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## Equality of Women's Economic Status? A Major Bone of Contention in the International Gender Politics Emerging During the Interwar Period

Susan Zimmermann

### ABSTRACT

This study brings together the often disparate scholarship on the League of Nations and the ILO. It follows the interactions between the League, women internationalists, and the ILO, which evolved around the question of woman-specific labor legislation and the equality of women's status. These interactions resulted in a broadening mandate of international gender policies while deepening the institutional and legal distinction between women's 'political and civil' as opposed to their 'economic' status. The ILO insisted on certain forms of women-specific labor regulation as a means of conjoining progressive gender and class politics, and was anxious to ensure its competence in all matters concerning women's economic status. The gender equality doctrine gaining ground in the League was rooted in a liberal-feminist paradigm which rejected the association of gender politics with such class concerns, and indeed aimed to force back the ILO's politics of gender-specific international labor standards. As a result of the widening divide between the women's policies of the League and the ILO, the international networks of labor women reduced their engagement with women's activism at the League. The developments of the 1930s deepened the tension between liberal feminism and feminisms engaging with class inequalities, and would have problematic long-term consequences for international gender politics.

### KEYWORDS

International gender politics; women's equal status; class politics; League of Nations; ILO

This study<sup>1</sup> focuses on one particular element of the cooperation and competition between the International Labour Organization (ILO), the League of Nations, and socialist and non-socialist international networks and organizations of women – the women internationalists – during the 1920s and 1930s. These actors were at the core of the dispute that evolved around the question of woman-specific labor legislation and the 'Equal Rights' or 'Equality of Status' of men and women<sup>2</sup> in international law between the late 1920s and late 1930s. The steps taken in the 1930s to rework this conflict deepened the rift between international women's politics based on the equality doctrine and the ILO's politics of women's work. This development can be considered a milestone in the historical process of the 'global construction of gender'<sup>3</sup> through international gender politics. These gender politics would be orchestrated by the dominant, large-scale international institutions of the twentieth century – such as the League of Nations, and, after 1945, the

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United Nations and the European Union – and, in the longer term, would generate overarching global gender norms. Towards the end of the twentieth century, the construction of international gender norms would culminate in the adoption and widespread ratification of overarching instruments such as the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979), and widely adopted principles and policies such as Gender Mainstreaming.<sup>4</sup>

Women and their organizations had, of course, been attempting to shape international politics under their own steam, and had aimed to influence international policy-making and male-dominated international organizations well before 1919 (and continued to do so during the interwar years).<sup>5</sup> International policies began to take on gendered subjects well before World War I. In this period, special labor protection for women constituted one key arena of international treaty writing, and international policy-making in this subject area gave rise to intense encounters and conflicts involving statesmen as well as both male-dominated and women's international organizations and networks.<sup>6</sup> When the League of Nations system was established in 1919 as an institutionalized forum of international and inter-state cooperation, both the League and the tripartite ILO established 'as part' of the League<sup>7</sup> came into being as gendered institutions that would pursue a variety of gendered policies. Established as 'a permanent organisation for international labour legislation',<sup>8</sup> the ILO embodied the idea of ensuring social peace by representing labor in decision-making and promoting labor standards that guaranteed workers' rights. The leadership, and much of the personnel of its permanent apparatus (the International Labour Office in Geneva), would be recruited from the ranks of the socialist trade union and labor movements, as well as their allies. With labor thereby included – and also contained – within the Geneva institutions, the Permanent Secretariat of the League of Nations and the various commissions and committees of the League attracted a much larger variety of experts, many of whom felt indebted to the spirit of liberal internationalism, an attitude that strongly shaped the vision and, to a certain extent, the politics of the League. This overall arrangement generated a permanent yet also dynamically developing and repeatedly contested division of labor between the ILO and the League, and (later on) the United Nations.<sup>9</sup>

Women tried hard to imbue the emerging League system with a progressive and proactive approach to a range of 'women's issues'. Representatives of the International Council of Women (ICW), the International Woman Suffrage Alliance (later International Alliance of Women for Suffrage and Equal Citizenship, IAW), and the emerging Women's International League for Peace and Freedom (WILPF), as well as labor women from many countries, came together in Bern, Paris, and Zurich in February and May 1919 to lobby the Paris peacemakers. The WILPF women drew up a 'Women's Charter' to be inserted together with the 'Labour Charter' – devising the future ILO – into the Paris peace settlement.<sup>10</sup> The meeting of the Inter-Allied Women Suffragists in February 1919 in Paris similarly adopted an International Charter of Women's Rights and Liberties.<sup>11</sup> These ideas of enshrining a general document on women's status in the Paris peace treaties may certainly be considered a precursor to the 1930s' politics of women's status. In March 1919, the Paris Labour Commission formally received a diverse group of women internationalists, some of whom had devised, and now presented, their own *Charte Internationale du Travail*.<sup>12</sup>

The varied demands the women put forward left a certain imprint on the mandate of the ILO. Yet, taken together, the women internationalists achieved much less in 1919 than many of them had hoped. In particular, their ideas pertaining to the inclusion of a

Women's Charter, i.e. a declaration of women's rights and status, into the Covenant of the League of Nations came to nothing. Still, the League of Nations constituted a historically new platform embodying the potential for these new types of strategy to internationalize gender politics. Moreover, the labor provisions of the Paris peace treaties, which provided for the establishment of the ILO, included important references to the politics of women's work, approving of the principles of 'equal remuneration' for women and men, and referring to special labor protection for women.<sup>13</sup> Upon constitution, the ILO, which was dedicated to the 'international regulation of labor conditions', indeed pro-actively embarked on a politics of the systematic (further) internationalization of woman-specific regulations in labor law. At its first meeting held in autumn 1919, the International Labour Conference adopted two woman-specific international conventions on maternity protection and night work, and added other stipulations that were relevant to the politics of women's work.<sup>14</sup> The women internationalists were once again present and successful in pushing through some of their demands.<sup>15</sup>

In 1919, the ILO was therefore well ahead of the League in terms of addressing and internationalizing women's issues within the institutional framework of international politics driven from Geneva – even though it did not engage with those visions of a more overarching international women's politics that had informed the propositions for an international Women's Charter. As it internationalized woman-specific labor legislation, the ILO took a definitive position in a quarrel between and within socialist and non-socialist politics and internationalisms on the pros and cons of such legislation originating in the nineteenth century.<sup>16</sup> In this study, I argue that the conflict on the 'equality of women's status' in Geneva was strongly driven by this conflict. The ILO insisted on certain forms of women-specific labor regulation as a means of conjoining progressive gender and class politics, and was thus anxious to ensure its competence for all matters concerning women's economic status. The gender equality doctrine gaining ground in the League of Nations was rooted in a liberal-feminist paradigm that rejected the association of gender politics with such class concerns, and indeed aimed to force back the ILO's politics of gender-specific international labor standards. As a result of the deepening rift between the women's politics being pursued by both the League and the ILO, in the later 1930s, the international labor women networks became (even) less interested in engaging with women's activism at the League. At the same time, the conflict of the 1930s greatly contributed to the (further) internationalization of gender politics and the broadening of its overall mandate. The related chain of events thus laid the foundations for the intertwined establishment of overarching or generalized women's equality politics at the international level and its liberal framing, as well as the separation of the politics of women's work. This development would be of lasting importance for international gender policies.

In developing this argument, I build and expand on several clusters of scholarship. My study brings together the new scholarship on the gendered history of the League of Nations<sup>17</sup> and the ILO,<sup>18</sup> which has often kept separate the developments in both institutions and the related international activities of women, even though some scholars discuss them in parallel. The literature on advocacy work for an envisioned League of Nations instrument on women's status that took place during the 1930s has regularly referred to the dispute surrounding the ILO's politics of women's work as an important point of reference that triggered the subsequent chain of events.<sup>19</sup> Yet, how this dispute shaped the results of the conflict concerning the politics of women's status in the 1930s,

as well as the centrality of the conflict for the longer term evolution of the relationship between the politics of the ILO, the League of Nations, and the women internationalists, has not been systematically unearthed thus far.<sup>20</sup> Equally, the broader scholarship on the history of women's internationalisms and international women's politics during the interwar period and beyond has tended to either obliterate the ILO or treat it either separately or as a footnote.<sup>21</sup> In turn, the literature on the ILO and women during the interwar period has sidelined the relevance of the relationship with the League for developments in the ILO.<sup>22</sup> Few studies have substantively discussed the question of continuity or change with regard to the combined question of special labor protection for women and the larger scale politics of women's equal rights from a long-term perspective.<sup>23</sup>

My discussion of the interwar contention surrounding the international politics of women's work and the equality of women's status contributes to the scholarship that has led beyond what Dorothy Sue Cobble has labeled the 'equal rights teleology',<sup>24</sup> and the simple juxtaposition of gender equality versus women's difference in labor law,<sup>25</sup> which has colored much of the scholarship in the field.<sup>26</sup> Marilyn Lake describes the opposition between 'protection' and 'equality' as a historical construct and an 'impossible choice' that deeply shaped the international feminist struggles of the interwar period.<sup>27</sup> By contrast, Cobble has argued that labor women's feminism throughout and beyond this period sought to combine a vision of 'women's rights and economic justice', rather than prioritizing one over the other.<sup>28</sup> Building on this scholarship, I aim to advance the discussion on the complex relationship between gender and class in the history of socialist and non-socialist women's activism and gender politics.<sup>29</sup> I argue that the historical contention on labor politics was informed by three – rather than two – foundational positions on how class and gender difference, as well as discrimination, should be addressed in the struggle for women's rights.<sup>30</sup> This allows me to explore from a new perspective the connections between the ILO politics of women's work and the broader activism aimed at anchoring the equality of women's status in international law during the interwar period.

Finally, my study builds on the scholarship concerning the expansion of international politics and governance during the twentieth century. The emergence of international gender politics with a more overarching and comprehensive mandate formed a part of this process.<sup>31</sup> The quarrel surrounding women-specific labor law was neither resolved nor were its framings in terms of gender and class fundamentally altered during the course of the international contention over women's equal status in the 1930s. Yet the changing definition and enlargement of the ILO's and the League's mandate with regard to women's status, which were generated throughout the course of these events, constituted an important step in the evolution of international gender politics and the global construction of gender.

In the following section, I shall first discuss how issues of gender and class shaped the conflict surrounding special labor 'protection' or, put differently, working women's 'discrimination' in international labor politics, and how this contention began to shape the evolving international gender politics of the interwar period. The second section explores how the related tensions translated into an encounter over, and a particular political settlement of, the institutional division of labor with regard to gender politics between the League of Nations and the ILO. The third section discusses some of the ensuing encounters between the League, the ILO, and the women internationalists, and provides a few glimpses into the relevance of the events of the 1930s with regard to the

development of international gender politics after 1945. It also sheds light on the key implications of the political settlement reached in Geneva during the 1930s.

