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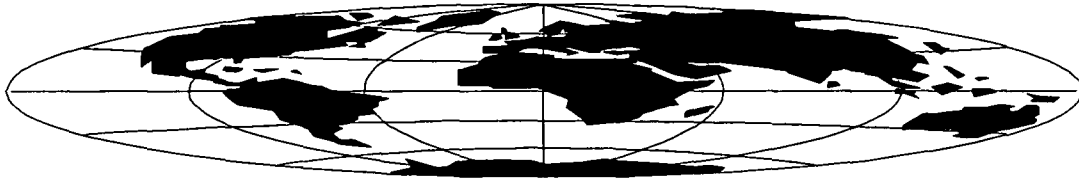
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INTERNATIONAL COLUMN

edited by Christine H. Farley

FEMALE INFANTICIDES AND DOWRY DEATHS

by Remla Parthasarathy

On January 24, 1993, "60 Minutes" aired an eye-opening and heart-wrenching report on women in India. Many upper and middle class Indian women undergo amniocentesis solely to determine the sex of the fetus and then abort the fetus if it is female. Lower class women, unable to afford proper medical treatment, let alone amniocentesis, resort to infanticide to "rid" themselves of unwanted females. The primary reason for these "daughter killings" is the financial burden daughters put on families. The practice of "dowry" - the presentation of money and goods by a wife to her husband upon marrying - still exists, although made illegal in 1961. It is becoming increasingly common for a young Indian bride whose parents are not able to provide her with a large dowry, to kill herself instead of being subjected to the ridicule and criticism of her husband and in-laws. Even more disturbing is that husbands and in-laws sometimes murder these young brides. Therefore, many mothers out of love and the desire that their daughters avoid a painful life, either abort or kill them. The following is a subjective piece by an Indian student at the University at Buffalo School of Law.

Afterthought

Don't look at me that way. Like I'm an Other, an Alien, a Someone Else. Like I'm from a land too foreign, too strange for you to comprehend. Like you cannot understand who I am, from where I come, or why *my* people do what they do. Don't look at me with condemnation because some of *my* women, too poor to look into a doctor's crystal ball, desert their infant girls out in the sun, behind piles of garbage, along roadsides, to die, crying, leaving the world as they entered it. Don't look at me with pity, or sympathy - or worse, with a look that says *I* should be grateful and lucky for not suffering the same fate. How can I feel lucky? The feeling is one of loss, enormous loss. As though my soul is permanently

wounded, and the wound, never healing, grows larger, deeper. The feeling is one of remorse. For these women exist in a society which almost makes their behavior a necessity, not a choice. The feeling is so strong, so intense, I bury it, trying to forget. But I am constantly reminded. By the cry of a child, the flow of a saree, the look in my eyes reflecting back from the mirror.

And I cry. I cry for the lost souls of my unborn sisters whose only fault was being female. I cry for their mothers who had to sacrifice and abandon a part of themselves just because they had the "misfortune" of giving birth to daughters, not sons. I feel their pain, their despair, their helplessness. It is my own. And I cry. Alone, closing my eyes, letting the tears fall slowly, soothing the spirits of my Indian sisters. I stretch out my hands and join other out-stretched hands, forming a circle of compassion and understanding, to let them know that their pain is shared, that their eyes are not the only ones to water, that their hearts are not the only ones to bleed.

Don't look at me like my hurt is not yours and my concerns are my own. For these are *our* sisters, *our* children, *our* souls for whom I cry, for whom I pray. Deny all you want, but our hearts beat together, our lungs breathe the same air, and hating me is only hating yourself. So look at me, at us. And understand. Feel. Care. And see.

THE 1993 WORLD CONFERENCE ON HUMAN RIGHTS

by James Han

Connie only half heard this piece of novel, masculine information. She was only stunned by his feeling against her . . . his incomprehensible brutality . . .

This speech was one of the crucial blows of Connie's life. It killed something in her.

