

## Case 41

# Programs to Enhance the Rights and Opportunities of Women

*Ford Foundation, 1972*

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*Background.* In 1972, the Ford Foundation's president, McGeorge Bundy, convened an advisory committee of Foundation officials to make recommendations intended "to improve the representation of both women and minorities in the Foundation's ranks."<sup>632</sup> Later that year, Bundy also created a small, inter-divisional task force "to investigate grant-making possibilities in the area of women's rights and opportunities."<sup>633</sup> By executive order, the world's largest foundation had committed itself to equality of opportunity for women, both internally and in its relations to the outside world. At the time, women's rights to jobs, equal compensation, and a myriad of other opportunities—even in the United States—lagged far behind those of men. A host of laws, and far more deeply ingrained cultural bias, confined women to being caretakers of the home, disadvantaged in any attempt to assume responsibilities, professional or otherwise, historically reserved for men. Working women earned an average of sixty cents for every dollar earned by their male counterparts. And worldwide, especially in many less developed countries, gender inequality was—and still is—far more pronounced.

*Strategy.* In 1973, Bundy's task force recommended, to the Foundation's Board of Trustees, the creation of a new program to enhance the opportunities and protect the rights afforded to women around the world. This recommendation was accepted, and the Foundation's National Affairs and Education and Research Divisions quickly set aside \$1 million each for grants on behalf of women's causes. Ford's International Division moved more cautiously into this new field. Members of the International staff were concerned that a focus on the problems of women alone might obscure the Foundation's broader development goals in the many third world countries, and that a foundation-sponsored attempt to impose gender equity would be seen abroad as a neo-colonial imposition of Western values. Nonetheless, the International Division soon adopted this new focus, and began funding programs to enhance the lot of women in a wide range of countries. Between 1972 and 1979, grant-making to enhance women's rights and opportunities accounted for 5.4 percent of Ford's total program budget.<sup>634</sup> In 1980, the Foundation's trustees approved a special appropriation to double this amount, to over 10 percent of Ford's program expenditures.<sup>635</sup>

The Foundation's National Affairs division pursued a range of strategies to enhance gender equity in the United States. One primary focus was on "working for changes in the law and enforcement of women's legal rights."<sup>636</sup> To this end, Ford supported many organizations bringing women's rights litigation. These included the ACLU Women's Rights Project, the NAACP Legal Defense and Educational Fund's Minority Women's Employment Program, the Mexican American Legal Defense Fund (MALDF), and the Educational Fund's Chicana Rights Project.<sup>637</sup> Most significant among these was Ford's major support for the Women's Rights Project of the American Civil Liberties Union (ACLU). Founded and directed by Ruth Bader Ginsburg, the Project began to receive major support from the Ford Foundation in 1975. By that time, it had already successfully argued several influential cases before the Supreme Court.<sup>638</sup> However, according to the Women's Rights Project's website, Ford's major support "enabled us to develop a significant program to enforce women's statutory rights, including the right to equal employment opportunity guaranteed under Title VII and the Equal Pay Act."<sup>639</sup> The Foundation also spent over \$3 million to improve access to day care facilities, and founded the Trade Union Women's Studies Program (TUWSP) in order "to train women for leadership in the workplace."<sup>640</sup> To build the knowledge base of the women's movement, Ford in 1975 also collaborated with the Urban Institute to start the Center for Policy Research on Women and

Families.<sup>641</sup>

The Foundation's Education and Research division worked to pursue two primary strategies. On the one hand, it promoted improved access for women to education opportunities. This included support for the hiring and promotion of women within the field of education, where women had long worked but were rarely in positions of authority. It also included efforts to increase the educational opportunities available to disadvantaged girls. Ford's second main strategy in education was to support research on "the roles of women in diverse societies." The Foundation supported university women's studies programs and other research to examine gender stereotypes, and, in the mid-1970s, began funding increased advocacy to "[encourage] nonsexist educational practices."

Ford's International Division, as we have already seen, entered the field slowly. It began primarily by funding studies of women's issues and literature to raise awareness of women's many contributions to a range of diverse cultures. Active in a great many countries, the Foundation searched for promising women's advocacy groups, or other nonprofits headed by talented women, and offered them financial backing. As it became more comfortable working on women's issues abroad, the Foundation funded programs helping women find more stable and better paying livelihoods. This approach was supported by literature demonstrating that, as women's incomes rise in developing countries, family sizes and child poverty decline markedly.<sup>642</sup> The Foundation also supported family planning in the United States and abroad, including in countries with weak traditions of women's rights. The bulk of the Ford Foundation's international grant-making was bound by a common focus on women's economic security. This enabled field offices around the world to meet regularly to share lessons learned and discuss innovations in one country that might work well in others. After the special appropriation raised its budget in 1980, the Foundation's international women's programs began to support women's studies research centers around the developing world.

