CHAPTER 4


Eileen Boris

Mildred Fairchild, the second Chief of the International Labour Organzation’s (ILO’s) Section on Women’s Work and Protection of Young Workers, was well aware of strong feminist hostility to women-specific protective legislation when in 1947 she assessed her Organization’s prospects before the new United Nations Commission on the Status of Women (CSW). United States (US) representative “Dorothy Kenyon is probably the only person upon the Commission at present who is well aware of I.L.O. activities”, she reported to her superiors. Thus, the CSW would require careful tutelage on the benefits of ILO standards for women.1

Nearly fifteen years later, Elizabeth Johnstone, then responsible for the ILO’s efforts on women’s work, condemned “this Commission” for interfering in the arena of “women’s economic opportunities”, the purview of the ILO. “The Commission ... respects no real frontiers or competence and regards itself as the supreme adviser and arbiter on all women’s questions and interests”. To counter the CSW’s operation “as a law unto itself”, Johnstone recommended that the ILO “keep going an active programme in the fields of special interest to women”. Perhaps to justify her participation in CSW meetings, and certainly to push continued ILO activity on women, Johnstone added that, despite tensions over portfolio within the United Nations (UN) system, “the Commission itself is very friendly towards the I.L.O. and now ready both to seek and rely on its advice”.2

Looking at the interaction between the ILO, since 1946 a UN specialized agency, and the CSW, a UN committee, illuminates the interplay between transnational women’s networks, institutional imperatives, ideological perspectives,

1 Memorandum to the Director of the Washington Office from the Chief of the Section of Women’s Work and Protection of Young Workers, 10 November 1947, Economic and Social Council (ESC) 1004-11-1. [All archival material from ILO archives (ILOA) unless otherwise noted.]

and political missions that informed feminist debates over women's place after the Second World War. The contestation over which organization would address women's economic rights occurred during a period of both the Cold War and the triumph of national liberation movements around the globe. During the interwar years, labour feminist and social welfare defenders of women-specific protective standards had fought off challenges at the ILO and the League of Nations from the Open Door International (ODI), the World Woman's Party, and other European and American proponents of treating women the same as men in law and public policy.³ In subsequent decades, the balance of power among activist women changed. Between the late 1940s, when legal equality feminists assaulted the ILO for its special protective Conventions, and 1980, when 57 nations signed the UN's Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Western feminists came to favour equal rights defined as equal treatment between women and men. The ILO accepted this shift, but insisted on updating its women-specific instruments through its own processes, claiming that no UN Convention could supersede those forged under ILO tripartism, which also represented the views of workers and employers, not just those of governments.

Three intersecting arenas, none of them static, shaped the relationship of the ILO and the CSW: contrasting institutional structures and missions, conflicting feminisms, and changing geopolitical landscapes. Though the ILO moved away from women-specific protective Conventions, and the CSW pushed for the provision of 'adequate' benefits for maternity, perhaps the ultimate special treatment item, finding common ground was fraught. Pre-war disputes between labour and legal equality feminists fed into the CSW's distrust of the ILO's commitment to women's equality.⁴ Institutional and ideological conflicts magnified when the CSW became a staging ground for the Cold War. Representatives from the Western market economies, especially the United States and Great Britain, initially used this forum to express their interests, displaying superiority toward the rest of the world, whose women, they believed, needed saving from the cruelest forms of patriarchy and required uplift through enhanced political and civil rights. Over time, the Commission came to operate as an arena where newly independent states could articulate their aspirations and make demands for development and against colonialism, apartheid, and Zionism.⁵

³ Miller 1994.
⁴ This tension can be traced in the annual reports of the ILO representative to the CSW from 1948 into the 1970s. See the entire series, ESC 1004-11-1.