2 The Latin American women

How they shaped the UN Charter and why Southern agency is forgotten

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Introduction

The mantle is falling off the shoulders of the Anglo-Saxons and (...) we [the Latin American Women] shall have to do the next stage of battle for women. — Bertha Lutz, delegate for Brazil to the UNCIO.¹

Considering the Latin American contributions to gender equality in the United Nations (UN) Charter, is the established narrative of global gender equality valid, if not, why not? To answer this question, this chapter will first present the origins of the hegemonic orthodoxy of global gender equality. This section will be followed by historical presentations from Latin America which will showcase how Southern contributions to gender equality have not been recognized. The core argument is based on recent consideration of empirical material that sheds light on the role of the Latin American contributions to women's rights in the UN Charter from 1945. The last section looks to third world feminism and ask why Latin American contributions to women's rights are unknown. Overall, it is claimed that the Latin American women delegates exercised decisive agency on behalf of women's rights and gender equality to the UN Charter in 1945 and that this fact challenges the modern narrative of global gender equality.

The Brazilian delegate Bertha Lutz was one of four women to sign the UN Charter in 1945 after the United Nations Conference on International Organization (UNCIO) in San Francisco, where the UN was established through the drafting of its Charter. Bertha Lutz, a leader of the feminists at the conference,² stated that women at the conference “were forerunners on women's contributions to world affairs.”³ And indeed they were. The most progressive women delegates represented the Latin American countries. Their vocal feminist claims were instrumental in establishing the first international agreement to declare women's rights as a part of fundamental human rights.⁴ Western delegates, such as the American and British women delegates and advisors directly opposed several of the amendments that would ensure the rights of women in the Charter.⁵ Despite the resistance, Latin American countries were able to get several amendments on gender equality included in the Charter and had “their share in international affairs.”⁶

Advocates of a global view of international relations argue that contributions of delegates from the South in the founding of the UN have generally been neglected.⁷ Few in the UN and diplomatic missions to the UN would today know

about the contributions to the UN Charter by Bertha Lutz and the other Latin American participants at the UNCIO.⁸ In 2008, a reading of available literature showed that the UN's own accounts of UNCIO did not credit Latin American women delegates for the inclusion of women's rights in the Charter.⁹

After an introduction to the methodological choices made, this article will introduce the discussion of the global hegemonic orthodoxy. Amitav Acharya first coined the theory of Global International Relations (IR) to better understand the impact of the Western hegemonic orthodoxy in the presentation of history in IR.¹⁰ This chapter will build on Global IR to understand the neglect of the Latin American contributions to women's rights in the UN Charter. Acharya notes that the tendency in IR to underplay the importance of Southern agency in the development of global norms is caused by the dominance of the global orthodoxy.¹¹

The global hegemonic orthodoxy and its Eurocentric character often gives the impression that global norms originate in the West, leaving non-Western countries as passive recipients of these norms.¹² The origins of the UN are often subject to this narrative, a narrative used to delegitimize the global mandate of the UN. Consequently, the UN is argued by some as a product of a Western liberal order, a narrative that challenge multilateral cooperation today.¹³ The notion of feminism is also subject to the same accusations of being a product of Western thought, an argument used by opponents of feminism to reject its relevance.¹⁴ This chapter aims to challenge this latter claim by examining the Southern origins of global gender equality by presenting the contributions of Latin American women at the UNCIO in 1945, and the role of Bertha Lutz in particular.

The primary research used in this presentation entails a study of the minutes from the UNCIO and correspondence between feminists at the time of the UNCIO in 1945 and secondary research by Acharya that highlights how non-Western countries have been crucial in the development of the "foundational ideas of the postwar system."¹⁵ The normative departure of this chapter is to make what has been invisible in history books, visible again, and consequently challenge the global hegemonic orthodoxy. The last section of this chapter discusses why the women delegates from Latin America and their contributions to gender equality have not been given proper recognition. Keeping in mind the story of Bertha Lutz at the UNCIO, the chapter will address to what extent third world feminism fails to contribute to the narrative of the South as a producer of global norms. It will be argued, with the research presented as a case study, that the narrative of third world feminism contributes to the silencing of Southern agency in the development of global norm. This latter claim is based on third world feminism's lack of engagement with Southern agency in the development of global norms. It is argued that the narrative of the marginalized South, in which third world feminist critique is based, does not account for positive agency played out by Southern actors. Thus, Southern actors, such as Bertha Lutz, who did indeed act to influence global norms, are not recognized by their own scholars.

