

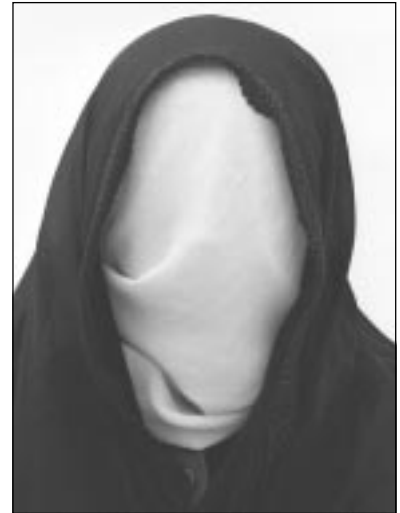
THE CQ Researcher

PUBLISHED BY CONGRESSIONAL QUARTERLY INC.

Women and Human Rights

Is the global anti-violence campaign succeeding?

Ethnic and religious conflict throughout the world has sparked horrific violence against women and girls in recent years. From Bosnia to Rwanda, combatants use rape, mutilation and enslavement to terrorize civilian populations. Islamic militants in Afghanistan subject women to severe punishment for minor offenses. In the absence of conflict, women still face violence — from wife-burning in India to “honor killings” of rape victims in the Middle East to forced prostitution in Asia. An international women’s rights movement is gathering strength, with strong United Nations and Clinton administration support, but the Senate has yet to ratify a key U.N. convention designed to protect women.



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CQ

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The CQ Researcher (ISSN 1056-2036). Published weekly, except Jan. 1, April 2, July 2, Dec. 3, Dec. 31, by Congressional Quarterly Inc., 1414 22nd St., N.W., Washington, D.C. 20037. Annual subscription rate for libraries, businesses and government is \$396. Single issues are available for \$10 (subscribers) or \$20 (non-subscribers). Quantity discounts apply to orders over 10. Binders are available for \$18. Additional rates furnished upon request. Periodicals postage paid at Washington, D.C., and additional mailing offices. POSTMASTER: Send address changes to The CQ Researcher, 1414 22nd St., N.W., Washington, D.C. 20037.

Cover: Hiding her identity, a woman takes refuge at a jail in northern Jordan. Women who were raped or had adulterous relationships are kept in jail to protect them from "honor killing" by their families. (Ali Jarekji/Reuters, March 29, 1999)

Women and Human Rights

BY MARY H. COOPER

THE ISSUES

The following stories are not for the faint of heart:

- In India, a 10-year-old girl is rescued by a flight attendant who notices her crying. She had been sold by her father for \$240 to the 60-year-old Saudi Arabian man sitting next to her.

- In Kenya, 300 boys at a boarding school rape 71 girls in the girls' dormitory. "The boys never meant any harm against the girls," the vice principal explains. "They just wanted to rape."

- In Ireland, courts refuse to let a 14-year-old girl who was raped by her best friend's father travel to England to have an abortion. Only when she threatens suicide does Ireland's Supreme Court relent.

- In the United States, a 51-year-old woman is stabbed to death by her former boyfriend as she waits inside a courthouse to extend a protective order. Two previous harassment charges against the man had been dropped.¹

Fifty years after the United Nations Declaration of Human Rights established the world's first comprehensive charter of individual freedoms, violence against women and girls still remains a problem of global dimensions.²

Much of the violence is linked to ethnic and religious conflicts that have erupted in the 1990s. After the Soviet Union and other communist governments within its sphere of influence collapsed, longstanding differences among religious and ethnic populations burst forth into brutal conflict. In Bosnia-Herzegovina, once part of Yugoslavia, Bosnian Serbs systematically raped and impregnated Muslim women as part of their program of "ethnic cleansing" to drive Muslims out of the country



during the 1992-95 Bosnian war. Ethnic Albanian refugees are reporting similar incidents committed against women fleeing the Yugoslavian province of Kosovo. Rape, mutilation and enslavement of women and girls also are common instruments of war in ongoing African civil conflicts in Rwanda, Sierra Leone and Algeria.

Human rights experts say that some of the most egregious acts have occurred in countries that have adopted Islamic law, or *Shari'a*, as the basis of their judicial systems. The most blatant violations of women's rights under Islamic law are being committed by the militant Taliban movement, which has gained control over most of Afghanistan in that country's ongoing civil war. Afghan women are held as virtual prisoners in their homes and subjected to severe punishment and even death for such minor offenses as appearing outside unescorted by a close male relative. Women fare only somewhat better in some of the more affluent Islamic countries, such as Saudi Arabia, where women are held to a strict dress code, barred from driving and often murdered by male

relatives for committing adultery.

Millions of women and girls also are subjected to traditional practices that have been internationally condemned as human rights violations. A common practice in much of Africa subjects girls to painful coming-of-age rites involving the surgical removal or alteration of their genital organs. Defended as "female circumcision" by proponents of the practice, it has been condemned as "female genital mutilation" by the United Nations and human rights organizations around the world.

Even in countries where laws offer official protection from abuse, women face violence at home, from wife-burning in India to "honor killings" of rape victims in the Middle East to the trafficking in girls and women in Asia. Indeed, human rights groups say that violence against women is common in the United States and many other countries that officially champion human rights and offer women legal protections against violence such as wife battering and sexual abuse of female inmates.

According to the U.N. World Health Organization (WHO), most violent acts are perpetrated by husbands or other male relatives. In fact, WHO says that as many as half the women in the world have been raped or otherwise physically abused by their partners at some time in their lives. "The perpetrators of violence against women are almost exclusively men," the agency reports, and "women are at greatest risk of violence from men they know." Moreover, WHO reports, in many cases, women have nowhere to turn for help. "The response of many professionals and social institutions has been to either blame or ignore the victim."³

But the news is not all bad. An international women's rights movement has gathered strength in recent

years, building support for international efforts to stop the violence and successfully pressuring governments to pass protective laws. In addition to the Universal Declaration of Human Rights, the United Nations has adopted several conventions aimed specifically at protecting women and children. Last year, the International Criminal Tribunal for Rwanda was set up and for the first time in history legally designated rape as a war crime. The court also convicted a former local official, Jean-Paul Akayesu, of sexual violence in Rwanda's 1994 genocide and sentenced him to life in prison.

Governments around the world also are taking steps to enforce women's rights. Last year, for example, Taiwan required police to file criminal charges in rape or sexual-abuse cases, and Egypt's supreme court upheld a 1996 ban on female genital mutilation.⁴

"Throughout the world, parliaments are still male-dominant, as are heads of state, but they are listening much more today to the call for women's rights," says Urban Jonsson, regional director of the U.N. Children's Fund (UNICEF) for Eastern and Southern Africa. "We have a long way still to go, but there is a sensitivity to these issues from within governments now that was not there before."

Nonetheless, according to WHO, women between the ages of 15 and 44 are more likely to die or be disabled as a result of violence than of cancer, malaria, traffic accidents and even war. Violence against women often does not end with the act itself. Especially in Africa and other regions where AIDS is rampant, female rape victims are doubly traumatized. "More and more women and girls are being infected with HIV [the human immunodeficiency virus] as a result of coerced relationships," said James Gustave Speth, administrator of the U.N. De-

velopment Program, which seeks to eradicate poverty and promote economic development in the Third World. "An estimated nine of every 10 new HIV infections result from such relationships."⁵

The United States presents an ambivalent face to the world community when it comes to women's rights. The Clinton administration is a strong advocate of women's rights. In 1994, at President Clinton's urging, Congress established the office of senior



Holding a sign that reads "No More Violence Against Women," Maria Lopez protests with 500 other women's rights activists at the National Assembly building in Tegucigalpa, Honduras.

coordinator for international women's issues within the State Department. Secretary of State Madeleine K. Albright and first lady Hillary Rodham Clinton have been vocal champions of women's rights in international forums.

But the administration has been unable to convince the Senate to ratify the U.N. Convention on the Elimination of

All Forms of Discrimination Against Women, commonly referred to as CEDAW. "The fact that the United States Senate has not seen fit to recommend ratification of CEDAW shows how out of touch the U.S. Congress is with women's lives," says Rebecca Cook, an American citizen and law professor at the University of Toronto.

Signed 20 years ago by President Jimmy Carter, the convention has since been ratified by 163 countries.

"I don't think the Senate realizes yet that half of the world's population is composed of women who have very significant problems in society," Cook says, "or that CEDAW has really been the international bill of rights to address some of the social justice questions that women are facing not only in the United States but also internationally."

Opposition to CEDAW stems in part from concerns that the agreement would require the United States to adopt the Equal Rights Amendment to the Constitution. First proposed in 1923 and finally passed by Congress in 1972, the ERA failed to win ratification by the states. Opponents to CEDAW also include anti-abortion activists who fear the treaty would undermine their efforts to overturn the right to an abortion, enshrined by the U.S. Supreme Court's 1973 ruling in *Roe v. Wade*.

"Time has shown that 'family-planning' rhetoric means access to abortion services," declared Concerned Women for America, a conservative group in Washington, D.C. "Ratification of CEDAW could easily be used as a precedent to broaden the scope of abortion in the United States."⁶

But women's rights activists in the United States say that the controversy over abortion should not be allowed to cloud U.S. efforts to protect women's rights. "I think it's a distor-

AP Photo/Eugene Hoshiko/Nov. 23, 1995

tion to give this much visibility to the abortion issue,” says Joan Dunlop, former president of the International Women’s Health Coalition and a prominent advocate of international women’s rights. “The future of the next century is going to be the struggle to grapple with threats to the environment, human rights, economic development and health.” She is trying to organize a “new constituency” of American women who would come up with innovative ways to combat these “four horsemen of the Apocalypse.”

Dunlop and other activists have a long way to go, however. On March 8, International Women’s Day was observed with great fanfare around the world, as it has been for more than 80 years. Government leaders made speeches, rallies were held and merchants hawked gifts to mark the occasion.⁷

But in the United States, Secretary’s Day receives more attention than Women’s Day, which once again passed largely unnoticed this year. A U.N. videoconference entitled “A World Free of Violence Against Women,” featuring U.N. Secretary-General Kofi Annan, actress Julie Andrews and CNN anchor Judy Woodruff, was broadcast around the world but received little or no mention in the U.S. press. “This was a really powerful and impressive event concerning violence against women around the world,” Dunlop says. “But it was totally inadequately reported in the United States. It was an outrage that the press failed to pick this up.”

As activists and policy-makers confront violence against women around the world, these are some of the issues they are considering:

Should the United States be more tolerant of female genital alteration and other traditional practices of immigrant communities?