*Outcomes.* By 1986, the Ford Foundation had spent over \$70 million on programs in support of women. Two-thirds of this was used in the United States, while about \$23 million was given to international grantees. The full range of outcomes produced by Ford's many grantees dedicated to women's causes is beyond the scope of this case study. It is, however, certainly worth mentioning a few illustrative examples. Domestically, Ford's support either created or provided substantial funding to twenty women's studies research centers. The Foundation's grant to the Center for Women in Government (at Albany's State University of New York) funded research that served as the basis for a compromise between New York State and the Civil Service Employees Association that enabled thousands of women to move from support staff roles to professional positions. The Foundation also supported a series of meetings that grew into the National Conference on Women and the Law. This is now "the major national convention for lawyers and law students in the field."<sup>643</sup> Ford's international women's programs helped extend the women's movement around the globe, yet remained mindful of each local culture. And Ford-supported litigation "established critical principles and changed the lives of many women who won back pay, the right to compete for traditionally male jobs, and access to credit, health care, and educational and athletic programs." Even when such women's rights litigation was unsuccessful, it often raised the profile of the issue at stake. In one failed case, for example, public opinion shifted enough as a result of a high-profile case on the rights of pregnant women that Congress enacted legislation mandating exactly the protection that the courts had been unwilling to grant.<sup>644</sup>

As noted, the Foundation's support of the ACLU's influential Women's Rights Project produced especially significant results. Among the major victories won in Court by the ACLU with Ford's support are *Califano v. Goldfarb*, which struck down discriminatory elements of Social Security, and *Craig v. Boren*, in which Ginsburg and the ACLU's quest to establish that gender discrimination is no different from discrimination by race culminated in the Court's adoption of a "heightened scrutiny" standard for evaluating sex discrimination claims. When President Clinton in 1993 nominated then-

Judge Ginsburg to the Supreme Court, he praised her, pointing out that “[m]any admirers of her work say that she is to the women’s movement what former Supreme Court Justice Thurgood Marshall was to the movement for the rights of African-Americans.”<sup>645</sup> By then, it was widely accepted that the Women’s Rights Project had, in the 1970s, served as “the spokesperson of women’s interests” in the Supreme Court.<sup>646</sup>

The Foundation’s progressive internal reforms changed the culture of the Ford Foundation, and made it a place far better suited to make good on its commitment to enhancing women’s rights and opportunities. Between 1972 and 1986, the percentage of professional staff positions occupied by women within the Foundation increased from 22.9 to 53.2.<sup>647</sup> At the same time, the percentage of women composing the Foundation’s support staff dropped, while the percentage of it Trustee positions held by women rose.<sup>648</sup>

*Impact.* At a critical time, when the women’s movement stood on the brink of important steps forward, the Ford Foundation played an important role, first by realigning its internal commitment to gender equity, and then soon after, by extending that commitment to all aspects of its enormous grant portfolio. In so doing the Ford Foundation, by its major ongoing commitment to enhancing women’s opportunities and protecting women’s rights, created a bulwark of support for women’s movements in the United States and around the world.

## Notes

632. Ford Foundation, Discussion Paper: “Women’s Programs: Past, Present, and Future,” 1986.

633. *Ibid.*

634. *Ibid.*

635. *Ibid.*

636. *Ibid.*

637. *Ibid.*

638. These included *Reed v. Reed*, the landmark challenge to the automatic primacy of men, under law, in the administration of estates. Argued by Ginsburg in 1971, *Reed* marked “the first time [that] the Court held that a classification based on sex was unconstitutional, in violation of the equal protection clause.” See <http://www.aclu.org>.

639. Available from <http://www.aclu.org>.

640. Ford Foundation, Discussion Paper: “Women’s Programs: Past, Present, and Future,” 1986.

641. *Ibid.*

642. *Ibid.*

643. *Ibid.*

644. *Ibid.*

645. John Sawyer, “Ginsburg Chosen for Court: Women’s Champion a Surprise,” *St. Louis Post-Dispatch*, 6/15/1993.

646. Cited at <http://www.aclu.org/news/NewsPrint.cfm?ID=9072&c=33>.

647. Ford Foundation, Discussion Paper: “Women’s Programs: Past, Present, and Future,” 1986.

648. *Ibid.*