Women's rights and regional politics under Cold War. Political and civil rights for Latin American women, 1944-1954

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ABSTRACT

This article argues that advancements in women's rights in the Inter-American diplomatic system after WWII did not solely follow women activists' interests but resulted from the male-dominated multilateral relations in the region too. In support of these negotiations, the new political vocabulary of Human Rights emerging from the re-configuration of the world affairs was instrumental for the advancement of institutional reforms related to women's rights in Latin America, especially voting rights. Contrary to existing literature on the subject, this article delves into the process of constructing this new vocabulary, instead of examining its final forms only. It uses archival sources from Brazil to offer another point of view of the making of the rhetoric of human rights and its uses in Inter-American relations in the after-war.

Keywords*:* women's rights; Human Rights; inter-American affairs; anti-communism; Bogota conventions.

Direitos das mulheres e política regional sob a Guerra Fria. Direitos políticos e civis para as mulheres na América Latina, 1944-1954

RESUMO

Este artigo sustenta que os avanços nos direitos das mulheres observados no sistema diplomático Inter Americano depois da Segunda Guerra não resultaram apenas dos interesses de mulheres ativistas, mas também das relações multilaterais na região, nas quais atores

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masculinos predominavam. Em apoio às negociações diplomáticas, o novo vocabulário de Direitos Humanos que emergiu com a reconfiguração das relações internacionais foi instrumental para o avanço das reformas institucionais relativas aos direitos das mulheres na América Latina, particularmente, ao direito ao voto. Contrariamente à historiografia existente sobre o assunto, este artigo explora o processo de construção deste novo vocabulário em vez de examiná-lo no seu formato final. Faz-se uso de fontes arquivísticas do Brasil a fim de oferecer um outro ponto de vista ao problema da construção da retórica dos direitos humanos e os seus usos nas relações interamericanas após a Guerra.
Palavras-chave: direitos das mulheres; Direitos Humanos; relações interamericanas; anticomunismo; convenções de Bogotá.

Derechos de la Mujer y Política Regional bajo la Guerra Fría. Derechos políticos y civiles de las mujeres en América Latina, 1944-1954

RESUMEN
Este artículo argumenta que los avances en los derechos de las mujeres observados en el sistema diplomático interamericano después de la Segunda Guerra Mundial se debieron no solo a los intereses de las mujeres activistas, sino también a las relaciones multilaterales en la región, en las que predominaron los actores masculinos. En apoyo a las negociaciones diplomáticas, el nuevo vocabulario de Derechos Humanos que surgió con la reconfiguración de las relaciones internacionales fue fundamental para el avance de las reformas institucionales relacionadas con los derechos de las mujeres en América Latina, en particular, el derecho al voto. Contrariamente a la historiografía existente sobre el tema, este artículo explora el proceso de construcción de este nuevo vocabulario en lugar de examinarlo en su formato final. Se utilizan fuentes archivísticas de Brasil para ofrecer otro punto de vista al problema de la construcción de la retórica de los derechos humanos y sus usos en las relaciones interamericanas después de la Guerra.
Palabras clave: derechos de la mujer; Derechos humanos; relaciones interamericanas; anticomunismo; Convenciones de Bogotá.

Introduction

This article explores the elaboration of a new vocabulary in international politics inspired in human rights ideas currently debated in the 1940s, and the way women's rights came to be part of the Inter-American diplomatic policy. In studies at hand, bias harms the understanding of the bigger picture. Many studies do not consider in-depth issues that

preoccupied Latin American nations and influenced the conditions surrounding initiatives in favor of human rights. In most cases, they are centered on the point of view of U.S. interests providing an unsatisfactory understanding of the motivations that took diplomatic actors in the region to embrace a human rights agenda and promote institutional reforms. By using historical sources produced by U.S. state agencies, without a proper examination of how proposals were seen by Latin American diplomatic counterparts, studies offer an unbalanced view of Inter-American affairs. In addition to this bias, local politics is often disregarded, though it played a decisive role in resisting and altering institutional changes debated on diplomatic fora.

Moreover, studies of the role played by women activists in the re-configuration of the world and regional politics after WWII portray them as individuals who acted exclusively according to their own agenda (MARINO, 2019). Little is known about the necessary negotiations these women stablished with men in power to foster their agenda of women's rights. But no proposal would succeed if these women's interests and political appointees' interests did not match. By reconstructing the context that prevailed in each decision-making we can address this subject better.

This exercise assumes the point of view of Brazilian diplomacy because Brazil was a relevant actor in the re-configuration of the Inter-American system in the post-war era.[1] In the process, it clarifies aspects of the regional politics that affected other countries, such as Mexico. It contributes to the understanding of the backstage diplomatic negotiations that gave room to the enfranchisement of women in the region.

A subject that has not been well-studied yet, this article sheds new light on the drafting of the 1948 American Declaration of the Rights and Duties of Men, the first draft of which was presented for debate in December 1945.[2] It questions what could possibly have motivated Brazilian diplomacy to change its cautioned behavior towards women´s rights in the 1938 Lima conference to assuming an active role in this political agenda from 1944 on, despite being under dictatorship and with no elections in sight. By 1953, Brazilian representatives even supported the Paraguayan government decision to extend political rights to literate women in the country.

The defence of democratic principles in foreign affairs whilst domestic politics remained under authoritarian rule is a contradiction that can be explained by the permanent necessity to place Latin American countries in the unstable political chess of Cold War times. The article states that from 1945 on, a disseminated perception of a communist threat to the

[1] Glendon (2003) does not consider Brazil in her analysis. Sikkink (2017) considers it but gives little attention to its domestic politics. Hilton (2017) offers a balanced approach to Brazil's position in regional politics.
[2] I explore Brazil's leading role in the writing of the first draft of the American Declaration of Rights in a recently published article (MARQUES, 2021).

Continent motivated efforts to promote political reforms, so that the countries associated to the Pan American Union, and later, the Organization of American States, would equalize each other in terms of liberal democracies.[3]

As the war stalled the suffragist campaign, which had reached incomplete gains in many populous countries of the region, the political atmosphere of post-war Inter-American affairs gave room for a new wave of reforms benefiting political groups who had been fighting for the women´s vote for decades. Until then, suffragist groups had been applying similar tactics all over the Americas: lobbying candidates for public offices, developing their own press, creating public demonstrations, gathering signatures to petitions, and broadcasting radio transmissions. Since 1928, feminist groups were applying political energy to the InterAmerican Commission of Women, with scant results. The political atmosphere of the immediate after-war gave the IACW a new boost.

