

Women's rights in post-imperial interwar constitution-making: framing the 1924 Turkish Constitution*

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Abstract: *I diritti delle donne nella fase costituente post-imperiale fra le due guerre: la formazione della costituzione turca del 1924* - At the end of the IWW, the dissolution of Central Empires led to a wave of constitution-making processes in which the legal role of women was extensively debated. Through an interdisciplinary approach, the article compares the Constitutions approved in this period to build a framework for locating the experience of the 1924 Turkish Constitution and complements Bertil Emrah Oder's analyses for the Special Issue on "100 Years of the Turkish Constitution". The comparison, underscoring the variety of elements having impinged on the legal emancipation of women in the analyzed countries, also allows to test whether the metaphor of constitutional waves fits with the study of the evolution of women's rights.

Keywords: interwar constitutionalism; women's formal equality; Germany; Austria; Hungary; Czechoslovakia; Yugoslavia; Russia; Baltic Countries; Poland; Romania; Egypt, Turkey.

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1. Methodological introduction

The wave of constitution-making processes occurred at the end of the IWW with the dissolution of Central Empires (German, Austro-Hungarian, Russian, and Ottoman) coupled the will of newborn states to secure their independence with that to entrench the founding principles of their nation in a fundamental law. In this context, the legal role of women was extensively debated.

The article compares the Constitutions approved in this period to build a framework for locating the experience of the 1924 Turkish Constitution and complements Bertil Emrah Oder's analyses for the Special Issue on "100 Years of the 1924 Turkish Constitution". Methodologically, therefore, the case of Türkiye is only hinted at but it is not analyzed in this essay, which instead focuses on Germany, Austria, Hungary, Czechoslovakia, Yugoslavia, Russia, the Baltic Countries, Poland, Romania, and Egypt.

Building on Linda Nicholson's theory substituting the metaphor of waves with that of the kaleidoscope to study constitution-making phases from a gender perspective,¹ the article adopts an interdisciplinary approach

* Though the editorial style of the journal requires only for the initial of the authors' name, the author of this essay decided to include the full name of all the authors mentioned in the footnotes to underscore the contribution of women to the development of the legal doctrine on gender issues.

investigating constitutional norms entrenching formal sexual parity having regard also to the socio-legal background of framers and to the role women's movements had in achieving this recognition. Through this approach, it emerges that all these Constitutions share a common trend: in spite of a solid patriarchal background, they all entrenched, at their approval or a few years later, provisions on formal equality; such equality entailed a recognition of women's rights mostly limited to political rights and coupled with a statutory framework confirming women's societal ancillary role. Nevertheless, the cases considered show important differences due to the participatory nature of the processes that led to the approval of the country's Constitution and to the influence of the other interconnected elements, such as women's participation in the struggle for national independence, the role of religion and of parties with religious inspiration, the connection of national feminist movements with international networks.

2. The patriarchal background

Throughout history, women have been conceived as symbols for their community: their purity and honor symbolized the prestige of their family, their public behaviors instantiated those of the whole society, their reproductive abilities were commodified to ensure the continuation of nations.² Women's life, therefore, represented a constant subject of state regulations, from the sumptuary laws to ensure the respect of modesty to the rules on marriage and reproduction to secure the certainty of offspring, further enforced through rigid societal checks. The complex mix of socio-legal norms, in brief, grounded women's inferiority worldwide.

The European culture,³ which Türkiye shared at its first constituent moment (1921-1924), has a long tradition of women's subjugation. Ancient Greeks conceived women as a weaker element of the society because they were deprived of *logos* (logic, rationality) and Romans built a patriarchal society around the notion of *pater familiae* (head of the household ruling on all the people inhabiting it, both family's members and slaves), relegating women to the functions of wives and mothers.⁴ A structure that the

¹ Linda Nicholson, *The play of reason: from the modern to the postmodern*, Cornell University Press, New York, 1999.

² Gerda Lerner, *The Creation of patriarchy*, Oxford University Press, Oxford, 1986. Relying on Levi Strauss' theory that the prohibition of incest is the building block of culture (Claude Levi Strauss, *The Elementary structure of kinship*, (1ed 1947) Beacon Press, Boston, 1969), she explains that gender subordination originates from men's appropriation of women's reproductive capacity, commodified in a property exchangeable among tribes for consolidating their bonds or avoiding wars, e.g. in the case dynastic marriages.

³ In this essay, the article takes the views of Richard W. Bulliet, *The Case for Islamo-Christian Civilization*, Columbia University Press, New York, 2006, according to which Islam and Christianity are not irreconcilable cultures, instead are sibling societies began at the same time, gone through similar developmental stages, and having confronted the same internal challenges.

⁴ Eva Cantarella, *L'ambiguo malanno. Condizione e immagine della donna nell'antichità greca e romana*, Feltrinelli, Milano, 2010.

Byzantine society confirmed and reinforced by assessing a family wellness from the ability to ensure women's seclusion in certain areas of the households and their veiling in public places. Most probably due to the contacts with Byzantines, the request for believers' modesty in Islamic sources was normatively interpreted as requiring women's seclusion in the *harem* and the use of headscarves in public.⁵ Such androcentrism continued during the Middle Ages and characterized the classic patriarchy, strongly connected with the agricultural mode of production⁶ and with a patrilocal societal structure in which "girls are given in marriage at a very young age into households headed by their husband's father. There, they are subordinate not only to all the men but also to the more senior women, especially their mother-in-law."⁷

When increasing urbanization made it necessary for younger men to leave their fathers' households and the conjugal bond acquired a most relevant meaning, women experienced a two-fold challenge. On the one side, they became responsible for their own household at a younger age, furthermore losing the assistance of daughters-in-law while they got older. On the other side, they became exposed to the whim of a single man, whose potential incompliance with the responsibility of ensuring economic support made it necessary to bargain with patriarchy "either to get out (figuratively speaking) and fight for equality of income and opportunity, or to stay home and attempt to bind men more tightly to them."⁸ Most of state policies supported this second option recognizing the family as the core of society and – sometimes implicitly – supporting pervasive ideologies of inherent male superiority institutionalized at the legal, political, economic, educational, and religious levels.⁹

At the beginning of the modern era, constitutional experiments were not revolutionary in this regard and fully relied on the so-called theory of coverture excluding women from any legal recognition in the public sphere,¹⁰ while not bothering to provide any guidance as per the private one.

⁵ See Maria Giuseppina Muzzarelli, *A capo coperto. Storie di donne e di veli*, il Mulino, Bologna, 2018.

⁶ John C. Caldwell (*A theory of fertility: from high plateau to destabilization*, in *4 Population and development review* 553-577 (1978)) demonstrated that this system influenced the rate of fertility and reproduction in the Mediterranean area because of manpower's needs of the agricultural economy. In addition, women's fertility rate was used to establish hierarchies in the patrilocal/patriarchal family.

⁷ Deniz Kandiyoti, *Bargaining with Patriarchy*, *3 Gender and Society* 274-290 (1988) 277.

⁸ Barbara Ehrenreich, *The Hearts of Men*, Pluto Press, London, 1983, 151.

⁹ See Marcia C. Inhorn, *Infertility and Patriarchy. The cultural politics of gender and family life in Egypt*, University of Pennsylvania Press, Philadelphia, 1996, 3-4.

