Patriarchy, Power and Tradition

Third World Women, Human Rights and Gender Violence in the Context of Global Economic Imperialism

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Antoinette Mary Tanguay

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Abstract

Whether sanctioned by society, made into law, or simply tolerated, gender-based abuse and discrimination against women occurs in virtually every country throughout the world. Under democracy and dictatorship, in times or war and times of peace, the human rights of women and girls are violated daily, and often systematically. Although the United Nations' *Universal Declaration of Human Rights* proclaims: "All human beings are born free and equal in dignity and rights", women's freedom, dignity and equality are persistently compromised by law and custom in ways that men's are not.

Through the articulation of Third World women's writing and first person dialogue, this study seeks to explore the relationship between cross cultural violence against women, and the cultural or religious practices that are often used to legitimate its existence. Through the use of four specific case studies - women in Islam, the Taliban as an example of religious fundamentalism, female genital mutilation and the international trafficking of women for sex tourism - I attempt to position the international phenomenon of violence against women within today's globalised world economic structure. Through exploring and revealing the cross cultural nature of gender violence, this study attempts to illustrate how patriarchal values are reinforced through religious, cultural and political structures in both western and Third World society.

Through the utilisation of human-centered anthropological methodology, this study aims to present a wide ranging discussion of these complex issues in such a way that the world view of the women who the study is about is presented as paramount. Through recognising and naming my location as a western woman writing about the lives of women in the Third World, I hope to make it clear from the outset of this study that I do not intend to speak for, or on behalf of, women whose experiences I have not shared, but aim instead to address and discuss a range of complex issues that are of vital importance not only to the discipline of anthropology, but to the wider world in which we live.

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Preface

The impetus for this study first almost two years ago during a conversation with my uncle regarding the practice of female genital mutilation (FGM). Like most liberal westerners, he was horrified to learn that millions of women and girls world-wide were still being subjected to such a 'primitive' custom. However, much to my uncle's horror, I began to defend the practice. I argued that perhaps he just didn't understand the issues behind female circumcision. Had he thought about the reasons why mothers continued to do this to their daughters? Or did he believe they were just cruel or too stupid to realise that this was an 'uncivilised' act?

As a consequence of my background in the discipline of anthropology and resulting predisposition towards cultural relativism, this response was an instant reaction for me. Sometime after the conversation, however, I realised that in defending those who allow FGM to continue, I was, in fact, effectively defending the practice itself. The more I thought about this, the more it disturbed me, as I realised that I too was deeply morally opposed to the unnecessary sexual mutilation of young girls, who in many cases do not even realise what is happening to them. As a result of this encounter, I began to wonder what cultural relativism really meant. If I was happy to defend FGM because of my belief in cultural relativism, where could I draw the line? If I wanted to continue to purport the view that we as westerners should not judge the practices of those in cultures we do not understand, would I ever be able to make a moral stand on any issue? As a thinking capable person, is it not important for me to be able to have strong opinions abut what I believe to be right and wrong?

It was around about this same time that my interest in feminism also began to take off. I started to wade through all the negative connotations associated with the idea of interpreting life from a 'women's perspective' only to realise that because I am a woman, everything about this seemed to make perfect sense! Before long I

began making connections between all kinds of seemingly unrelated things. I soon realised that, as a woman, it was these connections that had been missing from my approach to anthropological thinking all along. I began to realise that seeing issues of racism and colonialism as separate from gender and class was like trying to figure out a puzzle with only half the pieces. Without the factoring of a gender perspective, the anthropological method I had been introduced to began to seem more and more limiting.

As a result of this process, a huge can of worms opened up before me, not just in relation to how I could balance my opposition to FGM with my beliefs in cultural relativism, but in regards to how I thought about life in general. To cut a long story short, what you are about to read can be seen as part of this ideological journey. In choosing this kind of methodological approach to the question of women's human rights, it has been necessary for me to explore a whole range of diverse issues that contribute to the unique nature of women's life worlds in the context of Third World society. In light of this, the following thesis is considerably longer than may be considered ideal for a study of this kind. However this reference is included not as an apology, but rather as an explanation for the length of the text that follows.

Table of Contents

Section One

Creating a Context

Introduction

According to Charlotte Bunch, Executive Director of the Center for Women's Global Leadership[1], significant numbers of the world's population are routinely subjected to torture, starvation, abuse, humiliation and mutilation simply because they are female. Crimes such as these against any group other than women would be recognised as a civil and political emergency, as well as a gross violation of the victim's humanity, yet despite a clear record of deaths and demonstrable abuse, women's rights are not generally classified as human rights in the same way as men's.

This study aims to understand the international phenomenon of gender discrimination, with a particular focus on culturally specific forms of violence against women located in the Third World. In exploring the relationship between gender-based abuse and traditional cultural beliefs and customs, I hope to illustrate how patriarchal ideology and practice are reinforced through religious, political and economic institutions in the context of both western and Third World society.

As a consequence of the complex and wide ranging nature of this subject area, I have chosen to present this study in two distinct sections. In recognition of the inextricable link between social class, gender and ethnicity in the lives and experiences of women in the Third World, Section One of this thesis is dedicated to exploring a diverse range of issues that relate to Third World women, gender violence and human rights from a variety of perspectives. In providing this detail, I hope to establish a broad-based context within which the complex issues that follow can be located. Section Two begins with an explanation of the methodological process utilised in this research, followed by the presentation of four case study sections that attempt to detail specific examples of culturally sanctioned gender-based abuse that occur within the Third World. After the case study material, I conclude this thesis with a

[1] The Center for Women's Global Leadership was founded in 1989 to develop and facilitate women's leadership in the area of women's human rights and social justice worldwide. The Global Center is a consortium of six women's programmes at Rutgers University New Jersey, whose aim is to advance feminist perspectives in policy making processes in local, national and international arenas.

discussion of the role anthropology has to play in these issues, in particular presenting an argument in favour or a morally engaged and politically relevant 'new' anthropology based on the writings of self-proclaimed militant[2] anthropologist Nancy Scheper-Hughes.

Violence against women is defined in the *Declaration on the Elimination of Violence against Women* adopted by the United Nations General Assembly in 1993 as "any act of gender-based violence that results in, or is likely to result in, physical, sexual, or psychological harm or suffering to women, coercion or arbitrary depravation of liberty, including the threats of such acts, whether occurring in public or private life". Violence against women encompasses, but is not limited to, physical, sexual and psychological violence occurring: a) in the family, including traditional practices harmful to women and violence related to exploitation; b) within the general community, including trafficking in women and forced prostitution; and c) [that which is] perpetrated or condoned by the state, wherever it occurs (1993:Article 2).

While 'human rights' as a concept has never been completely free from political interference, the 'cultural' defence of human rights violations against woman has intensified in recent years. Cultural, particularly religious, beliefs and traditions are frequently used to justify or legitimate a huge variety of practices oppressive to women throughout the world. However, culture also represents the essence of meaning and value within society. A society's culture provides it with a distinct identity, enabling it to form a unique place within the world community. For these, and many other reasons, cultural and religious beliefs are considered by many to be above criticism, even when they are used by those in power to discriminate against or oppress members of their own society.

At the most simplistic level it seems what must be done is to challenge the destructive or oppressive aspects of culture, while affirming and encouraging the positive contributions for future generations. However, such a solution is problematic for a

[2] The term 'militant' anthropologist is derived from Scheper-Hughes "The Primacy of the Ethical".

number of reasons, most significantly, whose perspective of what constitutes 'ethical' or 'moral' should be considered correct. For example, as a result of my enculturation as a middle class New Zealand woman, it is almost certain that what I consider to be a destructive and / or oppressive cultural practice will differ significantly to the perspective of those who come from 'other' cultural groups, classes, ages or genders. If I believe a particular cultural or religious practice is discriminatory or oppressive simply because of my own socialisation and life experiences as a middle class western woman, is it right for me to judge, or even question the cultural and religious practices of 'others' from my biased position?

In consideration of these issues, fundamental questions arise surrounding the legitimacy of international human rights standards: Should the right to preserve cultural and religious traditions take precedence over existing human rights norms and, if so, is the very concept of universal human rights inappropriate in a multicultural world in which values and practices differ from place to place? When placed within the discipline of anthropology, the complex relationship between culture and human rights raises important questions regarding the role and responsibility of the anthropologist as a researcher and social commentator. Chapter one of this study - *Universalism versus Relativism: The Case for Human Rights* - explores these issues within the context of women's experiences of gender-based discrimination in the Third World.

Regardless of the different forms it takes in particular societies, the concept of culture circumscribes women's lives in deeply symbolic as well as immediately real ways. Because of their role as primary care givers within the family structure, women within a variety of cultural contexts continue to be regarded as the repositories, guardians and transmitters of culture. In Chapter Two - *Women's Rights as Human Rights: A Western Perspective* - I discuss how the identification of women with the family is reinforced through the creation of separate and distinct 'public' and 'private' spheres within society, a dichotomy that serves to entrench women's secondary status, in that women as a group remain largely excluded from the public

realm in which their future is debated and decided. Western feminist theory argues that because human rights standards by their very definition are associated with actions and practices occurring within the public sphere, violence against women has, and continues to be, largely excluded from the mainstream human rights agenda.

While most feminists of western origin believe that women's experiences of discrimination and violence are directly related to the fact that they are female, feminists from the Third World argue that gender-based abuse and oppression cannot be looked at in isolation from other important social structures such as economic status and political stability. Third World feminists believe that without factoring the processes of colonialism, imperialism and globalisation, the women's movement as a whole cannot relate to, or help eradicate, their unique experiences of oppression and discrimination as women.

In light of this, Chapter Three - *Third World Women, Globalisation and Development* - attempts to situate the experiences of Third World women within the wider context of the relationship between countries of the North and South. As Yayori Matsui suggests in her recently released book *Women and the New Asia (1999),* culturally-specific forms of violence against women are often inextricably linked to the wider forms of exploitation suffered by developing countries at the hand of the global marketplace. "Although specific forms of violence differ from country to country, the majority of Asian countries are experiencing an increase in violence against women that occurs when a traditional contempt for women is accompanied by the transition to a market economy" (Matsui 1999:7).

According to Indian feminist Chandra Talpade Mohanty (1991), the discipline of anthropology is itself a gendered and racialised construction, in that it is a form of knowledge produced by, and born of, colonial rule. Vietnamese Anthropologist Trinh T Minh-ha (1989) has suggested that anthropology is fundamentally grounded in the centrality of the western masculinity of the anthropologist, meaning much of what has been at the foundation of the discipline rests on sexist and racist stereotypes

intended to consolidate particular power relations between the anthropologist and 'his' subject. As such, constructions of gender and race are seen as central to the cultural definition of superior and inferior - 'self' and 'other'.

Through the articulation of prominent Third World feminist voices such as Mohanty's, Chapter Four - *The Politics of Feminism: A Third World Women's Approach* - attempts to illustrate what Third World women themselves have identified as fundamental to their life worlds as African and Asian women. As a western woman anthropologist writing about women and culture in the Third World, issues of representation are extremely pertinent to the validity of this study. In addressing what has been wrong with the representation of Third World women in western feminist discourse to date, I am not trying to deny my position as a western woman writing about the lives and experiences of women who are located both spatially and culturally in very different situations from myself, but instead to confront and acknowledge my location as a western woman in order to ensure this perspective is transparent to the reader.

Due to the wide ranging economic, political and religious differences that exist between women's life worlds in a cross-cultural context, one cannot assume to represent all women, simply by virtue of being a woman herself. As a result of this situation, a central concern of this study lay in the identification and development of research methods that would allow me to represent the voices of women who come from the cultural contexts of the specific practices that I discuss, in their own words. How these issues were approached is outlined in the *Research Methodology* component of this study located at the start of Section Two.

The main body of Section Two comprises of four case studies which focus on specific examples of culturally sanctioned gender-based abuse. Using historical case histories, personal accounts from Third World feminist texts and first person dialogue with women from these cultural contexts, I attempt to paint a picture of the reality women experience in the face of these situations. I chose these four examples as case

studies as they illustrate what we as westerners see as some of the most extreme forms of oppression towards Third World women.

The first case study, Chapter Five - *Women and Religion: The Case of Islam* - focuses on the position of women within the Islamic faith from the perspective of two Muslim women who now live in New Zealand. I have chosen to provide an in-depth look at the role of women in Islam primarily because, for many in the west, the treatment of women within the Muslim faith represents a clear example of what they consider to be discrimination against women. However, in analysing the similarities between Islam and Christianity in regards to women's role within the family and society, this chapter questions the nature of such assumptions by positioning the debate within the historical contention that exists between countries of the North and South.

