

# historioPLUS

E-Journal für Arbeiten von Studierenden des Fachbereichs Geschichte der Universität Salzburg

**historioPLUS**, Jahrgang 11 (2024)

Herausgeber\*innen für den Fachbereich Geschichte: Arno Strohmeyer, Lena Oetzel

Ort: Salzburg

ISSN: 2313-2450

Stable URL: <https://www.historioplus.at/https-www-historioplus-at-how-did-women-influence-the-drafting-process-and-the-outcome-of-the-universal-declaration-of-human-rights/>

DOI: <https://doi.org/10.25598/historioplus/2024-2>

Date of Publishing: 2024-06-19

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## **How Did Women Influence the Drafting Process and the Outcome of the Universal Declaration of Human Rights?**

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Empfohlene Zitierweise:

Justyna MOSZYNSKA, How did women influence the drafting process and the outcome of the Universal Declaration of Human Rights, in: historioPLUS 11 (2024), 106–130, <https://doi.org/10.25598/historioplus/2024-2>.

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# How Did Women Influence the Drafting Process and the Outcome of the Universal Declaration of Human Rights?

Justyna Moszynska\*

2024-06-19

*Abstract* — After World War II the international community felt a need to recognize human rights in the form of a universal document which would pertain to all peoples of the world. The newly founded United Nations decided to draft the Universal Declaration of Human Rights (1948), and, in an unprecedented manner, strived for cultural, racial and gender diversity in the process. The role of women in the drafting of the Declaration has largely been omitted in historiography, but new research shows how important their contributions were to the ‘universal’ aspect of the document. This article examines their influence on the drafting of each article and the final outcome of the Declaration with the use of official UN records to show which rights they were fighting to secure.

*Keywords* — Geschlechtergeschichte, United Nations, Human Rights, Zeitgeschichte, Diplomatie

## 1. Introduction

Begum Shaista Ikramullah (1915–2000), the Pakistani representative in the Third Committee of the United Nations General Assembly in 1948, described succinctly the international political climate of the late 1940s in her memoir, saying that “the devastation wrought by it [the war] was still fresh in people’s minds—never, never again should such a thing be allowed to happen, vowed the people. It was on the lips of everybody. We must do something that will prevent the repetition of such horrors.”<sup>1</sup> This collective eagerness was reflected in the signing of the United Nations Charter in June of 1945 to “save succeeding generations from the scourge of war” and, significantly, “to reaffirm faith in fundamental human rights.”<sup>2</sup> The Holocaust and its unravelling to the world during the Nuremberg trials highlighted to many the importance of an international recognition and protection of human rights, though enforceability would become a point of contest between the various interests of political leaders, nevertheless a desire to draw up an official document signifying rights that, for the first time, would be “universal” and apply to all individually, dominated the international discourse of the newly established United Nations (UN).<sup>3</sup>

A group who rose up to take part in the post-war United Nations legislation and raise awareness of their particular issues were women activists and diplomats, who saw the new transnational organisation as a chance to better the situation of their gender on an international forum. The question of their involvement in the drafting process of the Universal Declaration of Human Rights of 1948 is the subject of this paper. The document was a major and a pressing issue for the General Assembly of the United Nations in its early years, and many groups, who previously were

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<sup>1</sup> Shaista IKRAMULLAH, *From Purdah to Parliament*, Oxford 1998, 186.

<sup>2</sup> United Nations Charter, 1945, Preamble, <https://www.un.org/en/about-us/un-charter/full-text> (29.08.2023).

<sup>3</sup> See Mark MAZOWER, *The Strange Triumph of Human Rights, 1933–1950*, in: *The Historical Journal* 47/2 (2004), 379–398, here 385.

discriminated against and bereft of public voice, actively pursued participation in the recognition of their rights as human beings on an unprecedented scale.

The study of female involvement in the drafting process of the Declaration has only gained momentum and attention in the previous decade, with the main voice in the academic field belonging to Rebecca Adami, who published and edited many works on the topic, such as *Women and the Universal Declaration of Human Rights* (2019), *Women and the UN. A New History of Women's International Human Rights* (2022), as well as articles recognizing non-Western activists, in particular *On subalternity and representation. Female and post colonial subjects claiming universal human rights in 1948* (2015). Her work is ground-breaking in regards to her focus on women in the United Nations who contributed a particular influence in the universality aspect of the Declaration, which resulted in it not being dominated by US-American or Anglo-Saxon voices.

It had long been recognized that Eleanor Roosevelt (1884–1962), the wife of Franklin D. Roosevelt and the later Chairman of the Commission of Human Rights during the drafting of the Declaration, had propelled the momentum for female activity in the United Nations and her involvement with her unique US-American perspective in the document itself had been recorded quite profusely.<sup>4</sup> The “First Lady of the World” gained an unprecedented international acknowledgement reflected in the numerous petitions from countries of various economic, legal and social disparities pleading for aid from the “venerable lady” who widely advertised her efforts on the Declaration.<sup>5</sup> Although her idealism and enthusiasm for human rights discussions present in the various radio and in-person public appearances, as well as letters and articles, was contrasted with the Cold War reality of following strict guidelines from the government, she was undoubtedly a prominent influence on the whole drafting process.<sup>6</sup> In historiography her presence dominated the discourse on women’s impact on the Declaration.<sup>7</sup> It was Adami who turned towards the uncharted territory of subaltern female voices, as well as those non-Anglophone – Scandinavian, Latin American – and socialist, the topic of which I also focus on specifically in the paper with the particular aim to evaluate actual statements and motions from these women as recorded in the official UN database.

Adami’s work offers a compelling counter-narrative to the histories of the Universal Declaration of Human Rights, as she makes a point to note that the „neglected voices” of women, who were not Roosevelt, suffered “marginalisation” in the predominantly white and male narratives

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<sup>4</sup> See Mary Ann GLENDON, *A World Made New. Eleanor Roosevelt and the Universal Declaration of Human Rights*, New York 2002; Paul Gordon LAUREN, *The Evolution of International Human Rights. Visions Seen*, Philadelphia 2011; Rhodri JEFFREYS-JONES, *Changing Differences. Women and the Shaping of American Foreign Policy, 1917–1994*, New Brunswick 2015; also the Eleanor Roosevelt Papers Project, <https://erpapers.columbia.gwu.edu/> (29.05.2024).

<sup>5</sup> See LAUREN, *The Evolution*, 212.

<sup>6</sup> See Paul Gordon LAUREN, “To Preserve and Build on Its Achievements and to Redress Its Shortcomings”: The Journey from the Commission on Human Rights to the Human Rights Council, in: *Human Rights Quarterly* 29/2 (2007), 307–345, here 310, 313.

<sup>7</sup> See Rebecca ADAMI, *Women and the Universal Declaration of Human Rights*, New York 2019, 2.

and strives to question their “Eurocentric” nature.<sup>8</sup> She focuses on women such as Bodil Begtrup (1903–1987) of Denmark, Hansa Mehta (1897–1995) and Lakshmi Menon (1899–1994) of India, Minerva Bernardino (1907–1998) of the Dominican Republic and many others whose country of origin was not Great Britain or the United States. The very beginning of her *Women and the Universal Declaration of Human Rights* makes a blanket statement categorizing these women as “non-Western,” though an argument could be made that a Danish representative does not seem to fit into a group not identifying itself with the traditional concept of the “West” or Europe.<sup>9</sup> In the actual narrative of her work however, Adami makes an implied distinction between the various subjects of her research, referring to the representatives from Latin America or Asia as “non-Western,” while in regard to delegates from Europe she would usually highlight their “non-male” influence, still unifying them all under the common front of being excluded from the “dominant narrative” due to their gender, though without limiting it to just that aspect.<sup>10</sup> Adami criticizes the notion of treating women as a “homogenous entity,” clarifying that, while several points of their programs aligned and thus allowed them to join forces, they still came from unique backgrounds and took specific issues connected to race, ethnicity, language or class relevant to their place of birth as a starting point of their activities.