¹⁰ Blackstone clearly explained the theory: "By marriage, the husband and wife are one person in law: that is, the very being or legal existence of the woman is suspended during the marriage, or at least is incorporated and consolidated into that of the husband; under whose wing, protection, and cover, she performs everything; and is therefore called in our law-French a *feme-covert*, *foemina viro co-operta*; is said to be *covert-baron*, or under the protection and influence of her husband, her baron, or lord; and her condition during her marriage is called her *coverture*". See William Blackstone, *Commentaries on the Laws of England* (1ed 1765-1770), Oxford University Press, Oxford, 2016, 442-445.

Indeed, the framers of the American Constitution¹¹ were not conceiving women as active participants in “We the People”¹² while the 1789 French Declaration of the Rights of Man and the Citizen totally ignored them. In addition, despite the claims of outstanding women,¹³ their inferiority remained legally unquestioned and was included in the 1804 Napoleonic Civil Code and, thence, in all the European codes it inspired. Only in the mid-XIX century did women begin to organize movements, pejoratively labeled with the French noun *féminisme*.¹⁴ Beside the efforts for the right to vote, they progressively achieved a right to access education and to hold public offices, while reforms in the private sphere took longer to be approved.

The IWW, with the immense contribution of women to war efforts, made the women’s question blatantly relevant and interwar constitution-making processes could not but provide (positive or negative) answers to women’s claims.

3. From prewar movements to interwar feminism: the constitutional recognition of women’s rights in the states emerging from Central Empires

The end of the IWW strongly changed the geography of Europe with the establishment of new nation-states whose ruling elites had to deal with the crucial issue of providing a legitimizing legal framework for the community they were going to rule. While Germany was involved in an evolution from Empire to Republic, the Austro-Hungarian, Russian and Ottoman Empires collapsed under the pressure of the self-determination principle internationally sanctioned at the Paris Conference providing a legal ground for the claims of national movements.

In the same period, building on processes already started before the war, women organized movements claiming their rights and challenging the patriarchy entrenched in legal norms. Structured as national units, these

¹¹ Rightly, they are usually called founding fathers; indeed, 56 men and no women signed the US Declaration of Independence, and 39 men and no women signed the US Constitution.

¹² In the letter to Samuel Kercheval of 5 September 1816, Thomas Jefferson, asked about this point, explained that “Were our state a pure democracy, there would still be excluded from our deliberations ... women, who, to prevent depravation of morals and ambiguity of issues, should not mix promiscuously in gatherings of men”. He further explained that “those who have no will could be permitted to exercise none in the popular assembly: and of course could delegate none to an agent in the representative assembly”. Cit. in Laura A. Otten, *Women’s Rights and the Law*, Praeger Publishers, Westport, 1993, 36 and also retrievable on US National Archives, <http://founders.archives.gov>.

¹³ E.g. Olympe de Gauges drafted the never-enacted 1791 Declaration of the Rights of Woman (for the full text in English, see <https://chnm.gmu.edu/revolution/d/293/>). Mary Wollstonecraft (*A Vindication of Rights of Women*, (1ed 1792), Dover, New York, 1996) also claimed the inclusion of women within the entitlements of “the rights of the Man”.

¹⁴ On the origins of this noun, see Karen Offen, *On the French origin of the words feminism and feminist*, in *Gender Issues*, 8, 1988, pp. 45-51.

women's movements were also strongly intertwined thanks to international networks, such as the International Council of Women (ICW), the Women's International League for Peace and Freedom (WILPF) and the International Woman Suffrage Alliance (IWSA).¹⁵

When these groups were successful, a recognition of formal equality, which entailed also enfranchisement, was achieved, even though a discriminatory statutory framework continued to be in force and represented their new battlefield. When constituent moments disillusioned women, conversely, they kept fighting for rights but had to wait until the end of the IIWW for having formal, and often substantial, equality entrenched in the fundamental law, paving the way for the reform of the statutory norms.¹⁶

3.1 Germany

In unified Germany (1871), discriminative statutory norms, such as the one preventing them from acceding to university degrees,¹⁷ excluded women from the public sphere or secluded them in subordinate roles. In the private sphere, the German Civil Code (1900) legally entrenched patriarchy into the legal system by depriving women of legal autonomy and subjecting them to the control of fathers and husbands, from whom divorce was almost impossible; the Code also discriminated against single mothers and their children. Despite the approval of the Code, the activism of women's movements, mainly supported by the Social Democratic Party and by some Liberals, against the men-dominated rhetoric of the fatherland used during the unification period characterized the Wilhelmine age (1890-1918). Specifically, after the 1908 Imperial Association Act allowed women's political activity, the groups established to vindicate women's rights secured stronger connections with political parties. However, women's political action remained confined to specific party branches establishing a gendered separation of political commitment that did not allow for bridging class lines but strengthened intra-party political bonds. For instance, because the Socialist party supported certain stances with regard to women's emancipation, such as enfranchisement and the abolition of discriminative legislation,¹⁸ Socialist women, maybe afraid of losing the solidarity of the

¹⁵ For specific details of interwar women's international networking, see Ingrid Sharpa, Matthew Stibbe, *Women's International Activism during the Inter-War Period. 1919–1939*, in *Women's History Review*, 2, 2017, pp. 163–172.

¹⁶ Among the states emerging from Empires' dissolution, Finland is a noteworthy exception. Administered by Russia as a constitutional monarchy since the Treaty of Fredrikshamn (1809), the country enjoyed the autonomy as a Grand Duchy included in the Russian Empire. This autonomy allowed it to introduce in the 1906 Parliament Act a statutory clause enfranchising women – the first country in Europe. Because of this early recognition, the case of Finland is not analyzed in this paper, which aims at investigating the impact of interwar constitutional processes on the emancipation of women.

¹⁷ Still in 1891, the *Reichstag* discussed and rejected this possibility. The right to secondary education was indeed recognized only in 1913.

¹⁸ In this regard, it is worthy to remember that in 1879 the socialist party's leader, August Bebel, completed *Woman under Socialism* (1 ed. 1879, LitRes, online publisher, 2021)

male main branch, focused on the same issues and did not struggle for emancipation in the family nor for the abolition of its patriarchal structure.¹⁹ Upper and middle-class women, mostly gathered in the Federation of German Women's Associations established in 1894, took a similar approach and prioritized equal education and equal financial opportunity. Political rights, therefore, were not the main goal women wanted to achieve²⁰ and, as Rosa Luxemburg pointed out in her speech on *The suffrage of women and the class conflict* at the Second Social-democratic Assembly of Women, "The present mass fight of women for the acknowledgment of political rights is only an expression and fragment of the general fight for liberation".

However, at the end of the IWW, with the establishment of a provisional government under the authority of the Council of People's Commissioners (November 1919), the issue of deciding who was going to vote for the Constitutional Convention became a salient one. Breaching the previous tradition, it was decided to hold the elections with universal suffrage, thus extending to women the right to vote and to be elected. Indeed, of the 423 delegates whom the people chose, 37 were women. The enfranchisement was then confirmed in several articles of the 1919 Constitution of Weimar, which also introduced formal equality. Indeed, art. 109 stated equal rights of men and women, which were confirmed by establishing the equality of spouses in marriage (art. 119, which also provided a clause for protecting maternity), the right/duty to educate their kids (art. 120), and the equality to enter public offices (art. 128). These provisions, as well as the proportional system of representation the electoral law provided, importantly benefitted women and their political participation. Indeed, in the first election, 111 women entered the Reichstag; a number that climbed to 35 in 1933 on the eve of the Nazi dictatorship.

