




INTL190: Human Rights in Action

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- 
- Can you name two things women couldn't do in the US before 1970?
 - Women's Rights as Human Rights

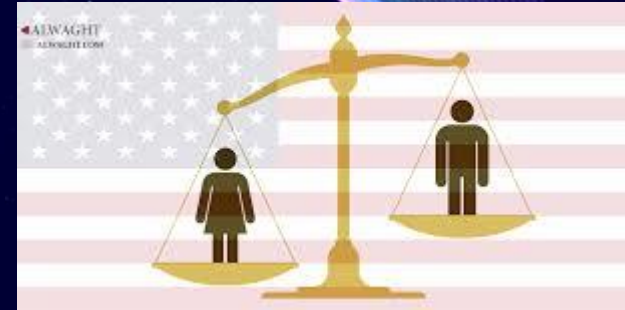
Feminist human rights perspectives (Ackerly) - I

a. Making a rights claim:

- (i) The claimant is the kind of being who gets to make a claim – a *human*
- (ii) The substance of the claim is one that should be recognized as - a *right*

Feminist human rights perspectives (Ackerly) - II

- b. Political invisibility (androcentrism)
- c. The public/private distinction
- d. The anti-discrimination framework: sameness v equity
- e. Are these criticisms of human rights *as such* or of their implementation?



Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1981

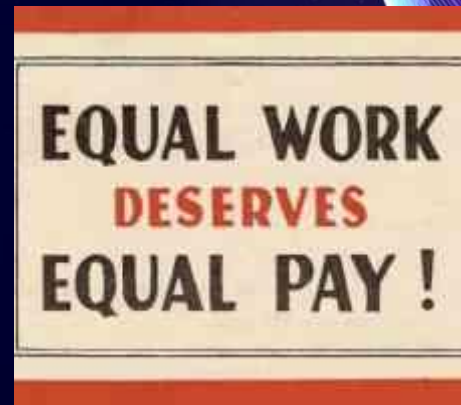
- Recalling that discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) - II

- **PART I: Article 1**
- For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) - III

- Part I: Article 2:
- (a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;
- (e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;



Feminist Contributions to Human Rights

- a. Indivisibility of rights
- b. Rights are interrelated
- c. Requires structural analysis, such as patriarchy
- d. Intersectionality: recognition that oppression works through multiple mechanisms (v sequential struggle)



Human Trafficking (Bertone) I

- a. David Graeber, *Debt: The First 5,000 Years* (2012)
- b. Includes: debt bondage, sexual exploitation, sweatshop work, forced begging, etc.

Human Trafficking (Bertone) II

- c. a tangled web
- d. The campaign against White Slavery (late 19th. c.) ties anti-trafficking to prostitution to exclusion of labor-trafficking
- e. Furthermore, intra-feminist split: abolitionist feminism (against both forced and voluntary) & human rights feminism (against forced) prostitution
- f. Finally, different emphases between feminists from western & developing countries

Human Trafficking (Bertone) III

- g. Women's Rights as Human Rights, including in private sphere
- h. Vienna World Conference, 1993 & Beijing World Conference, 1995 bring about unified plan to combat violence against women
- i. Unusual alliance in US: Bill Clinton, feminists & churches
- J. Palermo Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Woman and Children (2000) & US Trafficking Victims Protection Act (2000)
- k. US as "global sheriff"

Children's Human Rights Advocacy (Pupavac)

- a. What is problematic about children's rights?
- b. Context: state's expanding role in education & welfare
- c. Rise of humanitarianism (*Bread from Stones*)
- d. Early pioneer Eglantyne Jebb, founder of Save the Children in 1919 & protections.



Convention on the Rights of Children, 1989

- a. From Protective Rights to Enabling Rights
- b. Based not on capacity but powerlessness (rethinking basis of HR)
- c. Is law reflecting or constructing social relations? A la carte approach to culture?