This chapter presents findings from archival research and from the original minutes of the United Nations Conference on International Organization (UNCIO) in 1945, to complement existing research. The minutes from the UNCIO make

up the legislative history of the UN and 22 volumes were published between 1945 and 1955.¹⁶ A second set of primary sources are based on correspondence found in the archives belonging to Dame Margery Corbett Ashby who served as President of the International Alliance of Women, between 1923–1946. This was one of three major international women's movements at the time of the UNCIO.¹⁷ The memoirs and biographies of the female delegates at the UNCIO: American delegate Virginia Gildersleeve, Australian advisor Jessie Street, Norwegian representative Åse Gruda Skard and the Brazilian delegate, Bertha Lutz, have also shaped the narrative of this article.

When presenting the “Southern” Latin American contributions to the UN Charter, it is often asked to what extent Latin America represents the South and the non-Western. Firstly, there is a general perception that Latin America is located in the global South¹⁸ and represent third world countries.¹⁹ This notion is also used by third world feminists.²⁰ Recent scholarly contributions on the UN and the global South refer to the 19 Latin American states that had delegations at the UNCIO as belonging to the South.²¹ However, most importantly, women delegates from Latin America at the UNCIO themselves used these definitions stating they represented the “backward” South, and not the “advanced” West.²²

Contesting the global hegemonic orthodoxy: Global IR and feminist critique

An explanation for the ignorance of Southern contributions to global norms can be found in how norms have been defined and researched.²³ Norms are generally created by several actors and based on a set of ideas. A widely accepted description of a norm is a “standard of appropriate behavior for actors with a given identity.”²⁴ Norms are a sense of behavioral rules where what is seen as appropriate is judged by a community, and similarly, norm-breaking behavior is recognized as these actions are sanctioned or penalized by that community.²⁵

It is argued that typically more powerful states introduce global norms, and that ideas diffuse from the North to the South.²⁶ Consequently, the West is generally seen as the producer of norms. An unfortunate consequence of this narrative has been a sidelining of non-Western contributions to norms, where ideas found outside the West are simply ignored or presented as imitation.²⁷ Further theorizing that build on this critique of norm diffusion is coined by Amitav Acharya's Global IR which argues that traditional IR is rooted in Western history and as such represent a global hegemonic orthodoxy, where history outside the Western sphere is marginalized.²⁸ Consequently, there is no non-Western IR theory and Southern contributions to global norms are downplayed. There are two explanatory factors for the dominance of Western thought in IR theory: the conception of agency and norms.

This explains why Latin American contributions to human rights and feminism have wrongfully been described by historians as not *sui generis*.²⁹ Academic research recently began to challenge the privileging of Western norm-entrepreneurs and their contributions to universal norms over those of the global South. In this way norm creation is not limited only to materially powerful states.³⁰

Agency is a central concept in the discussion on norms, as Acharya argues, a part of the explanation for the neglect of non-Western voices in IR has to do with the narrow definition of norm-makers. Western IR has tended to downplay the agency of non-Western countries because of a narrow definition of agency that rests on a standard of “civilization.” Agency was viewed only in terms of states ability to wage war, to defend their sovereignty, dominate treaties, and enforce a certain behavior of states through compulsory power.³¹ This definition of agency is a historical and self-serving formulation that has ignored advanced forms of non-Western agency. Acharya therefore calls for a broader understanding of agency and of who can be seen as a norm-entrepreneur. Agency should not be limited to material power, it should also include the ability to build norms and institutions based on ideational capabilities, such as resistance and normative action, that challenge the dominance of strong actors in establishing a global order. “Viewed as such, agency is not the prerogative of the strong. It can manifest as the weapon of the weak.”³² Overall, Global IR aims to open up a space where a broader range of agency can be recognized.

There are six main dimensions that describe a Global IR approach; it: (1) aims to recognize diversity, and is built on a pluralistic universalism, (2) draws its empirics from world history, (3) aims to add to existing IR, not replace it, (4) acknowledges regionalism as central in its study, (5) diverts from exceptionalism, and (6) recognizes multiple forms of agency.³³

As a part of their project to counter the Western influence on IR theory, Acharya and Buzan (2007) put forward possible useful non-Western sources that to a large extent have been silenced. Historical patterns in the non-Western world should be acknowledged as a source of IR. The following sections will present the Latin American contributions to human rights in the UN Charter and feminism in the spirit of the dimensions of Global IR and, in this way, challenge Western IR.