Although Adami offers comprehensive subchapters on a number of delegates active during the drafting process, she admits that the only documentation for some female diplomats exists solely in the actual records of the meetings of the General Assembly and Commissions, one such example being Fryderyka Kalinowska (1910–1999), the representative of Poland.<sup>11</sup> The amount of sources on the contributions of her and the Polish delegation, which ended up being one of the eight nations who abstained from the final vote on the Declaration, is sparse. Only recently Agnieszka Mroziak, a Polish scholar in Literary Studies, authored *The Female Architects of the PPR. Communists, literature and women’s emancipation in post-war Poland* (2022), in which Kalinowska appeared as a last-minute addition, a “post-scriptum,” thanks to the request of Francisca de Haan. The Dutch historian of women’s activism in the twentieth century, who, while preparing for a lecture on socialist female activists, had “stumbled upon” Kalinowska and asked Mroziak who she was and what her contributions to the women’s movements were.<sup>12</sup> Mroziak conducted original research into records of Polish People’s Republic’s (PPR) Ministry of Foreign Affairs and UN reports, as there had been no secondary sources on Kalinowska, still admitting that, by the end of it, “she had no idea how Kalinowska ended up in diplomacy or the centre of world politics shaping post-war reality, or why she was engaged in women’s issues and how much her political

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<sup>8</sup> Ibid., 5.

<sup>9</sup> See *ibid.*, i.

<sup>10</sup> See *ibid.*, 5.

<sup>11</sup> See *ibid.*, 75.

<sup>12</sup> See Agnieszka MROZIAK, *Architektki PRL-u. Komunistki, literatura i emancypacja kobiet w powojennej Polsce*, Warsaw 2022, 163.

activity was intertwined with her personal beliefs. I [Mrozik] was moving in the realm of conjecture and speculation, although I tried to find justification for them in the statements of my heroine.”<sup>13</sup>

Evdokia Uralova (1902–1985), the representative of the Byelorussian Soviet Socialist Republic to the Commission on the Status of Women, which took an active part in the drafting process of the Declaration, also exists solely within the UN records in her statements supporting USSR’s narrative, with Adami offering not much more but the information that she was a “history teacher and Senior Executive in the Ministry of Education,” and other secondary sources compiling data on Soviet female activists of the twentieth century published in English making no mention of her at all.<sup>14</sup> The scarcity of sources on the women delegates to the UN in the years 1946–48 changes slightly when turning away from representatives of socialist republics toward female diplomats from Scandinavia, Latin America and India, like, respectively, Bodil Begtrup, Minerva Bernardino and Hansa Mehta, whose activities outside of the UN contributed to a bigger accumulation of attention from scholars, as well as their private papers and memoirs shedding more light on their political careers.<sup>15</sup> These accounts, combined with these women’s statements in the meetings of the Commission on Human Rights, Commission on the Status Women and the Third Committee of the General Assembly, available in the Official Document System of the United Nations, paint a picture of their influence on the final outcome of the Universal Declaration of Human Rights.

This paper follows a chronological structure of the women’s activities between 1946 and 1948, starting with the Sub-Commission on the Status of Women, which transformed into an official Commission status, following with individual contributions of Hansa Mehta, Lakshmi Menon, Minerva Bernardino, Bodil Begtrup and Fryderyka Kalinowska to these bodies and the Third Committee during the drafting and the final proclamation of the Declaration in the General Assembly. Their particular perspectives and statements presented in this paper stem from primary sources from the official UN database, which consist of the written records and reports from the meetings of aforementioned drafting and advisory bodies, as well as secondary literature offering historical and personal context for their activities.

## 2. Sub-Commission and Commission on the Status of Women

The Commission on Human Rights (CHR) was established in 1946 with the primary task of drafting a human rights document that would later be submitted for negotiation and final vote at the

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<sup>13</sup> Ibid., 191.

<sup>14</sup> See ADAMI, *Women*, 78; Lack of Uralova in new sources on Soviet women can be seen in e.g. Francisca de HAAN, ed., *The Palgrave Handbook of Communist Women Activists around the World*, Cham 2023; Melanie ILIC, ed., *The Palgrave Handbook of Women and Gender in Twentieth-Century Russia and the Soviet Union*, London 2018; Anna ARTWIŃSKA / Agnieszka MROZIK, *Gender, Generations, and Communism in Central and Eastern Europe and Beyond*, New York 2021.

<sup>15</sup> See Bodil BEGRUP, *Kvinde i et verdenssamfund. Erindringer af Bodil Begtrup*, Viby J 1986; Minerva BERNARDINO, *Lucha, Agonía y Esperanza: Trayectoria Triunfal de Mi Vida*, Santo Domingo 1993; Hansa MEHTA, *Indian Woman*, Delhi 1981.

General Assembly.<sup>16</sup> In view of the fact that among its eighteen members just two were women, namely Eleanor Roosevelt and Hansa Mehta, and after the hard-won battle to include the non-discrimination based on sex clause in the UN Charter by female activists, women lobbied for the ECOSOC (United Nations Economic and Social Council) to secure the formation of a Sub-Commission which would advise the CHR in the drafting process specifically on the issues of women.<sup>17</sup> This was met with opposition coming from the Chairman of the CHR herself, Roosevelt, who argued that the term “human rights” adequately covers women’s rights. Minerva Bernardino, an activist from the Dominican Republic, with her unique experience of participating in the drafting of the UN Charter as one of few women vastly outnumbered by the male delegates, countered this argument, pointing out that not all countries recognized women’s rights as human rights and that men would not bring attention to women’s issues in the same way that women would.<sup>18</sup>

Consequently, with the ECOSOC’s approval, the Sub-Commission on the Status of Women was established in February of 1946, and its first meeting was held in April, with Danish politician Bodil Begtrup quickly appointed as its Chair, Bernardino as Vice-Chair and Lebanese expert Angela Jurdak (1915–2011) as the rapporteur.<sup>19</sup> The seven women of the Sub-Commission were appointed not as representatives of their governments, but as experts in their respective fields and with independent qualifications. Marie-Hélène Lefauchaux (1904–1964) from France, Hansa Mehta of India, Fryderyka Kalinowska from Poland and Way Sung New (1894–1981) from China joined Begtrup, Bernardino and Jurdak to compile a report on the status and needs of women around the world.<sup>20</sup> Between April 29th and May 13th of 1946, as a result of a series of meetings in New York’s Hunter College, a report denoting the desired place of women in the future human rights document and the potential formation of an independent Commission on the Status of Women was created and submitted to the CHR.<sup>21</sup> The report recognized its advisory position in relation to the CHR and thus the need for both bodies to “work in harmony,” also when the Sub-Commission would be “fully constituted.”<sup>22</sup> Significantly, it established very direct aims: political, civil, social and economic and education, some of the main points being ‘universal suffrage,’ freedom of choice in marriage and dignity of the wife, “equal right to hold and acquire, administer and inherit property,” as well as right to take part in “social life,” with the note that it would entail

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<sup>16</sup> See Kristine MIDTGAARD, Bodil Begtrup and the Universal Declaration of Human Rights. Individual Agency, Transnationalism and Intergovernmentalism in Early UN Human Rights, in: *Scandinavian Journal of History* 36/4 (2011), 479–499, here 483.

<sup>17</sup> See *ibid.*, 483–484.

<sup>18</sup> See ADAMI, *Women*, 51.

<sup>19</sup> See MIDTGAARD, Bodil Begtrup, 484.

<sup>20</sup> See MROZIK, *Architektki*, 164–165.

<sup>21</sup> See *ibid.*, 165.

<sup>22</sup> Report of the Commission on Human Rights to the Second Session of the Economic and Social Council, 21.05.1946, E/38/Rev.1, <https://undocs.org/E/38/Rev.1> (19.08.2023), 15.