### **1. Labor internationalism and women's rights: the ILO and the rise of a liberal vision for gender equality in international law, 1920s–1932**

The international struggle surrounding the politics of women's work was driven by three different policy visions that become discernible if we consider the class and gender implications of each of these visions within the given historical context.<sup>32</sup> Opponents and supporters of woman-specific labor law strongly disagreed about the impact class had in the world of work in terms of legal gender difference. Those who supported woman-specific labor law sought to curb class exploitation in the world of work, including the specific exploitation of women workers, by introducing or maintaining gender difference in labor law. Inspired by the aim to achieve gains for the working class, or else to reduce class distance in the world of work, they were ready to tolerate or advocate gender distance in labor law if this would benefit such progressive class policies. By contrast, those who advocated gender equality in labor law argued that only equality could curb class exploitation in the world of work. This was because equal legal conditions for female and male members of the working class as a whole would, in the longer term, contribute to the strengthening of the workers' position, whereas gender difference in labor law resulted in both women's gendered disadvantage and gender-specific exploitation in the world of work. As 'long as restrictions placed on the woman as a worker make certain processes monopolies for men and so limit her choice of employment', women workers were inevitably driven 'into ... the low-grade, unskilled and less well-paid employments. ... [T]he regulation of conditions of work equally applied to both sexes may be true protection of the worker'.<sup>33</sup> Opponents of woman-specific labor regulations thus opposed gender distance in labor law, arguing that such distance weakened women's position in the world of work compared to men (not just in terms of class), and was detrimental to the position of the working class as a whole.

Against the background of these contradictory overall approaches, the actors involved in the conflict on special labor protection pursued three types of strategy with regard to reforming labor law. One group of actors and organizations prioritized legal equality between women and men over policy goals related to class. Internationally, the Open Door International (ODI) emerged as a key proponent of unconditional legal equality in labor law. When referring to reforms or amendments of pre-existing labor laws, and to pre-given gender in/equality in labor law, legal equality feminists opposed both the retention and the introduction of legal inequality between men and women in labor law. They were thus willing to accept that pre-existing legal inequality between women and men in labor law would be abolished by revoking existing sex-specific labor standards, or by introducing gender-neutral measures that came with a lower level of protection. In other words, they accepted an overall curbing of legal labor protection standards, implying a widening of class distance in labor law, in order to avoid the emergence, or achieve the abolition of, gender distance within labor law. Such an approach was untenable for a second group of actors, who refused to prioritize gender over class concerns and vice versa, and a third group who prioritized class over gender concerns and/or advocated woman-specific standards for reasons which cannot be determined through analysis of the

relationship between gender and class in labor law.<sup>34</sup> The principal aim of the second group was to achieve high standards of labor protection, i.e. to narrow class distance and arrive at gender equality in labor law. When confronted with pre-existing special labor protection for women, these actors would demand the inclusion of men in such protective standards, a move combining the promotion of gender equality with class gain. Some of these actors also advocated the introduction or strengthening of woman-specific labor law – even though this implied a narrowing of class distance in labor law at the expense of gender equality – as a strategic first or intermediate step towards better labor protection for all. In addition, in reference to the world of work, they would argue that in times of pronounced capital pressure on labor, any questioning of pre-existing women-specific standards was likely to indeed result in an overall weakening or abolition of labor protection measures, and thus to a widening of class distance in labor law. The International Labour Office<sup>35</sup> and its close allies among the women internationalists certainly belonged to or tended towards the second group of actors when advocating woman-specific labor law. In his report laid before the 1927 session of the International Labour Conference, ILO Director Albert Thomas responded directly to what he perceived of as a ‘cry of “equality first”’ by ‘extremists in feminist organisations’ who were ‘preparing to carry on a strong campaign against any legislation which differentiates between the sexes’. Thomas argued that ‘historically special measures for the protection of women have never constituted a serious obstacle to their employment, but have rather paved the way for the protection of workers in general’.<sup>36</sup> For legal equality feminists, who posited legal gender equality as the singular most important goal, this type of world view, which invoked class issues as a motivating factor behind a politics of temporary gendered legal difference, was untenable.

Considering the complexities of how the approach to the relationship between gender distance and class distance shaped the thinking and strategies of the protagonists in the struggle over labor protection allows us to refine our understanding of the historical contention concerning special labor protection. The simple juxtaposition between protectionists who purportedly prioritized the question of class – or ‘social justice’ – vs. egalitarians prioritizing equality, which continues to characterize much of the scholarship on this history,<sup>37</sup> is misleading. The interaction between gender and class concerns, as well as politics related to race and global inequality,<sup>38</sup> which informed the evolving international gender politics of the 1920s and 1930s, was more complex. In addition, the world economic crisis and the rise of authoritarianism in the 1930s heightened the internationalists’ sense of urgency as they endeavored to ensure and protect women’s rights with the help of the international organizations seated in Geneva.<sup>39</sup>

The chain of events that would culminate in the dispute over women’s status in international law was set in motion in the middle of the 1920s. By this time, legal equality feminists were increasingly exerting pressure on international actors and organizations to do away with their commitment to, or tolerance for, special labor protection. This was primarily in response to the (perceived) power of the ILO and its politics of internationalizing and expanding woman-specific labor law. None of the ILO’s Conventions could overrule the law of nations and empires – they were binding only if ratified – yet they certainly influenced legal development around the world. Legal equality feminists were also concerned about the politics pursued by the more traditional networks of women internationalists that continued to support (some) woman-specific labor legislation. Important socialist or social-

democratic networks of women internationalists supported the ILO in principle (internal disagreement on special labor protection for women notwithstanding). This was the case with the International Committee of Trade Union Women of the International Federation of Trade Unions (IFTU) – with H el ene Burniaux, Jeanne Chevenard, Gertrud Hanna and others as prominent representatives – and the International Women’s Committee of the Labour and Socialist International (LSI), in which Marie Juchacz, Doroty Kluszynska, Alice Pels, Adelheid Popp, Martha Tausk and others played an important role.<sup>40</sup>

Between 1928 and 1931, legal equality feminists set up, or were instrumental in setting up, new international organizations, among them the Inter-American Commission of Women (CIM), the Equal Rights International (ERI), and the aforementioned Open Door International (ODI) with Chrystal Macmillan, Elizabeth Abbott, Rosa Welt Strauss and others as prominent representatives. The foundation of the Liaison Committee of Women’s International Organisations (LC), and the composition of this Committee, were influenced by these changes.<sup>41</sup> The establishment of the ODI, whose focus was exclusively on labor legislation, was a response to the politics of the ILO and the decisions taken by the IAW in the 1920s,<sup>42</sup> which had ‘left us without an International body equipped for dealing with the various attacks on women’s right to work made by the International Labour Organisation’.<sup>43</sup>

The idea of an overarching international treaty or convention on women’s status to be devised and adopted by the League of Nations – now envisioned as prescribing strict legal equality between women and men – was born in this context. Such a treaty was designed to both delegitimize, or prohibit, the enshrining of legal difference between women and men in international law, and to invite and push states to commit themselves to legal equality between the sexes in their national legislature.<sup>44</sup> The intention to delegitimize and reverse the international gender politics of the ILO was a key motivating factor behind the international campaign for such a treaty. The ‘International Discriminations’ enacted by the ILO were to be replaced by ‘International Rights’,<sup>45</sup> and the ILO was to be pressured into committing itself to a politics of legal equality in international labor law. The proponents of the equal rights treaty argued ‘that ... it would be perfectly possible for the same League, which passes Conventions placing legal disabilities on women’s work, to pass a Convention prohibiting the placing of legal disabilities on women’s work’.<sup>46</sup> In other words, the idea was to press for an international commitment to full legal equality between women and men, an idea which contradicted the ‘long-held international principle that the status of women was a matter of domestic jurisdiction alone’.<sup>47</sup> The League of Nations was to present itself as the designer and guardian of such an overarching concept of international gender politics, and to invite empires and states to adopt it. The question of what, in terms of labor law, would replace special protection for women was not addressed in the treaty, leaving the relevant prospective decision-making at the discretion of the ILO and the ratifying states. The approach legal equality feminists had long been pursuing in national contexts was thus enlarged so as to include international law and its relationship to domestic law. On countless occasions, legal equality feminists voiced their basic sympathy for gender-neutral labor protection. Yet they always refrained from demanding any concrete measures enacting such forms of labor protection since this would compromise their legal equality and gender-first or solely gender-based stance – and now the same approach was being taken to the treaty and their international campaign. In contradistinction to the international gender policies pursued by the ILO, the

treaty concept was void of any reference to progressive class policies and thus amenable to involvement with retrograde class policies. In 1931, the ODI declared that it was 'imperative' that the ILO's Night Work (Women) Convention 'shall be either abrogated or so altered that it applies to men and women equally'.<sup>48</sup> In 1933, the ERI requested that the Governing Body of the ILO consider the 'denunciation' of the Convention.<sup>49</sup>

The International Labour Office – not least in response to the mounting tide of legal equality feminism – in the meantime condensed its politics of women's work, which was conceived of as progressive class and gender policies, into a clear-cut double doctrine. It was possible and necessary, argued Director Albert Thomas in his report laid before the 1930 session of the International Labour Conference, 'to define separate fields of operation for the principle of the protection of the working women in industry, as such, and the principle of equal rights for women'.<sup>50</sup>

## 2. The 'status of women' and the relationship between the League of Nations and the ILO, 1933–1935

From 1933 onwards, endeavors to induce the League of Nations into a more extensive engagement with women's issues entered a new stage. A Resolution adopted by the Seventh International Conference of American States in Montevideo in 1933 and a related draft international treaty formed an important springboard for this development. Together the two documents can be considered to be of particular relevance to the relationship between gender and class in international gender politics. The draft treaty – which was a sideline initiative signed independently by just four states, and never came into force – was inspired by the overarching equal rights treaty promoted by legal equality feminists. Ratifying states were to ensure that 'men and women shall have equal rights throughout the territory subject to their respective jurisdictions'. The Resolution on Civil and Political Rights of Women, which, by contrast, was supported by the Conference itself, eclipsed the question of labor law and represented a partial and gradualist alternative. It invited the governments of the American states, insofar as 'their own constitution and custom would permit, to establish the maximum of equality between men and women in all matters pertaining to the possession, enjoyment and exercise of civil and political rights'.<sup>51</sup> A few months after the Montevideo Conference, on 26 September 1934, delegations representing 10 Central and South American states requested the President of the League of Nations to include on the Assembly's agenda 'the entire status of women, giving particular attention' to the Montevideo treaty, describing it as designed 'to remove all legal distinctions based on sex'. On 15 May 1935, the Secretary-General communicated the letter and the text of both the treaty and the Resolution of Montevideo to the Assembly, the Council, and the Members of the League.<sup>52</sup>

This sequence of events triggered a wave of interaction between the ILO, the women internationalists, and the League of Nations with regard to the question of a possible League action on the equal legal status of women. The fact that the League was under pressure to address this question was a historical novelty signaling two political changes. On the one hand, the treaty of Montevideo gave evidence that it might be possible for a group of real-existing states to agree upon a real-existing, comprehensively phrased equal rights treaty. The vision of a League of Nations Convention on the subject, and thus the idea of a more overarching international gender politics, appeared less removed from

reality. On the other hand, the Resolution adopted by the Conference of American States can be read as a precedent for international action that would eclipse the contentious issue of woman-specific labor law, or women's work more generally, from the emerging doctrine of legal equality between women and men in international governance. The idea of qualifying the treaty initiative by making a clear distinction between the civil and political rights of women, on the one hand, and social questions on the other, was not without precedent. A Resolution adopted in 1932 by the International Federation of Business and Professional Women (IFBPW), an organization advocating women's equal rights and freedom in the world of work, as well as certain types of special labor protection, declared that the Federation 'is in favour of equal rights as regards the constitutional and civic rights of women, but the social implications of the Equal Rights Bill are so involved ... that it is felt impossible at this time to take action on the Equal Rights Treaty as a whole'.<sup>53</sup>

The years 1934 and 1935 witnessed substantial interaction between the League, the women internationalists, and the International Labour Office. Legal equality feminists demanded, in no uncertain terms, that any possible equal rights treaty of the League of Nations 'should be such that ratification by a Government would involve ... the denunciation of all unequal International Conventions which it has ratified'<sup>54</sup> – an obvious reference to the ILO's women-only Conventions. In turn, during these years, the ILO began to reflect on the relationship between its double doctrine and strategy introduced above, and the evolving tension between the treaty idea and women-specific labor protection. From this point onwards, the ILO doctrine came to be of vital importance for the construction of the League's policies on women's status. The pre-existing legal status of the ILO, the policies pursued by the League Secretariat in accordance with the Assembly initiative of 1934, and the old and new strategies of women internationalists informed the related interactions. These interactions were to bring about important innovation in the emerging international gender politics as compared to both the earlier vision of an overarching and comprehensive equal rights doctrine, and the earlier ideas for a Women's Charter, which had all specified various thematically organized policy goals.

