

Report of the President's Commission on the Status of Women: Background, Content, Significance

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Summary

The President's Commission on the Status of Women (PCSW) was established by the executive order of John F. Kennedy on December 14, 1961. It was charged with evaluating and making recommendations to improve the legal, social, civic, and economic status of American women. It was chaired by Eleanor Roosevelt until her death in 1962 and run by Executive Vice Chairman Esther Peterson, Assistant Secretary of Labor and Director of the U.S. Women's Bureau.

The PCSW released its report, *American Women*, on October 11, 1963, on what would have been Eleanor Roosevelt's seventy-ninth birthday. Although it was characterized by internal tension between treating women primarily as homemakers and presenting them as equal participants in the public and economic realms, *American Women* nevertheless advocated major reforms. It called for an end to sex discrimination in hiring, for paid maternity leave and universal child care, and for judicial recognition of women's equality under the Fourteenth Amendment of the Constitution.

The President's Commission on the Status of Women helped set the stage for the emergence of liberal feminism in the mid-to-late 1960s. The networks of women it connected, the ideas that emerged from its research and deliberations, and the public discussions of women's inequality inspired by its Report changed the course of history for women in the United States.

After briefly describing the establishment of the PCSW, this memo will review the social and political forces that shaped the Commission and its Report, outline the Report's key recommendations, and discuss its impact on American women. A list of the Commission's membership is appended.

I. Establishment of the Commission

The President's Commission on the Status of Women (PCSW) was established by the executive order of John F. Kennedy on December 14, 1961, for the stated purpose of developing recommendations for "overcoming discriminations in...employment on the basis of sex" and for "services which will enable women to continue their role as wives and mothers while making a maximum contribution to the world around them." It was charged with evaluating and making recommendations about seven topics:

1. Employment policies and practices by private employers under federal contracts
2. Federal social insurance and tax law
3. Federal and state protective labor legislation
4. Legal equality of men and women in political rights, civil rights, property rights, and family relations
5. Social and educational services
6. Employment policies and practices of the federal government itself, including the need for affirmative action

Impetus for the establishment of the PCSW:

Esther Peterson, Assistant Secretary of Labor and Director of the Women's Bureau under Kennedy, was the primary force behind the establishment of the Commission. President Kennedy was under pressure from women in both the Democratic Party and the labor movement to take action on women's issues. Peterson, an early Kennedy ally and the most prominent woman in the administration, suggested the appointment of a commission as the best way to address their demands. An advocate for labor women since 1929, Peterson had been frustrated by the federal government's long quiescence on women's issues. She viewed the PCSW as a chance to press for important reforms, such as equal pay and non-discrimination policies. She also believed that it would delay Congressional consideration of the Equal Rights Amendment (ERA), which she opposed, while the Commission was conducting its inquiries.

II. Social Context: More Children, More Employment

Despite the pervasive celebration of the suburban nuclear family and women's roles as homemakers during the two decades following World War II, women's roles were changing rapidly.

Life Cycle

During the fifteen years prior to the establishment of the Commission, women's life cycles had taken on a pattern that would be unique to the middle part of the twentieth century. Three demographic factors distinguished women from 1946-1961:

- They **married young**: the median age at first marriage for women had dropped to 20 years old by 1956.
- They had **more children**: more third and fourth children were born during 1957 than in any other year in the 20th century.

- They spaced their children more closely together, so that despite having larger families, they **completed their childbearing earlier** than women in the past. Births began to decline (in absolute numbers and in births per woman) from their baby-boom high after 1961.

Taken together, these factors meant that women who came of age from the late 1930s through the late 1950s tended to divide their adult lives into **three distinct phases**:

- a short period of work or higher education in their late teens and early twenties
- roughly a decade of full-time caregiving while their children were young
- thirty or more healthy years in which their child care responsibilities were reduced or eliminated entirely

Thus, although the concentrated years of young childrearing contributed to a popular culture that stressed women’s roles as full-time homemakers, this pattern actually paved the way for mothers’ increased workforce participation once their children were in school.