The Latin American contribution to women’s rights at the UNCIO

As explained by Marino in this volume, the transnational arena was an important steppingstone for Latin American feminists³⁴ and Latin American women are described as pioneers on women’s rights.³⁵ This is often accredited to the fact that Latin American feminists were instrumental in establishing the first regional intergovernmental body, the Inter-American Commission of Women (CIM), tasked with specifically addressing issues related to the status of women. As such, the contributions of Latin American representatives at the UNCIO were a rather natural continuation of debates on human rights that had been present in the Latin American context for decades and not simply some imitation of Western ideas.

The United Nations Conference on International Organization (UNCIO) that resulted in the creation of the UN Charter, took place between 25 April 1945 and 26 June 1945 in San Francisco. Fifty countries were represented.³⁶ Only three percent of the representatives at the UNCIO were women, and at the time women only had voting rights in only 30 of the 50 countries present.³⁷ Despite the low representation of women, the UN Charter ended up being the first international

agreement declaring women's rights as a part of international human rights. One of the key factors that would explain why human rights and women's rights in particular, was included in the UN Charter, was the presence of the Latin American delegation.

Women delegates at the UNCIO

Bertha Lutz (1894–1976) was described as a “complex figure of exceptional energy and talent”³⁸ and the “brains of the Brazilian woman's movement.”³⁹ Lutz developed a remarkable career for a woman living in her time. She was a respected scientist and was the second woman in the history of Brazil to be appointed a public job.⁴⁰ Lutz was also the leading figure for the women's suffrage movement in Brazil⁴¹ and established Brazil's first suffragist society, the *Federação Brasileira pelo Progresso Feminino* (FBPF), that worked towards women's right to vote, legislative protection for working women, and access to education.⁴² The Brazilian Government was “proud of its brilliant young feminist”⁴³ as she became an experienced diplomat representing Brazil in a number of international conferences. Lutz was also elected to Parliament in 1934 where she successfully advocated for women's rights and social welfare in the drafting of Brazil's constitution.⁴⁴

Minerva Bernardino (1907–1998) of the Dominican Republic was another prominent delegate from Latin America. Bernardino is described as a feminist diplomat and was said to have been “one of the most influential women at the United Nations.”⁴⁵ Bernardino developed a flourishing international career and was president of the CIM during the UNCIO, and later chair of the Commission on the Status of Women (CSW) in 1954.⁴⁶ Senator Isabel P. de Vidal representing Uruguay, was the third official women delegate. Amelia C. de Castillo Ledón was vice chair of the CIM and participated as advisor for the Mexican delegation together with the founder of the women's university in Mexico, Adela Formoso de Obregón Santacilia. Venezuela had two female counsellors: Isabel Sánchez de Urdaneta, active in the Pan-American Union and Lucila L. de Pérez Díaz.⁴⁷ All together there were seven women in the Latin American delegations.

Weiss and Roy point out that 65 percent of the delegations to the UNCIO represented the global South, in which 19 independent Latin American countries made up the largest group of delegates.⁴⁸ The similar world view of many of these delegations meant that Latin American countries represented the most powerful voting block at the UNCIO.⁴⁹

How women's rights were included in the UN charter

The four global powers, China, the UK, the US and the Soviet Union, met in 1944 in Dumbarton Oaks in the US where they agreed on a draft that served as the main text for discussion at the UNCIO. This first draft made no mention of women, and no women were present when it was drafted.⁵⁰

This section will present the four different sections of the Charter where women's rights were discussed at the UNCIO: The Preamble, The working principles

of the organization; the participation in the organs of the United Nations; and, the establishment of commissions under the Economic and Social Council.⁵¹ These discussions on women's rights were initiated exclusively by female delegates at the conference.⁵² The views of the female delegates and the contributions of Latin American delegates will be presented in the following sections. Overall, this material will contribute to the discussion on the South as a source of global norms.

The equal rights of men and women

The Preamble reaffirms the faith in human rights, and the equal rights of men and women.⁵³ The wording with the specific mentioning of women in the Preamble is seen as one of the first footholds of women's rights in the UN.⁵⁴ The mention of women is understood to have crucial importance as the UN, from its conception, then legitimized demands for equality between men and women.⁵⁵

Lutz, Bernardino, Ledón, and Street are described as instrumental in the movement that demanded the specific mentioning of "equal rights of men and women"⁵⁶ (emphasis added). Bernardino was later given the credit for the specific mentioning of women in the Universal Declaration of Human Rights (UDHR) from 1948.⁵⁷ Field Marshall Jan Smuts from the South African delegation originally drafted the text mentioning women in which the Preamble was based. Smuts' draft was based on the Covenant of the League of Nations which Smuts had also drafted.⁵⁸