“full opportunity of fulfilling [the woman’s] duties towards society,” and taking a hard stance against trafficking of women and children and forced prostitution.<sup>23</sup>

The work of the newly established Sub-Commission was obstructed by third parties. In her diaries from that time, Begtrup described the other six women as “the most harmonious working group [she] had ever participated in,” though their meetings were held at night in a private hotel room to avoid unwanted attention, “since this unpleasant New York press had begun to make fun of [their] work.”<sup>24</sup> Articles were being published by American women themselves, who interpreted the Sub-Commission’s work and report as striving for women to be treated exactly as men, therefore in opposition to women-specific legislation protecting mothers and divorcees, thus anxiety was expressed as to this “idea” of equality which would potentially lead to “worse social and economic conditions for women.”<sup>25</sup> Simultaneously, the reticence from Roosevelt supported by some male delegates frustrated Begtrup, who noted that it was “a strange and bitter experience that the Commission on Human Rights allowed itself to make [their] report look ridiculous in the eyes of the public. [...] They have nothing positive to suggest themselves. [...] at least Mrs Roosevelt has disappointed me greatly.”<sup>26</sup> Begtrup was convinced that both Roosevelt and male American politicians such as Dean Gilders were doing “everything to kill [their] report and to drag [their] work down,” and these actions continued on as the women lobbied for the formation of an independent Commission on the Status of Women.<sup>27</sup>

In Roosevelt’s point of view, a Commission would “marginalize women and their issues at the UN,” though reportedly when Begtrup visited her before an ECOSOC plenary meeting, the Danish delegate wrote that Roosevelt was “kind and had no idea of the harm that we found her commission had caused,” and by request she promised to give aid in the final decision to form the Commission.<sup>28</sup> In the end however, lobbied by feminist activists and politicians, the ECOSOC itself once again decided in favour of Begtrup and her female compatriots, and in June 1946 the Commission on the Status of Women (CSW) was formed, though this time its members were officially representing their countries, which posed some risks for the future while helping with the Declaration.<sup>29</sup> Threatened to be affected by state interest and ideological issues, the Commission nevertheless was now an official body that could not be ignored by the CHR.<sup>30</sup> As work on the future Universal Declaration changed the dynamic within the UN, the next two years would see the CSW set a progressive agenda that emphasised the importance of non-discrimination based on sex in each article, the replacement of masculine pronouns and wordings in the draft texts,

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<sup>23</sup> See *ibid.*, 17–18.

<sup>24</sup> MIDTGAARD, Bodil Begtrup, 485.

<sup>25</sup> ADAMI, *Women*, 54.

<sup>26</sup> MIDTGAARD, Bodil Begtrup, 485–486.

<sup>27</sup> See *ibid.*, 53.

<sup>28</sup> See *ibid.*, 486.

<sup>29</sup> See MROZIK, *Architektki*, 166.

<sup>30</sup> See MIDTGAARD, Bodil Begtrup, 487.

and making specific notions of issues such as divorce, child marriage and equal pay.<sup>31</sup> Having deemed Hansa Mehta's presence in the CHR an unsatisfactorily small representation of women's interests, as Roosevelt's unwillingness to collaborate with the Commission was evident, the CSW managed to obtain two representative seats at CHR's meetings to support Mehta, though they were unable to vote or put a notion forward.<sup>32</sup> Besides Roosevelt and Mehta, Begtrup and Evdokia Uralova represented the CSW, and delegates of various non-governmental organisations were present as well, such as Louise van Eeghen (1884–1979) of the International Council of Women, Miss de Romer of the International Union of Catholic Women's Leagues and Jeanne Eder (1894–1957) of the International Council of Women. De Romer and Eder would support Begtrup and Uralova's suggestions to ensure the addition of the word "equal" before "election" in articles 26 and 27 on taking part in the shaping of one's government, emphasising „equality of suffrage" and "the solidarity of women on the matter of equality of political rights."<sup>33</sup> Thanks to their contribution, the words "elections which shall be [...] fair" were adopted by the Commission, though these articles, like many others, would undergo many changes before their final negotiation in the Third Committee.

Begtrup's influence in the CHR would further consist of insistent reminders to the Commission of gender inclusive language and of a number of pressing, and even controversial, women's issues. Already in the second meeting of the Working Group on the Declaration of Human Rights, she emphasised that the declaration was of "fundamental importance for women, who in certain countries were not even granted the rights which the most primitive constitutions granted to men," therefore she insisted that explicit mentions of the equality of the sexes were necessary and proposed a following statement to be included in the preamble: "When a word indicating the masculine sex is used in connection with a provision contained in the following Bill of Human Rights, the provision in question is to be considered as applying without discrimination to women."<sup>34</sup> This was in reference to the consistent and unquestioned (besides Mehta) use of masculine pronouns "he" or "him" in the declaration. The female Indian delegates, as well as Bernardino would also remind the various bodies to either replace that with a more gender-neutral pronoun or to add "or she" and "or her" throughout the entirety of the drafting process, nonetheless, the final Declaration would still bear the words "him" and "himself."<sup>35</sup> Begtrup's proposition was left without a comment, and in the later part of the meeting General Romulo of the Philippines

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<sup>31</sup> See ADAMI, *Women*, 75.

<sup>32</sup> See *ibid.*, 82.

<sup>33</sup> Working Group on the Declaration of Human Rights, Summary Record 7th Meeting, 09.12.1947, E/CN.4/AC.2/SR.7, <https://undocs.org/E/CN.4/AC.2/SR.7> (26.08.2023), 9–10; also in ADAMI, *Women*, 82.

<sup>34</sup> Working Group on the Declaration of Human Rights, Summary Record 2nd Meeting, 05.12.1947, E/CN.4/AC.2/SR.2, <https://undocs.org/E/CN.4/AC.2/SR.2> (26.08.2023), 2–3; also in ADAMI, *Women*, 87.

<sup>35</sup> Universal Declaration of Human Rights, 10.12.1948, <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (02.06.2023), 3; 6-7.



suggested Article 1 of the Declaration to start with the sentence “All men are brothers. Being endowed with reason and conscience, they are free and possess equal dignity and rights.”<sup>36</sup> Begtrup immediately responded that the phrase “human beings” would be more preferable, which was only met with Roosevelt’s comment that it “was rather a question of translation,” ending the discussion on the grounds of gender in that meeting.<sup>37</sup>

Begtrup’s attempts at bringing women’s issues more specific than equality in political and social matters are also visible in the records, though voting members of the Working Group often did not comment on them or take them into account. In the third meeting, she countered the statement of August Vanistendael (1917–2003) of the International Federation of Christian Trades Unions, who pointed out that the draft did not assert “any specification of the biological moment when human life began,” and that the right to life should extend to “the first moment of physical development,” saying that some of the countries’ legislation, including Denmark, allowed for abortion in certain situations which would be contradictory with proposed provisions.<sup>38</sup> A week later during the meeting of the CHR proper, which included her as the representative of the CSW, the discussion continued. A paragraph to Article 4 that included some controversial notions as to the prevention of “birth of a child of unsound mind” and “to parents suffering from mental disease” caused numerous delegates to oppose mention of abortion entirely, with the representative of Chile, Eduardo Cruz-Coke (1899–1974), stating that these predicaments did not “predict the child’s future,” going on to even mention that “as regards to pregnancy, resulting from rape, experience had shown that the majority of women seeking abortion used rape as a pretext.”<sup>39</sup> Begtrup reiterated her argument from the working group session that many “civilised” countries’ legislation allowed for abortion in order to “preserve the life of the woman,” her claim only supported by a lengthy statement from Charles Dukes, Lord Dukeston (1881–1948), delegate from the United Kingdom, who rebutted the opinions posed by Chile saying that exceptions did not justify ignoring “genuine cases” and that these provisions would cause some problems for “many States, such as the United Kingdom, the Scandinavian countries and possibly even some Federal States of the United States of America” whose law supported abortion in specific situations.<sup>40</sup> These arguments did not convince the delegates however, and the controversial paragraph was deleted by ten votes to three objections.<sup>41</sup> Likewise, Begtrup’s attempts to include the prohibition of the trafficking of women in the article concerning slavery were seconded only by Uralova, who

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<sup>36</sup> Working Group on the Declaration of Human Rights, Summary Record 2nd Meeting, 4.

<sup>37</sup> See, *ibid.*; also in ADAMI, 87.

<sup>38</sup> Working Group on the Declaration of Human Rights, Summary Record 3rd Meeting, 06.12.1947, E/CN.4/AC.2/SR.3, <https://undocs.org/E/CN.4/AC.2/SR.3> (26.08.2023), 7–8.

<sup>39</sup> Commission on Human Rights, Summary Record 35th Meeting, 12.12.1947, E/CN.4/SR.35, <https://undocs.org/E/CN.4/SR.35> (26.08.2023), 12–13.