Regarding the efforts in favor of suffrage, there are significant contributions on the subject concerning each country of the Americas, but few works examine the post-war period, and particularly, the role played by international politics in fostering the cause of suffrage on the Continent. Therefore, this article clarifies circumstances that surrounded the demands for women's rights in the Pan-American diplomacy in the 1940s and early 1950s. It contributes to the understanding of the chronology of women's enfranchisement in Latin American countries by explaining the second wave of reforms that encompassed several countries in the region from 1945 on. It explains the reason why women's rights became part of Inter American diplomatic agenda after the War. Additionally, it adds new elements to findings researchers have made to the emerging idea of human rights in the regional diplomacy of the post-war (SIKKINK, 2017, p. 28).

A new vocabulary for a new era

In the following three years after the end of the Second World War, the Western world witnessed the announcement of the following three declarations in Global and Inter-American relations: the Act of Chapultepec, signed in México Conference, in 1945, the American Declaration of Rights and Duties of Man, announced in Bogotá, in May 1948, and the Universal Declaration of Human Rights, of December 1948. The same period also witnessed the announcement of the preamble of the United Nations Charter, approved by 50 country delegates assembled in San Francisco from April to June 1945. The United Nations (U.N.) and the Organization of American States (O.A.S.) charters proclaimed political and moral principles guiding multilateral relations in post-war. To support these documents, numerous

[3] Deutsch's (1999) work is a remarkable contribution for the understanding of anti-communism in the region, though it does not explore the post-war period.

resolutions, recommendations, and conventions weaved the Inter-American system regarding the cooperation in matters of regional security, culture, and politics.

Without totally dismissing the defence of state sovereignty, a keystone of international law, the Inter-American diplomacy prioritized the sovereignty of individuals before the state, to preserve human dignity. It became a consistent policy after Dumbarton Oaks decisions were publicized and raised adverse reaction in the region. The legal positivism and the diplomatic realism that still prevailed in the international relations co-existed with a revival of natural law, even if it was for a brief period (MOYN, 2012, p. 182).[4]

Declarations announcing moral principles and preambles to charters expressed this political and intellectual movement. The years observed in this article restored an old political formula of announcing rights of the individuals subjected to the normative order. This practice had fallen into disuse in the 19th century when it was considered counterproductive.

In the 18th century, to declare meant to withdraw from oblivion rights considered inherent to men. It was also intended to solemnize its enunciation and to mark time (JAUME, 1989, p. 27). In 18th century France, declarations were attempts to rebuild a shattered political world. Contrary to it, global affairs after WWII did not respond to a genuine revolutionary movement. Ample rooms in Mexico City and San Francisco conferences worked as sounding boards for a new political vocabulary intended to bury the recent experience of intolerance. Paradoxically, men like Jan Smuts (South Africa) or Francisco Campos (Brazil) had no previous commitment to democratic values, and yet they were unlikely protagonists in the shaping of the rhetoric of human rights in the period. Some scholars argue (SIKKINK, 2015, p. 57; PERINA, 2015, p. 27) that Latin American jurists and diplomats acted on behalf of a new moral order inspired by democratic and justice values. However, if observed in detail, key men and women to global and the Inter-American human rights diplomacy did not fit this profile.

Approaching the Key Actors in Scene

In terms of agency, this article establishes a fundamental distinction between two groups of political actors engaged in the process of redefining Brazil´s diplomatic position: career diplomats such as Hildebrando Accioly, Pedro Leão Velloso, and political appointees of the Getúlio Vargas' Administrations (1930-1945; 1951-1954), which included Oswaldo Aranha, Bertha Lutz, Francisco Campos, and João Neves da Fontoura. There were two main differences between one group and the other. First, they differed in the style of language they used. Contrary to politicians' wordy manifestations, documents and pronouncements

[4] Fenwick (1963) doubted the effectiveness of the 1940s human rights diplomacy. Recently, Moyn (2004) doubted it too.

of career diplomats often relied on more restrained language. Second, career diplomats were part of a bureaucratic elite that enjoyed job stability and cultivated corporative interests. If the first group quickly responded to the challenges posed by the political system, like partisan politics, and the press, the second group acted in a slower and meditated pace.

As for methodology, this article develops the idea that the richness of the political debate that took place in the Inter-American politics in the post-war period requires an approach that conjugates the control over the domestic political dynamics of the nations and the dynamics of the multilateral political interaction. Thus, to examine the construction of the Inter-American human rights policy we employ a multidimensional approach, inspired by the theoretical school of the Entangled History (WERNER; ZIMMERMANN, 2003). Therefore, a nation's political behavior cannot be explained in isolation. The reasons for Brazil's positioning in the Inter-American scenario are sought both in the country's domestic and in foreign politics. Its repositioning involved the perception of a communist menace.

The researching method applied to the ample documentation consulted follows a careful examination of the wording. It also pinpoints the key figures responsible for the decision making. The political scenario where decisions were made is considered. Therefore, it is assumed that the political platforms defended by actors changed in accordance with the circumstances. To properly interpret the meaning of acts and statements registered in archival documents it is necessary to pursue a more detailed control of political dynamism at each moment to avoid taking acts of speech as direct reflects of an individual private conviction. Instead, they are taken for strategic movements.

We need to consider these factors to avoid thinking that the notorious activists who led the demand for women's rights in the Inter-American politics of the post-war adopted positions in the international fora based solely on their personal will. Women like Bertha Lutz (Brazil), Minerva Bernardino (Dominican Republic), Amália Castillo Lédon (México), and Isabel Vidal (Uruguay) had their own political ideas and goals but had to maintain a permanent dialogue with male political appointees. It is true that their political action in the diplomacy was sheltered in their domestic bases, and they all took part in networks, which helped them to foster their positions, although these networks were also in perpetual change.