As a nation of immigrants, the

United States has accommodated the religious and cultural practices of many societies. But the recent growth of non-European immigrant populations that wish to continue performing female genital alteration ceremonies challenges the limits of American tolerance.⁸

Known as “female circumcision” by its proponents and condemned as “female genital mutilation” by its detractors, the practice is a common coming-of-age rite in about 28 African countries and a few countries in the Middle East and Asia, including Egypt, Oman and Yemen. Most commonly, it involves excision of the clitoris and labia minora, but an estimated 15 percent of the cases also involve infibulation, in which the remaining flesh is sewn together, leaving only a small opening through which urine and menstrual blood can pass.

The World Health Organization and other international organizations place halting female genital alteration near the top of their list of priorities in combating violence against women. “Female genital mutilation (FGM) is a deeply rooted, harmful traditional practice that has serious health consequences for girls and women, especially in its severe forms,” states WHO, which estimates that 130 million girls and women alive today have undergone some form of the operation. “Female genital mutilation reinforces inequality suffered by girls and women in the communities where it is practiced and must be addressed if their health, social and economic development needs are to be met.”⁹

The issue is at the heart of a high-profile deportation proceeding involving a woman from Ghana who says she fled to the United States because she feared that her tribe’s leaders were about to cut her genitals. Denied refugee status by an immigration judge and the Board of

Immigration Appeals, Adelaide Abankwah has been detained at the Wackenhut Detention Center in Queens, N.Y., for more than two years. A Manhattan appeals court is scheduled to conduct a final hearing on the case on May 3.¹⁰

Opponents of FGM argue that it constitutes a violation of universally recognized human rights. “My position is very clear,” says Jonsson, whose area of responsibility in UNICEF includes 23 countries of Eastern and Southern Africa. “I very strongly believe in some basic moral minimum standards, and I will not defend any compromise on our work against female genital mutilation.”

Immigrant communities in the United States, Britain and other industrial countries are challenging the international condemnation of FGM, which they see as a violation of their right to carry on an integral part of their cultural heritage. This clash of views erupted into a local controversy in Seattle in 1996 after a Somali woman admitted to Harborview Medical Center, a public hospital, for routine delivery was asked whether she wanted her baby, if a son, circumcised. She answered, “Yes, and also if it’s a girl.”¹¹

Doctors and hospital administrators discussed ways they might accommodate the mother’s request, which was supported by the local community of Somali immigrants, while honoring their professional ethics, and decided on a minimal, “symbolic” procedure involving a small cut in the baby’s clitoris but no removal of tissue.

News of the hospital’s decision leaked out, provoking a national outcry among women’s rights advocates. Then-Rep. Patricia Schroeder, D-Colo., in a letter to the hospital director, challenged the legality of its decision and concluded that “this apparent push for such a barbaric procedure by a respected, main-

stream medical establishment both baffles and horrifies me.”¹² The public outcry against the hospital’s proposal was so strong that the hospital ultimately backed down and refused the woman’s request.

To some legal scholars and supporters of multiculturalism, the Seattle experience reveals a deep-seated bias in the United States against non-Western cultural practices. “The rhetoric of FGM and mutilation ought to be prohibited from civilized discourse,” says Richard A. Shweder, a cultural anthropologist at the University of Chicago. “It represents African mothers as barbarians who are trying to mutilate their children. It starts the discussion with the assumption that they are bad mothers and we are good mothers. That to me is like starting a discussion about abortion by saying you’re in favor of murdering innocent life.”

Far from an oppressive practice imposed on girls by men, Shweder says female genital alteration is performed almost exclusively by women, often on adolescent girls who anticipate the event as an accepted rite of passage into adult society. “The image that many people have is that there is some brutal, patriarchal male grabbing a woman and pulling her outside into the back yard screaming and kicking and using a razor blade to deprive her of her sexuality,” he says.

While it is undeniably painful, he says, so too is the male circumcision that often is carried out by the same societies as a coming-of-age ritual. “This is not a case of societies picking on women,” he says. “Male circumcision ceremonies at adolescence are common all over the world. It would be a rarity to find a society that circumcises girls but doesn’t also circumcise boys.”

Shweder is among a group of scholars who are studying ways U.S. laws affect ethnic customs among

immigrants in conjunction with the Social Science Research Council in New York City. He says the campaign to ban female genital alteration in immigrant communities resembles an earlier campaign to ban male circumcision by Jewish immigrants. “One of the things that is most troubling about the current rhetoric is that it reproduces exactly the anti-Semitic rhetoric that tagged Jews as barbaric mutilators of infant babies,” he says. Since then, male circumcision has become a common practice in U.S. hospitals, for Jews and non-Jews alike, even though the health benefits of this operation are apparently negligible.¹³

“Male circumcision is an irreversible change of the boy’s body done without his consent,” Shweder says. “Why do we allow it? I think because we feel it’s minor enough that we choose to bow to parental rights, including the parents’ religious freedom and cultural rights.”

Opponents to FGM are undeterred by such arguments. “I see no reason why we in UNICEF would in any way legitimize a practice we condemn in Africa just because some of the same people move to other countries such as the United States,” says Jonsson.

Indeed, American activists for women’s rights reject the notion that immigrants such as the Somali woman in Seattle express the dominant views of their societies on this issue. “We feel without any reservation that this is a fundamental human rights violation,” says Jessica Neuwirth, an international lawyer and president of Equality Now, a women’s rights group in New York City. “We also find that our view is shared by African activists in every country where FGM is practiced.” Neuwirth points to a grassroots campaign in Senegal, which resulted in the passage last year of a law banning FGM. “We have great respect for culture in all contexts, but there has to be a line that you draw

which has to do with violence and harm,” she says. “We can’t tolerate practices just because someone thinks they’re ‘cultural.’”

Is Islam inherently more oppressive toward women than other religions?

The Taliban’s treatment of women has drawn international attention to the plight of women and girls in many Muslim countries that have adopted Islamic law, or Shari’a, as the basis of their legal and judicial systems. Citing religious scripture that emphasizes the different roles of men and women in Muslim society, governments in much of the Islamic world hold women in subservient positions, forcing them to wear cumbersome robes, denying them full access to public life and in some cases subjecting them to outright violence.

In Afghanistan, the most extreme case of female subjugation under Islamic law, women must don a “burqa,” a dark robe with only a small, heavy mesh opening to see through, before venturing out of the house. Roving police physically punish any woman who calls attention to herself even by wearing shoes that squeak or click on the pavement. Worse punishment awaits a woman who is not escorted by a close male relative.

The many Afghan women whose fathers, husbands or brothers have died in the country’s ongoing civil war live under virtual house arrest. They are even denied a view of the outdoors, as the windows of houses where women live must be painted over to prevent them from being seen from the street.

Afghan women are no longer allowed to work outside the home. Because male doctors are not allowed to care for females, this means that women and girls are routinely denied health care, even emergency

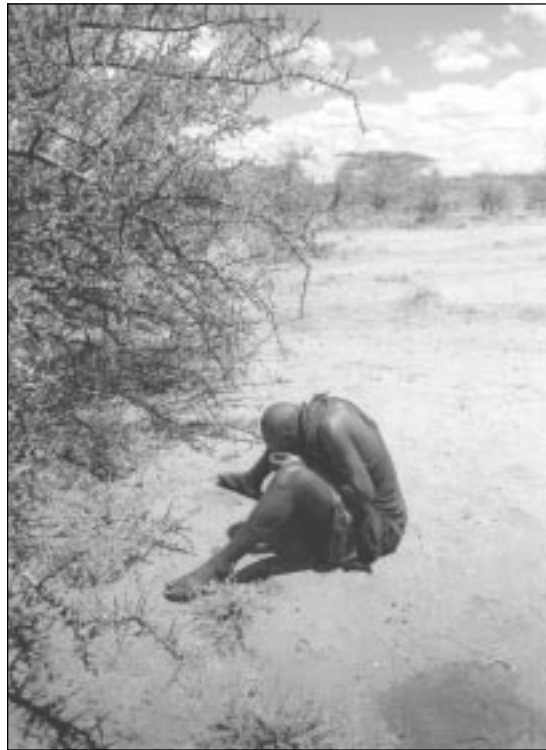
operations such as appendectomies or cesarean sections. Female mortality is rising, partly from an increase in suicides by severely depressed women. Perhaps worst of all, girls may no longer go to school or even be taught at home. This means that if and when the veil of Islamic law finally lifts from Afghanistan, about half the population may be illiterate and unable to function in modern society.

Some aid workers in Afghanistan dispute the severity of conditions among women, especially outside the capital, Kabul. "Definitely women in Afghanistan are suffering tremendous abuses; their human rights are not being respected," said Judy Benjamin, head of the Women's Commission for Refugee Women and Children. "But you need to put this in the context of what's happened to the country in the past two decades. Much of the grief and poverty is a result of conflict and war, not a result of the Taliban. There is suffering and poverty, but in most of Afghanistan people will say the Taliban have brought peace and security."¹⁴

But many women's rights advocates say the situation is intolerable. Moreover, they say, women fare only somewhat better under Shari'a law adopted in other Muslim countries. "What's happening to women in Afghanistan is really just devastating," says Mahnaz Afkhami, an international women's rights advocate and president of the Sisterhood Is Global Institute, a women's rights organization in Bethesda, Md. "But right after Afghanistan comes Saudi Arabia, where there is full gender apartheid. Of course, Saudi Arabia is a rich country, so women at least get services such as health

care. Poor countries that try to maintain separate services can't afford to have full services given by females, so there often are not enough facilities, not enough nurses and no female doctors."

But even the harshest critics of female oppression in some Islamic societies say that women and girls can thrive as practicing Muslims. "The way Shari'a law is now being incorporated into legal systems is gener-



Seita, a young Kenyan woman, recovers after her genital-alteration ritual. The photo was part of a series on female circumcision that won the 1996 Pulitzer Prize for feature photography.

his employer and a highly respected figure in the community. "At the beginning of Islam a woman could be like that," Afkhami says. "Current laws are just patriarchal ways of keeping women down by using religion as a pretext."

Not only is there nothing in Islam that inherently violates women's rights, but Muslim women thrive in some countries that have not incorporated Shari'a law into their judicial systems. The Muslim state of Qatar in the Persian Gulf allowed women to both vote and run for public office when it held its first-ever elections in March. In Turkey, where Islam is the predominant religion, women are actually fighting the secular government's ban on wearing head scarves in schools and other state institutions. And in Pakistan, female government officials resigned en masse to protest a bill now before parliament that would make Shari'a law the law of the land.

"There is a huge diversity of ways of expressing yourself as a Muslim," Afkhami says. "In India there are some 100 million Muslim women who go around with bare midriffs, and they are perfectly fine Muslims, just as are those who are covered head to foot. It is a mistake to think that the only authentic Muslim women are the ones who are veiled and crouching in the corners of cities in the Muslim societies."

Countries that have adopted Islamic law are not the only ones that oppress women in the name of religion. Activists cite the denial of women's right to reproductive freedom in Ireland, Chile and other predominantly Catholic countries that ban abortion and limit access to contraceptive services as other examples of religious oppression.