<sup>40</sup> See *ibid.*, 15.

<sup>41</sup> See *ibid.*, 16.

called for an explicit mention of trafficking in the text as “the most humiliating condition, especially for women.”<sup>42</sup> Neither Roosevelt nor other voting delegates commented or proposed the inclusion of trafficking in the article, and the final Declaration did not make an explicit mention of it in Article 4 on “slavery and servitude” either.<sup>43</sup>

In the ninth meeting of the CSW in January of 1948, Begtrup reported on her and Uralova’s activities in the CHR December sittings. Before presenting the main points raised in that Commission, she “emphasised the difficulty of participating in a debate without vote or the right to propose a motion,” only being able to “express wishes” and make suggestions.<sup>44</sup> She recounted her proposition regarding masculine pronouns in the text and stated that she deemed the phrase “all men are brothers” a result of an “antiquated conception,” with which her compatriots agreed, and she gave praise to Uralova’s efforts to press equal pay and work advantages between men and women to be included in the text.<sup>45</sup> In the end, Begtrup stressed that her experience at the CHR showed the importance of having a CSW representative present during the drafting process. During that meeting the CSW utilised her report to submit amendments to the CHR, which were accepted.<sup>46</sup> Article 1 was changed to: “*All people* are born free and equal in dignity and rights. They are endowed by nature with reason and conscience, and should act towards one another *in the spirit of brotherhood*”, and Article 13 on marriage now included the right to both “contract or dissolve marriage in accordance with the law.”<sup>47</sup>

### 3. Mehta in the CHR and the Women of the Third Committee

The latter months of 1948 brought the long-awaited final negotiation and vote on the articles of the Universal Declaration of Human Rights. The tension was felt in the Third Committee of the General Assembly, as fifty-eight delegations consisting of some five-hundred delegates were taking active part in the shaping of the milestone human rights document. Twelve of those delegates were women, including Begtrup (Denmark), Kalinowska (Poland), and Bernardino (Dominican Republic) who were now pursuing further the agenda set by the CSW and their ideals based on years of activism in their respective fields, aided by new female delegates who were seeing the document for the first time, like Lakshmi Menon (India) who was honouring the work of Hansa Mehta in the CHR.<sup>48</sup> Eleanor Roosevelt would later note that the “pressure” coming from these female delegates was palpable, and that „right away they saw something in our document that

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<sup>42</sup> Working Group on the Declaration of Human Rights, Summary Record 4th Meeting, 08.12.1947, E/CN.4/AC.2/SR.4, <https://undocs.org/E/CN.4/AC.2/SR.4> (26.08.2023), 2–3.

<sup>43</sup> See Universal Declaration of Human Rights, 2.

<sup>44</sup> See Commission on the Status of Women, Summary Record 9th Meeting, 09.01.1948, E/CN.6/SR.28, <https://undocs.org/E/CN.6/SR.28> (27.08.2023), 2.

<sup>45</sup> See *ibid.*, 2–3.; also in ADAMI, Women, 94.

<sup>46</sup> See Commission on the Status of Women, Draft Report of the Commission on the Status of Women to the Economic and Social Council, 15.01.1948, E/CN.6/74, <https://undocs.org/E/CN.6/74> (27.08.2023), 13.

<sup>47</sup> *Ibid.*, emphasis mine.

<sup>48</sup> See ADAMI, Women, 112.

we brought to them which we had not given much thought to.”<sup>49</sup> It is important to consider each of these women’s contributions to the final outcome of the Declaration and their consistent efforts to include women’s rights in the articles and to counter the prevalent masculine worldview of the delegates.

### 3.1 Hansa Mehta in the CHR and Lakshmi Menon in the Third Committee

Before analysing Menon’s contribution to the Declaration, it is important to see the groundwork set for her by Hansa Mehta. In advance to being part of the UN, Mehta was already actively participating in Indian politics with posts in the Bombay Legislative Council, the Constituent Assembly of India and the Ministry of Education and Health.<sup>50</sup> Her specific devotion to female education can be traced back to her time at Baroda College, from which she graduated as the third woman of her ethnicity, and where she recalled the small number of female students and the much poorer living conditions they had to endure.<sup>51</sup> When she was part of the All India Women’s Conference, which aimed at “representing the diversity of Indian women,” she attributed the astonishingly high illiteracy rate among them to “the educational backwardness” resulting from “social evils like child marriages, purdah etc. which hampered their progress.”<sup>52</sup> She used that background to push for equality at the CHR meetings, of which she and Roosevelt were the only women, though not without obstruction.

Already in the second meeting of the Commission, she delineated her country’s dire situation and where her ideals would be coming from. She emphasised that India was facing “a problem of exceptional magnitude for reasons beyond its control,” namely the displacement of some four million people “under the aegis of the colonial governments” who were creating “special communities” for them, where they faced unjust treatment and struggled with nationality and citizenship.<sup>53</sup> The national cause was part of Mehta’s life already in the 1930s when she participated in Gandhi’s peaceful demonstrations alongside other women boycotting economic exploitation by the British Empire.<sup>54</sup> Consequently, she envisioned the future Bill of Human Rights to not just be “simple and forthright,” but also to have “adequate machinery for its enforcement” so that governments would be compelled internationally to follow it.<sup>55</sup> This would cause disappointment

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<sup>49</sup> Eleanor ROOSEVELT, “Making Human Rights Come Alive – March 30, 1949,” Speech to Pi Lambda Theta, New York City, Archives of Women Political Communication, <https://awpc.cattcenter.iastate.edu/2017/03/21/making-human-rights-come-alive-march-30-1949/> (04.06.2024).

<sup>50</sup> See ADAMI, *Women*, 66.

<sup>51</sup> See Rebecca ADAMI, *On Subalternity and Representation. Female and Post Colonial Subjects Claiming Universal Human Rights in 1948*, in: *Journal of Research on Women and Gender* 6 (2015), 56–66, here 62.

<sup>52</sup> ADAMI, *Women*, 68.

<sup>53</sup> See Commission on Human Rights, *Summary Record 2nd Meeting*, 27.01.1947, E/CN.4/SR.2, <https://undocs.org/E/CN.4/SR.2> (24.08.2023), 3.

<sup>54</sup> See ADAMI, *Women*, 67.

<sup>55</sup> See Commission on Human Rights, *Summary Record 2nd Meeting*, 3; also in ADAMI, *Women*, 66.

when world leaders' reticence to sign a binding document resulted in the Declaration's precedence over the Covenant.

Mehta's disappointment in the delegates would emerge much sooner however, already in the eighth meeting of the CHR. At this point in time, January of 1947, the actual drafting process had not yet started, and a debate on the history and nature of human rights occupied most delegates' statements. Lord Dukeston (United Kingdom) opened the meeting with a monologue on his country's forefront position in the protection of human rights worldwide, its core ideals "always, everywhere" being "the emancipation of the human person, along with the promotion of education and of social and economic progress" and "tolerance."<sup>56</sup> After a short debate on the developments and attacks on human rights throughout history, Mehta's voice interrupted the ongoing discussion to request that "the general debate be brought to a close and that the Commission undertake, without further delay, consideration of the draft resolution which she had submitted."<sup>57</sup> Her pleas for the Commission to consider her representation's draft would continue, as no other delegate responded to her appeal. The next meeting's record evidences that the men's debate persisted and Mehta reminded the representatives three times that she was promised "that she could submit her draft resolution after the general discussion" which should have ended by that point.<sup>58</sup> Her draft bore significant amendments reflecting Mehta's experience and personal struggles as an Indian woman. Each article began with the phrase "every human being," and the second paragraph of her resolution emphasised equality without any discrimination: "Every human being has the right of equality, without distinction of race, sex, language, religion, nationality or political belief."<sup>59</sup> Additionally, it highlighted the application of these rights to all "non-self-governing areas and areas under the trusteeship of the United Nations."<sup>60</sup> Mehta's draft would be further delayed for discussion, as in the thirteenth meeting Roosevelt decided to show the Commission Catholic Welfare Association's draft which was just received, and after the Indian delegate's comment that her "draft resolution had been submitted in time [...] and that it should therefore serve as a basis of discussion," the Chair replied "that seeing the CWA resolution would be preferable."<sup>61</sup>

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<sup>56</sup> Commission on Human Rights, Summary Record 8th Meeting, 31.01.1947, E/CN.4/SR.8, <https://undocs.org/E/CN.4/SR.8> (24.08.2023), 2.