In January 1935, the Council of the League of Nations authorized the Secretary-General to seek and circulate 'statements from the women's international organizations' on the 'status of women', and it was evident that this question would be put on the agenda of the League Assembly in September 1935.<sup>55</sup> Marguerite Thibert, the representative at the International Labour Office responsible for matters concerning women's work,<sup>56</sup> engaged intensely with the complexities of the situation early on. In a memorandum dated April 1935, she contemplated and devised a number of road maps for ILO action. In pursuance of the Office's strategy of claiming the ILO's 'exclusive prerogative' to deal with certain agendas, Thibert now aimed to eclipse the question of woman-specific labor protection from any possible League action on the matter. At the same time, she developed innovative thinking on how to claim ILO responsibilities within the context of the League starting to phrase gender politics in more overarching terms.<sup>57</sup>

'In a private capacity', Thibert advised leaders of the women's organizations to aim, 'in the spirit of political realism', to 'reduce' possible League action to political rights and some 'clearly defined' civil rights issues.<sup>58</sup> Thibert argued that such a course of action would improve the chances of achieving some form of tangible League action: in other words, real results. Yet, Thibert knew that faced with the reality of economic depression, even members of women's organizations in favor of special labor protection might not

feel comfortable with such a minimalist strategy. Since, in response to mounting unemployment, many countries had already taken measures encroaching on women's right to work, even supporters of the ILO's policies felt that it was important to stick to a broad concept of equality. '[F]or many the essential aim of the action undertaken appears to be opposing' attacks against women's right to work. Yet, any such encompassing formulations entailed 'dangers of interpretation' with regard to special labor law, and Thibert claimed she had even 'been told' that 'certain extremist organizations' were planning a 'preamble that would speak about legal equality in the matter of labor legislation'. This idea indeed prefigured what would become reality in 1945, when the Preamble of the Charter of the United Nations would include the reaffirmation of 'the equal rights of men and women' without any further qualifications. Back in 1935, Thibert, in response to the dangers she identified and the various propositions floating around, considered an inverted course of action, namely 'an interpretation to the contrary, clearly excluding the protective legislation for women workers from the field of application of the treaty'. She expressed her hope that this idea could be put forward by the labor and socialist women organized in the Women committees of the IFTU and the LSI. Thibert considered it 'logical that a treaty prepared by the Assembly of the League of Nations does not concern the legislation for women workers for which the International Labour Organisation is solely responsible'. She concluded her elaboration in an overtly optimistic tone, connecting the ILO's double doctrine with pre-existing and future constitutional and international law. In a number of countries, including the Soviet Union, modern constitutions already contained a proclamation of the 'abolition of all privileges of sex', and easily combined this principle with special protection for women's work. A generalized League statement regarding the equality between women and men thus might not even ultimately endanger special labor protection, and trade union women might be well advised to state this argument before the League Assembly.

Soon thereafter, Thibert and M. J. Morellet, Chief of the Legal Service of the International Labour Office, agreed that a convention eventually prepared by the League of Nations 'ought not to concern the regulation of conditions of labor which falls under the competence of the ILO'. Thibert informed the Chief of the Labour Conditions Section of the Office that in order to 'avoid any difficulty of interpretation in the future, he [Morellet] thinks that it would evidently be preferable' if a statement or resolution was prepared which would clearly indicate 'that the protective legislation for the health of women workers is excluded from such regulation or study'.<sup>59</sup> At this point, Thibert continued to use language that in concrete terms evoked labor legislation for women workers. Yet, on behalf of the ILO, she had conceived the idea that a general statement should be sought to the effect of excluding this policy area from any new gender politics that might be devised by the League.

The leadership of the International Labour Office was slow in responding to, or even unaware of, the 'dangers' built into the League Assembly's upcoming engagement with the status of women to which Thibert so desperately aimed to alert them. In June 1935, ILO Director Harold Butler, while claiming to 'realize the difficulty of the situation' with regard to the 'Equal Rights Treaty', informed the League that the ILO was not willing to undertake an inquiry into 'the question of protective legislation for women', while the rest of the legislation potentially affected by the 'equal rights' demands was 'outside of our sphere'.<sup>60</sup> Yet, Marguerite Thibert insisted that those responsible at the International Labour Office must seriously engage with the matter. She tried to push the Office to

support a course of action that was 'likely' to be proposed by a number of large women's organizations, namely that the League should, as a first step, mandate a 'study on the existing legal situation'. The International Labour Office would participate in this work by updating and extending its pre-existing studies on 'labor legislation'.<sup>61</sup> Thibert cooperated closely with Gabrielle Radziwill, who was responsible at the League Secretariat for liaising with women's organizations. Both women worked to convince the leadership of their respective institutions that in view of the increasing attacks on women's right to work, and because women's organizations were eager to engage the League with their various agendas and women's issues more generally, it would be a mistake if the League or the ILO simply warded off the whole 'affair'.<sup>62</sup> In addition, Thibert was keen to finally see the convocation of a meeting of the IFTU Women's committee, and to ensure that the committee would generate its own memorandum addressed to the League, alongside the statements already submitted by many other women's organizations.<sup>63</sup> At the latest possible moment, such a memorandum was indeed submitted. It 'urgently' drew the attention of the League 'to the fact that ... the examination of any social aspect, and of labour legislation, is and should remain the exclusive domain' of the ILO.<sup>64</sup> This phrasing was expansive compared to the wording Thibert had used when communicating with her superiors and colleagues. The IFTU Women's committee was included in the group of representatives from several women's organizations who were received by the Director-General of the League of Nations in September 1935.<sup>65</sup>

The Secretariat of the League of Nations and the International Labour Office took their formal decisions on how to handle the contentious issue of women's special protection in labor law and the question of the involvement of the Office and the ILO in the 'status of women' only a few days before the opening of the 1935 session of the Assembly. On 5 September, Hugh McKinnon Wood, officer of the League Secretariat and Secretary of the First Committee of the League Assembly on legal issues, which was to discuss the 'Status of Women', turned to ILO Director Harold Butler. McKinnon Wood – presenting the 'affair' in terms similar to those earlier employed by Thibert – informed Butler that putting the 'subject' of the status of women on the Assembly's agenda 'raises in a violently controversial manner the question of special industrial protection for women'. Both McKinnon Wood and the Secretary-General of the League therefore wanted the ILO to be closely involved with the work of the First Committee. It seemed 'undesirable that the First Committee, if it can be prevented, should take any course which might embarrass the Labour Organisation, to whose competence the question of industrial protection exclusively belongs'. McKinnon Wood wished to avoid any decision that would commit the League to pursue an inquiry into the status of women, since such a course of action would, among other things, '*prima facie* ... seem inconvenient for the Labour Organisation unless the industrial protection part of the subject had in some way been eliminated'.<sup>66</sup> In the end, it was decided that ILO Assistant Director Fernand Maurette would attend the meeting of the First Committee. Maurette explained to the Committee the constitutional position of the ILO. He underlined 'that it was open to any country represented on the Governing Body of the International Labour Office to submit the question of the status of women under national laws relating to conditions of employment to the Governing Body at any time'.<sup>67</sup> This element of the status of women fell exclusively under the competence of the ILO, and the ILO was fully prepared to reserve the right to make any related decisions.

Maurette's presence at and performance before the First Committee signaled that the International Labour Office had, at this point, accepted that its politics of women's work effectively constituted one component of a larger politics concerning the 'status of women'. His action was effective and a trigger for innovation in international gender politics. The 1935 session of the Assembly of the League of Nations took its decision both building on the inherited division of labor between the League and the ILO, and taking into consideration the ILO's response to the emerging politics of women's status. The draft resolution submitted by the First Committee, and adopted by the Assembly, merged the question of woman-specific labor protection into a newly constituted third 'economic' pillar – which absorbed all matters so far variously outlined, for example, as industrial legislation or protection of the working women – of the League's emerging politics of 'women's status'. It affirmed the ILO's competence for action in the third realm. The Assembly Resolution declared that 'the terms of the Equal Rights Treaty should be examined in relation to the existing political, civil and economic status of women under the laws of the countries of the world'. It went on to add that 'the question of conditions of employment, whether of men or women' fell under the competence of the ILO. Therefore, the League was to receive information – from governments and women's organizations – that exclusively dealt with the 'political and civil status of women', while the ILO was invited 'in accordance with its normal procedure, [to] undertake an examination of those aspects of the problem within its competence – namely, the question of equality under labour legislation'; it was hoped that the ILO would 'in the first place, examine the question of legislation which affects discriminations, some of which may be detrimental to women's right to work'.<sup>68</sup>

The Assembly Resolution of 1935 thus established the vision of a comprehensive international gender politics characterized by the distinction between the 'political and civil' status of women – to be addressed by the League of Nations – and issues related to women's 'economic' status, including women's work, which were to be addressed by the ILO. The term 'economic status' of women had been in use in Geneva in the run-up to the Assembly session in September 1935. In its memorandum laid before the League, the IFBPW had referred to the 'economic status of women' as one crucial pillar of any overall inquiry on 'the whole status of women'. The memorandum had been shared with the ILO before the opening of the 1935 session, together with a second document which gave extracts from publications of the Women's Bureau of the United States Department of Labor on the 'economic status' of business and professional women.<sup>69</sup> Soon after the Assembly had adopted the status of women Resolution, this League statement was referred to in many quarters, including the League Secretariat itself, as the Resolution on the 'political, civil, and economic status of women',<sup>70</sup> and reference to women's 'economic status' would be a term regularly used in relation to the ensuing ILO action in the years to come.

