

9. PARIS 1900: EQUALITY OR PROTECTION OF THE MOTHER

No interest can be more fundamental than that at once expressed and awakened by the questions: What is the relation of one-half of the race to the other half? To the whole? What is its part in the development of the whole and in the work of the world? As no questions can be more fundamental than these, so none has been more persistently asked; and it must be added that none has received more answers or more contradictory ones.

May Wright Sewall 1894

L'Exposition Universelle/ the World Fair in Paris in 1900 was the greatest of all expositions during the 18th and 19th centuries. Geographically it encompassed the central parts of Paris from Place de la Concorde and Champs Elysée to the Mars Field with the Eiffel Tower. ¹

In France the extreme right and the left had been fighting legally as well as in the streets and in the newspapers during the 1890s. During the summer of 1900 a certain calm was kept. The exposition had invited masses of people to the capital. A foreign observer remarked that France had recovered from being politically ill. A republican constitution was established and social reforms were under way.² A theme at the exposition was to honor La Femme/ the Woman. And a new Femininity was being created.

The Woman with a great W was an important symbol; her significance was as paradoxical as the combination of internationalism and nationalism. The enormous entrance to the exposition grounds was decorated with a giant female figure, dressed in a blouse and a peacock-blue skirt, high up in the air. The new art, Art Nouveau, dominated. It was everywhere but mostly seen in interior decorations, as furniture, wallpapers and on textiles fabrics of all kinds. The exposition turned to women in real life and promoted an image of Woman in the new industrial society as a very keen and active person, involved in culture and

¹ The exposition was open 14 April - 12 November 1900. New buildings were les Grand and Petit Palais and the bridge of Alexandre III. An area in Bois de Vincennes was constructed for automobilism. Schroeder-Gudehus & Rasmussen 1992:132.

² Stone 1985: 71-98; Marchand 1993: 168; Bennett 1994: 27

art as an ardent consumer. She was the person who created demands on the market.³

Influenced by the Women's Pavilion at the World Fair in Chicago in 1893, women got their own palace, le Palais de la Femme. It was described as radiating elegance and finesse, suiting women. It had a huge entrance hall and two-story verandas with restaurants. Lone ladies were served and treated well. An ultramodern electric elevator went to the second floor, where a theater hall was built in which performances, concerts and tableaux vivants from the lives of famous women were acted out. In the basement, women could have a rest or refresh themselves, in higher up located rooms a club for women was to be found, a library and possibilities for correspondence. Thursdays and Sundays, parents could leave their children to guardians in the Women's Palace. Men were allowed to visit the house, at least parts of it as the restaurants.⁴

The view of the woman was ambivalent. Social Darwinism with its positive look on the evolution did strongly influence the view of mankind and sciences, it reformed and accentuated differences between men and women. Subordination reappeared in a new construction of femininity. Women were ever so often described as different to men, as it always had been, but often a new turn was added: woman was in many ways better than man. She was morally better, more sensitive. At the Women's Palace a lot circled around women's household work and the home. At the same time the consciousness of and thus also the creation of a New Woman was raising. The Woman was discussed as something new, as a Mother, as a Housekeeper, as a Peacemaker, as an Educator, as a Moral model. Woman should consume and console; man should produce and provide. Woman was the center of the private life; man was the center of politics, of war, of trade, of business. Woman was supposed to make the society a better place to live in but she was rarely treated as an equal and had limited means to influence bigger questions. But, there was an opposite tendency to all this also at play; it was not really possible to avoid to acknowledge that there were women who put forward demands on increased possibilities and rights for themselves. Sometimes they arranged congresses.

³ *La Grande Revue de l'Exposition* 1900:45ff; 63ff; Ekström 1991; Aimone & Olmo 1993:35; Bennett and others 1994:20ff.

⁴ Allemane 1892: 277f; "l'art de la ménagère, la cuisine enseignée, l'enseignement maternel"(92) Kervor 1900:91ff; Bennett and others, 1994:25.

"Congresses are exhibitions of ideas" said the president of the French republic Emile Loubet in his inaugural speech opening the Palace of Congresses/ le Palais de l'Économie sociale et des Congrès at the exposition. The building did show the high status of congresses. It was stretching out along the river Seine. A hundred meter long gallery with windows to the waterfront opened up to a view over large parts of the exposition. It consisted of five congress halls. In them 72 congresses took place during the summer. The visitors at the congresses were of course a minority of the masses of people, fifty millions were counted, who visited the exposition during the months it was open.⁵ The woman question made its breakthrough in the form of two great congresses on women's emancipation.

Women were also at the center of other congresses not scrutinized here. Among them were a Catholic women's congress (le Congrès Catholique International des Œuvres des Femmes), under the auspices of the arch-bishop of Paris. It was held parallel to a Catholic congress for men. According to an English report, the French Marie Maugeret attacked the night work prohibition for women during this congress. Of this there is not a trace in the Catholic daily *L'Univers*, where a lot of room was given to what was said for example by count Albert de Mun at the men's congress. De Mun, a well known conservative and a supporter of social reforms, had been a driving force at the introduction of a night work prohibition for women in France in 1892.⁶

The Second International Congress for Female Endeavours and Institutions

The initiative to the Second International Congress for Female Endeavours and Institutions (le 2e Congrès International des Œuvres et Institutions Féminines) came from the "right wing of the French feminist movement", according to the Swedish women's journal *Dagny*. The German activist for women's cause Marie Stritt called it "moderate with a strong Protestant

⁵ File: ... de 1900, F 12 4317, AN; *La Grande Revue de l'Exposition* 1900: 241; Paris June 1900 Vol I: 5; Paris Sept 1900; Loliée 1900: 5ff calls it only Palais des Congrès; *Rapport général sur les congrès de l'exposition* 1906; Demy 1907:602ff; Schroeder-Gudehus & Rasmussen 1992; Bennett m fl 1994:47.

⁶ *Englishwoman's Review* 1900: 232; the women's congress was integrated into the bigger Congrès International des Œuvres Catholiques, 3-12 juni, which was divided into one congress for men, another for women, with a common opening in the dome Nôtre-Dame. *L'Univers* 2/6 7/6 8/6 1900; the congress was not an official one at the exposition. *Rapport général sur les congrès de l'exposition* 1906; Albert de Mun was the leader of the Catholics who were engaged in the social question, Martin 1978 & Zancarini-Fournel 1995: 81ff; about Maugeret's demand of the revision of Code Napoleon and a right for women to vote, see McMillan 2000: 200ff.

tendency". The organizing group behind it consisted of women only. That should be judged as a statement of independence, wrote *Dagny*, and not misunderstood as an act of hostility to men.⁷

At this congress the word "féminisme" was seldom heard and if this controversial word was used, it was often associated to some explanatory words or sentences. In the introduction to the documentation of the congress, the secretary Mme Pégard mentioned the peaceful feminism, "le féminisme pacifique".⁸ Her way to choose these words, tells us that she considered plain feminism provocative and offensive. She did not like what feminism so far had meant, not the feminism socialist women had launched, the feminism that raised demands of changes to introduce equality.

On the congress, the more radical Swedish journal *Dagny* commented dryly, that because of the often recurrent international women's congresses not everyone could have a large number of foreign delegates. At this congress the participants were mostly French. Still foreign guests were approximately 30 percent of the delegates and came from 22 countries. Many of them came from England, the USA, Russia and Germany. The number of participants listed in the printed protocols were almost 1 200 persons.⁹

The congress president Sarah Monod said that the purpose of the congress was to "beyond all political activities strive for a moral education of woman and make her worthy of the place which was hers in the world".¹⁰ Woman had to be reformed, not the world around her. The congress wanted to be an open forum

⁷ The 18th - 23th of June, Congrès international des œuvres et institutions féminines. Mme Pégard was its main secretary, treasurer Maria Martin, president of honor Léon Bourgeois, other organizers Mme Isabelle Bogelot and Mme Jules Simon. Paris June 1900 Vol I: first sheet, 6, 12-5, 31; Avril de Sainte-Croix, 1900:506; *Dagny* 1900:266; "... eine sogenannte gemässigte mit stark hervortretender protestantischer Tendenz ..." *Die Frau* 1900:641f.

⁸ The congress is documented in four volumes, Paris June 1900, Vol I:8.

