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Working From ‘Rooms of Their Own’: For a Realistic Portrait of Joyce Gutteridge CBE and Other Trailblazing Women

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Abstract:

Joyce Gutteridge was the first ever female legal adviser to the British Foreign Office, and for a time its highest-ranking woman. This contribution proposes to use aspects of her biography – background, professional and personal network – as a story¹ that helps explore tensions between the personal and the political in the lives of other women portrayed here. It will begin by outlining Gutteridge's fascinating and varied work at the British Foreign Office – she was a member to the British delegation drafting the Geneva Conventions of 1949, a representative on the Continental Shelf Committee of the Law of the Sea conference of 1958, Legal Counsellor to the UK mission to the UN in the 60s. It will then turn to aspects of Gutteridge's career that I unveiled in my work on international lawyers' career paths - some of the connections in her professional and personal networks such as her prominent father, her mentoring by 'great men' such as Gerald Fitzmaurice and Francis Vallat, and the support of contemporary and younger women, such as Gillian White and Eileen Denza. The third and final section of this contribution will meditate on how these connections are common to other portraits in this collection - what these characteristics of Gutteridge's and other women's networks tell us about the available paths (and glass ceilings) for women in (and beyond) international law. This allows for the appreciation of a Gutteridge's trailblazing work, whilst recognizing the tensions between her individual agency and the structure which she, and all women, must navigate; the 'magical multidimensionality' of her story allows for a 'more true' portrait that do justice to the complexity of women's experiences.²

¹ bell hooks, citing

² bell hooks, *Teaching Critical Thinking: Practical Wisdom* (Routledge 2010) 50.

*Working from ‘rooms of their own’ – for a realistic portrait of Joyce Gutteridge CBE and other
trailblazing women*

‘The personal is political’ is a slogan of the feminist movement encapsulating how the women’s struggles for power in the private realm – for control of their bodies, finances, jobs – are not individual experiences, but symptomatic collective systems of oppression.³ Seemingly counter-intuitively, the private can also exist as a facilitator, rather than a hurdle, for women occupying places in the public realm. In other words, personal circumstances can be the very factors that enable *certain* women to overcome structural barriers that exist for *all* women. Wealth, social networks, whiteness, freedom from marriage and children, are all elements that determine women’s individual experiences of the public, and that mediate their access to the ‘political’. Having ‘a room of one’s own and five hundred pounds a year’⁴ can be the difference between living a life exclusively in the private sphere, or the freedom to ‘exist’ in public. That said, ‘*can be*’ is operative here – class privilege, capital, and family ties, all which ‘a room of one’s own’ is code for, do not lift all structural barriers women face. Even in circumstances of immense privilege, such as an Oxbridge college,⁵ or international treaty negotiations, women will face more or less overt attempts to put them back in their (private) place.

This essay will look at Joyce Gutteridge, CBE, first woman Legal Officer at the British Foreign Office (FO), to explore the tensions between the individual personal circumstances contributing to her ascent to the public sphere at the FO, whilst also highlighting the skills and personal resilience that allowed her to flourish in an often-unhospitable environment. This vignette draws on my previous work on obituaries and networks of international lawyers,⁶ in which Gutteridge appears as one of only two women posthumously memorialised in the *British Yearbook of International Law*.⁷ I have also used my own privileged networks to find out more about her life and work – this piece was written with the contribution of Lesley Dingle, International Law librarian at the University of Cambridge and person behind the Eminent Scholars Archive, who contacted Phillip Allott, Maureen MacGlashan, Cherry Hopkins, and Michael Prichard on my behalf to find out more about Gutteridge. I contacted Sir Franklin

³ Catharine A MacKinnon, *Toward a Feminist Theory of the State* (Harvard University Press 1989) chap 191.

⁴ Virginia Woolf, *A Room of One’s Own* (Random House 1929).

⁵ Woolf uses the juxtaposition between two fictional male and female-only Cambridge colleges and the luxuries of the former over the latter to illustrate the struggles women of all classes must (to different degrees) overcome in their professional lives. *Ibid.*

⁶ With Ridi, ‘Mapping the “Invisible College of International Lawyers” through Obituaries’ Leiden Journal of International Law (Forthcoming).

⁷ A friend of Gutteridge’s, Iain Scobbie, Jean D’Aspremont and Yenkong Ngangjoh Hodu, ‘Professor Gillian White (1936–2016)’ (2017) 86 BYIL 1.