These women certainly expected to convert achievements obtained in diplomatic arena into political gains in their respective countries. As Towns (2010, p. 803) puts it, that was the boomerang effect all activists hoped to enjoy, but seldom did. Few women activists managed to enjoy the full benefits of their political participation in international fora because women remained underrepresented in their domestic politics and had no seat in career diplomacy.[5] Apart from memoirs, interviews, and letters, in which women activists developed narratives

[5] Farias (2017) explores the circumstances under which the Brazilian Foreign Ministry prohibited women to run for career positions starting from October 1938. Enloe (1990, p. 114) points out that only in 1972 the U.S. and U.K. governments lifted their ban on married women becoming career diplomats. Besides it, Enloe argues that women had fewer opportunities than men to serve in prestigious posts.

of their centrality to the political developments, the examination of their major achievements shows how impermanent many of these victories were.

Repositioning foreign policy

For the Brazilian President Vargas, 1944 started with three major concerns: first, the evolution of war in Europe where an army of 25,000 Brazilian soldiers was deployed on the Italian front. Second, more often than he would like to hear, Vargas was briefed by the Brazilian embassy in Washington about North American pressure to establish diplomatic relations with the U.S.S.R..[6] The internal communist menace was considered under control in domestic politics because of severe police repression since 1935. Now Vargas dealt with the possibility that communism could constitute an international threat. By March 1944, Foreign Affairs minister Oswaldo Aranha wrote to Vargas expressing his opinion that the establishment of relations with Soviet Union was a matter of time (HILTON, 2017, p. 81). Reinforcing Aranha's perception, the Brazilian ambassador in D.C. informed Vargas that the State Department kept insisting on the subject, suggesting the Mexican government would act as an intermediate between Brazil and the U.S.S.R..[7] Vargas resisted the idea. The third major concern of Brazil and Uruguay was the diplomatic situation of Argentina, increasingly isolated, despite continuous efforts from Brazilian ambassador in D.C. to remind the State Department the peril such isolation represented to the region.

The announcement of a world conference to set the basis for a new international organization demanded preparations. The Brazilian government resented not having been invited to take part in the Dumbarton Oaks meetings to prepare the draft of the charter of the organization (GARCIA, 2011, p. 88). The discomfort became outrage when the Dumbarton Oaks decisions were announced in October 1944. Distinguished voices in the Itamaraty expressed great uneasiness with the political architecture of the new organization, where the Security Council would be the prominent figure.[8]

Latin American nations then rehearsed an orchestrated reaction to the Dumbarton Oaks draft. By December 1944, it was clear that countries integrated in the Pan American Union (PAU) would meet to discuss a collective position to the draft. The diplomatic situation of Argentina would certainly be part of the discussion. Vargas knew that the State Department

[6] Telegram from Ambassador Carlos Martins to Vargas, January 22th, 1944 (GETÚLIO Vargas papers; Fundação Getúlio Vargas – Rio; GV c1944.01.22/1).
[7] Telegram from Brazilian embassy in Mexico City to Vargas, March 4th, 1944 (GETÚLIO Vargas papers; Fundação Getúlio Vargas – Rio; GV c1944.03.4)
[8] The Brazilian Ministry of Foreign Affairs is also known as Itamaraty.

resisted on agreeing to invite the Argentinian government to the meeting.[9] In the end, the meeting happened in February of the following year.

In response to the situation, Brazilian diplomacy did something unusual: it went to the press. A prestigious Rio de Janeiro newspaper invited legal experts and career diplomats to express their impressions on the Dumbarton Oaks project.[10] The outcome of the roundtable was published in Portuguese and in English. An attaché of the U.S. Embassy in Rio and a member of the Inter American Juridical Committee, North American jurist Charles Fenwick took part in the debate choosing his words with care. He affirmed there was no clarity of the definitive format of the organization, and it was necessary to wait for the events to develop. The representative of Chile in Brazil, Félix Nieto Del Rio, raised the tone of the discussion, criticizing the veto power of the Security Council. Without making use of the same poignant language, Hildebrando Accioly expressed himself with uncommon sincerity. Accioly was the most prestigious diplomat of the Ministry of Foreign Affairs where he was considered an intellectual authority in international law and the main strategist in Getúlio Vargas' government.

It was apparently contradictory that Accioly should criticize the Dumbarton Oaks proposition for its disrespect of democratic principles during the roundtable while Vargas still ruled as a dictator. Was Accioly criticizing the lack of democracy in Vargas' regime? At the risk of political ostracism? That is not what happened. On the contrary, besides elaborating the guidelines of the Brazilian delegation both for Mexico, and San Francisco Conferences, Accioly took active part in the negotiations which resulted in the 1947 Treaty. He oversaw the document which guided the Brazilian delegation to the Bogota Conference, in 1948. Accioly also represented Brazil in the Organization of American States from 1949 to 1952.[11]

While all of this happened, former minister Oswaldo Aranha spoke to *Time* magazine in October 1944 and Vargas was informed about it right on.[12] Aranha criticized Vargas for showing no signs of restoring democracy. He also criticized the State Department for the way it treated the Argentina issue, jeopardizing the safety of the entire region. He remarked that he was apprehensive about news of movements of troops in the Argentinian province of Corrientes, which borders Brazil in the East and Uruguay in the South.

When the reporter of *Time* magazine questioned Aranha about establishing relations with the U.S.S.R., the former minister responded that he was resigned to the possibility of Brazil moving in this direction. He added that he believed the Americas needed to join

[9] Telegram from Brazilian ambassador in Washington to Vargas, December 26th, 1944 (GETÚLIO Vargas papers; Fundação Getúlio Vargas – Rio; GV c1944.12.26/1)
[10] *A Organização Internacional da Paz* (1945).
[11] MRE – Brasília files (MINISTRY of Foreign Affairs Archives – Brasília), folders n. 42.877, 42.804, 42.811; MRE – Rio de Janeiro files, Hildebrando Accioly files.
[12] Letter from the Brazilian ambassador in Washington to Getúlio Vargas, November 15th, 1944 (GETÚLIO Vargas papers; Fundação Getúlio Vargas – Rio; GV c1944.11.15). Aranha left the government in August 1944. He remained a prestigious and influent analyst of Latin American affairs.

forces to face the menace of communist propaganda. This was an idea often repeated by Brazilian diplomats during those years.

Until then, the Itamaraty was dealing with the communist activity in the Southern Cone with caution, without setting an official political agenda regarding it. In a personal initiative, the Brazilian ambassador in Uruguay, Lucílio Bueno, kept a close dialogue with Uruguayan police forces to monitor movements of activists between both countries (SETEMY, 2018, p. 145). As the inevitable rapprochement of Brazil to the Soviet Union was coming, Aranha feared the communist propaganda would grow in the country compromising the plans of restoring democracy. For Vargas and his closest collaborators, it was a strong reason to postpone the reestablishment of political freedoms.

