues of human rights would have exposed the Dominican Republic to criticisms.

²⁸² UN Doc. A/PV.180 (9 December 1948).

²⁸³ A.J. Hobbins, *On the Edge of Greatness*, 31.

Comment was, therefore, best restricted to women's rights, where Bernardino's record as a fierce advocate was widely acknowledged. Indeed, Bernardino reminded the General Assembly of the Dominican Republic's consistent support for "equal rights."²⁸⁴

Bernardino, however, made a motion early in the process, which only the context of her work as the dictator's feminist can help explain. Somewhat ironically, Bernardino's amendment to include equal rights language in the preamble included another to the social security article, which limited the guarantee of mother's rights to "expectant and nursing" mothers.²⁸⁵ While Bernardino's amendment used the language of rights, which feminist activists had been demanding, it rhetorically reduced mothers to their biological function. Mothers had rights only when bearing and nursing children. Bernardino's amendment noted that her suggestion tracked more closely the language of the American Declaration of the Rights and Duties of Man, only recently adopted at Bogotá. While Bernardino played a key role at the UN, she participated in the CSW only as an observer of the Inter-American Commission of Women. The IACW was unquestionably Bernardino's turf.²⁸⁶ The use of the Bogotá language in the UDHR would only have served to highlight the significance of Bernardino's inter-American work. Yet the use of the IACW language of "nursing and expectant mothers" also limited the challenge to patriarchy inherent in the notion that women had independent rights as mothers; a challenge that would have been untenable for her to make as Trujillo's representative.

²⁸⁴ UN Doc. A/PV/182 (10 December 1948).

²⁸⁵ UN Doc. A/C.3/217/Corr.2 (9 October 1948).

²⁸⁶ This is not to suggest that Bernardino did not exercise real influence in the United Nations. Indeed in planning a gathering for the women's delegates to attempt to win their support for a disarmament proposal, the leader of a woman's organization reminded her colleague that it was critical that she contact Bernardino as she "likes to be consulted" on all matters involving women delegates. Mabel Vernon to Mary Gertrude Fendall (24 October 1948), People's Mandate records, series B, box 24, folder, "United Nations General Assembly, Paris, 1948."

Feminists involved in the CSW's work responded with chagrin. Jessie Street attended the General Assembly debates not as a delegate, but merely as an observer. Her growing isolation from the Australian government rendered her unable to counter proposals that were contrary to what she and others understood to be the intent of the CSW's feminist vision for women's human rights. Writing home to her colleagues, Street quipped that Bernardino had introduced an amendment on "every expectant and nursing mother." On a positive note she relayed the happy news that Begtrup had been elected as the Vice-Chair of the General Assembly committee debating the UDHR, the first woman to hold such a post.²⁸⁷ Perhaps all hope was not lost. Another wrote that the best alternative was for Bernardino's amendment to be lost at the vote.²⁸⁸ Bernardino's amendment did eventually lose, but in the often convoluted world of parliamentary-style debate and maneuvering, the introduction and discussion of her amendment opened a Pandora's Box on the "rights" of women as mothers.

Bernardino's amendment sparked a wave of motions that reworked but also emphasized that women functioned as mothers not in a rights-bearing sense, but in a dependent one. One amendment attempted to replace the independent clause on the rights of mothers by incorporating them into the list of dependents in need of social services, such as the unemployed, sick, disabled, and aged.²⁸⁹ Another advocated for transferring mothers' rights from the social security article back to the article on the

²⁸⁷ Jessie Street to United Association debating team (10 October 1948), Street papers, MS 2683/1/1504.

²⁸⁸ Alice Morgan Wright to Alice Paul (21 October 1948), Paul papers, box 97, folder 1254.

²⁸⁹ By New Zealand UN Doc. A/C.3/267 (12 October 1948). This amendment, for the first time also included "widowhood." While the motion as a whole failed, widowhood was adopted and listed among those in need of social services.

family; mothers had no rights apart from the context of the traditional family.²⁹⁰ These all ultimately failed.

Yet several delegations noted that Bernardino's amendment was not attentive to the needs of legitimate and illegitimate children alike.²⁹¹ Amendments adding the rights of illegitimate children were soon being considered alongside Bernardino's amendment. The issue of rights versus protections quickly became paramount. For example, the Australian delegate Alan Watt argued that while "no one could quarrel" with the fact that both legitimate and illegitimate children deserved social protections, it "was hardly feasible" to claim that they were equal in rights since laws existed that differentiated in terms of "inheritance and succession."²⁹² As a compromise, he suggested that "All mothers, including expectant and nursing mothers, and all children, including illegitimate children, are *entitled* to special care and assistance."²⁹³

Feminists responded to the shift from rights to entitlement. Bernardino urged that the language of rights be retained.²⁹⁴ Recognizing that the original CHR text had included "rights," Begtrup urged that the General Assembly adopt the language of "rights" and emphasized the importance of understanding "care and assistance" as a "matter of social justice rather than charity."²⁹⁵ In addition, Begtrup argued that the Declaration would not be a "legally binding agreement," she underscored that the

²⁹⁰ By Lebanon UN Doc. A/C.3/260 (12 October 1948).

²⁹¹ By Ecuador UN Doc. A/C.3/349 (18 November 1948); Yugoslavia UN Doc. A/C.3/233 (7 October 1948); Norway amendment to the Yugoslavian amendment UN Doc. A/C.3/344 (17 November 1948).

²⁹² UN Doc. A.C.3/SR.144 (18 November 1948).

²⁹³ UN Doc. A.C.3/SR.144 (18 November 1948); UN Doc. A/C.3/ 348 (18 November 1948).