Berman and Eileen Denza, junior colleagues of Gutteridge at the FCO, who very helpfully shared their memories of her. Sir Franklin wrote of his friendship with Joyce as her junior at the Foreign Office, making himself available for a fruitful telephone conversation.⁸ He put me in contact with Eileen Denza, junior to Joyce at the FCO. Denza, who is another woman international law exponent in her own right, shared many recollections of Joyce and her experiences as woman at the FO during that time online on 18th of November 2020.⁹

In piecing together the ebb and flow between privilege and struggle, in the lives of Joyce Gutteridge and of many other women in this volume, we can attempt to have a more nuanced intersectional¹⁰ appreciation of their trailblazing legacies. Using the metaphor of the portrait, I sought to exhibit not a posed oil painting of Joyce Gutteridge alone, surrounded by books in an oak-pannelled ‘room of her own’, but a realistic – and no less impressive – still photograph of her in action, hard at work at an international conference, surrounded by her mostly male counterparts.¹¹

1. The political – Joyce Gutteridge’s biography

Joyce Ada Cooke Gutteridge was born in 10 July 1906 in Bromley, Kent. She went to school at The Roedean, a school for girls founded in 1885 to prepare women for the newly created Cambridge and Oxford women’s colleges. She later read History at Oxford in one of these colleges, Sommerville, in 1925. The ‘Sex Disqualification (Removal) Act 1919’, which allowed women to be called to the bar, had recently been passed. Joyce was called to the Bar relatively later in life, in 1938, at Middle Temple.¹² There is no information as to Joyce’s professional life between her graduation and her call. In 1939, during the outbreak of the Second World War, she joined the Auxiliary Territorial Service (ATS), which was the women’s branch of the British Army, where she became an army lawyer. For her legal duties at the ATS she was recruited into the Foreign Office, as it then was, in 1947 by Sir Gerald Fitzmaurice, in what was initially a temporary role of legal researcher. In 1950 she was appointed ‘Assistant Legal Adviser’ to

⁸ On file with the author.

⁹ On file with the author.

¹⁰ Kimberle Crenshaw, ‘Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics’ (1989) 1989 University of Chicago Legal Forum 271. See also Rosemary Auchmuty and Erika Rackley, ‘Feminist Legal Biography: A Model for All Legal Life Stories’ (2020) 41 Journal of Legal History 186.

¹¹ The portrait in question documents Gutteridge’s participation in the UN Committee on Outer Space. There was another woman in the Committee, Ambassador Agda Rossel, Sweden’s UN Permanent Representative.

¹² Although that does not seem to be an unusual path, especially for women at the bar. Patrick Polden, ‘Portia’s Progress: Women at the Bar in England, 1919 – 1939’ (2005) 12 International Journal of the Legal Profession 1919.

the FO, the first woman to have ever held that position. In 1960 she was promoted to 'Legal Counsellor'. In 1962, she was made Commander of the Order of the British Empire (CBE). She continued to perform her legal duties as a Legal Counsellor, until her retirement in 1966, retaining advisory capacity for a further year after that. She was then the highest-ranking woman in the British Diplomatic Service.

During her time at the Foreign Office, Joyce Gutteridge was exposed to a variety of subject-matters. As expounded upon by both Berman and Denza in their interviews, this is natural to the Legal Adviser role: they are exposed to what comes their way, according to where they are posted, and what is in the roster of requests by government at that time. Much of this is led by conferences as well as incidents, but more on that later. Early in her career, Joyce represented the UK in the conferences leading up to the Geneva Conventions, in 1949, specifically in the area of Prisoners of War. Another one of her areas of practice was Law of the Sea, which was developing rapidly during her time at the FO. She represented the UK government in the 1958 Convention on the Continental Shelf, and spent time in Iceland dealing with fisheries disputes between the UK and Iceland known as the Cod Wars. During her time as a Legal Counsellor to the UK in the UN Permanent Mission in New York (1961-1964), the height of space exploration, she specialized in the Law of Outer Space, being one of the pioneers in the field, and representing the UK in the UN Outer Space Committee (1966). She retired in 1966, but remained attached to the FO for a further year in an advisory capacity. In 1967, she was part of the legal team advising the government on the SS Torrey Canyon incident, the notorious oil spill off the coast of Cornwall, one of the first incidents of its kind. That incident was a prominent part of the recollections of both Berman and Denza on Joyce, who was 'on call' at the time, and had to quickly articulate the UK's legal position on the subject.