In her memoirs, Virginia Gildersleeve describes how she removed the word 'women' from Smuts' draft in her own proposal for the Preamble. A decision she writes was based on a concern for better English⁵⁹ as she objected at the UNCIO that the resulting text was "complicated and difficult."⁶⁰ Adami notes how Gildersleeve seemed to lack a strategic vision compared to her Latin American counterparts in her understanding for the wording in the Charter, as could be determined by her rejection of any feminist coalition or lobby for women's rights during the conference.⁶¹ Gildersleeve is said to have received 65,500 letters during her time at the UNCIO, mainly from women advocating for their rights and the mentioning of women in the Charter.⁶² It is therefore reasonable to believe, knowing the content of the letters she received, that she would be aware of the advocacy campaign for the specific mention of women. Lutz' agitation for the mentioning of women in the Charter was also supported by Jessie Street.⁶³

Nondiscrimination based on sex

Chapter 1 in the UN Charter first mentions the promotion of human rights without distinction for race, sex, language, or religion. The inclusion of the word "sex" as part of this antidiscrimination phrase was another important point for the feminists at the UNCIO, this principle is repeated in four Articles in the Charter.⁶⁴

As the first woman to address the constitutional assembly, Bertha Lutz was proud to announce that the inclusion of "sex" was an amendment suggested by Brazil, Uruguay, Mexico, and the Dominican Republic "at the request of the

women on the delegations of these republics.”⁶⁵ India also submitted a similar amendment.⁶⁶ The sponsoring powers and Gildersleeve fully supported this amendment presented by the Latin American states.⁶⁷

However, according to the President of the International Alliance of Women, the British delegation was “typically not in favour of the addition of sex which it deemed unnecessary.”⁶⁸ Moreover, it was only after Lutz held a “passionate plea for sex to be added,”⁶⁹ where her justification was based on the “magnificent war work done by women of the UK”⁷⁰ that the British delegation had “reluctantly accepted the compliment to agree to the word sex being added.”⁷¹ The war effort of women remained a central argument for the claim to women’s rights at the UNCIO.⁷² Jessie Street had also worked energetically for the inclusion of the wording and sent out letters before the UNCIO asking for support for amendments eliminating all discrimination based on sex.⁷³

Article 8—Equal participation in the United Nations

Article 8 ensures that women can hold the same positions as men in the UN-system⁷⁴ Bertha Lutz spoke at the UNCIO stating that Article 8 is “a Latin American contribution to the constitution of the world.”⁷⁵ In her visionary speech, Lutz continued to present the impact by women delegates in the drafting as an example of how “women at this conference are the forerunners on women’s contributions to world affairs.”⁷⁶ This was due to the women being considered as full-fledged citizens in their own countries.⁷⁷ Article 8 was written by the women delegates of Uruguay, Brazil, the Dominican Republic, and Mexico⁷⁸ and was presented by Vidal from Uruguay,⁷⁹ it was also supported by Australia. The Prime Minister and delegate of New Zealand continued the visionary notion of Lutz. He said that the women delegates:

[D]eserve not only the congratulations but the thanks of the Conference and of democrats everywhere. It is owing to their efforts, and particularly to the efforts of the women delegates from Latin America, that this clause will find its way into the Charter.⁸⁰

The passion expressed in Lutz’ speech and the delegate from New Zealand might be a reaction to the hard fought battle as the Article “cause[d] a tremendous amount of discussion and debate related to gender.”⁸¹ The main opponents were the American and the British delegates⁸² who stated that there was no need for the Article as “women were not to be excluded” from participating in the organization anyway.⁸³ However, Street, from the Australian delegation, noted that “There was nothing specific in the law which excluded women from voting and yet in practically every country the women had to carry on a long agitation before they were given the vote.”⁸⁴ Lutz also used the same arguments in her speech at the conference noting “you would find that men have never found it unnecessary to make a statement of their rights. Why, then, should it be unnecessary to make a statement of the rights of women?”⁸⁵ With the aid of the Australian women’s organization, Street made a noticeable impact in San Francisco.⁸⁶ The delegate

from New Zealand made a similar warning to the delegates who did not think it was necessary to include sex equality as he noted: "They thought it was inherent in all our discussions and in all our decisions; but experience has not lent itself to that interpretation,"⁸⁷ and the women would feel that they were "helped by the sense that their work is recognized as the equal with that of men."⁸⁸ In the end however, the wording was not as inclusive as Jessie Street and the feminist delegates had wished for.⁸⁹