²⁹⁴ UN Doc. A/C.3/SR144 (18 November 1948).

²⁹⁵ UN Doc. A/C.3/SR.144 (18 November 1948).

document would “exercise a moral influence on the people of the world.”²⁹⁶ The language of rights mattered.

But their position did not prevail. The drafting committee emerged with the phrase “motherhood and childhood are entitled to special care and assistance.” It added an additional sentence guaranteeing children “born in or out of wedlock the same social protection.”²⁹⁷ While the second phrase would have sufficed in addressing the potential civil law challenges regarding illegitimacy, the initial dilemma paved the way for replacing language that insisted on the rights of mothers with the promise of protection. For the feminist activists, it had been a slow, erratic, but fateful dissent from their original ambitions. While the UDHR recognized gender difference, it did not recognize women’s particular *rights* within the universal rights framework. Instead the UDHR asserted that women and children were *entitled* to special care and assistance.

Conclusion

In drafting their charter, CSW feminist delegates forged an internationally-minded agenda to promote the rights of women. While they held often competing ideas of gender, the CSW had been able to negotiate—not without difficulty—a shared vision of women’s human rights. Their vision included equal rights for women *as individuals* and particular rights for women *as women*. They articulated their vision during CSW sessions, in their reports to the United Nations, at the human rights commission, and during the General Assembly debates. By arguing for gender-inclusive language, the retention of the UN Charter’s equal rights provision, women’s right to divorce, equal pay and against defining life as beginning at the moment of conception, CSW delegates made significant, but little-known changes to the Universal Declaration of Human Rights.

²⁹⁶ UN Doc. A/C.3/SR.144 (18 November 1948).

²⁹⁷ UN Doc. A/C.3/400/Rev.1 (4 December 1948); UDHR article 25.

Yet tensions between the women's internationally-minded agenda and the obligations they bore as national representatives limited feminist delegates' ability to attain all of their objectives. While CSW delegates were to serve their nation, they envisioned the commission as a vehicle to promote the rights of women in the United Nations. Some delegates, like Jessie Street, prioritized the women's agenda over her national instructions. For this, she was largely sidelined. Others, like Kenyon, labored to balance her work as a national representative and a feminist activist. Yet when the CSW traveled to the human rights commission, they understood their mission as one of advocacy for the CSW vision, not their national governments. In contrast, during the General Assembly debates, delegates were once again the voice of their nation, not the feminist agenda. This posed the greatest difficulty for Minerva Bernardino, who walked a precarious line between maintaining her status as a women's rights advocate and challenging a brutal dictator committed to protecting patriarchal privilege.

Feminist delegates recognized that the larger social and political context influenced their ability to be effective advocates. They tried to counter the postwar wave of anti-feminist sentiment, both within the United Nations and among the "man on the street." But a growing sense of international instability worked against their efforts. While Kenyon asserted that feminists were seeking "a social revolution," UN delegates overwhelmingly supported the inviolability of the stable nuclear family.²⁹⁸ Indeed, one delegate declared it was with the family that the "fate of the nation" and the success of the postwar order rested.²⁹⁹ Another insisted that the "family was the cradle of all human rights and liberties."³⁰⁰ Both anti-feminist sentiment and the Soviet support for

²⁹⁸ Dorothy Kenyon, "Freedom and Equality," *Independent Woman* (March 1949), Kenyon papers, box 21 folder 3.

²⁹⁹ UN Doc. A/C.3/SR.124 (6 November 1948).

³⁰⁰ UN Doc. E/CN.4/AC.1/SR.38 (18 May 1948).

the feminist agenda prompted the United States and their Anglo-American allies to try and marginalize CSW delegates, both reducing their meetings and limiting their ability to participate in the UDHR drafting process.

The two superpowers understood that women's rights could further legitimize their claims to global leadership. The Soviet delegations consistent support for the feminist delegates, and their commitment to promoting non-discrimination language, challenged the United States' ability to champion the rights of women while it promoted a narrative of progress regarding the rights of African-American men and women. The U.S. move that replaced "full equality" with the language of equal protection and the Soviet- led promotion of state power combined to perpetuate the distinction between public and private rights.

UN delegates, still recovering from the devastating effects of the Second World War, anxious over the current international political instability, and operating in an environment increasingly host to feminist activism, negotiated the rights claims that serve as the foundation of modern human rights standards. While the UDHR recognized women's individual rights, drafters rejected the idea of empowering women *as women*. CSW delegates gained the right to equal pay as workers outside the home, but they did not gain rights as laborers within the home. Here, UDHR drafters envisioned women not as rights-bearers, but as dependents. As such they were only entitled to special care and assistance. Their rights in the so-called "public" sphere would be acknowledged, while their rights in the "private" sphere—both as wives and as laborers—were less secure. CSW delegates succeeded in gaining equal rights in marriage and thereby challenging male privilege in the family. The UDHR also, however, privileged the inviolability of the family—the natural and fundamental unit of society—over women's rights within it. Yet, even where feminists failed to achieve their goals, pressure from activist delegates informed the debates. The CSW's lobbying efforts forced UDHR drafter to confront ideas about gender during the drafting process. In negotiating human rights, drafters

debated women's social roles as mothers, power relations within marriage, and the relationship between the family and the state. Debates about women's rights played a central role in shaping the Universal Declaration of Human Rights.