Joyce Gutteridge also published academic works on international law, and was involved in editing the International and Comparative Law Quarterly as well as the British Yearbook of International Law¹³. Her contributions include pieces on the Geneva Conventions,¹⁴ immunities of diplomatic staff¹⁵, the Supplementary Anti-Slavery Convention¹⁶, the role of the UN in codification and progressive development¹⁷, the Law of the Sea¹⁸, nationalization laws

¹³ Cherry Hopkins, on file with the author. Sir Franklin Berman, on file with the author.

¹⁴ 'The Geneva Conventions of 1949' (1949) 26 BYIL 294.

¹⁵ 'Immunities of the Subordinate Diplomatic Staff' (1947) 24 BYIL 148.

¹⁶ 'Supplementary Slavery Convention' (1956) 6 ICLQ 449.

¹⁷ 'Selected Problems of the United Nations Program for the Codification and Progressive Development of International Law', *American Society of International Law. Proceedings of the Annual Meeting* (1962).

¹⁸ 'Beyond the Three Mile Limit: Recent Developments Affecting the Law of the Sea' (1974) 14 Virginia Journal of International Law 195.

in parts of the Soviet Union¹⁹, and, most famously, her Melland Schill lectures on the United Nations²⁰. She also published a short piece on the role of the government legal adviser.²¹

2. The personal

a) The strictly personal

After handing in the first draft of this paper, I was encouraged to find fragments that made Joyce Gutteridge's portrait more colourful. Why was my portrait so focused on exploring the structures that enabled and oppressed Joyce and other women in law, or women in the Foreign Office? There are two reasons for that. The first is political. My increasingly intersectional personal politics nudged me towards telling a story that recognized the merit in Joyce's individual journey, but also explored how structure was a pivotal part of enabling her career, similarly to other trailblazing women's.²² I hope readers do not take this as dismissal of Joyce's work on my part, and that this portrait still does her rich life justice.

A more practical reason for the absence of Joyce's voice from my portrait is that little information was available about her that shed light on her project for international law, or her politics. Beyond recognition of her kindness, and her soft demeanor – gendered descriptions in their own right – there was little information about her life. She did not have a partner, or children whom to contact. This led me spend time on the lives of people that orbited around her about whom more information is available. It 'so happens' that some of these people were 'great men'. The irony does not bypass me, and is indicative of the difficulty in doing research on women and gender-diverse individuals from the past. I did, however, accumulate anecdotes about her. She kept a large collection of dolls from the countries she visited.²³ She generously invited her junior female colleague to lunch, Mrs Denza, at the Oxford and Cambridge Club in Pall Mall, making Denza feel welcome in a male-dominated environment.²⁴ She 'got on with it' as one of the few women in her position at the time, indicating minimal engagement with gender politics in her public life.²⁵

Gutteridge's scholarship reveals little about her, maybe due to the style of legal scholarship produced in Britain at the time, or her position as a government official. She used her practice

¹⁹ 'Expropriation and Nationalisation in Hungary, Bulgaria, and Roumania' (1952) 1 ICLQ 14.

²⁰ *Mlland Schill Lectures: The United Nations in a Changing World* (Manchester University Press 1969).

²¹ 'Foreign Policy and the Government Legal Adviser' (1972) 2 Georgia Journal of International and Comparative Law.

²² Auchmuty and Rackley (n 8).

²³ Sir Frank Berman, on file with the author.

²⁴ Eileen Denza, on file with the author.

²⁵ Ibid.

as inspiration, making for a varied portfolio exploring humanitarian law, law of the sea, the interaction between domestic and international law, outer space²⁶. Her writing style was analytical and precise, and her pieces were dedicated to clarifying the law in a grey area, rather than reimagining institutions. A piece on the work of government advisers illuminates her approach to the discipline and her practice.²⁷ She was pragmatic: problems she had to solve were not ‘academic’, but ‘arise from factual situations... more often than not [not falling] neatly into any of the textbook categories’ that require knowledge of the political situation on the ground.²⁸ She knew the importance of understanding the personality of her interlocutors when framing the advice.²⁹ She believed advisers must reach a balance between giving the appropriate legal advice, and ‘offering constructive solutions’ so they are not sidelined by policy-makers.³⁰ She saw the role of the legal adviser as not ‘passive’, but ‘active and creative’,³¹ allowing room of ‘progressive development’.³² Being a legal adviser in particular, according to Gutteridge, required patience – legal developments are often hindered or stifled by politics.³³