### **3. Gender, class, and women's economic status: the international reworking of an old conflict, 1935–1938 and beyond**

The Assembly decision of 1935 marked a 'watershed' in the history of international gender policies,<sup>71</sup> and not simply in terms of advancing the women's rights agenda on the international plane. The institutional and political distinction in international law and politics between separate arenas of gender policies triggered by the Resolution reflected long-standing divisions and tensions in the women's movement which reached back into the

nineteenth century and had become increasingly internationalized after the establishment of the ILO in 1919. At the same time, the Resolution was innovative in terms of how it captured and reworked these tensions, and because it enshrined an innovative 'solution' to these tensions into international law. The Resolution inscribed a political and legal distinction between policies referring to the 'economic status' of women, as opposed to all other policies related to women's status, into the relationship between the League of Nations and the ILO, whose objective in 1919 had been defined – much more narrowly – as the 'improvement' of 'conditions of labour' worldwide.<sup>72</sup> The exchanges in the months leading up to the 1935 session of the League Assembly shed light on the fluidity of the scenarios envisioned by many actors on how the emerging politics of women's status might relate to this inherited institutional background.

The division of labor generated in 1935 with regard to the new international politics of women's status was to have ambiguous consequences. It can be argued that in the long term it hampered the interconnection between international gender politics and progressive class policies, while at the same time contributing to the recognition and advancement of important women's interests and demands internationally. These contradictory tendencies arose against the backdrop of three distinctive implications of the 1935 Resolution.

First, the distinction between the 'political and civil', on the one hand, and the 'economic' on the other, had important consequences in terms of the character of and differentiation between gender policies to be pursued in each of the two settings. Read against the – conflicting and overlapping – interests that had given rise to it in the first place, it is apparent that this distinction was driven by and likely to give credence to the idea that gender politics might only be combined with other types of (self-identified) progressive policies in the third – the 'economic' – sphere. At the time, the politics of woman-specific labor protection was the only area of women's policy where a major international actor, the ILO, argued systematically against (immediate) legal equality between women and men, pointing to the potentially adverse class implications of such equality in the realm of labor law.

In turn, broadly conceived equality between women and men became the leading cause of the politics to be pursued within the other two League-dominated realms of women's status politics. This remained the case even though women internationalists continued to disagree on a number of issues pertaining to these two realms. Legal equality politics, which had been gaining ground in the international sphere since the late 1920s, could have political implications in the realm of 'political and civil' rights that were not dissimilar to the implications of the legal equality scenario when applied to the question of labor protection. Suffrage feminism based on the same principle had long pursued a politics of strict neutrality with regard to the possible exclusion of women and men who, for example, did not own property or who paid less than a required minimum in taxes, within a given electoral system, as long as this system was built on gender-neutral legal suffrage regulations. This was the case even though leading feminists who were approving of such an approach were fully dedicated, in principle, to the ideal of democracy, or the well-being of the working population.<sup>73</sup> In other words, legal equality politics had long epitomized a type of liberal feminism with regard not only to women's economic but also to their civil and political legal status, which conceptually and politically was sharply detached from progressive (or retrograde) class politics and other politics challenging (or deepening)

inequalities other than those between women and men. After 1935, it was thus hard to imagine any successful political intervention into the League portion of the politics of women's status that would be at a counter-purpose to such gender-only framings.

Accordingly, the voice of important sectors of international labor feminism, pursuing both progressive gender and progressive class interests, was effectively stymied within the League's relevant activities. In 1936 and 1937, many international women's organizations responded to the League's call for the provision of information on the civil and political status of women in all countries of the world.<sup>74</sup> Neither the Women's committee of the IFTU nor (in all likelihood) the LSI Women's committee contributed to this collection of documents. This can be read as an indication of the fact that after the establishment of a clear-cut division of labor between the League and the ILO, with regard to the politics of women's status, the endeavor of bringing a class perspective to women's politics in Geneva was effectively exiled into the realm of the ILO alone. The International conference of the IFTU women convened in London in 1936 dealt in detail with questions related to the League decision and inquiry, and considered submitting another memorandum, as they had done in 1935. Yet, the Resolution adopted at the conference referred exclusively to the ILO portion of the inquiry and the contribution of the IFTU Women's committee to this inquiry.<sup>75</sup>

In the longer run, the disentanglement of the League's politics of women's status from progressive class policies made legal gender equality or non-discrimination by sex compatible with the liberal human rights and equal rights' agenda which, after World War II, was enshrined in the Charter of the United Nations and many subsequent documents.<sup>76</sup> While economic well-being was regularly invoked in international documents pertaining to this tradition, to this day the more narrowly defined agenda of women's equal rights makes no reference to class. The legal equality paradigm, insofar as it began to inform the politics of women's civil and political status in the 1930s, signaled the advancement of a liberal paradigm of feminism within two of the three dominions constituting the new international gender politics. This was one of the long-term legacies of the events of the 1930s which deserves more scholarly attention than it has so far attracted.

The second key problem generated by the 1935 Resolution concerned the fact that shielding the politics of woman-specific labor protection under the label of women's 'economic status' and within a separate, third dominion of the international politics of women's status was, in essence, a defensive strategy. The separation conveyed the message that policies such as those outlined by the ILO concerning labor protection had no bearing whatsoever on gender politics associated with the other two dominions. The mandate of the League was considered broader and more general compared to the mandate of the ILO, and the League enjoyed singular institutional status in the internationalism and global governance of the interwar period (even though its Conventions, just as those of the ILO, had no power to overrule national law and were binding only if ratified). This political setting generated, or reinforced, the notion that the ILO's policies of special labor protection constituted an isolated particularism of limited political relevance within the emerging international politics of women's status. The ILO's own argument, namely that special labor protection for women constituted an intermediate step on the historical road towards more and equal labor protection for all workers, and that technological and other progress in the world of labor might make some types of special protection for women unnecessary in the future, reinforced such a perception.

By the late 1930s, it had already become evident that this constellation invited constant attacks on the international politics of special labor protection, and, by extension, on any possible systematic connection between a politics on women's 'economic' status and progressive class politics as devised by the ILO. Mary Anderson, Director of the Women's Bureau at the US Department of Labor and an important supporter of the ILO's course of action, voiced her concern that equal rights policies, as associated with the League of Nations' status of women politics, already had an expansive character in 1936. She observed that Marguerite Thibert's judgment that should the Assembly adopt 'a Convention on equal rights', this 'could only concern civil and political rights', actually might not capture the whole picture. Anderson warned that the wording of the Montevideo treaty was 'so broad that ... any law ... that is not the same for men and women, will be annulled'.<sup>77</sup> While the exchange between Anderson and Thibert certainly mirrored the fact that Anderson was less familiar with what was going on in Geneva at the time, it still pointed to an inherent weakness of the arrangement the ILO had reached. Any status of women convention adopted by the League certainly would be based on the concept of women's equal political and civil rights, and this would build up pressure on the ILO and its allies to come up with a similarly overarching action based on the same principle within the 'economic' sphere. Such pressure soon began to make itself felt. In line with the 1935 Assembly Resolution, the League invited the governments and the women's organizations to submit memoranda on women's political and civil status. In February 1936, in a letter to the Secretary-General of the League, the LC expressed its concern that these memoranda could not 'estimate properly the position of any class or section of the community' without taking into account the 'economic status and opportunities' of women and men. At this point, the International Labour Office refused to consider these concerns.<sup>78</sup> As soon as the Office entered into the process of implementing the 1935 Assembly Resolution, insofar as it concerned the ILO, the ERI and the ODI once again, but this time with reference to the Resolution, challenged the legitimacy of special labor protection. The organizations protested against the interpretation of the League Assembly proceedings which the Office had communicated to the ILO's Governing Body. The legal equality feminists who were members of these two organizations claimed that the First Committee of the Assembly of the League of Nations, in contradistinction to the reading proposed by the Office, in no way had 'implicitly recognised the necessity of special protective legislation for women', and that any reading of the Assembly Resolution stipulating that special labor protection was not to be considered discrimination was incorrect and mistaken.<sup>79</sup>

In April 1936, the Information Section of the League of Nations issued a communiqué on 'The Status of Women' which rang alarm bells for Marguerite Thibert – and not for the first time. The communiqué referred at length to the 'broadly based enquiry' the League had 'set on foot'. It pointed to the documents women's organizations were soon to submit to the League that would address 'the common experience of the working woman, the professional woman, the wife and the mother', as well as the effects of the economic depression on women's work, among other issues.<sup>80</sup> And this was not the only encroachment on ILO territory contained in the communiqué.

Marguerite Thibert did not hesitate to address the issue head-on, and even abandoned the usual diplomatic wording. The text, she instructed Mary McGeachy, senior assistant at the Information Section, of the Secretariat of the League of Nations,<sup>81</sup> 'gives an entirely

wrong impression about the decisions taken' by the International Labour Office. In certain passages, the communiqué contained 'manifest errors which can give rise to interpretations most dangerous to us', for instance, when stating that the Assembly Resolution had 'requested' the ILO 'to look again into the international labour Conventions ... drawn up ... during the past fifteen years to see whether any of these may, in their endeavour to protect the health and well-being of women engaged in industrial and other work, actually be detrimental to women's right to work'. Neither would the Office engage in any such examination, nor had any of the members of the First Committee of the Assembly of the League of Nations suggested that it should do so. Marguerite Thibert rebuked her colleague at the Secretariat of the League of Nations, stating that rather than relying on dangerous misrepresentations such as those contained in the communiqué, the Office itself would 'try to give the necessary publication to the decisions' it had taken: 'I beg you urgently to suspend the distribution of this communiqué'. It was important that 'our two organizations limit themselves very strictly in the distribution of information to the field of their respective competence with regard to the question of the Women's Statute' and to ensure that any receipt, exchange, and distribution of information was channeled in such a way that it mirrored this strict division of labor.<sup>82</sup>

These and other conflicts and interventions surrounding the newly established division of labor between the League and the LLO with regard to women's status formed part of a larger movement aimed at putting pressure on the ILO to do away with its special protection policies. Only a few months after the League of Nations' 1935 decision, women's organizations expressed their hope that the wider 'question of the status of women in industry' might be put on the agenda of the 1936 session of the International Labour Conference.<sup>83</sup> This phrasing visibly built and expanded on the wording of the item 'Women's Status', which had been on the agenda of the 1935 League Assembly. Invoking the division of tasks between the two organizations, the request aimed to induce the ILO to broaden and deepen its engagement with issues of women's work. Legal equality feminists, for their part – outraged by the League Resolution that was 'bad for the woman worker'<sup>84</sup> – pressed for the submission of a 'resolution on the principle of equality' to be laid before the delegates of the International Labour Conference.<sup>85</sup> Both Marguerite Thibert and ILO Director Harold Butler worked hard to convince the proponents of these ideas that the action they demanded was doomed to failure. The propositions, of the legal equality feminists in particular, entailed the 'danger ... so seriously to alienate the Governing Body that it might refuse to examine even the most reasonable requests submitted to it by women's organisations'. The Office also sought to mobilize its own allies among the women internationalists to support the ILO in countering such plans.<sup>86</sup>