In February 1945, Hildebrando Accioly exposed his main preoccupation to the delegation at the Mexico conference. To the veteran diplomat, the delegation needed to work diligently to approve documents stating the principles of non-intervention in domestic affairs and of respect to signed treaties. Accioly repeated the same recommendation to the Brazilian delegation at the San Francisco conference, to be held in two months.

Besides emphasizing the political agenda of respect to state sovereignty, the Brazilian delegation did not oppose the political movement that took place during the days of the Mexico City conference in favor of women's civil and political rights in the Americas (MARINO, 2019, p. 192). In contradiction to the insistence of rejecting any form of intervention in domestic affairs, the documents produced by the Brazilian diplomacy supported manifestations in defence of reforming domestic legislations of the states integrated in the Pan American Union.

Itamaraty's priority was to defend the principle of non-intervention and the principle of respect to international law in solving tensions between the States. These principles were part of the opening article of the Act of Chapultepec (also publicized as a Declaration), which said: "all sovereign States are juridically equal among themselves […] In any case invasion by armed forces of one State into the territory of another trespassing boundaries established by treaty and demarcated in accordance therewith shall constitute an act of aggression".[13]

The writing of the Act gave a clear sense to the idea of equality. For career diplomats, the desired equality was the legal equality between States.[14] Decisions regarding the demand for equality between women and men were treated in two recommendations, documents of weaker legal force. Both documents urged nations which had not yet approved reforms in favor of women, children, and family to do so, regarding their domestic conditions. This wording – regarding domestic conditions – meant that subjects should be submitted to the

[13] Inter-American Reciprocal Assistance and Solidarity Act (Act of Chapultepec); Resolution approved on March 6, 1945. Available at: https://avalon.law.yale.edu/20th_century/chapul.asp

[14] Hildebrando Accioly's instructions for the Brazilian delegation at the San Francisco Conference, April 12th, 1945 (MRE - Brasília Archives, folder n. 42.877).

incumbent power of each country and would suffer the legislative process, normally long and unpredictable.

The Brazilian delegation cherished two of the decisions made in Mexico. First, it was made clear that the Dumbarton Oaks draft was the basis for the creation of the new organization, and Latin American countries felt the right to elaborate suggestions to improve it. This movement anticipated how Latin American delegations would act in coordination in San Francisco. Second, Chapultepec reinforced the principle that any multilateral organization should aspire universality. In the diplomatic language of those days, this statement meant that Argentina should be invited to take part of the San Francisco Conference, a subject that would occupy most of the efforts of the delegations of Brazil, Chile, Mexico, and Uruguay in that conference.[15]

In addition to acting pragmatically, the delegation in San Francisco received Accioly´s instructions freeing delegates to embrace more abstract ideas during the conference. Back to his usual restrained language, Accioly remarked that it was convenient to the interest of Brazil to make the wording of the principles and goals of the organization more comprehensively. He criticized the tone of the document approved in Dumbarton Oaks for lacking a preamble to announce the moral principles to guide the world order.[16]

Since Jan Smuts announced in a meeting in the Foreign Office in February that he would attempt to amend the Dumbarton Oaks draft during the San Francisco conference, news about his intentions appeared all over the occidental press (MAZOWER, 2009, p. 61). When the opportunity to take part in the re-writing of the draft came, Bertha Lutz, a full delegate of Brazil in San Francisco, interpreted the instructions from the Ministry as a green light to adhere to the movement in favor of the preamble led by South African delegate, Jan Smuts.[17] Lutz joined forces with Amália Castillo Ledón and Minerva Bernadino to amend the Preamble. Its final wording responded to the expectations of several actors presented in the conference. To career diplomats, such as Accioly, it helped to enhance a policy of legal equality between nations. To activists such as Lutz, it did the same to foster legal equality between men and women.

As argued before, the Mexico and San Francisco conferences unleashed a revival of natural law rhetoric in international affairs. In February 1945, nations gathered in Mexico City approved the Resolution number XL stating the collective compromise to protect essential human rights. By December, the Inter-American Juridical Committee presented the first draft

[15] *Correspondence from Pedro Leão Velloso to President Vargas*, April 27th, 1945 [MRE - Archive Brasília, folder n. 42.940]. *Memorandum of Conversation*, April 28th, 1945 (RG 59, General Records of the Department of State. Records relating to the U.N. Conference on International Organization, 1945, box 258; NARA).

[16] Hildebrando Accioly's instructions for the Brazilian delegation at the San Francisco Conference (MRE -Archive Brasília, folder 42.877).

[17] Mazower interrogates which could be Smuts' real motives to defend the principle of equality in the preamble of the Charter (MAZOWER, 2009, p. 28).

that would subsidize the American Declaration of the Rights and Duties of Man in Bogota. The Committee justified its work: "With the breaking of the last war, however, we have verified that totalitarian governments which denied their people the traditional rights of freedom of speech and of assembly presented a menace to the peace within the nations".[18]

In brief, the Committee urged nations in the Americas to strengthen the compromise to defend human essential rights, which included vanishing discrimination based on race, religion, or sex. Taking part in elections and social rights were listed among the essential rights. By social rights, it meant working rights and protections. The draft elaborated by the Committee listed 28 rights and 10 duties of men. It was signed by its head, Francisco Campos (Brazil), Felix Nieto Del Rio (Chile), Charles Fenwick (United States), and A. Gomes Robledo (México).

It is in fact disturbing – although not surprising – that ultra-conservative jurist Francisco Campos presided over the Inter-American Juridical Committee, which elaborated the draft of the bill of rights. During the long Vargas government, Campos had served as the head of the Ministry of Justice and Education on different occasions. More importantly, he wrote the controversial authoritarian Constitution of 1937 which gave Vargas powers to rule as a dictator. Campos sponsored the police state of Vargas, which tortured and imprisoned opponents without respecting any due process of law. It is a paradox that, in 1945, Campos wrote a document inspired in the most authentic liberal thought tradition. [19]

These contradictions did not pass unnoticed by Fenwick, who wrote many years after his experience in Brazil:

> The idealism of the first Latin American constitutions in respect to fundamental human rights, persisting through the years in spite of the high percentage of illiteracy in many of the states, found its first practical expression in a mandate from de Conference at Mexico City in 1945 to the Juridical Committee to prepare a draft Declaration of the International Rights and Duties of Man, which after approval by the Governments was to appear as an annex to the Charter of the reorganized Pan American system. The draft was duly prepared, setting forth the tradition political or legal rights and including with them a series of economic and social rights. Then, having failed to include in the Charter of the United Nations the declaration they desired; the Latin American states adopted their own regional declaration at the Conference at Bogotá in 1948 (FENWICK, 1963, p. 530).

