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## A State's Gendered Response to Political Instability: Gendering Labor Policy in Semi-Authoritarian El Salvador (1944-1972)

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### Abstract

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### Keywords

El Salvador, gendering labor policy, political instability, labor reforms

### Disciplines

International and Comparative Labor Relations | Labor History | Latin American History

### Comments

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**A State's Gendered Response to Political Instability:  
Gendering Labor Policy in Semi-Authoritarian El Salvador (1944-1972)**

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Leslie C. Gates is Assistant Professor of Sociology at Binghamton University. Her current research examines the mechanisms whereby globalization affects state-labor relations and union power. Her research on the formation of gendered labor policies constitutes part of a larger research project that examines the effects of globalization and union power on women's industrial labor force participation in industrializing countries.

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**A State's Gendered Response to Political Instability:  
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**Kati Griffith and Leslie Gates**

**Introduction:**

Unlike in previous decades, El Salvador's political leaders gendered three major labor reform initiatives during the 1944-1972 period. The gendered reforms, such as protective legislation for women workers and sex segregated industrial training programs, emerged with the 1950 Constitution and intensified with the major legislative initiatives of 1963 and 1972. The number of gendered labor reforms increased and gendered labor reforms became increasingly specific about "protections" for women workers. These protections may have contributed to the decline in women's industrial employment beginning in the mid-1950s.<sup>1</sup> Moreover, just as gendered labor protections in other countries "reaffirmed women's difference from men in ways that extended far beyond employment practices into issues of equal citizenship" (Kessler-Harris et al 1995, 9), they may have undermined women's equal status in El Salvador.

Existing research explaining the emergence of gendered labor reforms emphasizes the relative strength of societal actors, their coalitions and their organizational capacity. Yet because this research primarily relies on democratic welfare states in advanced industrial societies (Haney 1998, Sainsbury 1996) it does not sufficiently theorize why semi-authoritarian states, such as El Salvador's might adopt and then intensify gendered reforms.<sup>2</sup> With this case study of El Salvador (1944-1972), a late industrializing and predominantly agrarian society under semi-authoritarian rule, we elaborate the range of political motivations for adopting gendered labor reforms.

By forging “a tactical alliance between historical sociology and feminist theory” (Adams 1998, 1) we also elaborate how a gender analysis can refine “ungendered” theories of the state. The analysis further fleshes out how semi-authoritarian regimes with populist tendencies in twentieth century Latin America used gender to build their national projects; a process recently termed the “modernization of patriarchy” (Besse 1996, French & James 1997a, 15, Molyneux 2000, Roseblatt 1995, Varley 2000, Vaughn 2000). The study also contributes to new efforts to gender Latin American labor history (Farnsworth-Alvear 2000, French & James 1997b) by critically engaging one of the most influential “ungendered” analyses of state-labor relations in Latin America. Latin American labor history (Berquist 1986, Collier & Collier 1979, Collier & Collier 1991, Drake 1996, Spalding 1977) has typically overlooked the implications of gendered labor policies for state-labor relations. Our research suggests that one cannot fully explain how semi-authoritarian regimes manage to neutralize and control labor without considering the role that gendered labor reforms played in inducing labor’s political cooperation.

### **Theoretical Approaches to Gendered Labor Policy**

The gender and welfare state literature illustrates that it may be important to establish what groups are making gendered claims on the state and the nature of their gendered claims. Many of the explanations for why social policies become gendered focus on the content of demands and relative organizational strength of societal groups (Fraser & Gordon 1994, Koven & Michel 1993, Pedersen 1993, Wikander et al 1995). For instance, many highlight the role of female political actors and feminist reformers in gendered policy formation (Bock & Thane 1991, Gordon 1990, Gordon 1994, Hobson 1993, Koven & Michel 1993, Ladd-Taylor 1994, Lewis & Rose 1995, Orloff 1996, 57). Others have shown that gendered social policy reforms reflected the gendered demands made by societal groups, other than feminist reformers. For

example, Pedersen (1993) explains contrasting welfare policies in France and England as the unique product of the interaction among the gendered agendas and coalitions of a host of societal pressure groups.<sup>3</sup> Some echo the formative claims made by Heidi Hartmann (1981), that organized labor has often pressured the state and secured gendered labor reforms (Baron 1991, Cook et al 1992, Kessler-Harris 1982).

Yet, as Julia Adams (Adams 1998) has pointed out, the nature of the state can affect how societal groups influence state policy. Indeed, recent studies examining why countries tried to “protect women” (Wikander et al 1995) highlight the varied political motivations for gendered reforms across democracies. Although Adams does not address possible variations in state-society linkages across regime types, her argument implies that we should be careful about generalizing from the experience of democratic states. Societal pressures may have less importance to semi-authoritarian leaders than to democratic politicians. Scholars debate whether state policy in democracies reflects politicians’ efforts to build consensus among competing societal voices (Dahl 1982), or the instrumental calculation of politicians trying to satisfy special interests that will help them win votes (Olson 1965). In either case the range of societal groups (including special interests) and their level of pressure on the state would help explain state policies. Semi-authoritarian regimes, however, mitigate the potential for consent based on open public dialogue with fraudulent elections and arbitrary arrest of citizens (Muller & Seligson 1987, 430, Nelson 1990, 24). Thus, in order to explain reforms in semi-authoritarian contexts, we may need to look beyond societal pressures and campaign contributions and instead look more carefully at other political motivations for reforms.

Charles Tilly’s Durable Inequalities (1998) proposes a general theory for how inequalities become institutionalized which may help explain why political leaders, regardless of societal pressures, might adopt gendered reforms. Tilly suggests that organizations, such as

states, employ binary categorical differences, such as gender, to solve organizational problems. Tilly (1998, 11) asserts, “People ...rarely set out to manufacture inequality as such. Instead they solve other organizational problems by establishing categorically unequal access to valued outcomes.” If applied to the state, this element of his theory, which we refer to as the *organizational crisis thesis*, suggests that states would adopt gendered policies in order to solve their organizational crisis. Periods of political instability, often characterized by frequent coups attempts and coups, constitute organizational crises for states.

The vicissitudes of family policy in Tunisia illustrate the partial explanatory power of the organizational crisis thesis. Charrad (1997) finds that changes in Tunisian family policy occurred when the state faced legitimacy crises. But political instability could not explain the type of family policy three different governments adopted. To do so, Charrad needed to analyze the historically contingent political strategies of state actors. The organizational crisis thesis implies that states would impose new modes of inequality when faced with political instability, yet the Tunisian state implemented restrictive as well as permissive family policies in its efforts to secure political stability. Charrad found that “within the context of conflicts and alliances among key political actors and not simply as a policy output generated by the state in response to pressures from below” (Charrad 1997) the Tunisian state reversed previous policy and gave women greater autonomy from their families and husbands. Charrad argues that an interest in undermining the traditional state-society links based on extended kinship ties, ties that restrictive family policies reinforced, motivated this change. Although Charrad’s case study (1997) illustrates that organizational crises of states (political instability) may explain the timing of reforms, it also illustrates that historically contingent understandings of political strategies are necessary in order to explain the quality of gender reforms.



Both Adams (1998) and Morowaska (1998) argue that feminist research would benefit from critically engaging the new wave of historically contingent, but often “ungendered,” accounts of state-society relations (Paige 1999). The work of Ruth and David Collier (1979, 1991) on state-labor relations in Latin America exemplifies this type of macro-political analysis. The Colliers call attention to key historical turning points that shape subsequent state-society relations. The Collier’s book, *Shaping the Political Arena* (1991), is arguably one of the most influential works on state-labor relations in Latin America.<sup>4</sup> We critically engage the Collier’s work, building off of their analysis of the historically contingent political motivations for labor reforms in Latin America. We then consider what contribution a gender analysis makes to their “ungendered” account of state-labor relations.

The Colliers (1979, 1991) characterize the historical moment when regimes first responded to organized labor as a *critical juncture*: 1) because, by incorporating organized labor into the political arena, regimes significantly restructured state-labor relations and 2) because the way that regimes incorporated labor significantly shaped the subsequent nature of politics. The Colliers argue that governments throughout Latin America recognized the dramatic socioeconomic transformation that industrialization brought or would bring to their countries.<sup>5</sup> Governments feared, however, the potential for industrial workers to disrupt economic growth and political stability, particularly because Communists were organizing industrial workers throughout the region. New military leaders, including Vargas in Brazil and Perón in Argentina, were eager to ensure political stability in order to stay in office and therefore tried to incorporate organized industrial workers into the formal political arena. The Colliers (1991, 44) write, “By securing the visible cooperation of the organized labor movement, the state can take an important step toward addressing problems of legitimacy.” Thus, according to the Colliers, responding to

organized industrial workers was a defining feature of regimes throughout Latin America in the beginning of the 20<sup>th</sup> century.

The Colliers argue that regimes varied in the degree to which they sought to activate or deactivate labor in order to gain political stability. Regimes seeking to activate labor's political support (either by securing worker votes or by facilitating labor's ability to organize mass political demonstrations) granted more inducements than constraints. Governments tried to induce labor's support and loyalty by granting some unions legal status, state subsidies or the right to collect union dues, to exclusively represent workers in a particular enterprise or industry and to combine into federations (Collier & Collier 1979, 969). The Colliers explain (1979, 969) that "...*inducements* [benefits that advantaged some labor organizations over others] are also viewed as mechanisms of *co-optation*" because "though they involve 'advantages,' they also lead to social control." Governments seeking to guarantee political stability through deactivating labor favored constraints with few inducements. Governments sought to control unions by imposing legal constraints on strike activity, collective contract negotiations, the selection and retention of union leadership and the internal management of union business (Collier & Collier 1979, 969). Nevertheless, too many constraints without inducements could lead to labor militancy and societal instability. Thus, the Colliers argue that Latin American regimes tried to co-opt labor movements by striking a balance between applying constraints and inducements on unions.<sup>6</sup>

Although the Colliers do not address gendered labor reforms, their framework for understanding how these regimes tried to co-opt organized labor sheds light on how semi-authoritarian leaders might have viewed gendered labor reforms. Gendered labor reforms could be interpreted as one of several types of inducements. Just as the state could use its discretionary power to selectively distribute worker privileges, the state could use its discretionary power to

selectively distribute worker privileges by gender. Legal “protections” for women workers could convince employers not to hire women and therefore advantage male workers in the labor market. Thus, gendered labor reforms could induce male union leaders and workers to cooperate with the state. By neglecting gendered labor reforms, the Colliers may have overlooked an important means whereby semi-authoritarian regimes in Latin America tried to induce organized labor’s cooperation. By placing gendered labor reforms, such as those adopted in El Salvador, into the context of a historically contingent political strategy to co-opt organized labor, we can glean some insight into why state actors might have favored gendered reforms.

### **Analytic Approach and Data:**

We rely on several data sources to conduct a four-part analysis. We focus the analysis on El Salvador between 1944 and 1972 because this is the period during which unprecedented gendered labor reforms were adopted. This time frame includes the first major gendered labor reform, the 1950 Constitution and ends in 1972 with the last significant gendered labor reform. Our analysis begins in 1944 with the fall of General Martínez, an authoritarian dictator who ruled El Salvador for twelve years, and the beginning of a series of reformist military juntas.

First, we describe the most important gendered labor reforms during this period. To document the Salvadoran military’s gendered labor reforms and relations with organized labor between 1944 and 1972, all of the Ministry of Labor’s *Annual Reports (Memorias)*, *Labor Statistics (Estadísticas de Trabajo)* and reports of labor conferences in the 1948-1972 period were systematically reviewed. Other state publications and daily newspapers supplemented this material.<sup>7</sup> Forty-two interviews with Salvadoran industrialists, scholars, labor leaders, women’s movement leaders and state officials and an exhaustive review of daily front-page headlines in the *La Prensa Grafica*’s summary journal, *Libro de Oro*, determined how to sample newspaper

articles.<sup>8</sup> Key dates were identified and then several newspapers were reviewed for the months prior to and following these dates.