In the end, the 1936 session of the International Labour Conference was saved from a formal response to the initiatives mentioned above. However, when the same session of the Conference adopted the Recruiting of Indigenous Workers Convention, 1936 (No. 50), it omitted those highly paternalistic, gender-specific stipulations the Office had originally planned for.<sup>87</sup>

The questioning of the legitimacy of the ILO's women-only Conventions, as encouraged by the rise of an international politics of women's equal status rooted in a liberal-feminist paradigm, was to have repercussions throughout international gender politics well beyond the 1930s. To be sure, the United Nations, even though committed to 'the equal rights of men and women', was in its first two decades far from pursuing an

expansive agenda of women's equal rights. In the early decades of the Cold War, women committed to official state-socialist policy doctrines, which aimed to combine the gender equality agenda with progressive class politics, pushed hard for this double agenda within the UN rather than the ILO.<sup>88</sup> By the 1980s, however, in the context of the global rise of neoliberalism, the progressive class politics of the ILO would again be challenged,<sup>89</sup> just as the case had been in the economic and political crisis of the 1930s. CEDAW, adopted by the UN in 1979, provided one springboard for questioning the legality of the ILO's women-only Conventions.<sup>90</sup> A key women's rights treaty that entered international law in the second half of the twentieth century, CEDAW was grounded in a strong commitment to legal equality between women and men, and contained anti-discrimination measures as well.<sup>91</sup> Encounters related to CEDAW and involving the ILO showcased the problematic implications with regard to the class orientation of the politics of women's work of the international division of labor as established between the ILO and the League of Nations in the 1930s, and sustained between the ILO and the United Nations after 1945. After the adoption of CEDAW, the ILO saw itself confronted with the 'concern' of several governments regarding the 'possible incompatibility between the UN Convention and ILO instruments' – such as the Night Work (Women) Convention of 1948 and the Underground Work (Women) Convention of 1935 – 'which might result in the inability to ratify the UN Convention without previous denunciation of conflicting ILO instruments'.<sup>92</sup> The International Labour Office reacted defensively. In a note prepared in 1984, it stated that during the negotiation of CEDAW, 'the most radical position, i.e. the requirement that such legislation should be repealed immediately, did not prevail in the final text'. The 'Convention does not expressly ask for such a step to be taken'.<sup>93</sup> Still, the ILO was now forced into negotiations between equality politics and its women-only instruments that implicitly acknowledged the power of its opponents who mobilized the legal equality doctrine. In line with its own view, established during the interwar years, that in the longer run technological and other developments in the world of work might render certain women-only standards superfluous, the Office pointed out that in accordance with CEDAW, the ILO member states were to periodically review 'protective legislation'; following such review, they 'might need to denounce the relevant ILO Conventions at the appropriate time'.<sup>94</sup> A few years later, the ILO, with regard to its politics of restricting night work, gave in to pressure to establish legal equality between women and men – without being able to ensure that the replacement of women-specific regulations by gender-neutral rules would be accompanied by the successful international promotion of progressive class politics. In fact, the opposite happened. In 1990, the ILO adopted a new, gender-neutral Night Work Convention. The Convention was 'elastic' in terms of the forms the restriction of night work could take, but inclusive in terms of the labor relations it covered. It received little ratification. In the early 2000s, an ILO Expert Committee concluded that 'there is a risk of a complete deregulation of night work through the removal of all protective measures for women and the failure to replace them with a legislation offering appropriate protection to all night workers'.<sup>95</sup> By the beginning of the twenty-first century, the liberal legal equality paradigm had become increasingly dominant in high-level international gender politics.

The third major implication of the 1935 Assembly Resolution, and the establishment of the politics of women's status with its divided responsibilities, was a broadening and more women-friendly engagement with working women's lives and interests

internationally, including within the ILO. The establishment of the new paradigm at the League of Nations, and the pressure it put on the ILO, provided labor feminists working within and around the ILO with new opportunities to advance their agendas within the organization. In the latter half of the 1930s, women connected to and involved in ILO politics successfully advocated for a less restrictive and more inclusive engagement on behalf of the ILO in terms of questions concerning women's position and gender policies. Two developments deserve particular attention in this regard.

First, the League's 1935 invitation that the ILO would undertake 'in accordance with its normal procedure' an examination of 'the question of equality under labour legislation' and possible gender-specific discriminations in the world of work, was soon translated into an expansive mandate for a new type of engagement with women's work at the International Labour Office. The Governing Body, as per the Director's request made in February 1936, entrusted the Office not only to prepare a study which, building on earlier publications,<sup>96</sup> was to update information about women's (unequal) status in labor law, but also to 'collect information on the economic status of women' in general.<sup>97</sup> International women's organizations had previously lobbied to bring about such an expansive course of action. Indeed, the IFBPW urged the Office to 'include not merely the legal situation, as defined by the [Assembly] Resolution, but the real economic status of women in each country', including aspects such as 'wages, hours of work, possibilities of employment and training, etc., etc.' A study was to be launched on 'the *whole question of economic status* in the light of modern conditions' and with regard to 'the actual situation ... *both in law and in practice*'.<sup>98</sup> The IAW, for its part, pressed for 'a full and objective study' of labor legislation and conditions of work. 'We would regard it as the loss of a probably unique occasion if the examination were to be limited in any way, such as by the consideration that some discriminations are widely held, by both men and women, to be beneficial to women and not detrimental to their right of work'.<sup>99</sup>

As a result of the decision taken by the Governing Body, Marguerite Thibert and her team soon launched a large-scale study on women's work which significantly transgressed the inherited scope of interest prevailing in the Office. The framing of this study spoke to an elaborate understanding of the questions to be addressed by an 'enquiry on the economic aspects of women's work'. Besides the development of women's employment and unemployment, the study was to focus on 'vocational training open to women', the 'comparative rates of men's and women's wages', and the 'family circumstances of gainfully employed women and their responsibility, if any, for dependents'.<sup>100</sup> The Correspondence Committee on Women's Work, which included important leaders from the international organizations of labor and trade union women,<sup>101</sup> and relevant occupational organizations, was to assist the Office in this work; Thibert and her team also invited a long list of women's organizations, including the Women's committees of the LSI and the IFTU, to contribute to the collection of data.<sup>102</sup> In the late 1930s, the initiative dwindled, and by the time of the outbreak of World War II, only the parallel large-scale study on labor 'legislation applying specially to women's work' around the world was published.<sup>103</sup>

Second, in 1937, the ILO laid down its own principles with regard to the politics of women's status and women's work, and in so doing assimilated some of the broader vision for women's politics that labor feminism had advocated during the interwar years. The International Labour Conference adopted a Resolution that built on important precursors at the first Labour Conference of the American States that were members of the ILO,

which was held in January 1936 in Santiago (Chile).<sup>104</sup> The ILO Resolution confirmed both the reframed division of labor between the League of Nations and the ILO with regard to international gender politics, and the vision that woman-specific circumstances in economic life demanded a woman-specific approach in labor policy. Its wording built on the text of the 'Women's Charter', which US labor feminists – with Mary Anderson as one of the chief proponents – had developed. The Charter was designed as a 'laborist' alternative to the equal rights treaty.<sup>105</sup> Anderson had initially aimed to rally the International Labour Conference behind the Charter itself, her idea being 'that it might be incorporated in our [the ILO's] constitution'.<sup>106</sup> This had caused anxiety in the Office, especially given that the text of the Charter was inclusive of civil and political rights, and thus threatening to question the status quo achieved with the League, or even provoking its protest. It was also feared that any ILO action on the issue would transform the upcoming Conference session into a platform for another struggle between supporters of (some) special labor protection and legal equality feminists.<sup>107</sup> Yet a compromise was finally reached, and the text of a draft resolution submitted by the US government delegates Grace Abbott and Edward O'Grady was agreeable to the Office. The Resolution adopted was identical to this draft. It stressed that the ILO had done good work in adopting three Conventions on the special labor protection of women. Importantly, however, there had been 'no recognition' so far 'by the Conference that much protective legislation would be unnecessary if women enjoyed equal civil and political rights with men'. While 'some' of the 'principles' discussed in the text 'lie within the competence of other international bodies', women 'in addition to full political and civil rights' should be 'protected by legislative safeguards against physically harmful conditions of employment and economic exploitation, including the safeguarding of motherhood'. Women were to be protected, in other words, 'by social and labour legislation which world experience has shown to be effective in abolishing the special exploitation of women workers'. The Governing Body was instructed to draw the attention of the governments to these 'principles'.<sup>108</sup> Marguerite Thibert proudly reported to a public meeting, which the LC held in Geneva at the time, that 'this resolution was very feminist in spirit'.<sup>109</sup> When, in 1941, the ILO condensed its interwar policies into an *International Labour Code*, it released the text of its 1937 Resolution under the heading 'Principles regarding Women Workers' in the section 'Selected Resolutions Embodying Standards of Social and Economic Policy Adopted by the International Labour Conference'.<sup>110</sup>

None of this, however, reduced the immediate pressure on the ILO in the wake of the 1935 Assembly Resolution to do away with special labor protection. In 1936, members of five important international women's organizations – representatives of the ICW, the WILPF, the CIM, the ERI, and the All-Asian Conference of Women – formally addressed the League of Nations with the demand to amend the League Covenant. They suggested two additional provisions on suffrage and nationality to be inserted into the League's constitution, and recommended a third one, according to which League Members were to 'undertake that in their respective countries men and women shall have equal rights in all other fields'. This document was laid before the First Committee of the Assembly of the League of Nations, which again discussed the 'Status of Women' in 1937.<sup>111</sup> In the run-up to the 1937 Assembly, the LC's newly established (sub-)committee on 'The Status of Women' pressed for the League to establish a committee mandated to draft an international convention 'securing for women "civil, political and legal status based on the principle of the

equality of the sexes".<sup>112</sup> Only a few months after the ILO had adopted its own 1937 Resolution on the 'principles' of its politics regarding women workers, the Assembly of the League of Nations declared that 'in general the trend is for law to develop in the direction of equality between the sexes'. A 'comprehensive study' on 'the legal status of women in the various countries of the world' would be carried out by a committee of experts under the direction of the League. The competencies of the ILO in terms of the 1935 Resolution, and the fact that this body was already undertaking the relevant inquiry, were acknowledged.<sup>113</sup> No representatives of socialist labor feminism were present when the committee of experts in charge of the League study during its twelfth session in April 1938 heard representatives from international women's organizations.<sup>114</sup>

#### 4. Conclusion

This study has expounded three lines of reasoning. First, it has maintained that the argument on woman-specific labor legislation was strongly driven by the contention regarding the connection between, or disentanglement of, gender in/equality and progressive class politics in the realm of labor law and the world of work. This argument was at the core of the debates on women's economic status from the middle of the 1930s onwards. The mounting and internationalizing campaign against the ILO's women-specific instruments in international labor law signaled the increased acceptance of a political vision of international gender politics which disconnected gender equality policies from (what the ILO and its allies construed as) progressive class policies, and prioritized the pursuance of such gender equality policies over other equality-related agendas. The campaign functioned as a driving force for both the establishment at the international level of women's equality politics and its liberal framing. Labor women and, after 1945 at the UN, women from the state-socialist world in particular challenged this framing.