In complement of his analysis of the Latin American politics in the post-war, Fenwick remarked that three years after the San Francisco conference the Cold War was in full

[18] *Proteção Internacional dos Direitos do Homem* (International Protection for the Rights of Men) (MRE - Archive Brasilia, folder 42.804).
[19] Glendon (2003) wrongly attributes the 1945 draft to Felix Nieto del Rio.

progress. Fearing the spread of communist propaganda, Latin American states took the side of the United States in this intangible war (FENWICK, 1963, p. 527).

In what concerns Brazilian domestic politics, it is a recurrent error in the historiography about Brazil to take Getúlio Vargas's fall, in October 1945, as the end of the political energy of the groups that supported him.[20] The administration of Vargas´s successor, President Dutra, continued the project of reformulating the country's political institutions, a movement set in motion in the early months of 1945 and perpetuated in the following years. It included the redefinition of the political pact through the drafting of a new Constitution in 1946, which stablished the vote for educated men and women as mandatory. So, the domestic politics adjusted itself to world circumstances to promote a controlled transition to democracy, although in a non-inclusive way.[21]

If we follow the political trajectory of former collaborators of the Vargas administration, we observe that many held important positions in Dutra´s administration (1946-1951), admittedly under the leadership of the largest party created under Vargas, the PSD, of moderate right-wing political orientation. The cabinet formation of President Dutra followed this political guideline. João Neves da Fontoura, a veteran collaborator in the Vargas government, took over the Ministry of Foreign Affairs.

In his inauguration speech, Fontoura stated that security and peace depended on corporative work between nations of the Americas. He urged nations to join forces to promote political and legal reforms, so that nations in the Americas would be brought together through the same idea of civilization.[22] Although Fontoura remained in the Ministry for only 11 months in 1946, he returned to the office in 1948 to head the Brazilian delegation in the Bogotá conference. In this meeting, the vague proposal of an institutional alignment of the countries in the Americas turned into concrete compromises set between the states.

Meanwhile, negotiations advanced to institutionalise the defence of the Americas. Accioly adopted a prominent position in the works that resulted in the Inter-American Treaty of Reciprocal Assistance, signed in 1947. Accioly then registered his opinion about communist influence in the Americas in an internal document sustaining the situation required a response. For him, the proscription of the Brazilian Communist Party was a start.[23] By expressing this thought, Accioly opposed Aranha's opinion, who considered it a mistake to forbid the legal existence of a communist party because he feared the country

[20] Skidmore (2007, Chapter 2) does not incur in this error.

[21] Beltrão and Novellino (2002, Table 2) point out that in 1940 the illiteracy rate among white women was of 58.98% of the group, while it was of 78.96% of the self-declared bi-racial women population. Considering only the self-declared black women group, the illiteracy was of 85.5%. Because most women were deprived of public educational resources, they could not fully enjoy political rights.

[22] *A Noite*, Feb. 2nd, 1946, p. 8-9.

[23] Accioly, H. *Considerações sobre o Tratado Inter Americano de Assistência Recíproca*, 1947 (MRE - Archive, Rio de Janeiro, Accioly's papers, folder 1/15).

would become subject to international retaliations (HILTON, 2017, p. 85). Apparently, the Itamaraty staff preferred to run the risk.

The short-authorized existence of the Communist Party (PCB) in Brazil extended from October 1945 to May de 1947. The proscription of the PCB in 1947 coincided with the growing concern about the electoral success of the PCB, which had seated 14 deputies and one senator in the 1946 Constitutional Assembly.[24] Without any doubt, the advance of communist parties was at the top of the list of preoccupations of the State Department concerning Latin America, even before the coming of Cuban Revolution (WHITAKER, 1960 p. 104).[25] Brazilian initiatives revealed the same state of mind.

As mentioned before, when Fontoura headed the Brazilian delegation at the 9th International American Conference (Bogotá) he stood up for changing the writing of a document under discussion to clearly define the concept of democracy. Fontoura expressed the subject in his report of the conference in the following manner:

> To my point of view, a latitudinous concept of democracy is the keystone of the Western political conscience, and by it we shall identify the falsity and the fallacy of the so proclaimed 'popular democracies' from Easter Europe. A play of words that cloaks the expansion and the grounding of sovietism.[26]

A popular and notorious riot took the streets of Bogota during the days of the Conference. The insurgency was followed by severe police repression. The incident motivated an intense exchange of letters between the diplomatic staff of the countries. Under the political environment dominant in Latin America, any form of manifestation of discontent was considered a communist plot to seize power. Without hesitation, governments set channels of conversations to organize a system to exchange information based in Montevideo.[27]

All these conversations were kept in secret. Publicly, Bogotá conference came out with important decisions. A new regional organization was created – the Organization of American States – whose scope was larger than the one of the Pan American Union. In addition, the conference announced the American Declaration of the Rights and Duties of Man.

Despite all the compromises Itamaraty made those years in favor of human rights, there were career diplomats who argued it would be convenient to wait for the announcement of the document being prepared by a commission in the United Nations before assuming any

[24] In April 1945, Brazil established diplomatic relations with the U.S.S.R.

[25] See also: *Memorandum by the Counsellor of the Department to the Secretary of State*, Washington, March 29, 1950, Policy Planning Staff Files, lot 64 D 563, (FRUS, 1950, v. II, p. 598-602).

[26] João Neves da Fontoura, Relatório do Chefe da Delegação do Brasil, 1948 (Report of the Chief of the Brazilian Delegation), (MRE - Archive Brasilia, folder 42.810).