Employment

The **employment of married women more than doubled between 1940 and 1960**, from approximately 14% to over 30%. **Married women were actually *more* likely to participate in the workforce if they had school-aged children than if they did not**; nearly 40% of mothers of children between 6 and 18 years old worked for pay. They tended to be clustered in lower-paying “pink collar” clerical and service-sector jobs. Their earnings enabled their families to buy houses, cars, and household goods, and to pay for education and health care. They thus contributed significantly to the consumer-driven economic boom of the postwar period. Nonetheless, with a few exceptions, they remained stuck on the lower rungs of the ladder in most professions, business, and government.

III. Political Context: ERA Feminists v. Labor Feminists

After women won the vote in 1920, women’s activists disagreed about the best way to improve women’s lives, opportunities, and standing in American society. Some, led by Alice Paul’s National Woman’s Party, called for an Equal Rights Amendment (ERA) to the Constitution. Inequality and discrimination against women in national, state, and local law was so pervasive, they argued, that only a constitutional amendment could offer a comprehensive remedy.

Others, particularly women in the labor movement, argued that the ERA would undermine sex-specific laws that protected women from dangerous or exploitative working conditions. They instead called for “specific bills for specific ills,” or changes to individual laws and policies that *harmfully* discriminated against women, while leaving intact those that they believed helped women. They further called for the expansion of protective laws to include both men and women, arguing that men would benefit from better working conditions and women would not be disadvantaged by sex-based restrictions. Finally, they advocated for sex-specific policies that they believed would ultimately make women more equal in the workforce, such as paid maternity leave.

IV. American Women—The Report: Women as Homemakers vs. Women as Equals in the Workplace and Public Sphere

The PCSW prepared its report during a period of growing tension in American society caused by the simultaneous intensification of women’s domestic, nurturing role as mothers of young children, on the one hand, and their increasing engagement in wage-earning on the other. The Report, *American Women*, released October 11, 1963, reflected this historical moment, alternating between portrayals of women as *primarily* mothers and homemakers and calls for society to recognize them as full and equal participants in the economic and professional worlds.

This conflict is reflected in its recommendations. For instance, under “Education and Counseling,” they recommended that girls be counseled to “lift aspirations beyond stubbornly persistent expectations about ‘women’s roles’ and ‘women’s interests.’” By contrast, in the following section of the chapter, they called for girls (and only girls) to be taught “home management” from an early age.

Still, some of its recommendations still seem radical – and have yet to be achieved – even today. In particular, its calls for **universal, publicly-funded, high-quality child care** and for **paid maternity leave** remain unrealized.

Key Recommendations of the Report:

A. Education, Employment, and Economic Security

- **Expanded adult education** to help mothers of older children reenter the workforce and to help displaced workers remain competitive
- Universal, high-quality, **public child care**, “for the benefit of children, mothers, and society”
- **Tax deductions for child care** for employed mothers
- **Equal opportunity employment practices** as a “guiding principle” in private employment and a requirement for federal contractors
- Development of more **part-time work opportunities** to better deploy the skills and “manpower” of mothers
- Expansion of **protective labor legislation** (including minimum wage and overtime laws) to cover both **men and women** and workers in industries not currently covered, such as hospitality and agriculture, and **preservation of maximum hour laws for women** until overtime laws were expanded to apply to all workers
- State laws guaranteeing **equal pay for comparable work**
- Expansion of **widow’s benefits** under Social Security Old Age Insurance to equal what the husband would have received if he were alive
- Expansion of **unemployment insurance** to cover domestic and agricultural workers, state and local government employees, small businesses and nonprofits.
- **Paid maternity leave**

B. Political and Civil Rights

- **Test cases challenging sex discrimination** in federal and state law under **the Fifth** and, particularly, **Fourteenth Amendments**
- Participation by the United States in the United Nations' and other efforts to assure equal rights for women worldwide
- Equality of **jury service**
- Reform of **family and property law** to **eliminate legal disabilities** of women, particularly **married women**