<sup>57</sup> *Ibid.*, 3; also in ADAMI, Women, 70.

<sup>58</sup> See Commission on Human Rights, Summary Record 9th Meeting, 01.02.1947, E/CN.4/SR.9, <https://undocs.org/E/CN.4/SR.9> (24.08.2023), 3, 5, 6.

<sup>59</sup> Draft of a Resolution for the General Assembly Submitted by the Representative of India, 31.01.1947, E/CN.4/11, <https://undocs.org/E/CN.4/11> (24.08.2023), 1; also in ADAMI, Women, 71.

<sup>60</sup> *Ibid.*, 2.

<sup>61</sup> Commission on Human Rights, Summary Record 13th Meeting, 04.02.1947, E/CN.4/SR.13, <https://undocs.org/E/CN.4/SR.13> (24.08.2023), 1-2.

Mehta often voiced her concerns on the means of the implementation of the human rights document. In her opinion, “a mere declaration would not be sufficient” and some form of enforceability would have to be secured.<sup>62</sup> Once it had been decided, due to the pressure from various governments, that there would be two documents, a declaration and a legally binding bill, she would point out that the “form of the Bill of Human Rights is of great importance to her government,” and, ironically referring to the prolonged debates from the first sessions of the CHR, she said: “It can either be in the nature of a vague resolution, including mystic and psychological principles, or it can be an instrument binding on all the Member States.”<sup>63</sup> Nevertheless, the political pressure would prevail and the Declaration remained a “morally-binding” document, leaving the enforceability aspect to other working groups. Mehta’s notable contribution to the draft of the Declaration would be in support of the female delegates from the CSW, in which she opposed the masculine wording of the articles. In December of 1947, a draft from the Working Group on the Declaration was being discussed article by article. Before Begtrup and Uralova’s intervention as representatives from the CSW and the body’s amendments sent in January to change Article 1’s “all men are brothers,” Mehta commented on the gender-specific aspect. She explicitly pointed out her dislike for the words “men” and “brothers,” as she “felt they might be interpreted to exclude women, and were out of date.”<sup>64</sup> The Chair responded “that the word ‘men’ used in this sense was generally accepted to include all human beings,” and Lord Dukeston suggested that, “in order to avoid further discussion on the subject,” a note should be placed in the Declaration which would clarify that the use of the word “men” meant people of both genders, to which Mehta said that “human beings” or “persons” were more preferable to use.<sup>65</sup> The delegates voted in favour of the note rather than changing the wording.

Hansa Mehta would not serve as the representative of India in the Third Committee during the negotiation of the Declaration. She nevertheless later remarked that, though she was not in favour of several aspects of the document, it was substantial enough for her to reference it during the drafting of India’s own legislation.<sup>66</sup> Mehta’s work on the Declaration would be continued by Lakshmi Menon, who voiced her opinions often in December of 1948 in the Third Committee. She was an experienced politician and the Acting President at the All India Women’s Conference for several years, devoted to countering the dominant narrative of the colonial powers on preserving human rights in the non-self-governing territories.<sup>67</sup> Though some questioned her appointment

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<sup>62</sup> See Commission on Human Rights, Summary Record 14th Meeting, 05.02.1947, E/CN.4/SR.14, <https://undocs.org/E/CN.4/SR.14> (24.08.2023), 7.

<sup>63</sup> ADAMI, Women, 71.

<sup>64</sup> Commission on Human Rights, Summary Record 34th Meeting, 12.12.1947, E/CN.4/SR.34, <https://undocs.org/E/CN.4/SR.34> (27.08.2023), 4.

<sup>65</sup> See *ibid.*, 5.

<sup>66</sup> See ADAMI, Women, 93.

<sup>67</sup> See *ibid.*, 77.

to the Indian representation and considered it “interesting,” she quickly proved to be a stern delegate whose aim was cooperation in achieving an international recognition of human rights, at one point telling the Committee that “different countries have different beliefs and political systems. What they share though are the same ideals of social justice and freedom.”<sup>68</sup>

Menon was one of the most direct and unyielding female voices of the Third Committee, as she often expressed her doubts and criticism of various articles of the draft declaration and of the behaviour of some of the delegates, namely from South Africa and Roosevelt as the Chair. The racial discrimination and unrest in South Africa had been widely commented on in the UN, and the defensive and unrelenting stance of its representative in this body, Jan Smuts (1870–1950), regarding intervention in the internal affairs of his country, had been one of the factors slowing the drafting process down.<sup>69</sup> One of the amendments submitted to the Committee by the South African delegation aroused criticism among the members, one of which was Menon. On October 25<sup>th</sup>, Article 6 of the draft declaration was being discussed, being: “All are equal before the law and are entitled without any discrimination to equal protection of the law against any discrimination in violation of this Declaration and against any incitement to such discrimination.”<sup>70</sup> The South African amendment, which ended after “protection of the law,” prompted Menon to oppose immediately.<sup>71</sup> She commented on the difficulty of working on the declaration with representatives of that country, simultaneously using this opportunity to strongly protest “against the discriminatory treatment accorded to Indians and other peoples in the Union of South Africa.”<sup>72</sup> She appealed not to condone South African internal policies and addressed the delegate directly to withdraw his amendment which would only “arouse animosity and misunderstanding,” announcing that she would not only oppose it, but also “appeal to the other members of the Committee to reject it unanimously.”<sup>73</sup>

Menon did not hesitate to point out the Committee’s and the Chairman’s shortcomings either. In November, the debate on each article continued while the pressure from various bodies around the world accumulated and bore down on the delegates, and Menon felt frustration as well, as she pointed out in the one-hundred-and-fifty-seventh meeting of the Third Committee, saying that, though “she generally refrained from arguing on controversial issues, she felt constrained on that occasion to point out to the Committee that it was not entirely consistent” with

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<sup>68</sup> Khushi Singh RATHORE, *Excavating Hidden Histories. Indian Women in the Early History of the United Nations*, in: Rebecca Adami / Dan Plesch, ed., *Women and the UN. A New History of Women’s International Human Rights*, Oxon 2022, 39–55, here 48.

<sup>69</sup> See MAZOWER, *The Strange Triumph*, 394–395.

<sup>70</sup> Report of the 3rd Session of the Commission On Human Rights, Lake Success, 18.06.1948, E/800, <https://undocs.org/E/800> (20.08.2023), 11.

<sup>71</sup> See Draft International Declaration of Human Rights, Amendments to the Draft Declaration (E/800) / Union of South Africa, 06.10.1948, A/C.3/226, <https://undocs.org/A/C.3/226> (28.08.2023).

<sup>72</sup> Third Committee, Summary Record 112th Meeting, 25.10.1948, A/C.3/SR.112, <https://undocs.org/A/C.3/SR.112> (28.08.2023), 232.

<sup>73</sup> *Ibid.*

its decisions.<sup>74</sup> She pointed out that at certain times the delegates opposed the repetition of certain phrases in articles, such as the non-discrimination clause, but in several instances it proposed “lengthy articles,” referring to Article 21 on equal opportunities for work and pay, where the argument for “brevity” prevailed.<sup>75</sup> In response to the statement from the United States representative who said that “the word ‘everyone’ meant every human being,” in opposition to repeating the non-discrimination phrase, Menon highlighted the Committee’s Western point of view: “It was no doubt difficult for Powers accustomed to regarding some races as inferior to understand and share the feelings of those who for centuries had suffered from discrimination.”<sup>76</sup> She continued the discussion on November 30<sup>th</sup>, when she disagreed “that the principle of the equality of rights between men and women would be weakened by repetition or that its general acceptance could be taken for granted.”<sup>77</sup> In her opinion, the inclusion of that provision in the preamble itself was of significance, as its omission could result in certain governments feeling enabled to further disregard the equality between the sexes, and it was “strange” that the Committee’s “long deliberations” produced this oversight.<sup>78</sup>

### **3.2 Minerva Bernardino and Bodil Begtrup in the Third Committee**

Minerva Bernardino of the Dominican Republic continued the agenda set forth by the Sub-Commission and the later Commission on the Status of Women in the Third Committee as one of the most outspoken delegates on the inclusion of women’s rights in the document. She was a known figure in the United Nations since its founding, as one of the four women who signed the UN Charter and who is attributed with pushing for the word “women” to be included in its preamble.<sup>79</sup> A feminist representative of the Dominican Republic, she nevertheless had a complicated relationship with her country’s leadership. The dictator Rafael Trujillo’s (1891–1961) requests for arms after World War II were rejected by the United States, which had publicly said that “it preferred to have relations with democratic governments.”<sup>80</sup> The foundation of the UN opened a window of opportunity for Trujillo to create an image of the Dominican Republic for the international scene, one of a progressive government, and an alignment with women’s rights groups and Bernardino was just the way to “provide the appearance of a benevolent dictatorship” which was a defender

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<sup>74</sup> See Third Committee, Summary Record 157th Meeting, 25.11.1948, A/C.3/ SR.157, <https://undocs.org/A/C.3/SR.157> (21.08.2023), 682.