[27] Telegrams from Brazilian Embassy in Washington to the chief of the Delegation in Bogota, April 19th and 27th, 1948; Telegram from the Brazilian Embassy in Lima to the Ministry, April 26th1946 (MRE - Archive Brasilia, folder 42.814).

position on the subject. However, Brazilian political appointees defended to anticipate the U.N. announcement so that American nations would show a moral example to a world that still suffered the consequences of the recent war.[28]

The American Declaration approved in Bogota did not differ profoundly from the December 1945 draft elaborated by the team led by Francisco Campos. Both documents listed the right of protection from arbitrary arrest, together with the right to due process of law within the essential human rights, the right to political participation, and the right to benefit from equal civil rights. However, contrary to claims of maternal post-partum leave numerous feminist groups in Latin America made those days, the Juridical Commission ignored this demand.[29]

Besides the declaration on Human Rights, the delegations assembled in Bogota approved two conventions concerning rights for women in the Americas: a convention on political rights, and another one referring to civil rights. These documents offered tools for the political struggle in favor of equal rights for women in the Continent and gave the Inter-American Commission of Women a new boost.

The revival of the suffragist campaign was supported on important diplomatic decisions. In fact, a convention is a stronger instrument than a recommendation because it compels the signing government to promote legal reforms. For this reason, Bogotá represented a diplomatic advancement in the diplomacy of women's rights compared to Mexico City. The wording of the conventions suggested the existence of a cumulative trend to perfect the idea of equality between men and women in the Americas starting with 1938 Lima Conference. This was a seductive but inaccurate rationale because the decisions taken in 1948 forced the signatories to embrace a much ampler compromise.

Fontoura's 1946 proposal for aligning the members of the Inter-American system to similar political institutions now had stronger instruments to compel nations to reform their laws and constitutions. In the years that followed Bogota, countries which had not franchised women ratified the convention of political rights and moved in that direction of the franchise. Many of them, such as Mexico and Guatemala, needed to modify their own constitution before ratifying the convention. Others, such as Argentina, anticipated Bogotá conference and announced the franchise of the vote for women in the previous year (PALERMO, 2011, p. 49).[30]

To men like Fontoura, if women were to be integrated into the political system, it would be better if it happened in a liberal representative system, therefore, taking part in

[28] Parecer do consultor jurídico Levy Carneiro à declaração internacional dos direitos do homem e atos complementares, (*Levy Carneiro's expert report on the international declaration on the rights of man and additional acts*) (MRE - Archive Brasilia, folder 42.804).

[29] Marino (2019) details feminist group´s position towards the subject.

[30] Palermo (2011) sees the concession of the vote to women in Argentina as a political manoeuvre which satisfied both external and internal interests.

elections regularly.[31] The alternative would be to see the youth adhering to left-wing groups in the search for political renovation.[32] Two major reforms together – women's vote without constraints but the requisite of literacy, together with mandatory vote – integrated women to the political systems in the Americas in the post-war in Brazil.

Starting in 1949 by the Dominican Republic, one by one of 21 nations represented in the Bogotá Conference ratified the political rights Convention. Honduras, and Guatemala signed it with reserves, because both countries had constitutional obstacles to franchise the vote for women. The same happened to Mexico, whose delegation chose to abstain from signing it (ATKINS, 1997, p. 239). By 1955, few countries in Latin America failed to reform their constitutions to permit some form of political participation for women. Even Honduras, El Salvador, and Mexico had ratified the 1948 convention by then.

Observed in detail, the political systems did not align to each other in every aspect. The movement initiated in Bogotá incentivized elections but did not advance democracy (ZELLER, 2012, chapter 4). In some places, restrictions regarding marital status of women remained, as well as a rule that they could vote only in local elections. In most of the countries, uneducated women were prevented from voting at any level (local or national); therefore, political systems excluded vast part of the poor from political rights. For the sake of publicity, however, women in the Americas could now vote.

The convention on the granting of civil rights to women had a more tumultuous trajectory. Its wording urged nations to grant women the same civil rights granted to men. Of 21 states represented in Bogotá, only United States did not sign the convention then or at any moment in the years to come. In 1953, the Secretary of State John Foster Dulles stated in a Senate hearing that the U.S. government had no intention of ratifying any human rights treaty that would interfere with domestic affairs (DIAB, 1992, p. 335). By 1955, 13 of the original signers had already ratified the convention.

In Brazil, the reform of civil rights concerning married women tried to benefit from the attention given to the 8th Assembly of the IACW, hosted in Rio de Janeiro, in July 1952. By then, Vargas was back in power elected by most votes. Neves da Fontoura was a member of his cabinet. Almost simultaneously in that year two bills were presented to the Congress, one in the Senate, another in the House of Representatives. Both bills proposed to modify the 1916 Civil Code, which was a long aspiration of feminist groups in Brazil, especially on issues of marriage.

In vain, Fontoura urged the Itamaraty to support changes in the civil rights legislation. In private, the staff resisted the idea as usual. In a manuscript note aside from a Fontoura's memo, the attaché of the political division observed that the *bill subverts many traditional*

[31] Speaking to a Rio's newspaper, the Chilean ambassador Felix Del Nieto said: "Suffrage is the best democratic weapon of the people". *Jornal do Comércio*, Feb. 12th, 1946, p. 2.
[32] Recent historiography on communist activism reveals its strength (VALOBRA; YUSTA, 2017).

principles of the family law in Brazil – that is way I consider it has little chance of being approved.[33] If politicians were often swayed to endorse the cause of women's civil rights, career diplomats showed a silent resistance to ideas of equality that could potentially bring women to their career (FARIAS, 2017). They also resisted accepting jobs at the IACW.

The scope of civil rights in Latin American legal tradition differed from the U.S. one because it was largely influenced by the Napoleon Code, which empowered the husband to head the family. Consequently, in Brazil, in Mexico, and in several countries, married women were incapable of filing suits in favor of their own property rights, in defence of paternal rights, or had a voice to decide where the family should live. By reforming civil rights, feminist activists intended to give married women the same rights and duties men had.

It did not pass unnoticed that the civil rights posed a point of friction in the diplomatic relations between the Latin American nations and the United States. The insistence on the necessity to align the Inter-American system in terms of civil rights rose from the self-perception of racial equality, widely shared by the Brazilian elite.[34] It is not the point here to question the veritable nature of racial relations in Brazil, that were not and still are not defined by harmonic coexistence of races, but to question the reason why Brazilian politicians enthusiastically supported the inclusion of racial equality on the list of fundamental human rights. One of the reasons was the intention to mark a moral superiority of Latin American nations towards the United States.