Chapter Six - *Religious Fundamentalism: The Taliban in Afghanistan* - is included to enable the reader to recognise the difference between orthodox religious devotion and armed political extremism. Under the guise of Islam, fundamentalism in the form of the Taliban represents one of the most extreme forms of gender-based abuse in the world today. Building on issues explored in the first case study, this chapter attempts to identify Islamic extremism as a political movement that is deeply rooted within the wider patriarchal institutions of Middle Eastern society.

The third case study, Chapter Seven - *Female Genital Mutilation* - presents an in-depth analysis of what is considered by many in both the west and the Third World to be the most harmful traditional practice effecting the lives of women and girls in the world today. Through the articulation of women's voices from Somalia, Sudan and Ethiopia, this chapter attempts to uncover some of the reasons why millions of girls continue to be unnecessarily circumcised throughout Africa and the Middle East. While discussing the causes and effects of FGM, this chapter also attempts to locate the practice within the context of the colonial encounter, a process which helps to illustrate the potentially damaging role western women have played in the anti-FGM movement to date.

The last case study, Chapter Eight - *Transnational Trafficking of Women for Sex Tourism* - focuses on the increasing exploitation of women as commodities to be bought and sold across national and international boarders for the purpose of prostitution. Through an investigation of the cultural, economic and political factors that contribute to the trafficking of women from Burma to Thailand, and from Nepal to India, this chapter aims to locate the experiences of the affected women within the context of the global economy, a new world order that is fundamentally grounded in the unequal distribution of wealth between countries of the North and South.

When one considers the treatment women and girls are subjected to in the context of these situations, reactions of shock and disgust seem appropriate and justified. However, through analysis, discussion and inquiry I hope to present the reader with a deep and wide ranging understanding of why these traditions and practices continue to be important and even valued parts of life in the counties in which they exist. In positioning the lives of the affected women within the wider issues explored in the first section of this study, I hope to be able to situate these specific examples of gender based violence within the context of three dominant values: patriarchy, power and tradition.

While culture and particularly, religion are often used to justify ill treatment and violence against women, they must not be viewed as static or ahistorical concepts. As history has amply demonstrated, culture is, in fact, dynamic and susceptible to change as developments in political and economic structures occur in the society in which it is embedded. As such, women should be free to challenge regressive practices within their own traditions as well as protest human rights abuses without feeling like they are denying or rebuking the fundamental foundations of their culture or religious beliefs. In identifying the institutions of patriarchy, power and tradition as key factors in the repression of women as independent and valued members of society, one can begin to see that culture and religion are often used as powerful tools to manipulate and control certain groups within society, one of the most vulnerable being women.

In consideration of this argument I attempt to reason that in many cases violent and oppressive practices towards women in a variety of cultural contexts are in fact not essential or valuable parts of religion or culture, but are instead historically constructed, gender-bound interpretations of religious and cultural values constructed by those in authoritative decision-making positions, primarily, if not completely, men. Over time these interpretations have become known and accepted by society as integral and essential aspects of 'tradition'. However, when broken down and analysed within the wider contextual framework presented in this thesis, such practices are revealed as historically and culturally specific manifestations of a universal patriarchal structure which seeks to legitimate the continued control and subjugation of women throughout the world.

Chapter One

Universalism versus Relativism - The Case for Human Rights

Before one can even begin to discuss women's human rights in the context of cultural and religious practices, the concept of human rights itself needs to be discussed and defined. Human rights discourse can be viewed as one of the most globalised political values of our time, although disputes relating to both the conceptualisation and application of human rights have been widespread since the *Universal Declaration of Human Rights* (UDHR) was adopted by member states of the United Nations in 1948. However, despite this ongoing debate there remains, at least in principle, a remarkable degree of consensus by governments that certain rights relating to a basic level of human integrity be protected under international law.

When approaching the question of women's human rights there are two schools of thought whose theories need to be considered - the universalist and the cultural relativist. At its most basic, the universalist position suggests that all members of the human family share the same inalienable rights. This means that the international community essentially has the right to judge, by reference to international standards, the ways in which states treat their own citizens, and that states must reform their customs and laws where necessary to bring these into conformity with international norms (Wilson 1997:5). According to the universalist perspective, all women are entitled to the rights established under international covenants and conventions, such as the *Convention on the Elimination of all Forms of Discrimination Against Women* (CEDAW) which has been in force since 1981.

Radical cultural relativists on the other hand argue that members of one society can not legitimately condemn the practices of 'other' societies with different traditions, and maintain that no legitimate cross-cultural standards for evaluating the treatment of rights issues exist. A more normative view of cultural relativism asserts that since each culture has its own inherent integrity with unique values and practices, value judgments should be withheld or suspended until cultural context is taken into

account. What members of one culture might view as strange and bizarre in another culture (for example, polygamy, body tattooing, or strict dietary laws) can be understood best within that culture's context (Nagengast and Turner 1997:4).

Historically and today, students and practitioners of the discipline of anthropology take the principle of cultural relativism as a key concept and perspective. Theoretically, anthropologists should locate themselves as observers and recorders, rather than evaluators, of 'other' people's customs and values. While some anthropologists would still agree with this view, others, both in and outside of the field, are beginning to challenge this concept, primarily because human rights violating countries are often seen to defend their actions in the global arena by invoking national sovereignty, and by drawing on cultural relativism. Spokespeople from many non-western societies argue that such practices as female genital mutilation and other culturally specific forms of violence against women are traditional and therefore cannot be subject to criticism from abroad. Critical commentary under the framework of universal human rights is thus read as eurocentric, essentialising or favouring the individual over the community (Nagengast and Turner 1997:7).

However, as with most absolutist dualisms, the universalist / relativist polarity can be viewed as too totalising in its conceptualisation of the issues, meaning at least at first glance, this complex debate appears near impossible to resolve. However, in the text "Cultural Relativism and Universal Human Rights" (1998), Feminist anthropologist Carolyn Fluehr-Lobban makes the important claim that "universal human rights and cultural relativism are not philosophically or morally opposed to one another...[and that in fact] the terrain between them is fluid and rich" (1998:8).

Universalism and Human Rights Discourse

The concept of universal human rights for individuals was originally developed in reaction to events witnessed in Nazi Germany, and was first encoded in the *Universal Declaration of Human Rights*[1] in 1948 (Zechenter 1997:320). The idea behind universal human rights can be expressed in the principal that individuals, and arguably subordinate groups, need to be defended against the more powerful, especially the more powerful state. Thus the provisions of the UDHR which, among other things, prohibit torture, slavery and murder, and guarantee freedom of conscious, speech and dissent have entered into international law through a number of treaties and covenants (ibid).

The theory of universalism forms the root of modern human rights law on the basis of the claim that an underlying human unity exists which entitles all individuals, regardless of their cultural or regional antecedents, to certain basic minimal rights, known as human rights. It is considered by advocates of universalism that these rights are universal, fundamental and inalienable, and thus they cannot and should not be overridden by cultural and religious traditions. Traditionally universalists have based their support for universal human rights on three major jurisprudential theories - the natural law theory, the theory of rationalism, and the theory of positivism (Zechenter 1997:321).

The natural law theory emphasises the ethical dimensions of the law through its assertion that individuals have certain inalienable rights of the highest order granted by God or providence, and that human-made laws are just only in so far as they do not conflict with the eternal natural law governing the universe (ibid). It can, however, be argued that in a world with such profound cultural and religious diversity is both difficult and problematic to base a justification for universal human rights on this theory because little agreement exists between major cultures and religions about the very existence of a higher order law and its mandates.

[1] The UDHR was endorsed by all members states of the United Nations in 1948

Rationalism is constructed along similar lines to the natural law theory, but replaces the divine origins with the idea that human rights are held by each human being in an individual capacity, due to the universal ability of all human beings to think rationally (Zechenter 1997:322). Both theories support modern human rights discourse by claiming that universal human rights exist independent of culture, ideology or value systems. In this view, universal human rights are a class of rights each individual possesses by virtue of being human. Thus, human rights are seen as extra-cultural, and as such can be used to challenge existing norms, practices and institutions that support or facilitate oppressive practices (ibid).

The theory of positivism can be used to justify the existence of universal human rights by noting the world-wide acceptance and ratification of human rights instruments. Positivists observe that cultural difference not withstanding, all western and non-western nations have signed and ratified the vast majority of human rights treaties and agreements, a fact which attests to the world-wide acceptance of such principals. They claim the source of human rights lies not then in individual cultures, but in the international law that gave rise to the idea of universal rights (Zechenter 1997:322). It is, however, noteworthy to mention that in the case of some international conventions, such as CEDAW, several United Nations member states refused to become signatories, meaning at least in regards to women's human rights, the theory positivism holds little weight as a justification for universalism (ibid).

Universalists believe human rights instruments created by the United Nations should be enforced even handedly, irrespective of differences in cultural customs and religion. If human rights were to have different meaning in western and non-western countries, the whole system of human rights law would be rendered meaningless. Theoretically international human rights law in fact insists that states must actively combat culture-based violence, especially if such violence is being disguised as a cultural or religious practice (United Nations Human Rights Commission 1989 cited in Nagengast and Turner 1997:9).

Universalism has in its favour the power to make comparison possible between groups and cultures. However, those who oppose the theory would argue that its laws simply do not conform with the extreme diversity of cultural and religious groups found throughout the world. Various schools of thought, including cultural relativism, deconstructionsim, interpretivism and postmodernism, dispute the validity of the universalist approach by arguing that it is based primarily on a reflection of western culture. As such they maintain that universalism fails to reflect the diversity of human experience, and insist that universal rights should instead be subsidiary to local cultural and religious norms (Zechenter 1997:321).

Defining Cultural Relativism

Cultural relativism as a theory gained popularity in the second half of the twentieth century through advancing the claim that no 'absolute' truth, be it ethical, moral or cultural exits, meaning there is essentially no valid way to judge different cultures, because all judgements are inherently ethnocentric (Gellner 1985 cited in Zechenter 1997:323). Variations of the theory range from descriptive relativism, also known as weak relativism (which asserts that cultures vary), through normative relativism (the claim that all standards are culture bound, thus there can be no transcultural moral or ethical standards) up to the most extreme form of relativism known as epistemological relativism, which argues that humans are shaped exclusively by their own cultural context. This early form of relativism was a reaction to the ethnocentric assumptions of nineteenth century science which viewed human evolution as a progressive change from the primitive to the advanced; a theory that essentially glorified western societies and diminished the achievements of non-western cultures (ibid).

Descriptive relativists became increasingly sceptical of the broad generalisations that were being advanced about human society at the time, and began to challenge the notion of natural superiority of western civilisation (Boas 1894, 1901; Benedict 1934;

Mead 1963 cited Zechenter 1997:324). Instead they emphasised a seemingly endless human diversity and were able to demonstrate that even cultures placed at the bottom of the evolutionary scale were advanced and sophisticated in at least some aspects of cultural development. These theorists focused so much attention on exposing seemingly vast cultural differences, some believe as a result they in fact tended to disregard data that showed a significant degree of patterned similarities among human cultures (ibid).

Normative relativists were convinced that as well as being highly variable, human cultures inculcated their members with moral and ethical rules through involuntary socialisation and enculturation, meaning that few, if any, were actually consciously aware of the arbitrary character of beliefs that were ingrained into them (Herskovits 1958; Fernanadez 1990 cited Zechenter 1997:325). As a result it was claimed there could be no extracultural standards by which other cultures could be judged. Benedict for example observed that morality "differs in every society, and is a convenient term of socially approved rights" (1934:278 cited Zechenter 1997:325). Consequently she viewed all cultures as possessing "equally valid patterns of life" (ibid).

Epistemological relativism argues that no extracultural standards exist against which cultural practices can be judged acceptable or unacceptable, because all cultures are mutually incomprehensible. As Rosaldo suggests: "My own group aside, everything human is alien to me" (1984:188 cited in Zechenter 1997:325). Extreme relativists also argue that there is no such thing as objective reality, truth or reason, and that all knowledge and morality are exclusively culture bound, meaning that rational thinking and the scientific method are no more than a culturally bound form of western ethnoscience (Geertz 1973,1984; Clifford and Marcus 1986; Marcus and Fisher 1986 cited in Zechenter 1997:325).