⁹ *Dagny* 1900: 266; the following "countries" were mentioned: Belgium (17 persons, among them Marie Popelin), Cochinchina (2), Denmark (5, i a Mme Johanne Meyer), Elsass-Lothringen (4), England (57, i a Mrs Margaret E Mac Donald, Mrs Helen Bosanquet, Comtesse Aberdeen, Mrs A H Bright, Liverpool), Finland (1, that was Alexandra Gripenberg), Grekland (3 i a Mme Callihoë Parren with husband), the Netherlands (13 i a Mme Cornelissen-Rupertus), Italy (8), Japan (3, all men), Canada (13, i a Miss Teresa Wilson), Luxemburg (1 man), Rumania (5), Russia (44, including två from Poland, and including Marya Chéliga since long living in Paris), Switzerland (47), Sweden (21, incl persons from Norway), Spain (3), Turkey (4), Germany (47 i a one man, Baron de Berlepsch-Seebach), Hungary (1, she was Mme Yolanta Nendtwich), USA (51, i a Théodore Stanton with wife, miss Jane Addams, Mrs Bertha Potter-Palmer, Mrs May Wright-Sewall), Austria (12 i a Mme Marianne Hainisch). Altogether 363 personer. Paris June 1900 Vol 1: 573ff; Paris June 1900 Vol 1:7; the German delegation had 17 women according to *FBw* 1900:106f.

¹⁰ Application to become a congress at the world exposition. Printed page (No 290), F 12 4319, AN; speech at the Town Hall, Hôtel de Ville, 21/6 1900: "... en dehors de toute préoccupation politique, de favoriser l'éducation morale de la femme et de la rendre digne de sa situation dans le monde." Paris June 1900 Vol I:511; Hause – Kenney 1984:30f.

for discussions. Different opinions should not confront each other, but be presented peacefully side by side. It did not really turn out like that.

Anna Pappritz from Germany was satisfied with the intentions of the congress to deal with philanthropy but she criticized that men were dominating as presidents of sessions and as reporting on themes to be discussed. One of these men was the director of Musée Social, Léopold Mabilleau, who at the opening ceremony was representing the French government. In his inaugural speech, he reminded the public of the heritage after Jules Simon, now deceased. He wanted to increase the estimation of women's social activities and told with pride that his own relatively new institute had introduced "feminism" as a field of survey, beside other important fields as "cooperation" and "socialism". Musée Social had decided to take care of the female capacity. He became guilty of a gesture that Marie Stritt ironically had branded "the toast for the ladies" when he turned over the congress into the "beautiful hands" of the ladies.¹¹ His prominent presence points to alliances of persons and opinions between this congress and the following congress of protective labor legislation, which would take place in the building of Musée Social.

Sarah Monod was also praising Jules Simon as a pioneer when she greeted the audience.¹² Her positive evaluation of the views Jules Simon had on women shows, that there was an ideological barrier between this congress so fond of philanthropy and the one that should be held later. Jules Simon had not ever been admired by French feminists. Already in 1889, the French and International congress of Women's Rights had judged him as impossible to preside over a congress for women's emancipation.

Without intention to be controversial, the congress followed the French practice to formulate resolutions. There were heated discussions about the night work prohibition for women and also about state regulations generally and it became clear that women were split on the question of women's economic citizenship.

¹¹ *FBw* 1900: 106f; Marie Stritt called Passy and Morsier for male feminists. She thought that Mabilleau was the only one who had not been worthy of being called feminist. "... den bekannten Damentoaststil..." "...belles mains..." *Die Frau*, August 1900: 645; Mabilleau spoke instead of the well-known left-radical politician Léon Bourgeois; Paris June 1900 Vol I: 27ff; On Mabilleau and Musée Social, Dreyfus 1998, as well as Horne 1998 & 2004.

¹² Paris June 1900 Vol I:33.

The theme "freedom of work", which had been discussed already at congresses in Brussels three years earlier, came up at a session with the title "Freedom of work for the woman"/ *Liberté du travail de la femme*". The debate was about different or equal treatment. The journalist Avril de Sainte-Croix, writing under the pen-name of Savioz, was the president and the peace advocate Frédéric Passy was her assistant.¹³ Together with the lawyer Lucien Le Foyer, they as a preparatory group suggested a resolution to the audience. It was based on written contributions handed in earlier. They suggested a labor market without restrictions, not even any for women, because women should not be oppressed:

Because every protective legislation, which is only for women, becomes an oppressive legislation, that is how this society is functioning, thus (the congress demands), a totally free labor market for women.¹⁴

The suggestion started a discussion. Maria Martin was at first justifying it. In her own *Journal des Femmes* she had campaigned in 1896 against the French night work prohibition for women. Her opinion was that protective laws for women had as result that "women were push away from all work in which men easily can replace them". The remedy would be equal work conditions. No exception should be introduced, neither those that were said to be against women, nor those with a motivation to protect them. As many other opponents to the night work legislation, Maria Martin took warning examples from the printing industry. Special conditions had developed in that branch during some decades. Women had become printers when the industry expanded quickly, especially in the center of Paris since the 1860s. This expansion had been pretty unique in the midst of a period of depression. During these conditions - expansion at the same time as a relatively quick change of printing technology - it was easy for women to get opportunities to work side by side with men. But during this period of integration of women, conflicts had been common; through their trade union men tried to have women excluded from the most advantageous positions as printer or typographer. When the law of 1892 was introduced, forbidding women to work at night, Maria Martin pointed out, then

¹³ Paris June 1900 Vol I:7f, 14f; Paris June 1900 Vol III:331-42; *Die Frau*, 1900:643.

¹⁴ "Que, dans l'état actuel de la société, toute loi de protection, visant spécialement la femme, devient une loi d'oppression, demande pour elle la liberté du travail." Paris June 1900 Vol I:85.

women were not any longer welcome despite their lower wages.¹⁵ For her equality was a priority. At this congress she did not care to ask for an equal protective labor legislation for men and women. Her arguments were those of an independent feminist, not of a socialist feminist. Maybe was her arguments chosen to suit this congress, which was not favorable to any state interventions in the labor market?

Several others stood up for Martin's views. For her assisting president Frédéric Passy, a member of the National Assembly, a liberal and well known pacifist, a free market was a civil rights demand:

In the labour market, the freedom of woman has been too limited. Waged work should be considered not as a burden but as an honorable task. Freedom of work should be seen as a necessary civil right, an interest of first degree for woman.

State interventions, which stepped into "the most holy, the will, the individuality and the responsibility" should be avoided. At the same time Passy saw with satisfaction that workers did organize and could negotiate about the conditions of work via their trade unions. And he asked for equal pay for equal work¹⁶, which was a demand by feminists. In this version, the contribution of Passy was clearly one of demands for equality. It can be read in the protocols, edited by the secretary of the congress Mme Pégard.

The contribution of Passy is of a special interest as we are looking for the view on women behind the night work prohibition for women. The very same contribution got a description in another official and contemporary journal, which is differing from the one given by Mme Pégard. According to the count of Chasselout-Laubet, in his book of reports from congresses, Passy had a view of women as different from men, when arguing for a non-regulated labor market:

I do not believe ... that women can take the places of men. But I do believe it is time to let them take the place they can - beside men and admitted by men - in relation to their merits, their efforts and qualifications.

¹⁵ Courcelle-Seneuil 1868: 432ff; *Jn des Femmes*, Avril - Juillet 1896; " ... ont eu pour effet de faire renvoyer les femmes de tous les emplois où elles peuvent être facilement remplacées par des hommes..."(81) Paris June 1900 Vol I: 81; Marchand 1993: 126ff ; Wikander 1988: 217ff & 1995c.

¹⁶ Paris June 1900 Vol III: 620; "Dans la sphère du travail, on a trop limité aussi la liberté de la femme. Il ne faut pas considérer le travail comme une œuvre servile; le travail est un honneur. *La liberté du travail* (min kursivering UW) doit être considérée comme un droit imprescriptible, comme un intérêt de premier ordre pour la femme."(82) Passy, according to the congress report, made a small reservation, women had been allowed to get some educations too quickly ... "...on porte atteinte à ce qu'il y a de plus sacré, la volonté, la personnalité et la responsabilité."(90) Paris June 1900 Vol I: 81ff.