While these decisions were maturing, the Brazilian diplomatic core gathered numerous letters denouncing racial segregation in the United States and defending human rights. The following organizations sent documents to the Ministry throughout 1944 and 1945: the *Massachusetts Committee for World Federation*, the *International League for the Rights of Man and for New Democracy*, the *Garvey Club. Inc. Universal Negro Improvement Association*, the *African Communities League*, the *United Races of America*, to name a few. The archives even preserve an anonymous letter denouncing racial discrimination in the United States.[35] These documents reinforced Vargas' and Aranha's perception about racial relations in the United States, which contrasted with the Brazilian juridical tradition where racial discrimination was not sustained in laws, though it was widely practiced on daily basis.

[33] Arthur Alves de Souza comments on Neves da Fontoura memo, Feb. 18th, 1952 (MRE - Brasília Archive, folder 42.368).

[34] In October 1945, while facing growing antagonism, Vargas responded to the U.S. Ambassador, Adolf Berle: "I do not need to find examples, nor lessons, abroad. We have the principles of democracy in our traditions of political, ethnical, and social democracy" (GETÚLIO Vargas papers; Fundação Getúlio Vargas – Rio; GV c1945.10.01/3).

[35] MRE - Archive Brasilia, folder 42.930.

Political goals and means

The first step to give room to women's rights in the re-configuration of the world system was to guarantee the presence of women in international conferences. By July 1944, President Roosevelt announced he had nominated a woman to integrate the U.S. delegation for the conference to be held the following year (HILDERBRAND, 1990, p. 81). It was a gesture of recognition of the sacrifice women made during the war. Soon the pro-government newspaper *A Manhã* announced that the President Vargas considered nominating Bertha Lutz to integrate the conference delegation.[36]

Lutz, an experienced feminism activist and a public employee, took part in the preparatory meetings at the Ministry in Rio, but there is no indication she had access to the documents private organizations were sending to the Itamaraty in defence of human rights; nor did she seem to be familiar with the new political vocabulary. From San Francisco, she wrote to her long-time collaborator, Jerônima Mesquita, to inform her she had been approached by Jessy Street, an adviser of the Australian delegation. In the letter, Lutz also says that a woman member of Indian delegation spoke to her about a proposal of creating a commission to study the condition of women in the world under the lens of "human rights and freedoms".[37] Lutz acknowledged having an opportunity to bypass the Inter-American Commission of Women, which was presided by Minerva Bernardino, whose political ability Lutz mistrusted. Probably, Lutz did not feel comfortable with Bernardino's skin colour and social status either.

The initiative of the Australian and Indian women was the starting point of a backstage articulation that resulted in the approval of the Commission on the Status of Women during the conference. Lutz used her political ability and her power as a full delegate to approve the commission. Lutz also joined forces with Bernardino and Amália Ledón to amend the Preamble stating: "To ensure respect for human rights and fundamental freedoms, without discrimination against race, sex, condition or creed". This amendment was approved in the final meeting of the Committee I.1 on May 30th. The U.S. delegate Virginia Gildersleeve attempted to re-write Smuts' text, arguing it was for the sake of clarity, she argued. Her draft did not mention equality between sexes and races (SCHMITT, 1948, p. 10).

In public, Lutz did not oppose race equality, though she did not endorse it in private.[38] These were side targets Lutz aimed at the conference. Besides focusing on a proposal of

[36] *A Manhã,* Sept. 8th, 1944, p. 3.

[37] Letter from Lutz to Mesquita, May 3rd, 1945 (MUSEU Nacional, BR.MN.BL.0.FEM.1/112). Marino (2019, p. 198) details the episode. Lutz did not name the Indian delegate in the letter; it was most probably Hansa Mehta.

[38] In the late 1960s, Lutz begun to record her memoirs. While registering the history of the Lutz family, she recorded her personal view on racial relations. In this register, Lutz sustained that black people were incapable of coping with civilization (ARQUIVO Nacional, FBPF; BR.AN.RIO.Q0.BLZ.PIN.DSO.1).

revision of the Charter – the official assignment the chief of the Brazilian delegation gave her – Lutz was determined to shed light on the principle of non-discrimination based on sex in the Charter. In doing so, she was not far from her previous experience as a lobbyist in the backstage of the 1933-34 Brazilian Constitutional Assembly, or as a congresswoman (1936-37). Lutz struggled to interfere in the wording of the Charter to make clear that no form of sex discrimination was admissible.

When the Mexican activists Amália Lédon finally managed to preside the Inter American Commission of Women (IACW), in 1949, after a decade of being in secondary positions in the organization, women still could not vote in her country. When she took office, in December, she found nothing but a room in an adjacent building of the Pan American Union, the furniture, two clerks and two of the five qualified collaborators. Worse, the IACW faced budget problems and its status was undefined. She argued that in Bogotá the IACW was made a permanent branch of the OAS, but a bureaucratic guerrilla insisted on treating it as a specialized organism, therefore, subject to suppression at any moment.[39]

Lédon then scheduled meetings with men in power. She talked to the general secretary of the OAS, chiefs of several departments, and representatives of nations in the OAS. This effort of public relations resulted in a larger office in the main building, extra personnel, and the collaboration of sectors of the OAS to publish the material of the IACW.

With the immediate difficulties overcome, Lédon had a more ambitious agenda in mind. She travelled to Central America to advocate women's equal political and civil rights there. Visiting El Salvador in September 1950, she talked to members of the Legislative branch, to the President of the country, and met selected women in a seminar.[40] She did similar work in Panamá and Costa Rica, using the Bogotá conventions to leverage women's rights in the region.

Lédon's most important mission was to preside the 9th IACW Assembly, in September 1953, in Asunción, Paraguay. In this country, the dominant *Partido Colorado* followed an agenda of reforms based on the motto *Democracia sin comunismo* (SOLER, 2019). The Paraguayan government expected the assembly to announce the concession of the vote for women and to make a Paraguayan woman the president of the IACW. The former Brazilian ambassador in Asunción had settled an agreement with Paraguayan authorities that the Brazilian diplomacy would endorse the candidacy.[41]

Lédon did not travel alone to Asunción. The Mexican representative at the OAS, Luís Quintanilla, together with his wife, joined Amália on a long trip to Paraguay. While Lédon

[39] *Informe de Amália Castillo Lédon a la Asamblea de la Comisión Interamericana de Mujeres*, Santiago de Chile, 1951 (MRE - Brasília Archive, folder 42.366).