b) Networks

Joyce Gutteridge was one of *two* women memorialised in one of over sixty obituaries in the British Yearbook of International law.³⁴ A snippet of Joyce’s network³⁵ excerpted from my previous work on the subject³⁶ reveals her connections to other four key figures – H. C. Gutteridge, Sir Gerald Fitzmaurice, Sir Francis Vallat, and Gillian White. In addition, her friendship with Eileen Denza, ‘the’ other woman in the FO at the time whom I had the privilege of talking to inform this piece, was revealed in interviews about Joyce and has been included.

²⁶ ‘Expropriation and Nationalisation in Hungary, Bulgaria, and Roumania’ (n 17); ‘Immunities of the Subordinate Diplomatic Staff’ (n 13); ‘Supplementary Slavery Convention’ (n 14); ‘The Geneva Conventions of 1949’ (n 12); *Melland Schill Lectures: The United Nations in a Changing World* (n 18); ‘Selected Problems of the United Nations Program for the Codification and Progressive Development of International Law’ (n 15).

²⁷ ‘Foreign Policy and the Government Legal Adviser’ (n 19).

²⁸ *Ibid* 72.

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ *Ibid.*

³² *Ibid* 74.

³³ *Ibid* 75.

³⁴ Pereira and Ridi (n 4).

³⁵ Interactive version: <https://nrudi.000webhostapp.com/OBTS/index.html#Joyce%20Gutteridge>.

³⁶ Pereira and Ridi (n 4).

The father – H. C. Gutteridge

The first person in Joyce's network is Harold Cooke Gutteridge (1876-1953), first Professor of Comparative Law at Cambridge, and Joyce's father. He was memorialised not once, but six times in law journals in both English and French after his death³⁷. The act of memorialisation is telling of his standing in the legal community, and the content of his obituaries demonstrate the esteem he enjoyed by colleagues and former pupils such as Rene David, Kurt Lipstein, Alfred Thompson Denning, and Arnold McNair, the latter an international lawyer and friend from Cambridge. H. C. Gutteridge was described as someone who 'was perhaps better known throughout the world than any other English lawyer.' He wrote the first English language book on Comparative Law,³⁸ and 'possessed a charming personality which enabled him to exercise a wide influence', something particularly important when promoting a then sub-discipline.³⁹ In a study about the first women called to the bar, Joyce is mentioned as 'daughter of an academic lawyer, became a well known figure in international law by her role as a legal adviser to the Foreign Office and her publications.'⁴⁰

Recollections of Joyce often came intertwined with her father. Michael Prichard,⁴¹ legal historian and one of the longest standing members of the Cambridge Law community, stated that he thought of Harold Gutteridge 'a most genial person. He only came into the Squire and the Law Faculty tea-room very occasionally by then, but the older members of the Faculty always spoke of him warmly and clearly had a great respect for him as an outstanding comparative lawyer who was also a master of the common law.'⁴² Cherry Hopkins and Philip Allott also mention H. C. Gutteridge in their recollections of Joyce⁴³.

H. C. Gutteridge was connected to many other British international lawyers – Arnold McNair, with whom he maintained a close friendship,⁴⁴ Hersch Lauterpacht⁴⁵, recommended

³⁷ Marc Ancel, 'Harold Cooke Gutteridge' (1954) 3 International and Comparative Law Quarterly 373; CJ Hamson, 'Note on the Bibliography of H. C. Gutteridge' (2020) 3 ICLQ; AT Denning, 'Professor H. C. Gutteridge, QC' (1954) 3 International and Comparative Law Quarterly 230; CJ Hamson and Kurt Lipstein, 'H. C. Gutteridge at Cambridge' (1954) 3 ICLQ 377; Arnold McNair, 'In Memoriam Professor Harold Cooke Gutteridge' (1954) 1 American Journal of Comparative Law 1; Rene David, 'Harold Cooke Gutteridge (1876-1953)' (1954) 6 Revue internationale de droit comparé 77.

³⁸ McNair (n 35) 473.

³⁹ Ibid 476.

⁴⁰ Polden (n 10).

⁴¹ Lesley Dingle and Daniel Bates, 'Mr Michael J Prichard' (*Eminent Scholars Archive*, 2012) <<https://www.squire.law.cam.ac.uk/eminent-scholars-archive/mr-michael-j-prichard>> accessed 30 October 2020.