CONCLUSION: SEVERING WOMEN'S RIGHTS FROM HUMAN RIGHTS AND THE LOST EQUALITY DEBATES

Feminist activists—across the ideological spectrum—trumpeted the adoption of the Universal Declaration of Human Rights. They did so for several reasons. First, feminist ambitions aside, the Declaration seemed to place humanity on slightly more solid ground. The international community had successfully negotiated an agreement on human rights, bolstering their claims that peace depended upon their guarantee. Despite the fact that Cold War tensions permeated the final debates, or perhaps because of it, the General Assembly had adopted a “common standard of achievement,” regarding the rights of human beings.¹ One scholar has argued that the spiraling Cold War may have actually given urgency to the Declaration’s adoption because delegates recognized that the conflict might soon render the United Nations ineffective.² Second, while feminists held divergent views on how to achieve equality, the UDHR included provisions that the different contingents could point to as proof that the new human rights doctrine met their objectives, if only in part.

Feminist activists and delegates understood the preamble’s provision of “equal rights” in very different ways. For U.S. advocates of identical legal treatment, the preamble’s equal rights language was the UDHR’s saving grace. From the General Assembly debates, U.S. liberal feminist Alice Morgan Wright wrote despairingly to Alice Paul, leader of the World (National) Woman’s Party. Wright described the debacle over Bernardino’s “pregnant women and nursing mothers” amendment. She believed that it would ultimately lose, but only to be replaced by a non-rights-based phrase, such as “mothers deserve special protection.” She ended her letter declaring: “This seems to be

¹ United States, Department of State, Office of Public Affairs, “Statement by Eleanor Roosevelt on the adoption of the UDHR” in *Human Rights and Genocide: Selected Statements and United Nations Resolutions, September 21-December 12, 1948* (U.S. State Department: Washington D.C.: 1949), 24-29.

² Tony Evans, *U.S. Hegemony and the Project of Universal Human Rights*, 95.

all the news on Equality and none good. Maybe something will turn up.”³ For these liberal feminists, the separate mention of mothers was problematic as it acknowledged women’s difference from men and thereby jeopardized their goal of identical rights. The success of Bernardino’s preamble salvaged the bill of rights for NWP activists. Citing the UDHR’s equal rights preamble and the non-discrimination article, the World Woman’s Party declared: “For the first time in history we have a Bill of Rights for the world, and this Bill of Rights calls for equality for women...It is a historic moment for the United Nation’s fight for world peace, as well as the history of the Woman Movement.”⁴

The UDHR’s language of equal rights posed a challenge for Dorothy Kenyon and her labor feminist allies in the U.S. Women’s Bureau. Labor feminists, driven by the peculiarities of U.S. Constitutional law, had assumed a complicated position regarding women’s human rights at the UN. In an effort to safeguard protective labor legislation, Kenyon worked to restrict the Commission on the Status of Women’s charter to civil and political rights. When that failed, and the CSW insisted on pressing their rights claims with the human rights commission, labor feminists had to re-evaluate their stance. The UDHR addressed not only civil and political, but economic and social rights as well. As a result, these feminists ultimately chose not to press for women’s particular rights.

For labor feminists committed to the idea that equal rights meant identical rights, the principle of universality posed a similar dilemma. For them, universal rights also meant identical rights. To press for women’s particular economic and social rights threatened to undermine their claim to the political and civil rights articulated throughout the UDHR. Without a full guarantee of their individual political and civil rights, which American women widely enjoyed, they felt that “particular rights were not worth

³ Alice Morgan Wright to Alice Paul (21 October 1948), Paul Papers, Box 97, Folder 1254.

⁴ Virginia Starr Freedom, “The World Declaration of Human Rights,” (20 December 1948), Paul Papers, box 97, folder 1300.

having.”⁵ Ironically, labor feminists ultimately endorsed a hierarchy that privileged the rights of the individual over the rights of women as a social group. Kenyon and her labor feminist allies preferred to keep the human rights project about political and civil rights and the project of women’s economic and social rights safely insulated by the protectionist ILO.

While CSW delegates won their bid for identical civil and political rights in the UDHR, they had not been successful in gaining rights for women as mothers. Their effort to shape the doctrine was informed by their understanding of equality. It no doubt also influenced how they interpreted the UDHR’s equal rights provision. Delegates like Street, Bernardino and Begtrup used the UN Charter’s pledge to press the United Nations and its member states to take action on the CSW’s demands. The UDHR was another international document to which activists could point and remind both the UN bureaucracy and national governments of their obligations. Indeed, Begtrup proclaimed: “The universal declaration of human rights made the promises of the Charter a living reality.”⁶ While the UDHR had not acknowledged women’s rights as mothers, Begtrup had appealed to her UN colleagues that “special care and assistance” be understood as a matter of “social justice and not charity.”⁷ *The Dawn*, an Australian feminist publication, reprinted the UDHR, exclaiming: “WHOEVER you are, wherever you live, this is a declaration of YOUR rights. Study it, discuss it, remember it. Let us work together to insure that it becomes a reality for all people.”⁸ For these CSW delegates, the UDHR’s

⁵ Supplement to #2 to S/HRW D-35/48 Rev.1 (10 May 1948), ISP records 13:4A Subcommittee 3, box 111, documents 2-35, 1948.

⁶ UN Doc. A/PV.183 (10 December 1948)

⁷ UN Doc. A/C.3/SR.144 (18 November 1948).

⁸ The organization’s mission statement was, “The DAWN stands for equality of the sexes and peace for all.” *The Dawn* 28:4 (May 1949).

promise of equal rights was not strictly a liberal vision of rights, emphasizing the rights of the individual. Equal rights included the rights of women as a social group. Furthermore, these feminist delegates also supported the proposal to change the name of the doctrine from the international declaration of human rights to the universal declaration of human rights.⁹ In a manner similar to their views on equality, the principle of universality did not exclude women's particular rights claims.