Second, we examine who, in society, advocated for gendered labor reforms. We establish the primary advocates of gendered labor reform by examining a host of documents on feminist organizations, organized women workers and organized labor at the time. Historical research in El Salvador is difficult and data for the 1944-1972 period is scant. Very few primary documents from labor unions survived El Salvador's civil war (1980-1992). During this period the state suspected labor unions and their leaders of anti-state mobilization (Ching & Tilley 1998, 123, Lauria-Santiago 1994). Thus, the paper relies mostly on El Salvador's two leading newspapers, *Diario de Hoy* and *La Prensa Grafica*, for information regarding the labor movement and labor related demands.

Third, once we establish the protagonists of the societal pressure to gender labor reforms, we weigh evidence of the relative importance of societal pressure vs. organizational crises in the timing of reforms. If societal pressures mattered, we might expect politicians to accelerate reforms either after increased labor mobilization or prior to elections. We might expect politicians to be particularly responsive prior to elections in order to win votes and special interest support. We examine whether reforms followed periods of increased labor mobilization, measured as the number of collective conflicts and strikes, and we examine whether the reforms preceded elections. The organizational crisis thesis implies that a semi-authoritarian state would tend to adopt reforms only when they fear losing power or after moments of political instability. We measure political instability as coups and coup attempts.

Fourth, we explain the special appeal of gendered reforms to state officials by examining their role in El Salvador's broader political strategy. We examine whether the introduction of labor reforms in El Salvador could be characterized as part of El Salvador's *critical juncture*: a

historical turning point when El Salvador's government recognized the economic potential of industrialization and the political expediency of incorporating organized labor. We draw on state documents and newspapers to describe the government's broader political strategy towards labor. We analyze the role that gendered labor reforms might have played within the context of this strategy.

## **Gendered Reforms**

### *Legislative Promises, Reforms and Enforcement*

After the fall of the General Hernández Martínez dictatorship in 1944, Salvadoran political leaders made gendered legislative promises to labor. In 1944, government officials stated that the National Department of Labor would specifically address “women and children’s work.”<sup>9</sup> According to the 1947 Labor Code Committee, “because of their special conditions,” women workers “are at greater risk than adult men” and should be protected from certain types of industrial work (Ministerio de Trabajo 1947, 11). The state’s gendered reformist agenda became even more evident in the fifties and sixties. President Colonel Oscar Osorio’s (1950-1956) inaugural speech acclaimed that labor legislation and protection of women workers required “immediate solution.”<sup>10</sup> State officials extensively discussed women and minors’ issues with organized labor and business representatives and proposed protective legislation for women workers.<sup>11</sup> Unlike earlier regimes, the post-1944 regimes legalized many of these gendered legislative promises in three legislative initiatives; 1) The 1950 Constitution 2) the 1963 Labor Code and the 1963 Apprenticeship Law and 3) The 1972 Labor Code.

Salvadoran military leaders introduced and then intensified legislation that protected women’s social role as mothers. The 1950 Constitution gave women the right to maternity leave and protected a pregnant woman’s job security, although it did not clarify who would pay for

that leave. Articles 260-263 of the 1963 Labor Code clarified that employers were required to give pregnant women six weeks of paid leave both before and after birth at 75 percent of their salary (Asamblea Legislativa de la República de El Salvador 1963). Moreover, with a note from the doctor, a pregnant woman had the right to extend her paid leave after pregnancy. Article 94 “prohibited employers from putting pregnant women to work in jobs that required physical effort...after the fourth month of pregnancy.” The 1972 Labor Code extended protections for mothers (Asamblea Legislativa de la República de El Salvador 1993). Article 111 stated that pregnancy gave employers “just cause” to transfer women to another job if their job consisted of “direct contact with the public.” Although these laws gave women new rights as mothers, as Kessler-Harris, Lewis and Wikander (1995, 9) point out, “laws mandating extended maternity leaves could easily discourage employers from hiring women of childbearing age.”

Salvadoran military leaders also introduced and intensified legislation that limited women’s work. Article 183 of the 1950 Constitution “protected” women from “unhealthy and dangerous labors.” The fifth chapter of the 1963 Labor Code, entitled, “The Work of Women and Minors,” stated that jobs “should be especially appropriate to a workers’ sex, age, physical state and development.” It specified that women should be protected from certain tasks and industries. It determined that “oiling, cleaning, inspecting or repairing machines or mechanisms in motion” or jobs in which workers handle toxic substances, including gas, vapors or dusts, which could potentially poison them, were too dangerous for women workers. It also prohibited women from underground or underwater work, in industries such as mining, or in work involving the “fabrication of explosives.” The 1972 Labor Code was even more explicit. Chapter V of the 1972 Labor Code included in its definition of dangerous work: “any job that uses automatic or circular saws; knives, cutters, drop hammers and all other mechanical apparatus that require precautions or special knowledge, except kitchen or butcher utensils, or other related tasks.” The

revised 1972 Labor Code further specified that women should not work in jobs involving “construction of any type,” or work related to “demolition,” “repair” and “conservation.”

The government did more than introduce legislation. The Ministry of Labor enforced women’s protections. The Ministry of Labor created the Women and Minors’ Division in 1951 to enforce protective legislation regarding women and minors. The Division conducted factory inspections and special studies that forced many factories to comply with women and minors’ laws. In April 1951, Ministry of Labor officials affirmed that they would find and enforce “effective mechanisms of protecting” women workers.<sup>12</sup> Inspections identified and fined factories with unhealthy and unsafe working conditions for women as well as factories not complying with women’s maternity regulations.<sup>13</sup> As Table 1 illustrates, the inspections increased in the fifties and sixties, reaching 5,238 in 1967.<sup>14</sup> Furthermore, throughout the early fifties, the Ministry of Labor enhanced personnel capacity to implement laws regulating women and minors (Gallardo 1973, Ministerio de Trabajo 1952, 14, UCA & Foundation 1980).<sup>15</sup>

[Table 1 ABOUT HERE]

### *Sex-Segregated Industrial Training*

The 1963 Apprenticeship Law formally endorsed sex-segregated industrial training programs. Even before this law was passed, however, the Ministry of Labor had begun to implement some sex-segregated training programs. In 1949 and 1950, young women were encouraged to attend home economics training schools.<sup>16</sup> In 1956, state officials reported that young women were receiving state funded cooking and sewing courses (Ministerio de Trabajo 1956, 39). From 1957-1958, the state funded training programs for women in “domestic” industries such as sewing, culinary arts, food conservation, and typing. In the late fifties, the state gave grants for vocational training in mechanics, electricity and construction to male minors

and helped initiate female-dominated industrial training schools focused on sewing and cooking (Ministerio de Trabajo 1958, 43, 76-78, 133, Ministerio de Trabajo 1959).

Women were virtually excluded from on the job training programs mandated in the 1963 Apprenticeship Law. The 1963 Law mandated that the state establish a National Department of Apprenticeship under the auspices of the Ministry of Labor to oversee and design new industrial training programs.<sup>17</sup> Department officials stated that the Department would make sure that a woman worker would only do work “appropriate” to her “physical capacity” (Ministerio de Trabajo 1969, 145). Male labor leaders and state officials from the Department intervened in the hiring of apprentices and approved and supervised apprentice programs.<sup>18</sup> Few women participated in the training courses, and when there were courses for women, they were in sex-appropriate industries such as cooking and sewing.<sup>19</sup> As a result, male workers received training in higher paying occupations considered too dangerous for women such as electronics, mechanics, shoemaking and shoe repair.<sup>20</sup>

In the sixties, the Women and Minors’ Division expanded its scope of work to include oversight of training programs. In 1964, the Division reported that “regulation of women and minors” was its main goal and that it monitored whether or not work and training programs were “appropriate” to a workers’ sex, age, physical capacity and development (Ministerio de Trabajo 1965, 133). After the Apprenticeship Law was passed, women’s ability and skill were measured through aptitude tests. The Women and Minors’ Division reported that once the exams were processed the female participants were directed toward “those activities where they could have superior performance” (Ministerio de Trabajo 1965, 134-135). The Ministry’s Examination Division also began testing male and female workers in various job types. The Division did this to determine “the different abilities, interests and competencies of the job applicants and the activities that can take advantage of these abilities” (Ministerio de Trabajo 1969, 161).<sup>21</sup> The



Ministry utilized these tests to justify directing women and men into sex appropriate industrial jobs.

It is difficult to quantify how much these regulations discouraged employers from hiring more women. Interviews and records from the Ministry of Labor strongly suggest that the regulations deterred employers from hiring women at the time. The regulations might have made employers less willing to hire women for fear that a government inspection might result in a monetary fine. As one employer quipped, “All of a sudden (Ministry of Labor) inspectors were knocking on our doors and pressuring us to do things differently. It was almost taboo to give a woman a job when there were plenty of male applicants out there.”<sup>22</sup> Employers complained about inspections to Ministry of Labor officials on various occasions.<sup>23</sup> A feminist reformer recalled that, “Mostly the reforms made our salaries worse and made it harder to get a decent job.”<sup>24</sup> Salvadoran government data on women’s labor force participation also suggests that these regulations had some impact. As Sáinz (1996, 6) suggests and Table confirms, women’s industrial labor force participation dropped in the mid-1950s and remained extremely low throughout the sixties. To understand why the Salvadoran military adopted these gendered labor reforms, we will first examine who advocated for gendered labor reforms.

### **The Societal Advocates of Gendered Labor Reforms**

Unlike in the United States and Britain (Goodwin 1992, Kessler-Harris et al 1995, Ladd-Taylor 1994, Skocpol 1995), feminist reformers did not appear at the forefront of the charge to gender labor reforms in El Salvador.<sup>25</sup> A vocal women’s organization founded in 1947, *Liga Femenina Salvadoreña*, did not pressure the state to implement special protections for women workers (Moreno 1997, 24). Neither did other women’s rights organizations in the 1950s.<sup>26</sup> At the 1951 National Women’s Seminar, although labor legislation was discussed, women made no

demands in favor of special protective legislation for women workers. Instead, women sought improved educational and training opportunities for women and full political participation.<sup>27</sup>

Although evidence on industrial women workers is sparse, a systematic review of newspapers suggests that organized women workers in the 1940s did not demand special protections.<sup>28</sup> The majority of newspaper articles reporting women workers' concerns (between June 1944 and July 1946), for instance, highlighted salary as the primary concern for women workers.<sup>29</sup> The articles also indicate that women wanted health and safety protections for all workers rather than special protections for women.<sup>30</sup> There is some evidence that women workers actively opposed some gender specific legislative demands in the fifties.<sup>31</sup> As one feminist reformer stated, "labor (leaders) *said* that these reforms were for the good of women but mostly we weren't consulted..."<sup>32</sup>

Instead, male dominated unions spearheaded the efforts to pressure government leaders to gender labor reforms, neglecting the interests of women workers as they have in other countries (Levenson-Estrada 1997, Navarro 1985)<sup>33</sup> Although, as Table 2 shows, women industrial workers made up close to a quarter of the industrial labor force between 1951 and 1953, they were not proportionately represented in unions. Only twelve percent of all unionized workers were female.<sup>34</sup> The limited evidence we have of labor unions at the time indicate that large assemblies of union delegates in the forties and fifties tended to be almost exclusively male.<sup>35</sup> Moreover, labor leaders and labor movement organizers tended to be men.<sup>36</sup> The strategy of a prominent women's organization, *Fraternidad de Mujeres Salvadoreñas*, reveals the minimal participation of women workers in union leadership. Even though they called themselves the Women's Brotherhood, *Fraternidad* vehemently advocated for women's increased participation in union leadership (Moreno 1997, 27). The fact that women leaders of *Fraternidad* gave their

organization a masculine identity seems indicative of the male dominated culture of the union movement at the time.

[Table 2 ABOUT HERE]

Gendered discourse pervaded working class culture in El Salvador between 1944 and 1972. In 1952, for instance, labor unions developed special programs to “praise and reward” women’s “sublime maternal virtues.”<sup>37</sup> Various labor unions contested that women should be prohibited from “dangerous” and unhealthy workplaces.<sup>38</sup> Many argued that the factory was not the proper place for women. In 1946, a labor leader stated to government officials that women should be removed from the workforce “to rebuild the home in order to build families with good values.”<sup>39</sup>

Male labor leaders and workers expressed their interest in gendered reforms as early as 1918.<sup>40</sup> Labor organizations vigorously pressed for special protections for women and minors in the 1950s, even after the Constitution. In 1951, labor leader Carlos Salinas, demanded that state officials create special protections for women workers because a woman’s body “suffers more as a consequence of long tiring work.”<sup>41</sup> At the First Ministry of Labor Conference in 1954 labor delegates demanded that the state provide special restrictions for women workers (Ministerio de Trabajo 1955, 196). Labor delegate Jorge Alberto López demanded limitations for women’s work in inappropriate environments. He argued, “Women and minors that work in environments of vice, sacrifice themselves and deform their personalities; in contrast, if they work in a healthy environment, they are more likely to acquire good habits and customs (Ministerio de Trabajo 1955, 205).”