Sometimes these can be similar to men's but often different although as respectable, all according to what nature has given women.¹⁷

In the rendering of the count, Passy was not afraid of women's competition because their nature should not allow it. According to this referent, Passy had also pointed out that an increase of women's work possibilities ought to be "admitted by men", thus allowed by men.

This second account of Passy's view on women, seems less radical than the first one. Was there a tendency in the congress protocol? Mme Pegard was eager to stress equality in her summaries of contributions. Maybe she heard only what she wanted to hear? That was probably also the case with count Chasselout-Laubet? Only one thing is really the same in the two abstracts : Passy was against all market regulations in the labor market.¹⁸

Lucien Le Foyers saw four impediments for women's free choice of work: competition, protective legislation, marriage and motherhood. For him the solution lay in a stricter gender division of labor, which could make woman "a citizen in the community of work". But then again, he was not talking about an equal economic citizenship but a special one for women. Very much like Passy, he believed that such would be the natural development, as soon as the labor market was free.¹⁹ These two men seem to have relied totally on the biological difference to shape a gender division of labor. Nature makes legislation superfluous and added to that, a legal regulation was not something they were ideologically eager to embrace for anyone.

Alice Salomon, who at the London congress of the International Council of Women last year had spoken in favor of special legislation for women, did speak in favor of female Factory Inspectors. For protective legislation was the English socialist Margaret Mac Donald, England. She was not personally present but had sent her arguments in written to the congress. She wanted married women to stay at home and women's industrial work to be regulated. But her long document of 17 pages with arguments was not being shared to the public. Le

¹⁷ "Je ne pense pas, dit-il, que les femmes puissent prendre la place des hommes, mais je crois qu'il est temps de leur laisser prendre, à côté des hommes et d'accord avec eux, la place qu'elles peuvent prendre par leurs mérites, leurs efforts et les qualités, quelquefois semblables à celles des hommes, souvent différentes, mais également respectables qui leur ont réparties par la nature." *Rapport général sur les congrès de l'exposition*, 1906: 142.

¹⁸ Not agreeing were Constance Plumtre, London and Mrs A H Bright Liverpool, Paris June 1900 Vol IV: 446; Paris June 1900 Vol I: 83.

¹⁹ "La femme doit devenir citoyenne de la Cité du travail." (83) Paris June 1900 Vol I: 82ff; Vol III: 620.

Foyer summarized it in a few sentences.²⁰ The debate was thus in no way free. It was monitored. On the other hand, Mac Donald's whole document could later be read in one of the volumes, printed after the congress.

The discussion became heated when a night work prohibition was promoted by several persons in the audience. The words by the eloquent speaker, socialist Mme Vincent, made an impression. She was, as well as the president of the meeting Avril de Sainte-Croix, a member of the congress committee and also the president of a group called l'Égalité/Equality. She was positive to a regulation of waged work for women and those who were not adults of both sexes. She spoke about the harsh exploitation of seamstresses, despite the night work prohibition. She wanted the regulation extended to women employed in households as well. They had to work 15 - 18 hours, were often victims of violence and without a bed or room of their own. She also raised the moral aspect: women were in danger if they had to walk outdoors late in the evening or at night. The words Mme Vincent selected when addressing the moral side were prudent and might be understood in many ways. She could be of the opinion that women were harassed by men when they were heading home at night or that the nightly hours tempted them to earn some extra money by falling for men's demands. The German delegate Frau Hanna Bieber-Böhm and the French Mme Kergomard made very short contributions about the danger of prostitution,²¹ showing the importance of the moral question for women supporting a night work prohibition.

The arguments against a special legislation were having an anti-trade-union tone against unions dominated by men. They were liberal pleas of support for freedom of work. The welfare oriented liberalism on freedom of work did not have any proponents. Maria Pognon challenged Mme Vincent and the others who were eager for a regulation. She accused special protection laws to keep women away from well paying jobs. A person who was paid well, should never choose prostitution. As an example of the exclusion of women, she, as Maria Martin earlier, took the printing industry. In that trade a "terrible fight between the sexes" was taking place. Pognon accused the trade unions of refusing women the right to earn a living wage. She did not say "protective legislation" but called it "prohibitive legislation" preventing women to earn a living. Pognon disregarded

²⁰ Paris June 1900 Vol I: 82ff ; Paris June 1900 Vol III: 396-413.

²¹ Paris June 1900 Vol I: 80ff & Vol IV: 447; *Dagny* 1900: 268; Sowerwine 1978: 76f.

totally the exploitation of the servants in homes, saying that they had doubled their wages during the last years.²²

Avril de Sainte-Croix supported the resolution. Also she accused men's trade unions for excluding women from work through the night work prohibition. She thought equal treatment should give better conditions for working women and thus better conditions for their children. He was, even if not explicitly, saying that she could accept regulation if it was equal.²³ At this congress her contribution defended the independent feminist opinion, primarily stressing equality, in all situations even if she in other circumstances rather joined the socialist feminists in their demand of equal protection.

Many in the audience had been moved by the moral aspects put forward by Mme Vincent. In a hall with a majority of ladies with liberal views from the middle and upper classes, to ask to solve moral questions by individual actions seemed more acceptable than via legislation. The resolution was accepted with only two votes opposing it. A free labor market for women was the wish of the congress:

The congress considers that the woman should be free at the labor market. As society is functioning today, all protective legislations concerning woman only become oppressive.²⁴

An amendment was made to get rid of the prevailing night work prohibition:

Because of today's situation in society, all laws, that have already been introduced, and said to be a protection of woman, should be abolished. Freedom of work should also apply to women.²⁵

Freedom of work in its purest liberal form had gotten the appreciation of the congress. Paule Vigneron, immediately after the counting of the votes, commented that it was interesting that a "feminist congress" voted against protective legislation instead of demanding an equal legislation for both men and women.²⁶

²² "...il y a là une lutte des sexes épouvantable..."(87)"...lois de protection...", "...lois de prohibition...", Paris June 1900 Vol I: 87f.

²³ Paris June 1900 Vol I: 90f.

²⁴ "Le Congrès considérant: Que, dans l'état actuel de la société, toute loi de protection visant spécialement la femme, devient fatalement une loi d'oppression, demande pour elle la liberté du travail." Paris June 1900 Vol I: 491

²⁵ "Et, vu la situation actuelle de la femme dans la société, que toute loi qui, sous prétexte de protection, vise la liberté du travail de la femme, soit abrogée." Paris June 1900 Vol I: 91.

²⁶ "...ce Congrès féministe...", Paris June 1900 Vol I: 91.

Anyhow, at this congress the winner was a politically independent feminist view, asking equality with men disregarding anything else. Women should be treated the same way as men. Only Avril de Sainte-Croix had made a hint to the demands of the socialist feminists of an equal regulation. The independent feminists took a position that was not the same as that of the socialist feminists.

Both Avril de Sainte-Croix and the head secretary of the congress Mme Pégard had answered Vigneron that it was not possible to change the resolution.²⁷ Pégard made this even more definitive by declaring that "we do not want any regulation neither for men nor for women but support freedom of work for all".²⁸

But the resolution had a reservation, which maybe was added to smooth the consciousness for them with a socialist leaning. The formulation about "today's situation in society" could be interpreted as if an equal legislation could be a better alternative in the long run; but equality between the sexes for the time being was preferred. Such an interpretation could explain how it was possible for Avril de Sainte-Croix and Maria Martin to agree to the resolution. A loathing for the consequences of the differentiated legislation had opened for a temporary alliance between socialist feminists and the those for a free market.

Maria Martin was the president at a session on "the economic reasons for women's low wages". Labor protection was up for a discussion again and this time together with some extreme views that women ought to be dependent economically on men. Despite that the theme was wages, special legislation again became a hot topic.

German Käthe Schirmacher, living in Paris, presented the proposed resolution. She was a teacher and a journalist who had got her doctorate in Zurich. Since the beginning of the 1890s she was active in the women's movement and near to the Left Wing of the bourgeois women's movement in her own country. She had published several books. In Paris she wrote a book on Voltaire for the German public. As a free-lance journalist she was writing for several German-language papers and journals. Moreover she wrote regularly a column in the French journal *La Fronde*, founded by Marguerite Durand.

²⁷ Paris June 1900 Vol I: 91, 491.