[40] In El Salvador, Lédon reported she refused to meet with a group of working women preferring to talk to charity ladies and high school students.

[41] Letters from the Brazilian ambassador at Asunción to the chancellery, Aug. 11th and Sep. 23rd, 1953 (MRE - Brasília Archive, folder 42.366).

was on a mission to publicize the virtues of the equality of rights; Quintanilla was on a mission to publicize the virtues and the potentialities of the new Inter-American organization. Together, they visited 12 countries, where they were treated with great respect.[42]

The Assembly elected Maria Concepcion Leyes de Chavez president of the IACW for the 1953-1957 period, as planned. However, her lack of international political experience and the direct interference of her government in the election caused distress in the assembly. According to Bertha Lutz, the delegations of Uruguay, Chile, Guatemala, and Haiti voted against Chavez. She believed that the U.S. delegation stood for the additional contrary vote. Lutz was then elected vice-president of the IACW.[43]

Paraguay presented a permanent challenge to Brazil. Brazilian policy towards the Plata in the post-war faced the mistrust from Paraguayan elites, and Perón's attempts to enlarge the influence of Argentina in the region (DORATIOTO, 2012 p. 495ss). The year of 1947 was a particularly hard because a new coup d'état brought back the Military to power, supported by the dominant conservative party, the Colorado. When the IACW meeting was scheduled to take place in Asunción, in 1953, Frederico Chavez was the President. He represented a more moderate, cosmopolitan faction of the Colorado Party, and he was more inclined to favor Argentina. The position of the IACW's presidency was bargained as a token to the Chavez' family. The Paraguayan candidate, Maria Concepcion Leyes de Chavez was the President's sister-in-law.

Apart from deposing opponents from power, which happened several times since the 1930s, Paraguayan elites found a more predictable way to maintain political order by promoting elections. General Stroessner came to power in 1954, and remained in the Presidency until 1989, benefited by continuous re-elections. Starting in 1961, educated women could cast their votes for Stroessner.[44]

For Lédon's political purposes, her mission in Paraguay in 1953 was a success. In the previous year, she had paved the way to reform the Mexican legislation by creating a new women's organization. It was named *Alianza de Mujeres de México,* which set a movement to collect signatures all around the country endorsing the cause of the vote. In March 1952, Amália Lédon spoke to a newspaper (PABLOS, 2013, p. 253):

> Me es muy penoso, como Presidente de la Comisión Interamericana de Mujeres, haber obtenido la aquiescencia de diversas repúblicas del continente para conceder las igualdades entre hombres y mujeres, mientras que en mi proprio país no hay ni siquiera un intento para otorgárselos.

[42] *Informe del embajador Luís Quintanilla al consejo de la Organización de los Estados americanos*, Jan. 1954. (MRE - Brasília Archive, folder 42.366).
[43] Letter from Brazil's Chargé d'Affairs in Paraguay, Oct. 2nd, 1953 (MRE-Brasília Archive, folder 42.366).
[44] According to Soler (2019), though it was announced in 1953, women´s vote was granted to Paraguayan women only in July 1961.

To mention an external precedent to induce the domestic political system to accept changes was not a new move in the history of the suffrage campaign in the Americas. What seemed to be new in the case of México was the concurrence of these initiatives with a presidential campaign, together with an international favorable atmosphere. In December 1952, Adolfo Ruiz Cortines took office and immediately sent a bill to the Congress proposing an amendment to the Constitution. By October 1953, all the states had sent the Lower Chamber the ratification of the amendment. From then on, women could vote for federal elections in México (LAU, 2013).

Final remarks

The IACW showed to be instrumental for the purposes of pro-suffrage movers and shakers in the Americas. It leveraged Minerva Bernardino's, Ledón's, and Chavez's political positions. This article argues that men were a significant force supporting reforms on women's political and civil rights in Latin American. Male politicians perceived these reforms would contribute to contain a communist threat they believed menaced to the region. Suffrage leaders allied with these men.

It is meaningful that the political wave that integrated educated women in the Americas into formal citizenship coincided with an overall effort to contain the alleged communist threat. One by one, political systems moved towards a more democratic participation. Some, like Brazil, transited from authoritarianism to democracy, in 1945, by promoting competitive elections, albeit without communist tickets. Others, like the Domenic Republic or Paraguay promoted elections that did not gave the vote much value.

As long as women activists relied on the limited political resources that IACW had at its disposal, these women's actions were convenient for their respective countries. The moment they intended to run for office, they faced the limits of women's integration into the political system. This is particularly true for Ledón, who attempted to run for the government of the state of Tamaulipas, in 1962, or Bertha Lutz, whose only term in the Lower Chamber lasted less than two years (July 1936 – November 1937) (MARQUES, 2016).

The article examines the role played by the women's rights diplomatic rhetoric in favor of women's rights. It rejects the assumption that human rights rhetoric had an irrelevant role in the region, as Moyn maintains (2012, p. 179). A definitive appraisal of human rights vocabulary needs to access the changing historical meaning the expression had. It is important to register that there were changes in the meaning of political vocabulary in the decade examined here. Crucial concepts, such as equality and democracy, were given contradictory meanings depending on the position of the speaker in the political spectrum. If legal equality sufficed for diplomats and suffragist-feminists, it was far from satisfactory

for workers. If popular democracy sounded like demagogy and communism to conservative politicians, it corresponded to left-wing activists' true expectations. Therefore, the meaning of human rights requires a historical approach.

As for the effectiveness of the human rights vocabulary, the reiterating disrespect for life, especially of the poor, was another spread political behavior in Latin America. That characteristic forced the diplomatic system to reinforce the strings of the compromises set in Bogotá 1948 in a new convention – the 1969 Human Rights Convention signed in San José, Costa Rica. It is out of the scope of this article to examine the motives which led Inter-American states to readdress the subject 21 years later. We simply note that the Costa Rican effort did not prevent states in the Continent to widely practicing political torture in the 1970s. As the process of defining human rights continues, new rights have been added to the international agenda. And new rights require political imagination to became enforceable.

Admittedly, the research agenda of the true meaning of democracy in Latin American in contemporary history involves examining the actual integration of women into the political system. This article ambitions to contribute to the debate on the overcoming of obstacles to the franchise, and the circumstances surrounding the political activism pro vote.

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