From a social perspective, the emancipation entrenched in the Constitution exposed German women to two main consequences. Equality increased the possibility for single women and war widows to economic self-support, though they had to face the frustration of a job market affected by hyperinflation due to war reparations, preferring to hire men and proposing women menial wages. It also allowed the liberation of social mores and the progressive emancipation from men's domination, though this often went joined with social bias and marginalization. From a legal perspective, this meant that women as legislators, also due to a complex match of elements,²¹ felt the urge to deal with social issues connected to women's backward conditions, such as education, religion or culture, and with typically women-related issues, such as reproductive planning, contraception and abortion. Overall, records show that they were more successful in having labor rights recognized²² than in reforming the patriarchal content of the Civil Code.

¹⁹ See Karen Honeycutt, *Socialism and Feminism in Imperial Germany*, in 1 *Signs* 30-41 (1979) 37-39.

²⁰ Amy Hackett, *The German Women's Movement and Suffrage, 1890-1914. A Study of National Feminism*, in Robert Bezucha (ed), *Modern European Social History*, Heath Co., Lexington, 1972, 354-386.

²¹ Claudia Koonz, *Conflicting Allegiances: Political Ideology and Women Legislators in Weimar Germany*, in 1 *Signs* 663-683 (1976) 678-672.

²² For instance, on 11 July 1922, the law on the Admission of Women to the Offices and Professions of Justice allowed women graduates to take the state examination necessary

Several elements may explain why in such a fertile legal environment, German women had not achieved more. First, those who proved able to overcome the barriers deriving from a collapsing economy and to find a job were exposed to the double burden of working and dealing with household chores, so they progressively lost a direct interest in devoting time to the political process. In addition, they were stuck in the tension between the rhetoric conceiving them as the reproducer of the *Volk* and the awareness that better norms on reproductive rights could have improved also their economic conditions. While German women were dealing with these tensions, the Weimar Republic collapsed in favor of the establishment of the Nazi regime.

3.2 Austria

In the Austro-Hungarian Empire, the legal condition of women was based on the assumption that they were physically and intellectually less able than men. This clearly appears in the provision of the 1811 Civil Code, which however recognized women with small margins of autonomy. For instance, it allowed wives and single women to take legal action and enter into contracts because the role of *pater familias* was not conceived, in the letter of the Code, as a marital power over the wife. However, property rights the Code granted to women (art.1237-1238) lost effectiveness via interpretation and the presumption that married women transferred the administration of their property to their husbands by way of a tacit agreement affirmed. Furthermore, given the multiethnic and multicultural nature of the Empire, the Code established important differences among women according to the community they came from,²³ and the norms on citizenship confirmed the assumption that women had to follow their husbands even with regard to their state loyalty.²⁴ Only with the IWW, the concept of *Gesinnung*, previously employed to identify the national loyalty of someone within the peoples inhabiting Austria, began to signify the loyalty to the Austrian state notwithstanding one's ethnic origin. Substituting men in their jobs or struggling to feed children lacking food reserves, women were therefore praised for their loyalty to Austria. In spite of this situation, the law did not change. Women were not entitled to join political associations²⁵ – which explains why their movements were all cast as social associations or charities – and were excluded from the right to vote with the approval of the 1907 Act for the Election of the Parliament in Vienna.²⁶

for the practice of law. In the same period, the 1922 Lex Behm, from the name of its promoter Margaret Behm, introduced a protective legislation for working women.

²³ For instance, divorce was prohibited for Catholic women (art. 111) but allowed for non-Catholic Christians and Jews (arts. 115 and 123).

²⁴ Indeed, women were taken into consideration only with regard to the right to acquire/lose citizenship, establishing that a foreign woman could obtain citizenship when marrying an Austrian man and an Austrian woman could lose it after the marriage with a foreigner.

²⁵ Art. 30 of the Austrian Law of Associations, 15 November 1867.

²⁶ The Act clarified that women were excluded from the franchise, thus abolishing the right to vote – mostly by proxy – that lands-owning women has exercised until that

At the end of the war, however, the various movements having articulated women's thoughts in the pre-war period united; for instance, the League of Austrian Women's Associations, the Social Democrats and the Catholic women's movements joined in claiming enfranchisement.²⁷ Interestingly, they were not supporting women's political rights on the ground of equality, but arguing that women's participation in politics would have introduced a new approach to policy-making based on peace, unity and social justice, believing that women owned these values more than men did.²⁸ This approach seemed fruitful. At the dissolution of the Empire and the establishment of the Austrian Republic, the electoral law on 18 December 1918 enfranchised women,²⁹ and 8 female MPs (on 107 members) entered the National Constituent Assembly formed on 4 March 1919. Hence, the 1920 Constitution of the Republic of Austria dealt with equality at art. 7, abolishing all the privileges including those based on sex, and at art. 26, establishing the right to vote and to be elected for all the citizens, women included. Thanks to these provisions, women took part in the legislatures until the suppression of the elections by the authoritarian regime in the 1930s.

As legislators, however, women did not preserve the unity that helped them in achieving formal equality and acted according to their parties' programs, never forming a caucus able to produce a significant impact on legislation. Most probably, this was due to the low level of education female MPs had before entering in Parliament caused by the late establishment of secondary education for women. Because of their backward situation, female MPs indeed struggled in dealing with 'legalese' and in counter-arguing their well-educated male colleagues,³⁰ with only a few outstanding exceptions.³¹ Aware of their weaknesses, feminist groups agreed on the need to improve women's access to education, but they severed with regard to the claims for

moment in the elections for municipal councils, provincial diets and the lower house of the State Parliament (*Reichsrat*).

²⁷ Harriet Anderson, *Utopian Feminism: Women's Movements in fin-de-siecle Vienna*, Yale University Press, New Haven, 1992, p. 124.

²⁸ On this approach to the claims for enfranchisement in Austria, see Birgitta Bader-Zaar, *Women in Austrian Politics*, in David F. Good, Margarete Grandner, Mary Jo Maynes (eds), *Austrian Women in the Nineteenth and Twentieth Centuries: Cross-disciplinary studies*, Berghahn Books, Providence, 1996, 69-90.

²⁹ Women were allowed to vote and be voted, with the only exception of prostitutes, finally enfranchised in 1923.

³⁰ For some biographic references about the impact of education on Austrian female MPs, see Gabriella Hauch, *Rights At Last? The Gender Specific Political Conditions Surrounding the First Generation of Female Members of Parliament in Austria and Their Political Spheres*, in G. Bishop, A. Pelinka, E. Thurner (ed.), *Women in Austria*, Routledge, London, 1998, 56-82.

³¹ For instance, with only four years of grammar school education, the Social Democrat Adelheid Popp in 1893 established the party's newspaper for women and was the first woman who made a speech (on the abolition of nobility) in the Austrian Parliament. The Christian Social Olga Rudel-Zeynek in 1925 supported the approval of the law Rudel-Zeynek concerning the alimony rights of single mothers, and in 1927 became the first President of the Federal Council (and therefore the first woman in the world to be the leader of a parliamentary institution).

equal job opportunities and the reform of marriage laws.³² Namely, Social Democrats and Communists claimed equal pay for equal work, fairer working conditions, protective laws for women and children, and anti-abortion laws.³³ The emancipatory stances of the Socialist and Communist movements, however, did not correspond to those of the Catholic one, whose familial feminism mostly focused on protecting the sanctity of the family (and of its patriarchal structure) as well as on the need to protect women's roles as wives and mothers.³⁴ This approach to female issues was prioritized with the emergence of authoritarian features and the evolution toward substantial gender equality had to wait until the end of the IWW.