There was not, therefore, a consensus among feminist activists involved in the UDHR drafting process over the meaning of equal rights. The contingent most dedicated to a strict liberal interpretation, the NWP, was not centrally involved in the UDHR drafting process. While labor feminists supported women's particular rights, they would not do so within a universal framework and instead prioritized civil and political rights. The CSW feminists most intimately connected with promoting a global vision of women's human rights in no way understood the universal human rights project as an exclusively liberal rights endeavor.

From Declaration to Covenant: the Demise of the Mainstream Human Rights Project

After the adoption of the UDHR, the next step in the UN's human rights project was to finish drafting the legally-binding covenant, also known as a convention. The declaration and the covenant would round out the United Nations' work to craft an International Bill of Rights.¹⁰ The Commission on Human Rights was, at the time, expected to finalize its work on the covenant by the 1949 General Assembly. As

⁹ "An interview with Minerva Bernardino," *INSTRAW News* 18 (autumn 1992):16. The UN established the International Research and Training Institute for the Advancement of Women (INSTRAW) as part of the program for the UN Decade for Women (1975-1985). In 1977 the UN decided to make INSTRAW permanent, but to fund it through voluntary organizations. In 1983, INSTRAW established permanent headquarters on Bernardino's home turf, Santo Domingo.

¹⁰ The UDHR and the Convention on Political and Civil Rights with the Convention on Economic, Social and Cultural Rights collectively form the UN's International Bill of Rights.

Dorothy Kenyon noted, “the Declaration, important as it is, is a statement of principles and has only moral force. The convention will have the effect of a treaty.” The convention would provide the means to enforce human rights standards.

The UN Commission on Human Rights, however, remained deadlocked over the legally-binding covenant. The U.S. position had always been that the convention would consist of merely political and civil rights. Rachel Nason of the Women’s Bureau—who often participated in drafting policy positions—explained the difference between the proposed Declaration and Covenant. “The two documents will be similar in content and phraseology on civil rights (freedom of speech, etc.) but the Covenant will omit some articles, such as the right to work, good working conditions, health and social security.”¹¹ Likewise, Kenyon argued that the international bill should “follow the broad pattern of the United States Bill of Rights,” protecting the “individual from possible tyrannical effects of the state.”¹² In contrast, the Soviet delegations continued to insist that real freedom and equality came only with social and economic rights. The commission tried for three years to reach an agreement. As each year passed the CHR assured the international community that a covenant was forthcoming. But it was not. Eventually, as one scholar noted, the impasse forced the CHR to make “an uneasy compromise,” separating the convention into two: one on political and civil rights and another on economic and social rights.¹³

¹¹ Rachel Nason to Larrabee, “Bill of Rights Progress Report” (12 August 1947) Women’s Bureau records, box 22, folder “UNESCO CSW 1947.”

¹² UN Doc. E/CN.6/SR.28 (9 January 1948).

¹³ Lauren, *The Evolution of International Human Rights*, 232. For a review of the political debates that culminated in the decision to create two distinct covenants see Roger Normand and Sarah Zaidi, *Human Rights at the UN: A Political History of Universal Justice* (Bloomington: University of Indiana Press, 2008), 197-212.

Even after the human rights commission's decision to split the covenant into two separate treaties, the CHR made little progress. During Truman's tenure, when Eleanor Roosevelt served as the nation's delegate, the United States had been able to maintain at least the appearance of support for the UN human rights project, including some kind of enforcement mechanism. Yet strong opposition to an enforceable treaty circulated during the Truman era. Even before the adoption of the UDHR, George Kennan, author of the famous Long Telegram, warned that he had "great misgivings as to the wisdom...of negotiating declarations of this nature setting forth ideals and principles which we are not today able to observe in our own country...and are in any case of dubious universal validity." He urged "that before we embark on any further international discussions of broad general principles purporting to have universal validity, we give most careful examination to their consistency with our own practices and with world realities."¹⁴ Similarly, the influential American Bar Association strongly objected to the United States adopting either the Declaration or a legally binding treaty on human rights.¹⁵

By the early 1950s, conservative forces in the United States increasingly identified the United Nations, and especially its human rights project, as "Soviet Trojan horses."¹⁶ The growing identification of "human rights" with communist subversion soon overwhelmed any hope that the U.S. would participate meaningfully in the UN project. In 1952 the Republican Senator from Ohio, John Bricker, proposed an amendment to the U.S. Constitution, which threatened to restrict the President's treaty

¹⁴ See Kennan to Humelsine, Re: ECOSOC 7th Session—Declaration of Human Rights. Sandifer files, box 12, folder "Inter-Departmental Committee on International Social Policy." Carl Humelsine coordinated the Executive Secretariat established by Secretary of State, George C. Marshall. The office coordinated the work of the State Department, funneling information to Marshall's and Lovett's offices.

¹⁵ Resolution adopted by the ABA at its meeting in Seattle (September 1948), ISP records 13:4A Sub-Committee 3, box 111, folder "General." The ABA argued that even the non-binding UDHR should be subject to Congressional approval.