⁴² On file with the author.

⁴³ On file with the author.

⁴⁴ McNair (n 35).

⁴⁵ Martti Koskenniemi, 'Lauterpacht: The Victorian Tradition in International Law' (1997) 8 EJIL 215.

by Gutteridge to a London School of Economics professorship, and Sir Robert Jennings, who was taught by both McNair and Gutteridge⁴⁶.

Supportive, or at least non-obtrusive, mentors – Fitzmaurice and Vallat

Joyce Gutteridge's career is reported to have been championed by two men in particular - Sir Gerald Gray Fitzmaurice, and Sir Francis Vallat.⁴⁷

Fitzmaurice was 'one of the greatest public international lawyers of his generation'.⁴⁸ He worked as a Legal Adviser at the FO(1929-1960), and then judge at the International Court of Justice(1960-1973), and the European Court of Human Rights(1974-1980), and often arbitrator.⁴⁹ During the start of World War II, seconded as Principal Legal Adviser to the Ministry of Economic Warfare(1939-1943), he is reported to have come across Joyce's work in ATS, and creating a legal researcher spot for her when he resumed his work at the FO in 1947.⁵⁰ Although it is unclear how exactly Fitzmaurice became acquainted with Joyce's work, one can speculate whether connections to Cambridge had something to do with it. Fitzmaurice was educated under Arnold McNair,⁵¹ who was a good friend of H. C. Gutteridge,⁵² Joyce's father. Two years later, still under Fitzmaurice, her post was made permanent, and Joyce Gutteridge became the first woman Legal Adviser to the Foreign Office.⁵³

Fitzmaurice was replaced by Sir Francis Vallat. Vallat, like Joyce, had been a member of the FO after the war.⁵⁴ Like Fitzmaurice, he studied in Cambridge under McNair, who was close to H. C. Gutteridge. Albeit 'hands off' in his handling of the department, he was 'forward looking' enough to champion the careers of Joyce Gutteridge and her junior colleague, legal researcher and later Legal Adviser Eileen Denza.⁵⁵

A network of women? – Gillian White, Eileen Denza

Aside from Joyce Gutteridge's connections to her father and two Foreign Office Legal Advisers, above, obituaries and interviews demonstrate her connections to two other women

⁴⁶ Sir Robert Yewdall Jennings, 'Hersch Lauterpacht: A Personal Recollection' (1997) 8 EJIL 301, 301.

⁴⁷ Francis Vallat, 'Miss Joyce Gutteridge, CBE (1906-1992)' [1992] BYIL xiv; Maurice Mendelson, 'Sir Francis Vallat GBE, KCMG, QC (1912-2008)' (2009) 79 BYIL 3.

⁴⁸ Sir Robert Yewdall Jennings, 'Gerald Gray Fitzmaurice' (1985) 55 BYIL 1, 1.

⁴⁹ Ibid.

⁵⁰ Vallat (n 45).

⁵¹ Sir Robert Yewdall Jennings (n 46).

⁵² McNair (n 35).

⁵³ Vallat (n 45) xiv–xv.

⁵⁴ Mendelson (n 45).

⁵⁵ Ibid 4.

who were her contemporaries in British international law circles – Gillian White⁵⁶ and Eileen Denza⁵⁷.

Gillian White was alongside Joyce one of only two women memorialised in the British Yearbook. She was the first woman to law professor in mainland Britain in Manchester.⁵⁸ She undertook her LLB at King's College London in 1957, for which she received a First Class degree, 'attending classes as an evening student while she worked as an Assistant Examiner in the Estate Duty Office'.⁵⁹ She received her Doctorate at the University of London shortly after in 1960, after which she moved to Cambridge where she assisted Sir Elihu Lauterpacht, and was college lecturer in New Hall, now Murray Edwards, before taking up a permanent position in Manchester, where she succeeded Ben Wortley as the International Law chair. She maintained a close friendship with Gutteridge: 'there are countless examples of her kindness—for example, she regularly made the long and indirect journey from Manchester to Cambridge to visit an ailing and elderly Joyce Gutteridge during her final and protracted illness'⁶⁰. Joyce's Melland Schill lectures of 1969, 'The United Nations in a Changing World'⁶¹, were probably given at White's invitation.