3.3 Hungary

At his origins, Hungarian feminism had to face the ethnic confrontation that characterized the relation with Austria, up to the point that the first feminist groups, coming from the liberal urban middle-class and aristocracy, preferred to ally with political groups that refused the divide according to anti-pro Hapsburg line. In the turmoil Hungary experienced at the dissolution of the Empire, however, feminist movements were captured in the political game and they were not able to build group solidarity but replicated the same divisions according to parties' lines already observed in the Austrian case. Indeed, even though all of them struggled to achieve suffrage, women's movements followed different strategies and showed different priorities. While the Catholic and the Socialist mostly followed the instructions of male organizations, the Feminist Association bonded to the international movements and, for instance, contributed to the organization of the 7th International Women's Suffrage Alliance meeting, held in Budapest in 1913.

At the end of the war, the National Council established in October 1918 as a result of the bourgeois revolution led by Count Michael Karolyi extended suffrage to men over the age of 21 and women over the age of 24. The failure to hold the elections scheduled in March 1919, the takeover of the Bela Kun communist regime (March-August 1919), and then its substitution with the conservative regime of Admiral Miklós Horthy de Nagybánya (1920), however, hindered further Hungarian women's vindications of rights. For instance, in the same year women obtained political rights, the Parliament began the discussion over a bill for

³² For further details on Austrian women movements, see Lynda J. King, *The Woman Question and Politics in Austrian Interwar Literature*, in 1 *German Studies Review* 75-100 (1983) 75-81.

³³ The presence of the Social Democratic Party in the first Republican coalition government seemed not sufficient to support the reform of family laws as well as the introduction of abortion regulations and of fairer school norms, causing strong criticism by the Communist women's movement.

³⁴ During the First Republic, this group fiercely opposed the bills on divorce and abortion, conceived as signs of the moral decay of the society, and contributed to the legislation on women's working conditions supporting the approval of the law for the protection of female domestics.

restricting their access to higher education.³⁵ The only way feminist movements found to escape the trap of seeing political participation paid with the renunciation to other rights was to secure an alliance with Horthy's regime through the National Association of Hungarian Women (MANSZ). Indeed, the right to education was re-established in 1924 but the movement lost its strength. As in other regimes trying to capture women's support but actually conceiving only ancillary roles for them, since his first speech to the nation, Horthy narrated the Hungarian path toward independence using female symbols. However, that was all. In his state feminism, women progressively delegated the representation of their interests to men while being relegated to the "alternative public sphere", mostly made of salons and open universities, allowing them political activism in spite of the closure of mainstream political life.³⁶

3.4 Czechoslovakia

Grounded on a solid tradition of women's presence in the public sphere, the activism of Czech women was strongly connected with the struggle for national independence.³⁷ Since the beginning of the XX century, indeed, feminist groups – in which Charlotte Garrigue Masaryk, wife of the future first president of independent Czechoslovakia who had a great influence in including women's enfranchisement among the goals of the future Republic since the Washington Declaration (1918), participated – began to claim women's rights. In 1905, Františka Plamínková founded the Committee for Women's Voting Rights,³⁸ joining the requests for female suffrage with nationalist sentiments aiming for the equality of Czechoslovakia within the Austro-Hungarian Empire if not for independence. Excluded from political participation according to the Imperial laws, this group attempted the 'local strategy' of presenting female candidates to Bohemian local election. Thus, in 1912, five years after the male universal suffrage was introduced in the Empire, the nationalist feminist Božena Viková-Kunětická run for herself and was elected at the Czech Diet, but the Bohemian governor, whose interpretation of the electoral law aligned with the imperial one, annulled her election.

During the war, however, women were fully involved in the economic councils charged to secure food supply and participated in the National

³⁵ On this debate, which has also a connection with ethnic limits imposed on the Jews community, see Maria M. Kovács, *Ambiguities of emancipation: women and the ethnic question in Hungary*, in 4 *Women's History Review*, 1996, 487-495.

³⁶ Andrea Peto, Judith Szapor, *Women and "the alternative public sphere": toward a new definition of women's activism and the separate spheres in East-Central Europe*, in 3 *Nordic Journal of Women's Studies* 172-181 (2004) 173-175.

³⁷ Without recalling the legend of the 7th century queen Libuse or of the army leader Sharka, it is possible to mention women's important participation in the Hussite wars, as the case of the queen Johanka of Rozmítal instantiated. See Marie Dolansky, Zora Fricova, *The Status of Czech Women. Then and Now*, *Czech Dialogue*, 1, 2001 (<https://www.cesky-dialog.net/clanek/270-the-status-of-czech-women-then-and-now/>).

³⁸ The activism of Františka Plamínková is also proved by her *The Political Rights of Women in the Czechoslovak Republic*, Politika, Prague, 1920.

Committees preparing the revolution that, on 28 October 1918, led to the country's independence. When the Central National Committee became the National Assembly representing the will of the Czechoslovak people, among 269 members, 8 were women. Despite their limited number, they proved to be very active. While the Assembly was exercising its constituent functions, they supported the approval of the 31 January 1919 Local Government Act, stating the right to vote and to be elected to Local Councils for all the citizens of the Republic irrespective of their sex (art. 1 and 4), from which women's right to participate in political associations also stemmed. Indeed, women were elected in the fixed lists of candidates the parties prepared for local elections and thus chaired local committees established to fight the post-war economic consequences (such as famine, pauperism, housing shortage, and education) and acted as deputy majors; in three cities, they were appointed as burgomasters. In the parliamentary elections then held in April 1920, 13 women (out of 302 members) were elected at the House of Deputies and 3 (out of 150 members) at the Senate. Hence, the Czechoslovak Constitution approved on 29 February 1920 abolished all privileges, including those based on sex, (art. 106). In the framework of a universal, direct, equal and secret franchise, the Constitution also stated women's right to vote and to be elected in the National Assembly (art. 9 and 10) and in the Senate (art. 14 and 15).

Once formal equality was entrenched in the Constitution, women renewed their political commitment under the umbrella of the National Council of Women, gathering some 50 organizations lobbying to ensure equal rights by changing employment and family law still regulated according to the Habsburg Civil Code. Notwithstanding the prominent roles women achieved in political institutions in this period,³⁹ Czech women were not successful in this reform attempt until the advent of Nazism silenced their efforts.

3.5 Yugoslavia

Ethnic cleavages impinged on the approach to the claims for rights women raised when the Kingdom of Serbs, Croats and Slovenes was established in 1918. For instance, the Serbian Delfa Ivanić, founder of the patriotic Circle of Serbian Sisters in 1903 and inspirer of the Serbian National Women's Council established in 1906, mainly focused her attention on the need for women's education as a key to preserving the family and nation; the Slovene Alojzija Štebi, member of the Social Democratic party until she left it 1919 and a founder of the Feminist Alliance in 1923 (then became Alliance of Women's Movements in 1926), conversely focused on political rights. In spite of these divisions, at the establishment of the Kingdom women's groups sought cooperation with the state's institutions and expressed trust that constitutionalism and parliamentary democracy would have brought rights to them. They were therefore utterly disappointed when the Kingdom's new rules neglected any role for women.

