

## **VAW Activism Sets the Stage for Legal Change in Conformance with Women's Human Rights**

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The wisdom of the 1970's phrase, "the personal is political" came alive for me at the 1993 world conference on human rights in Vienna, Austria when I was a member of the U.S. delegation to that conference. Virtually every country represented at that conference included a section abhorring violence against women in their introductory statements at the conference. This was a major breakthrough. Women's voices were heard. Human rights policy changed.

After the 1985 world conference on women victims and observers of violence against women began banding together and speaking out in many countries. Ordinary women in villages, cities and rural areas began saying to themselves and to each other: "Enough. This is not right. I will speak out." They went public with their stories and politicians at local and national levels listened. I had not realized the power of these stories even though I headed an international women's human rights organization and had been in politics for years. Personal stories became the basis for political action.

At the parallel non-governmental conference in 1993, which focused on violence against women, I also watched government delegates stroll the hallways of the NGO event held on a floor below the UN meeting. Standing before one of the TV monitors that was broadcasting women's stories, a distinguished delegate expressed astonishment that such violence could be perpetrated and tolerated. Why did it take the stories of individual women in countries around the globe to convince this man and the governments represented at the conference that human rights applied to women?

The answer is that historically human rights organizations limited themselves to the public sphere, concentrating on the egregious actions of repressive governments against their citizens. They considered the private sphere—the male-headed family—sacrosanct, beyond their purview. The common wisdom was that domestic violence was a family matter into which the public should not intrude. Police forces worldwide also held this private sphere view. Another common belief was that wars were between armies who abided by internationally accepted rules of war. Rape in wartime got little attention until the Bosnian war later in the 1990s.

Worldwide activism on violence against women made 1993 a turning point in human rights history. The Vienna Declaration adopted by this United Nations world conference, proclaimed:

The human rights of women and the girl-child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in the political, civil, economic, social and cultural life at ... (all) ... levels and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community.

Gender based violence and all forms of sexual harassment and exploitation, including those resulting from cultural prejudice and international trafficking are incompatible with the dignity and worth of the human person, and must be eliminated. This can be achieved by legal measures and through national action and international cooperation...

Since then the women's program of The Advocates has been a leader in helping national groups assess the violence against women problem and devise legal strategies to protect women and give them recourse when they are victims of violence. Also, after 1993, the media, which previously had ignored the violence against women problem, began giving it attention. The 1995 world women's conference in Beijing, China, resonated with the slogan: "women's rights are human rights." Women individually and women's groups in many countries are becoming more aggressive in tackling the problem.

But there is still much more to be done. Thousands of years of history are behind the "cultural prejudice" referred to in the Vienna Declaration. Fundamentalists, using religion for political purposes, have been in ascendance in democratic and non-democratic countries in recent years. In the name of family and security they seek to keep women in subservient positions, legally and culturally. This makes women more vulnerable to violence, especially when the traditional, male-headed family legal structure is reinforced and women have fewer economic and political resources.

A two-track strategy is necessary to overcome the violence against women problem. The first is continuing making the personal political by publicizing individual and group manifestations of violence and organizing to combat it. This provides the impetus for legal and cultural change which is the second, longer-term strategy. Not only must every country and community have laws providing women victims recourse, the provisions of CEDAW, the Convention on the Elimination of All Forms of Discrimination Against Women, the women's human rights treaty now ratified by almost 200 countries, must be written into law.

In implementing CEDAW four articles in that treaty are of paramount importance. These are the articles on equality before the law, marriage and family law and those on education and employment. The first two articles concerning legal equality, were the most contentious when CEDAW was being drafted and adopted by the United Nations. Lack of legal equality means recourse when violence occurs is more difficult. Legal subordination gives the violence prone cultural validity. Where women are considered legal subordinates in marriage, violence to enforce that subordination is more frequent and often culturally tolerated. Where marriage is women's most secure source of economic and social stability then equal legal rights in marriage and family law is essential. Educating girls for work outside the household is also essential. Long term, education and equal access to employment empowers women, making them less prone to sexual slavery, to accepting violence as a cultural norm and more likely to seek recourse when violence occurs.

The success of the violence against women campaigns in changing human rights policy is the foundation for legal changes in conformance with the new human rights standards. Continuing activism is required to bring about the legal changes.

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