Organized labor tried to pressure the state to protect industrial women workers by reducing their work week (Gallardo 1973, 263-266). At the 1954 Ministry of Labor Conference, labor delegate López, stated that, “Because of her social role and her condition, it is human and

practical to reduce women's maximum daily shift to seven hours and to prohibit women from working overtime for any reason." He justified his request saying "reducing the women's shift, because of her sex, will ensure that she doesn't wear herself out physically and that a strong, capable and responsible future generation of workers will be possible" (Ministerio de Trabajo 1955, 205).

Labor organizations also pressured the state to enforce special protections for women and minors and to provide sex-segregated industrial training programs. At the 1954 Ministry of Labor Conference, labor delegates pressured Ministry officials to increase inspections regarding the work of women and minors (Ministerio de Trabajo 1955, 207). They also solicited the Ministry to include studies regarding women and minors in the Ministry's budget. Labor petitioned for the creation of sex-segregated training centers and in 1958 various San Salvador Unions petitioned the Ministry of Labor to create a separate Center of Domestic Economics for Women (Ministerio de Trabajo 1958, 43).<sup>42</sup>

The gendered rhetoric of the state and special protections for women included in El Salvador's labor reforms mirrored many of labor's demands in the late 1940s and early 1950s.<sup>43</sup> But in a semi-authoritarian context, societal pressure alone may not be able to explain reform initiatives. In the following section, we examine the relative importance of labor mobilization, elections and political instability in explaining the timing of El Salvador's gendered labor reforms.

### **Societal Pressures vs. Political Instability**

Gendered labor reforms appear to be more closely linked with political instability than with societal pressures. While labor militancy appeared to play a role in convincing Salvadoran governments to instigate labor reforms in 1950, it did not appear to matter when labor first

mobilized earlier in the century, nor did it matter subsequently. Massive labor mobilization occurred prior to the 1950 Constitution, particularly before 1947.<sup>44</sup> Nevertheless, as Figure 1 illustrates there was relatively little labor mobilization prior to the 1963 labor reform initiatives. Strikes peaked in 1967 and again in 1974, several years before and one year after the 1972 Labor Code. Therefore, societal pressure from labor unions may have played a role in the initial decision to introduce labor reforms, but it cannot account for subsequent reforms.

[Figure 1 ABOUT HERE]

Electoral seasons appear to have little relevance for reform initiatives. If political leaders depended on elections, reforms would cluster around election campaigning. As Figure 2 shows, however, political leaders made no reform initiatives prior to the 1956, 1962 or the 1968 elections and the reforms that took place in 1972 were two years before the 1974 elections. Although reforms occurred in the same year as the 1950 elections, the Constitution was passed in December two months after the September elections. Moreover, we might have expected that appealing to women would have become more important to political leaders after the Constitution gave women the right to vote in 1950. Yet, political leaders implemented reforms not prioritized by women's groups.

[Figure 2 ABOUT HERE]

Instead, major gendered labor reforms directly followed periods of political instability. As Figure 3 demonstrates, there were two coups and two coup attempts before the 1950 gendered reforms. In 1944 a bloody coup attempt and a wide spread General strike brought the end of General Hernández Martínez' twelve year-old repressive regime and ushered in a period of intense political instability. Before resigning, Martínez named his Minister of Defense, General Menéndez, as provisional president. Menéndez allowed civilian-led forces including labor unions some political maneuvering. Due to this opening, political activity and mobilization

increased tremendously to prepare for the elections of 1945. Key sectors of the military, however, forcefully removed General Menéndez from power before the elections. The conservative former Police Chief, Colonel Osmín Aguirre y Salinas, was placed in power. Opposition leaders were exiled and the short-lived political opening quickly closed. In the following months, exiled opposition leaders unsuccessfully attempted an invasion from Guatemala.<sup>45</sup> Nonetheless, the sole candidate, General Salvador Castaneda Castro, easily ‘won’ the election in 1945. A few months after taking office, however, Castro was forced to fight off a serious coup attempt and in 1948, a coup successfully wrestled power from him.

[Figure 3 ABOUT HERE]

When the “Revolutionary Counsel” took power in 1948, it faced a dire need to build legitimacy (Caceres 1996, Williams & Walter 1997, 44). More than four years of coup attempts and infighting amongst the new military leaders in the state contributed to an atmosphere of political instability. Williams and Walter (1997, 44) suggest that the state sought legitimacy by creating a new Constitution. The political party created by the leaders of the 1948 coup, the Revolutionary Party of Democratic Unification (PRUD), reaffirmed labor’s representation in the drafting of labor legislation that would be included in the 1950 Constitution.<sup>46</sup> PRUD certainly did not feel confident that it had substantial legitimacy in the immediate years following the promulgation of the Constitution. The state appealed to the “good sons” of the republic, warned workers against the “communist threat” and tried to garner support from the non communist “healthy elements” of the Salvadoran labor community.<sup>47</sup> In order to ensure that he stay in power, however, Osorio increased his ability to control society. In March of 1951 and September 1952 Osorio’s government declared a state of siege to counter the “enemies” of Salvadoran democracy.<sup>48</sup> For the remainder of the fifties, the PRUD enjoyed relative stability.

Tremendous political instability, including two coups and one coup attempt, preceded the legislative initiatives of 1962-63. According to Taylor and Hudson's data (1972), between 1958-1962, there were five "protest demonstrations," or nonviolent gatherings organized for the announced purpose of protesting against state leaders, state policy or the regime in general. The decline in coffee and cotton profits between 1957-1960 and the increasingly vocal criticisms of students and middle class professionals contributed to heightened political instability.<sup>49</sup> On September 5, 1960, an "anti-Lemus demonstration led by members of the General Association of University Students" further threatened the regime.<sup>50</sup> Fearing a violent take-over, President Lemus declared a nation-wide state of siege on September 7, 1960 and closed El Salvador's National University.<sup>51</sup>

On October 26, 1960, a coup removed President Colonel Lemus and the PRUD from power. The civilian military junta that formed after the coup struggled to set the stage for new elections but came under a lot of criticism from conservative elite sectors.<sup>52</sup> The junta had decreed that exporters would have to pay income taxes on their profits as well as the flat export tax (Williams & Walter 1997, 58). The junta successfully averted a coup attempt led by other military leaders and civilians. Nonetheless, in an atmosphere of tension, the president of the Chamber of Congress was jailed for a day under suspicion of conspiring to overthrow the government (Williams & Walter 1997, 59). Tensions culminated on January 25, 1961 when the *Directorio Cívico Militar* staged a coup "to halt Leftist excesses."<sup>53</sup> The *Directorio* declared martial law, a nation-wide curfew and banned public gatherings.<sup>54</sup> Once the atmosphere settled, the *Directorio* rescinded these measures and granted amnesty to political prisoners.<sup>55</sup> Months later, a key member of the *Directorio*, Colonel Rivera, ran for president. All the key political parties abstained from the election and Rivera "won" the election unopposed in April 1962.<sup>56</sup>

After two years of political turbulence and coups, Rivera and his National Conciliation Party (PCN), were faced with a legitimacy crisis.

Political instability, including a violently suppressed coup attempt, again preceded the 1972 Labor Code. After seven years of relative stability, a conflict with Honduras triggered the demise of Central American Common Market in 1969. Economic instability eventually plunged the political system into crisis (Williams & Walter 1997, 77). In December of 1971, rumors of a coup led the PCN to exile some senior military officers (Pico 1973, 24-25). As the 1972 elections approached the PCN was struggling to maintain legitimacy. The New York Times reported: "Proposals for land reform and other reforms have produced political splintering, particularly among the right wing army officers. One result has been the formation of two new political parties by defectors from the ruling National Conciliation Party."<sup>57</sup>

The political center and left also heavily criticized the PCN, mostly due to the lack of democratic political process. The center-left groups joined forces under the umbrella of the *Unión Nacional Opositora (UNO)* and chose Jose Napoleon Duarte as their candidate. As a result, the PCN faced significant challenges from the left and the right on Election Day (Pico 1973). To try to ensure victory, the PCN tampered with electoral laws, controlled the vote count and the election return reports (Pico 1973, 14-16). These measures, however, were not enough to stop the opposition on Election Day.<sup>58</sup> After a long blackout and significant criticism for electoral fraud, the PCN announced the "victory" of its candidate, Colonel Arturo Armando Molina.<sup>59</sup> When Molina took office he was faced with a serious legitimacy problem. On March 25, 1972 military officers attempted a coup to try to prevent Molina from taking office. Molina instituted martial law to suppress the resistance. The political instability in the early 1970s caused the highest level of casualties (100 dead, 200 wounded) since the bloody 1944 coup attempt.



In semi-authoritarian contexts such as El Salvador's, where blackouts on election-day and violent repression supercede the democratic process, societal pressures mattered less than they might have in a democracy. In El Salvador's case, the desire to stabilize regimes appears to have prompted gendered labor reforms. Yet, political instability cannot explain why the government decided to respond to labor, nor why it included gendered labor reforms among its responses to organized labor. In order to do so, we elaborate the historically contingent political motivations of Salvador's new military leaders.

### **The Critical Juncture**

The late 1940s can be categorized as a *critical juncture* for El Salvador not only because it was a time of socio-economic transformation, but also because the political strategies of government leaders broke with the past. The new leaders signaled a break with the past by declaring their rise to power "The Revolution of 1948." These military leaders recognized the crucial need to build legitimacy, or what they called, "faith in the revolution" and promised extensive social and political reforms.<sup>60</sup> As was the case with political leaders in other Latin American countries facing dramatic socio-economic transformation, Salvadoran leaders acknowledged the importance of industrial workers; a sector with the potential to disrupt political and economic life.

Labor mobilization between 1944 and 1947 occurred at the beginning of a period of industrial growth. Industrialization did not seriously advance in El Salvador until after World War II (Bulmer-Thomas 1987, 10, Menjivar 1987). After 1948 El Salvador significantly lifted its restrictions on industrial development and provided incentives for industrial investment (Bulmer-Thomas 1987, 117-118). President Colonel Oscar Osorio (1950-1956), promoted industrialization in the early fifties by granting tax exemptions and other incentives to new

industries.<sup>61</sup> El Salvador continued to pursue Import Substitution Industrialization (domestic production of industrial products that were previously imported) through the Central American Common Market (CACM 1961-1969). These pro-industrialization policies represented the new alliance between segments of the military and members of El Salvador's coffee elite with an interest in diversifying their economic interests to include manufacturing. As shown in Table 3, these initiatives increased the industrial percent of the GDP from 9.5 percent in 1942 to 18.8 percent in 1966. Industrial growth increased the industrial percent of the total workforce from 11 percent in 1951 to 21 percent in 1971. Moreover, industrial workers made up a growing portion of unionized workers. The percent of unionized workers in industry rose from 27 percent in 1956 to 51 percent in 1966.