³⁹ For instance, in 1936 Plamínková became the speaker of the Senate.

Indeed, according to the 1921 Constitution – strongly influenced by the previous Constitution of Serbia, but also by the Weimar Constitution – women’s enfranchisement had to be decided in a separate law (art. 70), which in the end was never enacted, and it did not granted women significant economic rights. Lacking the recognition of formal equality as well as of political and economic rights (i.e. husband’s authorization was required to manage women’s properties), the Constitution only protected women as a weak group in the provisions concerning the family (protection of maternity) and the workers. During this period, furthermore, political parties hijacked women’s movements,⁴⁰ with conservatives relegating them to charities and educational societies and Communists organizing their activities in the framework of the Party’s, mimicking the Soviet distrust toward independent feminism.⁴¹ It was only thanks to their connections with international networks that women’s movements continued to struggle for the abolition of discriminatory provisions in the statutory legislation.⁴²

The establishment of the Kingdom of Yugoslavia in 1929, though introducing some authoritarian features in the regime, led to the full recognition of women’s political rights in the 1931 Constitution (art. 54) then institutionalized under the socialist constitutionalism affirmed in the country at the end of the IIWW.⁴³ In this regard, the path of Yugoslav women aligned with that of the Russian ones, whose legal contexts secured formal equality while preserving a patriarchal legal and social environment.

3.6 Russia

In spite of a legal framework imposing male guardianship on women and depriving them of inheritance and property rights, under the Tsarist Empire important differences existed among women according to their social status. While the majority of the female population was composed of illiterate peasant women, wealthier women had access to limited education, especially after women’s higher education courses were introduced in the late 1870s, and could contribute to the political life of the country. With the circulation of liberal and socialist ideas in the Empire, furthermore, upper-class women began to claim emancipation and received the support of the *intelligentsia*, which was meanwhile striving for the recognition of political and economic rights to the whole population, women included. This helped educated women in consolidating their circles and in submitting several drafts for regulations favoring them. In this period, women also contributed to

⁴⁰ See Barbara Jancar, *Women in the Yugoslav National Liberation Movement: An Overview*, in *2/3 Studies in Comparative Communism* 143-164 (1981) 145-156.

⁴¹ On this topic, see Alfred G. Meyer, *Marxism and the Women’s Movement*, in Dorothy Atkinson et al. (eds), *Women in Russia*, Stanford University Press, Redwood, 1977, 84-112.

⁴² Isidora Grubački, *The Emergence of the Yugoslav Interwar Liberal Feminist Movement and the Little Entente of Women: An Entangled History Approach (1919-1924)*, in *2 Feminist Encounters: A Journal of Critical Studies in Culture and Politics* 1-15 (2020).

⁴³ Mirjana Morokvasic, *Institutionalised Equality and Women’s Conditions in Yugoslavia*, in *4 Equal Opportunities International* 9-17 (1983).

shaping the social democratic views among urban workers and many of them later became leading Bolshevik figures.⁴⁴

Actually, it was already after the 1905 Revolution that Russian women's campaign for enfranchisement and equality gained momentum, also thanks to the contribution of radical groups, such as the Russian Union for Women's Equality. Already mobilized for their rights, during the war, Russian women achieved a higher self-awareness thanks to their full involvement in the war efforts. Indeed, they not only provided – as in many other countries – auxiliary support and increased their presence in traditionally male-dominated labor sectors, but actively participated in the conflict through state-sponsored all-women's units.⁴⁵ In the years of the civil war, however, the affirmation of their rights had to confront ideological issues, because the Bolsheviks were against 'bourgeois' women's groups believing that their privileged backgrounds would have represented a threat to the struggle of the working class and that they could not express the real needs of working and peasant women. After the February Revolution (1917), a common call for suffrage came from women's movements, which gathered in a massive demonstration in Petrograd organized by Poliksena Shishkina-Iavein, President of the League for Women's Equal Rights and Russia's first female gynecologist, and the revolutionary Vera Figner.

As a result, in July 1917, the provisional electoral law for the Constituent Assembly recognized women's political rights, allowing them to take part in the elections held in November 1917. Finally, the 1918 Constitution, though it did not explicitly include sex in the anti-discrimination clause stating the equality of all citizens (art. 22), established women's political rights (art. 64). This achievement allowed Alexandra Kollontai to become People's Commissar for Social Welfare and the first woman in the Bolshevik Government, thus contributing to improving women's rights. For instance, the 1918 Family Code importantly modified the status of women in the family, by recognizing them equality with men and even (at least formally) allowing a couple to take either the husband or wife's name once married. Furthermore, in the framework of the Soviet revolutionary legislation, divorce became easily obtainable, abortion was legalized, and communal facilities for relieving women of household chores were introduced. Convinced of the role of women in supporting the revolution, in 1919 the new regime also introduced a Women's Bureau to engage them in public life and promote their education.

The reforms to improve women's conditions, however, were short-lived and in the 1930s most of them, including the Family Code, turned more conservative (e.g. abortion was banned, divorce became difficult to obtain, the Women's Bureau was closed).⁴⁶ Under the Soviet regime, therefore,

⁴⁴ This was, for instance, the case of Nadezhda Krupskaya, a tireless advocate for women's and educational rights, who married Lenin in 1898 and held prominent roles within the Bolshevik party until her death in 1939.

⁴⁵ Laurie Stoff, *Women's Mobilization for War (Russian Empire)*, in Ute Daniel et al. (eds) *1914-1918-online. International Encyclopedia of the First World War*, https://encyclopedia.1914-1918-online.net/article/womens_mobilization_for_war_russian_empire.

⁴⁶ On this point, see Alice Schuster, *Women's Role in the Soviet Union: Ideology and Reality*, in 3 *The Russian Review* 260-267 (1971).

women had to cope with a fictionally progressive legal framework that limited their chances to claim ‘more equality’, and a reality in which the double burden consolidated the traditional patriarchal structure of the society grounded on women’s subordination.

3.7 The Baltic countries

In Baltic countries, women’s rights were dealt with within the framework of the national struggle for independence from the Russian Empire and of the recognition of national peculiarities against the assimilation with other national communities (mainly Russian, German and/or Polish). Therefore, at first, women claimed education in order to be able to support the dissemination of their native language and culture. For instance, already in 1882, Estonian teacher Natalie Johanson-Pärna requested to secure women’s education during the speech she gave to the Society of Estonian Literati.⁴⁷ Once (some wealthy) women entered the educated circles of nationalist groups, they put forward the cause of women’s enfranchisement, which became a topical issue when all the Baltic countries declared their official independence and started constitution-making processes after the Russian Revolution.

In Estonia, the Provisional Government approved a regulation (30 March 1917) recognizing women’s political rights and, when the Estonian National Council (1918) conceived itself as an independent constituent body, women had the right to participate and vote. Universal suffrage was then confirmed in the 1920 Constitution (art. 36). In addition, the Constitution established the prohibition of “public privileges or prejudices derived from birth, religion, sex, rank, or nationality” (art. 6).