-- D. H. Lawrence's Lady Chatterley's Lover (1928)

The "piece of novel, masculine information" attributed to Michaelis, Constance Chatterley's lover, was that women never reached orgasm precisely at the same moment that he did. Women were entitled to their pleasure, but never at the expense of men's. Lawrence's novel is at once the story of a woman's oppression and her determination to break free from the male-dominated, societal restraints that forced her to live a life devoid of dignity, emotion, intellect, and sexuality.

Similar in theme were the courageous testimonies related at the Buffalo Science Museum on the evening of March 25, 1993 as a part of "An International Hearing on Women's Rights Violations", sponsored by the University at Buffalo's Human Rights Center, the International Institute of Buffalo and VIVE, Inc., an organization for world refugees. This hearing was organized, as were others around the world, to bring attention to the fact that women's concerns were deliberately excluded from the agenda of the 1993 World Conference on Human Rights. At this hearing, stories of domestic violence, rape by soldiers and police, compulsory abortions, and economic and educational poverty were forcefully, yet poignantly, told by women from the United States, Canada, Bosnia, Morocco, sub-Saharan Africa and China. The thread that wove the stories together was the choice that these women had made to break free from the seemingly unbreakable molds and shackles that had been cast around their lives by men.

Violations of women's rights must be viewed as violations of human rights. At the time of the United Nations Charter, women's rights programs and human rights programs were united, but the feminist movement in the 1970's sought to distinguish women's rights. Whether or not the programs should be reunited is a pointless question to ask, if women are continually being excluded from national and international policy making. Furthermore, women's participation is essential in forging policies on gender-neutral issues including development programs, population control, and the environment. The

evening's testimonies were transcribed and forwarded to Antoine Blanca, Secretary General of the UN World Conference on Human Rights, as part of a dossier designed to persuade the organizers of the June 1993 Vienna Conference to put women's rights on its agenda.

The omission of women's rights displays the same type of unacceptable callousness and ignorance expressed by Michaelis towards Constance Chatterley. It is unfortunate that Lawrence's theme continues to haunt humanity so late in the twentieth century. While the character of Constance Chatterley is a heroic one, our generation must create a new character, one whose struggle is not based on gender. It is a travesty that we have not already been able to do so.

IN THE FOOTSTEPS OF *LAS HERMANAS MIRABAL*: WOMEN'S LABOR GROUPS IN THE DOMINICAN REPUBLIC

by Bonnie Butler

At an informal meeting held last October in a poor neighborhood of Santo Domingo, the capital of the Dominican Republic, organizers of a popular youth movement shared mutual experiences with North American activists. In the course of their discussion, one visitor asked, "What is the role of women in this neighborhood?" Quite spontaneously, a seventeen year-old woman answered, "Reproductive machine and object of desire?" Although this response provoked laughter from her male co-workers, she had not intended to be flippant. She then described quite eloquently from her own life, and the lives of the women she met each day, the reality of "women as property."

Several days later, Rosa Urena from the Santiago Committee for the Rights of Women explained how abject poverty, lack of education or lack of employment opportunities force many women to become "sexual property" or prostitutes. Or, she added, "They may choose to work in government sponsored 'free zones' where women must submit to pregnancy testing in order to get jobs and, if hired (not pregnant), are frequently beaten by their employers." Even at home, many women are considered their husbands' property and must ask permission to attend meetings or do anything outside the family environment.

Yet, despite these obstacles, women from all walks of life have begun to work together to change their lives. More and more women are joining efforts to get water, sanitation, schools, and clinics in their neighborhoods. Thirty-two women's groups have become active members of a Women's Coordination Program in Santiago so that their work will have a broader impact. Employment and savings cooperatives offer women some financial independence, although such projects are far too few and geographically scattered to make a widespread difference at this time. Nevertheless, many Dominican women are choosing to walk in the footsteps of their sisters, *Las Hermanas Mirabal*, the workers' group that refused to become the "female property" of the Trujillo regime.