The origins of a separate commission on the status of women

The Commission on the Status of Women (CSW), formally established in 1946, is also seen as one of the first formal recognitions of women's rights in the UN.⁹⁰ Even though it was not formally established at the UNCIO, its origins can be traced to the work of the Latin American female delegates before and at the UNCIO. The dispute at the UNCIO was mainly in regards to concerns that programmes on women's rights would not be given sufficient protection under the structure of a commission on human rights.⁹¹ In hindsight, it is argued by researchers that women's issues would not have received adequate attention under the Commission on Human Rights.⁹²

Lutz argued that the rights of women need to improve radically, and the part women have played in the recent war urge a consideration of their status, and that the UN should therefore set up a special commission on women. Such a commission was necessary as Lutz stated that there were "nowhere in the world where women had complete equality with men."⁹³ Lutz, Bernardino and Ledón's proposal for a commission on women was inspired by their work and experience from the Inter-American Commission of Women (CIM) which they also used as a precedent for the UN to follow.⁹⁴

As suggested by the Indian delegate, Bertha Lutz moved to secure the support of Latin American women before she proposed the amendment, a text that was drafted by the Uruguayan delegation.⁹⁵ Lutz further described how there was a great interest in the proposal and that it gained wide support.⁹⁶

Even though Bertha Lutz obtained wide support for the amendment, a women's commission was not established until 1946 as it was not within decision-making power of the UNCIO to create such a sub-commission.⁹⁷ The commission was later upgraded from a sub-commission to the Commission on the Status of Women (CSW) due to the lobbying of Street, Bergtrup and Latin American feminists.⁹⁸ Several women at the UNCIO later joined the CSW: Street became its first vice-chair and Bernadino (Dominican Republic), Ledón (Mexico), and Urdaneta (Venezuela) also held central positions. Even though Lutz can be credited for inspiring the creation of the CSW,⁹⁹ it is also said that without Bernardino, the CSW might not have been established.¹⁰⁰

Southern women delegates and Western resistance

The opinions of the Latin American women at the UNCIO differed from many of the Western representatives, this supports the claim that Latin American delegates

represented a non-Western perspective. Secondly, the distinctive contributions of Latin American feminists in the early 20th century have been “shrouded in historiographic assumptions.”¹⁰¹ Which supports Acharya’s point that “if good ideas are found outside the West, they are often dismissed as imitation.”¹⁰² This section therefore serves to strengthen the claim that Latin American feminists at UNICO presented distinctive contributions that fundamentally departed from most Western delegates present at the UNCIO. There was a clear division based on a notion of backward versus advanced and Western versus non-Western. Finally, a careful reading of Southern contributions reveals how the skepticism of Latin American feminists towards the genuine inclusiveness of the term human rights might have been crucial in securing the strong language on gender equality in the UN Charter.

Lutz and Bernardino were conscious of how they, as Latin American delegates, were representing more “backward” countries in opposition to the “advanced” Western representatives. Lutz notes that after describing how the League of Women Voters and the American and British delegates were in opposition to Lutz that “It is a strange psychological paradox that often those who are emancipated by the efforts of others are loth [*sic*] to acknowledge the source of their freedom.”¹⁰³

This frustration can also be read from her statement on the International Alliance of Women as they first opposed a special commission on women, a view Lutz termed “too European”¹⁰⁴ and not representative.¹⁰⁵

At the UNCIO, Latin American women clearly saw themselves as representatives of women in particular, a view that seemed to depart from the Western delegates. The female advisor to the Norwegian Delegation, Åse Gruda Skard, complained how the Latin American women “practically wanted the word women in every paragraph in ‘the Charter’ and perceived themselves very much *as* representatives of the women in the world.”¹⁰⁶ The British women advisor, Florence Horsbrugh, thought “feminism rather unladylike” according to Lutz. Gildersleeve confronted Lutz saying that she hoped Lutz was not “going to ask for anything for women in the Charter since that would be a very vulgar thing to do”¹⁰⁷ whereby Lutz replied that “the need to defend rights of women was the main reason why the Brazilian Government [*sic*] had put me on the delegation.”¹⁰⁸

In a letter to the President of the International Alliance of Women, written only a couple of months after the conference, Lutz was clearly frustrated by Gildersleeve whom she describes as “by nature and vocation an extreme conservative.”¹⁰⁹

It can be argued that Gildersleeve, the British women delegates and later Eleanor Roosevelt’s belief in the universality of human rights were informed by an Anglo-American political philosophy where the individual was placed in the centre, as the free, rational actor.¹¹⁰ However, particularly at the time of the UNCIO, the rational actor, represented by the individual, was very much associated with masculinity, in the same way as the feminine represented the irrational.¹¹¹ Their view was an articulation of the frustration over protective legislation for women resulting in political subordination.¹¹²