[Table 3 ABOUT HERE]

New labor mobilization and the economic potential of industrialization shaped the political project adopted by the group of young military generals that took power in December of 1948. These "revolutionary" generals positioned their regime as one that would work to "consolidate true harmony between capital and labor" through the creation of labor laws and regulatory instruments.<sup>62</sup> In 1950, Coronel Oscar Osorio, announced that "The Revolution is making a major effort to make employers understand that it is necessary to think about something more than profit, the fundamental thing is the well-being of the entire Nation."<sup>63</sup> The PRUD's successor, the PCN, progressed with this same project, even though it was not readily understood or accepted by the economic elite (Williams & Walter 1997, 68).<sup>64</sup>

Salvadoran scholars agree that the PRUD, fostered a "labor aristocracy" in order to try to build support for the regime and its modernizing project (Caceres 1996, 9, 17, Williams & Walter 1997, 42).<sup>65</sup> A state official announced in December of 1950 that "the labor movement is a key cooperating factor in the economic, industrial and social progress of the country."<sup>66</sup> In

1951, the Minister of Labor stated that unions were “a factor of great importance for the attainment of a true climate of social justice.”<sup>67</sup> Military leader, Oscar Osorio, clearly trying to win favor from working people, even went so far as to promise to campaign for “the lower classes against the upper.”<sup>68</sup> The PCN leaders of the 1960s actively sought support from the working class for its political and economic project. President Colonel Julio Rivera (1962-1967), for instance, dressed in “workman’s clothes” on ceremonial days, and stated “if we do not make the reforms, the Communists will make them for us.”<sup>69</sup>

The PRUD and the PCN demonstrated their desire to secure legitimacy with workers by introducing social welfare programs demanded by labor. The PRUD instituted price controls on basic goods, and increased state subsidies for education, housing, healthcare and sanitation projects.<sup>70</sup> PRUD leaders gave benefits to urban workers in the formal sector by creating a minimum wage, a bonus system, paid vacation and leaves, a social security system, a forty-four hour work week, industrial training programs and disability payment for accidents on the job (Montgomery 1995, 46, White 1973, 134-135).<sup>71</sup> PCN presidents, including Rivera and his successor Colonel Fidel Sánchez Hernández (1967-1972) subsidized housing for urban workers, increased minimum wage and increased income tax for the wealthy.

In the late 1940s, El Salvador experienced its *critical juncture*. A new generation of military leaders forged a new political project designed to achieve political stability and the longevity of their rule. The project emphasized industrialization and recognized industrial workers as a potential threat to political stability. But why did these military leaders include gendered labor reforms among its unprecedented overtures to organized labor at the time? In order to answer this question, we consider the role gendered labor reforms may have played within the state’s broader labor strategy.

### *Co-opting Labor*

Enrique Baloyra (1983, 308) characterizes the basis of political stability in El Salvador during this time (1944-1972) as one “in which co-optation and passive obedience replace the active consent of the population.” Baloyra’s description suggests that military leaders in El Salvador were not as concerned with activating labor’s political support as they were with controlling industrial workers. Our analysis confirms Baloyra’s characterization. Although these “revolutionary” military leaders initially offered some inducements to labor, they increasingly sought to control labor through violent repression and legal constraints. The increased constraints frustrated labor leaders. Thus, political leaders may have tried to quell labor’s discontent by increasingly appealing to labor’s gendered demands. Seen in this light, gendered labor reforms could have played an increasingly prominent role in the state’s effort to induce labor’s cooperation.

### *Inducing Labor*

Salvadoran military leaders initially tried to secure labor’s cooperation by granting limited inducements to unions. We use indices of inducements and constraints developed by the Colliers (1979) to plot the balance of inducements and constraints in the three major labor reforms.<sup>72</sup> The index measures the number and degree of inducements and constraints. The Colliers’ index exclusively scores inducements that have the potential to increase labor’s organizational capacity (subsequently referred to as organizational inducements). As Figure 4 illustrates, El Salvador’s score for organizational inducements increased only slightly in between the 1950 Constitution and the 1964 Labor Code. The 1972 Labor Code offered no new organizational inducements (Mendoza Orantes 1990).<sup>73</sup> Thus, the “revolutionary” military leaders balanced a growing number of constraints with limited organizational inducements.

[Figure 4 ABOUT HERE]

The 1950 Constitution gave the Ministry of Labor authority to grant the privilege of “juridical personality” or legal recognition to their preferred unions (Asamblea Legislativa 1953, 41-42). Article 192 granted workers “the right to associate freely for the protection of their respective interests” and stated that “these organizations are entitled to juridical personality.” Article 192 also aided the efforts of state recognized unions to build their organizations. It granted union leaders some job security; stipulating that union leaders could not be fired during their term “except for a justifiable cause approved by a competent authority.” The 1963 Labor Code further aided efforts of state privileged unions to build their organizational strength. Article 197 authorized the formation of federations and confederations (Asamblea Legislativa de la República de El Salvador 1963, Kleiner 1964, 21). This paved the way to recognize the pro-state General Confederation of Unions (CGS) (White 1973, 295).<sup>74</sup> The 1963 Code also made it easier for state recognized unions to retain members and remain financially sound. Article 213 gave union members some job security and Article 214 allowed employers to deduct union dues from worker paychecks.

Although the 1950 constitution responded to labor’s demands for the right to legal recognition, and the 1963 Labor Code responded to labor’s demand to legalize confederations (Caceres 1996, 191), these inducements were limited.<sup>75</sup> The laws made it possible for some unions to grow under the protective wing of the PRUD and the PCN, but withheld some of the most important organizational inducements: the right to require that all workers at a unionized “shop” be dues paying members of the union and the right to exclude other unions from representing workers at already unionized establishment (“closed shop”). Article 191 of the 1950 Constitution did not require that all employees at a unionized facility join the union or pay dues but allowed both union and nonunion members to benefit from union contracts. Both the 1963

and the 1972 Labor Codes adamantly reaffirmed the government's opposition to "closed shops" (Kleiner 1964, 24). This meant that unions had to work much harder to convince workers to be members of the union and they potentially had to compete with other unions to represent workers at the same plant.

Moderate unions disproportionately reaped the benefits of these limited inducements. PRUD officials developed their relationship with more moderate segments of labor through meetings, visits, factory inspections and conferences.<sup>76</sup> PRUD officials created the "Workers' PRUD" which allowed moderate union leaders to participate in state decision making about labor issues, marginalizing leftist union leaders (Vallecidos 1974).<sup>77</sup> PRUD officials rewarded some moderate labor leaders with government posts (Carpio 1969, 66). President Rivera and President Hernández (1962-1972) developed a close relationship with the CGS during the volatile years after Lemus' fall (1960-1962), allowing the number of CGS unions to increase from forty-six to sixty-seven between 1960 and 1970.<sup>78</sup> The PCN cemented its relationship with moderate unions by granting CGS members privileged access to state programs like housing and healthcare (Gordon 1989, White 1973) and including CGS as labor's representative in state decision-making bodies.<sup>79</sup> Expressions of support from moderate unions in the 1950s suggest that the reforms may have helped quell labor militancy that could have erupted in response to the heavy burden of constraints.<sup>80</sup> More importantly, despite the limited nature of inducements, labor militancy did not peak again after 1972 (See Figure 1).

### *Constraining Labor: Regulating (and Repressing) Strikes and Protests*

Salvadoran military leaders sought to deactivate labor by increasing legal constraints on unions from 1944 until 1972. As Figure 4 illustrates, the number and level of legal constraints

increased dramatically between 1950 and 1963 and again in 1972. Political leaders implemented these legal constraints in a context of fear and intimidation.

PRUD leaders first codified the authority of the Ministry of Labor to constrain labor unions in the 1950 Constitution (Asamblea Legislativa 1953). Article 193 stipulated that the Ministry of Labor would regulate strikes.<sup>81</sup> Article 191 does not specifically state that collective bargaining agreements would have to be approved, but stated that they would be regulated. According to Article 192, union officers were also required to meet certain minimal qualifications. Ministry of Labor officials enforced these constraints through visits and regular consultation with union leaders.<sup>82</sup>

The 1963 Labor Code introduced much stricter legal constraints on unions (Asamblea Legislativa de la República de El Salvador 1963). Now, not only did unions have to register a strike, unions were also required to endure a formal conciliation process with the Ministry of Labor before a strike could be legalized (Kleiner 1964, 24, 31). All unions were prohibited from engaging in any kind of political activity or solidarity strike (Kleiner 1964, 21) and government unions were not allowed to go on strike at all (Kleiner 1964, 31). According to Article 203 and 190, the Ministry of Labor had the authority to ensure that union leaders meet certain eligibility requirements, which also gave the Ministry an opportunity to discriminate against those with certain ideological beliefs. The authority of the Ministry of Labor was also further specified with regards to how it could intervene in the internal business and governance of unions. Article 204 indicated that union officials had to submit the union's "books...with the goal of proving that they were in compliance with the law." According to Articles 210 and 230, the Ministry acquired the right to take over and dissolve unions if the union did not fulfill certain procedural obligations or if the union engaged in political activities or illegal strikes.

The 1972 Labor reforms narrowed the definition of legal union activity. Not only were strikes outlawed for public sector employees but they were also outlawed for employees in public services and in some strategic economic sectors to be determined by the Ministry of Labor (Asamblea Legislativa de la República de El Salvador 1993, 81, 156-171). The range of illegal political activities was expanded to include boycotts and pickets (Asamblea Legislativa de la República de El Salvador 1993, 81). Article 232 extended the procedural criteria for which unions could be taken over and dissolved. State officials often used procedural criteria to dissolve or greatly reduce the capacity of leftist unions. For example, the pro-state CGS had little difficulty complying with regulations, while leftist unions struggled for official approval of their statutes (Larín 1971, 161).

In addition to legal constraints, Salvadoran military governments between 1944 and 1972 used violent repression. For example on September 15, 1946, the National Guard and National Police opened fire on a worker and student protest, forcing many labor leaders into exile.<sup>83</sup> In March 1951 and September 1952, the National Guard arrested and exiled a number of radical organizers (Menjívar 1987, 92). Colonel Osorio's 1952 "Law in Defense of Democratic Order," also known as the "anti-Communist" law, legalized the arrest of anyone suspected of organizing against the state.<sup>84</sup> President Colonel José María Lemus (1956-1960) used the National Guard to repress radical elements of the labor and university movement toward the end of his term (Larín 1971, 157).<sup>85</sup> Thus, in addition to stringent legal constraints, these regimes controlled labor through brute force.

Urban labor leaders expressed their growing discontent over the increased constraints. Even in 1950, union leaders were critical of the restrictions the new labor laws placed on unions.<sup>86</sup> Union leaders demanded better treatment in the debates preceding the 1963 Labor Code. In January of 1963, 10 unions met at the headquarters of the independent railroad union,



the UTF, to discuss the proposed Labor Code and declared it an “incomplete document.”<sup>87</sup>

Several days later, a number of moderate unions were invited to participate in a public forum on the Labor Code, including the largest member of the CGS, the Construction Industry Union.

They warned that the Labor Code needed to uphold the Constitutional principle of “freedom of unionization.”<sup>88</sup> By the 15<sup>th</sup> of January, even moderate unions publicly expressed their frustration

with the new Labor Code.<sup>89</sup> After seeing the code, other unions publicly declared that the

Ministry of Labor had “tricked” them.<sup>90</sup> Chaffing under the state’s watchful eye, the CGS again

called for reforms of the 1972 Labor Code.<sup>91</sup> Unwilling to grant more organizational

inducements to unions, gendered labor reforms may have appeared like a favorable alternative.

### *Gendered Labor Reforms as Inducements*

The Salvadoran government’s liberal application of gendered labor reforms contrasts with their restricted application of organizational inducements. The military generals may have seen gendered labor reforms as a way to balance out rising constraints. With gendered labor reforms, political leaders could appeal to male workers. The state’s rhetoric illustrates its gendered view of organized labor. For example, the labor law sections of the 1950 Constitution were clearly directed to male workers. The 1950 Constitution affirmed that “the state will employ all of the resources in its reach to provide employment for the worker...and to make sure that he and his family have the economic conditions for a dignified existence.” It stated that the family is the “fundamental base of society” and should be “specially protected by the state.”<sup>92</sup> Women workers were only specifically mentioned to affirm that they needed separate “special legislation” to protect them. The state also appealed to male workers by placing the issue of women and minors at the top of the agenda at key meetings and conferences with workers and employers in the fifties. Political leaders did this despite the fact that employers did not favor

them. The best example of this is the 1954 Ministry of Labor Conference, a large-scale tripartite conference bringing labor, state and business leaders together. State leaders placed gendered labor reforms among the conference's five central themes.<sup>93</sup>

Particularly in the 1950s, labor leaders acknowledged that the state responded to their concerns by implementing gendered labor reforms. Labor leaders thanked government leaders for the creation of gendered labor legislation while urging them to further increase protections for women workers.<sup>94</sup> Labor leaders responded enthusiastically to the state's efforts to extol the virtues of a woman's primary role as a mother with monuments and celebrations.<sup>95</sup> At the 1954 Ministry of Labor Conference labor delegates expressed gratitude to government leaders for taking the first steps with gendered labor reforms.<sup>96</sup> Thus, the reforms appear to have been at least somewhat effective in inducing labor's cooperation with the government. These public expressions of support may have given the government reason to believe that by intensifying gendered labor reforms they could continue inducing labor's cooperation.

