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LEAGUE OF NATIONS

NATIONALITY AND STATUS OF WOMEN

**STATEMENTS PRESENTED BY INTERNATIONAL
WOMEN'S ORGANISATIONS**

(Supplement)

**INTERNATIONAL WOMEN'S COMMITTEE OF THE LABOUR
AND SOCIALIST INTERNATIONAL.**¹

EQUALITY OF RIGHTS FOR WOMEN.

The rights of women in the spheres of nationality and of civil legislation, and in the labour market, are losing ground in certain countries and in others are subject to attacks of some severity. There is reason, therefore, to welcome the initiative taken by the Consultative Committee of Women's Organisations with a view to having women's questions placed on the agenda of the League of Nations.

In all the chief women's organisations, the problem of women's rights has been and still is the object of sustained investigation. The International Women's Committee of the Labour and Socialist International, representing the ensemble of the women's movements of the countries affiliated to the Labour and Socialist International, has not failed to give attention to it, and ever since the Hague Convention (1930) has defined its position on the question of the

NATIONALITY OF MARRIED WOMEN.

It is hardly necessary to dwell upon all the sometimes tragic difficulties which the different state of the law, varying, one might almost say, from one country to another, entails for women and often for their children, nor is there much need to point out the necessity of international agreement.

It is right, therefore, to acknowledge the efforts of the countries which are signatories of the Treaty of Montevideo. It is to be feared, however, that ratification of this Treaty by all States would be in reality a step detrimental to the position of women in certain countries and would prejudice those women whose emancipation is being sought. It appears to the International Women's Committee of the Labour and Socialist International that the text proposed in it ("There shall be no distinction based on sex as regards nationality, in their legislation or in their practice") undoubtedly constitutes an excellent slogan, but that it would mean a definite disadvantage for the women citizens of countries such as Belgium, France, Luxemburg and Yugoslavia, which grant the right to choose nationality to women marrying one of their nationals, or such as the United States of America, Belgium, France, Luxemburg, Estonia and Roumania, which give the right to women marrying a foreigner.

The International Women's Committee of the Labour and Socialist International has admitted the Hague Convention as a basis, viewing it as an advantage on some existing national laws, in the hope that it would be improved and would lead to a right of choice being introduced in all countries. Accordingly, at its meeting in January 1931, it passed a resolution affirming

¹ The letter transmitting this document to the Secretary-General states :

[*Translation.*]

"This memorandum was unanimously adopted by the International Women's Committee of the Labour and Socialist International at a meeting held on August 31st and September 1st, 1935, at Brussels, under the Chairmanship of Mrs. J. L. Adamson, delegate of the Women's Organisations of the British Labour Party.

"It therefore constitutes the expression of the unanimous wishes of the working women organised in the Socialist parties which are affiliated to the Labour and Socialist International."

the wife's right of choice and demanding that she " would have the right to decide, on her marriage to a foreigner, whether or not she wished to accept her husband's nationality, and that she must not run the risk of losing her own nationality and becoming a foreigner without her consent " ; and further renewing its support of the principle that " a woman must be able to keep her nationality even after marriage " .

The question was further discussed by the International Socialist Women's Congress in July 1931, when the following statement was adopted :

" The necessity for the international regulation of the nationality of married women is already recognised.

Independent of the fact that the obtaining or changing of nationality should be made as easy and simple as possible for all men and women by international agreement, and that, in particular, the tragic fate of being without nationality should be avoided, efforts must be made to obtain for women :

" (1) *A right of option at marriage.* In the majority of cases the woman will be desirous of having the same nationality as her husband. This she should be entitled to by a mere declaration of will within a legally stipulated period. But, in order that she shall not be compelled automatically and compulsorily to lose her own nationality and adopt that of her husband, as is the case with regard to the relations between a number of States to-day, *she should herself be able to choose whether* she will retain her own nationality or adopt that of her husband.

" (2) In order that a change of nationality *during the course of married life* on the part of the man shall not automatically apply to the wife should this be contrary to her desire and interests, the woman shall also have the right of option in this eventuality. Should she desire to change her nationality at the same time, however, she shall not be compelled to commence a separate process of nationalisation.

" By simply formally placing the married woman upon an equal plane with the man as regards the obtaining and loss of nationality, the legal position of hundreds of thousands of women would be worsened.