This form of relativism coincided with the emergence of Marxism, post modernism and deconstructionism, all schools of thoughts which have at their root a fundamental opposition to the ideal of scientific, rational or ethical reasoning. All theoretically

repudiate the concept of objectivity, and consequently the universality of basic human rights. As a consequence of such theoretical debates, anthropology as a discipline has largely failed to examine cultural and group sanctioned abuses of individual human beings. Moreover, by adopting cultural relativism as a key theoretical perceptive, Zechenter (1997:322) claims anthropology has left little room for rational discussion about the rights of individuals, especially in the context of non-western societies.

Anthropology, Relativism, and Human Rights

Historically, anthropology as a discipline declined to participate in the international dialogue that produced conventions regarding human rights, partly due to philosophical constraints stemming from cultural relativism. However in 1947 prominent relativist, Melville Jean Herskovits did deliver a statement on behalf of the American Anthropological Association (AAA)[2] in discussion of the proposed *Universal Declaration of Human Rights*. Herskovits critiqued what he perceived to be an "ethnocentric extension of absolutist western values", and exhorted the emergent world order to respect cultural differences (AAA 1947 cited in Wilson 1997:8). Herskovits claimed that particular cultural values should under no conditions be supplanted by universal moral values, a statement which essentially raised 'culture' to the level of a supreme ethical value, meaning at least within the realm of relativist theory, culture came to be seen as the sole source of validity of a moral right and rule (ibid).

Much of Herskovits' argument in the AAA statement rested on the principle that an individual's personality is ultimately shaped by his / her culture. As such he maintained that any Bill of Human Rights should include the following proposition:

[2] The American Anthropological Association (AAA) was founded in 1902, "to promote the science of anthropology, to stimulate and coordinate the efforts of American anthropologists, to foster local and other societies devoted to anthropology, to serve as a bond among American anthropologists and anthropologic[al] organizations present and prospective, and to publish and encourage the publication of matter pertaining to anthropology". Today the AAA is still the world's largest organisation of individuals interested in anthropology, with a current membership of around 10,000.

"[That] the individual realises his personality through his culture, hence respect for individual differences entails a respect for cultural differences" (AAA 1947:541 cited in Wilson 1997:8). In this statement *culture* and *cultural difference* are deployed by Herskovits to deconstruct the universal rational individual of classical, political economy upon which human rights discourses depend.

Relativists such as Herskovits claim that universal human rights, as justified within the rationalist tradition, presuppose a stable conception of 'human nature' which includes a unified subject with a knowable essence and basic needs (Wilson 1997:9). Having established the nature of a universal human ontology, objectivity can be claimed for value judgements about political, economic and legal arrangement. Richard Wilson (1997) suggests for most anthropologists the category of 'human nature' is one of the more offensive ways of imposing the prejudices of western culture. Anthropological critiques of human nature are based on the socially constructed nature of the 'person', thus inherently apply a rejection of the category 'individual' which is fundamental to human rights law. Advocates of relativism have illustrated that what is presently constituted as international human rights law is, in fact, fundamentally grounded in individual rights and, therefore, Wilson claims, unable to flexibly respond to a global diversity of legal systems. According to relativists, human rights are inseparable from the mentality of the Enlightenment, and as presently constructed are the product of a particular society at a particular time - Europe - in the aftermath of the Second World War (1997:12).

The implication here parallels that of the AAA statement; that outsiders should not interfere in moral issues which are internal to another culture, since this would usually lead to arbitrary silencing of collectivist narratives by western individualistic ones. Herskovits' position was, however, subjected to a number of critiques, the most serious of which focuses on what Wilson termed his [Herskovits'] "rather hopeful" belief in the essential moral rectitude within 'culture' (1997:13). Herskovits was essentially suggesting that even if a society's political system was being used to abuse or oppress individual citizens, cultural values could be invoked to restore

balanced social order (ibid).

In "The Real Meaning of Cultural Relativism" (1998), Mark Cohen suggests real freedom of thought is what anthropology and cultural relativism are all about. He claims relativism has become a dirty word to some scholars and politicians as they have misinterpreted the concept all together. Cohen claims that critics of relativism resent the idea that other people's behaviour might be compared to, much less equated with or found superior to, our own[3]. They fear that the acceptance of relativism might create chaos and undermine our own supposedly high standards, in that we might unthinkingly accept whatever other people do as part of our own lifestyle. Cohen suggests most who oppose the theory characterise relativism as the morally bankrupt assumption that no judgement of other people's behaviour is possible (1998:111).

In their research anthropologists aim to study other people's behaviour without being judgmental, a necessary focus Cohen maintains for the sake of "clear headed scientific study" (1998: 120). He believes anthropologists often identify particular aspects of other people's behaviour they admire and might even wish to emulate, and try to be open minded about the possibility of learning something from other people. However, he is very clear in saying that this does not mean an anthropologist has to abandon their right to make value judgements as thinking moral people. He claims few, if any, would consider ethnic cleansing, genocide, warfare, slavery or infanticide as morally acceptable just because they are part of the culturally patterned behaviour of other people (ibid).

In her endorsement of relativism from an anthropological perspective, Fluehr-Lobban suggests cultural relativism when "taken to extremes" (1998:2) can be potentially damaging. The 'extreme relativist' would claim that because cultures vary and each culture has its own unique moral system, we cannot make judgments about 'right' and 'wrong' in comparing one culture to another, meaning, one cannot reject

[3] By 'our own', Cohen is referring to the behaviour of people of western origin.

any form of culturally acceptable homicide - for example, infanticide, senilicide, or 'honour' killing of women in Mediterranean and Middle East societies for alleged sexual misconduct - on moral grounds because cultural acceptance or condemnation are equally valid. However, like Cohen, Fluehr-Lobban claims that this is in fact a form of absolutism with which few anthropologists would agree. "Anthropologists did not defend Nazi genocide or South African apartheid with cultural relativist arguments, and many have been critical of relativist defenses especially of western practices they see as harmful, such as cultural institutions emphasising violence" (1998:2).

Cultural relativism does, however, imply several important things: the need to look carefully before we as westerners label other people's behaviour as ignorant, wrong or 'primitive'; the recognition that a culture isn't necessarily deficient just because it has different priorities and accomplishments from our own; the need to put aside our arbitrary cultural 'blinders', assumptions and prejudices before we judge; to keep an open mind about what we might learn; to try and understand the context and the latent purposes of what people are doing rather then looking only at the most obvious and superficial forms in isolation from the rest of the culture, and to acknowledge the fact that our own behaviour too is often based on arbitrary cultural conventions more than on logic, science or nature (Cohen 1998:112).

Cultural relativism means only that we have to consider any behaviour in its context to comprehend why it occurs. Such understanding may lead us to re-evaluate and even appreciate behaviours that initially seem bizarre. Many components of any culture serve several functions, and Cohen suggests that to try and make changes in people's behaviour without such analysis can be frustrating because people won't co-operate, and even dangerous if people do, or are forced to. In using the examples of female infanticide and female circumcision, which are still widely practised in many parts of Africa, South East Asia and the Middle East, Cohen suggests that people do not do these things because they are evil or immoral, even if we consider the behaviours themselves to be. They do them in response to powerful pressures or

incentives built into their economic and cultural systems. If we wish to change behaviour, among others and among ourselves, we have to identify those pressures and incentives accurately and address them (ibid).

Cohen claims it is imperative we don't confuse what is moral with what is simply the American way, or even the Christian way. Cultural relativism, he maintains, means we must try to distinguish between those things that are morally reprehensible or wrong, and those that are simply not our cultural or religious style. Distinguishing universal moral imperatives from cultural conventions is a complex problem that has been debated at length by both philosophers and anthropologists, as what appears to be a moral absolute in one culture may well be a cultural convention in another. "Morals and values are not necessarily correct just because they are ours or because they are traditional" (Cohen 1998:114). A perfect resolution of absolute and relative morality and values may be no more attainable than any other ideal, but making genuine efforts towards distinguishing the two and being sensitive to the problem are, Cohen maintains, essential to achieving tolerance, world peace, justice and order (ibid).

Fluehr-Lobban suggests an important contribution to the debate is the realisation that universalism and relativism are not necessarily mutually contradictory, rather they constitute complementary perspectives, both of which are essential components of an anthropological approach to human rights. "The truth about our complex world of cultural difference is that moral perplexity abounds. The ability to accept that another person's or culture's position with which one disagrees is nevertheless rational or intelligible lays the basis for discussion of differences" (1998:10). Relativism, she suggests, can be used as a way of living in society with others. An egalitarian relativist sees all human beings as moral agents with equal potential for making ethical judgments. Though moral judgments in and of themselves are not scientific, Fluehr-Lobban believes they can be socially analysed. As such, relativism and universalism need not be morally opposed, but instead, discussed, debated, and assessed by the social sciences, including anthropology (ibid).

Women, Universalism and Relativity

Cultural relativity began to come under scrutiny in the 1970s from feminist scholars, who argued that all aspects of culture are constructed under specific historical circumstances, meaning that culture itself should not be seen in isolation from the wider historical and social context in which it is embedded. In her text "Women Minorities and Indigenous Peoples: Universalism and Cultural Relativity" (1997), Carole Nagengast suggests that although cultural relativity can be used to induce respect for difference, it is often deployed to excuse, rationalise or explain differential treatment of women and other minority groups, and to justify what many would call human rights abuses (1997:350). Nagengast argues that since the *Convention on the Elimination of Discrimination Against Women* was enacted in 1981, governments that perpetuate or permit discrimination against women have increasingly begun to invoke religious purity, tradition and culture as justification for the widespread economic, political and social inequality endured by women within their societies (ibid).

However, as human rights instruments are essentially culturally relative themselves, in that they are based around northern or western views that stress freedom and individual rights, some consider them to be inappropriate structures to judge eastern or southern circumstances which emphasise communitarian values. In their quest to enforce individual liberty, human rights instruments are said by some to misunderstand, undervalue and even disparage cultural and traditional practices that exist to reinforce community solidarity. Human and women's rights activists who have attempted to tackle cultural practices within the Third World under a human rights framework have, as a result, been accused of insensitivity, liberal individualism, eurocentrism and the inability to imagine or appreciate the central role traditional practices play in the preservation of cultural values (Peters and Wolper 1995:6).

For example, where western criticisms of the treatment of women in Middle Eastern societies are concerned, cultural relativists object to the universalist approach on the

grounds that human rights criteria are not in fact ostensibly international, but instead largely reflect the values of western culture. Therefore, western condemnation of discrimination against women in 'other' regions is believed to reflect an insensitive, ethnocentric approach to rights issues, and even represent a form cultural imperialism (Mayer 1995:178). However, in "Cultural Particularism as a Bar to Women's Rights - Reflections on the Middle Eastern Experience", Ann Elizabeth Mayer argues that while human rights discourse is fundamentally grounded in a western ideal of individual liberty, adopting a cultural relativist approach can also have dangerous implications when viewed within the context of women's human rights in the Middle East.

Mayer believes according unquestioning defence to Middle Eastern governments that insist cultural particularism requires the international community to tolerate those governments' discrimination against women constitutes a misguided application of cultural relativism. Mayer questions why, for example, state generated definitions of 'culture' and 'Islam' are always assumed to be authentic or definitive, when in reality, within Muslim countries from Africa to Asia, intense debates on rights issues rage, particularly regarding the rights of women (1995:179). Mayer argues that there is no single monolithic 'cultural' position on women's role in society, and no unanimity of opinion about how Islamic requirements should apply to problems of contemporary societies. For example, feminist movements in the Middle East believe the discrimination women in their societies face is not the result of cultural or religious requirements, but is instead, the consequence of a deep-rooted patriarchal bias that infects political systems in the region (ibid).

Mayer suggests that where governmental constructs of local culture and religion are deployed as barriers against international human rights law, the international community is essentially denying people of that region the right to culture change, to challenging existing norms, and to assimilate new ideas. "Western supporters of the cultural relativist approach seem disposed to believe that non western cultures are monolithic and immutable" (1995:180). Mayer argues that such acceptance assumes

a normative model of Middle Eastern culture to be a self contained, static entity, one different from cultures elsewhere, whose historical records have shown that a culture almost always changes to accommodate modern norms of human rights (ibid).