### **Discussion and Theoretical Implications of the Salvadoran Case**

The Salvadoran case illustrates that explaining gendered labor reforms in a semi-authoritarian context requires more than identifying which societal groups advocated for gendered reforms. Demonstrating that male union leaders were the primary societal advocates for gendered labor reforms in El Salvador could not fully account for why the government adopted gendered reforms. In democracies, responding to mobilized societal pressure or voters before elections often motivates governments to adopt social policies. The Salvadoran case suggests, however, that semi-authoritarian regimes may respond directly to societal pressures at *critical junctures* when broad socio-economic transformations undermine political stability. Just like the larger industrializing nations in Latin America, between 1944 and 1972 El Salvador's

“revolutionary leaders” adopted a new economic project, which increased the size of the urban working class. These military leaders diversified El Salvador’s coffee dominated economy by promoting the production of manufactured goods to be sold to domestic and regional consumers. In the late 1940s, Salvadoran military leaders felt particularly vulnerable to the threat of urban industrial labor militancy. These young generals tried to secure political stability by including labor’s demands in the 1950 Constitution. Thus, the Salvadoran case suggests that societal demands may influence social policies of semi-authoritarian regimes, but we need to first identify the *critical junctures* when semi-authoritarian governments are open to restructuring state-society relations.

Moreover, El Salvador’s semi-authoritarian leaders intensified gendered reforms when faced with moments of political instability rather than when prodded by societal pressure. Neither of the 1963 nor the 1972 gendered labor reforms followed significant labor mobilization or preceded elections. Instead, episodes of political instability precipitated each of the later reforms. This study implies that semi-authoritarian states may adopt reforms, with the potential to institutionalize inequality, in order to solve their own organizational crisis. While solving organizational crises might also motivate democratic politicians, the acute resistance of semi-authoritarian leaders to societal pressures probably makes this motive more typical of semi-authoritarian regimes.

Explaining why Salvadoran military juntas in the middle of the 20<sup>th</sup> century adopted gendered labor reforms as opposed to some other kind of reform required an analysis of the historically contingent nature of state-labor relations in El Salvador. The Colliers’ insights into the historically contingent strategies of Latin American governments used to respond to labor provided a framework within which to analyze El Salvador’s labor strategy. Like other Latin American governments, El Salvador’s governments (1944-1972) tried to *co-opt* labor by

regulating union activity with legal constraints and inducements. In El Salvador, the “revolutionary” governments tried to deactivate labor by striking a delicate balance between imposing strict legal constraints and offering meager organizational inducements to unions. Thus, gendered labor legislation in El Salvador can be interpreted as one of the inducements military leaders offered labor to offset a heavy dose of legal constraints. This study suggests that in order to explain why semi-authoritarian regimes adopt gendered labor reforms, we need to consider the historically contingent political strategies of states. Our analysis illustrates how “ungendered” theories of the historically contingent nature of state-society relations may help macro-political feminists uncover the varied political motivations for gendered legislation.

This study illustrates how a gendered approach can refine “ungendered” analyses of semi-authoritarian state-labor relations. The Salvadoran case indicates that gendered labor reforms may be an important way that semi-authoritarian regimes, particularly those trying to soften the blow of more constraints, try to co-opt labor. A brief look at Brazil and Mexico indicates that a direct relationship may exist between the degree to which governments use constraints to incorporate labor and the degree to which they use gender labor reforms.

The Brazilian case affirms that gendered labor reforms might have special appeal to semi-authoritarian regimes that relied mostly on constraints to co-opt labor. Like El Salvador, Brazil increasingly used constraints to incorporate a burgeoning labor movement (Collier & Collier 1991, 973). Weinstein’s research on the “transformation of the working class” in Brazil (1996) suggests that gendered labor reforms accompanied rising constraints on unions. Weinstein shows that the state, with financial backing from industrialists, offered a host of training and educational programs designed to impose a new middle class gender morality on the working class. For example, Weinstein writes that (1997, 77): “in 1935 a major educational reform in Sao Paulo....made the separation of female and male training even more rigid.”

According to Weinstein (1997, 77), President Vargas' "new code formally excluded women from industrial courses, including textiles, and even in coeducational institutions, men and women were to be taught in separate classes. Courses for women included domestic arts; embroidery; flower-, hat- and glove-making; and similar artisanal crafts."

The Mexican case suggests that gendered labor reforms had less appeal to states that indulged their preferred labor unions with a liberal dose of inducements. Unlike El Salvador, a succession of "revolutionary" military leaders in Mexico sought to activate labor's political support. Their labor reforms culminated in the 1931 Labor Law; a law which included some of the most liberal inducements in Latin America and minimal constraints (Collier & Collier 1979, 973). The Labor Law included minimal gendered protections, focusing mostly on maternity rights. The Law established no restrictions on the type of jobs suitable for women (Congreso de la Union 1996). Moreover, recent investigations suggest that the Mexican state, at its *critical juncture* (1917-1940), afforded women greater autonomy from men than had previous Mexican governments (Varley 2000, Vaughn 2000).

Semi-authoritarian leaders in El Salvador and Brazil might have preferred gendered labor reforms to other kinds of inducements because they did not enhance the organizational capacity of organized labor nor did they significantly threaten the interests of industrialists. Although organizational inducements made unions dependent on the state, they also strengthened labor's organizational capacity. Gendered labor reforms were like organizational inducements in that they allowed El Salvador's military leaders to privilege some workers over others in ways that might induce their support. But, unlike organizational inducements, gendered labor reforms gave privileges to both organized and unorganized male workers without enhancing labor's organizational capacity. Moreover, special protections for women workers did not provoke major opposition from industrialists. Even though industrialists had an interest in maintaining high

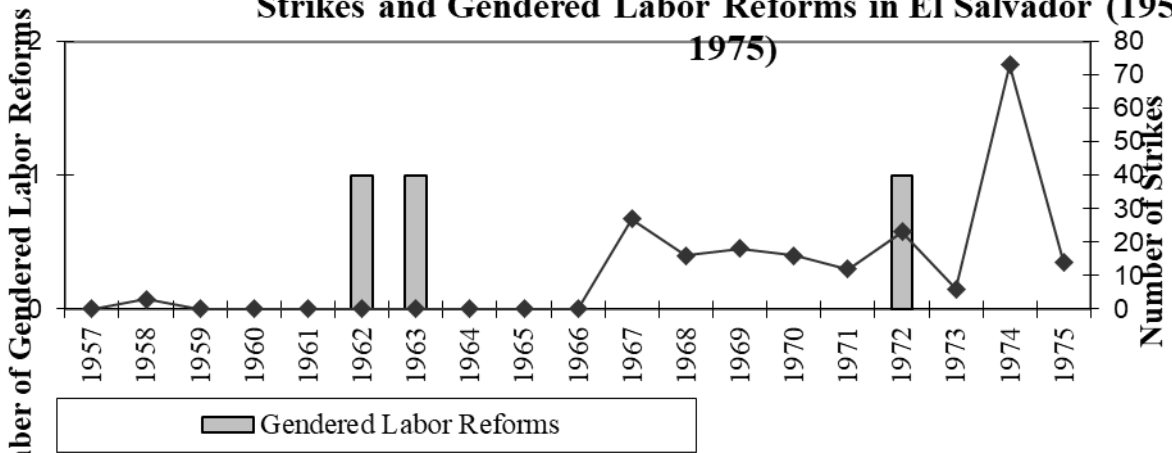
unemployment in order to keep wages low, granting special protections to women would not significantly affect the supply of workers in a country like El Salvador where unemployment is already high.

A gendered analysis of how semi-authoritarian governments institutionalize state-labor relations at *critical junctures* may also shed light on the subsequent nature of domestic politics. For example, the Colliers find that long-term political polarization and instability characterized the subsequent nature of politics in countries that attempted to deactivate labor through legal constraints. An “ungendered” rendering of state-labor relations in El Salvador overlooks important implications of the government’s co-optation strategy. The breakdown of El Salvador’s state-labor relationship in the mid-1970s and the subsequent outbreak of civil war in 1979 may be hard to fully understand without a gendered analysis. Between 1972 and 1979, the government reduced its commitment to gendered labor reforms and applied ever-stricter constraints in seven subsequent labor reforms. The government, aware that foreign industrialists would hire women, encouraged foreign industrialists to establish factories, or *maquiladoras*, in El Salvador. Thus, just as the PCN ended its delicate balance of gendered inducements with increased constraints, key segments of the CGS defected from the PCN. Scholars with an “ungendered” analysis may underestimate the degree to which labor felt betrayed by the PCN in the 1970s; a betrayal that may have fueled labor’s sympathy for an armed guerrilla movement trying to overthrow the government.

Future research could examine the degree to which the political stability of semi-authoritarian regimes rests on gendered labor reforms. The cursory comparison of Brazil and Mexico to the Salvadoran case underscores that semi-authoritarian regimes may vary in the degree to which they use gender to try to ensure political stability. Future cross-national comparisons could explore whether the extent of gendered labor reforms depended on the

balance of inducements and constraints. Such research could be the foundation of a gendered analysis of critical junctures that could explain subsequent developments such as prospects for democracy, political allegiances of labor movements, the gendered character of working class culture and the gender composition of the industrial labor force.

**Figure 1:  
Strikes and Gendered Labor Reforms in El Salvador (1957-1975)**

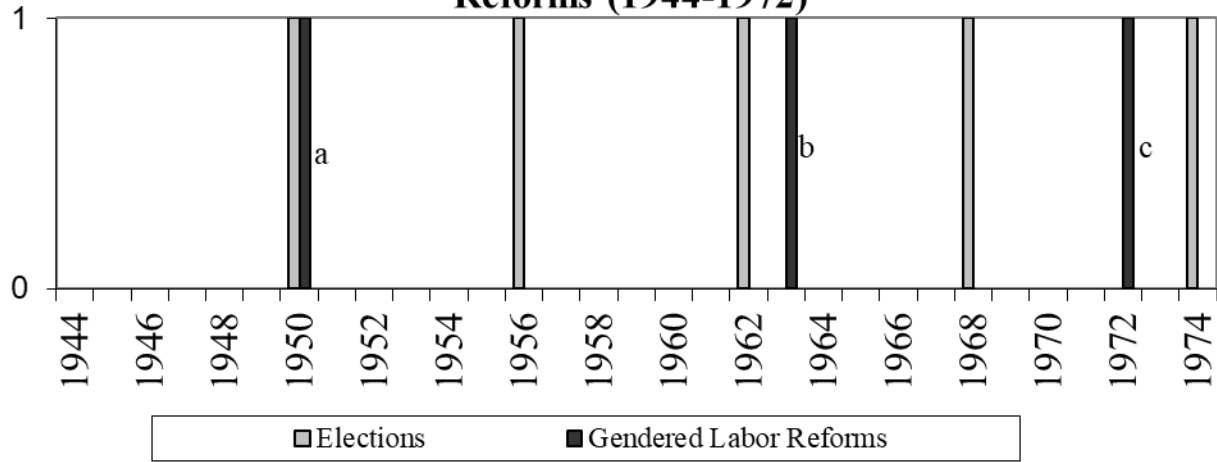


Sources: 1961-1974, *Estadísticas de Trabajo*, Ministerio de Trabajo; 1957, 1959, 1960, (Véjar 1990); 1958,

*Memoria*, Ministerio de Trabajo. We estimate that there were no strikes in 1957, 59 and 60 because Véjar (1990,