Latvia proclaimed its independence in November 1918. Then, the 1918 Political Platform of the Latvian People’s Council considered universal suffrage as the building block of the new state. Therefore, the 1919 Law on Electing the Constitutional Assembly of Latvia established that the Constitutional Assembly was to be elected in general, equal, direct, secret and proportional elections (art. 1), with the participation of Latvian citizens of both sexes. As a result, 6 out of 164 members of the Assembly were women.⁴⁸ The participation in the constituent moment allowed women to struggle for the entrenchment of norms for equality, which finally resulted in the confirmation of women’s political rights in art. 8 and 9 of the 1922 Constitution. Since then, the main goal of women’s groups was to change the statutory norms on women’s working conditions and the family law, which replicated the patriarchal assumption according to which women had to be mainly devoted to family chores and their job could therefore be valued less than that of men.

In Lithuania, the recognition of women’s rights could profit of a well-established movement that had secured contacts with the international

⁴⁷ In Estonia, the right for women’s education was fully recognized in 1905.

⁴⁸ See Sanita Osipova, “*The Political Platform of the Latvian People’s Council*” of 17 November 1918 as the Founder of the Gender Equality Tradition in Latvia within the Discourse of European Ideas on Gender Equality, in 12 *Journal of the University of Latvia. Law* 96-109 (2019).

networks and proved able to achieve the recognition of women's political rights in the three provisional constitutions the country adopted in 1918, 1919 and 1920. All of them opened with a statement about the equality of the citizens without discrimination of sex. According to the parties' leaders that were struggling for the country's independence from the Russian Empire, indeed, the recognition of women's rights was a way for positioning Lithuania among the modern and civilized European countries, which also meant that it could not be subsumed in any other national ideas, be it the Polish, the German or the Russian one. Even though the patriarchal background continued to exist, and parties were skeptical about putting women on top of their candidate lists, in the end 30 women run for the constituent assembly and 5 were elected among its 150 members. Interestingly, in the first meeting of the Lithuanian constituent assembly, Gabrielė Petkevičaitė-Bitė was the oldest MP and therefore chaired the meeting, while the youngest member, Ona Muraškaitė-Račiukaitienė, was entrusted with the office of the Secretary.

3.8 Poland

Partitioned among the Austrian, Prussian and Russian Empires since 1795, Poland saw women increasingly understand the relevance of their rights in the framework of the national struggle for independence. Having experienced the potential of their social impact in charity activities and inspired by international movements, Polish women began to claim direct involvement through enfranchisement. Namely, as observed also in other countries, Polish women argued that their participation in decision-making would have benefitted women's legal advancements in very discriminative fields, such as family law and labor law, and could have benefitted the whole society due to their ability to focus on neglected issues of moral relevance, such as alcoholism or prostitution.

In spite of this political activism, when the Provisional Council of State, whose establishment marked the beginning of the Kingdom of Poland in 1917, created a special Commission in order to prepare the Constitution and the electoral law for the future Polish Parliament in January 1917, men's suffrage was introduced but only wealthy women were allowed the indirect active vote. In the intentions of the Commission, a decision on women's enfranchisement had to be taken by the first Parliament. However, the Executive led by Jan Kanty Steczkowski, formed in April 1918, decided to amend the law in order to guarantee the active right to vote in the elections for the Lower Chamber only to women who had graduated from high school and were independent entrepreneurs. Finally, it was with the establishment of the Poland Republic (1918-1939) that the decree on the Election System of the Legislative Sejm issued in November 1918 stated: "The elector to the Sejm is every citizen of the state, regardless of the difference in sex, who until the day of the proclamation of the voting has reached the age of 21" (art. 1). The decree also guaranteed that: "All male and female citizens of the state vested with the active right to vote, regardless of their place of residence, including servicemen, may be elected to the Sejm" (art. 7). Then, the 1921 Constitution confirmed the right to vote of all Polish citizens

without any discrimination on the ground of sex (art. 12 and 13),⁴⁹ though it did not include sex in the provisions about equality (art. 95 and 96).

The political vicissitudes that affected Poland in the interwar period soon vanished the relevance of these documents, and women had to wait until the end of the IIWW for having their rights recognized in the context of the socialist constitutionalism then established in the country.

3.9 Romania

Imbued with a militarist culture, the Kingdom of Romania that emerged from the war of independence after the 1877–1878 Russo-Turkish War considered women as minors and relegated them to family chores under the control of a man. Indeed, the 1865 Civil Code, deeply inspired by coeval European codifications, excluded women from inheritance on the parental line and from the right to manage their dowries during the marriage, being subject to the guardianship of a male relative (father, husband, or even a son). In addition, their citizenship was linked to the husband's.

Against these norms, the feminist movements established during the IWW, such as the League of Romanian Women led by Eugenia de Reuss-Ianculescu and Maria Butureanu, claimed political rights as a way for emancipating from guardianship in the private sphere. Their struggle, however, was not successful and the 1923 Constitution, though advanced and democratic in other respects, seemed to completely ignore women. Indeed, it devoted to statutory norms the duty to decide on women's enfranchisement (art. 6), but did not introduce formal equality in the anti-discriminatory clause mentioning instead ethnicity, language, religion and social class. The exclusion from public participation encompassed also the possibility to ascend the throne, which had to remain with the House of Hohenzollern, "from male to male in order of primogeniture and with the perpetual exclusion of women and their descendants".⁵⁰

It is worthy to note that a statutory reform introduced in 1929 partially changed this picture by introducing women's political rights in local elections, though with some restrictions. An approach then followed in the short-lived 1938 Constitution, anticipating the authoritarian features through which social feminism was established at the end of the IIWW.⁵¹

Most probably, the difficulties of Romanian women to achieve any change in their status with the approval of the interwar Constitution were connected with the alliance the most prominent of them secured with the conservative and nationalist elite that was going to lead the country. The

⁴⁹ Maciej Krogel, *The political and legal context of the introduction of women's suffrage in Poland*, in 9 *Wrocławskie Studia Erazmiańskie* 507-521 (2015).

⁵⁰ This provision is particularly shocking when considering the fundamental role that Queen Marie had in placing the neutral – but well-linked to the Triple Alliance – Romania on the side of the Entente during the war and in securing a place for her country at the tables of the Paris Conference.

⁵¹ For further details on the evolutions of feminism and its impact in interwar Romania, see Maria Nicoleta Turliuc, Catalin Turliuc, *The struggle for women's political rights in modern Romania. The crystallization of feminist movement and constitutional debates*, in Pirjo Markkola et al. (eds) *Suffrage, Gender and Citizenship. International perspectives on parliamentary reforms*, Cambridge Scholars Publishing, Newcastle, 2009, 259-276.

case of Alexandrina Cantacuzino, which claimed for herself the title of Princess after her marriage with the landowner Grigore Gheorghe Cantacuzino, is a valid instantiation. She was a leader of the League of Romanian Women and the Association of Romanian Women who also served the International Council of Women as Vice President, representing the International Alliance of Women. Despite this, her approach to women's enfranchisement was to limit it to wealthy women and to frame their participation in a corporatist system, anticipating her support of the fascist ideology of the Iron Guard.