¹⁶ Former ABA president Frank Holman as cited in Anderson, *Eyes off the Prize*, 218.

negotiation powers. While Bricker's aim was not solely the human rights project, destroying it was central. He asserted that he intended "to bury the so-called covenant on human rights so deep that no one holding office will ever dare to attempt its resurrection."¹⁷ For Bricker, the human right covenant drafted by "Mrs. Eleanor Roosevelt" would "betray the fundamental, inalienable, and God-given rights of American citizens under the Constitution."¹⁸ Just two months after Eisenhower took office, John Foster Dulles, the new Secretary of State, brokered a deal with Bricker. The United States would not become a party to any human rights treaties. The Eisenhower administration pledged that the U.S. government would pursue human rights through education—not treaty action.¹⁹ The withdrawal of U.S. support for enforcement struck a deathblow to the postwar covenant project. Not until 1966 did the UN finalize the two conventions; they would not come into force for another ten years. The adoption of the UDHR was, therefore, the culmination of the 1940s mainstream UN human rights project.

Moving to a Liberal Rights Agenda

If the UN Commission on Human Rights was unable to produce legally-binding agreements, forcing governments to act, the CSW would. CSW delegates and feminist activists had always insisted that their rights demands be implemented. As early as 1946, Bodil Begtrup, on behalf of her feminist allies, had introduced a General Assembly resolution on the political rights of women.²⁰ In 1948, as the UN Commission on

¹⁷ John Bricker as cited in Lauren, *The Evolution of Human Rights*, 232.

¹⁸ John Bricker as cited in Lauren, *The Evolution of Human Rights*, 232

¹⁹ Dulles to legal advisor memo (5 March 1952), as cited in Anderson, *Eyes off the Prize*, 229. For U.S. reticence to participate in treaty ratification generally, see Natalie Hevener Kaufman, *Human Rights Treaties and the Senate*.

²⁰ UN Doc. A/Bur/43 (30 October 1946).

Human Rights was at work drafting the UDHR and clearly fumbling over implementation, the CSW began debating separate covenants of their own. The president of the International Alliance, Katherine Bompas, told Kenyon that a “convention is the only method that works to force national action.”²¹ Skepticism about their prospects with the Commission on Human Rights may have played a role in the CSW debates over drafting separate conventions. Many had experienced the challenges of getting women’s rights acknowledged as part of the “rights of man” canon and likely questioned their ability to reshape centuries of treatment as second-class citizens within a single document. ECOSOC’s decision, which permitted, yet restricted, the CSW’s involvement in the UDHR drafting process, coupled with the decision to limit the CSW meetings to one per year, no doubt, gave some delegates pause about women’s chances of success with the mainstream human rights project.

While the delegates debated advancing separate women’s rights conventions, feminist activists disagreed on what rights they should address. The International Alliance president pressed Kenyon to introduce a blanket political and civil rights convention. Bompas believed it best to leave the touchy issue of women’s economic rights out of it, but acknowledged that “ultra-feminists,” like Jessie Street, would object.²² Indeed, Street and Amália Ledón argued that the CSW should introduce a blanket equal rights convention, covering women’s economic, social, civil and political rights.²³ Others, like Kenyon, argued that single-issue conventions on women’s civil rights might be more effective. She proposed drafting conventions on marriage, domicile, and nationality.²⁴ Feminist activists and delegates suggested that separate

²¹ Katherine Bompas to Dorothy Kenyon (29 July 1948), Kenyon papers, box 57, folder 2.

²² Katherine Bompas to Dorothy Kenyon (29 July 1948), Kenyon papers, box 57, folder 2.

²³ UN Doc. E/CN.6/50 (8 Jan 1948); UN Doc. E/CN.6/SR.39 (8 Jan 1948).

²⁴ UN Doc. E/CN.6/SR.29 (9 January 1948).

women's conventions might be easier to draft and less controversial than the Commission on Human Rights' covenant.²⁵ Perhaps feminist delegates could fly under the Cold War radar.

After the adoption of the UDHR, the CSW's tenuous balance of power tilted. The commission's ability to reach a consensus on its charter for women's rights had hinged on the maintenance of at least tacit cooperation. Jessie Street's fierce independence had frustrated the Australian diplomatic corps and in 1949, the government replaced her. The presence of a "middle power" delegate, like Street, committed to maintaining the spirit of wartime cooperation between the East and the West had mattered. The CSW's tacit alliance produced sufficient support to forward a program of equality that included economic and social as well as civil and political rights. In a show of solidarity, Kenyon had voted for the charter despite the fact that she disagreed with its "equal rights" language. At the 1949 session, Kenyon had new allies from Greece and Haiti and the backing of the new Australian delegate.²⁶ She continued to enjoy support from Mihri Pektas of Turkey, Britain's Mary Sutherland and Sieu-Ling Zung, the representative of the beleaguered Chinese Nationalist government. Furthermore, with a reshuffling of the CSW's country appointments, the Latin American representation dwindled from four to two. With this, the balance of power shifted. Previously, Kenyon had been required to support Latin American initiatives to get her own proposals adopted. This was no longer the case and Kenyon and Amália Ledón of Mexico soon battled over priorities. Ledón

²⁵ Katherine Bompas to Dorothy Kenyon (29 July 1948), Kenyon papers, box 57, folder 2. Kenyon was skeptical that it would take less time, speculating that a treaty involving "women's questions only is sure to take an unconscionable amount of time to get worked out." Dorothy Kenyon to Katherine Bompas (25 August 1948), Kenyon papers, box 57, folder 2.

²⁶ Street wrote to Alice Paul about Mrs. Tennison Woods, the Australian delegate: "As you know there are influences at work which wish to discredit and undermine the Status of women with the ultimate idea of having it abolished and directing its work along ineffectual lines from the feminist point of view. I am only too afraid that she will be a willing accomplice in these aims." Jessie Street to Alice Paul (18 June 1950), Paul papers, box 97, folder 1255.

and Bernardino wanted the CSW to forward the Inter-American Bogotá Convention on women's political and civil rights to the United Nations General Assembly. Kenyon wanted a nationality treaty instead.