THE CRISIS OF SOMALI WOMEN

by Cheryl M. Gandy

On December 3, 1992, the United Nations Security Council adopted a resolution authorizing the "use of all necessary means" to achieve a secure environment for the delivery of humanitarian relief to Somalia. The world watched as American troops were sent to protect food convoys headed toward relief centers and starving children. The world also witnessed an attempt to establish peace between the warring clans. What the world was not shown was the abuse being committed against Somali women by their own countrymen.

In an effort to terrorize and dehumanize women, some Somali bandits have preyed upon women of rival clans. A report by Amnesty International recounted the following eyewitness horror story: "I saw people with their tongues cut out, their legs cut off, and left to die . . . [women] were raped by as many as 20 or 30 men, then bayoneted in the vagina. Pregnant women had their stomachs slit open - even women of . . . their own Hawiye clan, if they were pregnant by a Darod man."

Women are virtually powerless in Somali society. Rape, which was almost nonexistent in this society, increased in the years after the January 1991 fall of President Siad Barre. One of the few positive aspects of Barre's regime was his attempt to equalize the status of men and women in this staunch Muslim society. In 1975, he declared women and men equal citizens. Barre received harsh criticism from Muslim clerics who felt such a declaration violated religious law. Barre also established a women's federation, which was little more than a symbolic gesture. The extent of the federation's duties was to laud Barre at his frequent parades and rallies.

Dahabo Isse, a worker at the International Committee of the Red Cross, said that Barre's support of ". . . women's rights has left a bitter taste in many [fundamentalists'] mouths." There is mounting fear that Islamic fundamentalists may deprive Somali women of ". . . even that degree of freedom and economic opportunity common to the female populations of most African countries."

The arrival of the peace-keeping forces precipitated violence against women. A young Somali woman was stripped and beaten on a Mogadishu street for accepting candy from French troops. The crowd accused her of being a prostitute just because she associated with foreigners. A. M. Ali, a Somali journalist and UNICEF worker, said, "[the] attack was meant to show opposition to the presence of foreign troops in the country, but the attackers were not bold enough to face the foreign soldiers."

There are emerging activist groups in Somalia that attempt to assist women who have fallen victim to the chaos. Their true expectation is that the reordering of Somali society will include political power for women. Some changes are already taking place - for example, women are prominent merchants in the marketplace. This new economic role is one of the many signs of the changed role for women since the advent of the war. With the men off fighting, women no longer remained in their subservient position, but took a more active role as protectors and providers. Their newly found freedom was born of necessity. "It is too early to say whether the changes are permanent. It is safe to say it will be hard to send the women back home as before."

WOMEN REFUGEES

by Susan Y. Soong

The United Nations has adopted two international instruments, the 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees, which define the term "refugee" as one who is outside her country of origin because of "a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion." This definition, however, is not sufficiently broad to cover the types of persecution that women fear and suffer, despite the fact that they constitute the majority of refugees. Gender is not a valid, specifically identified basis of persecution, according to the treaties. In addition, women do not generally participate in activities that result in recognized acts of persecution. Jacqueline Castel, in her article "Rape, Sexual Assault, and the Meaning of Persecution," notes that "[women] are much less likely to be involved in politics (as it has been traditionally defined) or the publicly active religious, racial, nationalistic or social groups whose persecution is well-known."

Fortunately, the 1951 Convention definition has been successfully used to grant asylum to certain women refugees, including a Turkish widow who was sexually assaulted, an Iranian woman who failed to observe Islamic customs, and a woman from central Africa who was abused by the man she was forced to marry. However, since each country may interpret the definition of refugee differently, the concept of persecution is not being applied consistently on an international scope. International consistency is essential to ensure the safety and protection of all women fleeing persecution.

Indeed, all around the world women are seeking asylum from situations in their home country which do not fit into the commonly recognized forms of persecution. For example, the plight of women in Bosnia-Herzegovina has been widely reported. In particular, mass rape and impregnation of Muslim women by men in the Serbian armed forces is a gender-specific form of persecution perpetrated on a specific social group based on their nationality. Another instance of the persecutory impact of sexual assault occurred when female Burmese students chose to remain in their home country and risk persecution rather than flee to a Thai refugee camp in Katchaburi, where they feared sexual abuse by the Thai security forces.