3.10 Egypt

The dissolution of the Ottoman Empire had relevant consequences in Egypt because it implied the end of the vice-regency of the Sultan and made official the British protectorate (1914) against which a nationalist movement gathered. In this fight against British colonialism, women, already strongly involved in independence movements, proved very active⁵² and exploited their participation to claim for rights through a fertile publishing activity realized through magazines and newspapers as well as through the more traditional instruments of poems and novels.⁵³ Some women were also directly involved in the political arena, such as Huda Sha'arawi, who later on founded the Egyptian Feminist Union (EFU), and Safiyya Zaghlul, remembered as 'the Mother of Egyptians' for her commitment to independence. Both organized the 19 March 1919 demonstration against the British administration, which however underscored the clear divide between women from the countryside and rural areas, who joined spontaneously the march, and upper-class women, who organized the official demonstration and set a specific dress code for it (black clothes and a white veil).⁵⁴ In the following period, the latter also exploited their familial bonds with the leaders of the Waqf party,⁵⁵ to seek its support for their claims and for establishing the Waqfist Women's Central Committee (12 January 1920). Nevertheless, Egyptian women never gained a full political support from their male mates and, indeed, when Egypt became independent in 1922, men betrayed women and excluded the vindication of their rights from the party's program. The betrayal encouraged women in establishing independent movements devoted only to women's issues, such as the Egyptian Feminist Union (EFU). In a similar vein, from the Muslim Brotherhood emerged the group of the Muslim Sisters, an evolution of the Institute for Mothers of the Believers, mainly tasked with charity activities.

⁵² See Judith Tucker, *Insurrectionary Women. Women and state in Nineteenth-Century Egypt*, in 138 *Middle East Research and Information Project* 4 (2015).

⁵³ For further information on this activity women led, see Beth Baron, *The women's awakening in Egypt: culture, society, and the Press*, Yale University Press, New Haven, 1994; Nabila Ramdani, *Women in the 1919 Egyptian Revolution: from feminist awakening to nationalist political activism*, in 2 *Journal of International Women's Studies* 39-52 (2013) 40-44.

⁵⁴ See Nabila Ramdani, *ibidem* 49, and Margot Badran, *Feminist, Islam and Nation: gender and the making of modern Egypt*, Princeton University Press, Princeton, 1995, 76-77.

⁵⁵ For instance, Huda Sha'arawi was married with Ali Sha'arawi Pasha, senior member of the Wafd, and Safiyya Zaghlul was the wife of the Wafd leader Sa'ad Zaghlul.

Though all these movements relied on Islamic rules for claiming emancipation,⁵⁶ ideological divisions among them existed and were the main reason for their failure in obtaining relevant achievements. Indeed, while the EFU attempted to improve women's position within the family, for instance by establishing a minimum marriage age, extending a mother's rights of child custody, introducing divorce and abolishing polygyny, religiously-inspired groups more solidly relied on Islamic sources and objected to the reforms the EFU proposed in this field.⁵⁷

An even more blatant failure concerned political rights. When art. 3 of the 1923 Constitution established equality in the enjoyment of civil and political rights, women's movements tried to have it interpreted as providing universal (male and female) suffrage. Nevertheless, conservatives opposed to this interpretation underscoring that the second part of the article mentioned only race, language and religion among the prohibited grounds of discrimination. Three weeks after the promulgation of the Constitution, it became clear that the lack of reference to sex was intentional since the electoral law restricted the right to vote only to men.⁵⁸ Trying to accede at least to a partial recognition of political rights, EFU suggested recognizing them only to educated or rich women, in a controversial move through which women agreed to set for themselves a higher standard than men, whose illiteracy was not considered at this end.⁵⁹ This approach, however, also failed and when Sidqui Government suppressed the Constitution (1930), female suffrage was shelved until the recognition of political rights to Turkish women in 1934 revamped EFU commitment for a struggle that lasted until the Free Officers' coup (1953).

4. Concluding remarks: women between religion, nationalism and individual rights

As anticipated in the introduction, grouping all the interwar experiences into a single constitutional wave does not help in fully understanding according to which paths women's emancipation was achieved in every country, which endogenous and exogenous difficulties women's movements faced, and how male-dominated political parties related with women's claims. Conversely, if we read these transitions to independent constitutional regimes from the perspective of a kaleidoscope of interrelated events more consistent interpretations emerge.

Indeed, it is worthy to analyze the impact of the struggle for independence on the emancipation of women. As in the case of Türkiye, the

⁵⁶ Fatma Ni'mat Rahid wrote an article appeared on the EFU journal on 1 May 1937, arguing that "while the Turkish woman has attained her freedom by virtue of foreign laws (alluding to the 1926 Turkish Civil Code based not on the Islamic shari'ah but on a Swiss model) the Egyptian woman will never ask for her rights except by basing her requests on the Islamic shari'ah".

⁵⁷ See Badran, cit., 134.

⁵⁸ A further sign of political parties will to exclude women from the public sphere was the decision to prevent women's - wives of ministers or of high state officials included - attendance to the opening ceremonies of the new Parliament.

⁵⁹ See Badran, cit., 209.

participation of women in the war/movements for liberation from foreign influences did not automatically resulted in an immediate recognition of the political rights in Hungary, Poland and Romania. The other countries analyzed here, instead, included women's enfranchisement in the clauses for the state-building since the very beginning. In Egypt, finally, nationalism was strongly imbued with anti-colonial sentiments and the will of establishing a state identity purged from foreign (also legal) influences.⁶⁰ Here, the impact of the colonial theories were evident also in the debates on the condition of women.

Because constitutional moments occurred after an important war defeat, to question whether the advancements in women's condition derived from a true feminist sentiment or were an attempt to secure women's loyalty to the new state identity is for sure a difficult task. The presence of women in decision-making assembly since the constituent moments, however, can certainly be considered a valid indicator. When women participated to constitutional drafting, even if they always were a small group, constitutional clauses more extensively recognized equality, as the cases of Germany, Austria, Czechoslovakia and the Baltic countries instantiate. In addition, the end of the war entailed the need of defining to whom the new State was addressing and, relying on Cott's definition of women's citizenship,⁶¹ it clearly emerges that all the countries considered provided a nominal recognition of women as legal subjects – from which the right of the state to rule on their rights and duties stemmed. Nevertheless, not all of

⁶⁰ A brief digression allows underscoring how deeply the anti-colonial discourse impinged in the relation among feminist movements. Indeed, since the *Congrès international de droit des femmes* held in 1878 in Paris during the World Exposition, three main organizations internationally dealt with women's issues in period examined in this issue: (1) the International Council of Women, established in 1888; (2) the International Alliance of Women, originated as International Woman Suffrage Alliance in 1904 as an offspring of the Council; (3) the Women's International League for Peace and Freedom, established after the meeting of the Congress of Women held at The Hague in 1915. Because these organizations were primarily constituted of bourgeois European Christian women, their attempts to liaise with Muslim women failed because they were perceived as further attempts of assimilation after the establishment of Mandates and Protectorates on their territories at the end of WWI. (see Leila J. Rupp, *Worlds of Women. The Making of an International Women's Movement*, Princeton University Press, Princeton, 1997, *passim*; Lila Abu Lughod, *Orientalism and Middle East Feminist Studies*, in *Feminist Studies*, 1, 2001, pp. 101-113.) As an instantiation, consider the declaration of the representative of India, Shareefeh Hamid Ali, during the 1935 Congress of the International Alliance of Women in Istanbul – the only one organized in a Muslim country – in which she made a net difference between “we of the East” and “you of the West”. She also argued that “any arrogant assumption of superiority or of patronage on the part of Europe or America, any undue pressure of enforcement of religion or government or trade or economic ‘spheres of influence’ will alienate Asia and Africa and with it the womanhood of Asia and Africa” (quoted in Leila J. Rupp, p. 79-80).