Even within our own society, the struggle to introduce feminist principles into mainstream culture is still considered by some as subversive of the natural order of society, and incompatible with Christian religious values. However cultural relativists do not seem to treat the norm of full equality for women as lacking cultural legitimacy in the west. As such, Mayer claims that the theory of cultural relativism is itself grounded in the belief that western culture is, by its nature, destined to evolve and embrace new ideas, unlike non-western cultures associated with Islam which are presumed to be isolated and frozen in the dark ages (1995:186).

Zechenter also believes that relativism is based on a static conception of culture, one which "shows bias towards functionalism and tends to justify the dysfunctional beliefs and customs of non-western societies while marginalisng non-dominant voices within these societies" (1997:323). Because relativism emphasises group rights over that of individuals, Zechenter claims it allows "all sorts of culturally sanctioned violations of individuals rights to be legitimised, leaving individuals unprotected against rulers, governments and others in power" (ibid).

To illustrate this claim, Zechenter explores the practice of *sati*, or wife burning within the context of Indian society; a traditional practice which involves the burning of a woman after her husband's death on his funeral pyre. She highlights the story of 18-year-old Rajput girl, Roop Kanwar, whose *sati* prompted women's groups in India to publicly oppose the practice. This move was met by opposition from both men and women of the Rajput ethnic group, who claim the right to perform *sati* as part of their ethnic culture. Indian human rights activists were branded as imperialists whose sole aim was to impose an imported western view upon Indian culture. The Indian feminist movement was denigrated for their lack of national pride and for tarnishing the image of India abroad. Although the Indian government has passed several laws

prohibiting *sati*, such laws are almost impossible to enforce within a community that sanctions the continuation of the practice (Zechenter 1997:326).

Zechenter asks the reader to consider whether it would matter if Roop Kanwar committed *sati* willingly? Would *sati* be morally justifiable if it was practised voluntary? Zechenter agrees that free will should allow an individual the right to decide their own fate, but suggests, in cases like this, the woman's consent may not be truly informed. If Roop has lived her whole life in a small village and knows of no other acceptable course of action for widowed women, would she still be considered capable of rendering an informed and voluntary consent? Zechenter asks whether a girl from a traditional community, such as Roop, should have the right to reject this cultural practice, or is she bound to the ritual by the accident of her birth no matter how unfair it is to her as an individual? Is it relevant whether the *sati* victim is a child bride, through an arranged marriage, living with her in laws from early puberty with no income or decision-making power of her own? Does it matter that if she did refuse she would be ostracised from the village, be thrown out of her home and have no where else to go?

In consideration of such debate one is forced to ask themselves, who should hold the greater power - the ethnic community who are struggling to keep their traditions alive in the face of an increasingly homogeneous global world, or those who believe traditional practices such as *sati* violate the rights of individuals, who, through no fault of their own, happen to be born into that particular ethnic group? After consideration of the facts I would suggest that most people would probably feel that Roop's death is not justifiable, even when the theory of cultural relativism is taken into account. However this view in itself can be seen as a result of my socialisation as a western woman. It can be argued that because of my enculturation I cannot 'see' past my cultural blinders to fully understand the significance *sati* holds within the wider cultural context of traditional Indian society.

The relativist approach to the moral correctness of traditional practices like *sati*

would follow that it is up to the cultural group effected to decide for themselves whether it is a valuable tradition deserving of preservation, or a harmful practice that should be eliminated. However, as Mayer suggested, within any cultural group there will always be several sub-groups divided on the axis of age, class and gender, meaning one group within the wider ethic community will ultimately decide what practices are 'typical' or 'valuable' for their cultural group as a whole (1995:81). As such, the majority view of what represents 'culture' will not necessarily represent what is good for women or the poor within the wider cultural group. Cultural relativism and its group centered view disregards the fact that societies place severe restrictions of some members, especially women. What may be advantageous for the group, or the religious or political elites within that group, may or may not be in the interests of the entire group. In light of this, Zechenter suggests cultural relativism itself, "no matter how nuanced, inevitably provides the logical justification for such inhuman practices" (1997:330):

> Ironically the cultural relativist defence of *sati* has the detrimental effect of disregarding the well demonstrated plurality and diversity of Indian traditions in favour of adopting one view as representative of Indian culture, in this case the view of *sati* supporters. Such a cultural relativist construction of Indian customs and traditions merely serves those who pick and choose customs at will and those who resurrect customs to serve their own political agenda, or their own economic needs (ibid).

Because various groups within a culture hold varying views on what are the integral elements of that culture, the question arises as to whose viewpoint should be accepted as legitimate by the international community and why. Zechenter argues that instead of making this judgement, the international community should instead guarantee certain minimal rights to all cultures, such as the right to life to all individuals in every cultural group (1997:330). This way individuals can decide for themselves which sub-group they wish to belong, and which belief system they wish to subscribe. She believes that by accepting the concept of culture as a ready made all-purpose explanation of human behaviour, cultural relativism offers no specific explanations as to why the cultural practice exists, and, as such, prevents a rational discussion of any opportunistic uses and misuses of tradition. "Appeals to selectively

chosen ancient customs or religions should be more properly analysed as attempts to legitimise the political or religious agendas of various factions within a society" (Zechenter 1997:334).

Zechenter suggests that cultural relativism, when utilised in this context, disregards and minimises the systematic aspects of women's subordination that are entrenched in many traditional cultural practices. This is especially relevant in cases where women from the effected societies themselves seek to change restrictive and outdated social customs. However, Zechenter suggests that in many cases when women do try to oppose elements of cultural custom, they are accused of supporting increased western influence. "Discrediting of indigenous aspirations for social change as nothing more than western contamination or as an aberrant foreign import, merely because these aspirations run counter to some entrenched cultural practices of the majority in power seems to show singularly bad judgement" (1997: 335). She claims many governments have began to use relativism as a political tool to suppress and suspend the human rights of their citizens in the name of cultural sovereignty:

> Those who defend culturally sanctioned violence against women do so not in order to uphold abstract ancient cultural principals, but typically to advance their own self interests, be that economic, social or political. Their claims that human rights are nothing more than a western importation designed to perpetuate western imperialism and to impair the economic and cultural development of third world cultures are thinly veiled attempts to strengthen their own power base (1997:339).

Relativists presume that cultures should not be interfered with in case they are irreparably damaged or destroyed, and that change such as human rights law, could lead to the destruction of cultures, for if a part is modified or taken away, the whole will be damaged. Zechenter argues that this line of reasoning ignores that reality that cultures have been continuously changing and remaking themselves throughout the history of human evolution. She claims that even in the most egalitarian society there is no such thing as one culture - all cultures have always consisted of groups and individuals with conflicting agendas, and cultural customs have largely reflected the interests of those in the dominant classes (1997:340).

Instead of using 'culture' as the explanation and justification for all human behaviour Zechenter suggests it would be more useful to analyse: (1) whose interests are being served by the 'traditional' customs and whose are infringed by them, (2) why some customs are abandoned while others are maintained or resurrected and by whom, (3) who benefits from change in cultural practices versus who gains from maintaining status quo, (4) who is influencing the direction and the internal dynamics of cultural change and whether such cultural changes might lead to genuine equality and improvement of life to currently marginalised sub-groups or individuals, or to a further disenfranchisement of the voiceless, and (5) what is the best way in which the ideal of universal human rights could be used to effect change in the nature and dynamics of power relations in order to produce more equitable results (1997:334).

Given the long-standing history of western imperialism, many scholars and politicians are understandably hesitant to judge other cultures, however Zechenter believes making judgements concerning harmful traditional practices is not synonymous with ethnocentrism *per se*. Zechenter believes cultural relativists are right in saying that by endorsing or rejecting a foreign custom one risks an imposition of their own cultural prejudices on others, and are also right in emphasising that upbringing and education bring with them an inherent bias, however she claims the belief that judgement of other cultures must be avoided altogether because it may be ethnocentric "is illusory" (1997:339).

Zechenter believes one cannot avoid making judgements altogether when faced with oppression and brutality masquerading under the guise of cultural tradition. Such a non-judgmental tolerance of brutality is actually an ultimate form of ethnocentrism, if not an outright ethical surrender (1997:341). By withholding judgement in cases such as those previously mentioned, Zechenter claims we are perpetrating fundamental injustices against those who lack the voice and ability to speak for themselves. As such, cultural relativism, despite its pretences to the contrary, does involve making judgements and in the process can end up condoning abuses perpetrated against the disenfranchised and voiceless (ibid).

Relativism, Rights and Responsibility: Where Does the Anthropologist Fit In?

In her article "The Primacy of the Ethical - Propositions for a Militant Anthropology" (1995), Nancy Scheper-Hughes claims the time has come for the discipline of anthropology to pause and reconsider the traditional role of the anthropologist as a neutral, rational observer of the human condition (1995:410). Like Zechenter, Scheper-Hughes questions the value of cultural relativism as a theoretical standpoint when it is used by anthropologists as an exemption from the human responsibility of taking an ethical, and even political stand on rights related issues. In the introduction to her famous ethnography, *Death Without Weeping* (1992), Scheper-Hughes argues that cultural relativism, read as moral relativism, is no longer appropriate to the world in which we live, and that anthropology, if it is to be worth anything at all, must be ethically grounded (1992:21). "If we cannot begin to think about social institutions and practices in moral or ethical terms, then anthropology strikes me as quite weak and useless" (ibid).

Fluehr-Lobban (1998) writes at length about her experiences of ethical struggle between relativism and universalism in the context of her work with women in the Sudan. Cultural ideology of the region holds that all girls must be circumcised as a rite of passage into womanhood. Even though infections are a common result of female circumcision, and sexual intercourse and childbirth are rendered difficult and painful, Sudanese custom teaches that an uncircumcised woman is not respectable, and few families would risk their daughter's chances of marrying by not having her circumcised. Fluehr-Lobban speaks of feeling "trapped" between her anthropological understanding of the custom on the one side, and her reaction as a western woman to the practice, on the other. "To ally myself with western feminists and condemn female circumcision seemed to me a betrayal of the value system and culture of the Sudan which I had come to understand" (Fluehr-Lobban 1998:6).

In 1993, female genital mutilation was named a 'harmful traditional practice' by delegates at the International Human Rights Conference in Vienna. FGM came to be

viewed as a violation of the rights of children as well as of the women who suffer its consequences throughout life. Over this time Fluehr-Lobban says she came to realise just how deep her moral opposition to FGM actually was. "Those discussions made me realise that there was a moral agenda larger than myself, larger than western culture, the culture of the northern Sudan, or of my discipline. I decided to join colleagues from other disciplines and cultures in speaking out against the practice" (1998:7). Fluehr-Lobban attributes the "sense of paralysis" that prevented her from directly opposing FGM throughout the early years of her research to her anthropological training which was grounded in cultural relativism:

> From a fieldworker's standpoint, my neutralist position stemmed from the anthropologist's first hand knowledge of the local sensitivities about the practice... while I would not hesitate to criticise breast implants or other western surgical adjustments of the female body, I withheld judgment of female circumcision as though the moral considerations were fundamentally different. My socialisation as an anthropology undergraduate and graduate student, along with years of anthropology teaching, conditioned a relativist reflex to almost any challenge to cultural practice on moral or philosophical grounds, especially ones that appeared to privilege the west (1998:7).

Fluehr-Lobban says she eventually realised that a "double standard" had crept into her teaching and practice; she would readily criticise rampant domestic violence in the U.S. and then attempt to rationalise the killing of wives and sisters from the Middle East to Latin America by men whose "honour" had been violated by their female relation's alleged misdeeds, from flirtation to adultery. She maintains that while cultural context is critical, and at times relativism may frame and enlighten debate, in the end, moral judgment and human rights take precedence and choices must be made (1998:8).

> What changed my view away from the conditioned relativist response was the international, cross-cultural, interdisciplinary dialogue that placed female circumcision on a level of such harm that whatever social good it represents (in terms of sexual propriety and marriage norms), the harm to the more basic rights of women and girls outweighed the culturally understandable 'good'. Moreover, active feminist agitation against female circumcision within the Sudan has fostered the kind of indigenous response that

> anthropologists like, so as not to appear to join the ranks of the western feminists who had patronisingly tried to dictate the 'correct' agenda to women most directly affected by the practice (Fluehr-Lobban 1998:10).

Harm, Universalism and Relativism

Fluehr-Lobban suggests the notion of 'harm' when applied to the treatment of individuals or groups can be used to explore the terrain between universal human rights and cultural relativism. Harm may be considered to take place when there is death, pain, disability, loss of freedom or pleasure that results from an act by one human upon another (Gert, 1988:47-49 cited in Fluehr-Lobban 1998:11). When reasonable persons from different cultural backgrounds agree that certain institutions or cultural practices cause harm, then the moral neutrality of cultural relativism must be suspended.