AP Photo/Newhouse News Service, Stephanie Welsh

“We should oppose not just Islamic laws, but also Judaic and Christian laws that violate the precepts of gender equality,” says Neuwirth. “Our standard of measurement is the basic principles of human rights set forth in the Universal Declaration, which have been reaffirmed by the Convention on the Elimination of All Forms of Discrimination Against Women. World governments have signed on to these, at least in principle, and we want to hold them to that commitment.”

Is the United States doing enough to promote international women’s rights?

Most women’s rights activists give the Clinton administration high marks for its efforts to advance the cause of international women’s rights. In 1994 the administration requested and Congress created a separate position of senior adviser for women’s rights in the State Department.

Since taking office in 1996, Secretary of State Albright has become a forceful spokesperson for the international women’s rights movement. “I believe that of all the forces that will shape the world of the 21st century, this may be the most important,” she said in 1998. “From the tiniest village to the largest city, surmounting every barrier of geography, language, ethnicity and background, the movement to unleash the full capacities and energies of women and girls is gaining strength.”¹⁵

The administration’s most vocal advocate of women’s rights has been first lady Hillary Rodham Clinton. As the U.S. representative at the U.N. Fourth World Conference on Women in 1995 in Beijing and other meetings on the issue, Mrs. Clinton has been outspoken in her support for efforts

to end violence and oppression aimed at women and girls. Singling out the Taliban’s treatment of Afghan women as “the egregious and systematic trampling” of women’s rights, Mrs. Clinton recently told a U.N. gathering: “It is no longer acceptable to say that the abuse and mistreatment of women is cultural. It should be called what it is — criminal.”¹⁶

The Clinton administration’s vocal

the treaty would have to be approved by a two-thirds majority to win final ratification. But it has languished in the Senate ever since amid opposition of conservative lawmakers who say it would jeopardize U.S. sovereignty by forcing the United States to change its laws on such controversial issues as equal pay and abortion rights — although the treaty does not provide the right to abortion.

In 1994, when the Democrats had a majority in the Senate, the Foreign Relations Committee approved CEDAW and sent it to the full Senate.

“The minority recognizes the unfortunate prevalence of violence and human rights abuses against women around the world,” said Sen. Jesse Helms, R-N.C., and other minority opponents of the treaty, “and we share the majority’s strong support for eliminating discrimination against women. We are not persuaded, however, that [CEDAW] is a proper or effective means of pursuing that objective. Indeed, we fear that creating yet another set of unenforceable international standards will further dilute respect for international human rights norms.”

Since becoming Foreign Relations chairman, in 1995, Helms has kept CEDAW from being considered by the committee, much less by the full Senate. Although Helms and other Senate conservatives have said little about the

treaty, conservative activists are outspoken in their objections to what they see as its threat to American values. CEDAW, writes Phyllis Schlafly, head of the conservative Eagle Forum, “would require us to follow U.N./feminist dictates about ‘customs and practices,’ ‘social and cultural patterns of conduct of men and women,’ ‘family education,’ and even revision of textbooks.” Schlafly



First lady Hillary Rodham Clinton greets Mary Leslie-Bryant, a survivor of domestic violence, at the opening of a battered women’s shelter in Cincinnati, Ohio, on July 27, 1998.

Reuters/John Sommers

support of women’s rights stands in stark contrast to the Senate’s failure to ratify CEDAW. The treaty formally codifies women’s equality and promotes women’s inclusion in all areas of public life. It provides a universal definition of discrimination and sets clear guidelines for signatory countries to combat forms of discrimination such as violence against women and unequal pay.

Signed in 1979 by President Carter,

also rejects the U.N. Convention on the Rights of the Child, another treaty that has yet to be taken up by the Senate, as a document that “would bring about massive U.N. interference in family life, education, day care, health care and standard of living.”¹⁷

But human rights activists and development experts say the failure to ratify CEDAW has undermined not only the well-being of women around the world, but the United States’ credibility as well. “Most people see the United States as a powerful nation, and certainly if the most powerful nation in the world doesn’t agree that creates a bad precedent for women’s rights around the world,” says Jonsson of UNICEF. “It also is not good for the United States’ image as a champion of human rights when it stands with Somalia as the only countries that have failed to ratify CEDAW.”

Several lawmakers, including Sen. Russell D. Feingold, D-Wis., and Rep. Lynn Woolsey, D-Calif., have issued impassioned calls for the treaty’s ratification. But so far, the push to ratify CEDAW is largely limited to isolated voices in Congress and resolutions by a handful of city governments, such as San Francisco.

“My impression is that the Clinton administration strongly favors ratification of CEDAW,” Neuwirth says. “But at the same time, it’s really clear that the stumbling block is in the Senate, especially in the person of Sen. Helms. The notion that people who even pay lip service to the idea of the rule of law can be unwilling to accept ratification of CEDAW is very difficult to accept.”

Some activists say that Americans tend to assume they champion human rights based on the country’s track record in establishing democratic institutions and advancing the civil rights of African-Americans and other minorities. “The civil rights law is in fact much more limited in scope

than the human rights language and principles,” says Dunlop. “We don’t really understand what human rights are in this country. Instead, we see abuses of women’s rights as isolated incidents rather than as a continuum with the whole issue of human rights.”

Other activists point to the public preoccupation with the president’s affair with Monica Lewinsky for most of the past year as another indication of U.S. lawmakers’ failure to acknowledge the widespread violations of women’s rights around the world. “The fact that Congress and the press wasted a whole year on bedroom ethics as opposed to violence against women shows just how completely out of touch they are,” says Cook. “As disgraceful as the Lewinsky affair was, the fact remains that Congress could have spent their time better by addressing issues that could make a real difference to women’s lives.” ■

BACKGROUND

Catalog of Horrors

Since the 1970s, the international women’s movement has emerged from the campaign for human rights as a separate and forceful voice. It was largely responsible for the U.N. endorsement of CEDAW, the convention on children’s rights and other documents that guarantee, on paper at least, the rights of girls and women to live free from discrimination and violence. At the 1993 U.N. World Conference on Human Rights, activists won recognition that women’s rights are analogous to human rights. And at the 1995 U.N. Conference on Women in Beijing, governments

agreed that all efforts to improve women’s status must be founded not only on the need to improve human health and well-being but specifically on the need to respect women’s rights.

“What’s significant about the international movement to combat violence against women is that it has sensitized us to all kinds of discrimination against women, whether it takes the form of physical violence or government neglect,” says Cook of the University of Toronto. “Whatever form it takes, we’re now sensitized to the fact that discrimination against women is no longer acceptable.”

Despite this progress, violence continues to be a part of everyday life for women and girls in many parts of the world. “In 1998 violence against women remained one of the most intractable violations of women’s human rights,” reports Human Rights Watch, an international, nonpartisan organization that monitors human rights violations worldwide. “In various forms it persisted in times of peace as well as in times of conflict. The perpetrators were as likely to be private actors as public officials. Women were beaten in their homes by intimate partners; raped and otherwise sexually assaulted during times of internal conflict by soldiers; sexually assaulted by law enforcement personnel while in their custody; raped in refugee camps by other refugees, local police or the military; and targeted for sexual violence based on their low social status.”¹⁸

These are among the more common forms of violence against women and girls:

Repression under Islamic law —

The Taliban’s mistreatment of women tops the Clinton administration’s list of violent offenses against women’s rights. Albright has branded as “despicable” the governing movement’s practice of “gender apartheid.”¹⁹

Even under the leadership of President Mohammed Khatemi, a “moderate” cleric, Iran continues to impose strict rules over women’s lives under that country’s Islamic law. Since 1979, when it became the first country to adopt Shari’a law in modern times, Iran has forced women to respect a strict dress code, called hijab. The long coat and *chador*, or scarf, must cover the entire body except part of the face.

Like the Taliban, Iran’s version of Islamic law segregates women from men in schools, buses, mosques and even hospitals. Although Iranian women are allowed to appear in public with men who are not close relatives, they fall under the authority of their fathers or other male relatives. Under Iranian law, men are allowed to practice polygamy, may divorce more freely than women and prevail in most child custody disputes.²⁰

The imposition of Islamic law is especially jarring to women in Iran in light of the strides they had made before the revolution. “Women in Iran were some of the more advanced in the Third World and began feminist activism at the turn of the century,” says Afkhami. “The revolution completely put a stop to that, and all the laws that had been worked for so hard were canceled as the government quickly adopted the most fundamentalist interpretation of Islam.” The minimum age for marriage for girls was reduced from 18 to 8-1/2, death by stoning became the punishment for female adulterers and men were granted the unilateral right of divorce.

Women strongly supported the candidacy of Khatemi, who gained further support in March when his moderate allies won most of the seats in municipal elections. But his attempts to restore some freedoms for women have run into opposition from the parliament, which is controlled by the conservative clergy.

In the past year, health services have been segregated, making it hard for women to receive even emergency health care, and publishers have been barred from featuring pictures of women, even when fully veiled, on magazine covers. “The atmosphere is a little more open in Iran today,” Afkhami says. “But there is a lot of struggle going on inside the country, and it’s still a very dangerous situation for women.”

Even some Islamic countries that have not adopted many of the strict rules imposed under Shari’a law still tolerate violent practices against women that are part of the male-dominant traditions of the Arab world. In rural Pakistan, women are often killed for marrying against their fathers’ wishes, and female adulterers are routinely stoned to death. As part of a terror campaign aimed at destabilizing the secular government, Islamic militants in Algeria target women for rape, kidnapping and forced prostitution.

In Jordan, as in other Muslim countries, women who commit adultery are often murdered by brothers or other close male relatives who defend the practice as essential to preserving the family’s honor. Even rape victims are subjected to such “honor killings.” The practice is illegal, and Jordanian women, including Princess Basma, sister of the late King Hussein, have marched in protest against honor killings. But police and judges remain generally sympathetic to the killers, who typically either are not prosecuted or receive light sentences. Women who fear they may be targeted for honor killing often have no choice but to seek protective custody in prison to stay alive.²¹

Female genital mutilation (FGM) — Performed as a coming-of-age ritual, FGM involves partial or total removal of the external female genitalia or other injury to the genital

organs for cultural or other non-medical reasons. Even in its least invasive forms, the changes brought by FGM are irreversible. FGM is widely practiced in much of sub-Saharan Africa, as well as in Egypt, Oman, Yemen and some other countries of the Middle East. Although a number of predominantly Muslim countries condone FGM, it is not unique to Muslim societies. Numerous African tribes perform it — either at birth or as a coming-of-age ceremony — and consider a woman unworthy of marriage unless she has undergone the rite at some point in her life.