²⁸ "nous ne voulons de réglementation ni pour les hommes, ni pour les femmes, mais la liberté du travail pour tous." Paris June 1900 Vol I: 91.

First she gave short summaries of the opinions of the English Margaret MacDonald and of the German Henriette Fürth, who were both positive to a state regulation of women's work. Then she started to give her own comment on the resolution of the day before. But she was interrupted by Mme Pégard, who said that her only duty was to report and not to state her own opinion of earlier discussions. The atmosphere must have been loaded.

During this session, one contribution was against women working for wages. Women should not earn money; that was men's business. Such was the opinion of Mme Anna Yon Lampérière. She herself had written a book, critical of "feminism". Feminism made its greatest mistake when encouraging women to compete with men for waged work. A woman should stay at home and care for it as well as spend the money her husband earned. Important for Yon Lampérières was to define the fields on which women could be active without competing with men. She, of course, praised the role of the mother and her work at home as "the very highest honor" for a woman.²⁹

Three non-controversial resolutions on wages were decided upon. Then Paule Vigneron unexpectedly asked for a vote about the congress' view on women's waged work outside of their homes. Was such work unfortunate or a right? ³⁰ That question was passed on to a later discussion on home work, where the temperature of the debate was going to raise even higher.

The title of the debate "Possibilities to help a woman to do work in her own home" turned out to be obscure. Two interpretations seemed relevant: the title could mean unpaid work at home or waged work at home, also called industrial home work. In the session, the question of a state intervention came back in an odd context.

Anna Yon Lampérière took up the demand by Paule Vigneron and wanted to hear the opinion of the congress: "Is a woman's waged work unfortunate?" She thought it was. Women should never accept money for work they did, be it at home or outside. Every woman should have a right to get a

²⁹ Lampérière 1898: 8f; Paris June 1900 Vol I: 113; Yon Lampérières speech is not entirely available, nor that of Avril de Sainte-Croix, "...gloire la plus belle..."(433-435) Paris June 1900 Vol III: 427-469; Yon Lampérière had good contacts to Musée Social and its director. Léopold Mabileau mentioned her warmly in his opening speech. Paris June 1900 Vol I: 30; See Lampérière 1909: 30f with a handwritten dedication to Mabileau to be found at Musée Social.

³⁰ Was women's waged work "un mal social" or "un droit"(115), Paris June 1900 Vol I:115ff.

"material protection"³¹; a woman should trust that she should always be taken care of economically. Yon Lampérière spoke for a view on femininity associated with high morals and emotional engagements. A woman should deal with idealistic work but never paid work. To work for money was degrading for the bourgeois woman and her family. Such an opinion was not rare in the upper classes of the society. The problem was how adult unmarried women should get a living? Yon Lampérière had a concrete suggestion for such situations. For her, this was the sphere in which it was appropriate for the state to intervene.³² As proponents of protective labor legislation, she wanted the state to take action but an other kind of action. She went very far. Not only should the state legislate against all paid work by women, the state transfer money to unmarried women, so that they could be economically independent. The state should be the provider of women who were without a provider of their own. This was the ideology of a family with a male provider brought to its absurd point, in which the state should be the replacement of the father of the family. All women should be economically dependent, either by individual men or by the state.

Anna Yon Lampérière was worried about the result of women's wage work on the relationship between the sexes. With biological arguments she defended her position and was criticizing the way "feminism" was creating antagonism between the interests of men and women. The congress ought to see as its duty to "preserve the woman"³³. Her drastic and radical suggestion was ignored by the congress.

Paule Vigneron did not support Yon Lampérière. For her the problem was different. She worried that a woman had to leave her home to earn money. In principle a woman had the right to waged work and Vigneron stood behind it. Her ideal was far from that a woman was to be supported economically, not even by her husband. Paule Vigneron hoped that the technological development should bring waged work back into the homes. Earning money was not the problem but the place where the work was done: the woman was the center of the family

³¹ "... une protection matérielle ...", Paris June 1900 Vol III:474

³² According to the list of "membres du congrès" Lampérière was a "publiciste". She was also one of the organisers of the congress. Paris June 1900 Vol I:562; "... le travail professionnel de la femme est un mal"(471) Paris June 1900 Vol III:471ff.

³³ "... pour la préservation de la femme."(479). Paris June 1900 Vol III:476ff.

with responsibilities for children and the home, thus her place was within its four walls.³⁴

Both these women wanted special conditions for working women. They agreed on a distinct gender division of labor. They differed in how the state should intervene and also about earning money. Vigneron was positive to an economic citizenship but with special conditions for women, especially unmarried women. Yon Lampérière wanted to deny half of humanity the right of an economic citizenship through legislation. Motherhood was for Vigneron and Yon Lampérière, and certainly for many at the congress the most important task for a woman. Both agreed that household work was woman's duty.

Maria Martin replied that not all women with children were the best of mothers. Education of children should be left to those suited for it and not connected to biology. Louise Debor thought the same and pointed out that not all women were alike. There was not

one woman but women, and thus an enormously large amount of different characters; and among women many should prefer to work and have a career outside the home.³⁵

Louise Debor and Maria Martin could imagine motherhood in combination with waged work and a profession. They were both active journalists.

The congress gathered women from the middle- and upper classes. To show that they were seriously interested in those not so well off, representatives for women's trade unions were invited for a session on "work". The four were Mlle Stephanie Bouvard from the trade union of flower- and plume-makers, Mme Müller from the trade union of female typographers, Mlle Malvina Lévy from the trade union of stenographers, and Mlle Jouselin from the trade union of seamstresses.

Stéphanie Bouvard put forward demands related to trade union problems which touched on socialism and feminism. She had a long list of wishes, giving a picture of the troubles in the daily life of a female worker. She was not negative to regulation of working hours and vague in her criticism of those already in

³⁴ Paris June 1900 Vol III: 473 samt 481ff.

³⁵ Paris June 1900 Vol I: 90-91; "Il n'y a pas une femme, il y a des femmes, et par conséquent une quantité énorme de tempéraments différents; et, parmi les femmes, beaucoup préféreront une carrière dehors." (475) Paris June 1900 Vol III: 474f; Debor was a journalist at *La Fronde* and at the congress a delegate for La Ligue pour le Droit des Femmes. Paris June 1900 Vol I: 562; Debor 1900.

existence, including the night work prohibition. But she had a concrete suggestion: night work should be better paid than day work. She showed her ambivalence on night work. Her main concern was to earn money. She did not like the negative description Paule Vigneron made of factory work. Woman's emancipation developed at a workplace in contact with other workers, not in isolation at home. Bouvard did join the criticism trade unions generally raised against home industrial work, where working hours were irregular, wages low and no one could look into the conditions.

Mme Müller found faults with male typographers and corroborated the view of the feminists that they tried to monopolize the profession. In the printing industry, women were prohibited to learn the trade and were harassed in many ways. "Thus there is a real fight between the male trade unions and us, a fight which is deplorable but necessarily has to be talked about." She wanted the same regulations for women as for men.

Mlle Malvina Lévy from a trade union for office clerks quoted Jules Simon as a positive authority. Her contribution had no union-consciousness. She looked upon woman as a bearer of special duties in society and defended a traditional gender division of labor in which women were subordinated.

Mlle Jouselin criticized the bad workplaces and the extremely low wages of seamstresses. To organize them was difficult because employers avoided to employ organized labor. She supported a criticism formulated by Bouvard of the low wage competition from nunneries and state institutions, exploiting women more than other employers.³⁶

The congress demonstrated its benevolence towards the four invited by supporting the right to create trade unions and producing cooperatives in a resolution.³⁷ But no real result came out of this attempt to meet beyond class differences. No debate was initiated around the questions raised by the invited. Both Müller and Bouvard had mentioned an equal labor legislation but were ignored.

Instead Mme Vincent again managed to bring about yet another discussion on the theme of "freedom of labor". The trade union representatives did not say

³⁶ Avril de Sainte-Croix was president, assisted by Mme Vincent. Reporter was Auguste de Morsier. "... c'est donc une lutte réelle entre les Syndicats masculins et nous, lutte regrettable, mais qu'il est nécessaire de signaler." (498) Paris June 1900 Vol I: 190ff & Vol III: 486, 498ff; Boris 1994.

