

STATUS OF WOMEN

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STATUS OF WOMEN

Is the Question of the Status of Women ripe for international action?

Since the establishment of the League of Nations as a permanent monument to the triumph of the international idea, women from all parts of the world have begun to ask themselves this question. To them the answer appears so obvious that they have come to regard the League as the one fitting instrument through which justice can be done to women, completely and for all time.

Until a few years ago the various efforts made to raise the status of women have taken the form of a series of national movements. In some countries these movements are still in their infancy. In others they have been at least politically successful. By 1934, fourteen countries had declared in their written Constitutions that distinctions based on sex were abolished, but as yet no country, however enlightened, can claim that all discriminations against women—whether political, legal, economic or social—have been abolished throughout its territory.

Justice.

No country can be said to practise justice which does nothing to remove unfair discriminations against one-half of its citizens. From this point of view no country can at present be described as just, yet no relation was more constantly emphasized at the meetings and by the speakers who first established precedents for the working of the League, than the relation between justice and peace.

Few institutions have dealt more unjustly with women than the International Labour Organisation, which has been

responsible for a large number of discriminations against women as workers. The standard argument that these discriminations have been made for the women's good does not obscure the fact that in many cases those most deeply concerned were never consulted, and that it was the representatives of organised men, and not of organised women, who gave effect to the various agreements in which the discriminations were embodied. Yet on the foundation stone of the International Labour Office are inscribed these words : " If you desire peace ; practise justice."

It is clear that the scope of justice is unduly narrowed if one sex claims it as a monopoly. It is equally clear that so long as wide variations persist in the attitude of the different countries towards their women citizens, so long will these variations of attitude preclude a complete unity of outlook upon other international questions. It is clearest of all that the strong influence of enlightened women in favour of peace cannot be exercised if such women are excluded in almost all countries from positions of authority.

Some Practical Effects of Unequal Status upon International Relations.

It will probably be contended that the incompatibility between abstract justice and discriminations against women, is a purely doctrinaire argument, and that the League is solely concerned with questions of practical importance. It is possible, however, to point to several instances in which the actual relations between countries are adversely affected, both by the unequal status of men and women in all countries, and the unequal treatment of women by one country as compared with another :—

1. *In the economic field*, those countries which pay women less than men, and particularly those which make extensive use of the sweated labour of women, are able to enter into harmful competition with other more enlightened nations.
2. *In the attempt to impose special legislative restrictions on women workers*, which differ from those imposed on men, such as those relating to hours and work, night work, limitations of work, prohibition of work, etc.

If regulation and legislation are necessary, they must be based on the nature of the work and not on the sex of the worker.

3. *In the confused condition* of nationality laws, particularly as applied to married women. These lead to friction in peace time and potential danger in time of war.
4. *The Traffic in Women*—already recognised as an international matter by the League in the 1921 Convention for the Prevention of the Traffic in Women and Children—is a conspicuous instance of the degradation to which women are reduced owing to unequal pay and unequal economic opportunities. That there is a close connection between the status of women and the Traffic, is proved by the fact that the victims of the Traffic are largely drawn from those countries in which the status of women is low. This Traffic is a means, not only of the international undermining of morals, but also of the international spreading of disease.
5. *The Committee of Intellectual Co-operation* regards the exchange of teachers and students as one of the best means of establishing friendly relations between countries. So far as women are concerned such exchanges are practically impossible if the status, and therefore the education of women varies greatly between country and country. An opportunity is thus lost of creating friendly relations between the citizens of the world.

An Equal Rights Treaty.

Those women who see beyond the limits of their own frontiers have realised that the simplest, the most dignified and the most permanent method of removing these and other causes of international friction, as well as of conferring upon one-half of humanity the benefits of justice already enjoyed by the other, is some form of international agreement to which the various States can accede. Such international agreement could take the form of an Equal Rights Treaty or Convention, based on a major Article as follows : " **The Contracting States agree that upon the ratification of this Treaty, men and women shall have Equal Rights throughout the territory subject to their respective jurisdictions.**"

Such a Treaty or Convention would confer dignity as much upon the League, as upon those women supporters of the League whom it would raise to further and better opportunities of work for peace. So long as women occupy an inferior position, so long will their sense of responsibility be impaired and so long will they demand less of themselves than they are able to give. Their public spirit will be poor, their efforts on behalf of international co-operation will remain devitalised and indifferent. By incorporating in its machinery an agreement to make women internationally of equal status with men, the League will double the number of effective workers in the great cause of world-unity for which it stands.

HISTORY OF THE EQUAL RIGHTS INTERNATIONAL.

Preparatory Work.