<sup>75</sup> See *ibid.*

<sup>76</sup> *Ibid.*

<sup>77</sup> Third Committee, Summary Record 165th Meeting, 30.11.1948, A/C.3/ SR.165, <https://undocs.org/A/C.3/SR.165> (20.08.2023), 763.

<sup>78</sup> See *ibid.*, 764.

<sup>79</sup> See Tatiana VALOVAYA, Women’s Imprint in Multilateralism, in: Geneva Global Policy Briefs 3 (2021), 1–7, here 2.

<sup>80</sup> Ellen DUBOIS / Lauren DERBY, The Strange Case of Minerva Bernardino. Pan American and United Nations Women’s Right Activist, in: Women’s Studies International Forum 32 (2009), 43–50, here 47.

of women's rights.<sup>81</sup> Through this ambiguous relationship, Bernardino gained the chance to advance the women's cause internationally, representing the interests of Latin American women of the Inter American Commission of Women, which heralded the pan-American feminist activism at the time.<sup>82</sup>

Bernardino raised women's issues in the Third Committee with regular frequency. Adami noted that, in comparison to Roosevelt as Chair who said the word "women" once during the final negotiation and voting, Bernardino mentioned "women" forty-nine times in her statements in the Third Committee.<sup>83</sup> In particular, she championed the cause of mothers and children. In the latter half of November of 1948, discussions on Article 22 were being held, particularly its second paragraph: "Mother and child have the right to special care and assistance."<sup>84</sup> Bernardino thanked the delegates of Argentina and Cuba for speaking in favour of her amendment to the article, that being: "Delete paragraph 2 and substitute the following: '*Expectant and nursing mothers and all children* have the right to special care and assistance'".<sup>85</sup> She appreciated the Yugoslavian amendment, which made specific mention of "illegitimate children," and, though she thought it rather belonged in "national legislation," she "could not, however, bring herself to vote against it after she had struggled for the rights of illegitimate children for so many years."<sup>86</sup> In her opinion, an explicit distinction needed to be made with the protection granted to "expectant and nursing mothers," since "the law merely recognized the weakness of women without giving them the necessary weapons to protect that weakness," therefore the same protection given to the "traditional" mothers had to extend to pregnant women.<sup>87</sup> Thanks to her insistence on the inclusion of these provisions, the final Universal Declaration of Human Rights bore Article 25 paragraph 2: "*Motherhood* and childhood are entitled to special care and assistance. All children, *whether born in or out of wedlock*, shall enjoy the same social protection."<sup>88</sup>

Bernardino, similarly to Menon, was a proponent of an explicit mention of the non-discrimination clause in all articles, opposing statements from the Chairman that it is widely understood that women are included in the current wording of the declaration. In an October meeting of the Committee, she reminded the delegates of the struggle to include women in the UN Charter, the signing of which she was a part of, and that in the end it was that explicit mention that signified

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<sup>81</sup> See Giusi RUSSO, *Women, Empires, and Body Politics at the United Nations, 1946–1975*, Lincoln 2023, 42.

<sup>82</sup> See DUBOIS / DERBY, *The strange case*, 44.

<sup>83</sup> See ADAMI, *Women*, 113.

<sup>84</sup> Report of the 3rd Session of the CHR, E/800, 13.

<sup>85</sup> Draft International Declaration of Human Rights, Amendment to Article 22 of the Draft Declaration (E/800) / Dominican Republic, 09.10.1948, A/C.3/217/CORR.2, <https://undocs.org/A/C.3/217/CORR.2> (21.08.2023), emphasis mine.

<sup>86</sup> Third Committee, Summary Record 144th Meeting, 18.11.1948, A/C.3/ SR.144, <https://undocs.org/A/C.3/SR.144> (21.08.2023), 570; Draft International Declaration of Human Rights, Amendments to the Draft Declaration (E/800) / Yugoslavia, 07.10.1948, A/C.3/233, <https://undocs.org/A/C.3/233> (21.08.2023).

<sup>87</sup> See Third Committee, Summary Record 143rd Meeting, 17.11.1948, A/C.3/ SR.143, <https://undocs.org/A/C.3/SR.143> (21.08.2023), 554–555.

<sup>88</sup> Universal Declaration of Human Rights, 7, emphasis mine.



“a triumph for the women of the world,” even though it was not achieved without “controversy.”<sup>89</sup> She indicated that there were still several states in the world which gave rights solely to men, and that if this declaration “were to be of practical value for mankind, it should proclaim in the most explicit manner possible, leaving no room for doubt, that men and women were equal before the law.”<sup>90</sup> In response to Bernardino’s statement, Roosevelt repeated her usual argument that “the words ‘all human beings’ had been used precisely in order that both men and women might be included.”<sup>91</sup> Bernardino would insistently fight to include the non-discrimination clause in many more meetings of the Committee – her efforts can be found in the records for the 139th, 141st, 157th and 166th meetings, concerning various articles, for instance Article 21 on equal work and pay.<sup>92</sup> Bernardino had personal experience of unfair treatment when, despite her numerous prestigious posts in various international organisations, she was still refused promotion and a raise on the grounds that “Dominican women could not earn more than men did.”<sup>93</sup> Consequently, in a November meeting she asserted that it was still prevalent in many states that “men generally received more favourable treatment and pay than women and the economic welfare of women was thereby jeopardised,” therefore if Article 21 was to “meet the requirements of social justice,” it had to include the non-discrimination based on “race, nationality or sex,” as suggested by the USSR amendment, which Bernardino endorsed.<sup>94</sup>

Many of Bernardino’s arguments had been echoed by Bodil Begtrup of Denmark, both in the CSW and the CHR, as described before, and the Third Committee. Begtrup’s immediate nomination for Chair of the CSW and her subsequent respected position during the drafting of the Declaration were due to her extensive history of activism and policy-making in favour of women. Between the years 1946 and 1949 she served as the President of the Danish Women’s National Council, and it was her influence on the Danish Prime Minister in 1948 that significantly contributed to the granting of voting rights to women in Greenland.<sup>95</sup> Her personal experiences of divorce and the loss of her ten-year-old daughter reflected in her activities establishing the Modrehjælpen association supporting mothers and children, which later transcribed to her statements in the Third Committee itself.<sup>96</sup> In 1949, she would say: “A research between widows and divorced women and other lonely mothers here in Denmark has shown that they were ever so much better

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<sup>89</sup> Third Committee, Summary Record 98th Meeting, 09.10.1948, A/C.3/ SR.98, <https://undocs.org/A/C.3/SR.98> (21.08.2023), 108.

<sup>90</sup> *Ibid.*, 109.

<sup>91</sup> *Ibid.*

<sup>92</sup> See Third Committee, Summary Record 139th Meeting, 16.11.1948, A/C.3/ SR.139, <https://undocs.org/A/C.3/SR.139> (21.08.2023), 519.

<sup>93</sup> ADAMI, Women, 84.

<sup>94</sup> Third Committee, Summary Record 139th Meeting, 519; Report of the 3rd Session of the CHR, E/800, 43.

<sup>95</sup> See MIDTGAARD, Bodil Begtrup, 480; ADAMI, Women, 51.