“In some societies, this procedure is seen as a statement about the woman’s civility,” Shweder says. “By doing this you’re cutting out what they view as animalistic because from their point of view it’s only animals that would be driven by sexual desire. In some societies they think female circumcision improves the esthetics of the body, that by smoothing it out they’re making it more attractive.”

Marriage prospects are an important reason parents subject their daughters to FGM. “No responsible mother in these societies would willingly fail to circumcise her daughter for fear that people would think of the girl as a prostitute, as someone who has no control over her sexuality,” Shweder says.

Although some legal experts and anthropologists argue that FGM should be tolerated, at least in its less extreme forms, most advocates for women’s rights and international organizations are unequivocally opposed to the practice. The World Health Organization, for example, established a special working group to combat the practice in July 1995.

Women’s rights activists in some countries have successfully lobbied

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Chronology

1940s *The first efforts toward international women's rights are launched.*

1946

The United Nations establishes the Commission on the Status of Women to promote women's rights around the world.

———— • ————

1970s-1980s
The international women's rights movement goes into high gear.

1972

Congress passes the Equal Rights Amendment, but it fails to win ratification by the states.

1973

The U.S. Supreme Court's 1973 ruling in *Roe v. Wade* upholds the right of American women to obtain an abortion.

Dec. 18, 1979

The U.N. General Assembly adopts the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

1979

A revolution in Iran ushers in the first modern state based on Islamic law.

July 17, 1980

President Jimmy Carter signs CEDAW and sends it to the Senate, which fails to ratify it. Since 1995, the treaty has not made it out of the Senate Foreign Relations Committee, chaired by Sen. Jesse Helms, R-N.C.

1990s *Violence against women and girls becomes the main focus of the international women's movement.*

1992

As part of their campaign of "ethnic cleansing," aimed at driving all Muslims from Bosnia, Bosnian Serb forces systematically rape and impregnate Muslim women and girls.

1993

The U.N. World Conference on Human Rights adopts the Vienna Declaration, which holds that "the human rights of women and the girl-child are an inalienable, integral and indivisible part of human rights." The General Assembly adopts Resolution 48/104 recognizing the need to focus on domestic violence.

1994

At the behest of President Clinton, Congress establishes the office of senior coordinator for international women's issues within the State Department. . . . The 1994 Violence Against Women Act provides federal funding of battered women's programs and interstate enforcement of protective orders issued to batterers to stay away from their victims. . . . Hutu troops target Tutsi women and girls for sexual assault during a genocidal civil war in Rwanda.

1995

The Taliban militia emerges as a key force in the civil war in Afghanistan. The fundamentalist Islamic movement later deprives women of their human rights.

July 1995

The U.N.'s World Health Organi-

zation (WHO) establishes a special working group to combat "female genital mutilation."

Sept. 4-15, 1995

Delegates to the Fourth World Conference on Women in Beijing recognize that the status of women has advanced but that inequalities and obstacles remain.

1996

Madeleine K. Albright, the U.S. representative to the United Nations, is appointed secretary of State and becomes a forceful spokesman for the international women's rights movement.

1998

Ivory Coast and Togo ban female genital mutilation. . . . To mark International Women's Day on March 11, President Clinton announces a \$10 million increase in funding to combat violence, a joint U.S.-European Union campaign to combat trafficking of women from and through Central Europe and the former Soviet Union and stepped-up efforts through the U.S. Agency for International Development to help victims of domestic violence.

1999

Senegal bans female genital mutilation. . . . Amnesty International documents widespread sexual abuse of female inmates in the United States. . . . Republican and Democratic lawmakers introduce competing legislation aimed at combating international trafficking in women and children. . . . The 4th U.S. Circuit Court of Appeals in Richmond, Va., rules on March 5 that the Violence Against Women Act is unconstitutional. The ruling denies women the right to sue their attackers in federal court.

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for abolition of FGM. In Egypt, where an estimated 97 percent of the women have been circumcised, a 17-year campaign to ban the practice prevailed on Dec. 28, 1997, when the country's supreme court sustained an earlier ban.²² In 1998, Ivory Coast and Togo also passed laws banning FGM, as did Senegal in January of this year.

Burkina Faso is taking an even more aggressive stand against the practice. "Burkina Faso has the most active program," Neuwirth says. "The government not only has supported a legislative ban on FGM but also set up an active hotline people can call to alert the police if they hear of suspicious behavior in their neighborhood."

In other countries, however, FGM is still broadly tolerated. For example, the government of Nigeria — Africa's most populous country — publicly opposes the practice but has taken no legal action to ban it, despite a grass-roots campaign by private groups. About a third of Nigerian households of all ethnic and religious groups practice the procedure.²³

Trafficking in women and girls

— According to the State Department, as many as 2 million women and girls are bought and sold each year, generally for the purpose of forced labor, domestic servitude or sexual exploitation.²⁴ Just as criminals control the export and import of illegal drugs, traffickers in women and girls generally belong to well-organized criminal organizations that control most of this multibillion-dollar industry. They often deceive their victims with promises of employment as nannies, models or waitresses in foreign countries where they are

subsequently forced into virtual slavery. If they have been smuggled into the country, the victims may fear reporting their condition to the authorities.

Trafficking in girls is especially common in East and South Asia, where impoverished parents sell daughters for cash to buy food for the rest of the family. A major source of women and girls today is North Korea, where starving families reportedly sell their daughters to Chi-

organizations, some 100,000 Filipino girls are sold each year as "entertainers" to Japan's sex industry, some 2 million Thai women and children — out of a total population of 60 million — are prostitutes, and 200,000 Bangladeshi women and girls are being held in sexual bondage in Pakistan.²⁶

Young girls in Ghana are subjected to another kind of trafficking. Called *trokosi*, this involves a family's donation of a young daughter to a priest as a way to appease the gods for crimes committed by members of the family. The girl becomes the priest's property and is used as a maid or farmhand until puberty, when she is exploited sexually as well. Last year the Ghanaian parliament criminalized ritual enslavement of any kind.

Secretary of State Albright has launched a diplomatic initiative to counter the trafficking of girls and women, which she calls "one of the fastest-growing criminal enterprises in the world." "After all," she said, "if we believe in zero tolerance for those who sell illegal drugs, shouldn't we feel even more strongly about those who buy and sell human beings?"²⁷

In March 1998, the United States and the European Union launched a joint information campaign to combat the trafficking of women from and through Central Europe and the former Soviet Union, especially Ukraine and Poland. Traffickers have used these countries both as sources of victims and as transit points for smuggling women and girls from Eastern Europe and Asia.

Rape as a weapon of terror

— Although the sexual assault of women and girls trapped in combat zones has



Posters calling attention to domestic violence are being displayed in Massachusetts in 32 state domestic violence agencies and on transit trains.

nese traffickers for \$800-\$1,500. Although they are often bought by Chinese farmers as wives, many end up as prostitutes.²⁵

Despite a law banning trafficking in women, more than 7,000 women and girls are smuggled into India from Nepal and other neighboring countries each year for India's booming sex trade. According to the Coalition Against Trafficking in Women, made up of private human rights

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International Groups Fight Violence With Education

Since the 1970s, a number of governments and private, non-governmental organizations have launched programs to advance the status of women around the world. Their activities were spurred by efforts to curb population growth in the developing world, which skyrocketed in the 1950s and '60s as a result of childhood vaccination campaigns and improvements in health care and sanitation. Overpopulation threatened to undermine widespread advances in agricultural output and economic development, which industrial countries and multilateral institutions such as the World Bank had supported through foreign aid programs.

Initially, the population-growth programs provided contraceptives, family-planning counseling and, in some cases, abortion services. But support for such programs waned in the 1980s under pressure from opponents of abortion and other forms of birth control.

Even supporters of population programs soon realized that their efforts were not enough to slow population growth. As long as the developing world relied mainly on farming for their livelihoods, the incentives for having large families would persist because children were viewed as vital assets as field hands and caregivers for infants and the elderly.

Increasingly, women's rights advocates have identified improvements in women's education and social services as essential to improving standards of living throughout the Third World. Policy-makers also recognized the need to focus development assistance specifically on women. In 1974, the U.S. Agency for International Development (USAID), for example, created its Office for Women in Development to help ensure that assistance programs integrate women more fully into local economies.

The change in priorities within the women's rights movement gained widespread support following several international meetings sponsored by the United Nations that brought together activists from around the world. In 1994, 179 countries participating in the U.N. International Conference on Population and Development in Cairo, Egypt, agreed to integrate into population programs the broader goals of fostering human and economic development and improving quality of life, particularly for women and girls. That theme was reiterated at the Fourth World Conference on Women, held in 1995 in Beijing. A follow-up meeting to the Cairo conference, held in February 1999 in the Hague, Netherlands, reinforced international support for improved access to family planning, gender equality and stabilization of world population. Also in February, representatives of 17 countries meeting in Mexico City under the auspices of the U.N. Children's Fund

(UNICEF) endorsed the right of women to receive quality health care and participate in decisions affecting their well-being.

The Clinton administration strongly endorses the integration of women's rights and population programs. "If there is one achievement that I hope we can [someday] look back on," said first lady Hillary Rodham Clinton at the Hague forum, "I hope it will be that we have created an environment in which more children are wanted who come into our world in the next century, and where pregnancies are planned, and where women are given their rightful place in all of their societies."¹

In his budget request for fiscal 2000, President Clinton asked for increased funding for USAID and restoration of the U.S. contribution to the U.N. Population Fund (UNFPA). Congress has cut USAID funds for population and reproductive health assistance by a third since 1995, and in 1999 Congress eliminated funding of UNFPA altogether.

More recently, international women's rights groups have identified violence as the most basic and pervasive violation of women's rights. "The chief organizing principle of the international women's movement today is violence against women," says Joan Dunlop, former president of the International Women's Health Coalition in New York City and a leader of the women's rights movement. "By that I mean all forms of violence, not just domestic violence or battering."

In some respects, the struggle against violence is far more challenging than any fight the women's movement has undertaken before because situations that activists consider to be abusive are often accepted as normal in many societies, such as pregnancy among girls and young teenagers.

"We've always thought that adolescent, unwanted pregnancy would go away if we could just provide contraceptive services and sex education," says Rebecca Cook, a professor of women's health and human rights law at the University of Toronto. "Now we understand that up to 20 percent of the pregnancies in some countries are a result of abusive sex, particularly by older men against younger women."

Stopping such unwanted pregnancies is not just a matter of stopping forcible sex, hard as that may be, through tougher criminal penalties for rape. "Sometimes it happens because older men have such an influence over younger women that they are able to set conditions that include sex," Cook says.

¹ From an address before the Hague International Forum, Feb. 12, 1999.