Lutz, on the other hand, was a prominent advocate for citing the particular needs of women¹¹³ as can be seen in her emphasis on the “explicit inclusion of

women in positions of political power.”¹¹⁴ Therefore, without the presence of Latin American delegates such as Lutz and Bernardino, the British and American Western delegates would not have met the same objections to their masculine notion of human rights of man, where the rights of man would predominantly refer to men. This Western view also made it difficult to acknowledge the specific discrimination of women, and thus might explain why both Gildersleeve and organizations such as the International Alliance of Women first opposed a special Sub-Commission on women.¹¹⁵ And so the paradox noted by Lutz and Bernardino plays out. Acknowledging the Western opposition to women’s rights, Lutz writes in a letter, that it is now the responsibility of Latin American women to ensure that women’s rights are recognized as a part of international human rights.¹¹⁶

Human rights and the UN Charter

Sikkink claims that it is unlikely that the UN Charter would have *any* references to human rights if the Latin American countries had not advocated for them at the UNCIO,¹¹⁷ as such, the proposition that human rights originates in a Western political project is only partially right and should be scrutinized.¹¹⁸ The UK and Soviet Union opposed human rights in the first draft of the UN Charter, called the Dumbarton Oaks Proposals. This draft, prepared by the UK, the US, China, and the Soviet Union, had only one reference to human rights.¹¹⁹ The US did not reference human rights in their own draft of the UN Charter. More powerful states were concerned with other issues than human rights, such as securing sovereignty, hegemony, and the reorientation of their economy in the postwar era.¹²⁰ Still, some literature presents the human rights agenda of Latin American delegations at the UNCIO as a result of pressure from the United States.¹²¹

Locating agency in the South

In 2016, the presentation of women and the UN Charter in UN historic accounts¹²² did not mention the contributions of Latin American women to language on gender equality in the UN Charter.¹²³ Instead, *all* women at the UNCIO, which would include the British and American representatives, are in these accounts repeatedly given the credit for women’s rights in the Charter.¹²⁴ Furthermore, this representation of women at the UNCIO as a coherent group speaking with one voice contributes to women’s subordination as their agency is not taken seriously, they remain defined by their gender and not their actions.¹²⁵ This presentation also implies that the non-Western, who are not a part of the global hegemonic orthodoxy of international relations, are not looked for by researchers, and are consequently not noted in history books. The data presented is thus an important corrective to the global hegemonic orthodoxy attributing feminism with a Western origin.¹²⁶ Rebecca Adami¹²⁷ also identifies the Western hegemonic orthodoxy to explain the silencing of non-Western contributions from women delegates from India and Pakistan in the drafting of the Universal Declaration of Human Rights (UDHR) in 1948.

An explanation for the ignorance of Southern contributions to global norms can be found in how norms have been defined and researched.¹²⁸ Norms are generally created by several actors and based on a set of ideas. A widely accepted description of a norm is a “standard of appropriate behavior for actors with a given identity.”¹²⁹ It is argued that typically more powerful states introduce global norms, and that ideas diffuse from the North to the South.¹³⁰ Consequently, the West is generally seen as the producer of norms. An unfortunate consequence of this narrative has been a sidelining and ignorance of non-Western contributions to norms.¹³¹ Further theorizing that build on this idea of norm diffusion is coined by Amitav Acharya’s Global IR which argues that traditional IR is rooted in Western history and as such represent a global hegemonic orthodoxy, where history outside the Western sphere is marginalized.¹³² Global IR provides a useful framework to explain why Latin American contributions to human rights and feminism have wrongfully been described by historians as *sui generis*.¹³³ The studies in this volume challenge the privileging of Western norm-entrepreneurs and their contributions to human rights over those of the global South. Women’s international human rights are not norms created by materially powerful states.¹³⁴

Agency can be found in women from the Global South, the neglect of their voices in the historical norm-setting of universal human rights in IR has to do with the narrow definition of norm-makers. Western IR continues to overlook the vital role of non-western countries because of a narrow definition of agency in international norm-setting. Thus, agency was viewed only in terms of state actors and not assigned women who officially represented governments but acted in their individual capacity for gender equality.¹³⁵ In human rights history, we need to question a self-serving formulation that has ignored advanced forms of non-Western agency.¹³⁶ Along with Acharya we call for a broader understanding of agency that include Bertha Lutz as a norm-entrepreneur. Agency should not be limited to material power, and as we have seen by re-visiting the founding of the UN with a Global IR lens, the forgotten women delegates sought to challenge the dominance of strong actors in establishing a global order.¹³⁷ Again: “Viewed as such, agency is not the prerogative of the strong. It can manifest as the weapon of the weak.”¹³⁸ Overall, Global IR aims to open up a space where a broader range of agency can be recognized as this is central to the recognized Southern contributions to global norms accordingly.¹³⁹