Eileen Denza was a more junior Legal Adviser at the FO, and appears as one of the women championed by Vallatt alongside Joyce during his time as head FO Legal Adviser. Denza generously spoke to me in 18 November 2020,⁶² and presented a recollection of Gutteridge and her experience as pioneer women at the FCO. She mentions Gutteridge's invitation, at the start of Denza's time at the FCO, for lunch at the Oxford and Cambridge Club in Pall Mall, in London. Gutteridge had just returned from her posting at the UN in New York. The invitation stood out to Denza as one of the first she had received from a co-worker, and helped her feel more welcome at her post. According to Denza, though collegiate, all her male colleagues were married, and thus unavailable for such activities. As outdated as one going home for lunch on a workday, were some other customs, such as the inappropriateness of paying for a round of drinks when entertaining male colleagues on duty, one of the difficulties Denza and Gutteridge bonded over in relation to being women in a male-dominated profession. Otherwise, Denza states one just needed 'to get on with it', as 'it did no good to complain about' their status as

⁵⁶ Scobbie, D'Aspremont and Ngangjoh Hodu (n 5).

⁵⁷ On file with the author.

⁵⁸ Scobbie, D'Aspremont and Ngangjoh Hodu (n 5).

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ *Mlland Schill Lectures: The United Nations in a Changing World* (n 18).

⁶² On file with the author.

women.⁶³ Unlike Gutteridge, Denza married, which required permission from her superior, Vallatt. He also granted her permission to continue working at the FCO after her pregnancies. Denza's postings accounted for her condition – she was posted to missions such as the European Union, close to home so she could be home in time for dinner, after a train ride from Brussels.⁶⁴ Denza's strenuous routine and passion for her work is awe-inspiring.

b) Not a smooth ride – women at work

As indicated by Denza's account of balancing family and work at the FCO, it is clear the life of the women who managed to join the English Bar or the Foreign Office was not easy. Attaining an undergraduate degree was difficult for women at the time – Oxford started granting women undergraduate diplomas in 1921, only four years before Gutteridge's admission.⁶⁵ The Bar lifted its ban on women joining in 1919, through the Sex Disqualification (Removal) Act, less than 20 years before Joyce qualified. A study of the first 30 years of women at the English Bar showed that women made up on average 4% of its total intake of three hundred, out of which only around 30 women actually practiced after their call.⁶⁶ The difficulties of women at the Bar included the prohibition of earning a living outside practice, and the difficulty in women receiving briefs in the first place;⁶⁷ the inhospitality of convivial activities such as dining in Hall⁶⁸; the difficulty in obtaining pupillage which was important for building a relationship with solicitors and clerks responsible for procuring clients⁶⁹; and the hurdles to obtaining tenancy.⁷⁰ From dress codes to the absence of lavatories,⁷¹ from overt discrimination to patronising treatment by colleagues and news outlets,⁷² the bar was not a friendly place for women in Joyce Gutteridge's time.⁷³

Both Berman and Denza asserted the FO was not unhospitable for women, and how well-liked and regarded Gutteridge was during her time there. However true at the individual level, reports show that women in general did not have it easy at the FO. Although many successfully served in temporary capacity during the War years, the Foreign Office only first officially

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Cambridge only officially granted degrees to women in 1948.

⁶⁶ Polden (n 10) 295, 314.

⁶⁷ Ibid 321.

⁶⁸ Ibid 322.

⁶⁹ Ibid.

⁷⁰ Ibid 323.

⁷¹ Ibid 327, 329.

⁷² Ibid.

⁷³ Polden (n 10).

admitted women in 1946, a year before Joyce joined its ranks.⁷⁴ As revealed by Denza's experience of having to rely on the patronage of a male superior to pursue her desired family life, the marriage bar and the bar on motherhood were still literal bars to the full access of women to the public sphere in general and Foreign Office work in particular. Promotions were difficult, women were paid around 20 percent less than their male counterparts for the same job, and outright prejudice was still part of their realities even after they were allowed to enter the institution.⁷⁵ Women's entry into the UK Foreign Service was consequently more a 'trickle than a flood' in Joyce's time – the door to Whitehall was open to them, but only just.