Second, the political and institutional severance between women's political and civil (as opposed to their economic) rights and status in the politics of Geneva, which occurred throughout the course of the argument on, and struggles surrounding, the envisioned League instrument on women's status in the 1930s, was not simply based on the pre-given division of labor between the League of Nations and the ILO. Rather, it sprang from the political contention over the question of how gender and class ought to relate to each other in international politics and international law, a contention which had long been at the core of the political struggle on women's un/equal status in labor law in many countries and internationally. As the ILO was dubbed responsible for women's economic status and rights, and the League for their political and civil position, the institutional division of labor between the League of Nations and the ILO was reworked within the context of the evolving international politics of women's status. The separation of women's economic rights allowed the ILO and its allies to insist on a policy for women workers that was based on the idea that – under the prevailing circumstances at the time, and as a first step towards better labor protection for all workers in the future – some forms of legal inequality between women and men in labor law constituted progressive class policies. In other words, these actors insisted on connecting gender and class concerns in international politics.

Third, it was nevertheless the ideological and institutional separation of international gender politics connected to questions of women's paid work and associated with (what

its defenders deemed) progressive class politics from the emerging politics of equal status within the orbit of the League of Nations that contributed to these labor policies being deemed an exception. They were increasingly construed as a singular particularity of limited relevance as compared to the much more general trend towards women's equal status. League politics that were heading towards the latter goal were perceived as more fundamental or overarching in character, foreshadowing post-1945 developments.

In Geneva's politics of the second half of the 1930s, this overall constellation proved to be conducive to both the advancement of the women's rights agenda and the critical interrogation of the politics of women's difference in international labor law. At the time, women internationalists may well have felt that the ILO's special labor protection policies were, at least from a longer term perspective, destined to disappear from the international stage, regardless of whether they were to be replaced by better protection for all workers. In the 1930s, there were undoubtedly many voices within the League of Nations and the women's organizations involved in the politics of women's status within, and in the orbit of, the League who were committed to gradualism with regard to woman-specific labor protection, and defended some elements thereof. Yet, the act of 'quarantining' the question of women's economic status from the League's emerging equality of status politics certainly was conducive to the rise and the growing strength of a spectrum of gender-only equality of status doctrines. This development prefigured trends in late twentieth-century gender politics and beyond. As in the 1930s, gender equality doctrines made advances in international gender politics half a century later, at a time when labor was under enormous pressure. When labor was weak, it was likely that abrogating pre-existing women-only standards in labor law would result in the overall diminishing of labor protection. During the neoliberal period, some gender equality doctrines were once again framed in such a way that they did not rule out policy scenarios which – internationally and within individual states – were inimical in terms of class for many women.

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## Notes

1. This study was proofread by Nivene Raafat (lingua.trans.fair Netzwerk für Kommunikation). Translations from the French and the German are the author's own. Information on the position of ILO staff is taken from various years of the Staff Lists of the International Labour Office, available at the ILOA. ILO Conventions and Recommendations are available through the ILO Information System on International Labour Standards, <http://www.ilo.org/dyn/normlex/en/?p=NORMLEXPUB:12000:0::NO::>
2. Sent to Officers and Executive on 24/09/1934, W[omen's] L[ibrary] (Now WL@LSI) 5 ERI, box 334, Folder 'E.R.I. Council 1933–1934. The term 'Equality of Status Convention' was invented a few years after the term 'Equal Rights Treaty'.
3. Elisabeth Prügl, *The Global Construction of Gender. Home-Based Work in the Political Economy of the 20th Century* (New York: Columbia University Press, 1999) discusses this development with reference to one particular theme in labor history. A most recent overview of international women's politics which similarly covers the twentieth century is Glenda Sluga's 'Women, Feminisms and Twentieth-Century Internationalisms' in Glenda Sluga and Patricia Glavin (eds),

- Internationalisms. A Twentieth-Century History* (Cambridge UK: Cambridge University Press, 2017), 61–84.
4. Claudia von Braunmühl, 'Gender Mainstreaming Worldwide - Rekonstruktion einer Reise um die Welt', *Österreichische Zeitschrift für Politikwissenschaft*, xxx (2001), 183–201.
  5. Leila Rupp, *Worlds of Women. The Making of the International Women's Movement* (Princeton: Princeton University Press, 1997); Marie Sandell, *The Rise of Women's Transnational Activism. Identity and Sisterhood Between the World Wars* (London, New York: I.B. Tauris, 2015). The internationalism of socialist and labor women has received comparatively less attention so far in the new scholarship on women's internationalisms; edited volumes that include specialized contributions on these groups include Pernilla Jonsson, Silke Neunsinger, and Joan Sangster (eds), *Crossing Boundaries: Women's Organizing in Europe and the Americas, 1880–1940s* (Uppsala: Uppsala Universitet, 2007); Karen Offen (ed), *Globalizing Feminisms 1789–1945* (London, New York: Routledge, 2010); and Oliver Janz and Daniel Schönplugg (eds), *Gender History in a Transnational Perspective. Networks, Biographies, Gender Orders* (New York: Berghahn Books, 2012).
  6. Madeleine Herren, *Internationale Sozialpolitik vor dem Ersten Weltkrieg. Die Anfänge europäischer Kooperation aus der Sicht Frankreichs* (Berlin: Duncker & Humblot, 1993); Ulla Wikander, 'Some "Kept the Flag of Feminist Demands Waving". Debates at International Congresses on Protecting Women Workers' in Ulla Wikander, Alice Kessler-Harris, and Jane Lewis (eds), *Protecting Women. Labour Legislation in Europe, the United States, and Australia, 1880–1920* (Urbana and Chicago: University of Illinois Press, 1995), 29–62.
  7. ILO, *The Labour Provisions of the Peace Treaties* (Geneva, 1920), 3.
  8. 'Report Presented to the Preliminary Peace Conference by the Commission on International Labour Legislation', *Official Bulletin* 1, April 1919–August 1920, 260.
  9. Bob Reinalda, *Routledge History of International Organizations. From 1815 to the Present Day* (London, New York, 2009), chaps. 15, 17, and 18; Joseph Sulkowski, 'The Competence of the International Labor Organization Under the United Nations System', *The American Journal of International Law*, xlv (1951), 286–313; Guy Fiti Sinclair, *To Reform the World. International Organizations and the Making of Modern States* (Oxford: Oxford University Press, 2017), part 1.
  10. WILPF, *Report of the International Congress of Women. Zurich May 12 to 17, 1919*, 95–7, 163, 246–8, 263, W[omen] A[nd] S[ocial] M[ovements] I[n]ternational] 1840 to Present, Thomas Dublin and Kathryn Kish Sklar (eds), <http://search.alexanderstreet.com/wasi>; Jo Vellacott, 'A Place for Pacifism and Transnationalism in Feminist Theory: The Early Work of the Women's International League for Peace and Freedom', *Women's History Review*, ii (1993), 30–1.
  11. Carol Ann Miller, 'Lobbying the League. Women's International Organizations and the League of Nations' (Ph.D. dissertation, University of Oxford, 1992), 20–2, WASMI. The IAW entertained a similar vision. Initially it adopted the Charter it had planned for 'in the form of a "Programme of Women's Rights"' in 1920; in 1923 a (shorter) 'Woman's Charter' formed part of its Constitution. IAW, *Report of Eighth Congress. Geneva, Switzerland, June 6, 7, 8, 9, 10, 11, 12, 1920* (Manchester: Percy Brothers Ltd., The Hotspur Press), 24–5, 39, 49–50, 126–7, WASMI; IAW, *Report of Ninth Congress. Rome, Italy, May 12th to 19th 1923* (Dresden: B. G. Teubner, 1923), 229–34, WASMI.
  12. *Charte Internationale du Travail. Présentée par le Comité Feminin Francais du Travail* (Paris: Secrétariat du C.F.F.T.); WILPF, *Report of the International Congress of Women. Zurich May 12 to 17, 1919*, 164–8, 248; Dorothy Sue Cobble, 'A Higher "Standard of Life" for the World: U.S. Labor Women's Reform Internationalism and the Legacies of 1919', *The Journal of American History*, c (2014), 1061–70; Ulla Wikander, 'Demands on the ILO by Internationally Organized Women in 1919' in Jasmien van Daele, Magaly Rodriguez Garcia, and Marcel van der Linden (eds), *ILO Histories. Essays on the International Labour Organization and Its Impact on the World During the Twentieth Century* (Bern: Peter Lang, 2010), 75–7; Susan Zimmermann, 'Klasse, Geschlecht, globale Differenz. Drei Achsen der Ungleichheit in der Gründungsstunde der Internationalen Arbeitsorganisation im Jahr 1919', *Das Recht der Arbeit* (2015), 364–66.
  13. ILO, *The Labour Provisions of the Peace Treaties*, 1, 13–4.

14. League of Nations, International Labour Conference, *First Annual Meeting. 29 October 1919–29 November 1919* (Washington: Government Printing Office, 1920).
15. Cobble, 'A Higher "Standard of Life".'
16. Wikander, Kessler-Harris, and Lewis, eds., *Protecting Women; Nancy Woloch, A Class by Herself: Protective Laws for Women Workers, 1890s–1990s* (Princeton, NJ, Woodstock: Princeton University Press, 2015).
17. For an overview, see Susan Pedersen, 'Review Essay. Back to the League of Nations', *American Historical Review*, cxii (2007), 1091–1117.
18. Eileen Boris, Dorothea Hoehtker, and Susan Zimmermann, eds., *Women's ILO. Transnational Networks, Global Labour Standards and Gender Equity, 1919 to Present* (Leiden: Brill, forthcoming).
19. Karen Offen, *European Feminisms 1700–1950. A Political History* (Stanford: Stanford University Press, 2000), 353–4; Nitzza Berkovitch, *From Motherhood to Citizenship. Women's Rights and International Organizations* (Baltimore, London: The Johns Hopkins University Press, 1999), 83, 91–9; Marilyn Lake, 'From Self-Determination via Protection to Equality via Non-Discrimination: Defining Women's Rights at the League of Nations and the United Nations' in Patricia Grimshaw, Katie Holmes, and Marilyn Lake (eds), *Women's Rights and Human Rights: International Perspectives* (New York: Palgrave, 2001), 254–71; Carol Ann Miller, "'Geneva - the Key to Equality": Inter-War Feminists and the League of Nations', *Women's History Review*, ii (1994), 219–45; Paula F. 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*, viii (1985), 459–71.
20. The relationship between the ILO and the League has been discussed recently with respect to economic questions and child welfare. Patricia Clavin, 'What's in a Living Standard? Bringing Society and Economy Together in the ILO and the League of Nations Depression Delegation, 1938–1945' in Joelle Droux and Sandrine Kott (eds), *Globalizing Social Rights. The International Labour Organization and Beyond* (Houndsmills, Geneva: Palgrave Macmillan, 2013), 233–48; Joelle Droux, 'From Inter-Agency Competition to Transnational Cooperation: The ILO Contribution to Child Welfare Issues During the Interwar Years', Droux and Kott (eds), *Globalizing Social Rights*, 262–79.
21. Sluga, 'Women'; Sandell, *The Rise of Women's Transnational Activism*. Furthermore, these recent overviews – once again – barely take note of socialist women's internationalism. In the volume Sluga and Glavin (eds), *Internationalisms*, published in 2017, which comprises Sluga's overview, there are two contributions on socialist internationalism which similarly marginalize socialist women and the ILO. Suzanne Franzaway and Mary Margaret Fonow, *Making Feminist Politics. Transnational Alliances between Women and Labor* (Urbana, Chicago, and Springfield: University of Illinois Press, 2011), by contrast, includes a chapter on 'Feminist Politics in International Labor', which integrates the ILO.
22. Carol Riegelman Lubin and Anne Winslow, *Social Justice for Women. The International Labor Organization and Women* (Durham, London: Duke University Press, 1990). Some of the contributions in the forthcoming volume Boris, Hoehtker, and Zimmermann, *Women's ILO. Transnational Networks, Global Labour Standards and Gender Equity, 1919 to Present*, address the relationship between the ILO and the League of Nations or the United Nations.
23. Whithworth, *Feminism and International Relations*, 135–44; Berkovitch, *From Motherhood to Citizenship*, 104–27.
24. Dorothy Sue Cobble, *The Other Women's Movement: Workplace Justice and Social Rights in Modern America* (Princeton: Princeton University Press, 2005), 7.
25. Denise Lynn, 'The Women's Charter: American Communists and the Equal Rights Amendment Debate', *Women's History Review*, xxiii (2014), 706–22.
26. Wikander, 'Some "Kept the Flag of Feminist Demands Waving"'. I will return to this point further below.
27. Lake, 'From Self-Determination via Protection to Equality via Non-Discrimination', 264.
28. Cobble, 'A Higher "Standard of Life" for the World', 1056.