³⁷ Paris June 1900 Vol I: 193 & Vol III:507.

one more word, maybe astonished and silenced by the turn of the debate. Mme Vincent put forward a new resolution demanding a night work prohibition for all seamstresses and also better work place conditions. Hers was an attempt to help the trade union of the seamstresses but without listening to their representative, Mlle Jouselin. Vincent neglected the demand for higher wages especially during the nightly hours. She saw a night work prohibition as a solution, even if it not central to the representatives from the trade unions. Mme Vincent was a socialist and as such she had accepted the "solution" many male socialists had agreed upon to solve the problem with women's waged work: a special legislation.

A confusing debate followed. The demand of a night work prohibition was contrary to the resolution already taken by the congress. Should the congress oppose its own resolution about a free market without regulations? ³⁸ Despite protests and despite the fact that the union of seamstresses had not demanded it, the congress voted a resolution of a night work prohibition especially for dress-makers' workshops. Many were taken by surprise.³⁹ But the resolution was not as illogical as first seen. At least not if seen from the perspective of equality. The new was a demand of a night work prohibition for both men and women inside the industry of dressmaking. The feminist view, with demands on the same protective legislations for men and women, did appear here in the shape of a special legislation of a whole branch. But it was totally in opposition to the general demand of a labor market free of regulations. The resolution was accepted and could maybe be comprehended as if the socialist feminists' view on equality in the labor market was valid even at this congress: but it should rather be explained by an unclear situation, the presence of the trade union women and Mme Vincent as a charismatic speaker. The audience was also a different one at every session.

For some participants the decision remained without explanation. It was judged as illogical by the Swedish women's journal *Dagny*: how easily opinions had changed. One day the congress had been against all protective labor legislation and another enthusiastic for it for seamstresses. Nor had German Anna Pappritz understood why a majority had voted against protective labor legislation for women one day, only to vote for a night work prohibition in the

³⁸ Mme Vincent spoke as the representative for l'Union Coopérative de production de Ouvriers et Ouvrières de l'habillement. Paris June 1900 Vol I: 195 & III: 513-528.

³⁹ Paris June 1900 Vol I: 198.

clothing industry the next.⁴⁰ Pappritz herself was strongly in favor of protective legislation; the journalist in *Dagny* was probably against it. But not any of them had understood the difference in principle between a special legislation for women and a more limited legislation for both men and women. It could also be seen as a principle of equality in both cases: protection of nobody or everybody . The journalist in *Dagny* and Anna Pappritz had both got the impression that special legislation for women was demanded for the clothing industry, which was easy to comprehend, as the trade was dominated by women. Mme Vincent had outsmarted the opinion for a free labor market.

In a discussion of working hours for servant girls, the congress should again show its favoritism for a free labor market. Strengthened by her victory Mme Vincent suggested rules for free time and inspection of the working conditions of minors in private homes. Such regulations for children and youth were already implemented for industrial work. But about a question of young girls in families, Vincent found it difficult to persuade the audience. The demands were contrary to personal interests of the listeners. They considered an inspection as a violation of their privacy. Avril de Sainte-Croix supposed that nobody should dare to employ young girls, and their fate should then be prostitution, if their work was inspected. It was "unnecessary to demand a law to protect women, who are in our homes; no one has a right to inspect what is taking place there", was the defense by Maria Pogonon. A regulation of working hours for servants was seen as simply absurd; who should make the dinner if a maid had only a ten hours working day? Who should stay up at night with a sick child?⁴¹ The indignation was almost without boundaries. The suggestion was ridiculed. Pégard was consequent and stuck to her earlier opinion, emphasizing freedom:

You do forget that we live in a free society and that all the rules that you call protective, are contrary to freedom: they should take us straight to the worst despotism.⁴²

Only the union representative Stephanie Bouvard rose her voice in support of a regulation of time off work, some regulated free time, for servants. She wanted free time for maids to join a course, to educate themselves. Her

⁴⁰ *Dagny* 1900:268; *FBw* 15/7 1900:108.

⁴¹ "Je crois donc qu'il est absolument inutile de demander une loi de protection pour les femmes qui sont dans nos intérieurs, où l'on n'a pas le droit de voir ce qui se passe" (200f). Paris June 1900 Vol I:199ff.

⁴² "Vous oubliez que nous vivons sous un régime de liberté, et que tous vos règlements, soi-disant protecteurs, sont l'opposé de la liberté; ils nous ramèneraient aux pires despotismes." Paris June 1900 Vol I:201.

contribution was met with silence. The resolution of Mme Vincent was turned down.⁴³ The eloquence of Vincent had persuaded the congress to, in a certain way, contradict itself about labor legislation. But the line was drawn when it came to maids, who were under age. Most women in the audience had one or more servant girls; a regulation of servants' conditions was an intrusion in their private lives.

The congress arranged entertainments and social events, where the ambiguity of the position of the so called New Woman became evident. The participants had been greeted welcome at a reception in the Women's Palace the first evening of the congress. At the small scene on the first floor, the newly arrived could see a performance, the content of which we do not know. But the Palace was showing a mix of presenting famous women and a construction of women as carrier of complementary values and duties. The standing exhibition in the entrance hall was how "a good house wife, a good cook and a good educator of children could make art of these tasks".⁴⁴

Some of the social events in the evenings were official. The capital gave a reception at the famous reconstructed city hall, Hôtel de Ville de Paris. It was greatly appreciated by the women, as a sign of respect for their cause. At that occasion, the ambivalence of men to women's congress was demonstrated in a speech by the representative of the city assembly, Paul Escudier. At first he praised women's purpose, which he said was "freedom and equality for women". Then he told some comical examples of the difficulties in a marriage, if both the man and the woman were candidates in an election, "... your task as the guardian of morality is to me much more important than the one as legislator". Evidently the real threat to him was that women should want to deal with politics. He praised women's almost divine good powers in a way which was meant as a compliment, but which also expected from them super-human powers, that might frighten anyone. Women, according to Escudier, had

... a magical divinity; they know where to find the hidden sources, they carry the magic ring that might open the mysterious reserves of the tears. This makes woman's power to persuade irresistible.

⁴³ Paris June 1900 Vol I:202.

⁴⁴ Allemane 1892: 277f; *FBw* 15/7 1900: 106; Paris June 1900: 506; Kervor 1900:91ff, "l'art de la ménagère, la cuisine enseignée, l'enseignement maternel"(92); Bennett and others 1994:25.

His speech got applause and calls of "bravo", even if more than one of the ladies must have thought silently that he was a speaker of the same kind as Mabileau. The official localities and atmosphere around the event meant of course much to make the speech appreciated. Greetings from the French government had been conveyed and some of the ladies thanked politely.⁴⁵

Another appreciated event was arranged by the German Reichskommissar, the Geheimrat dr. Richter. He invited the whole French organizing committee together with all the foreign delegates to a reception at the German Pavilion at the Exposition Universelle. The German delegates, among them Käthe Schirmacher, saw this as an important step towards economic and political equality in Germany. This was an official recognition of the women's movement,⁴⁶ which was one of the ideas behind arranging public congresses.

Other official events gave the congress women a feeling of importance. Mrs Bertha Potter-Palmer, who had had the responsibility of integrating women at the World Fair of Chicago in 1893, was the commissary for the participation of the United States of America in the Parisian Exposition. She invited the delegates to an exhibition for women held in the American Pavilion. A good-bye event, "matinée d'adieux" with tea on an island, île du Bois de Bologne, was hosted by the former minister of trade, Jules Siegfried and his wife Julie. She had been at the committee, arranging the congress. La grande finale of the congress was a great banquet, an ending at which participants got time to talk and get acquainted with each other.⁴⁷ Women had congresses very much in the same style as men.

Avril de Sainte-Croix wrote, under her signature Savioz, that the formerly philanthropic congress had accepted several of the demands that women's rights congresses had been alone to raise earlier. She even wanted to call it "feminist" for its striving for equality in some areas, among them its liberal equality view on relations in the labor market. But Savioz acknowledged that it had not advanced on the subject on women's political equality. Louise Debor agreed with Savioz about the spread of feminist ideas. Even the feminist-critical Anna Yon

⁴⁵"... de la liberté et de l'égalité de la femme."(508) "... votre rôle de moraliste me paraît infiniment préférable à celui de législateurs"(510) and "... divination magiques; elles savent où sont les sources cachées, elles ont la baguette magique qui ouvre le mystérieux réservoir des larmes. C'est là ce qui fait d'elles des instruments irrésistibles de propagande."(510); Paris June 1900 Vol I:33, 507ff.