<sup>96</sup> See ADAMI, Women, 51.

off when they had an education or a job when young. They could never be completely knocked out by life.”<sup>97</sup>

It is then unsurprising that she thought Article 14 on equal rights to marriage “one of the most important in the declaration, particularly to women.”<sup>98</sup> She emphasised equal right to the dissolution of marriage as well, and thought it necessary to “lay stress on the dignity of the wife and mother, to indicate that husband and wife were on a footing of absolute equality, both legally and morally.”<sup>99</sup> She supported her female compatriots in supporting the “repetition” argument, saying that it was “preferable to a better draft which left any room for doubt’ of the equality between the sexes in marriage.”<sup>100</sup> Begtrup was also aligned in her cause with Bernardino on the matter of illegitimate children, and reminded the Committee that it “was voting on ideas, some of them new and worthwhile,” and it was important to leave behind old tendencies in favour of a new world order that placed precedence on the protection of human rights, in which illegitimate children had to have a place secured.<sup>101</sup> Her other pleas regarding a special protection of minorities and their education however, were met with more resistance from the Committee. It was generally thought by the majority, including the delegates of “the United States, the United Kingdom, France, Uruguay, Belgium, India and Australia,” that an omission of mentions of minorities in the Declaration was desirable, using the well-worn argument that their rights as individuals would be protected under the umbrella of human rights.<sup>102</sup> Therefore Begtrup’s argument that “the right to education was essential for the cultural life of a minority,” and so its inclusion was essential, was quickly suppressed.<sup>103</sup>

### 3.3 Fryderyka Kalinowska in the Third Committee

Fryderyka Kalinowska represented Poland in the Third Committee during the negotiation process of the Declaration. Her diplomatic and women’s rights background in secondary literature can be found only in the introduction of Mrozik’s work on female communists of the last century. Mrozik’s original research led her to the information that the origin of Kalinowska’s later statements in the Committee can be traced to her underprivileged childhood and adolescent years, when she faced discrimination based on her gender and Jewish heritage in universities she applied to and on the job market – in the university in Lviv, where she originally intended to study

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<sup>97</sup> United Nations, “Interview with Bodil Begtrup,” in: UN Status of Women Radio Series. Transcripts of Interviews, written by the United Nations, January 1949, 1.

<sup>98</sup> Third Committee, Summary Record 125th Meeting, 08.11.1948, A/C.3/ SR.125, <https://undocs.org/A/C.3/SR.125> (20.08.2023), 367.

<sup>99</sup> Ibid.

<sup>100</sup> Ibid.

<sup>101</sup> See Third Committee, Summary Record 144th Meeting, 567.

<sup>102</sup> See MIDTGAARD, Bodil Begtrup, 490.

<sup>103</sup> See Third Committee, Summary Record 146th Meeting, 19.11.1948, A/C.3/ SR.146, <https://undocs.org/A/C.3/SR.146> (28.08.2023), 584.

medicine, for every one-hundred students there could only be one woman.<sup>104</sup> It was around this time that she aligned herself with communism, based on her personal experiences, though the Jewish persecution within the communist party in Poland led her to leave the country in 1968.<sup>105</sup> Nevertheless, in the first years of the UN and the drafting process of the Declaration, she echoed many of the USSR's statements and aligned herself with socialist goals. Her unique Polish experience as a Jewish woman during the Second World War would still be reflected in many of her statements, as reportedly her family died during the Holocaust and she herself underwent mistreatment, blackmail and sexual assault.<sup>106</sup> In a report to the Ministry of Foreign Affairs in Warsaw, she would later remark on her activity in the UN that

*I tried to introduce into the programme above all the moment of the general struggle for social progress, for freedom and for peace, not limiting myself to the struggle for equal rights with men. I was pointing to the moment of democracy as the basis for the equality of all citizens, and therefore for the equality of women, to the necessity of fighting national and social discrimination, which intertwines and conditions also the discrimination of women. [...] My aim was to bring into the report the whole field of actual social and nationality discrimination, which for the most part does not find direct expression even in an apparently progressive legal system (essential living conditions, lack of access to jobs, schools, working conditions, wages, etc.).<sup>107</sup>*

Kalinowska's engagement with both women's rights, the USSR narrative and her Polish identity is evident within her statements in the Third Committee. In the late October and early November meetings, she recalled Polish people's experiences to highlight the importance of the prohibition of slavery and servitude in the Declaration, saying that "the Polish people, many of whom still remained in displaced persons camps, had been particularly badly treated" and the inclusion of these provisions was highly significant.<sup>108</sup> She also made a mention of Polish women's perseverance during the Second World War, which showed that they were able to "play the same part as men in all spheres," including "the equality of responsibility" in family and marriage.<sup>109</sup>

Her adherence to the USSR's amendments and provisions, as well as its criticisms toward the United States representatives, are apparent in the discussions on the preamble and Article 17 on the freedom of speech. Much like Lakshmi Menon, she criticised the Committee for its inconsistency regarding article length, here specifically the preamble, which she regarded to contain "vague and rambling generalities" and a "surprisingly weak operative clause."<sup>110</sup> She subsequently endorsed the Soviet amendment of the preamble, asking the Committee: "Was the work

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<sup>104</sup> See MROZIK, *Architektki*, 169–170.

<sup>105</sup> See *ibid.*, 174.

<sup>106</sup> See *ibid.*

<sup>107</sup> *Ibid.*, 183–184.

<sup>108</sup> See Third Committee, Summary Record 110th Meeting, 22.10.1948, A/C.3/ SR.110, <https://undocs.org/A/C.3/SR.110> (20.08.2023), 215.

<sup>109</sup> See Third Committee, Summary Record 125th Meeting, 371.

<sup>110</sup> Third Committee, Summary Record 165th Meeting, 761.

of two years by various bodies of the United Nations to result merely in urging individuals and organs of society to ‘strive by teaching and education to promote respect for’ and to ‘secure observance’ of human rights and freedoms?”<sup>111</sup> It is worth noting here that the Soviet amendment used the phrase “ensure observance,” which Kalinowska interpreted as better wording.<sup>112</sup> She highlighted the USSR’s contribution of “the promotion of friendly relations between nations,” which had appeared in the UN Charter, but not in the draft declaration.<sup>113</sup> Interestingly, only the USSR and its satellite states had been outspoken about this omission, and no other delegate commented on this part of Kalinowska’s statement, though that provision did appear in the final preamble.<sup>114</sup> What is more, while Kalinowska further criticised the Committee and supported the USSR amendment, she did not comment on the most controversial aspect of said amendment, namely: “The General Assembly recommends the following Declaration of Human Rights to all States Members of the United Nations *to be used at their discretion*”.<sup>115</sup> This caused direct opposition among the delegates, alongside the Chair, who responded that the phrase “at their discretion” would “impair the moral forcefulness of the declaration as a whole,” “weaken the preamble and restrict the scope of application of the declaration.”<sup>116</sup> Kalinowska remained silent during the rest of that meeting.

Another Soviet amendment that Kalinowska endorsed was one on freedom of speech, which contained another controversial point of contention, namely the sentences: “Freedom of speech and the press shall not be used for purposes of propagating Fascism, aggression and for provoking hatred as between nations. [...] the State will assist and co-operate in making available the material resources (premises, printing presses, paper, etc.) necessary for the publication of democratic organs of the press.”<sup>117</sup> Other delegates expressed anxiety over such wording, with Alan Watt (1901–1988) of Australia saying that “his delegation, for its part, did not think that to establish censorship was all that was needed to remedy that evil” and that the amendment was allowing for state intervention in the dissemination of information.<sup>118</sup> French representative Salomon Grumbach (1884–1952) “wished to ask the USSR delegation what it understood by the word ‘fascism,’” as some people “dubbed as fascists certain persons who did not deserve that epithet.”<sup>119</sup> Kalinowska simply responded that “during the war waged against fascism, the Allies knew very well what that word meant,” and went to on to explain how in her country the State gave “constructive assistance” to various groups in order for the press to reach marginalised communities

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<sup>111</sup> *Ibid.*

<sup>112</sup> See Report of the 3rd Session of the CHR, E/800, 40.

<sup>113</sup> See Third Committee, Summary Record 165th Meeting, 761.

<sup>114</sup> See Universal Declaration of Human Rights, 1.