Cohen suggests, ("perhaps with my American blinders focusing my attention on individuals") it may be helpful to place behaviours that do real harm to real people on one side, in the realm of moral absolutes, and behaviours that only harm cultural conventions on the other (1998:123). He defines "real harm to real people" as behaviours that inflict physical harm on people, cause their deaths, leave them hungry or expose them to physical dangers or diseases. He feels that because human biology is fairly standard it is relatively easy to develop universal moral standards to deal with common biological needs. Cohen suggests that everybody, regardless of nationality or culture, should have the right to eat, have peace and freedom from abuse and to enjoy health and health care. He claims behaviours that interfere with those rights are morally reprehensible, regardless of which culture they occur in (1998:128).

Cohen discusses the value of adopting a guiding principle of action such as 'do unto others as you would have others do unto you'. However, because the world in which we live is so culturally diverse, he believes perhaps it would be more appropriate to suggest that we treat people as they would have us treat them, as our own preferences

may not always be shared. Assuming that other people naturally share our preferences or moral precepts, or 'ought' to, misses the intention of the original phrase (1998:132). Real morality involves understanding that other people may actually want different things than you want, and being ready to adjust your behaviour to recognise those differences. Real tolerance does not mean permitting other people to be like us; it means permitting them to be different (ibid):

> Cultural relativism involves exposure to other cultures, learning from others who are themselves free to act, feel and think according to their own cultural precepts. It is an important road to a rich life and real freedom. There is no real freedom unless we are aware of, and have accurate information about, alternative courses of belief and action (1998:133).

Nagengast maintains we must, however, constantly remind ourselves that there can never be a culture that is not mediated by multiple axes of inequality which in turn must be mapped against the larger social and economic conditions of a state. When anyone speaks of culture as an explanation or a source of defence of human rights abuse, whether that person is a man or women, a member of a feminist group or of the established power bloc, a religious practitioner, or a government spokesperson, it is essential to inquire about the overall political, social and economic as well as the cultural context in which the violations occur (1997:362).

Relativism and Tolerance

In "Relativism and the Search for Human Rights" (1989), Alison Dundes Renteln accepts cultural relativist descriptions of the world as made up of different societies with divergent moral value systems, but rejects the prescription of tolerance which conventionally results from such portrayals, forming the basis for the arguement that relativism can in fact be compatible with cross-cultural universals. Renteln claims the theory of cultural relativism has been the subject of widespread misunderstanding, and argues that the central insight of relativism is in fact not tolerance, but enculturation (1989:56).

Historically the theory of relativism is concerned with the way in which evaluations or judgements are made, focusing attention not only on behavioural differences, but also on perceptions of cultural phenomenon (1989:57). This focus on perceptions and evaluations is what made the theory of relativity different from earlier philosophical treatment of similar ideas. As with Benedict and Boas, Herskovits spoke of the concept of tolerance as synonymous with relativism, the very link that Renteln maintains has led relativism into "dire straights" (ibid). She maintains the most valuable feature of cultural relativism was, and still is, its ability to challenge the presumed universality of standards that actually belong only to one culture.

According to Renteln, relativism is often associated with the idea of tolerance because through their own interpretation, people themselves automatically assume the theory requires them to be tolerant of diverse moral practices. Bagish, for example, speaks of relativism as if it forces us to tolerate everything (1983:28 cited in Renteln 1989:57). Similarly Hartung wrote that relativists provided a notion that served to defend slavery and genocide (1954:123 cited in Renteln 1989:57). However, diametrically opposed to this view are those who claim unequivocally that ethical relativism does not logically entail tolerance, and could just as well entail intolerance. Renteln claims the assumption that the theory of relativism requires tolerance is not in fact a significant problem as the theory itself is about value judgements rather than being a value theory in itself:

> The theory of relativism is undeniably a useful one to employ for the advancement of the cause of tolerance, it provides a theoretical apparatus which can serve as a vehicle of the dissemination of the idea. This does not mean, however, that relativism depends on the idea of tolerance, or in any way implies tolerance. Some claim that without tolerance the theory has no force, but they are mistaken. They fail to see that it is enculturation that forms the basis of this theory (1989:58).

Enculturation is the idea that people unconsciously acquire the categories and standards of their culture. The theory of enculturation asserts that culture is in-built into automatic uncritical perceptions. As such, individuals remain largely unaware that their own judgements are, in fact, culture bound. A reformation of relativism

must then call attention to the role of enculturation in ethnocentrism. Renteln maintains that the failure to identify the centrality of enculturation in the theory of relativism was Herskovits' biggest mistake. She asserts that if this relationship had been clearly established at the time Herskovits and his colleagues were promoting relativism, they would not have insisted that tolerance was the main emphasis of the theory (ibid).

Since enculturation leads individuals to prefer their own moral systems, the relativist will likewise tend to perceive their own values as superior. As relativism originated in the west, this means that the relativist will prefer tolerance, the value associated with liberal, democratic tradition. Were this value not pre-eminent in his / her culture, Renteln suggests the relativist would not have such difficulty with this theory. She claims the conflict then is between a theory of perception as culture specific and the American political ideology which is absolutist and which advocates tolerance. It is not the theory of relativism that makes tolerance supreme, but rather the uncritical acceptance of this value by Americans. Renteln maintains that relativists, like everyone else, are ethnocentric, which is why the theory was so confused with tolerance. Therefore, if relativism is to be associated with any value, it should not be tolerance, but ethnocentrism (1989:61).

Relativism as a theoretical framework provides insights into the nature of perceptions, and illustrates the degree to which self-righteous attitudes towards internal moral standards are ingrained. In so far as individuals adopt moral categories uncritically, conflict between cultures will be difficult to resolve, as in the case of universal human rights. Renteln's argument suggests that even though relativists have focused on differences between peoples, it is important to realise that cross-cultural universals may be discoverable through research. By seeking out specific moral principals held in common by all societies, universal moral standards may be able to be established and legitimised. The claim that cross-cultural universals cannot exist because comparison is meaningless depends on the false premise that because all moral systems differ, there can be no convergence. Renteln believes it is crucial to

understand that just because discrete, separate and competing moral systems exist, it does not necessarily mean they do not overlap (1989:64).

Since anthropologists interpreted relativism as tolerance, the idea that their professional association should make a formal statement on human rights was troubling as their academic training discouraged them from making value judgements about the practices of others, and emphasised the importance of remaining neutral and objective. As the author of the AAA statement and the theory of relativism on which it was based, Renteln suggests it was "unfortunate" that Herskovits could not provide a more adequate reconciliation of relativism with human rights. She maintains that along with Boas and Benedict, Herskovits cast a cloud of confusion over the theory whose shadow is still felt. "If only he [Herskovits] had realised that relativism does not imply tolerance and does not deny the possible existence of cross cultural universals, anthropologists might have been spared much anguish" (1989:68).

Since relativism does not necessarily imply tolerance, moral criticism remains a viable option for the relativist. Even though people, because of cultural conditioning, will tend to prefer their own beliefs and standards, this does not mean there will always be irreconcilable differences. As such, it seems that relativism is compatible with the existence of cross-cultural universals, and Renteln suggests more studies on the comparative analysis of moral values could help pave the way to validating more wide reaching and effective international human rights standards (ibid).

Concluding Thoughts

The terrain between universal rights and cultural relativism can be puzzling and difficult to negotiate, but through the utilisation of the "avoidance of harm" principle, anthropologists and others can begin to map out a course of thinking and action. We need to come to the recognition that violence against women should be an acknowledged wrong, a violation of the basic human right to be free from harm that

cannot be excused or justified on cultural grounds. Understanding the diverse cultural contexts where harm or violence may take place is valuable and important, but suspending or withholding judgment because of cultural relativism is, as Fluehr-Lobban suggests, "intellectually and morally irresponsible" (1998:13).

By developing approaches to universal human rights that are respectful of cultural considerations, while at the same time, morally responsible, anthropologists can make a significant contribution to international dialogue on rights discourse. As a discipline we need to move beyond the idea of a value free social science to the task of developing a moral system at the level of our shared humanity that must, at certain times, supersede cultural relativism. However, reassessing the value of cultural relativism does not need to diminish the continued value of studying and valuing diversity around the globe.

The treatment of women in regards to cultural and religious practices must be carefully analysed by looking at class and power distribution in the particular society in question, as well as the politics of the traditions involved - who benefits from the tradition versus who bears its cost. Universal human rights standards can offer a useful framework for resolving conflicts between women's rights and traditional customs that harm and dehumanise women. But the extent to which women will be able to exercise their rights within various cultures and succeed in minimising violence and gender-based inequalities will be ultimately linked to these women's abilities to share in the interpretation of their cultural traditions.

The main objective of universal human rights is not to impose a jacket of arbitrary and homogenising uniformity among diverse cultural traditions, but to create a floor below which no society can stoop in the treatment of its citizens. Because of this minimalist approach it seems that human rights are fully compatible with cultural diversity. Although the limitations provided for under the human rights framework are far from all encompassing, they do provide important projections for individuals who would otherwise be entirely at the mercy of the state or group in power at any

particular time. Although it is not without its flaws, human rights universalism often provides the only avenue available to individuals in their intracultural struggle for fairness, justice and equality. As such, the abandonment of human rights altogether in favour of relativism would have profound implications for those brutalised in the name of culture and religion.

It seems that avoiding real harm to people is the bottom line when discussing the complex debate between universalism and cultural relativism. Even though all cultures and religions measure morality in terms of adherence to their own specific values, rules and symbols, real morality grows from the real needs of human beings, which at their core, are universal. By refusing to engage in the evaluation of other cultures and their practices, the relativist is essentially unable to analyse the true nature of the growing conflict between individual rights and group sanctioned violence. In positioning themselves in this way, relativists are in fact unwittingly lending a helping hand to those who benefit from resurrecting, appropriating or inventing customs for what are, in many cases, politically or economically motivated agendas.

Chapter Two

Women's Rights as Human Rights - A Western Perspective

The promotion of human rights is a widely accepted goal internationally and, as such, is seen by western feminists as a useful framework for seeking redress of gender abuse. There have, however, been numerous problems associated with this goal due to the lack of gender perspective included in human rights norms. These issues came to a head at the Global Tribunal on Violations of Women's Human Rights held in conjunction with the United Nations Vienna Conference in 1993, an event which is now seen as the birth of the women's rights as human rights movement. The Tribunal's purpose was to present cases that documented examples of human rights abuse against women to illustrate the failure of existing human rights mechanisms to protect and promote women's human rights. Advocates of the women's rights as human rights movement claim that abuse and discrimination on the basis of gender must be understood as human rights abuse, and that this understanding must lead to a transformation of prevailing concepts of human rights.

Even though 'sex' is one of the classifications in the United Nations *Universal Declaration of Human Rights*, little discussion directly related to issues of gender exists within this forum, and it is only recently that this limited vision of human rights has begun to be challenged. Most in the west interpret human rights as state violations of civil and political liberties, a narrow definition of rights that essentially impedes consideration of women's experiences of violence and abuse within a rights framework. Charlotte Bunch suggests: "The specific experiences of women must be added to traditional approaches to human rights in order to make women more visible and to transform the concept and practice of human rights in our culture so that it takes better account of women's lives" (1991:4).

In introducing the book *Women's Rights, Human Rights - International Feminist Perspectives* (1995) Julie Peters and Andrea Wolper suggest that gender-based abuse against women is not limited to rare or isolated incidents, but instead consist of

innumerable atrocities inflicted on girls and women every day in virtually every country (1995:2). Peters and Wolper claim a large barrier to addressing these issues is the fact that women's rights are considered a special interest area within human rights discourse, and, as such, are largely considered marginal to more 'serious' human rights concerns. On reflection it seems that traditional human rights formulations are based on a 'normative' male model, and applied to women as an afterthought, if at all. Human rights work has traditionally been concerned with state sanctioned or condoned oppression, that which takes place in the 'public' sphere, away from the privacy to which most women are relegated, and in which most violations of women's rights take place. This focus has created an artificial legal and perceptual divide between crimes by state actors, and those by non-state actors, whether individuals, organisations, or even unofficial governments (1995:9).