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been one of the nightmarish hazards of modern warfare, the systematic use of rape as a weapon intended to strike terror in civilian populations is a more recent phenomenon. Bosnian Serb forces shocked the world in the early 1990s when they rounded up Muslim women and girls for the sole purpose of raping them — and in some cases intentionally impregnating them — as a means of “ethnic cleansing,” or driving all Muslims from the country.²⁸

“Rape was never considered as a war crime during the Nuremberg trials,” says Cook of the international proceedings against Nazi war criminals. “But the fact that rape is being prosecuted as a war crime at the international tribunal for the former Yugoslavia shows how far we have gone toward being sensitized to the fact that rape and forced pregnancy — using a woman’s body for purposes that the government is pursuing — are forms of violence against women that constitute war crimes.”

Even when it is not condoned by government forces, rape is used by participants in civil conflicts as a weapon to harm or drive out ethnic minorities. During last May’s riots in Indonesia following the resignation of President Suharto, hundreds of ethnic Chinese women and girls were raped by poor residents who resent the Chinese for their economic well-being.²⁹

Recent civil conflicts in Africa have also been marked by the systematic rape of women and girls. In their armed struggle against the secular government of Algeria, Islamic extremists target women, raping, mutilating and often kidnapping young women who are held as sex slaves. In Sierra Leone, wracked by civil war for the past nine years, rebel forces are raping and mutilating women and children by hacking off their arms and legs. Hutu troops targeted Tutsi women and girls for sexual assault during the 1994 genocide in Rwanda. Refugee camps offered

little protection from the violence: Rwandan women fleeing that country’s genocide in 1994 reported repeated incidents of rape at the hands of other refugees.

Wife-burning — While the reports of rape and mutilation in Africa have horrified the world, some development experts say the plight of women is even worse in India and the other countries of South Asia. “Women are subordinated, exploited and targeted for violence all over the world, but the way women are perceived in families and communities in South Asia makes their situation especially bad,” says Jonsson, who spent five years in the region with UNICEF. “In some parts of Bangladesh, for example, a traditional practice has it that when a husband finds his wife no longer attractive enough he arranges for her to be raped in the presence of their son, and the community will react by immediately killing her.”

South Asian women have long been victimized by the region’s traditions regarding marriage and the family. Because girls are viewed as less valuable than boys, some impoverished families defy existing laws by committing infanticide of baby girls and selling young daughters into marriage or prostitution. More than half the women in the northern Indian state of Rajasthan were married before they turned 15, according to one recent survey.³⁰

The tradition of providing dowries also leads to violence. In the typical dowry dispute, a groom’s family members harass a woman whose family they believe has not provided a sufficient dowry. This harassment sometimes ends in the woman’s death, which family members try to portray as a suicide or kitchen accident. Last year alone, the Indian government reported 3,260 “dowry deaths,” in which women were doused with kerosene and ignited.

The practice is so entrenched in some areas that courts are required to presume that the husband or his family is responsible for every unnatural death in the first seven years of marriage when there is evidence of harassment.³¹ In 1997, newspapers in Lahore, Pakistan, reported more than four incidents a week of “stove burnings,” in which most of the victims died. In Bangladesh, sulfuric acid is often used to kill or disfigure women and girls.³²

Domestic violence — Wife-beating remains a common practice throughout the world. Even in the United States and other industrial countries that have taken steps to combat battering by strengthening criminal penalties against batterers and offering special shelters and counseling to help victims and their children, domestic violence continues to take a heavy toll, especially among women. Cultural traditions that are tolerant of wife-beating persist in some industrial countries, such as Poland, where a proverb says, “If a man does not beat his wife, her liver rots.”³³ Similar attitudes have prevented women from gaining protection from batterers in Russia as well.³⁴

In many developing countries around the world, where cultural traditions condone or tolerate battering, the situation is even worse. Despite their popular image as gentle, carefree societies, the Pacific Island countries have notoriously high rates of domestic violence against women. Papua New Guinea is reported to have the world’s highest.³⁵

A number of countries have recently taken steps to combat domestic violence. Turkey, for example, last year enacted a family protection law making spousal abuse illegal. But some laws merely ignore the problem. In some Latin American countries, a rapist may win immunity from prosecution if he offers to marry the

Abortion Issue Ignites Controversy

Few women's rights issues are more controversial than access to abortion services. In the United States, the controversy has only intensified since a woman's right to an abortion was upheld by the Supreme Court's landmark *Roe v. Wade* decision in January 1973. U.S. abortion clinics have been fire-bombed, doctors and other clinic personnel assassinated and women harassed for trying to end their unwanted pregnancies. Bowing to anti-abortion sentiments, many states have imposed restrictions on abortion, and Congress has barred funding overseas population programs that provide or promote abortion services. And now, every January, anti-abortion and pro-choice activists march on the Supreme Court to demonstrate their convictions on the issue.

Many countries have highly restrictive policies on abortion. In Nepal, obtaining an abortion carries a prison sentence of 20 years. In Peru, where abortion is illegal, poor women have been forcibly sterilized as part of a government-sponsored plan to reduce population growth.¹ And Ireland, Cambodia, Sudan and other countries prohibit the procedure except to save the woman's life.

But the promotion of women's rights in international agreements has strengthened the hand of pro-choice activists in many countries. While rejecting abortion as a preferred method of birth control, both the 1994 International Conference on Population and Development in Cairo, Egypt, and the Fourth World Conference on Women in Beijing in 1995, concluded that safe access to abortion services fell within the spectrum of human rights and social justice. The Beijing Platform for Action also condemned "forced pregnancy" as a violation of women's rights. Although the term describes the practice of intentionally impregnating civilian women in conflict, now recognized as a war crime, it may also describe the denial of abortion services to women who want to terminate unwanted pregnancies.

"Forced pregnancy describes not only denial of legal abortion when pregnancy follows rape but also state denial of abortion services when pregnancy termination is requested on other indications," conclude the authors of

a recent survey of abortion legislation. "It imposes an unparalleled burden on women. No other circumstance requires unwilling individuals to provide the resources of their bodies for the sustenance of others — for instance, as organ, bone marrow or blood donors — and legal compulsion that they do so would quickly be condemned as a human rights violation."²

It is just such a broad interpretation of women's rights that has prompted anti-abortion activists to vehemently oppose U.S. ratification of the U.N. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), signed by President Jimmy Carter in 1979. According to Concerned Women for America, a conservative group in Washington, the treaty's provision ensuring access to family-planning services "could easily be used as a precedent to broaden the scope of abortion in the United States. [CEDAW] was written in the late 1970s, and time has shown that 'family-planning' rhetoric means access to abortion services. That construction is consistent with feminist thought, which says that pregnancy is the only major difference between men and women. In the feminist view, pregnancy hampers women and lessens their ability to compete equally with men, so abortions must be available to all women as an equality measure."³

Only the United States and Somalia, which has long been torn by civil conflict, have failed to ratify CEDAW among the 163 signatories to the convention. Indeed, international trends suggest that the growing recognition of women's rights has been accompanied by increased tolerance of abortion. According to a recent survey, 26 countries have liberalized abortion laws over the past decade, while only four have restricted them.⁴

¹ See Christina Lamb, "Peru Condemned over Mass Sterilisation Abuses," *Sunday Telegraph* (London), Jan. 10, 1999.

² Rebecca J. Cook, Bernard M. Dickens and Laura E. Bliss, "International Developments in Abortion Law from 1988 to 1998," *American Journal of Public Health*, April 1999, pp. 582-583.

³ Concerned Women for America, "Exposing CEDAW," April 3, 1997.

⁴ Cook, et al., *op. cit.*

victim and she accepts his proposal.³⁶

In Southeast Asia and many countries of Africa where AIDS has reached epidemic proportions, domestic violence is a major contributor to the deadly disease's spread. "For millions of girls and women worldwide, it is clear that violence, AIDS and human rights abuses are expe-

rienced as three strands of the same traumatic reality," said Peter Piot, executive director of UNAIDS, a U.N. program. Because woman in many of these societies have few rights, he said, "they often cannot insist on fidelity, demand condom use or refuse sex to their partner, even when they suspect or know that he is already

infected himself."³⁷

Because women are more susceptible to HIV infection from sexual intercourse than are men, the incidence of AIDS among women is rapidly rising. In Malawi, for example, females ages 15 to 24 are six times more likely to be HIV-positive than men.³⁸ ■

CURRENT SITUATION

U.S. Domestic Violence

The campaign against domestic violence in the United States took off in the 1970s as part of the fledgling women's liberation movement. Since then, hundreds of shelters and legal-assistance networks for battered women have been set up around the country. Victims of domestic violence can call local hotlines and take refuge in shelters maintained by local governments and private women's groups at undisclosed locations. There, women receive counseling, medical care for themselves and their children and help finding work so that they can gain the financial independence that is necessary for many victims to escape from abusive relationships.

As a result of this nationwide effort, thousands of lives that would have been lost to domestic violence have been saved. But ironically, most of the beneficiaries have been men, the most frequent perpetrators of spousal abuse.

According to a recent nationwide study, the number of men killed by their female partners has dropped by more than two-thirds, to around 400 a year, since the mid-1970s, while the number of women slain as a result of domestic violence has remained high, at more than 1,000 a year. The study's authors concluded that because domestic violence programs focus on helping women change their lives, by leaving abusive partners, they are less likely to kill their abusers than before.³⁹

The campaign against domestic violence has prompted governors around the country to grant clemency

to more than 150 battered women imprisoned for killing or assaulting their abusers.⁴⁰ Congress has also tried to combat domestic violence by increasing the price attackers must pay, beyond the existing criminal penalties. The 1994 Violence Against Women Act provided federal funding for battered-women programs and authorized interstate enforcement of protective orders issued to batterers to stay away from their victims. Total funding has amounted to more than \$1.6 billion over six years for police and victim service initiatives.

The law also gave victims of rape and domestic violence the right to sue their attackers for violating their civil rights. That right was undermined in March, however, when the 4th U.S. Circuit Court of Appeals in Richmond, Va., invalidated the provision in the states under its jurisdiction — Virginia, West Virginia, Maryland and the Carolinas. The court found that such suits are not allowed under the Constitution, which limits Congress' power to open federal courts to questions unrelated to interstate commerce. The ruling means that domestic violence victims may sue their attackers under state tort laws, which may be more restrictive than the federal law.⁴¹

Abuse of Prisoners

Mostly as a result of mandatory sentencing provisions included in the "war on drugs," the number of women incarcerated in the United States has skyrocketed, from fewer than 40,000 in 1985 to more than 130,000 in 1997. According to Amnesty International, the incidence of sexual abuse and other forms of violence against female inmates has increased accordingly. The human rights group has documented inci-

dents in which women were raped by male prisoners after being placed in men's units, abused by prison guards and shackled to their beds while giving birth.