29. Marilyn Boxer, 'Rethinking the Socialist Construction and International Career of the Concept of "Bourgeois Feminism"' in Karen Offen (ed), *Globalizing Feminisms 1789–1945* (London, New York: Routledge, 2010), 286–301.
30. Susan Zimmermann, 'Night Work for White Women, Bonded Labour for "Native" Women? Contentious Traditions and the Globalization of Gender-Specific Labour Protection and Legal Equality Politics, 1926 to 1939' in Sarah Kimble and Marion Röwekamp (eds), *New Perspectives on European Women's Legal History* (Milton Park, New York: Routledge, 2016); Susan Zimmermann, 'A Struggle Over Gender, Class, and the Vote. Unequal International Interaction and the Birth of the "Female International" of Socialist Women' in Janz and Schönpflug (eds), *Gender History*, 101–26.
31. Jacqui True, 'The Global Governance of Gender' in Phillips Payne and Nicola Phillips (eds), *Handbook of International Political Economy and Governance* (Cheltenham: Edward Elgar, 2014), 331–43; Gülay Caglar, Elisabeth Prügl, and Susanne Zwingel (eds), *Feminist Strategies in International Governance* (London, New York: Routledge, 2013); Jean H. Quataert, *The Gendering of Human Rights in the International Systems of Law in the Twentieth Century* (American Historical Association, 2006).
32. In the following, I have opted to schematically summarize key elements of such analysis. For more detail, see Zimmermann, 'Night Work'.
33. 'The International Labour Organisation', *The Open Door*, ii, Nov. 1930.
34. In the case of trade unions and other male-dominated groups, such motifs included male interest and paternalism, while the politics of some women's organizations were informed by particular concepts of gender difference. In this study, I neither discuss these motifs nor those that concern, for example, the individualization of women or the freedom of contract that – besides the legal equality paradigm – informed legal equality feminism.
35. Classical trade union positions, such as those referred to in endnote 34 above, were certainly not absent from the Office and were present within the orbit of the trade union supporting the ILO. They did not, however, inform the politics of the Office in relation to the struggle over women's equal status.
36. League of Nations, *International Labour Conference, Tenth Session, Geneva 1927*, vol. ii, Report of the Director presented to the Conference (Geneva: International Labour Office, 1927), 53–4, 182.
37. Wikander, 'Demands on the ILO', which discusses the tensions between gender and class in the politics of women's work, exemplifies this tendency. Wikander identifies advocacy for woman-specific labor law with the motivation to 'improv[e] women's conditions', and social justice as a foundational point of reference for the ILO, adding that '[m]any' activists favoring these concepts entertained the idea that 'married women and certainly women with children should stay at home'. Social justice feminism thus appears as class-biased and incompatible with the endorsement of women's equality, and mostly conservative. Wikander does mention those '[m]any' women and men who saw special labor protection as a first step towards general labor protection and notes instances when equality-oriented labor women rejected woman-specific protection while demanding equal protection for women and men. Yet she never analyzes these policy scenarios in terms of gender and class. In turn, Wikander's description of the egalitarians' position, with its noble origins in equality concepts reaching back to the 1776 constitution of the United States and the French Revolution, opens with a reference to the defining policy goals pursued by the legal equality camp (represented internationally by the ODI). She then describes demands associated with this camp as the most 'radical' suggestions made by women which were not considered by the ILO. In the same vein, Berkovitch, *From Motherhood to Citizenship*, when talking about 'two opposing strategies' that 'crystallized' in the interwar period, mentions labor women's advocacy of the prohibition of night work for all workers in 1919, yet does not find a place for it in her analysis. While not pursuing a partisan perspective, Berkovitch discusses the long-term trend as one leading from protective legislation to its falling 'from grace'.

38. Zimmermann, 'Night Work'; Susan Zimmermann, 'The Politics of Globalizing Gendered Labor Policy: International Labor Standards and the Global South, 1919–1947' in Boris, Hoehcker, and Zimmermann (eds), *Women's ILO*.
39. Berkovitch, *From Motherhood to Citizenship*, 92–7; Offen, *European Feminisms*, 373–5.
40. Resolution über Die 'Open Door' Bewegung, I[nternational] I[nstitute] of S[ocial] H[istory] A [archives], LSI, Inv. 4430; Burge to Mundt 18/11/1929, I[nternational] L[abour] O[rganization] A [rchives], WN 1000/7/1, jacket 1.
41. Susan Zimmermann, 'Liaison Committees of International Women's Organizations and the Changing Landscape of Women's Internationalism, 1920s to 1945', WASMI.
42. In 1926, the IAW had refused to fully commit itself to the program of legal equality in international labor law or to explicitly condemn the ILO's course of action. International Alliance of Women for Suffrage and Equal Citizenship, *Report of the Tenth Congress, La Sorbonne Paris, France, May 30th to June 6th, 1926*, 38, 106–7, 121; Pfeffer, 'A Whisper', 462; Miller, 'Lobbying the League', 50–1; Rupp, *Worlds of Women*, 141–2.
43. Open Door Council, First Annual Report 1926–1927, WL, 5ODC, 5-6; see also Berkovitch, *From Motherhood to Citizenship*, 91–3.
44. Lake, 'From Self-Determination via Protection to Equality via Non-Discrimination', 259, and the literature on women and the League of Nations quoted above.
45. A Memorandum Showing the Connection between the Status of Women and the Relations between Countries Together with the Formation of the Equal Rights International to Obtain the Equal Rights Treaty. Published by the Equal Rights International. Women's Printing Society, London, WL, 5 ERI, box 334, Folder 'Sample of Pamphlets and Leaflets'. The memorandum, published in 1930, was, save an addendum speaking to the establishment of the ERI, identical to an earlier memorandum issued by the Six Point Group.
46. Rhondda to Paul 31/08/1926, WL, 5 ERI, box 331, Folder 'Formation of the International'.
47. Quataert, *The Gendering of Human Rights*, 14.
48. 'Revision of the Nightwork Convention', *The Open Door*, ii, March 1931, 16.
49. Archdale to Chairman Governing Body 25/04/1933, WL, 5 ERI, box 332, Folder 'Night Work for Women'.
50. League of Nations, *International Labour Conference, Fourteenth Session, Geneva 1930, Report of the Director, First Part* (Geneva: International Labour Office, 1930), 66.
51. League of Nations. Status of Women ... (A. 8. 1935. V.), 15 May 1935, WASMI, gives the full text of both documents. With its strong legal-equality leanings, the Inter-American Commission of Women had played an important role in bringing about the events in Montevideo. The Committee, which had been dealing with women's issues at the Montevideo Conference, carried the title 'Civil and Political Rights of Women'; see Seventh International Conference of American States. Third Committee. Civil and Political Rights of Women. Minutes and Antecedents. Montevideo, 1933, WASMI.
52. League of Nations. Status of Women ... (A. 8. 1935. V.), WASMI.
53. IFBPW, Memorandum on the Question of the Whole Status of Women Submitted to the Assembly of the League of Nations 12/08/1935, Annex I, ILOA, WN 6/1/01/1.
54. Open Door Council. British Branch of the Open Door International. Non-Party, Tenth Annual Report [1935–1936], WL, 5 ODC, 27–8.
55. League of Nations. Information Section, The Status of Women, 24/04/1936, ILOA, WN 9, jacket 1; McKinnon Wood to Butler, 05/09/1935, *ibid.* The first quote is from the January decision as contained in the first document. The title of the agenda item itself is contained in the second document.
56. On Thibert, see Françoise Thébaud, *Une traversée du siècle. Marguerite Thibert, femme engagée et fonctionnaire internationale* (Paris: Belin, 2017).
57. Droux, 'From Inter-Agency Competition', describes a parallel process with regard to child welfare issues, whereby inter-agency competition contributed to the enlargement of the ILO's portfolio; the Office initially aimed at the protection of its own competence.
58. This and all following quotes in this paragraph are taken from Thibert to Burge, 30/4/1935, ILOA, WN 9, jacket 1.