Traditional human rights standards criticise violations in ways that elude women. While asylum law protects those with a well founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group or political opinion, it rarely protects those persecuted for reasons of gender. Hilary Charlesworth (1995) suggests the current international human rights structure and the substance of many norms of human rights law create obstacles to the advancement of women, primarily because the law-making institutions of the international legal order have always been, and continue to be, dominated by men. As such, international human rights law has developed to reflect the experiences of men and largely to exclude those of women, rendering suspect the claim to objectivity and universality inherent in international human rights law (1995:103).

As Riane Eisler suggests in "Human Rights: Towards an Integrated Theory for Action" (1987), "The underlying problem for human rights theory is that the yardstick that has been developed for defining and measuring human rights has been based on the male norm". Charlesworth claims that until the gendered nature of the human rights system itself is recognised and transformed, no real progress for women can be achieved (1995:104).

Gender Violence as a Human Rights Issue

The most pervasive violation of women's rights can be seen in the form of violence against women in all its manifestations. These abuses occur in every country, across race, class, age and geographical boundaries, and also often reinforce other oppressions such as racism and imperialism. In *Gender Violence and Human Rights* (1995), Roxanna Carrillo claims violence against women includes, but not limited to: "physical, sexual, emotional and economic abuse within the family, rape and sexual assault, sexual harassment, trafficking in women, and involuntary prostitution..." as all involve the use of coercion to make women do things against their will (Carrillo and Bunch 1995:8). However, despite the fact that gender violence is so widespread, it is largely dismissed as an individual or cultural matter, or accepted as normal. Georgina Ashworth (1986) notes:

> The greatest restriction of liberty, dignity and movement, and at the same time direct violation of the person, is the threat and realisation of violence...however violence against the female sex, on a scale which far exceeds the list of Amnesty International victims, is tolerated publicly, legitimised in custom or court opinion, or even blamed on the victims themselves (1986:10).

As Lori Heise suggests: "this is not random violence... the risk factor is being female" (1995:240). Victims are chosen because of their gender. Contrary to the argument that such violence is only personal or cultural, it is in fact profoundly political, and results from a structural relationship of power, domination and privilege that exists between men and women in society (Bunch 1991:8). Violence against women is central to maintaining these political relations at home, at work and in the public sphere. Failure to see this oppression as political results in the exclusion of sexual discrimination and violence from the human rights agenda. Female subordination runs so deep that it is still regarded as a natural phenomena, rather than seen as politically constructed reality that is maintained by patriarchal interests, ideology and institutions (ibid).

Carrillo suggests that "patterns of gender violence [in Third World countries] bear a

remarkable similarity to that of advanced industrialised societies. It's [gender-based violence] manifestations may be culturally specific, but gender-based violence cuts across national boundaries, ideologies, classes, races and ethnic groups" (Carrillo and Bunch 1995:10). For example, while genital mutilation is considered an African problem, cultural norms of sexual desirability in other societies encourage women to mutilate their bodies in other ways such as poisons breast implants and other kinds of dangerous cosmetic surgery. Carrillo claims that genital mutilation, trafficking in women, dowry deaths, rape, domestic violence and punishments for women who violate strict dress codes are all part of a pattern of global violence against women, a pattern supported by economic, employment and educational discrimination, sexual harassment and demeaning representations of women in the media (ibid). As such, the women's rights as human rights movement aims not to create hierarchies or equivalencies of abuse, but to recognise the structural inter-relatedness of various culturally specific manifestations of gender discrimination (Carrillo and Bunch 1995:4).

Women and Inequality: The Roots of Gender Discrimination

In *Sexism, Racism and Oppression* (1984), authors Arthur Brittan and Mary Maynard suggest that those who are oppressed are those whose freedom or action is limited by the superior power of others who are in a position to ensure their compliance. They claim that with oppression, be it sexism or racism, the temptation is to look for the source of oppression in a primarily social or biological reality. Advocates of biological determinism believe the oppression of women is attributed to their inferior or different genetic endowment. In contrast to men, women are seen as deficient in respect to qualities such as aggressiveness and intelligence. This biological reasoning defines the oppression of women as unavoidable, natural and justifiable in terms of biological difference (1984:7).

While some of the cruder formulations of social Darwinism no longer have much

scientific respectability, alternative contemporary evolutionary theory, such as sociobiology and evolutionary psychology, have recently been used to explain the 'naturalness' of racial and gender difference, and the inevitability of inequality (ibid). Male dominance is accounted for as women are supposedly programmed to be dependent on men because of their central role in child rearing and reproduction. Male dominance is presumed to be guaranteed because of their greater propensity for aggression, which has an adaptive and survival value. Brittan and Maynard suggest it is inferred that women can never enter fully into the public domain because of their reproductive capabilities, and if they do, it is at a great social and biological cost (1984:11). Dependency is, therefore, considered the 'natural' state for women. However, in reality, female dependency on men is not only psychological, social and cultural, but more importantly economic, resulting from various layers of sexist discrimination. Much of women's work in the home is not valued by society and remains unpaid. Even in paid employment women work longer hours for less pay, fewer benefits and less security than men.

In discussing culture as a prime causative factor in the genesis of sexism, Brittan and Maynard suggest the answer to such questions is often located in the socialisation process (1984:12). The family is seen as the site in which male domination is continuously maintained and reproduced. As such, socialisation into gender roles provides cultural ammunition for a belief in the natural sexual division of labour. Women are, in many cases, bought up to believe that their value is intrinsically attached to the men in their lives - husbands, fathers, brothers and sons, and risk being socially ostracised if they disobey or displease these men. Women are socialised to associate their self worth with the satisfaction of the needs and desires of others, and as such, are encouraged to blame themselves if they are mistreated, especially by men (ibid).

Brittan and Maynard claim traditional emphasis on the state as the critical source of oppression ignores the power structures that exist within personal relationships and the family (1984:23). Although theoretically, power relations within the home are

thought to be determined by the political sphere of society, feminist scholars believe gender stereotypes are reaffirmed and reproduced in every situation where men and women interact socially and sexually. As such, feminist theorists maintain that all encounters between men and women provide the possible site for the expression of power relationships (ibid). "In focusing on the family as a site of oppression of women, we can counter the traditional social analysis that defines oppression as belonging to the public domain only" (Brittan and Maynard 1984:25).

According to Govind Kellar (1987), violence is too often narrowly defined as an act of "illegal, criminal force", where as in reality it can incorporate "exploitation, discrimination, the upholding of unequal economic and social structures, the creation of an atmosphere of terror, situations of threat or reprisal, and many other forms of political control and coercion" (1987:180). As such, experiences of gender discrimination need to be looked at within the wider context of structural violence, namely acts of violence exercised on the part of the family and society. The state not only tends to overlook this violence, but can even be seen to perpetrate it in the name of cultural legitimacy and the maintenance of law and order.

The Public / Private Dichotomy as a Barrier to Women's Human Rights

Donna Sullivan (1995) believes abuse against women remains largely unrecognised within the framework of human rights because international law has historically focused on violations committed directly by the state against individuals. She believes this is partly because civil and political rights hold a privileged position in human rights law and practice, despite formal recognition by the international community of the interdependence and indivisibility of economic, social, cultural, civil and political rights (1995:126).

The liberal ideology that forms the basis of civil and political rights discourse views the law as a means of regulating state intervention in private life, generally without

acknowledging the role the state itself plays in the construction of a separate public and private sphere. International norms concerning the life of the family call on the state to protect the institution of the family and enshrine the right of privacy within the family, both of which discourage state intervention in family life. Because the family is the site of many of the most egregious violations of women's physical and mental integrity, any blanket deference to the institution of the family, or privacy rights within the family, has disastrous consequences for women (ibid).

Violence against women within the family constitutes the centre of the theoretical debate over state responsibility for gender based violence by non-state actors. The norms shielding the family from direct state intervention and the law of state responsibility has intersected to limit recognition of domestic violence as a human rights violation. Sullivan suggests there is a critical need to place gender-based violence within the context of women's structural inequality, as a means of breaking down the distinction between public and private life that operates to exclude gender-based violence from the human rights agenda (1995:129). Violence against women must be viewed within the socio-economic and political context of power relations, as it is produced within a class-based, gendered society in which male power is the dominant force. As such, violence against women should be seen as a form of social and political control, ideologically supported in a variety of different ways by the state (ibid).

The demarcation of public and private life within society is an inherently political process that both reflects and reinforces power relations, particularly between gender, race and class. In this process, particular activities are recognised as defining the public realm and other as characterising the private (Sullivan 1995:130). Participation in formal structures of governance and public sector employment are viewed as quintessentially public activities, while child rearing and relations in marriage are seen as the core of private life. Feminists have long emphasised the gendered nature of this division. However, it is also important to recognise that gender does not operate in isolation from other factors in the construction of the public and private

realms, such as class, ethnicity and culture (ibid). Sullivan claims, however, that even though the public / private distinction does differ within different national contexts, a commonality exists in "the attribution of lesser economic, social or political value to the activities of women within what is defined as 'private' life" (1995:132).

Sullivan maintains the atrocities committed against women within families have been hidden from the public eye by a social attitude comprising of a mixture of apathy towards women and an inexplicable sense of privacy. She suggests we need to examine the extent to which family institutions are responsible for creating and maintaining structures and ideologies of subordination that inherently resist the participation of women in decision making, and work towards breaking down ideologies created by a system geared to maintaining existing power relations and forms of exploitation that work against the ideal of gender equality:

> The treatment of the family as a private area governed by religious and social customs, the regarding of women as peripheral to economic development by the state, the inability of the legal system to recognise their unique unequal status and the bias of the police and courts in relation to crimes against women, are all part of these social values. Women involved in the liberation movement have increasingly realised that the phenomenon of violence against women will not be challenged without a struggle to end the subordination of women and to transform unequal social relations based on oppression and exploitation. We need a radical transformation in the organisation of the economy, along with a radical change in the structure of the family (1995:133).

The distinction between public and private life in international law continues to be the principle theoretical barrier to addressing cross-cultural female subordination. However, inconsistencies are apparent as governments regulate many other matters in the family and individual sphere. As such, it appears what must be done is to broaden the normative framework of human rights to include abuses suffered by women that do not fit within the civil and political paradigm because they occur at the hands of private individuals (Sullivan 1995:134). Those pushing for women's human rights believe the human rights community must go beyond what is currently being done to respond to the brutal and systematic violation of women around the world. As such,

governments must seek to end the politically and culturally constructed war on women, rather than continue to perpetuate it.

Women's Rights and the United Nations

Over the last 10 years, there has been extensive expansion of the Commission of Human Rights within the United Nations. However, this process has done almost nothing to draw attention to human rights concerns particular to women. Although the commission has dealt with women victims of torture, disappearance and religious intolerance, it has not paid any significant attention to gender specific issues such as rape, forced marriage, trafficking, female genital mutilation and 'honour' crimes against women. Elissavet Stamatopoulou (1995) claims two main problems exist within the United Nations that effectively limit progress towards gender equality under the international human rights framework. At a conceptual level, the United Nations has failed to declare all women's human rights concerns as part of international human rights law; and at the operational level, it has failed to integrate women's human rights into the mainstream human rights agenda (1995:36). Stamatopoulou believes such neglect raises important questions regarding the priority given to women's welfare within the United Nations (ibid).

When talking about women's rights as human rights, Bunch questions whether rights and international law *per se* offer any real use to women in their struggle for equality. She claims that in many ways such a document appears too formal and distant in its make up to be able to empower individual women (1995:12). To date, most United Nations work relating to the advancement of women has been centred on the Commission on the Status of Women and the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW). In ratifying CEDAW, state parties agreed to ensure "equal rights for women, regardless of their marital status, in all fields - political, economic, social, cultural and civil" (1979: Article One). However, in practice, this seemingly far reaching legal document has largely failed to

significantly alter the structural inequality experienced by many women around the world. As of June 1994, state parties had, in fact, made more reservations towards CEDAW than any other major treaty, most of them on religious or cultural grounds, seriously weakening the conceptual framework of the convention. As a result, it remains to be seen whether creating such specific women's rights treaties have created symbolic recognition at the expense of real action.