"I was ready to give up my liberty," said Robin Lucas, a former inmate at the Federal Correctional Institution for Women in Dublin, Calif. "Not my soul; not my human dignity." Lucas and two other women, who were repeatedly raped by male inmates allowed into their cells, eventually received \$500,000 in damages from a lawsuit against the Federal Bureau of Prisons. Similar cases have been reported throughout the country.⁴²

In many cases, Amnesty found, states have failed to enforce existing laws protecting women from sexual abuse. But 12 states actually have no laws prohibiting sexual contact between women inmates and guards. The group has mounted a campaign in support of legislation to protect women from such abuse. "Most of the women in our prisons are convicted of non-violent offenses," said William F. Schulz, executive director of Amnesty International USA. "A nation that fails to ensure human rights for its own citizens loses the moral authority to press for human rights around the world, and puts its own welfare in jeopardy. The United States must not be such a nation."⁴³ ■

OUTLOOK

Clinton's Initiatives

The Clinton administration continues to champion women's rights both at home and internationally. In January, for example, the president

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At Issue:

Should the United States ratify the Convention on the Elimination of All Forms of Discrimination Against Women?

REP. LYNN WOOLSEY, D-CALIF.

FROM FLOOR SPEECH BEFORE THE HOUSE OF REPRESENTATIVES, MARCH 10, 1999.

irise to ask my colleagues in the House of Representatives to take a stand for women. In honor of Women's History Month, I am reintroducing a resolution urging the Senate to ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, known as CEDAW. The convention holds governments responsible for first condemning and then working to eliminate all forms of discrimination against all women. This agreement establishes rights for women not previously subjected to international standards including political laws, including employment law, including education and health care.

CEDAW was approved by the United Nations General Assembly 19 years ago to codify women's equality — 19 years ago. Since then more than 160 nations have ratified CEDAW. Also, more than two-thirds of the U.N. members have gone on record dedicating themselves to ending state-sanctioned discrimination against women and girls. The one glaring exception is the oldest democracy in the world, the United States.

Mr. Speaker, since 1994 the president has repeatedly submitted this treaty to the Senate, where it has languished in the Committee on Foreign Relations. The position of the United States as an international champion of human rights has been jeopardized by its failing to consider and ratify CEDAW. Worse yet, our failure to act strips the United States of its ability to sit on an international committee established in the treaty to ensure that nations are adhering to the treaty's guidelines.

This action sends a message loud and clear to women in this country and all over the world. The message is that we are unwilling to hold ourselves publicly accountable to the same basic standards of women's rights that other countries apply to themselves. This is despite the fact that since federal and state laws already prohibit many forms of discrimination against women, the United States could ratify the convention without changing domestic law.

The president, the secretary of State, Madeleine Albright, and national and international women's groups have expressed their commitment to CEDAW. Let us ratify CEDAW this year and make the 21st century the first century in the history of humanity where women do not know government-sanctioned discrimination.

CONCERNED WOMEN FOR AMERICA

"EXPOSING CEDAW: THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN," APRIL 3, 1997. POSTED AT WWW.CWFA.ORG.

Concerned Women for America strongly opposes the passage of the U.N. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). This treaty is not necessary and would complicate the laws of the United States. . . .

The more than half a million members of Concerned Women for America find the provisions of this document very disturbing. What this treaty proposes is social engineering under the guise of "human rights."

According to Article VI, Section 2 of the U.S. Constitution, treaties supersede all federal and state laws. When they wrote the Constitution, our Founding Fathers believed that any treaty that was ratified should be, in effect, constitutional. Any treaty should line up with the principles of the Constitution and our republican form of government. CEDAW fails to meet this criterion on many grounds. Therefore, the Founding Fathers certainly would have rejected it.

Unfortunately, today's Supreme Court does not use strict constitutional interpretation as its measure, and often neither does Congress nor the president. CWA is therefore convinced that, if CEDAW is ever ratified, the federal government would treat it as a constitutional treaty, allowing CEDAW to supersede all federal and state laws. . . .

First and foremost, CEDAW's failure to define discrimination shows that the treaty is not about equality, which women in the United States already have. CEDAW is really about the promotion of the radical feminist agenda, which refuses to recognize any legitimate distinctions between men and women. . . .

The gender feminist movement has not been able to widely enact their legislation — gender re-education, comparable worth, the destruction of traditional family definitions and a federal Equal Rights Amendment — so they are using a United Nations treaty to mandate their agenda.

Women in the United States have the right to vote. They are fully participating members of society and are protected by the federal Civil Rights Code and the Equal Employment Opportunity Commission (EEOC), as well as state civil rights codes and state employment commissions.

The Convention on the Elimination of All Forms of Discrimination Against Women is flawed. It must not be ratified by the United States Senate. At its best, CEDAW is unnecessary. At its worst, CEDAW sells out America's families.

Continued from p. 368

announced plans to spend \$14 million to help close the gap between men's and women's wages and called on Congress to toughen the enforcement of equal-pay laws. When the 1963 Equal Pay Act took effect, American women earned 58 cents for every dollar a man earned. Today, women earn about 75 cents on the dollar. "When a woman is denied equal pay, it doesn't just hurt her," Clinton said. "It hurts her family, and that hurts America."⁴⁴

Clinton has also stressed the importance of advancing international women's rights. "We cannot advance our ideals and interests unless we focus more attention on the fundamental human rights . . . of women and girls," the president said. "We are putting our efforts to protect and advance women's rights where they belong — in the mainstream of American foreign policy."⁴⁵

Clinton has taken a number of steps to combat violence against women around the world. On March 11, 1998, International Women's Day, the president announced a \$10 million increase in funding of international programs to combat violence against women, a State Department initiative with the government of Ukraine to combat trafficking of women and stepped-up efforts through the U.S. Agency for International Development to help victims of domestic violence through the establishment of crisis centers and hotlines overseas.

Another focus of the administration's efforts to promote women's rights is a program to fund Afghan women's grass-roots organizations that are trying to resist the Taliban movement's bans on women's rights to work and receive education. The administration last year provided funds to support groups in Afghanistan fighting against the Taliban, with the particular aim of training Afghan women in health

care and economic development.

Lawmakers are divided over ways to combat trafficking in women and children, a major focus of the administration's efforts to improve women's rights. Rep. Christopher H. Smith, R-N.J., has proposed legislation that would toughen penalties for trafficking of women and children for the international sex trade and bar most U.S. economic assistance to countries that fail to prohibit or adequately enforce laws to stop this activity.

Sen. Paul Wellstone, D-Minn., backs a broader initiative that would help as many as 100,000 women who are smuggled into the United States each year and forced to work as domestic servants under slavlike conditions. His bill would allow such women to stay in the United States under temporary visas while they seek asylum or sue their employers.⁴⁶

Meanwhile, Clinton continues to call on the Senate to approve ratification of CEDAW. Last year, he announced that "obtaining Senate advice and consent to the ratification of CEDAW is a top administration priority during this session of Congress. I am also announcing my goal of having the full Senate act on CEDAW this year, which marks the 150th anniversary of the first women's rights convention at Seneca Falls, N.Y."⁴⁷

Clinton's support of women's rights has not been enough to overcome opposition to the treaty by the Republican-led Congress, however. "Without a doubt, the administration's support is laudable, but the fact remains that the United States hasn't ratified the women's convention, the children's convention or other significant international human rights conventions," Cook says. "And unfortunately, that means that the United States is not a member of those clubs at a time when they are developing important international norms in these areas. It makes you wonder whether the members of

Congress have ever stepped outside the Beltway, not to mention outside the borders of the United States." ■

Notes

¹ Examples cited by Equality Now, a women's rights organization in New York City, at www.equalitynow.org.

² For background on the charter, see Kenneth Jost, "Human Rights," *The CQ Researcher*, Nov. 13, 1998, pp. 977-999

³ World Health Organization, "Violence Against Women," August 1996.

⁴ See Human Rights Watch, *World Report 1999* (1999), p. 429.

⁵ From a message commemorating International Women's Day, March 8, 1999. For background, see Mary H. Cooper, "Women and AIDS," *The CQ Researcher*, Dec. 25, 1992, pp. 1121-1144.

⁶ Concerned Women for America, "Exposing CEDAW," April 3, 1997.

⁷ For background, see Charles S. Clark, "Feminism's Future," *The CQ Researcher*, Feb. 28, 1997, pp. 169-192.

⁸ See Barbara Crossette, "Testing the Limits of Tolerance as Cultures Mix," *The New York Times*, March 6, 1999.

⁹ World Health Organization, "Female Genital Mutilation," WHO Fact Sheet No. 153, April 1997.

¹⁰ See Ginger Thompson, "Asylum Rule Urged for Sex-Based Persecution," *The New York Times*, April 26, 1999.

¹¹ This case is discussed at length in Doriane Lambelet Coleman, "The Seattle Compromise: Multicultural Sensitivity and Americanization," *Duke Law Journal*, February 1998, p. 717.

¹² Quoted in *Ibid.*

¹³ The American Academy of Pediatrics recently declared that male circumcision provided few if any health benefits. See Eric Fidler, "Pediatricians Group: No Significant Benefits to Circumcision," *The Associated Press*, March 2, 1999.

¹⁴ Quoted by Sharon Waxman, "A Cause Unveiled," *The Washington Post*, March 30, 1999.

¹⁵ Madeleine Albright, "Advancing the Status of Women in the 21st Century," U.S. Department of State Dispatch, August 1998, p. 10.

¹⁶ Mrs. Clinton addressed a meeting of the U.N. Trusteeship Council on March 3, 1999. See Elisabeth Bumiller, "First Lady Speaks on Women's Issues at U.N.," *The New York Times*, March 5, 1999.

¹⁷ Phyllis Schlafly, "Clinton's Power Grab Through Executive Orders," Jan. 20, 1999, posted on the Eagle Forum's Web site at www.eagleforum.org. The children's convention, which has been ratified by 191 governments, aims to protect children's human rights.

¹⁸ Human Rights Watch, *op. cit.*, pp. 428-429. Unless otherwise noted, information in section is based on this report.

¹⁹ Quoted in Peter Beaumont, "West's Women Are Sex Objects. Ours Have Dignity, Says Taliban," *The Observer*, March 8, 1998.

²⁰ For background, see David Masci, "Reform in Iran," *The CQ Researcher*, Dec. 18, 1998, pp. 1097-1120.

²¹ See Lisa Beyer, "The Price of Honor," *Time*, Jan. 18, 1999, p. 55.

²² "New and Old: A Survey of Egypt," *The Economist*, March 20, 1999, p. 17.

²³ U.S. Department of State, *Country Reports on Human Rights Practices for 1998*, Feb. 26, 1999.

²⁴ U.S. State Department, "Trafficking in Women and Girls — An International Human Rights Violation," fact sheet released March 10, 1998.

²⁵ See John Promfret, "For Some Food, North Koreans Deal Daughters," *The Washington Post*, Feb. 12, 1999.

²⁶ "Crackdown Urged on Exploitation of Women, Children in Prostitution," Deutsche Presse-Agentur, Jan. 29, 1999.