Leaving aside structural bars to women's access, Denza and Berman provided no evidence of outright prejudice against Gutteridge in particular and other women FO lawyers. However, as put by Dame Margaret Anstee (recruited by the FO 1948): 'In day-to-day relations, negative reactions ranged from openly hostile to (sometimes involuntarily) patronising.'⁷⁶ There is no reason to believe Joyce Gutteridge was immune to hostility or patronising behaviour. Gutteridge's obituary written by Vallat starts by contrasting her father's 'enthusiasm, vigour, and precision', to say she managed to 'succeed in a man's world' despite possessing a comparably 'outwardly less forceful disposition'. Rather than 'formidable', 'genial', and 'impressive', Joyce has 'zeal' for her work, and 'proved' to be 'determined, persistent, and most effective'.⁷⁷ She 'was not well-adapted to a soldier's life', but 'acquired a natural and genuine interest in her work'⁷⁸ at the FO. She received the Commander of the Order of the British Empire for her services, although it surely 'would have been [the more prestigious CMG] if she had been a man'.⁷⁹ It is for the reader to decide whether that sounds like 'involuntary patronising'.

Boyd Van Dyke⁸⁰ unearthed one particular instance of outward gender-based prejudice in Gutteridge's career. In correspondence between UK representatives during the drafting of the Geneva Conventions in 1949, an excerpt read:

'On the legal side the present intention is, I understand, that the delegation should rely on Miss Gutteridge for legal advice. She has been most helpful and assiduous in the

⁷⁴ FCO, 'Women and the Foreign Office' [2018] History Notes 1, 19.

⁷⁵ Ibid.

⁷⁶ Ibid.

⁷⁷ (n 45).

⁷⁸ Ibid.

⁷⁹ Ibid.

⁸⁰ 'Typical Gender Discrimination against Female Drafters - UK Officials Questioning the "experience" of Joyce Gutteridge as Legal Adviser of the UK Delegation Revising the Geneva Conventions (1940s).' <https://twitter.com/boyd_vandijk/status/1037262674911027201> accessed 2 November 2020.

discussions which have hitherto taken place and has much knowledge of the subject, but I venture to suggest that you should consider whether Conventions of such importance in the International humanitarian field, and in which the terms to be used in the difficult Articles may well have implications far outside the Conventions, do not require a background of wider experience than Miss Gutteridge can have had (sic.) the opportunity to acquire up till now'.⁸¹

The picture was more bleak for people of colour, and people of diverse sexual orientations and gender identities. Systems created to weed out communists from the FO ranks such as a Positive Vetting, introduced in 1951, was used to exclude queer people from the diplomatic service on account of their propensity for receiving blackmail.⁸² People of colour were not outwardly excluded from the FO, although a control on their intake was cogitated in the 1950s,⁸³ but had the burden to demonstrate their Englishness as representatives of Britain abroad.⁸⁴ Beyond outright discrimination and exclusion of marginalised groups the effect of structural racism, sexism, and homophobia on recruitment, retention, and promotion of members of these groups, cannot be overstated.

3. Conclusions: a realistic photo of women in action

Interviews and correspondence from Joyce Gutteridge's colleagues and contemporaries reveal she was a kind collegiate person. Her academic work was pragmatic, informed by her varied practice at the FO. This piece sought to paint a realistic portrait of Joyce Gutteridge in particular but 'trailblazing' women in general memorialised in this volume. It accounts for the enormous difficulties and prejudices they faced due to their gender, but also teases out some of the personal reasons they were 'allowed' to ascend in the profession in the first place. Famous fathers, such as H. C. Gutteridge, networks of prominent male mentors, such as Sir Francis Vallat and Sir Gerald Fitzmaurice, and support from female colleagues, such as Eileen Denza and Gillian White, all must be taken into account when painting a more realistic picture of their career paths. Similarly their access to elite institutions, such as in Gutteridge's case Oxford and the English Bar, must be borne in mind. These were not spaces open to all women.

It is in the intersections of oppression and privilege between different identities that include race, class, sexual orientation and gender identities, and the personal connections enabled by some of these identities, a more realistic picture emerges - one that honours the trailblazing

⁸¹ Ibid.

⁸² James Southern, 'Black Skin, Whitehall: Race and the Foreign Office 1945–2018' (2018) 5.

⁸³ Ibid 7.

⁸⁴ Ibid 6.

legacies of these women hard at work, but that avoid purely meritocratic narratives that ignore why such few women occupied these spaces. This picture demonstrated how Joyce's and other women's professional ascent into the public sphere was enabled sheer determination, personal resilience, and technical ability, but also 'a room of *their own*', which was not accessible to everyone.