V. Impact and Legacy of the PCSW

Immediate Impact:

- Upon the Commission's request, President Kennedy in 1962 ordered **federal agencies** to **end sex discrimination in hiring**; special permission had to be sought to use sex as a hiring criterion.
- Passage of the **1963 Equal Pay Act** – the PCSW had endorsed equal pay legislation in its first session in early 1962. Although it was not directly involved in lobbying for the legislation, the Commission's recommendation (and its very existence as a body dedicated to improving the status of women in America) lent legitimacy to the Women's Bureau's efforts to pass the law.
- Wide media coverage of the Commission and its Report brought **publicity and legitimacy** to the growing **public challenges to women's inequality**
- Along with the 1963 Equal Pay Act and the inclusion of sex as a protected category in the 1964 Civil Rights Act, the Report of the PCSW **raised expectations** for an **active government role in fighting sexual inequality**.

Long-Term Impact:

- Development of the **"Fourteenth Amendment Strategy"**: **Pauli Murray**, a member of the PCSW and a civil rights lawyer, wrote a memo for the Commission's Committee on Civil and Political Rights that **laid the groundwork for challenging the constitutionality of sex discrimination without the ERA**. She argued that the Fourteenth Amendment's guarantee of equal protection to "any person" could and should be interpreted by the Supreme Court as prohibiting unreasonable sex discrimination. Murray later developed this line of reasoning in her groundbreaking article, "Jane Crow and the Law: Sex Discrimination and Title VII." In the groundbreaking **1971 case *Reed v. Reed, Ruth Bader Ginsburg*** successfully argued for the plaintiff that the **Fourteenth Amendment prohibits arbitrary legal distinctions on the basis of sex**.
- Through its own work, and through the establishment of dozens of State Commissions on the Status of Women, the PCSW fostered the **creation of a network of women's activists** who would form one nucleus of the burgeoning feminist movement, including but not limited to the founding of the **National Organization for Women (NOW)** in 1966.

Appendix: Membership of the PCSW

Officers:

Chairman: Eleanor Roosevelt (d. 1962)

Executive Vice Chairman: Esther Peterson, Assistant Secretary of Labor

Vice Chairman: Richard Lester, Department of Economics, Princeton University

Public Servants:

Robert F. Kennedy, Attorney General

Orville L. Freeman, Secretary of Agriculture

Luther H. Hodges, Secretary of Commerce

Arthur J. Goldberg, Secretary of Labor (1961-1962)

W. Willard Wirtz, Secretary of Labor (1962-1963)

Abraham A. Ribicoff, Secretary of Health, Education, and Welfare (1961-1962)

Anthony L. Celebrezze, Secretary of Health, Education, and Welfare (1961-1963)

U.S. Senators George D. Aiken and Maurine B. Neuberger

U.S. Representatives Edith Green and Jessica M. Weis (d. 1963)

John W. Macy, Chairman of the Civil Service Commission

Citizens:

Mrs. Macon Boddy

Mary I. Bunting, President, Radcliffe College

Mary E. Callahan, Executive Board, International Union of Electrical, Radio, and Machine
Workers

Henry David, President, New School for Social Research

Dorothy Height, President, National Council of Negro Women

Margaret Hickey, Public Affairs Editor, *Ladies' Home Journal*

Viola H. Hymes, President, National Council of Jewish Women

Margaret J. Mealey, Executive Director, National Council of Catholic Women

Norman E. Nicholson, Administrative Assistant, Kaiser Industries Corporation

Marguerite Rawalt, attorney and past president of the Federal Bar Association and the National
Federation of Business and Professional Women's Clubs

William Schnitzler, Secretary-Treasurer of the AFL-CIO

Caroline Ware, Historian

Cynthia C. Wedel, Asst. General Secretary for Program, National Council of Churches of Christ