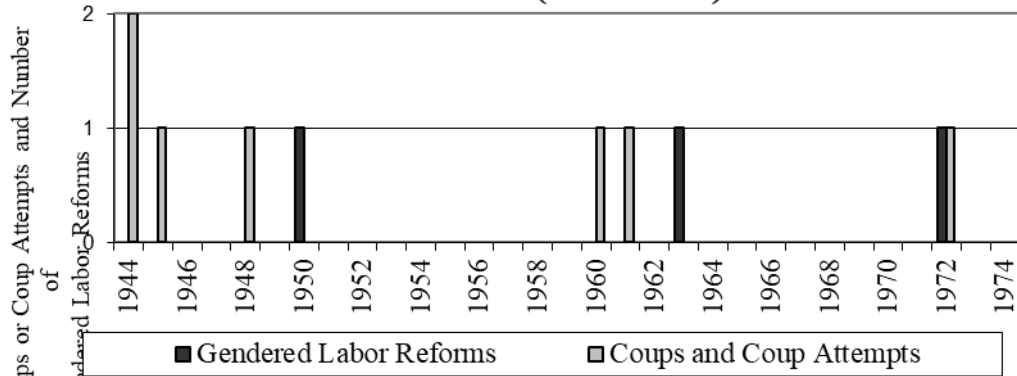
**Figure 2: Timing of Elections and Gendered Labor Reforms (1944-1972)**



a. Constitution

b. Labor Code and

**Figure 3: Coups, Coup Attempts and Gendered Labor Reforms (1944-1972)**

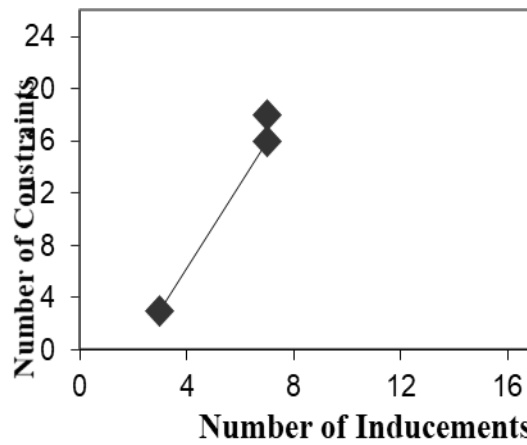


a. Constitution

b. Labor Code and Apprenticeship law

Sources: New York Times, various years and Williams, Philip and Knut Walter. 1997. Militarization and demilitarization in El Salvador's

**Figure 4: Inducements by Constraints in El Salvador (1950-1972)**



Sources: Asamblea Legislativa. 1953. *Constitution of the Republic of El Salvador, 1950*, Pan

American Union, Washington D.C; Asamblea Legislativa de la República de El Salvador. 1963.

*Código de Trabajo*. San Salvador: LEA Editorial; Asamblea Legislativa de la República de El

**Table 1: Number of Inspections Conducted by the Women and Minors' Division, Ministry of Labor**

<b>Year</b>	1954	1956	1957	1963	1964	1965	1967
Number of Ministry of Labor Inspections	105	190	287	333	655	1,975	5238

Sources: *Memorias*, Ministerio de Trabajo.

Table 2: Indicators of Women's Industrial Labor Force and Union Participation

Year	Female Percentage Of Industrial Workers*	Female Percentage Of Unionized Workers
1951	20.5	12.7
1952	--	12.8
1953	--	12.5
1956	17.1	--
1961	21.7	--
1971	25.5	--

Sources: Female % of Industrial Workers, *Censos Económicos*, Ministerio de Economía; Female % of Unionized Workers; *Memorias*, Ministerio de Trabajo.

\*Includes only industrial workplaces with five or more workers

**Table 3: Indicators of Industrial and Union Growth**

Year	Industrial % Of GDP	Industrial % Of Total Workforc e	Unions (Total)	Unioniz ed Workers (Total)*	Industrial % of Unionized Workers
1942	9.50	--	--	--	--
1945	10.60	--	--	--	--
1951	14.07	11.42	40	13,521	--
1956	16.37	--	51	14,088	27
1961	16.76	12.84	72	21,566	32
1966	18.80	--	78	24,126	51
1971	19.20	20.93	124	47,000	45

Sources: Ind. % of GDP, 1942, 1945, (Wallich & Adler 1949); 1951-1961, (Conaplan 1964);

1966-1971, (Conaplan 1973); Ind. % of Total Workforce, (Colindres 1978, 124-125, Chart 17);

Unions (Total); 1951-1957, *Memorias*, Ministerio de Trabajo; 1960-1971, *Estadísticas del*

*Trabajo*, Ministerio de Trabajo; Unionized Workers (Total); 1951-1956, *Memorias*; 1961-1976,

*Estadísticas del Trabajo*. Ind. % of Unionized Workers, *Estadísticas del Trabajo*.

\* 1951-1956 *Memoria* data represents totals in September; 1961-1976 *Estadísticas del Trabajo* data represents totals in June.

## Notes

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<sup>1</sup> Other countries in which protective legislation was introduced experienced a subsequent decline in women's employment, particularly in higher paying industrial jobs (Hartmann 1981, Nash & Safa 1980, Pyle 1990).

<sup>2</sup> El Salvador fits the definition of a semi-authoritarian regime (Muller & Seligson 1987, Taylor & Hudson 1972); one that relies on government sanctions, legal constraints and violent repression to restrict opposition voices in public dialogue, and which violates individual civil liberties and political rights. According to Taylor and Hudson (1972) and Muller and Seligson (1987), authoritarian regimes can be ranked according to the degree to which they restrict public dialogue. They argue negative sanctions make unqualified consensus impossible because they censor individuals or institutions and place legal restrictions on political activity.

<sup>33</sup> In some countries, such as France (Pedersen 1993) Catholics have been one of the important societal groups pushing for gendered reforms.

<sup>4</sup> This book fleshes out ideas first developed in their 1979 article (Collier & Collier 1979). The article is the most frequently cited article on the state in Latin America and one of the top 4 most cited journal articles on state-labor relations in Latin America in *Sociology*, *Political Science* and *Latin American Studies* journals indexed on J-Store.

<sup>5</sup> Although the Colliers do not focus attention on the economic elite, they acknowledge that the new state emphasis on industrialization reflected an alliance between segments of the military with new urban merchants, industrialists and marginalized agrarian elite. This alliance emerged as the old export oriented agrarian elite lost its ability to govern (Collier & Collier 1991, 101).

<sup>6</sup> This characterization of state-labor relations is part of their definition of corporatism (one of the ways countries structure state-labor relations). The Collier's work on corporatism figures prominently in the broader literature (Cawson 1985, Collier 1995, Schmitter & Lehmbruch 1982, Stepan 1978, Wiarda 1981). Their 1979 article is the second most cited journal article on corporatism in *Sociology*, *Political Science* and *Latin American Studies* journals indexed by J-Store.

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<sup>7</sup>We utilized two official Salvadoran weekly and monthly state publications, *El Salvador al Día* and *Informaciones de El Salvador* for the January 1949 and December 1952 period and El Salvador related articles in the New York Times. A sample of industrial job announcements was collected to track the state's use of gender specific job and training announcements. The first Sunday of every month in *La Prensa Grafica's* job announcements section was reviewed for 1964, 1966, 1968, 1970, 1972 and 1974.

<sup>8</sup> Extensive interviews shaped our understanding of state-labor relations during this period. Due to the high level of political tension in El Salvador most interviewees requested to remain anonymous. Twenty-four months of the daily newspaper *Diario de Hoy* for the period between January 1944-February 1951 were coded, 1/1944, 5/1944-12/1944, 1/1945-3/1945, 1/1946-5/1946, 1/1950-3/1950, 8/1950-10/1950 and 1/1951-2/1951. Forty-six months of *La Prensa Grafica* for the period between January 1949 and December 1974 were coded, 1/1949-8/1949, 12/1950, 6/1953, 12/1956, 3/1957, 6/1958, 1/1963, 1/1970, 1/1972-8/1972, 1/1973-12/1973 and 1/1974-12/1974. Daily front-page headlines in the *La Prensa Grafica's* summary journal, *Libro de Oro*, were also reviewed from January 1944 through May 1965.

<sup>9</sup> *Diario de Hoy*, San Salvador, July 30, 1944. All translations are our own.

<sup>10</sup> *Tribune Libre*, San Salvador, Sept. 17, 1950.

<sup>11</sup> *La Prensa Grafica*, San Salvador, Nov. 5, 1954. For more information regarding preliminary drafts of gendered labor reforms, see *Informaciones de El Salvador*, Oct. 14, 1950, "Política de Amplia Protección Para Las Clases Laborantes Salvadoreñas."

<sup>12</sup> Quoted in *Informaciones de El Salvador*, April 14, 1951, "Importante Estudio Previo a la Elaboración de Códigos Sanitarios y Legislación Sobre Higiene Industrial."

<sup>13</sup> For information regarding fines see *Informaciones de El Salvador*, Oct. 14, 1951. "Breve Reseña de las Labores del Ministerio de Trabajo y Previsión Social."

<sup>14</sup> The 1949 law "Reglamentación Interna de Trabajo en Empresas y Establecimientos Comerciales e Industriales" began this trend. For examples, see *La Prensa Grafica*, Feb. 23, 1949, "Depto. Nacional de Trabajo Vigila Condiciones En que Hállanse los Trabajadores;" May 23, 1949, "Advertencia a Patronos ha hecho el Mtro. de Trabajo;" June, 1953, "Trabajo de Menores es Objeto de Estudio." Also from 1956-1957, the Women and Minors Division conducted maternity rights inspections and completed various studies about the special work conditions of women and minors, (Ministerio de Trabajo 1957).



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<sup>15</sup> For a description of the Ministry's work on this issue see Ministerio de Trabajo (1955, 208). In the mid-fifties, the state organized an expert committee to further develop specific criteria that determined unhealthy and unsafe work environments (Ministerio de Trabajo 1955, 197-199), *Tribune Libre*, Nov. 14, 1954, "Temas de Gran Actualidad en el Congreso del Trabajo." In 1956, state officials conducted eight studies that were specifically focused on women's work limitations and conditions (Ministerio de Trabajo 1957, 38).

<sup>16</sup> In 1949 a Home Economics school was established, *El Salvador al Día*, Jan. 14, 1949, "Establecerán Escuela de Economía Doméstica" and in 1950, the National Institute of Young Ladies was established, *Informaciones de El Salvador*, Sept. 14, 1950, "¡La Revolución está en Marcha!"

<sup>17</sup> See *La Prensa Grafica*, Jan. 30, 1963, "Servicio de Aprendizaje Ampliará Ministerio de Trabajo."

<sup>18</sup> Jorge E. Solórzano, "Adiestrar a nuestros trabajadores es fomentar la economía nacional," in *Industria* (San Salvador: Asociación Salvadoreña de Industriales, Feb. 1963), pp. 19-21.

<sup>19</sup> In all of the industrial job announcements calling for apprentices for state-sponsored on-the-job industrial apprenticeships that were coded from this time period, employers only recruited men. A photo series in the publication "Industry" of the Association of Salvadoran Industrialists (Feb. 1963-March 1966) suggested that men were most likely to receive training. The few female apprentices benefiting from the program, were "sewing apprentices." Affirmed by Ministry of Labor Representative, Interview, 10/20/99.

<sup>20</sup> Ministry of Labor officials, Interviews, San Salvador, 3/3/99, 3/4/99, 10/20/99, 11/2/99 and 11/3/99. Names were withheld upon request.

<sup>21</sup> For data on occupational exams see *Memorias*, 1964-1973, Ministerio de Trabajo.

<sup>22</sup> Salvadoran Industrialist, Interview, 09/10/99.

<sup>23</sup> Ministerio de Trabajo, 1955, "Memoria Del Primer Congreso Nacional de Trabajo y Prevision Social;" and Ministry of Labor Official, Interview, 11/2/99.

<sup>24</sup> Salvadoran Feminist Reformer active in the fifties, Interview, 7/17/00.

<sup>25</sup> The Catholic Church in Latin American anchors the cultural norm that women, as mothers, need to be protected. One might expect, therefore, that the Church played an active role in promoting gendered labor reforms. We did not, however, find evidence that the Catholic Church pressured the state to gender labor reforms prior to the introduction of gendered labor reform in any newspapers or interviews.

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<sup>26</sup>*La Prensa Grafica*, Jan. 15, 1949, “Manifiesto de las Mujeres Salvadoreñas al Consejo de Gobierno Revolucionario.”