⁴⁶FBw 1900:105, 108; *Die Frau* 1900:646; Paris June 1900 Vol I:506.

⁴⁷*Die Frau*, 1900:645f; Paris June 1900 Vol I:506, 573ff.

Lampérière agreed that feminist demands had managed to get into conservative circles.⁴⁸

Differences remained between this congress and the later socialist women's congress, pressing for equal rights. Yon Lampérière had with some weight argued for an economically dependent position for women, but no resolution was taken. A discourse about femininity as complementary to masculinity was alive at this congress. Motherhood and woman's place in the family were recurrent references. A non-interest in class differences between women was expressed. And most clear of all: there was a dislike of a general protective labor legislation, despite the small victory won by Mme Vincent. At the same time, we can discern some kind of a gradual coming together of the two earlier separated international manifestations of the French women's movement. More feminist questions were raised than at the preceding congress. Equality was holding the floor in discussions of the labor market.

An international congress for protective labor legislation at Musée Social

The heat was heavy that day. The 27th of July 1900 the highest temperature ever measured was pressing those living in Paris. It was 39,8 degrees Celsius. On the premises of Musée Social, not far from the National Assembly and Place de la Concorde, around 300 persons from industrialized countries were gathered to discuss at the International Congress for Protective Labor Legislation / Le Congrès international pour la protection légale des travailleurs.⁴⁹ It was the third in a series: the predecessors were those in Berlin (1890) and Brussels (1897). This time invited were only those positive to a legal state sanctioned protection of workers and the internationalization of such legislation.

⁴⁸ Avril de Sainte-Croix ("Savioz") 1900: 506; Debor 1900; Lampérière 1909:19ff.

⁴⁹ 25 -28 July 1900 Le Congrès international pour la protection légale des travailleurs. The address to Musée Social was (and 2006 still was) rue las Cases 5, Paris. Present were, except those mentioned in the text also among others prof. Bourguin, Lille; Georges Breton; Edmond Briat, member of the national assembly Dron; the factory owner and member of the Nat. Ass. Motte from Roubaix; prof. Souchon, Paris. From other countries for example Factory Inspector Louis Guyon, Canada; Francke, editor of *Sociale Praxis*; Prof W Sombart, Breslau, Germany; nationalrat Théodore Curti and Heinrich Scherrer, Swiss; H.Vedel, Denmark; Ministerrat Szérenyi, Hungary; inspector Struwe, the Netherlands; prof. Rafael Rodriguez de Cepeda, Valencia, Spain; Böhmert 1900 & *Congrès international pour la protection légale des travailleurs. Tenu à Paris, au Musée Social, du 25 au 28 Juillet 1900. Rapports et compte rendu analytique des séances.* (Ministère du Commerce, de l'Industrie, des Postes & Télégraphes. Exposition universelle internationale de 1900) Paris: Arthur Rousseau, 1901: III & XXff, later = Congrès ... des Travailleurs, Paris 1900; Bennett and others 1994:19.

How should the congress deal with the question of night work? Should the congress promote a general prohibition for night work or a prohibition for women only? Night work was already forbidden for women in many European countries. Knowing how the two earlier international congresses on the topic had thought about women, a prohibition for women only was most probable. Of interest was how and if the congress should handle the criticism against the special legislation for women, that had been raised at women's congresses several times, and very recently at an official congress at the Exposition in Paris.

Delegates had arrived from 17 countries. But socialists from England, Germany and Belgium did not take part; they thought the congress was dominated by "Social Catholics". The confrontation in Zurich three years earlier had been enough. Only a few French socialists were present. The state of the Vatican had sent one delegate. Among the organizers were the law professors Paul Cauwès and Raoul Jay, Paris, professor Georges Blondel, Lille and professor Charles Gide, also Paris. Musée Social was deeply implicated. Not the least important among the organizers was Arthur Fontaine, working at the ministry of Trade and Industry, near to its minister, the socialist Alexandre Millerand.⁵⁰ Among the participants were eight women. Stephanie Bouvard and Käthe Schirmacher came with new impressions from the recent women's congress, in which also Hans von Berlepsch seems to have taken part. This former German minister of trade was, as a proponent of protective laws for women and a leader in the movement for internationalization of worker protection, of course present.

To arrange the congress on the premises of Musée Social was appropriate, considering the political profile of the congress. This institute had started in 1895 with the aim to gather and spread information of the so called workers' question.

⁵⁰ "Mlle Bouvard, chambre syndicale des ouvrières fleuristes", "Mme de Contencin, inspectrice du travail", "Mlle de Gourlet, déléguée de la Société d'action pratique pour l'amélioration du sort de la femme", "Mme Berthe Saffroy, inspectrice du travail, Paris", all four from Paris, France; "Mme Hélène Gumpłowicz, Landau, Vienne" Austria; "Miss A Harrison" and "Mlle B.-L. Hutchins both "élève à l'école des sciences économique de Londres", England, and "Mlle Schirmacher, 53, rue Notre-Dame-des Champs, Paris". Delegates had come from Belgium, Denmark, Egypt, England, the Gold Coast, the Netherlands, Italy, Japan, Canada, Mexico, Russia., Schweiz, Spain, Germany, Hungary, USA, Austria, *Congrès ... des Travailleurs*, Paris 1900: XIX-XXX; "... des catholiques sociaux"(233) *Congrès socialiste international. Paris, 23-27 septembre 1900. Histoire de la IIe Internationale*. Tome 13, Geneva: Minkoff Reprint 19??, later shortened to = *Histoire ...* Tome 13; The French socialists were Champy and Édouard Vaillant. Paul Cauwès, professor of law in Paris, had been active in campaigns for protective legislation during the 1880s and 1890s; Raoul Jay, professor of law in Paris, was specialist on labor market rights, Jay 1893; Musée Social was represented by its director Léopold Mabileau and André Lichtenberger, Etienne Martin Saint-Léon and Léon de Seilhac. Arthur Fontaine was close to Millerand. *Rapport général sur les congrès de l'exposition*, 1906:379ff & *Congrès ... des Travailleurs*, Paris 1900 II:265-294.

It wanted to educate and initiate discussion to solve the social question. The institute had not a position for or against social reforms. But its president, the former minister Jules Siegfried, was doubtful about all kind of state interventions and leader of the moderate Republican group in the National Assembly.⁵¹

On the agenda was listed a law for limitations of the working day, prohibition of night work, factory inspection and the start of an international association to spread legal protection of workers. The last point was the most important. The congress wanted to establish "the great principles" of international conventions.⁵² The invitations had been distributed from the French Trade Ministry, welcoming other states to send official delegates. Behind it was the minister of Trade and Industry, Alexandre Millerand, engaged for workers protection as well as positive to a special protection of women. He was the first socialist in the world to sit in a government. He had joined a coalition. This was causing consternation and dismay in many leftist circles, while other socialists agreed to his move as a possibility to get a more progressive state policy. His choice to cooperate with bourgeois politicians was later that summer to be the cause of heated debates at the congress of the Second International. There he himself would not be present. But at this congress Millerand held the inaugural speech and emphasized that now the time had come for international regulations. Several civil servants from his ministry were present.⁵³ He and his team gave a high status to the congress.

Six countries had sent official delegates: Belgium, the United States of America, Mexico, the Netherlands, Russia and Austria. Furthermore several former trade ministers and other ministers were present: from Germany Hans von Berlepsch, from Italy Luigi Luzatti and from Belgium Albert Nyssens. Thus the congress was having some kind of official acknowledgements. All in all it was a mixed audience: academics, mostly lawyers and economists, social politicians, both male and female Factory Inspectors, many representatives of trades and industries and some odd representatives for workers' organizations.⁵⁴

⁵¹ 37 official congresses took place outside of the area of the Exposition. Demy 1907:605; Picard 1906:458f; Stone 1985:52ff; Chambelland 1995.

⁵² "... les grandes principes..."(503). All the reports are in *Congrès ... des Travailleurs*, Paris 1900:1-447; Böhmert 1900.