<sup>115</sup> Report of the 3rd Session of the CHR, E/800, 40, emphasis mine.

<sup>116</sup> Third Committee, Summary Record 165th Meeting, 762.

<sup>117</sup> Report of the 3rd Session of the CHR, E/800, 42.

<sup>118</sup> Third Committee, Summary Record 129th Meeting, 10.11.1948, A/C.3/ SR.129, <https://undocs.org/A/C.3/SR.129> (20.08.2023), 417.

<sup>119</sup> *Ibid.*, 416.

and to protect it from the “commercial régimes” which turned it into propaganda.<sup>120</sup> She also insinuated that that was the case in the United States and in most capitalist countries.<sup>121</sup>

### 3.4 Final speeches in the Third Committee

On December 10th the draft of the Declaration was complete, and it was time for delegates to share final thoughts and, if they so wished, justify their vote. Among the thirty-four delegates who gave speeches, four were women: Eleanor Roosevelt, who, to some dismay, made no mention of women, and three members of the CSW, Begtrup, Menon and Bernardino. In her speech, the Danish representative applauded the work done by the CSW, whose agenda set for the Declaration was thought by some “too ambitious,” and admitted that overall she “was satisfied by the provisions of the universal declaration of human rights relating to it.”<sup>122</sup> She appealed to the Committee that “it was sometimes desirable to repeat that the rights stated applied equally to men and women, it was necessary to repeat that without fear of incurring criticism” and not to forget “that the women of the whole world were ready to collaborate with their work of peace.”<sup>123</sup> Menon commended the work done by Mehta in the CHR and recognised the achievement of addressing women’s rights to equal pay, participation in politics and education, as well as protection of mothers and children.<sup>124</sup> She called this “a new social order” and reiterated Begtrup’s point on repetition of the non-discrimination clause, saying that “harmony of thought and purity of motive were much more important factors than mere beauty of words.”<sup>125</sup> Menon also acknowledged that “the most important document” was the legally-binding convention, “the adoption of which the Indian Government was most anxious to see” as soon as possible.<sup>126</sup> Bernardino paid tribute to the work of the CSW and of her delegation “to have equality of men and women stated explicitly,” though she criticised the fact that it was not repeated in the article on equal pay.<sup>127</sup>

Kalinowska did not participate in the final vote. The final speech of the Polish delegation was given by Juliusz Katz-Suchy (1912–1971), who, like the USSR and its satellite states, abstained from the final vote.<sup>128</sup> The Polish delegate called the Declaration “a step backward,” justifying his abstention with the omission of the enforceability of the document, any mention of fascism and the duties of the citizen “towards his neighbours, his family, his group and his nation.”<sup>129</sup> Asked later by a UN correspondent if his delegation ever took a different position than that of the USSR

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<sup>120</sup> See *ibid.*, 420.

<sup>121</sup> See *ibid.*, 420.

<sup>122</sup> General Assembly, Verbatim Record 182d Plenary Meeting, 10.12.1948, A/PV.182, <https://undocs.org/A/PV.182> (28.08.2023), 891–892.

<sup>123</sup> *Ibid.*, 893.

<sup>124</sup> See *ibid.*

<sup>125</sup> *Ibid.*, 894.

<sup>126</sup> *Ibid.*, 895.

<sup>127</sup> See *ibid.*, 902–903.

<sup>128</sup> See MROZIK, *Architektki*, 185.

<sup>129</sup> General Assembly, Verbatim Record 182d Plenary Meeting, 903–910.

in the plenary meetings, he answered: “We have never taken a position different from that of the Soviet Union on any important and vital issue, and we do not intend to take a different position. [...] In our struggle for socialism in Poland we are united and in close alliance with the USSR.”<sup>130</sup> Kalinowska’s statements in the Third Committee reflect a similar stance, though it was mostly her work in the Sub-Commission on the Status of Women as an independent expert that brought her provisions success, rather than her post as a representative of Poland dependent on the USSR, which ended in rejecting the document she had worked on for two years.

#### 4. Concluding remarks

Women’s influence on the Universal Declaration of Human Rights of 1948 is palpable in the wording of each article. The mention of “all human beings” and “everyone” at the beginning of each provision is a result of the insistence of female delegates who rejected masculine phrases like “men” and “brothers,” although the Declaration still contains masculine pronouns such as “him” or “himself.” The repetition of the non-discrimination clause in most articles was a hard-won battle fought by Begtrup, Bernardino and Menon, who asserted that these explicit statements would prevent creating room for different interpretations in countries where women were not yet recognized as full citizens. The recognition of the need for protection of motherhood and illegitimate children was a personal success for both Begtrup and Bernardino, though they still had to contend with certain shortcomings. They were most disappointed with the omission of the trafficking of women and children in the article on slavery and servitude, as well as the lack of provisions on the “dignity of the wife” and the “dissolution of marriage” in Article 16. Nevertheless, the presence of women such as Bodil Begtrup, Minerva Bernardino, Hansa Mehta, Lakshmi Menon, Fryderyka Kalinowska and Evdokia Uralova significantly contributed to the final outcome of the Declaration in its care to incorporate rights for a group only recently acknowledged internationally, though not everywhere.

For instance, female delegates from Africa had not been present during the drafting process of the Declaration. It could be easily explained due to the still ongoing colonial rule on that continent, although four African countries did take part, some more active than others, and voted on the final draft: Egypt, Ethiopia, Liberia and the Union of South Africa, all represented by men.<sup>131</sup> Some historians have already made mention of the gross underrepresentation of Africa or the South Sea Islands, respectively 6% and 5% of the delegates, in comparison to North and South America and Europe, which constituted 36% and 27% of the representatives, a ratio that would change when over thirty African nations gained independence in the period between 1958 and

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<sup>130</sup> Karol KARSKI, Juliusz Katz-Suchy. A Diplomat and Professor, in: *The Polish Diplomatic Review* 3 (2007), 125–134, here 127.

<sup>131</sup> See General Assembly, Verbatim Record 183rd Plenary Meeting, 10.12.1948, A/PV.183, <https://undocs.org/A/PV.183> (25.02.2024), 933.

1968.<sup>132</sup> At the time of the Declaration's drafting, some individuals and organizations, like W. E. B. Du Bois on behalf of the Pan-African Conference, actively campaigned to include a representation of "African colonial peoples" in the UN, however, in the face of opposition from leading colonial powers' delegates like René Cassin (France), these attempts proved fruitless until the period of decolonization.<sup>133</sup> The first female delegate from Egypt, Aziza Hussein (1919–2015), made her debut in the UN in 1958, and the next decade introduced a group of determined women from newly independent Togo and Guinea, Marie Madoe Sivomey (1923–2008) and Jeanne Martin Cissé (1926–2017), whose impact on the Convention on Consent to Marriage of 1962 and their open gesturing to the Universal Declaration of Human Rights had been acknowledged in historiography.<sup>134</sup>

Each of the female delegates involved in the Declaration brought their personal experiences to include the rights whose absence was most felt by women in their respective countries – protection of both expectant and nursing mothers, equal pay and working opportunities for women, their right to equal education and participation in fair elections, and to freely enter a marriage. It was a successor to the triumph of women signing the UN Charter. They made the first step towards a more female-inclusive UN, which gave the momentum for the introduction of more women with different perspectives in the decades to come. They raised issues that none of the male delegates at the CHR or the Third Committee mentioned by themselves, and, after carefully considering the records of the drafting process of the Declaration, it is safe to say that this document would have looked significantly different had the women described in this paper not participated.

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<sup>132</sup> See Johannes MORSINK, *The Universal Declaration of Human Rights. Origins, Drafting, and Intent*, Philadelphia 1999, 96.

<sup>133</sup> See Emma STONE MACKINNON, *Declaration as Disavowal. The Politics of Race and Empire in the Universal Declaration of Human Rights*, in: *Political Theory* (2018), 1–25, here 9, 12.

<sup>134</sup> See Roland BURKE, *Universal Human Rights for Women. UN engagement with traditional abuses, 1948–1965*, in: Rebecca Adami / Dan Plesch, ed., *Women and the UN. A New History of Women's International Human Rights*, Oxon 2022, 71–87, here 74–78.

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