<sup>27</sup> *Diario de Hoy*, Feb. 1, 1951, “El Sábado será clausurado el Seminario de Mujeres” and *Informaciones de El Salvador*, Feb. 14, 1951, “Exitosamente Celebrose en El Salvador el Primer Seminario Interamericano de Mujeres.”

<sup>28</sup> None of the fourteen newspaper reports of women worker demands between June 1944 and July 1946 mention special protections for women. *Diario de Hoy*, June 23, 1944, "Cordura y Unificación, Aconseja la Sociedad 'Obreras Salvadoreñas'. Para lograr la buena resolución de problemas de los gremios;" July 15, 1944, "Precaria es la Situación de Nuestras Costureras. Estamos a merced de patronos inhumanos, dice la señora Mejia;" July 17, 1944, "Compañeras Salvadoreñas, la Salvación es el Sindicato;" Trejo, Manuel; July 28, 1944, "Justo mejorar el sueldo de sufridas costureras." Aug. 4, 1944, "Cuales son los precios justos para la costurera que hace pantalones. Razonada opinión de un grupo de obreras residentes en esta capital;" Aug. 9, 1944, "Los sastres se solidarizan con las costureras que piden mejor salario;" Sept. 5, 1944, "La Huelga de Costureras. Más de sesenta obreras en Santa Ana piden mejores salarios a palestinos;" Sept. 25, 1944, "Facilidades para el Voto Femenino. Fueron Pedidas Ayer al Señor Presidente de la Republica por Millares de Mujeres Capitalinas;" Oct. 10, 1944, "'Obreras Salvadoreñas' retira su Delegación al 2o. Congreso;" *Diario de Hoy*, Feb. 12, 1946, "Costureras se unifican en pro de bienestar;" Jan. 4, 1946, "Voto de la mujer será objeto de Discusión en el Congreso;" Flores, Raúl; May 1, 1946, "Gran Desfile Hoy 'Día del Trabajo.' Tomarán parte en el todos los gremios obreros de ambos sexos de esta ciudad;" *La Prensa Grafica*, June 23, 1944, "Llamamiento a las obreras de Fábricas 'La Sociedad Obreras Salvadoreñas'" and *La Prensa Grafica -Libro de Oro*, June 18, 1944, "Varias Obreras han sido despedidas de Fábricas de camisas por intentar, asociarse en sindicatos y otras han sido amenazadas."

<sup>29</sup> See following articles listed above: *La Prensa Grafica -Libro de Oro*, June 18, 1944; *Diario de Hoy*, June 23, 1944; July 15, 1944; July 17, 1944; July 28, 1944; Aug. 4, 1944; Aug. 9, 1944; Sept. 5, 1944 and Feb. 12, 1946.

<sup>30</sup> See following articles listed above: *La Prensa Grafica*, June 23, 1944; *La Prensa Grafica -Libro de Oro*, June 18, 1944; *Diario de Hoy*, July 17, 1944; Oct. 10, 1944; Feb. 12, 1946 and May 1, 1946.

<sup>31</sup> In 1956 women workers opposed a proposal made by male dominated unions and Communist women leaders to prohibit women from working the night shift, (Moreno 1997, 27-28).

<sup>32</sup> Salvadoran Feminist Reformer active in the fifties, Interview, 7/17/00.

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<sup>33</sup> Various unions had campaigns focused on special protections for women. For example, see reference to Salvadoran Workers' Society's "Pro-Women Worker" Campaign in *El Salvador al Día*, March 25, 1950, "Sociedad que Cumplió Años."

<sup>34</sup> Ministry of Labor officials assert that women's union participation remained low throughout the fifties and sixties, Interviews, 10/20/99 and 11/2/99.

<sup>35</sup> *Diario de Hoy*, June 4, 1944, "Se comprometerá no ir a la Huelga los Obreros;" *Diario de Hoy*, July 22, 1944, "Cooperación obrera para lograr código de trabajo;" Oct. 14, 1944, "Fue nombrada la Junta Directiva para el Tercer Congreso Nacional;" May 12, 1946, "Federación de Sociedades de Trabajadores Particulares" and *La Prensa Grafica*, April 21, 1949, "Celebraciones del Día del Trabajo Preparan Obreros."

<sup>36</sup> Delegates to a meeting representing all "existing labor societies," held to coordinate efforts in the key months after the fall of Martínez, were male, *Diario de Hoy*, June 4, 1944, "Se Compromete no ir a la Huelga los Obreros." Eleven of the thirteen unions that listed their executive committees in the newspaper (during the period between May 1944-May 1946), reported exclusively male committees. The remaining two had only one female member, neither of whom held high leadership positions, *Diario de Hoy*, Jan. 7, 1944, "Cambio de directiva en Federada de Obreros;" Jan. 8, 1946, "Los Obreros Electricistas de Santa Ana Presentan Demandas;" Jan. 14, 1944, "Tomará posesión la nueva directiva de Panificadores;" Jan. 24, 1944, "Interesante y Positiva Labor de la Sociedad Obrera Salvadoreña. De la Boca, Zona del Canal, Rep. de Panama;" Jan. 24, 1944, "Magnífica fiesta ofreció la cooperativa de los Sastres;" Feb. 10, 1945, "Comisiones de una sociedad de obrero;" May 25, 1944, "Directiva de los Sastres;" May 30, 1944, "Quedó organizada la Unión de Trabajadores Ferrocarrileros;" June 25, 1944, "Sindicato de Zapateros se forma en San Salvador. En terreno firme labora este dinámico gremio;" June 27, 1944, "Mensaje de la Unión Fraternal de Trabajadores, de Sta. Tecla;" June 30, 1944, "Actividades de la Asociación de Trabajadores de Fabricas;" Sept. 19, 1944, "Protesta de Unos Obreros" and Oct. 5, 1944, "Florecento Sociedad Obrera en esta ciudad." Of the labor representatives mentioned in the newspaper between 1944 and 1946, 175 out of 180 were male. All three of the labor groups representing organized labors' interests to the state in the mid-forties were exclusively male, *La Prensa Grafica -Libro de Oro*, Nov. 1, 1945, "La 'Confederación de Sociedades Gremiales de El Salvador' ha enviado un memorial al Presidente de la República;" Nov. 30, 1945, "Ante el Ministro de Trabajo la Unión de Trabajadores Ferrocarrileros y la Corporación de Protección y Mejoramiento de ese gremio firmaron un acuerdo" and *Diario de Hoy*, March 2, 1946, "Detalle completo de la reunión de funcionarios, trabajadores,

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reporteros celebrada antier en Casa Presidencial." The organizers of the National Workers' Congress, held Nov. 5th, 1950, were all male, *Diario de Hoy*, Aug. 25, 1950, "El 5 de Noviembre Será el Congreso Obrero Nacional." The Labor Law Defense Committee, a principle vehicle for representing labor interests to the government in the early fifties, included eight workers representing different unions, but included no women, *Diario de Hoy*, Sept. 6, 1950, "Progresista Comité Pro-Derechos Laborales." All of the fourteen worker delegates to the 1954 Ministry of Labor Conference were also male. Similarly, a 1953 union delegation to the national assembly and the delegates to the state sponsored 1964 Minimum Wage Council were male, *La Prensa Grafica*, Nov. 4, 1953, "Sindicatos Envían Delegados a Discusiones de la Asamblea" and Sept. 8, 1964, "Consejo de Salario Mínimo."

<sup>37</sup> *Informaciones de El Salvador*, June 14, 1952, "Homenaje de Simpatía y Admiración a la Madre."

<sup>38</sup> *Diario de Hoy*, May 27, 1944, "La Unión Nacional de Trabajadores Dio a Conocer Ya su Declaración de Principios;" *Diario de Hoy*, June 30, 1944, "Surge a la vida pública otra agrupación con fines obreristas: Plataforma Ideológica de la 'Unión Fraternal de Trabajadores.'"

<sup>39</sup> Quoted in *Diario de Hoy*, May 6, 1946, "Organización Futura del Obrero Salvadoreño."

<sup>40</sup> Union newspapers reporting on the 1918 Workers Congress called for protective legislation and posited that women's work outside the home would hurt the family, (Vallecidos 1974, 307). At a 1928 "Regional" Congress, workers promoted a shorter maximum night shift for women than for men, (Larín 1971, 138, Salazar 1956, 180)

<sup>41</sup> Quoted in *Diario de Hoy*, Feb. 9, 1950, "Urge Protección a la Mujer Trabajadora."

<sup>42</sup> see *La Prensa Grafica*, Nov. 19, 1954, "Resoluciones del Primer Congreso de Trabajo."

<sup>43</sup> Note, however, that the state was unwilling to concede to labor's demand to mandate a shorter female work week, see (Gallardo 1973, 263-266).

<sup>44</sup> In 1944, workers joined many sectors of society in a General Strike that precipitated Martínez' fall. In November 1945, the powerful Railroad Workers Union (UTF) closed down the entire railroad network (Carpio 1969, 5), *Diario de Hoy*, March 2, 1946. Large-scale strikes in September and a General strike in early October paralyzed industry, transport, and commerce for several days (Larín 1971, 148). For Sept. and Oct. strikes, see *La Prensa Grafica*, Sept. 17, 1946 and Sept. 26, 1946. According to interviews with Salvadoran scholars, Mario Lungo, 10/19/99 and Luis Armando Gonzales, 10/21/99, Communist leaders participated in this wave of labor militancy but these events were not distinctly Communist.

<sup>45</sup> Colección Recortes de 1944, Biblioteca Manuel Gallardo, cited in Willaims (1997, 33).

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<sup>46</sup> PRUD officials invited moderate unions to participate in labor law congressional debates (Larín 1971, 150). The constituent assembly charged with writing the 1950 Constitution summoned selected labor organizations to participate in the debates regarding labor legislation (Véjar 1990, 892). On February 11, 1947, the executive branch appointed two labor representatives to the six-member Commission charged with drafting the labor legislation contained in the 1950 Constitution (Larín 1971, 151, Ministerio de Trabajo 1948, 9-10). The state also took into consideration a prepared statement by labor (Asamblea Legislativa 1950, 222). See also, *El Salvador al Dia*, Nov. 12, 1949. "Importante Reunión en el M. del Trabajo; *La Prensa Grafica*, April 21, 1949, "Celebraciones del Día del Trabajo Preparan Obreros." *Diario de Hoy*, Aug., 23, 1950, "Incorporado el Código de Trabajo a la Constitución."

<sup>47</sup> As quoted in *El Salvador al Dia*, Nov. 26, 1949, "En Estos Momentos el Pais Necesita del Concurso de sus Buenos Hijos;" and *Informaciones de El Salvador*, Aug. 14, 1951, "Define la Política Laboral del Supremo Gobierno" respectively. Evidence of Communist union growth during this period include *La Prensa Grafica -Libro de Oro*, Oct. 16, 1950, "Fueron expulsados del país dos agitadores guatemaltecos;" Feb. 6, 1951, "Ministerio de Trabajo ha hecho saber que tiene conocimiento de gente que anda en los campos engañando al pueblo;" March 28, 1951, "Esta circulando mimeografiado una especie de manifiesto;" Sept. 14, 1952, "Osorio, en su mensaje, se declaró, enemigo del comunismo."

<sup>48</sup> *La Prensa Grafica -Libro de Oro*, Sept. 14, 1952, "Osorio, en su mensaje, se declaró, enemigo del comunismo."

<sup>49</sup> The economic crisis in the early sixties was concentrated in the rural sector. Thus, although economic downturn preceded the reform initiatives in the 1960s as well as the 1970s, their effect on labor reforms was indirect: the economic downturn aroused discontent with political leadership, particularly among wealthy elites, which in turn prompted labor reforms. Moreover, the economic downturns were not accompanied by widespread labor mobilization or calls from organized labor for reforms to restrict women's access to work. This period (1944-1972) is generally characterized as a period of expanding job opportunities in urban areas (Lopez 1984, Anexo 8).

<sup>50</sup> *New York Times*, Oct. 27, 1960, "Salvador Regime Ousted by Coup."

<sup>51</sup> *New York Times*, Sept. 7, 1960, "Salvador Smashes a Communist Plot."

<sup>52</sup> *New York Times*, Oct. 28, 1960, "Salvador Junta Abrogates Curbs."