The United Nations High Commissioner for Refugees, recognizing the need to address gender-specific persecution, adopted a resolution in 1985 stating that "women asylum-seekers who face harsh or inhumane treatment due to their having transgressed the social mores of the society in which they live may be considered as a 'particular social group' within the meaning of the 1951 U.N. Refugee Convention." Canadian advocates seek to expand the 1951 Convention even further, obligating governments to protect women fleeing spousal abuse or persecution based on their gender. As of February 1993, Canada's Immigration and Refugee Board was drafting guidelines to consider the harmful impact of rape and other kinds of sexual abuse, domestic violence, female genital mutilation, and other forms of torture. While Canada is working on important state action, it must be internationally recognized that women are being persecuted because they are women. Thus, the concept of gender-specific persecution is essential for the protection of the largest group of refugees in the world today - women.

STATUS OF WOMEN

by Ellen Shanahan

The UN has voiced a firm commitment to the equality of all persons, both male and female, in its Charter and in the UN Human Rights Treaty. In its 28th session, the Commission on the Status of Women identified at least 13 "basic underlying constraints." Ten of those that they considered to impede the progress of women's rise to equal status were: "(1) The non-involvement of men in the endeavor to change the position of women in society; (2) Attitudinal prejudices concerning the role of women in society harbored by both men and women; (3) Lack of political will in many countries to change the conditions of women; (4) Inadequate recognition of the economic value of women's work in monetary and non-monetary sectors; (5) Ignoring the particular needs of women in government and public planning; (6) Too few women in decision-making positions; (7) Insufficient infrastructure to support women's participation in national life; (8) Lack of financial resources; (9) Weak communication between the women in greatest need and the policy makers of their country, often geographical or due to virtual disenfranchisement; and (10) Lack of awareness among most women of opportunities available for their development."

Upon examination of this list it seems clear that all the problems listed are effects of the prejudice cited in point #2, and therefore it would be most reasonable to combat that fundamental problem which truly gives rise to each of the others. Many forms of discrimination toward women are effects of

religious, cultural, economic, and developmental conditions within the nation. Respect for the individual sovereignty of nations makes it highly unlikely that the UN would ever actually take action on such a clearly domestic policy as the status of women in the family, even if it results in legalized wife battery. As we have seen in many areas of the UN, the most that can be hoped for is drawing awareness to the problem and inducing the nation to desire to change its policy from within.

Countless countries use cultural, religious, and philosophical prejudices to justify the subordination of women in national and political life, as well as to invade their basic human rights. If the United Nations were to be true to its Charter, however, must not these nations be called upon to cease this behavior or relinquish membership in the UN?

The UN must take a more aggressive stance on its member nations adhering to the adopted resolutions which prohibit discrimination against women. Certainly deference to a nation's sovereignty is understandable in some areas, but these problems spill over borders and escalate discrimination in surrounding countries. For example, the UN peace-keeping forces will intervene in domestic situations where internal strife results in refugees fleeing to surrounding states. The situation with women should not be treated differently. The human rights abuses perpetrated against women are requisite of an international response and the UN is the proper place to initiate that response. As with any situation, all the diplomatic measures to initiate dialogue should be undertaken vigorously with the offenders to try to reach a compromise. However, if no constructive response is given, then the UN has no choice but to exclude these states from membership. To not take action is to acquiesce and demean the UN by ridiculing its principles. Why should a blind eye be turned to the violation of UN law simply because the victims are women and the perpetrators are empowered, especially considering the resources already devoted to identifying the kind of problem and prejudice at work here? This is typical aggression against a people weaker militarily and financially, but a people nonetheless. If the UN Charter stands for anything it is to guard against this very situation, and yet here when they are given the documentation by NGOs (Non-Governmental Organizations) they are reluctant to act.