With the collapse of the alliance, the core of the debate also shifted. No longer was it about the hierarchy of political and civil versus economic and social rights; it was now whether women's political or civil rights should take precedence. Kenyon argued that the CSW would be wiser to concentrate their efforts on a single convention, and the U.S. convention on nationality had broader appeal. Nine of the twenty-one UN member states that denied women political rights were Latin American countries. Kenyon argued that these states were free to adopt the Bogotá convention at any point. She rejected the idea that international pressure exerted by the United Nations might have more weight than if the Bogotá convention remained strictly within the inter-American sphere. The remaining twelve nations that had yet to enfranchise women had "small populations," such as Yemen and Syria. In these places, Kenyon asserted, education for women was more important than political rights. In contrast, a nationality convention was "urgently needed" by women the world over.²⁷ Civil rights more immediately deserved the CSW's attention.

Furthermore, at earlier sessions, the shaky alliance and commitment to cooperation had muted the most hyperbolic Cold War polemics, keeping the "iron curtain" from descending on the CSW.²⁸ This created space for civil discourse about the necessity of women's economic and social rights. While the feminist delegates never actually reached a consensus on protective labor legislation, they had agreed that women deserved particular rights to compensate for the marked disadvantages their social

²⁷ U.S. State Department Memorandum, Rachel Nason to Doris Cochrane (17 June 1949), State Department decimal files, 501.BD Women/6-1749.

²⁸ UN Doc. E/CN.6/SR.20 (5 January 1948).

responsibility as mothers created. The space for civil discourse evaporated with the shift in power. In a debate eerily similar to the earlier ECOSOC debates over Soviet wives, Kenyon's nationality convention thrust the women's commission into a Cold War tango. Pushing back against the nationality convention, the Soviet delegation pointed to the hypocrisy of Kenyon's attempts to advance the rights of married women, when "fifteen states...prohibited mixed marriages between Negroes and whites."²⁹ They demanded to know "where the principle of freedom of choice exists in the United States." Kenyon fired back: the women's equality that "exists in Russia was nothing better than the equality of slavery."³⁰ Boggled down in a debate over whether the United States or Soviet Union better advanced women's civil rights, the CSW's work on enforceable economic and social rights disappeared.

Instead, the CSW's focus now leaned solidly toward implementing women's political and civil rights. Kenyon and Ledón reached a compromise and the CSW forwarded requests for both conventions.³¹ CSW delegates stood behind Kenyon's push to keep women's economic and social rights within the purview of the ILO, passing a resolution that encouraged the organization to address the less controversial issue of equal pay.³² Women's economic and social rights would not be addressed within the UN's mainstream human rights framework; they were shunted off to the standard setting body of the ILO. It was a program that Kenyon had supported all along and there was no longer sufficient pressure to re-balance the CSW's agenda.

²⁹ Albion Ross, "U.S., Soviet Women Clash on Rights of Wives of Foreigners Under Russian Restrictions," *New York Times* (26 March 1949), 5.

³⁰ Kenyon's comments to Popova as reported in the Senate Tydings Committee hearings, 395. "Miss Kenyon calls McCarthy a 'Liar'," *New York Times* (9 March 1950), 5.

³¹ UN Doc. E/CN.6/97 (24 March 1949); UN Doc. E/CN.6/110 (30 March 1949).

³² UN Doc. E/CN.6/108 (30 March 1949).

The CSW's "equal rights" program thus became one of securing women's identical political and civil rights. The CSW would push the United Nations' General Assembly to implement only women's civil and political rights conventions. All action on women's economic and social rights took place under the affiliated, but distinct, umbrella of the International Labor Organization. UN member states had the power, if not the will, to enforce human rights standards, even if that enforcement amounted to no more than censure. In contrast, the ILO had no enforcement powers and relied solely on voluntary compliance.

Severing Women's Rights from Human Rights

By promoting separate conventions, the CSW kept an international agenda alive, but in doing so also severed women's rights from the mainstream UN human rights project. International women's rights activists had an incentive to press solely for political and civil rights. As a result of the increasing identification of human rights generally, but especially economic and social rights, with communist "Trojan Horses," a program of traditional political and civil rights offered the path of least resistance. The first human rights treaty adopted by the UN after the UDHR was the 1952 UN Convention on the Political Rights of Women.³³ The CSW followed this convention with one on Nationality (1957) and another on Marriage (1962).³⁴ The UN Commission on Human Rights had proven ineffective at advancing any legal guarantees for human rights, let alone the human rights of women. With the promotion of separate

³³ The General Assembly adopted the Convention on the Prevention and Punishment of the Crime of Genocide one day before the UDHR. The General Assembly adopted the Political Rights convention in December of 1952, it opened for signature in March of 1953. UN Treaty Series, vol. 193, No. 2613, p.135.