⁶¹ Examining the evolutions of women's citizenship in the US, Nancy F. Cott, *Marriage and Women's Citizenship in the United States, 1830-1934*, *American Historical Review* 103, no. 5 (1998): 1440-74, 1442 stated that it is not an either/or proposition (either you are a citizen or not) and a simple legal feature given overnight, but it is a progressive construction starting with a nominal recognition (residence) and going to the participatory one (political rights).

them gave women's right to political participation for granted. In Austria, the idea of Austrian women did not exist until the end of the war, as their identity was more a communitarian one, connected to the various groups inhabiting the Empire more than to the State. Therefore, it was necessary to wait that the war effort clarified women's loyalty to the birthing republic in order to see women recognized as a part of the idea of Austrianness that was going to be sanctified with the 1920 Charter.⁶² The image of the Czech woman emerged in contrast with this idea Austrianness and therefore cannot be disentangled from the overall construction of the image of the nation, to which it contributed. The full recognition of women as members of the national community that was going to be built through constituent process also characterized the Baltic countries. Conversely, in Hungary, Yugoslavia and Romania, women were completely marginalized notwithstanding their activism, most probably because of the lack of cohesion among women's movements. In Egypt, the decision to deprive women of the right to vote not only frustrated women's movements but also served the purpose to highlight the State's compliance with religious precepts.

Another relevant element is the difference between the countries where mass parties were already a consolidated reality and those where the constitutional transition was the result of a top-down elite-driven activity. The cases analyzed clearly show that mass parties had a divisive impact on women's movements because of the strong intra-party bonds they required. This was particularly evident in the German and Austrian experiences. The influence of a dominant political ideology, such as in the case of Russia, shows however that under this circumstance women's emancipation had to comply with the party's conception of women. The latter role according to socialist constitutionalism, which importantly imposed on women the so-called double-burden, is evident also considering the evolutions in the legal frameworks of Yugoslavia, Romania and the Baltic countries.

Beside these differences, a common element appears and confirms the endurance of the abovementioned patriarchal background all the considered states shared. Beyond the formal recognition of women's existence as citizens and legal subjects and despite the different outcomes in terms of rights this entailed in the analyzed countries, discriminatory provisions in statutory norms persisted. Indeed, the recognition of formal equality appears mostly like a gift of funding fathers. As Rubio-Marin underscores, "although women joined the revolutionary struggles leading to the affirmation of nascent constitutional democracies and articulated many of their justice claims in constitutional terms (including by seeking to impact constitution-making processes and by relying on generically worded constitutional provisions to engage in litigation) for the longest time their efforts were unsuccessful under an exclusionary constitutionalism which naturalized the separate spheres tradition."⁶³ This leads to a further consideration. With the

⁶² In this regard see Maureen Healy, *Becoming Austrian: Women, the State, and Citizenship in World War I*, *Central European History*, 2002, Vol. 35, No. 1 (2002), pp. 1-35.

⁶³ Ruth Rubio-Marin, *On Constitutionalism and Women's Citizenship*, *Current Legal Problems*, Vol. 74 (2021), pp. 361-402, p. 375.

exception of Egypt, where the Constitution clarified that women were only passive subjects of male decisions depriving them of the right to political participation, in all the other cases women could participate but continued to be subjects of the patriarchal rules entrenched in the civil codes, whose amendments male-dominated political parties did not commit to change. However, these changes seem to be the most relevant ones women wanted to achieve since the establishment of movements at the end of the XIX century. Indeed, the analysis has highlighted that the interest in suffrage was a secondary priority compared to the will of achieving the right to equal education and to access the job market and equal remuneration. The latter became especially fundamental when men returned from the warfield and claimed their jobs and their roles as heads of the families after years in which women enjoyed a relatively high degree of economic and personal independence. Trying to react to this, most States encouraged a vision of women as reminders of the true values of society. In Germany, were the establishment of the Republic encompassed a new institutional design that also required a redefinition of the idea of the nation, leaving women a space for negotiating their public roles, the failure of the Weimar design progressively entailed a reduction of the public space for women. The *Kinder, Küche, Kirche* paradigm⁶⁴ was endorsed and then strongly enforced during the Nazi regime also in the other lands it conquered. The religious sentiment was therefore exploited to support the idea that women's emancipation was challenging the traditional structure of the family, which continued to be conceived as the building block for the society. Indeed, bringing women back home after post-war emancipation was a main goal for those countries whose governments were convinced that this would have helped in arresting male (mostly war veterans) unemployment. Bargaining with this new form of authoritarian patriarchy in the second half of the interwar period women seemed to accept to be mainly conceived as mothers, entitled to pass national values over the next generations, and became pivotal in the portrayal of the nation as a family, with the leaders acting in a paternalistic way toward citizens acting as children in the family/nation.

Nationalism, therefore, emerged as the most powerful tool of legitimization and “[it] presents itself both as a modern project that melts and transforms traditional attachments in favour of new identities and as a reflection of authentic cultural values culled from the depths of a presumed communal past”.⁶⁵ In defining the new national identity, women are therefore ‘used’ in “a metaphoric or symbolic role”.⁶⁶ A role making them the biological reproducers of the members of the Nation, the symbol of the boundaries between national groups through the restriction on inter-groups sexual or marital relations, the transmitters of the national culture to future generations, the essence of what distinguishes each nation from the others,

⁶⁴ On the construction of this paradigm, see Raffael Scheck Source, *Women against Versailles: Maternalism and Nationalism of Female Bourgeois Politicians in the Early Weimar Republic*, *German Studies Review*, 1999, Vol. 22, No. 1, pp. 21-42.

⁶⁵ Deniz Kandiyoti, *Identity and its discontents: women and the nation*, in *Millennium: Journal of International Studies*, 3, 1991, 429-443, 431.

⁶⁶ Elleke Boehmer, *Stories of women and mothers: gender and nationalism in the early fiction of Flora Nwapa*, in *NASTA*, 1991, 6.

the active participants in national struggles.⁶⁷ A role that acquires a full meaning only if read in the light of the respect of patriarchy, as appears in the analysis of the constitutional provisions concerning women, which – in the best case scenario – recognized to them formal (fictional?) equality meanwhile the traditional relegation in a secondary role continued to be fully into force.

It cannot be neglected, however, that the struggle of the interwar feminist movements in most cases opened the public arena to women, which were then able to secure a more solid place when liberal-democratic constitutionalism was introduced at the end of the IIWW. In this struggle, a recognition shall be given to the ability of these women to build a solid international web of institutional and personal relations that put in common the similarities in the local movements' goals, concerns and dynamics⁶⁸ and paved the way for the recognition of equality also in the international documents (i.e. UN Declaration of Rights) approved after the IIWW.

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⁶⁷ Nira Yuval-Davis et oth. (eds), *Women-Nation-state*, London, McMillan, 1989, 7.

⁶⁸ Rupp, Leila. 1997. *Worlds of Women; The Making of an International Women's Movement*. Princeton, New Jersey: Princeton University Press.,