" (3) *The right of the women to repatriation* (the right to the re-acquisition of the former nationality) in consequence of the dissolution of the marriage by legal separation or by the death of the husband, which right already exists in many countries, should be made general by international agreement.

" (4) In order that women ignorant of the law shall also be in a position to benefit from the laws, women must everywhere *be informed of the legal position* upon marriage, as well as in the event of a change of nationality on the part of the husbands, and their declaration demanded."

In various countries, the same demand has been reiterated by women's organisations. In our view, the position was admirably expressed in the resolution agreed upon by a Committee representative of Belgian Women's Organisations which was adopted on March 22nd, 1932 :

" (1) That a woman's nationality should not be affected by her marriage *unless she expresses a wish to that effect* ;

" (2) That, in order to safeguard the unity of the family, *a right of choice* should be granted to the wife ;

(a) At the time of marriage ;

(b) During married life, in the event of the husband changing or losing his nationality ;

(c) After the dissolution of the marriage ;

" (3) That the choice should be operative free of cost, and that the wife should be asked to declare her wish in full knowledge of the position after a reminder by the competent authority, so that these provisions may not remain a dead letter for the majority of women little versed in the law."

It is, then, on the basis of its own resolution that the International Women's Committee of the Labour and Socialist International invites the League of Nations to work out the text of a Convention to safeguard the married woman's right of choice and to protect her from a change of nationality without her consent.

CIVIL AND LEGAL EQUALITY AND EQUALITY IN THE LABOUR MARKET.

The International Women's Committee of the Labour and Socialist International is unanimous in demanding the reforms in the sphere of civic rights which are needed in almost every country. A woman must cease to be " the eternal minor " .

Concerning the right of women to work, the Committee holds that the attacks upon this right are unjust and the restrictions imposed in most countries indefensible. It views with serious concern the restrictive measures passed and put into operation within the last two years in seven European countries and New Zealand, to exclude women from posts for which they are fitted by training or in some cases to force them to resign from posts which they actually held when the legislation in question was introduced. It also regards with alarm the tendency in



some countries which have not actually passed restrictive laws against the employment of women to discriminate in certain occupations, sometimes against married women, sometimes against all women.

On the other hand, in view of the declared views of organised women workers, particularly in the highly industrialised countries, it would be impossible for this Committee to agree to any convention which would deprive women workers of the protection which special industrial legislation has given them. The arguments put forward by non-industrial women's organisations in favour of the abolition of protective legislation for women workers have not been accepted by those who are qualified to speak on behalf of the women workers. It is the view of the women workers concerned that such legislation has helped to raise the economic status of women and has been the means of protecting women workers in many industries from excessive exploitation.

In times of crises there is, however, a danger which we must guard against—that, under the guise of laws for the protection of health and motherhood, the field of women's employment may be unjustly restricted.

In the face of all those dangers, the International Women's Committee of the Labour and Socialist International adheres to the declaration of the Montevideo Treaty concerning civil equality and labour equality, whilst reserving the right to support or promote any legislation for the protection of motherhood or the protection of labour in general.

However, the International Women's Committee of the Labour and Socialist International demands that all questions relating to the work and protection of woman wage-earners remain under the competence of the International Labour Organisation.

* * *

The present events having sufficiently proved the magnitude and importance of women's problems, the International Committee supports and endorses the motion of the International Co-operative Women's Guild to ask for the institution of a *Commission on Women's Problems* at Geneva.

This Commission would take the place of the Consultative Committee of Women's Organisations, which does not embrace all such bodies and which includes no representative of the international organisations of working women.

The International Women's Committee of the Labour and Socialist International declares itself in full agreement with the International Women's Co-operative Guild in the latter's demand that this Commission on women's problems should be permanent and that "it should include both men and women members, together with jurists and statesmen, as is the practice on the Commissions for Public Health, Child Protection and others".

All the leading women's organisations should also be represented on it, such as the Socialist movement, Women Trade Unionists, Co-operative movement and Christian workers movement, who cannot at present make themselves heard at the League of Nations and whose standpoint differs from that expressed by the Women's Consultative Committee.

Only in this way, by a wide and thorough study of all the women's interests concerned, by discussion of them amongst all the parties interested and by representation at the League of Nations of all shades of women's opinion, will it be possible to reach an equitable solution of these highly complex and urgent problems.

*The International Women's Committee of the Labour and
Socialist International:*

(Signed) Jennie Laurel ADAMSON,
Chairman.

(Signed) Alice PELS,
Secretary.