In "Human Rights as Men's Rights" (1995), Charlesworth argues that although CEDAW provided a valuable, but under resourced focus for women's interests in the international rights agenda, the creation of a specialised branch of women's human rights law has also, ironically, facilitated its marginalisation (1995:104). Charlesworth believes the creation of specialised bodies within the United Nations has, in fact, had the negative effect of allowing the mainstream human rights bodies to absolve themselves of responsibility, resulting in the treatment of women's human rights as 'lesser' rights. Since most states permit or condone discrimination on the basis of sex, abuses of women's human rights are not considered integral threats to peace, territorial integrity or international relations, causing a deeper rift to form between women's issues and human rights issues, that should not exist (ibid).

Charlesworth believes the structure and institutions of the international legal order set up under the United Nations reflect and ensure the continued domination of a male perspective (1996:106). She claims the invisibility of women in such primary areas as international law, nation states and international organisations is "striking" (ibid). Power structures within governments remain overwhelmingly masculine, with women either under-represented or completely absent from national and global decision-making processes. Charlesworth suggests that international organisations have the same problem, their structure replicating those of states with women confined to insignificant and subordinate roles:

> Although the question of human rights has typically been regarded as an area in which attention can be directed towards women, apart from the committee of the Elimination of Discrimination Against Women, women are still vastly under-represented in the specialised United Nations human rights bodies. Strikingly, the only occasion on

> which imbalance in gender representation was ever the subject of official criticism was when the Economic and Social Council called on state parties to nominate both men and women for election to the Committee on the Elimination of Discrimination Against Women (1995:110).

Charlesworth believes is it problematic that all the major institutions of the international legal order are made up of predominantly men, because long term male domination of all bodies wielding political power nationally and internationally means that issues traditionally of concern to men are seen as general human concerns. 'Women's issues', by contrast, are regarded as a distinct and limited category (1995:111). Because men are generally not the victims of sex discrimination, domestic violence or sexual degradation, these matters are often relegated to a specialised and marginalised sphere and are regulated, if at all, by weaker methods. Unless the experiences of women contribute directly to the mainstream international legal order, beginning with women's equal representation, international human rights law loses its claim to universal applicability (ibid).

In looking at the three generations of rights considered under the UDHR, it is interesting to note that they all have in common the exclusion of the experiences of women. The primacy given to *Civil and Political Rights* by developed nations is directed towards protection of women within public life. However, as previously mentioned, this is not the area in which women need most protection. In a wide range of cultures, significant forms of violence against women such as wife murder, battery and rape are, through non-prosecution or comparatively lower sentencing practices, treated less seriously than other crimes. Charlesworth claims one reason for this "official toleration of violence against women worldwide" is the both explicitly and implicitly held view that such occurrences are 'private' matters, and as such, do not fall within the scope of national criminal justice systems (1995:112).

While initiatives like the *Declaration on the Elimination of Violence Against Women* (1992) do indicate international concern on this issue, they do not directly challenge the inability of human rights law to protect women throughout the world. Apart from

a brief preambular reference, the declaration does not define violence against women as a human rights violation, but presents it implicitly as a discrete category of harm, on a different and lesser plane than serious human rights violations (ibid).

It may be considered that second generation, or *Economic, Social and Cultural Rights* would, by their nature, transcend the dichotomy between public and private and thus offer more to the lives of women. However, the very definition of these rights does not even touch on the economic, social and cultural context in which most women live, since the crucial economic, social and cultural power relationship for most women is not directly with the state, but with men - fathers, husbands or brothers - whose authority is supported by patriarchal state structures. Moreover, notions of cultural and religious rights often reinforce a distinction between the public and private sphere that operates to the disadvantage of women. Behaviour and practices deemed to be cultural or religious in nature are generally protected from legal regulation, even though they are often sites of oppression for women by men. While the right to gender equality on one hand, and religious and cultural rights on the other, can be reconciled by limiting the latter, in political practice, cultural and religious freedom tend to be accorded much higher propriety both nationally and internationally (Charlesworth 1995:112).

The philosophical basis of third generation, or *Group Rights* rests on a primary commitment to the welfare of the community over and above the interests of the individual. As such, it might be considered that these rights would hold particular promise for women whose lives typically centre on the family group and the community. In reality, however, third generation rights are of little difference from the first and second since they too have been developed in an androcentric way. For example, the right to development is both defined and implemented internationally to support male economic dominance. The subordination of women to men does not enter the traditional 'development' calculus. For example, development conceived as economic growth is not concerned with the lack of benefits or disadvantageous effects this growth may have on half the society it purports to benefit. Indeed the

position of women in developing countries had deteriorated over the last two decades. Women's access to economic resources has been reduced, their health and educational status has declined and their work burdens have increased (ibid).

A strong feminist critique of rights is the inability of legal rights to alter the underlying structures of domination within society. As Stone observes: "Even if [rights] some times work for one person or one situation, it is far harder for rights to alter the structures of institutionalised power and behaviour that shape individual actions" (1988:273 cited in Kaufman and Lindquist 1995:114). Central to this issue is the fact that rights do not stand alone, they are, in fact, deeply embedded in the dominant social and culture milieu. As such, when judges interpret applicable law in individual cases, the law is 'read' in the subjective social realm. The interpretation of the legal 'right' becomes subject to the dominant cultural paradigm, an engendered, socially constructed world where women's experience is seldom recognised (Kaufman and Lindquist 1995:115). When the interpretation in undertaken by a man, or a woman who has been socialised to accept the male elites interests and norms as her own, the law is subjected to the interpretation of a judge whose approach to the law views women's lives from a male centred perspective (ibid).

Many important aspects of women's subordination do not fit into a civil liberties framework, primarily because much of the abuse of women is part of a larger socio-economic web that entraps women, making them vulnerable to abuses which cannot be delineated as exclusively political or solely caused by states. The assumption that states are not responsible for most violations of women's rights ignores the fact that such abuses, although perhaps committed by private citizens, are often sanctioned or condoned by states:

> Reinterpretation of human rights law from a women's perspective must lead to the recognition that violence against women, the family and the community, in peacetime and war, is an affront to women's physical and moral integrity, and to their dignity as human beings. The artificial barriers between the 'private' and 'public' spheres have to be removed, and the shield of silence that protects cultural, religious or other traditions and prejudices must be broken, so that acts such as the beating and raping of women, widow burning (sati)

> and sexual mutilation are clearly recognised and averted or punished for what they are: human rights violations (Stamatopoulou 1995:45).

Women and Rights in Cross Cultural Analysis

Some countries claim that national law based on religious or cultural beliefs must take precedence over international standards and procedures intended to guarantee women rights. In the case of CEDAW, as of June 1994, 40 of the 133 ratifying states had made a total of 91 reservations to the convention on the grounds that some of the requirements interfere with certain religious and cultural practices that are protected within their states as human rights (Stamatopoulou 1995:43). Ariti Rao argues that many of the cultural and religious practices that oppress women are justified through appeals to rights that men themselves have designed to protect their own freedom to private commerce, free speech, and cultural integrity (1995:168).

At an international level, cultural differences between state parties to treaties like CEDAW make it difficult to determine whether a guarantee to equal rights will translate into actual equality of opportunity and outcome for women, since the actual conception of equal rights may differ across national boundaries. For example, equal rights guarenteed to women under Islamic law will not necessarily translate to what we as westerners consider equal rights. What this means is that regardless of the acquisition of rights under international law, certain societies, governments and courts may, in fact, view claims of gender discrimination as "reasonable and objective differential treatment" under prevailing social norms (Kaufman and Lindquist 1995:117).

As such, the effectiveness of rights discourse needs special investigation given the diversity of cultural norms that make up the international system. Because women across national boundaries are usually silenced through their exclusion from public spheres of decision making, we have little reason to believe that formal legal documents reflect their conceptualisation of a just society. Because of the

incommensurability of rights language across different cultures, treaties that grant equal rights dependant upon governmental implementation are less likely to provide the kind of help that women need most (Kaufman and Lindquist 1996:118).

As well as the claim of cultural difference to justify reservations to CEDAW, Kaufman and Lindquist argue the gender-neutral language of the convention itself facilitates another, more subtle, form of injustice. By using the statement, "on a basis of equality of men and women" (1979: Article Two), the treaty relies heavily on legal equality as a method of achieving justice for women. Provisions that merely provide women with an equal opportunity under the law to enunciate their unique concerns within male dominated institutions will not automatically alter patterns of historical disempowerment. Kaufman and Lindquist suggest "equality is a blunted instrument for women in a world in which the male standard provides the measure" (ibid).

Women's Human Rights and Cultural Politics

Like many other non-governmental agencies, the United Nations has generally shied away from any 'culturally sensitive' issues of abuse, even when women from the culture effected are themselves, agitating for reform. Stamatopoulou argues that within the context of international human rights, the report to cultural explanations of women's status is, in many instances, "defensive, combative and specifically designed to placate an international audience consisting primarily of national political leaders and statist diplomats" (1995:44). As such, Rao suggests it is essential to consider how policy can become separated from morality within the framework of human rights law and cross-cultural politics. She believes much vaunted government reforms are often, in reality, little more than "rhetorical flourishes, toothless legislation and weak policy measures" (1995:174).

When considering local, national and international ruling on human rights concerns, Rao helpfully reminds us that one must consider very carefully the complex questions

surrounding the context of cultural practices and women's oppression: What is the status of the speaker? In whose name is the argument from culture advanced? To what extend have the social groups primarily affected participated in the formation of the cultural practices being protected? Rao suggests it is vitally important that the concept of 'culture' is not looked at within an isolated context, but located instead within the axes of class, ethnicity and race and gender. Culture is, after all, "not a static unchanging identifiable body of information", but "a series of constantly contested and negotiated social practices" (Rao 1995:175).

Rao believes it is only when women are placed at the centre of the discussion that the gender complexity of the cultural argument emerges, dramatically calling into question the simplicity and finality of the formulations and conclusions of most politicians. "At all times, feminists must question their own reliance on cultural explanations of gendered social practices in the Third World, and be suspicious of the defence of similar practices elsewhere on the grounds of seemingly culture free concepts of individual autonomy and freedom of choice" (ibid).

While women are neither purely victims or beneficiaries of cultural politics, a recognition of their limited access to public defences of cultural practices can help us to contextualise the greater politics of claims against rights on the basis of culture. Rao suggests it is important to consider that although women are no less, and arguably more, immersed in cultural formation and reification than other social groups, talking about women-in-culture in international forums largely remains the prerogative of someone else (1995:174). Rao highlights the importance of acknowledging change, complexity and interpretive privilege in cultural formation to avoid reductionism, essentialism and rhetorical rigidity. This, she believes, will enable us to locate and condemn the particular historical formations of culture that oppress women, as well as to understand and support women's ability to wrest freedom from amidst these oppressive conditions (ibid).

Despite the fact that many governments have appropriated the vocabulary of 'rights'

to protect religious and cultural practices that impose restrictions on women, Bunch and Carrillo (1995:12) believe international human rights law must still be regarded as a useful tool in addressing conflicts between culture and / or religious beliefs and women's rights. While the concept of culture has been used as a means of justifying violence against women on many occasions, Bunch and Carrillo suggest the most significant problems arise when objections to the cultural customs of others are raised by those outside of the cultural context in which the practice is situated. In such a situation where the western interpretation of 'women's rights' appears to conflict with specific practices of cultural group, they suggest it is vitally important to consider the particular aspects of the culture that appears oppressive to women, rather than to criticise entire cultures as a unified whole (ibid).

Concluding Thoughts

Culture and religion influence women's lives in powerful ways and must, as such, be analysed and challenged in order to end the violence and abuse of women endemic to our societies (Bunch 1991:14). Efforts to eliminate violence against women within the framework of human rights law have, to date, focused on policy initiatives rather than measures pursuant to general human rights standards. Even though an international convention like CEDAW can be considered a progressive step forward in that it has achieved recognition of the connections between gender-based violence and women's subordination in public and private life, in reality, women's rights and women's concerns have never been taken seriously by mainstream human rights organisations.

According to Peters and Wolper (1995:10), the concept of women's rights as human rights can be seen as a set of wide ranging and flexible standards, the product of a gathering of women's voices from throughout the world. As such, they maintain it is possible to formulate human rights norms specific to the experiences of women that also allow for cultural multiplicity. Although cultural sensitivity in the international

arena must remain a key ideological guideline, Rao claims it is equally important to establish an awareness of intracommunity gender oppression. She suggests that for too long gender inequality has been asked to take a secondary position to other struggles, meaning women have been forced to choose between compartmentalised struggles for freedom when, in fact, the relationship between the oppressions of class, race, gender and the colonial experience should be recognised to help generate political strategies for attaining freedom and equality for all women (1995:173).