The limitations of third world feminism in locating positive agency from the South

Global IR aims at including world history and a diversity of voices to contest the Western centric hegemonic orthodoxy. This aim is very much aligned with that of postcolonial theory and third world feminism. So why have these theories not been able to recognize the positive agency put forward in Global IR? Lutz and the Latin American women at the UNCIO had agency as they could define women’s rights for the UN Charter that spoke to their feminist views. They even succeeded in playing a more positive and proactive role in relation to women’s rights than

the Western powers did. However, when voices such as Lutz's, that clearly depart from the global hegemonic orthodoxy, are still able to influence the development of global norms, this might not be recognized by third world feminists' definition of agency.

It is not suggested here that third world feminism is the *cause* of the neglected contributions of Southern agency as academic research is predominantly influenced by Western liberal theory.¹⁴⁰ However, third world feminism conceptualization of agency is based on their lack of recognition of *positive* agency, defined as making active contributions to the development of norms using ideational capabilities.¹⁴¹ Positive agency is neglected because third world feminism builds on the claim that the global South has been marginalized and excluded.¹⁴² Even though these observations have served as an important critique of the global hegemonic orthodoxy, a consequence has been the lack of recognition of the positive contributions of the South to global norms, since acknowledging this would undermine their central claim of marginalization.¹⁴³ Thus, it can be said that the narrative of postcolonial theory "thrive[s] on this presumed marginality."¹⁴⁴

Critical scholar Robert Cox (1981) focus on how social forces shape theory. According to Cox, "theory is always *for* someone and *for* some purpose."¹⁴⁵ In other words, theory will always have a perspective that is informed by its position in time and space and theory is inevitably a political project. Theories are used to see the world from a particular standpoint defined in terms such as "nation or social class, of dominance or subordination, of rising or declining power."¹⁴⁶ Although these perspectives do not solely define a theory, its initial perspective is an important factor as it would taint its explication. Each perspective uncovers reality and locates in it different kinds of issues that should be defined or solved.¹⁴⁷

There is a common cause that unites third world feminism, namely political struggle and opposition against forms of dominance.¹⁴⁸ Third world feminist analysis includes a critique of Western feminism for a dominance through an 'othering' of third world women, as they are defined as powerless and/or victims by the Western humanist discourse, and seen as monolithic subjects.¹⁴⁹ The political project of Gayatri C. Spivak, one of the first contributors to third world feminism together with Chandra T. Mohanty, was therefore to engage with the knowledge and experience of disempowered groups and in this way challenge dominant narratives about them.¹⁵⁰ Overall, third world feminism recognizes agency through a logic of opposition which stems from the notion that where there is dominance there will always be resistance. This agency is "anchored in the history of specific struggles."¹⁵¹ So, it could be argued that the theory of third world feminism is initially informed by a perspective that looks at dominance and subordination.¹⁵² This explains how agency is present in the ability to resist and oppose¹⁵³ a negative form of agency according to Acharya.¹⁵⁴

Furthermore, an example of the third world feminist narrative that is influenced by a perspective of domination and subordination can be read from Spivak's description of the UN conference on women as a "broad repressive ideological apparatus."¹⁵⁵ According to Spivak, the UN is based on "the notion that the rest of the world is unable to govern itself."¹⁵⁶ In her critique of the UN fourth world

conference on women in Beijing in 1995, Spivak asserts that these UN conferences are just a theatre for the North to seemingly embrace the South, when the fact is that "the North organizes the South."¹⁵⁷ Spivak's assumption builds on the accusation that human rights as a concept is used by the "West" to "Civilize" the non-Western.¹⁵⁸ Sikkink points out the paradox that plays out when postcolonial writers are not able to recognize alternative Southern voices. Their critique of how the West imposes global norms on the South is often based on existing research largely produced and conducted in the West. The paradox then is that the design of postcolonial research in this way "reproduces the very situation they wish to critique."¹⁵⁹ "In their efforts to stress how the countries of the global North have silenced voices in the developing world and imposed Northern values on them, they too have silenced the past by not carefully investigating sources from the developing world itself."¹⁶⁰ Adami gives the example of how non-Western delegates are dismissed in critiquing the universal nature of human rights, and as such "erodes the political force of individual women" who were amongst the key advocates for equal rights in marriage in the UDHR from a non-Western vantage point.¹⁶¹ Similarly, the positive agency played out by Lutz and the Latin American women at the UNCIO is not a part of the research agenda of postcolonial writers such as the third world feminists.