BUT

- d. Transition from household production to industrialization to sustainable development

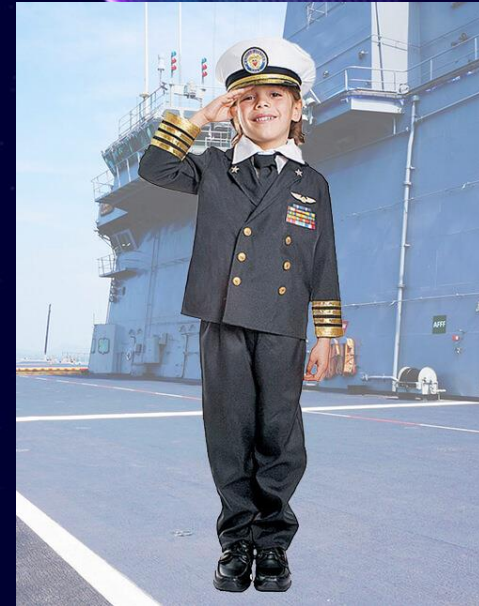
Campaign to Stop Use of Child Soldiers (Becker) I

- a. The HR abuse: voluntary & forced recruitment
- b. US legal framework (1917)
- c. Inadequate legal protection in the Convention of the Rights of Children (1989)
- d. The campaign: NGO coalition & 'straight-18' standard
- e. Sympathetic governments: Mozambique, Uruguay, etc.



Campaign to Stop Use of Child Soldiers (Becker) II

- f. Who opposes the new standard?
- g. Research-based reports (.25% of US soldiers are 17 years old)
- h. Congressional briefings with child soldiers
- i. International conference & US turnabout
- j. Adoption of protocol by UNGA in May 2000



Campaign to Stop Use of Child Soldiers (Becker) III

k. Only partial success

l. Lessons learned:

i. Clear and compelling message

ii. National coalitions built domestic pressure

iii. Use of multiple tools: regional conferences, allied with influential int'l bodies, influential champions

iv. Timing (US needed to look good)

Organizing Domestic Workers to Demand Decent Working Conditions (Becker) I

- a. The HR abuse: domestic work is unprotected & unregulated.
- b. The Philippines & Visayan Forum
- c. Tanzania & Conservation, Hotels, Domestic and Allied Workers Union
- d. First int'l conference in the Netherlands & campaign for new ILO convention



Organizing Domestic Workers to Demand Decent Working Conditions (Becker) II

- e. ILO's new standards (law & practice, questionnaire & International Trade Union Conference (ITUC))
- f. Who speaks for domestic workers?
- g. ILO Convention Concerning Decent Work for Domestic Workers (2011)



Organizing Domestic Workers to Demand Decent Working Conditions (Becker) III

h. Lessons learned:

- i. Unionization by domestic workers
 - ii. Support by ITUC
 - iii. National coalitions built domestic pressure
 - iv. Engagement with employers
 - v. Research & high-profile media stories
- i. Impact & enforcement ?

Framing the Claim (Brysk) - I

- a. How to pitch a cause?
- b. Have to overcome claims of state sovereignty, legitimate authority, and moral panics
- c. Most effective claims are based on modern & rational norms with cosmopolitan appeal (or are bridging narratives)

Human Trafficking (Brysk) - II

- d. Original frame of 'white slavery' is constructed as contemporary version of the 19th c. anti-slavery campaign
- e. Forced frame: human trafficking reduced to sexual slavery and ignores forced female and child labor & massive Southern Asian child laborers
- f. Offers protection over empowerment & rescue over rights & cultural construction over need

Female Genital Mutilation (Brysk)

- a. Perpetrated in the private domain by legitimate non-state actors
- b. Initial resistance in the name of “African values” but now abandoned.
- c. A “health rights” framing of sexual and reproductive health
- d. Exposure to human rights dialogue (Mackie)
- e. Institutional supporters: WHO & World Medical Association

Columbian violence (Brysk) - I

- a. Widespread assassinations, kidnappings, forced displacement of the indigenous population due to drug, land rights & criminal and political reasons
- b. Columbia has a democratic regime with independent judiciary & sovereignty rights
- c. Violence is mostly work of non-state actors

Columbian Violence - II

- d. Multiple and conflicting sources of violence are hard to capture in single human rights frame
- e. Claims of national insecurity
- f. Journalists, potential messengers, are targeted by the perpetrators of violence

The Power of Performance (Brysk) - I

- a. The rise of the novel & emphatic narrative
- b. In fact, many literary forms simulate the moral imagination
- c. Witnesses' voices: it does happen and it could happen to you



The Power of Performance (Brysk) - II

- a. *The Vagina Monologues*: women's empowerment and claim of voice against discrimination & sexual violence
- b. Satire mocks domination but not suffering
- c. The 'jester:' Steve Colbert frame of 'truthiness'