In 1929, during the League of Nations Assembly, preparatory work was done by a group of women. A number of delegates from different countries were interviewed and sufficient support obtained to justify definite and organised work being undertaken in order to achieve the presentation of an Equal Rights Treaty to the League of Nations.

In 1930 the Equal Rights International was founded.

Its objects read :

“ The Equal Rights International shall work for the establishment of an Equal Rights Treaty of which the following is adopted as the model of the major Clause :

‘ The Contracting States agree that upon the ratification of this Treaty men and women shall have equal rights throughout the territories subject to their respective jurisdictions.’

“ The Equal Rights International having as its aim the equality of the sexes before the law throughout the world, shall work for international agreements, which embody the principle of this equality.”

Thus other questions of equality for women can fall into the sphere of the Equal Rights International. For this reason the Equal Rights International has also been active in work for an Equality of Nationality for Women Convention.

Collaboration of Women with the League of Nations.

In 1932, Spain introduced a resolution in the Assembly of the League which proposed that the League should request the greater collaboration of women in the work of the League.

All organisations were asked to suggest methods to bring this about and their reply was :

“ Equal status is a pre-requisite of effective collaboration.” (A. 10, 1932.)

Lord Cecil in the sixth Commission of the Assembly in 1932, said : “ The League cannot dictate to States-Members, but it can call their attention to the unanimous statement that equal status is a pre-requisite of effective collaboration.”

Equal Rights Treaty signed by Four Countries.

In December, 1933, four countries, whose delegates were attending the Pan-American Conference at Montevideo, signed an Equal Rights Treaty of which the major Clause is as quoted in the objects of the Equal Rights International.

Presentation of the Subject to the League of Nations Assembly.

In 1934, a group of South American Countries sent a resolution for the 1935 Assembly Agenda asking that the whole question of the Status of Women should be discussed. This resulted in the question “ The Status of Women ” being placed on the Agenda of the sixteenth Assembly, September, 1935, with the result that a resolution was passed there, whereby the Governments of Member-States were asked for observations on the civil and political status of women and to suggest what action the League might take in the matter.

At the same time the International Labour Organisation was asked to study the position of women under Labour legislation.

Women’s organisations have been invited by the Assembly to continue their study of the whole question of the status of

women and will forward their reports to the Secretary General for presentation to the Assembly at a future date.

Members of the Equal Rights International must therefore steadfastly continue their work towards an Equal Rights Treaty. Immediately, they must see to it that, in their respective countries, reports favouring equal status and not unequal status go to the League both from Government and from organisations. Always they must insist that the only action that will be really effective must be taken by the League of Nations and that that action is to declare by an international agreement that the status of men and women, civil, political and economic, shall be equal.

Economic Status of the Woman as Wife, Mother and Home-Maker.

There is yet another category of women invariably overlooked in legislation, when the equality of economic status is considered, that is the woman as wife, mother and home-maker.

Her economic position in many countries is unstable to an alarming degree. She is entitled neither to salary nor wages, but has definite duties to perform; in some countries she can be deprived of her earnings, her savings and of her income; in others it is possible for her husband—even if well-off—to leave her destitute at his death and she has no redress.

This is a big subject, and extremely important, for it touches even more women than are affected by labour legislation. All upholders of equality legislation must study this question till eventually by legislation, the dignity and status of such women are raised and assured.

The Equal Rights International is making a special study of this question and intends to prepare a memorandum on this matter, for presentation to the League of Nations and to the International Labour Organisation.

NATIONALITY OF WOMEN.

This subject has also been accepted by the League as a matter for International consideration.

Nationality was discussed at the First World Codification Conference at the Hague in 1930, and the outcome was the

drawing up of a Hague Convention on Nationality, which wrote into international law the inequality of the sexes. The only remedy it offered, was to make a provision that would, in future, prevent women becoming stateless, a disability under which they had suffered because of different countries having differing nationality laws.

In 1931 eight International Organisations were invited by the Council of the League of Nations to form a Committee known as Committee of Representatives of Women's International Organisations (Women's Consultative Committee on Nationality), and to present a Report to the League on the subject of the Nationality of Women.

The Equal Rights International was represented on this Committee and co-operated in the report, also signing it.

This report was forwarded to the League who in due course circulated it to all the States members of the League.

In December, 1933, at the Pan-American Conference at Montevideo, all the American States (excepting Venezuela), signed an Equal Nationality Convention, *viz.*, "The Contracting Parties agree that from the going into effect of this Treaty, there shall be no distinction based on sex in their law or practice relating to nationality."

Nationality at the League.