²⁷ Albright, *op. cit.*

²⁸ For background, see Kenneth Jost, "War Crimes," *The CQ Researcher*, July 7, 1995, pp. 585-608.

²⁹ Human Rights Watch, "Indonesia: The Damaging Debate on Rapes of Ethnic Chinese Women," 1998.

³⁰ John F. Burns, "Though Illegal, Child Marriage Is Popular in Part of India," *The New York Times*, May 11, 1998.

³¹ U.S. Department of State, *Global Human Rights 1998*.

³² Sisterhood Is Global Institute, "Acid Attacks on Women and Girls in Bangladesh," fact sheet issued March 7, 1999.

³³ Jane Perlez, "Dark Underside of Polish Family Life," *The New York Times*, May 8, 1998.

FOR MORE INFORMATION

Amnesty International USA, 304 Pennsylvania Ave. S.E., Washington, D.C. 20003; (202) 544-0200; www.amnesty-usa.org. Amnesty monitors prison conditions around the world and urges fair and prompt trials for all political prisoners. It has documented extensive sexual abuse of female inmates in the U.S.

Concerned Women for America, 1015 15th St. N.W., Suite 1100, Washington, D.C. 20005; (202) 488-7000; www.cfa.org. A conservative organization that opposes abortion and U.S. ratification of U.N. treaties promoting women's rights.

Equality Now, P.O. Box 20646, Columbus Circle Station, New York, N.Y. 10023; (212) 586-0906. A human rights group that helps women's groups in the developing world and immigrant women in the United States.

Feminist Majority Foundation, 8105 West Third St., Los Angeles, Calif. 90036; (213) 651-0495. A women's rights group that is leading a campaign publicizing the repression of Afghan women by the Taliban, an Islamic fundamentalist movement.

Human Rights Watch, 1522 K St. N.W., Suite 910, Washington, D.C. 20005; (202) 371-6592; www.hrw.org. This international, nonpartisan organization monitors human rights violations worldwide and has launched a special campaign to promote women's rights.

Sisterhood Is Global Institute, 4343 Montgomery Ave., Suite 201, Bethesda, Md. 20814; (301) 657-4355; www.sigi.org. This nonprofit group produces and circulates educational manuals and research papers publicizing issues of concern to women, especially those in Muslim societies.

United Nations Development Fund for Women, 304 East 45th St., 6th floor, New York, N.Y. 10017; (212) 906-6400; www.unifem.undp.org. UNIFEM promotes women's rights around the world and is a leader of the campaign to publicize and combat violence against women and girls.

³⁴ See Human Rights Watch, "Russia: Too Little, Too Late: State Response to Violence Against Women, December 1997.

³⁵ "South Pacific Nations to Study Rampant Wife-Beating Assaults," AP Worldstream, Jan. 26, 1999.

³⁶ *Ibid.*

³⁷ U.S. State Department, *Human Rights Report for 1998*.

³⁸ "Violence, AIDS Pose Joint Threat to Women," The Associated Press, March 4, 1999.

³⁹ See Brooke A. Masters, "Domestic Violence Programs Save Men's Lives, Study Says," *The Washington Post*, March 14, 1999.

⁴⁰ See Minouche Kandel and Kenneth J. Theisen, "Women Who Wait for Justice," *The San Francisco Chronicle*, Nov. 27, 1998.

⁴¹ See Brooke A. Masters, "Appeals Court Rejects Part of Gender-Violence Act," *The*

Washington Post, March 6, 1999.

⁴² Amnesty International, "'Not Part of My Sentence' — Violations of the Human Rights of Women In Custody," March 1999.

⁴³ Speaking at a news conference in New York City March 4, 1999.

⁴⁴ From the president's weekly radio address. See Sandra Sobieraj, "Clinton Aims to Close the Gender Wage Gap," *The Des Moines Register*, Jan. 31, 1999. For background, see Mary H. Cooper, "Income Inequality," *The CQ Researcher*, April 17, 1998, pp. 346-369.

⁴⁵ From a speech on international human rights delivered Dec. 10, 1997.

⁴⁶ See William Branigin, "A Different Kind of Trade War," *The Washington Post*, March 20, 1999.

⁴⁷ From a letter to Senate leaders dated March 11, 1998.

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Books

Fernea, Elizabeth Warnock, *In Search of Islamic Feminism: One Woman's Global Journey*, Anchor Books, 1998.

A professor of Eastern and Middle Eastern studies at the University of Texas, Austin, describes the wide diversity of living conditions and attitudes toward women's rights from interviews of Muslim women in Islamic countries as well as the United States.

Articles

Beyer, Lisa, "The Price of Honor," *Time*, Jan. 18, 1999, p. 55.

Female adulterers and even rape victims in Jordan and other countries of the Middle East continue to be murdered by male relatives who defend such "honor killings" despite campaigns by women's activists to end the practice.

Cook, Rebecca J., Bernard M. Dickens and Laura E. Bliss, "International Developments in Abortion Law From 1988-1998," *American Journal of Public Health*, April 1999, pp. 579-586.

This review of worldwide abortion laws finds that over the past decade 26 countries have liberalized access to abortion, while four have added new restrictions.

Martin, William, "The Christian Right and American Foreign Policy," *Foreign Policy*, spring 1999, pp. 66-80.

Religious conservatives, long suspicious of the United Nations, have vehemently opposed the platform of the 1995 U.N. World Conference on Women in Beijing as placing too much emphasis on reproductive freedom and depicting marriage and motherhood in a negative light.

Moshavi, Sharon, "Behind the Scarves, the Second Sex Seethes," *Business Week*, Feb. 23, 1998, pp. 30G-30J.

Encouraged by the reformist views of President Mohammed Khatami, Iranian women are cautiously challenging the restrictive policies imposed since the 1979 Islamic revolution in that country.

Sarkar, Tanika, "Women in South Asia: The Raj and After," *History Today*, September 1997, pp. 54-59.

Women in India have new rights — they gained citizenship in 1947, the practice of *suttee* — suicide of widows upon their husbands' deaths — has been banned and widows have been allowed to remarry. But a backlash against women's rights has eroded the status of women throughout the subcontinent.

Toubia, Nahid, "Female Circumcision as a Public Health Issue," *The New England Journal of Medicine*, Sept. 15, 1994.

As the number of immigrants from African and Middle Eastern countries grows in the United States, many communities wish to continue the traditional practice of "female circumcision" but run into resistance from public health officials and human rights activists who decry the practice as a violation of women's rights.

Reports and Studies

Afkhami, Mahnaz, Greta Hofmann Nemiroff and Haleh Vaziri, *Safe and Secure: Eliminating Violence Against Women and Girls in Muslim Societies*, Sisterhood Is Global Institute, 1998.

This training manual assists Muslim women to identify sources of violence in the family and society, publicize instances of violence and influence governments to eliminate gender-based violence.

Amnesty International, " 'Not Part of My Sentence: Violations of the Human Rights of Women in Custody,' March 1999.

Mandatory sentences introduced as part of the war on drugs in the United States have resulted in a dramatic increase in the number of female inmates. This report documents pervasive sexual abuse of women by male inmates and guards throughout the prison system.

Human Rights Watch, *World Report 1999*, 1998.

The New York City-based organization reports continuing gains in international human rights over the past year, such as the creation of the International Criminal Court. But many governments continue to deny equal rights for women or enforce existing laws aimed at promoting them.

Human Rights Watch, *Russia: Too Little, Too Late: State Response to Violence Against Women*, December 1997.

Violence against women is pervasive in Russia, but law-enforcement agencies routinely deny women their right to equal protection under the law by failing to prosecute violence against women.

U.S. Agency for International Development, *From Commitment to Action: Meeting the Challenge of ICPD*, February 1999.

This report assesses progress made since 1994, when participants at the International Conference on Population and Development in Cairo agreed to provide universal access to reproductive health information services by 2015.

The Next Step

*Additional information from UMI's Newspaper
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Domestic Violence Against Women

Richardson, Jo, and Gene Feder, "Domestic Violence Against Women," *British Medical Journal*, Oct. 14, 1995, pp. 964-965.

Research in the United Kingdom indicates that the continuing and repeated nature of domestic violence is well-established. The article postulates that physicians and other health-care professionals must work to improve services for victims.

Shargel, Johanna R., "In Defense of the Civil Rights Remedy of the Violence Against Women Act," *Yale Law Journal*, April 1997, pp. 1849-1883.

The author defends the constitutionality of the Violence Against Women Act Civil Rights Remedy, which is currently mired in controversy and doctrinal confusion. It is argued that the case law interpreting both constitutional provisions largely supports the remedy's legitimacy on both interstate commerce and equal-protection grounds.

Islam and Women

Bokhari, Farhan, "Another Islamic Nation Split By 'Fundamentalist' Leader; Pakistani President Tarar, Elected Last Week, Accused of Discrimination Against Women and Non-Muslims," *The Christian Science Monitor*, Jan. 5, 1998, p. 6.

Pakistan's prime minister, Nawaz Sharif, may have consolidated his political position with the election of his candidate as president last week. But the choice of Rafiq Tarar has also opened a controversy over the growing role of Islamic fundamentalists in the government. Critics accused Tarar of opposing women's rights.

Brenoff, Ann, "Zahira Kamal: The Long Pursuit of Women's Rights in a Land Between Islam and Israel," *Los Angeles Times*, Nov. 29, 1998, p. M3.

With much of the Arab world falling deeper under Islamic control and clamping down on women's rights, it's easy to assume that all Arab women are veiled and silent. The idea of an active women's liberation movement existing within Arab nations seems incongruous. Yet such a movement exists within the Palestinian community, and Zahira Kamal is a principal force behind it, working for the empowerment of Palestinian women on a broad basis in an environment often hostile to women.

Ganley, Elaine, "New Demand in Islam: 'Let Women Choose'; Females Seeking, and Winning, More Rights Within Muslim World," *Chicago Tribune*, April 2, 1998, p. E8.

Today, women lounge on the white beaches of Morocco in tiny swimsuits, sit primly in ankle-length "djellabas" too cumbersome for swimming, or, like Benkiran, steal away for a swim in gear befitting their conservative Muslim beliefs. In those countries where women can influence the agenda themselves, some seek a revival of back-to-basics Muslim values as set out in the Koran, the Muslim holy book. Others strive for an updated Islam that accords women rights synonymous with the West, from freely choosing a husband to gaining custody of children in a divorce.

Moaddel, Mansoor, "Religion and Women: Islamic Modernism Versus Fundamentalism," *Journal for the Scientific Study of Religion*, March 1998, pp. 108-130.

The author explains two diverse religious discourses on women — Islamic fundamentalism and Islamic modernism. The contrasting approaches are analyzed by comparing Islamic modernism in Egypt and India and fundamentalism in Iran.