⁵³ *Congrès ... des Travailleurs*, Paris 1900:449.

⁵⁴ Austria sent four persons connected to ministeries. *Congrès ... des Travailleurs*, Paris 1900:XIX, 470; *Congrès ... des Travailleurs*, Paris 1900 II:262; *PR 27/7 1900*; *La Grande Revue de l'Exposition*, no 15-16 1900:252; Böhmert 1900:342ff; Rinman 1901:204ff; Francke 1901:758ff.

Even if everyone was positive to protection of workers and that it ought to be spread internationally, there was no consensus of how such regulations should be formulated, how much they should encompass or how to implement regulations. Through all of the negotiations one opinion was constant: protective legislation for women was positive. It was the same approach manifested already in Berlin ten years earlier. The basis for all discussion was a common view of women, as creatures not understanding the best for themselves and thus in need of protection by men. Women were put in the same category as youth and children. Alexandre Millerand pushed for a later European congress, focusing only on the spread of a night work prohibition for women to all countries.⁵⁵

Professor Paul Cauwès considered it the duty of legislators to decide so that children, youth and women were not exploited as cheap labor during unreasonably long days. In the year of 1900 there was still a lot to be done before women had the right to be mothers, despite legislation on women's working conditions in France in 1874 and 1892. Cauwès mentioned that an obstacle against a regulation of working hours for women was that it encroached on the freedom of signing contracts. He spoke about the often raised liberal criticism, which had been heard on the congress in Brussels. The same liberal objection had been launched by feminists also in Brussels in 1897 and at the women's congress in June this year of 1900. At the last one, some women had even tried to bring up the equality aspect: women did not want to be treated differently, either no protection at all or protection of all workers.

Cauwès did not mention the criticism the socialist feminists had brought up, which was that *protective labour legislation was important to every adult, but that special legislation for women only was inconvenient and unfair*. Was he, as professor of industrial legislation, not familiar with the criticism that had been around since night work prohibition was introduced in 1892, and before? Since then it had been raised often. Marie Bonneval had spoken about it in Zurich in 1897. That Cauwès was totally ignorant about it is incredible. If nothing else, he must have observed the court procedure against the feminist Marguerite Durand and her daily paper *La Fronde*. She was accused of not following the night work prohibition at the production of her paper *La Fronde*, written and printed only by women. In the summer of 1899, she had been found not guilty in a lower court.

⁵⁵ *Congrès ... des Travailleurs*, Paris 1900 II:284; *Rapport général sur les congrès de l'exposition*, 1906:379ff; Derfler 1977: 199, who refers to an unpublished dissertation, later in a book by Mandell 1967.

The trial had attracted much attention and the verdict had been appealed against.⁵⁶

Maybe Paul Cauwès was silent about the socialist feminist criticism hoping that it was not known in other countries, when he was speaking to a multi-national group? Maybe he considered the views of the women so marginal that they did not have to be argued against? However, Cauwès was guilty of an insidious slide in his contribution when he made it sound as if all resistance to protective laws for women was the same as to resist all state intervention in the labor market.⁵⁷ He ignored the positive attitude to protective labor law the socialist feminists had.

Several contributions exposed the attitudes towards women. Many mentioned women as mothers, not as workers. Professor Eugen de Philippovich from Vienna got applause when he said that Europe had to be united against the "danger from the Far East". To get soldiers, who were not worn out by factory work, legislation was necessary.⁵⁸ He demanded a limitation of working hours. His wish was a protection of women as mothers of future soldiers.

Two socialist suggestions were taken off the agenda. They were not seen as matter of principle: an eight hours work day and time off at childbirth. A debate on shortening of working hours landed in a demand of eleven hours a day, which gradually ought be diminished to ten hours. Such legislation had recently been implemented in France, initiated by Millerand. It was far from the demand by the Second International of an eight hours working day. Those with the political responsibility considered such a far reaching demand as not realistic.⁵⁹ Time off at childbirth was a question for mothers only, not for all women. It was not considered urgent.

The discussion on a night work prohibition was held from the consensus that women needed protection more than men. A Swiss factory inspector said that a

⁵⁶ The factory inspection appealed. Later on Marguerite Durand was to pay a fine, which was never collected. She redefined her printers to "patronnes associées", a kind of owners in a cooperative. Then she could continue to have her daily printed by women until the end of its existence. See the article *La Fronde*, "Protection!" on the first page M.D. 20/12 1899; Herkner 1921:320; Goliber 1975.

⁵⁷ *Congrès ... des Travailleurs*, Paris 1900: 451f.

⁵⁸ Eugen de Philippovich, Wien; "...le peril apparu en Extrême-Orient..."(497) *Congrès ... des Travailleurs*, Paris 1900:493-509.

⁵⁹ See *Die Frau* Juli 1900:610ff (Alice Salomon positively on legislation); *Congrès ... des Travailleurs*, Paris 1900:493ff; 504f. Derfler 1877:178ff; Stone 1985:76; Mallet 1992 wrote that an eight hours day at this time was indeed not realistic. He is of the opinion that it was an achievement by Millerand to get the decrease from 12 to 11 hours accepted in France, together with the aim for 10 hours in some years time.

night work prohibition for all would be practically impossible. But the existing prohibition ought to be enlarged to more men and of course to all children, youth and women. Switzerland had a prohibition for women to work at night and on Sundays since 1877. Such national initiative needed support internationally.⁶⁰ Another speaker wanted to differ between industries in which a night work prohibition might be possible and those where it should be hard because of technology or economy. In his country, Austria, night work was not allowed for women or minors since 1885 in factories employing more than twenty workers in the same hall. The problem was many exceptions and that women worked illegally during the night. A common opinion was that employer should be able to get exceptions to the rule because of economy, if regulations were introduced.⁶¹

For a scrutiny of arguments that will show the views prevalent of women generally at this congress, some speakers are well suited.

The professor of industrial laws Paul Pic split the night work prohibition in two parts, at the one side legislation for children and women and on the other side legislation for "adults". His argument concerning women was already integrated in his pick of words and language. He did not talk about adult men but about "adults", meaning only men. Against it he put "children and women" as one category. In 1874 young persons under 16 years had been forbidden to work at night in France and when he spoke about that legislation, he made a similar distinction between "minors under 16 years" and "minor girls". He always spoke in this dual way, thinking and creating difference based on sex. Females should always be verbally differentiated. And only men were "adults". They were politically, socially and economically responsible persons.⁶²

Paul Pic pointed out that two kinds of criticism had been raised against the night work prohibition; the first was about the difficulties related to work that had to be done day and night uninterrupted and the second about difficulties created with extra evening work. But according to Pic the real problem was the fact that the night work prohibition was not yet expanded. It ought to cover also

⁶⁰ Five reports were under discussion: by factory inspector Dr H Wegmann, Glaris, Switzerland, Dr Nicolas Kusmany, Graz, Austria, professor Paul Pic, Lyon, France and Dr Max Hirsch, Berlin, Germany. A report from Belgium was anonymous; *Congrès ... des Travailleurs*, Paris 1900: 42-57, 58ff, 70-84, 165-180, 295-343; 510ff.

⁶¹ *Congrès ... des Travailleurs*, Paris 1900: 42-61; Chazal 1902: 156f.

⁶² "adultes" och "des enfants et des femmes" samt "mineurs de 16 ans et ... filles mineures" *Congrès ... des Travailleurs*, Paris 1900: 510f.

children and women working in trades and shops.⁶³ He did not mention criticism raised by women.

The German member of the German parliament/ der Reichstag Max Hirsch gave a well argued speech. He was against a night work prohibition for all, which Paul Pic had hinted at as a next possible step. Certainly, Hirsch realized that night work was negative to everyone but he would rather prefer a regulation of night work limiting it to eight hours for men. He was all for internationalization of the German prohibition of women and children to work at night. The prohibition was "an excellent principle" from which there were alas exceptions sometimes. There should never be given an allowance to expand the working hours until 10 in the evening. If a woman worked in the evening, her family did not get her motherly care. It was not the same with "adults", that is men, who could organize and conclude agreements. Hirsch told about German typographers: already in 1895 they had an agreement and a tariff, demanding 30 to 50 percent higher wage for night work and that no one worked after midnight. Such male initiative should get support.⁶⁴ But an economic citizenship was never possible for women according to the reasoning of these men and how they used the language to create difference between workers, into men and women.