³⁴ Convention on the Nationality of Married Women, adopted by the General Assembly on 29 January 1957. UN Treaty Series, vol. 309, No. 4468, p.65; Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, adopted by the General Assembly on 7 November 1962. UN Treaty Series, vol. 521, No. 7525, p.231.

conventions, the advancement of *women's* rights no longer occurred within the context of the beleaguered, but still *human* rights framework. Indeed, the UN treaty monitoring system lists these three conventions (Political Rights, Nationality and Marriage) not under human rights treaties, but under a distinct section titled “Status of Women.” They are the only treaties under this section.³⁵ In contrast, the 1979 Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) is registered as a human rights treaty.³⁶ Indeed CEDAW is widely identified as the origins of the “women’s rights are human rights” movement, which forcefully emerged at the 1993 Vienna Conference on Human Rights and the 1995 Beijing World Conference on Women.³⁷

The Lost Equality Debates

In the early years following the UDHR’s adoption, the disputed and therefore fluid meaning of equality became linked to a liberal vision of women’s rights. CSW delegates no longer fought for human rights, but women’s rights. This alone may not be sufficient, however, to explain the collective loss of memory over the disputed, but flexible, 1940s application of equality.³⁸ The equality debates, which centered on

³⁵ For the UN Treaty Series and monitoring system, accessed 23 April 2012, <http://treaties.un.org/home.aspx>.

³⁶ Convention on the Elimination of All Forms Against Women (CEDAW), adopted by the General Assembly on December 1979. UN Treaty Series, vol. 1249, No. 20378, p.13. The United States is one of seven nations that have not signed CEDAW. The others are Iran, Somalia, Sudan, Nauru, Palau, Togo and Vatican City. Despite the number of CEDAW signatories, the convention has more reservations on file than any other UN human rights treaty. Unlike the Convention on the Elimination of all Forms of Racial Discrimination, which can reject a signature if the reservation undermines the convention’s intent, CEDAW has no such mechanism in place. As a result many of the countries which have signed CEDAW have reservations on file that undermine CEDAW’s most basic principles.

³⁷ The entire volume of the 1994 landmark *Human Rights of Women: National and International Perspectives*, edited by Rebecca Cook, takes CEDAW as the historical origins of the women’s human rights movement.

³⁸ Jennifer Amos argues that the exclusive attention to the UDHR drafting process obscures the “multiple, conflicting interpretations” evident in the years after the doctrine’s adoption. I contend that the

defining the human rights of women, are vividly represented during the Commission on the Status of Women debates and in the correspondence of women engaged in the process. In other words, the “equality” conversation took place in small feminist venues. It did not take place in the more widely tracked and reported human rights commission meetings. As a result, it is also largely absent from the histories that explore the creation of postwar human rights doctrines. Indeed, the language of “full equality” was quickly stricken from the lexicon of human rights standards. There was never a debate in the CHR over the original call for “full equality.”³⁹ The U.S. proposed language of “equal protection” took “full equality” off the table before the Commission on Human Rights had an opportunity to engage in a single one of their lengthy debates over what a proposed right meant.⁴⁰

Furthermore, many of the women engaged in the debates over equality disappeared from the international scene. Kenyon’s last term as the U.S. delegate was the 1949 session. She lobbied to keep her position, explaining to the head of the Democratic National Committee’s women’s section that “the whole question of women's opportunities has become of international significance. I wish conservative men in this country would realize how much is to be gained by opening new doors to women and how much is stupidly lost by just being old-fashioned about it.”⁴¹ But her re-appointment would have been too controversial. Kenyon’s affiliation with the

human rights articulated in the UDHR had multiple and conflicting interpretations during the drafting process as well. See Jennifer Amos, “Embracing and Contesting: The Soviet Union and the Universal Declaration of Human Rights, 1948-1958,” in *Human Rights in the Twentieth Century*, edited by Stefan Ludwig-Hoffmann (New York: Cambridge University Press, 2011), 147.

³⁹ UN Doc. E/CN.4/AC1/3 (4 June 1947).

⁴⁰ See Chapter Five.

⁴¹ Dorothy Kenyon to India Edwards (22 November 1948), Kenyon Papers, box 58, folder 8.

commission had brought her to the attention of an ambitious, rabidly anti-communist Senator from Wisconsin, Joseph McCarthy.

Despite their differences, Kenyon soon joined Street in the pantheon of activist delegates thrown over for suspicion that internationally-minded feminists were a threat. Kenyon holds the dubious honor of being McCarthy's first target, his "Exhibit A," at the March 1950 Tydings Committee Hearings. In the Senator's drive to establish that the U.S. State Department was teeming with "security risks," he introduced evidence that Kenyon held membership or sponsored organizations declared "subversive" by official government agencies. McCarthy accused Kenyon of collaboration with "well-known Communists."⁴² While Kenyon fiercely rebutted the allegations, even using her bout with Popova at the previous session as evidence of her loyalty, she was not re-appointed to the CSW.⁴³ Similarly, in 1949 the Australian Labor Party insisted that Street resign from the Soviet-Australian friendship society. Instead, Street resigned from the Labor Party. While she continued to be involved in international feminist activism, she shifted her primary focus to peace initiatives. In 1952 the United States refused Jessie Street an entrance visa to attend the General Assembly as an observer. This was despite the fact that she had United Nations press credentials. Begtrup left the heated commission for a more secure position as the Danish ambassador to Iceland. The most active feminists

⁴² Dorothy Kenyon testimony to the Tydings Senate Committee, p.447. Copy in Dorothy Kenyon, Federal Bureau of Investigation File, FOIA request No.: 1144715-000. Received by author from the FBI on 7 April 2010. Hereafter Tydings Committee.