As with other areas of global concern, there is a strong indication that the filter-down approach of modern solutions - documents enacted by governments and expected to trickle down into the law and then the society of the country - are not effective in remedying this extremely pervasive societal problem. It is becoming increasingly clear that the way to change something as deeply knit into the fabric of society as prejudicial thought and discrimination is to focus on the people, not the government. Reaching as many individuals as possible through widespread education, rather than waiting until some distant law finally affects their lives (a time which may never come) would be a better way to reach a working consensus. Both solid education of women in all basic disciplines and education about discrimination for men and women are needed. This would certainly improve women's lives more quickly as it would provide them with the tools needed for self-advancement. Consequently, funding for education through national planning should take top priority. National planning can effectively influence social, economic, cultural, and political change in the desired direction through the allocation and distribution of resources.

THE WOMEN'S CONVENTION

by Julia Hall

The Convention on the Elimination of All Forms of Discrimination Against Women (Women's Convention) is the sole instrument of international law to address human rights concerns specific to women as well as the corresponding responsibilities of states to their women citizens. Adopted by the UN in 1979, the Women's Convention currently reports 119 signatories. (The US has not ratified the

Women's Convention.) Despite what is recognized as a high number of signatories, the Women's Convention has drawn criticism from international women's groups and human rights organizations.

The Women's Convention fails to assure the promotion and protection of a woman's human rights in substance and procedure. The content of the Convention is rife with vague terminology, and the exclusion of certain types of women from its mandate is evidence that the Women's Convention was drafted and accepted on the basis of anti-discrimination for some, but not all, women. For example, there is no article in the body of the Women's Convention which directly addresses the issue of rape and other forms of sexual violence suffered almost exclusively by women in both peacetime and in war. The Women's Convention also emphasizes language such as "mothering" and "family" which is seen by some feminists as antithetical to the mandate of the Convention, which allegedly stresses freedom and autonomy for all women. For example, in the United States, India, and Egypt, women suffer the most serious physical abuses at the hands of their husbands or boyfriends. In other words, it is the traditional family structure which helps to create a fertile environment for such abuses. By emphasizing family and the role of women as mother, the Women's Convention fails to address both the reality of the family as the site of much violence against women and the special concerns of single women. The Women's Convention does make an effort to include rural women in its mandate, thus embedding the importance of economic, cultural, and social rights into the Convention. In addition, feminists in many countries have criticized the Women's Convention for its failure to include lesbian women and alternative family structures into the body of the document.

Another major criticism concerns the location of the convention's Committee on the Elimination of Discrimination Against Women's (CEDAW) home base in Vienna. All other major UN working groups and NGO's (Non-Governmental Organizations) dealing with human rights are based in Geneva. This distinction in location inhibits CEDAW from the networking and information-sharing essential to keeping human rights issues on the international community's agenda.

Procedurally, CEDAW has experienced a myriad of problems over the past 14 years. In an effort to engage, rather than repel states where violations are occurring, CEDAW's procedure is characterized by a process known as a "constructive dialogue." This "constructive dialogue" inhibits CEDAW's ability to make specific allegations against states' abuses of women. The idea is to encourage states to continue to have a dialogue with CEDAW, thus avoiding the alienation of signatories. Unfortunately, this makes the protection of women's human rights a rather tenuous affair, with many states paying lip-service to a committee perceived as having no power to embarrass states into compliance. Thus, CEDAW has never formally pronounced a state to be in violation of the Convention, despite overwhelming evidence which points to consistent, continued, brutal violations perpetrated at both the state and private level. Reports from states parties have run the gamut from substantial and well-documented (Australia) to absurdly brief (two pages for Mali). Reports are often late and contain ludicrous claims toward the achievement of societal equality. When the Philippine Ambassador presented his country's report in 1984, he noted that a woman's proper role was as a complement to a man. This and other concerns such as the surprisingly high number of reservations lodged by states' parties to the Convention, make the Women's Convention "a work in progress" with a clear and urgent need for many changes before actual discrimination against women worldwide is eliminated.