Only one of the delegates, Käthe Schirmacher, spoke out for the right of night work for everybody, including women. She referred to the international congress for female endeavors and institutions that had been held recently. It had rejected a night work prohibition for women. As an example of how badly the legislation of 1892 could turn out, she mentioned the case of *La Fronde*. It was printed by well paid women, working in airy and comfortable rooms. The rumor was that envious male printers had informed the factory inspector about the night work of the female printers. This led to a court case against the editor Marguerite Durand. The court had judged that the legislation of 1892 had been established to protect women, not to diminish their possibilities to work. Thus Durand was not punished but the case should probably be taken to a higher court. The public opinion was, according to Schirmacher, on the side of the female typographers. The case was still pending. Schirmacher wanted

⁶³ "femmes majeurs"(511) *Congrès ... des Travailleurs*, Paris 1900:510f.

⁶⁴ "Ce principe est excellent..." *Congrès ... des Travailleurs*(514) Paris 1900:XXIV, 512ff ; *Congrès ... des Travailleurs*, Paris 1900 II:281, 284.

alterations in the law of 1892 but doubted she would see any because men were afraid of competition from women.⁶⁵

Käthe Schirmacher's talk got vivid applause which must be considered as an appreciation of her as a speaker, not as a support of its content. She was seen as a representative of a "pure feminist doctrine, also being joined by some socialists".⁶⁶ Schirmacher was indeed not talking about the socialist feminist demand, in favor of an equal prohibition for men and women. She referred to the independent feminist demand of the same legislation for men and women.

Schirmacher was answered by Auguste Keufer, since long the general secretary of a trade union of French Book Makers, an influential man with an important organization behind him.⁶⁷ He was appreciated as a union activist, being a positivist and follower of Comte, a reformist with good contacts with university people and politicians. His big concern was unemployment, that is unemployed men. Keufer blamed Schirmacher for slandering the unionized typographers. He was of the meaning that women, who did not want a night work prohibition, did not understand what was best for themselves. Keufer lifted the argument, often raised by socialists, that women needed special laws because they were not capable to organize in trade union. For him as a man, it was a duty to implement what was best for a woman. And at the same time, he took decisions that were the best for society :

... woman, whatever she thinks about it herself, remains the corner stone of the family. Woman is too weak to protect and defend herself. To protect her is thus to protect the family and the society. It should be our duty not to abandon her.⁶⁸

Woman's place was in the family, the smallest and most important part of the society. As the Catholic trade unionists at the congress in Zurich in 1897, Keufer threatened with disintegration of society. To protect the society, special legislation was needed to keep women at home with the family.

⁶⁵ *Congrès ... des Travailleurs*, Paris 1900: 517; *Congrès ... des Travailleurs II*, Paris 1900:284f; Om Schirmacher bl a Weiland 1983: 239ff.

⁶⁶ Also Lichtenberger from Musée Social said she was a good orator who for this got applause "... la pure doctrine féministe qui d'ailleurs est celle d'une partie des socialistes." *Congrès ... des Travailleurs II*, Paris 1900: 284.

⁶⁷ Keufer was also member of the state-initiated "Conseil supérieur du travail", *Congrès ... des Travailleurs*, Paris 1900: XXV, 520f; The trade union Keufer worked in was considered conservative. Elwitt 1986: 232; See also Maitron Vol XII 1975 and Brick 1992.

⁶⁸ "... que la femme, quoiqu'elle puisse penser, reste la pierre angulaire de la famille. La femme est trop faible pour se protéger elle-même. Or la protéger, la défendre, c'est défendre la famille et la société. Voilà pourquoi nous avons le devoir de ne pas l'abandonner." *Congrès ... des Travailleurs*, Paris 1900: 521.

Regarding the conflict with *La Fronde* "we" had - Keufer said "we" - upheld principles that had been his unions' since forty years. His "we" could mean that his trade union had denounced the women printers at *La Fronde*s as trespassing the law. Keufer did agree that "interests of women is wholly worth respect ... but the interests of husbands is not worthy of less respect".⁶⁹ This attitude of his, summoned how his trade union looked at men's versus women's interests, as opposing each other. His view on society was connected to his view on the family: married women should not have waged work and stay at home. His speech did not take into account unmarried women, or women without any provider. As unsaid in his speech was, that the legislation could go much further in regard of married women.

Except Käthe Schirmacher none of the women at the congress spoke. Several of them had given written declarations, positive to special laws for women. The English Amy Harrison had written a short history of the English protective legislation and Elizabeth Leigh Hutchins a bibliography of the labor regulations in Great Britain. They were both students at the London School of Economics. This was at the time a newly founded institute for higher education, positive to special labor laws for women. It was founded by Beatrice and Sidney Webb, leading so called Fabian socialists. Beatrice Webb was a keen proponent of special labor legislation for women, as well as her husband. At this congress was also the Austrian Héléne Gumplowicz present. She wanted a half working day for women on Sundays and inspections to follow up on special labour laws.⁷⁰

It has to be pointed out, that one tendency at the congress was to consider all night work as unhealthy and something to be forbidden in the future. When the president summarized the congress, he said that its long time aim was to forbid all night work, except when it was technologically impossible. Thus he supported a plea from Raoul Jay and in a way from Käthe Schirmacher. The existing prohibitions should be upheld and punished when not followed. But the trade union delegates were not satisfied with this summary. They wanted an extended night work prohibition for women: firstly they wanted it to include trade, both small boutiques and large department stores, secondly they wanted a

⁶⁹ Courcelle-Seneuil 1868:432ff; "L'intérêt des femmes est respectable, je le reconnais, mais celui des pères de famille ne l'est pas moins.(Vifs applaudissements.)", *Congrès ... des Travailleurs*, Paris 1900:521.

⁷⁰ *Congrès ... des Travailleurs*, Paris 1900: XXIV, 147-164, 427-448, 186ff; Hutchins and Harrison Spencer, (1903, 1911) 1926; Shanley 1986:68.

total prohibition of any kind of night work for women.⁷¹ But the congress did not accept these far reaching demands, raised by male trade unionists.

Only one voice had been raised against special legislation for women. But not even Käthe Schirmacher mentioned the group inside the women's movement, who wanted an equal protection of men and women. Many specialists in labor legislation had been present and some of them must have known of that demand. But even if the trial against the editor of *La Fronde* had been on the agenda, the demand for an equal treatment and protection was never mentioned.⁷² The silence must have been a strategy, not based on ignorance but avoidance. The congress disregarded women as workers, only saw them as mothers and wives. But despite the stress put on women as mothers, the congress refused financial aid to motherhood, in the form of paid time off when giving birth. How to explain that? It has its logic, if you understand that the participants at the congress in general considered that married women should not work and children should only be born by married mothers. To pay for free time when giving birth should encourage what the congress did not want to admit: the existence of working mothers.

This congress showed some respect for the growing workers' movement while not any for the growing women's movement. Paul Cauwès spoke at the end, hoping that more workers - and according his use of language it meant male workers - should join the new organization for protective labor legislation.⁷³ No such hope for women to join was heard. To make an indulgent summary you could say that the congress saw a night work prohibition as the first step towards a general night work prohibition. But most speakers had no engagement at all in a prohibition for men. The congress was a bourgeois radical reform anti-feminist manifestation.

On the last day of the congress, its only and most important decision was taken: to constitute the International Association for Labor Legislation / l'association internationale pour la protection légale des travailleurs. Regulations were confirmed. Its head quarters were to be in Basel/ Bâle, Switzerland.⁷⁴ It was a private organization with the intention to influence public opinions and

⁷¹ *Congrès ... des Travailleurs*, Paris 1900:XXV, 519ff; *Congrès ... des Travailleurs II*, Paris 1900:285.

⁷² Herkner 1921:320; Goliber 1975.

⁷³ *Rapport général sur les congrès de l'exposition*, 1906:381.

⁷⁴ *Congrès ... des Travailleurs*, Paris 1900:557ff.

lobbying. For the friends of an internationalization of labor legislations in the new organization, a night work prohibition for women was a matter of course. The problem was to spread it to more countries and more work areas. Night work, and especially the prohibition for women of such work in industries, became a central question in the new organization, with no woman at all in the top of the organization during the formative years before the First World War.