The question of the Nationality of Women appeared at the League of Nations Assembly for the first time in 1934, but no progress was recorded. It appeared again on the Agenda of the Assembly for 1935, and after keen discussion a resolution was passed drawing the attention of State Members to the fact that the Montevideo Convention was open to the accession of all States, also thanking the women for their past and future co-operation and asking the States to ratify the Hague Convention, and finally, asking the Council to follow developments of this important problem in order to determine when further concerted action would be justified. The Hague Convention, however, does not solve the question of equality of nationality—it merely prevents a woman being stateless. It also *establishes* the unfortunate precedent of writing into International Law an inequality of the sexes.

The Future Work.

The next procedure seems to lie along one definite path—to press for an Equality Treaty that shall be all-embracing, covering civil, political and economic rights. Were such a treaty passed, it would cover many existing inequalities and among them would necessarily be included the existing inequality with regard to nationality. In the meantime, all countries must bring pressure to bear on their respective Governments, so that when the delegates do meet at the League of Nations Assembly or at the International Labour Conference, they will not only be fully conversant with the matters under discussion, but will have authority from their respective governments, to do all in their power to ensure the equality of women with men in all spheres. Until that time comes, the many Women's Movements, especially one such as the Equal Rights International, must carry on. "As long as law and custom treat women as one race and men as another there will remain a woman question, and not until men and women equal and united side by side, work together free and untrammelled, will the woman's movement be a thing of the past."

FURTHER PROGRESS TOWARDS EQUALITY BY INTERNATIONAL TREATY.

Writing Equality into the Covenant.

The Women's Consultative Committee, at whose request the delegates asked for the consideration of the question of the entire status of women by the 1935 Assembly, compiled and presented, prior to that meeting, a summary of the laws in various parts of the world which contained sex-distinctions, in order to illustrate the need for the Equal Rights Treaty. In 1936 the Revision of the Covenant of the League was before the Assembly, and the Equal Rights International in conjunction with the Women's Consultative put forward four equality amendments as follows :

1. "The Members of the League undertake that in their respective countries there shall be no distinction based on sex in their law and practice regarding nationality."
2. "The Members of the League undertake that in their respective countries the right to vote shall not be denied or abridged on the ground of sex."
3. "The Members of the League undertake that in their respective countries men and women shall have equal rights in all other fields."
4. "The Members of the League undertake that men and women shall both be members, with full voting powers, of all delegations to the Council and Assembly of the League and to all Conferences under the auspices of the League." (Doc. AB, 1937, V.)

As a result of a request by a number of delegations, this proposal was referred to the next Assembly together with the subject of the entire status of women.

Status of Women at the 1937 Assembly.

The four amendments were sent by the Assembly to the League Committee of twenty-eight dealing with the Revision of the Covenant.

Reports sent by Women's International Organisations were circulated to all States-Members by the League. The Assembly requested the Council to appoint a Committee of Experts to make

a World Survey of the Status of Women, to be finally issued as a publication. It voted 25,000 Swiss francs for expenses.

League Committee for the Study of the legal Status of Women.
(Committee of Experts.)

This was appointed by the Council in January, 1938, and consists of four women and three men. Its first session took place in April, 1938, when it drew up a plan for the Survey in consultation with a number of Women's International Organisations, and sent different sections to be carried out by various legal institutions.

The Housewife.

In 1937 the Equal Rights International presented a Memorandum to the League showing the low status of the woman who performs arduous and important work in the home, as compared with other working women, and supporting the Equal Rights Treaty. Doc. A 14, 1937, V.*

A section was included at their request in the World Survey which will reveal such rights to monetary reward as are possessed by working wives under a few systems of law.

The International Labour Organisation.

In 1935 the Equal Rights International sent a Memorandum to the International Labour Organisation in support of the Equal Rights Treaty and woman's unfettered right to earn a living.

In pursuance of this policy, in 1938, when the International Labour Organisation announced the completion of its study of the Status of Woman in Industry, the Equal Rights International carried on a campaign during the June I.L.O. Conference. Deputations were sent to the Director and a number of the delegates, seeking support for a general resolution ensuring that, in future, the efforts of the International Labour Organisation to protect workers from undesirable conditions of work, underpayment and exploitation should be framed to cover all workers alike and not apply to women only, and suggesting the Equal Rights Treaty.

* A pamphlet entitled the "Status of Woman as Wife, Mother and Home-maker," embodying this memorandum can be purchased, price 3½d. post free, from the Hon. Secretary, Equal Rights International, 26, Palace Mansions, London, W. 14, England.

EQUAL RIGHTS INTERNATIONAL

OBJECT

To work for the establishment of an Equal Rights Treaty of which the following is adopted as the model of the major Clause :—

“The contracting states agree that upon the ratification of this Treaty, men and women shall have equal rights throughout the territories subject to their respective jurisdictions.”

The Equal Rights International having as its Aim the equality of the sexes before the law throughout the world shall work for international agreements, which embody the principle of this equality.

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