<sup>53</sup> *New York Times*, Jan. 26, 1961, "Salvador Regime Toppled by Army."

<sup>54</sup> *New York Times*, Jan. 27, 1961, "Salvador Ruled Under Army Law."

<sup>55</sup> *New York Times*, Jan. 5, 1962, "El Salvador Grants Political Amnesty."

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<sup>56</sup> *New York Times*, April 30, 1962, "Calm Marks Voting in Salvador for Lone Presidential Aspirant."

<sup>57</sup> *New York Times*, March 27, 1972, "100 Die as Revolt Fails in El Salvador."

<sup>58</sup> *New York Times*, Feb. 24, 1972, "Outcome Uncertain in Salvador Voting."

<sup>59</sup> *New York Times*, Feb. 25, 1972, "Molina is Winner in Salvador Race."

<sup>60</sup> *Informaciones de El Salvador*, Jan. 14, 1952, "Fiestas Civicas sin Precedentes en las que el Pueblo Salvadoreño Reafirma su Fe en la Revolución" and *Informaciones de El Salvador*, Dec. 14, 1952, "La Revolución del 48."

<sup>61</sup> The state also increased taxes on coffee and used the profits to promote industrialization and extend social programs, see *El Salvador al Dia*, July 8, 1950, "Aumentan Rentas en las Aduanas de la República" and *El Salvador al Dia*, July 8, 1950, "Se Necesita Una Aduana Terrestre Fronteriza."

<sup>62</sup> *Informaciones de El Salvador*, Sept. 14, 1951, "Breve Reseña de las Labores del Ministerio de Trabajo y Previsión Social."

<sup>63</sup> *El Salvador al Dia*, Dec. 16, 1950, "Mensaje del Sr. Presidente de la República, Teniente Coronel Oscar Osorio."

<sup>64</sup> State leaders tried to convince various elite sectors that increased social spending and limited reforms would contribute to political stability, *El Salvador al Dia*, Oct. 8, 1949, "Buscando el Bienestar y Armonia de la Colectividad Salvadoreña;" *El Salvador al Dia*, May 21, 1949, "Elevación del Nivel de Vida de los Salvadoreños;" *Informaciones de El Salvador*, Aug. 14, 1950, "El Consejo de Gobierno y el Magisterio Nacional;" *El Salvador al Dia*, Jan. 21, 1950, "Especial Atención Merece en el Presupuesto el Ramo de Salud Pública y Asistencia Social;" *Informaciones de El Salvador*, Dec. 14, 1950, "La Realidad de Nuestros Países es la Miseria en que Vivimos." *El Salvador al Dia*, Sept. 2, 1950, "Votanse Creditos Adicionales Para Cubrir Varios Gastos."

<sup>65</sup> Most new labor laws and benefits set up during this period did not pertain to rural workers.

<sup>66</sup> *Informaciones de El Salvador*, Dec. 14, 1950. "Actividades Realizadas por los Distintos Ministerios."

<sup>67</sup> *Informaciones de El Salvador*, Aug. 14, 1951. "Funciones Democráticas de los Sindicatos Salvadoreños."

<sup>68</sup> Dispatches for-from Department of State (DfDS), 816.00/12-249, cited in Caceres (1996).

<sup>69</sup> Rivera quoted in *Diario de Hoy*, June 2, 1961, cited in Webre (1979, 40).

<sup>70</sup> For further information on price controls see *Informaciones de El Salvador*, May 14, 1951, "Proyecto de Ley de Supresión de Impuestos sobre Productos Alimenticios." For more on PRUD's education program see *Informaciones de El Salvador*, Oct. 14, 1950, "Etapa de Contornos Revolucionarios Para la Educación General en El Salvador;" *El Salvador al Dia*, Jan. 7, 1950, "Iniciación de Labores en Escuelas Oficiales." For more on housing programs see

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*Informaciones de El Salvador*, May 14, 1951, "Más Casas Baratas para Obreros Salvadoreños" and *Informaciones de El Salvador*, Aug. 14, 1952, "Otras Mil Quinientas Casas Economicas." For social security history see Hernández (1979).

<sup>71</sup> For information regarding forty-four hour work-week see *El Salvador al Dia*, Sept. 30, 1950. "Práctico Beneficio Para el Obrero Salvadoreño." For state industrial training programs see *La Prensa Grafica*, Feb. 18-19, 1951.

<sup>72</sup> See Appendix A and B of Collier and Collier (1979) for how they construct the index. Main categories of organizational inducements include whether there was a provision for registering a union, the level of bargaining monopoly unions were allowed to have, the degree to which union membership was compulsory, the degree of state support for union finances and various other stipulations that could facilitate union formation. Main categories of constraints include the degree to which strikes were regulated, the limitations on union activity, and state control over union leadership and union finances.

<sup>73</sup> Moreover, the 1972 Labor Code placed additional conditions on existing inducements. For example, union leaders continued to be given some job security, but Article 248 stipulated only for fifteen days between an election and holding office. Unions still had the right to "legal personality," but unions could now be punished for not following proper procedure. If a union did not apply for "legal personality" within sixty days of its formation, Article 219 stated that the union could no longer exist.

<sup>74</sup> Even though confederations were not granted "legal personality" until after the 1963 Labor Code, the state had lent its support to the confederation of moderate unions, the General Confederation of Unions (CGS), in 1958 (Lungo 1987, 45, Menjívar 1987, 92). The formation of the General Confederation of Salvadoran Workers (CGTS), a group of leftist unions, in 1957 could have made the state willing to support the CGS in 1958. Otherwise, the state resisted legalizing federations according to DfDS 816.06/2-1056, cited in Caceres (1996, 191). For formation of the CGS and state support see: *La Prensa Grafica*, Feb. 18, 1957, "Pronto Será Fundada Una Confederación de Obreros;" *La Prensa Grafica*, March 18, 1957 "Inicieronse El Congreso Sindica;" *La Prensa Grafica -Libro de Oro*, May 25, 1960. "Con asistencia de más de 100 representantes obreras del país, se inauguró la II Reunion Nacional de la Confederación General de Sindicatos."

<sup>75</sup> Labor demands for legal recognition can be found in *Diario de Hoy*, May 13, 1944, "La Unión Nacional de Trabajadores Lanza Un Manifiesto al Pueblo Salvadoreño después de la victoria lograda con la Huelga General."

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<sup>76</sup> *Tribune Libre*, Nov. 6, 1954, “Primer Congreso Nacional Del Trabajo Será Inaugurado el Próximo Lunes.” For increase in factory inspections and fines, see *El Salvador al Día*, Sept. 23, 1949, “Estricto Control Gubernamental en el Cumplimiento de los Leyes de Trabajo” and *Informaciones de El Salvador*, Sept. 14, 1951, “Breve Reseña de las Labores del Ministerio de Trabajo.”

<sup>77</sup> *El Salvador al Día* " *Informaciones de El Salvador*, Feb. 14, 1951, “Actividades Realizadas por los Distintos Ministerios;” *La Prensa Grafica*, Nov. 4, 1953, “Sindicatos Envían Delegados a Discusiones de la Asamblea.”

<sup>78</sup> *Estadísticas de Trabajo 1963, 1976*, Ministerio de Trabajo; *La Prensa Grafica Libro de Oro*, July 30, 1962 “Ayer se firmó un convenio entre la Confederación General de Sindicatos de El Salvador (CGS) y el Instituto Americano para el Desarrollo del Sindicalismo libre de EEUU” and Flores (1980, 18).

<sup>79</sup> For example, the PCN appointed a prominent CGS leader to be a high level official in the Ministry of Labor. Many CGS union leaders also held seats as PCN delegates in the Legislative Assembly (Carpio 1969, 66, Dunkerley 1982, 58, White 1973, 298). In 1964, two labor representatives participated in the seven-member National Commission regarding minimum salaries, *La Prensa Grafica*, Sept., 8, 1964, “Consejo de Salario Mínimo.” Labor and state officials discussed the labor code at CGS’s II National Conference, see *La Prensa Grafica*, Oct. 1, 1962. Also see *La Prensa Grafica*, Jan. 5, 1963, “Informe Esperan para discutir Código Laboral;” Jan. 8, 1963, “Inician Lectura de Código de Trabajo;” Jan. 11, 1963, “Sugieren Reformas Al Código Laboral;” Jan. 12, 1963, "Discusión Pública Al Código Laboral;" and “Reformas a la Ley de Fomento Industrial,” *Industria* , no. Marzo (1967): 36-37.

<sup>80</sup> According to state documents, labor leaders thanked the Revolutionary Council for its “prudent performance” and “for opening new paths toward our liberation,” *El Salvador al Día*, Sept. 30, 1950, "Gratitud de Obreros al Anterior Régimen." Labor unions “offered their moral support” for Ministry of Labor projects, *Informaciones de El Salvador*, May 14, 1951, "Actividades Realizadas por los Distintos Ministerios." In February of 1951 the Construction workers rendered “a sincere vote of confidence in the Minister for his effective work” in congressional labor law discussions, *Informaciones de El Salvador*, Feb. 14, 1951, "Actividades Realizadas por los Distintos Ministerios." At Labor Day celebrations that same year, labor representatives “praised the government’s policy and promised to support it,” *Informaciones de El Salvador*, June 14, 1951, "Actividades Realizadas por los Distintos Ministerios."

<sup>81</sup> *Memoria*, 1952, Ministry of Labor.



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<sup>82</sup> In 1951, for example, the Ministry of Labor officials made twenty-five visits, 336 verbal consultations and 133 talks with unions. In 1956, they made thirty-four visits, conducted 255 consultations, and held thirty-five meetings with union leadership, *Memoria*, 1952, 1957, Ministry of Labor.

<sup>83</sup>For more on information on the protest see *La Prensa Grafica*, Sept. 17, 1946 and Sept. 26, 1946.

<sup>84</sup> See *La Prensa Grafica -Libro de Oro*, Sept. 14, 1952, "Osorio en su mensaje se declaró enemigo del comunismo."

<sup>85</sup> It should be noted, however that initially Lemus lifted some constraints such as the Defense Law of Democratic Order, thus permitting a high level of union activity and allowing labor union exiles back into El Salvador (Dunkerley 1988, 352-353, Gallardo 1973, 781). Lemus also announced that progress would not be at the expense of workers and workers would progress with economic progress, *La Prensa Grafica*, May 1, 1960.

<sup>86</sup> For union disapproval of constraints see *Diario de Hoy*, August 18, 1950, "Obreros Desaprueban Artículos de la Ley de Sindicatos" and August 21, 1950, "Pequeña será la Intervención del Gobierno en la vida de Sindicatos;" and *Memoria*, 1952-1953, Ministry of Labor for constraints.

<sup>87</sup> *La Prensa Grafica*, Jan. 8, 1963, "Inician Lectura de Código de Trabajo."

<sup>88</sup> *La Prensa Grafica*, Jan. 12, 1963. "Discusión Pública Al Código Laboral."

<sup>89</sup> *La Prensa Grafica*, Jan. 15, 1963. "Corte Entrega Informe Sobre Código Laboral."

<sup>90</sup> *La Prensa Grafica*, Jan. 18, 1963, "Sindicato Declara Sobre Copia de un Anteproyecto."

<sup>91</sup> *La Prensa Grafica*, Jan. 8, 1974, "Dos Reformas a Código Trabajo;" Oct. 4, 1974, "Reformas al Artículo 2 de Código Laboral pide la CGS."

<sup>92</sup> Article 180, 1950 *Constitution of El Salvador*.

<sup>93</sup>*La Prensa Grafica*, San Salvador, Nov. 5, 1954 and Minister of Labor and Social Prevision, Doctor Mario Hector Salazar's speech, *Diario de Hoy*, Nov. 9, 1954, "Discurso del Ministro Salazar."

<sup>94</sup> *El Diario de Hoy*, Feb. 9, 1950, "Urge Protección a la Mujer Trabajadora. Declara Carlos Salina."

<sup>95</sup> See, for example, *Informaciones de El Salvador*, June 14, 1952. "Homenaje de Simpatía y Admiración a la Madre Tributo el Pueblo Salvadoreño."

<sup>96</sup> Ministerio de Trabajo. 1955, "Memoria Del Primer Congreso Nacional de Trabajo y Prevision Social."

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