Peterson, Scott, "A First Lady Gently Shakes Qatar Emir's Wife; Maintains Equality for Women is No Contradiction Under Islam," *The Christian Science Monitor*, Jan. 8, 1998, p. 9.

Qatar's "first lady," Sheikha Mouza al-Misnad, is shaking up long-held attitudes in her country. That's a departure from the norm among wives in some more conservative Gulf states, which is keeping behind a veil and hidden out of sight. "I believe in what I'm doing, and that it is not against my religion, my culture, or my beliefs," says Mouza, during an interview in her palace near Doha.

Watanabe, Teresa, "Dispelling Stereotypes; Islamic Women are Studying the Koran, Which Emphasizes Equality Between the Sexes and Grants Rights to Women That Have Eroded Over Time," *Los Angeles Times*, Feb. 20, 1999, p. B2.

It seems a paradox: Muslim women are denied jobs and schooling in Afghanistan, cannot drive in Saudi Arabia and are murdered by relatives for suspected sexual indiscretions in "honor killings" in places ranging from Jordan to Pakistan. But this group of Muslim women at a recent Koranic recitation class in Pasadena, Calif., unanimously declares that Islam upholds perfect gender equality.

Zaman, Amberin, "Turkey Sees a Veiled Threat; Islamic Women In Scarves Seek Secular Offices," *The Washington Post*, March 9, 1999, p. A9.

Merve Kavakci, 30, a U.S.-trained computer-engineering graduate, is one of 17 female parliamentary candi-

dates running on an Islamic-based party's ticket in national elections scheduled for April 18, 1999. She is being touted as the new, moderate face of political Islam in Turkey. But her head scarf, opponents insist, is proof that Islamic politicians are out to destroy the secular foundations of the modern Turkish republic. During an interview in the women-only section at the Islamic-based Virtue Party headquarters in Ankara, Kavakci sought to play down the controversy her candidacy has sparked in this predominantly Muslim nation of 64 million people. "My head scarf," she explained in flawless English, "is a personal choice which has to do with my faith. It does not reflect my political views."

Rape as War Crime

"Gender Violence; Include 'Enforced Pregnancy' in War Crime Court Agreement," *Houston Chronicle*, July 15, 1998, p. A24.

Although rape as a war crime came to the world's attention after it was widely inflicted on women in Bosnia and Rwanda, war-crimes prosecutors have been disinclined to prosecute it. Instead, rape, enforced pregnancy, enforced sterilization, enforced prostitution and other crimes typically are noted as "humiliating and degrading treatment" tangential to other war crimes, genocide or crimes against humanity, rather than as separate offenses.

"Guilty Plea by a Serb Rejected at War Tribunal," *The New York Times*, March 14, 1998, p. A5.

A war crimes tribunal today rejected a Bosnian Serb's guilty plea to the rape of Muslim women, saying his lawyers had not fully briefed him on what the plea entailed. The defendant, Dragoljub Kunarac, pleaded guilty on Monday to a charge that he raped two Bosnian Muslims in 1992, as well as commanded troops who systematically raped Muslims in the eastern Bosnian town of Foca.

Bradford, D.G., "Rape Warfare: The Hidden Genocide in Bosnia-Herzegovina and Croatia," *Airpower Journal*, fall 1998, pp. 124-125.

The author reviews the book, *Rape Warfare: The Hidden Genocide in Bosnia-Herzegovina and Croatia*, by Beverly Allen.

McKinley, James C. Jr., "U.N. Tribunal, in First Such Trial Verdict, Convicts Rwandan Ex-Mayor of Genocide," *The New York Times*, Sept. 3, 1998, p. A14.

Jean-Paul Akayesu, who was the mayor of Taba in central Rwanda, winced once, but then betrayed little emotion as the president of the tribunal, Judge Laity Kama of Senegal, asked him to stand and then pronounced him guilty on 9 of the 15 counts. But the judges ruled that Akayesu, as mayor, was responsible for the death of more than 2,000 people and the rape of dozens of Tutsi women in Taba after April 19, 1994, even though

police officers, soldiers and Hutu militiamen had committed the attacks.

Mischowski, Gabi, "How Effective is the Tribunal for Balkan Rape Survivors?" *Off Our Backs*, January 1998, pp. 5-6.

Because of outrage over the extent of sexual violence against women during the war in the Balkans, rape during war is being treated as a crime against humanity. The author examines how this new law is affecting the lives of rape survivors in Bosnia.

Neuffer, Elizabeth, "Bosnia Rapes Go Unpunished," *The Boston Globe*, Jan. 4, 1998, p. A1.

In 1993, women's traumatic accounts of rape during the Bosnian war helped create the International Criminal Tribunal for the former Yugoslavia at The Hague. In an historic move, the tribunal declared rape a war crime and the violation of women among the most heinous offenses of war.

Oosterveld, Valerie, "When Women are the Spoils of War," *UNESCO Courier*, July 1998, pp. 64-66.

Women have long been the subjects of sexual assaults during times of war, but this practice has become even more widespread. A permanent International Criminal Court is now being developed, and may reverse this historic trend.

Ricchiardi, Sherry, "Women Say NATO Won't Arrest Rapists, War Crimes Suspects Live Openly in Bosnia, While Troops Pay No Attention; Problem 'Is Lack of Political Will,'" *St. Louis Post-Dispatch*, June 16, 1998, p. A8.

When her hometown in southeastern Bosnia fell to the Serbs in April 1992, "Witness 87" was a high school sophomore. Within months, she was evicted from her house, gang-raped and transported to a makeshift brothel at the hands of Bosnian Serbs. Only one of the "Foca 8," as the suspects have become known, is in custody after surrendering. The other seven, indicted for presiding over the rape of "Witness 87" and hundreds of other women, live openly under the nose of NATO's stabilization force in or around Foca.

Salzman, Todd, "Rape Camps as a Means of Ethnic Cleansing: Religious, Cultural, and Ethical Responses to Rape Victims in the Former Yugoslavia," *Human Rights Quarterly*, May 1998, pp. 348-378.

The Serbs' systematic use of rape camps with the specific intent of impregnating their victims is investigated, along with the cultural, political and religious foundations that support this usurpation of the female body. The "secondary victimization" of these women is analyzed.

Simons, Marlise, "An Ex-Bosnian Serb Commander

Admits Rape of Muslims in War,” *The New York Times*, March 10, 1998, p. A10.

A former Bosnian Serb paramilitary commander admitted before an international tribunal today that he had raped Muslim women during the Bosnian war in 1992. The confession makes him the first person to plead guilty to rape as a war crime. Life imprisonment is the maximum penalty that can be imposed by this tribunal.

Stanley, Alessandra, “Semantics Stalls Pact Labeling Rape a War Crime,” *The New York Times*, July 9, 1998, p. A3.

A dispute between women’s groups and the Vatican over a legal term has broadened into a battle of religion and gender politics that could jeopardize agreement on whether rape will be declared a war crime by an international criminal court.

Sex Trade in Women and Children

Branigin, William, “A Different Kind of Trade War; Divided Hill Wants to Outlaw Trafficking in Women, Children,” *The Washington Post*, March 20, 1999, p. K7.

Divisions emerged this week after Sen. Paul D. Wellstone, D-Minn., introduced legislation aimed primarily at protecting the victims of international trafficking for prostitution or forced labor. Rep. Louise M. Slaughter, D-N.Y., said she plans to introduce a similar bill shortly. Republicans charged that the Democrats were trying to co-opt an issue that Rep. Christopher H. Smith, R-N.J., is addressing in draft legislation circulating on the Hill. Smith’s bill focuses more narrowly on the trafficking of women and children for the sex trade, but includes tougher international sanctions on countries that permit the practice, as well as new U.S. criminal penalties.

Clinton, William J., “Memorandum on Steps to Combat Violence Against Women and Trafficking in Women and Girls,” *Weekly Compilation of Presidential Documents*, March 16, 1998, pp. 412-413.

In a memorandum, President Clinton outlines his plan to enhance the capacity of law enforcement worldwide to prevent women and girls from being trafficked and ensure that traffickers are punished. He discusses how he will combat violence against women in all its forms around the world.

Deane, Daniela, “Senators to Hear of Slave Labor on U.S. Soil,” *USA Today*, March 31, 1998, p. A9.

An administration report on labor abuses in the Mariana Islands could prompt criminal action as a Senate hearing convenes today to hear details of slave labor and forced prostitution in the U.S. territory. The report details eyewitness accounts of indentured servitude and of women forced to have abortions or work as prostitutes in the Northern Mariana Islands, a U.S. Pacific island chain lying between Hawaii and the Philippines.

Malcom, Teresa, “Alliance Targets Sex Trade,” *National Catholic Reporter*, March 27, 1998, p. 8.

A national alliance of 250 women’s groups — GABRIELA — has called for a government campaign against prostitution to help stop the flourishing sex trade in the Philippines.

McDonald, R. Robin, “Atlanta House Linked to Prostitution Ring; FBI: Asian Girls Used as Sex Slaves,” *Atlanta Journal-Constitution*, March 26, 1998, p. F6.

As part of an ongoing federal investigation, the FBI raided an Atlanta house earlier this month seeking records that could bolster allegations that Asian girls smuggled into Atlanta are being forced into prostitution to pay for their passage, according to an affidavit attached to a federal search warrant. FBI agents raided a house on March 9 that, according to the affidavit, was being used as a house of prostitution.

Women’s Global Status

“Women and the United Nations,” *WIN News*, summer 1998, pp. 2-9.

Since its creation 20 years ago, the U.N. Development Fund for Women (UNIFEM) has funded numerous global projects throughout developing countries that promote the economic, political and social empowerment of women. Some of the UNIFEM’s innovative campaigns to improve the lives of women are discussed.

“Women and Violence,” *WIN News*, winter 1999, pp. 39-42.

Global instances of violence against women and the continuing efforts to curb it are discussed. Among the subjects discussed are the abuse of women in U.S. prisons and the failure of police departments to arrest policemen for wife abuse.

Mantilla, Karla, “Report Says Women’s Rights Denied Everywhere,” *Off Our Backs*, March 1998, p. 3.

A report from the U.S. State Department concluded that women are still being denied human rights all over the globe. Abuses range from rape and forced prostitution to economic discrimination.

Okin, Susan Moller, “Feminism, Women’s Human Rights, and Cultural Differences,” *Hypatia*, spring 1998, pp. 32-52.

The recent global movement for women’s human rights has achieved considerable re-thinking of human rights as previously understood. Since many women’s rights violations occur in the private sphere of family life, and are justified by appeals to cultural or religious norms, both families and cultures (including their religious aspects) have come under critical scrutiny.

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▶ ***Independent Counsels
Re-examined***

▶ ***National Education
Standards***

▶ ***Setting Environmental
Priorities***