⁴³ Tyding Committee Hearings, 395; Miss Kenyon calls McCarthy a 'Liar'," *New York Times* (9 March 1950), 5. For McCarthy's attacks on other women professionals in the government bureaucracy see Landon Storrs. Storrs, "Attacking the Washington 'Femocracy,'" which argues that the target of McCarthyism was not simply communists, but fear of women's increasing sexual and economic independence, 118-152.

from democratic nations, where the right of free speech should have permitted continued engagement in feminist ideas were, for all practical purposes, silenced.⁴⁴

In contrast, Bernardino survived the anti-communist witch hunt. For Trujillo, feminist activism, especially regarding women's political and civil rights, was not a threat, but a boon. Bernardino was not one to argue for the rights of women in the economic and social realms. In 1950, she became the permanent Dominican delegate to the United Nations. Dorothy Kenyon noted that "Minerva...knows how to land on her feet."⁴⁵ Bernardino did so by attaching herself to Trujillo's anti-communist crusade, even reporting the whereabouts of exiled "communist" Dominicans to Trujillo's henchmen, one of whom was her own brother, Felix Bernardino.⁴⁶ Most infamously, Minerva Bernardino presumably alerted Trujillo to University of Columbia Ph.D. candidate Jesús de Galíndez Suárez's doctoral thesis, *The Era of Trujillo*. Galíndez was subsequently "disappeared."⁴⁷ Yet before this, Bernardino turned on her old feminist allies. In 1953, she informed Trujillo of the location of her old *compañera*, Landestoy, now a "subversive" who had "Machiavellian plans" to undermine the regime.⁴⁸ Bernardino and Landestoy both had close ties to the IACW in the 1930s. Landestoy went

⁴⁴ For the shift to the right made by many mainstream U.S. women's organization and their cooperation in an anti-communist agenda see Helen Laville, *Cold War Women: The International Activities of American Women's Organizations* (New York: Manchester University Press, 2002).

⁴⁵ Dorothy Kenyon to Bodil Begtrup (15 February 1950), Kenyon Papers, box 58, folder 1.

⁴⁶ For Felix Bernardino's role as a henchman of Trujillo see Robert Crassweller, *Trujillo*, 193; Victor Grimaldi, *Sangre en el barrio del Jefe*.

⁴⁷ Galíndez fled the Dominican Republic in 1946 (after he came to the attention of the regime for his pro-labor position in the settlement of a labor dispute), coming to the U.S. In March 1956, he disappeared shortly after defending his dissertation, *The Era of Trujillo*. Legal testimony given in 2000 named Minerva Bernardino as the person who informed Trujillo of the dissertation. Testimony reprinted in Victor Grimaldi, *Sangre en el barrios del Jefe*, 72-3.

⁴⁸ Minerva Bernardino to Raphael Trujillo (23 December 1953), cited in Bernardo Vega, *Unos desafectos y otros en desgracia: Sufrimientos bajo la Dictadura de Trujillo* (Santo Domingo: Cultural Dominicana Fundación, 1986), 90.

into exile and in 1946 published a scathing critique of Trujillo's dictatorship.⁴⁹ There was no longer any doubt; Bernardino had become the dictator's feminist. While the Dominican Republic was an early signatory to the Political Rights Convention, Bernardino was not in a position to demand *rights over protections* for women in the social and economic realms.

Feminist delegates from the CSW commented on the consequences of their marginalization. Kenyon wrote to Begtrup that she would not be "joining the girls" in 1950. She had been replaced by "a nice woman...whose principle contribution is that she has worked hard for the Democratic party [sic]." Kenyon predicted: "Without me there to kick it into activity, the [U.S.] State Department will lie down and not do anything."⁵⁰ Similarly, Jessie Street lamented in 1952:

It is a great pity that the Government[s] do not appoint feminists as their representatives. After all, we know that feminists are experts in affairs concerning women. They are just as much expert as are lawyers, doctors, etc. but of this fact the average Cabinet Minister or Foreign Office official is as oblivious as a babe unborn. Membership [on] the Status of women Commission is a political plum which I am sure they [governments] regret must be conferred on a woman.⁵¹

Activist delegates had together—often amid great tensions—elaborated a novel vision of universal human rights, which included civil and political rights for women as individuals and particular economic and social rights for women as women. Those engaged in the process were some of the ideological Cold War's first casualties. Political tensions spawned a distrust of feminist social revolutionaries. This was true even for Dorothy Kenyon, who had faithfully prioritized traditional civil and political rights. Cold war and

⁴⁹ Carmita Landestoy, *Yo Tambien Acuso!* (Havana and New York: n.p., 1946).

⁵⁰ Dorothy Kenyon to Bodil Begtrup (15 February 1950), Kenyon papers, box 58, folder 1.

⁵¹ Jessie Street to Alice Paul (1 May 1952), Paul papers, box 99, folder 1294.

gender politics converged to disrupt the eclectic postwar landscape of international feminist activism, not only in its approach, but also its makeup.

The combined result was an obfuscation of the significant debates about the meaning of equality and the pursuit of women's human rights in the postwar universal human rights project. Equality came to be understood solely in terms of a liberal vision in which women pursued identical rights to men. The same erasure perpetuated the idea that universal human rights meant identical rights for all peoples, men or women. Equality and universality were emptied of their more fluid, flexible meanings. It took a reinvigorated international feminist movement and the end of the Cold War to spark the women's human rights movement, which exploded in the 1990s.⁵² At the 1993 Vienna Conference on Human Rights and the 1995 Beijing World Conference on Women, feminist activists labored to convince the world of the truth behind a long forgotten statement. It was one Dorothy Kenyon made in 1949: "Women's rights are human rights."⁵³

⁵² Charlotte Bunch, "Women's Rights as Human Rights: Toward a Re-Vision of Human Rights," *Human Rights Quarterly* 12 (November, 1990): 486-498 is acknowledged as the original call to make women's rights human rights.

⁵³ Dorothy Kenyon, "Freedom and Equality," *Independent Woman* (March 1949), Kenyon papers, box 21, folder 3.

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