59. Memo Thibert to Johnston, 08/05/1935, ILOA, WN 9, jacket 1.
60. Butler to McGeachy, 21/06/1935, ILOA, XI 11/1/1; see also McGeachy to Butler, 19/06/1935, incl. attachment, *ibid.*
61. Memo Thibert to Maurette, 15/07/1935, ILOA, WN 9, jacket 1.
62. Miller, 'Lobbying the League', 213–4; Memo Thibert to Johnston and Director, 12/09/1935, ILOA, WN 9, jacket 1. 'Affair' is Thibert's term.
63. Memo Thibert to Johnston and Maurette, 07/09/1935, ILOA, WN 9, jacket 1; Memo Thibert to Johnston, 08/05/1935, ILOA, WN 9, jacket 1. The Committee did not hold a formal meeting in 1935, IFTU, *Congress London 1936. The Activities of the International Federation of Trade Unions 1933–1935* (Paris: IFTU), 85.
64. League of Nations. Nationality and Status of Women. Statements Presented by International Women's Organisations. Supplement No. 2. International Federation of Trade Unions' International Committee of Trade Union Women, 11/09/1935, IISH, LoN, box 94. The memorandum prepared by the International Women's Committee of the LSI, and communicated a few days earlier, included an analogous request, *ibid.*, 06/09/1935.
65. LC Report of the Joint Committee of Women's International Organisations, etc. [1936], IISH, LC, Folder 2; LC 12/09/1937, Geneva. Minutes, *ibid.* Formally, the IFTU (rather than the IFTU Women's committee) was mentioned in these documents as being represented among the women's organizations who were received.
66. McKinnon Wood to Butler, 05/09/1935, ILOA, WN 9, jacket 1.
67. League of Nations. Official Journal. Special Supplement No. 170. Records of the Eighteenth Ordinary Session of the Assembly. Meetings of the Committees. Minutes of the First Committee, Geneva 1937, WASMI. Réception par le Directeur d'une Députation de l'Alliance internationale pour le suffrage féminin, 14/09/1935, ILOA, WN 9/01/1, jacket 1; IAW, *Report of the Twelfth Congress Istanbul April 18th to 24th, 1935*, 14, 210.
68. League of Nations. Information Section, The Status of Women, 24/04/1936, ILOA, WN 9, jacket 1; League of Nations. Official Journal. Special Supplement No. 170. Records of the Eighteenth Ordinary Session of the Assembly. Meetings of the Committees. Minutes of the First Committee, Geneva 1937, WASMI. The Annex of the first document gives the text of the Assembly Resolution, and the second one gives the text of the identical draft resolution adopted in the First Committee.
69. McKinnon Wood to Butler, 05/09/1935, ILOA, WN 9, jacket 1; Memorandum on the Question of the Whole Status of Women submitted to the Assembly of the League of Nations by the IFBPW, and Annexes, *ibid.*
70. League of Nations. Information Section, The Status of Women, 24/04/1936, ILOA, WN 9, jacket 1; U.S. Department of Labor. Women's Bureau. Provision in Covenant of the League of Nations, and Summary of Activities of League of Nations Relative to Status of Women (1930–1937), supplement, VI, WASMI.
71. Jaci Eisenberg, 'The Status of Women: A Bridge from the League of Nations to the United Nations', *Journal of International Organizations Studies*, iv (2013), 8–24, 12.
72. ILO, *The Labour Provisions of the Peace Treaties*, [1].
73. Susan Zimmermann, 'A Struggle over Gender, Class, and the Vote'.
74. League of Nations. Status of Women. Communications from Governments and International Organisations. 29/09/1936, IISH, LoN, box 94; 'League of Nations. Status of Women. Communications from Governments and International Organisations since September 1936', 24/08/1937, *ibid.*
75. IFTU, *Zürich Congress 1939. The Activities of the International Federation of Trade Unions 1936–1938*, vol. i (Paris: IFTU), 66; IFTU. Committee of Trade Union Women. International Conference of Women Workers, London, 7th July 1936 [Documents of the Conference] ILO Library Imprimés; 'The International Conference of Women Trade Unionists', *The International Trade Union Movement*, xvi (1936), 46–8. The LSI Women's committee was invited by the League to contribute, and indeed did invite its member organizations to supply relevant material. In all likelihood, however, it did not submit another memorandum to the League. Alice Pels, 'The Status of Women', *Women's Supplement to 'International Information'*, xiv (1937), 76–8; Pels to

- Werte Genossin 09/11/1936, IISH, LSI, Inv. 4360'; Pels to Werte Genossin 17/07/1937, *ibid.*, Inv. 4360'.
76. Felice Gaer, 'Women, International Law and International Institutions: The Case of the United Nations', *Women's Studies International Forum*, xxxii (2009), 60–6.
  77. Thibert to Anderson, 12/03/1936, ILOA, WN 9, jacket 1 (incl. first quote); Anderson to Thibert, 20/05/1936, *ibid.* (incl. second quote).
  78. LC Report of the Joint Committee of Women's International Organisations, [1936], IISH, LC, Folder 2, 8.
  79. ILO, *Minutes of the Sixty-Sixth Session of The Governing Body, Geneva, 26–28 April 1934*, 74–6, 181–5, 190–3; League of Nations. Information Section, *The Status of Women*, 24/04/1936, ILOA, WN 9, jacket 1 (incl. the direct quote from the Director's note).
  80. League of Nations. Information Section, *The Status of Women*, 24/04/1936, ILOA, WN 9, jacket 1.
  81. On McGeachy and her involvement in the equal rights activities at Geneva, see Mary Kinnear, *Woman of the World. Mary McGeachy and International Cooperation* (Toronto, Buffalo, London: University of Toronto Press, 2004), 56–7, 59–65.
  82. League of Nations. Information Section, *The Status of Women*, 24/04/1936, ILOA, WN 9, jacket 1; Thibert to McGeachy, 16/06/1936, *ibid.*; Thibert to McGeachy, 20/12/1935, *ibid.*
  83. This is how this initiative was referred to in Butler to Corbett Ashby, 30/03/1936, ILOA, WN 9/01/1, jacket 1.
  84. 'Status of Women', *The Open Door*, Oct. 1935.
  85. This is how this initiative was referred to in Butler to Corbett Ashby, 30/03/1936, ILOA, WN 9/01/1, jacket 1; see also Burge to Thibert, 27/03/1936, ILOA, WN 9, jacket 1.
  86. Thibert to Christman, 12/03/1935, ILOA, WN 9, jacket 1 (incl. quote); Thibert to Burge, 01/04/1936, *ibid.*; Burge to Thibert, 27/03/1936, *ibid.*; Burge to Thibert, 15/04/1936, *ibid.*; Butler to Corbett Ashby, 30/03/1936, *ibid.*
  87. Zimmermann, 'The Politics of Globalizing Gendered Labor Policy'.
  88. Gaer, 'Women', 61–3; Eileen Boris, 'Equality's Cold War: The ILO and the UN Commission on the Status of Women' in Boris, Hoehtker, and Zimmermann (eds), *Women's ILO*.
  89. Reinalda, *Routledge History of International Organizations*, discusses the impact of neoliberalism on internationalist organizations in the context of the intensification of the Cold War in the 1980s.
  90. Boris, 'Equality's Cold War'.
  91. Quataert, *The Gendering of Human Rights*, 32.
  92. ILO, *Report III (Part 1B) ... Information and Reports on the Application of Conventions and Recommendations* (Geneva: ILO, 2001), para 69, <http://www.ilo.org/public/english/standards/relm/ilc/ilc89/reports.htm>.
  93. Quoted in ILO, *Report III*, para 69.
  94. Here as summarized in ILO, *Report III*, para 14. In 1985, the International Labour Conference followed up on the issue.
  95. ILO, *Report III*, para 202.
  96. Notably ILO, *Women's Work under Labour Law. A Survey of Protective Legislation*, vol. ii, Studies and Reports. Series I (Geneva: ILO, 1932).
  97. This is how Thibert summarized the decision in a (circular) letter to women's organizations. In presenting the plan to the Governing Body, Harold Butler had talked about 'all aspects of the employment of women'. Thibert to Dear Madam 11/07/1936, ILOA, WN 9/01, jacket 1; ILO, *Minutes of the Seventy-Fourth Session of The Governing Body, Geneva – 20–22 February 1936*, 75.
  98. Heneker to Sir [Director] 14/02/1936, ILOA, WN 6/1/01/1, jacket 1 (emphasis in the original). This letter was also laid before the Governing Body. ILO, *Minutes of the Sixty-Sixth Session of the Governing Body*, 188–90.
  99. Corbett Ashby to Director 27/01/1936, ILOA, WN 9/01/1.
  100. Thibert to Dear Madam 11/07/1936, ILOA, WN 9/01, jacket 1. A wealth of documents in the ILOA give evidence of the development of this approach, the strategies of inquiry, and the information provided by the women's organizations.

101. A full list of members is contained in ILO, *Minutes of the Sixty-Sixth Session of The Governing Body*; Françoise Thébaud, 'Difficult Inroads, Productive Results: The Correspondence Committee on Women's Work in the 1930s' in Boris, Hoehtker, and Zimmermann (eds), *Women's ILO*.
102. ILO, *Minutes of the Sixty-Sixth Session of the Governing Body*, incl. attached lists of addressees; Pels to Thibert 16/07/1936, ILOA, WN 9/01. The IFTU Women's committee is not included in this list but definitely contributed, involving also its 'National Centres'. IFTU, *Zürich Congress 1939*.
103. International Labour Office, *The Law and Women's Work. A Contribution to the Study of the Status of Women*, vol. iv, Studies and Reports. Series I (Geneva: ILO, 1939), 10.
104. Discussing night work, the Report on women's work put before this conference stressed, in the most explicit terms, that the ILO considered woman-specific prohibition necessary only because 'it was not yet possible to abolish this unsatisfactory form of employment for all workers'. *Labour Conference of the American States Which are Members of the International Labour Organisation, Santiago, Chile, December 1935–January 1936, First Item on the Agenda, Report on the Conditions of Work of Women*, 2–3. The Resolution on minimum wages passed by the Conference adopted the phrasing in use by legal equality feminism; see Members of the International Labour Organisation, *Santiago (Chile) 2–14, January 1936, Record of Proceedings* (Geneva: International Labour Office, 1936), 283.
105. Lynn, 'The Women's Charter', 707–9, 713, 716–9. This study gives the essence of the wording of the Charter.
106. [Phelan] 10/04/1937, ILOA, WN 9/0 (author identified in an accompanying note).
107. Anderson to Thibert, 10/08/1936, ILOA, WN 6/01/1, jacket 1; Cheney to Anderson 27/08/1936, *ibid.*; Cheney to Anderson, 19/02/1937, ILOA, WN 9/0; Thibert to Johnston, 26/05/1937, *ibid.*; [?] to Tixier and Cabinet 26/05/1937, *ibid.*; Miller, "Geneva - the Key to Equality", 233–4.
108. *International Labour Conference. Twenty-Third Session, Geneva, 1937, Record of Proceedings* (Geneva: International Labour Office, 1937), 462–6, 565, 567–8, 785.
109. LC Open Meeting, 17/06/1937, Geneva. Minutes, IISH, LC, Folder 2.
110. ILO, *The International Labour Code 1939. A Systematic Arrangement of the Conventions and Recommendations Adopted by the International Labour Conference 1919–1939. With Appendices Embodying Other Standards of Social Policy Framed by the International Labour Organisation 1919–1939* (Montreal, 1941), 559–61.
111. League of Nations. Official Journal. Special Supplement No. 170. Records of the Eighteenth Ordinary Session of the Assembly. Meetings of the Committees. Minutes of the First Committee, Geneva 1937, 46, WASMI.
112. The original quote as given by Miller is from a letter from McKinnon Wood to Kremer, 16/09/1937 (League of Nation Archives), in Miller, 'Lobbying the League', 223–4.
113. LC Emergency Meeting 27/09/1937. Minutes 15/11/1937, Attachment, IISH, LC, Folder 2; U.S. Department of Labor. Women's Bureau. Provision in Covenant of the League of Nations, and Summary of Activities of League of Nations Relative to Status of Women (1930–1937), supplement, viii, WASMI.
114. Société des Nations. Comité chargé de l'étude du statut juridique de la femme. Procès-verbal de la Douzième séance 09/04/1938, IISH, LoN, box 94.