To summarize the points above, it can be argued that the agency of Latin American women at the UNCIO is not found by third world feminists as they do not represent the typical "victimized" women in Western literature. The act of finding agency is also informed by these scholars' initial perspective as defined by Cox, which focus on structures of dominance and subordination. As an implicit function of the argument for the value and relevance of their work presented by this perspective, it could be said that third world feminists make general statements about agency in a narrative that present agency as resistance against exploitation. Stereotypes that could be equated with the Orientalist "stereotypes they are marshalled against."¹⁶² It is here that Acharya claims that postcolonial writers thrive on a presumed marginality, and as a result the Latin American women delegates at the UNCIO might be invisible to the analytical lens of third world feminism.

Another aspect that might shed some light on where third world feminism misses out on the positive agency of the South is the focus on the local and rejection of the "ethnocentric universal."¹⁶³ Mohanty and third world feminism are critical of universal theories, simply put, as they are seen as Western values in disguise that marginalize women from the South. Third world feminism's focus is on the particular and the local as an authentic source of agency.¹⁶⁴ Although this approach has served as important critique of the Western construct of third world women, it could also indicate that third world feminism looks at the local to challenge the universal instead of embarking on research that could reveal Southern origins and influence of universal norms. Consequently, the Western narrative as the builders of global norms remain unchallenged and not scrutinized as they are rejected all together as Western. "Thinking small is not enough; agency is not to be had so predictably."¹⁶⁵ In other words, agency of Southern actors can also be seen taking a hold in big units such as shaping global norms, as was shown with

the Latin American women at the UNCIO. By taking an empirical route when assessing universal norms¹⁶⁶ one could avoid binary representation of universal (North) vs. the particular (South). This empirical focus would recognize that Latin America had their share of influence in international relations, as noted by Lutz,¹⁶⁷ and should as such not be regarded as marginal to international politics.¹⁶⁸

Conclusion

This chapter has aimed to present compelling evidence to underscore the crucial contributions of Latin American women delegates at the UNCIO and consequently challenge UN's presentation of this history. It systematically presented the four different sections of the Charter where women's rights and gender equality were discussed. Namely in the Preamble, the Articles mentioning nondiscrimination based on sex, Article 8 on equal participation in the UN, and the origins of the Commission on the Status of Women. Bertha Lutz, on behalf of the Brazilian delegation, presented amendments suggesting the addition of "sex" and a special sub-commission on women and Article 8. These references to women were hard fought battles, as the American delegate followed by the British often opposed these amendments.

Bertha Lutz stated that "there will never be an unbreakable peace in the world until the women help to make it."¹⁶⁹ Lutz' speeches were not only visionary, her passionate pleas for women's rights, supported by other Latin American women delegates, have also been crucial for how gender equality is understood by the UN today. These findings reveal that the foundations of the norm on gender equality which is central for global governance today can be traced back to the pioneering visions that Latin American women had for the UN Charter.

The instrumental role of Latin American women at the UNCIO demonstrates the significance of Southern agency in the development of global norms. These contributions consequently challenge the global hegemonic orthodoxy, the notion of feminism as a norm imposed on countries in the South¹⁷⁰ and the narrative of the West as the only builders of global norms. It is therefore claimed that the narrative of global gender equality, as presented in current UN accounts,¹⁷¹ is not valid.

It was argued that despite the project of third world feminism to uncover Southern agency, the contributions of the Latin American women at the UNCIO have not been recognized by these scholars. The Latin American women at the UNCIO did indeed influence global norms; however, this is invisible to the analytical lens of third world feminism as it does not support their narrative of the marginalized South.

On a final note, an important motivation in conducting research that challenges the global hegemonic orthodoxy of gender equality is to inspire a more global ownership to gender equality. It is hoped that by challenging the Eurocentric

narrative of gender equality, academics can open up a more productive space for multilateral cooperation on such matters. This again could allow diplomats and researchers to move beyond the dichotomized conversation defined in terms of the North and the South, the universal versus the particular.¹⁷²

Notes

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- 119 Sikkink, 392–393; Waltz, 441.
- 120 Ibid.
- 121 An example of this presentation can be read in Galey’s historical accounts of women and the UN where it is stated that representatives from the US went to Mexico to enlist Latin American support for the US proposals on human rights in the preparations for the UNCIO (Galey, 7).
- 122 The Blue Book Series-The United Nations and The Advancement of Women 1945–1996; The Short History of the Commission on the Status of Women, at the UN Women website; the CD-ROM, Women Go Global; and The United Nations Intellectual History Project Series
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