Culture is not a static unchanging identifiable body of information against which human rights may be measured for compatibility and applicability. Culture is a series of constantly contested and negotiated social practices whose meanings are influenced by the power and status of their interpreters and participants. Culture is, as such, only one constituent part of the complex web of power relations that circumscribes our existence. As Arif Dirlik (1987) notes: "a critical reading of culture, one that exposes it as an ideological operation crucial to the establishment of hegemony requires that we view it not merely as an attribute of totalities, but as an activity that is bound up with the operation of social realities, that expresses contradiction as much as it does cohesion" (1987:22).

In light of this, Rao believes the notion of culture favoured by international actors must be unmasked for what it is: "a falsely rigid, ahistorical, selectively chosen set of self-justificatory texts and practices whose patent partiality raises the question of exactly whose interests are being served, and who comes out on top" (1995:175). Without questioning the political uses of culture, Rao believes we cannot fully understand the ease with which women become instrumentalised in larger battles of political, economic, military and discursive competition in the international arena. While coming up with cross-cultural global standards of how women should be treated is extremely difficult, it may help to clarify not only our differences, but also our similarities. As Peggy Antrobus, Director of the Women and Development programme at the University of West Indies, has said:

> Although we are divided by race, class, culture and geography, our [women internationally] hope lies in our commonalities. All

women's unremunerated house hold work is exploited, we all experience conflicts in our multiple roles, our sexuality is exploited by men and the media, we all struggle for survival and dignity, and rich or poor, we are all vulnerable to violence. We share our 'otherness', in our exclusion from decision making at all levels (cited Carrillo and Bunch 1995:10).

Chapter Three

Third World Women, Globalisation and Development

In *Women and New Asia* (1999), Yayori Matsui claims concerns facing women in the Third World can be divided into two categories, the first being gender issues, and the second - development, economics and North-South relations. This chapter attempts to explore the realities of the relationship between First and Third World nations in the context of development and globalisation, with the aim of analysing how this relationship impacts on the human rights of women within the Third World. In "Gendering North South Politics, Women and the Poor: The Challenge of Global Justice" (1997), Egyptian doctor and feminist Nawal El Sadawi suggests the term 'Third World' is no longer appropriate to refer to those living in Africa, Asia and South America - because the world in which we live is increasingly dominated by a single global system - a new world order: "We know, however, that it is an old world order that uses new forms of exploitation and domination, both economic and intellectual" (1997:12).

Globalisation is essentially an abstract concept in that it does not refer to a fixed commodity, but to the description of a societal process. Because globalisation is not a fixed commodity, there is no one specific definition that can entirely detail it. However, globalisation can be viewed as a process in which geographic distance becomes less significant in the establishment and sustenance of border crossing, long distance economic, political and socio-cultural relations (Lubbers 1998 cited in Harawira 1999:1). Globalisation represents an historical shift as great as that from feudalism to industrialisation. The growing interconnectedness and interdependence of economies and societies, driven by the ever increasing revolution in information technology, has resulted in the establishment of an essentially global marketplace that has the power to control trade and economic distribution throughout the world (ibid).

One consequence of the expanding world economy is the increasing division between

the world's rich and poor, within and between countries. The wealth of the world's 225 richest individuals now equals that of the poorest 47 percent of the world's population (Sadawi 1997:13). In today's 'global village', 1.3 billion people - two - thirds of them women - live without access to adequate food, clean water, sanitation, essential healthcare or basic education services (ibid). As a result of the increased mobility of capital to such a global scale, women in the Third World are being forced to confront the reality of rapid economic development based on a liberal western model of 'progress', a process that appears to be inextricably linked with increasing poverty and a decreased standard of human rights for many women in the South. Sadawi claims it is vitally important to recognise the close link that exists between women's struggles for emancipation, and the wider battle for social liberation waged by people in all parts of the 'Third World' against foreign domination, and the exploitation of human and natural resources by multinational free market capitalism (1997:20).

The increasing 'feminisation' of poverty has become one of the most urgent issues facing countries of Asia, Africa and South America today. More and more people are questioning "what are its causes?", and "who is responsible?" At the 1994 United Nations World Conference in Beijing, women from a variety of ethnic backgrounds voiced similar concerns regarding the global economic system that has impoverished people of the South. These women believe that although the 'bottom line' measure of poverty is lack of income, it is also manifest in lack of access to services and opportunities for human development, lack of a voice in political life and decision-making, and social subordination and exclusion (Bun 1995:4).

Roxanna Carrillo (1995) suggests changes waged in the name of economic progression towards a western ideal have generally worsened the position of women and children in Third World countries. Many of the direct and indirect consequences of trade liberalisation constitute infringements of human rights. When governments slash the role of the state in order to pursue market-oriented policies aimed at creating internationally competitive economies, they do so at the expense of their

(1995:15). Carrillo notes that even the process of 'development' itself is rarely equal for men and women, even within in the same society. A United Nations human development report notes: "In most societies, women fare less well than men. As children, they have less access to education, and sometimes to food and health care. As adults, they receive less education and training, work longer hours for lower incomes, and have few or no property rights" (United Nations 1990:31 cited in Carrillo and Bunch 1995:16).

Globalisation encompasses far more than just economic factors. It affects all areas of social, economic, political, civil and cultural life. The costs of economic adjustment in the Third World, borne disproportionately by women, are about increased powerlessness, and social exclusion, just as much as low income and lack of opportunities for human development. Sadawi questions how can we speak about real development in Africa, Asia or South America without addressing the fundamental reasons behind poverty and mal-development, and for the increasing gap between rich and poor (1997:15). She suggests we cannot speak about global injustice without speaking about inequality between countries, inequality between classes in each country and inequalities between the sexes. Sadawi believes the different levels of inequality that structure societies on a national and international level are, in fact, fundamental to the maintenance of the patriarchal capitalist systems that govern the world today (1997:16).

Commercial Colonialism: Trade Liberalisation and the South

Beginning in the early 1980s, rapid improvements in commercially viable computing power, coupled with instantaneous, cheap communication technology and financial sector deregulation enabled international financial markets to increasingly operate on a global scale. Embedded within this new single global economy is a set of liberal European epistemologies which define human beings as economic units, and the free market as a rationally operating framework within which perfect competition exists

(Harawira 1999:2). The architects of this global capitalist order are powerful businessmen, and heads of transnational corporations, many of whom also sit in powerful positions of influence within First World government administrations. New Zealand Maori activist Makere Harawira claims the new global capitalist order "has its roots in the mercantilism of the earliest forms of imperialism" (1999:3), meaning globalisation will inevitably result in the concentration of the worlds' resources, wealth and assets in the hands of a few, while the vast majority are increasingly dispossessed (ibid).

The framework of the global capitalist order is sustained and regulated by a series of multilateral agreements that promote economic liberalism and free trade (Harawira 1999:4). International regulations which in the past enabled states to regulate the activities of multinational interests within their borders have been overridden by such multilateral economic and trade agreements which protect the interests of business over that of governments, civil society and, most certainly, indigenous peoples. Trade liberalisation and free trade have come to mean, in reality, the vastly expanded freedom and powers of transnational corporations (TNCs) to trade and invest in most countries of the world, while national governments have significantly reduced powers to restrict their operations. As TNCs have strengthened their activities across national borders, governments of developing countries have welcomed them, establishing free trade zones, and extending them tax breaks to promote industrialisation in an effort to "catch up with, and surpass the North" (ibid).

International agencies such as the World Bank and the International Monetary Fund help TNCs to transfer units of production to the South where social costs are low, labour laws are not applied, social and health insurance is lacking, labour unions are weak and legislation is enacted to favour employers (Sadawi 1997:16). Governments of the South become dominated by TNCs, women and children are used as labour for lower wages, and pollution of the environment is uncontrollable since the technologies used are under almost no constraints. Indian eco-feminist Vandana Shiva maintains that "international trade agreements merely legitimise organised

greed" (1989:12). The consequence of free trade and economic liberalism is the ever-increasing aim to make more profits with lower and lower costs, an aim that cannot be achieved without even more pressure on governments in the South to cut spending and diminish social costs (ibid).

Sadawi claims the economic surplus in the west is directly related to oppression in the Third World. She believes the independence process in many countries marginalised by colonialism barely altered inherited colonial institutions, which perpetuated externally dependant political economies, thus creating a hospitable climate for multinational corporations (1997:21). Sadawi argues that problems facing the South are deeply rooted in the North, partly because trends towards privatisation and deregulation forced on the South have coincided with huge and rapid increases in the profits of transnational corporations. Ninety percent of such TNCs are based in the North, and 500 of these have almost complete control over the world economy (1997:26).

There can be little doubt that traditional notions of sovereignty are diminishing in contrast to the powerful industrial might of TNCs and the economic institutions which empower them. With few exceptions, the economic agenda of the developing world now mirrors the free trade agenda of TNCs, in sharp contrast to their position in the 1960s and 1970s. Dominance of TNCs through merger activity, particularly in the South, generates claims of commercial colonialism. For example, at a conference in San Salvador in 1994, participants concluded that under today's global free market policies, Central America is experiencing more devastating pillage than what its people underwent 500 years ago as a result of conquest and colonisation (Robbins 1997:222).

Third World Dept and the Role of International Financial Institutions

There are three key politically derived transnational economic institutions that dominate the global economy through the facilitation of trans-border trade and investment: The World Trade Organisation (WTO), the World Bank, and the International Monetary Fund (IMF). The realities of trade liberalisation have converged with greater international indebtedness for many OECD[1] and developing countries, meaning since the 1980s, first world creditor nations (primarily the USA) have had the opportunity to intervene in debtor nations' economies - using the World Bank and IMF. As a result, international financial institutions have forced debtor countries to adjust economic structures in order the repay their debts. Consequently, governments of developing countries are forced to cut social welfare benefits or privatise public enterprises, which in turn facilitates further foreign investment opportunities from the North (Shiva 1989:14).

The World Bank was established in 1945 to make 'soft loans' or repayable 'credits' to very poor countries. By 1948 the Bank had begun lending to developing countries, and by 1993 it had loaned or committed $235 billion US in over 3,500 loans (Sadawi 1997:21). To facilitate debt repayment, The World Bank force governments of debtor countries to implement 'development' schemes called 'Structural Adjustment Programmes'. SAPs commonly advocate agricultural policies that can earn foreign currency, forcing farmers in Third World countries to produce cash crops for export, rather than for their own sustenance, which results in food shortage. Communities are further disadvantaged through 'development' projects such as the construction of dams, ports and highways, which displace their homes and threatens their lives (Sadawi 1997:23). Critics of the World Bank are widespread, with accusations ranging from human rights abuse to environmental discrimination and all-round incompetence. According to leading World Bank critic Susan George:

> Every single month, from the outset of the debt crisis in 1982 until the end of 1990, debtor countries in the South remitted to their creditors in the North an average of six and a half billion dollars in

[1] Organisation for Economic Co-operation and Development

> interest payments alone. If payments of the principle are included, then debtor countries have paid creditors at a rate of almost twelve and a half billion dollars per month - as much as the entire Third World spends each month on health and education (cited in Harawira 1999:10).

The International Monetary Fund is like a finance ministry that provides advice to debtor nations on debt re-scheduling, generally in exchange for the implementation of key economic reforms. The IMF strongly encourages governments to implement structural adjustment programs, including privatisation, currency devaluation, export promotion, tariff and non-tariff barrier reduction, and encouragement of foreign direct investment. Critics believe the activities of the World Bank and IMF have evolved in a way that is contrary to their founding objectives, and to the task of reducing poverty. This is primarily due to the pressure put on governments in debtor nations to participate in trade and eliminate fiscal deficits through structural adjustment. The social and environmental costs of dislocation are not factored into the financial equation, though the export earnings are (Shiva 1989:17).

The World Trade Organisation is a ministerial council which holds the mandate to review international trade policy and settle disputes. Many developing countries feel the WTO can guarantee the rights of economically weaker nations, and for this reason tend to support the institution. Others, however, believe the WTO is dominated by the USA and, as such, uses its power to keep newly industrialised countries in a position of dependence and subordination. An aspect of the WTO hierarchy that can be seen to support this allegation is the fact that the institution allows no involvement by community sector Non Governmental Organisations. From policy development to complaints handling and enforcement community groups are excluded meaning all decision making authority is concentrated in the hands of government and business sector elites (Shiva 1989:20).

It has been suggested that the WTO was established because the General Agreement on Tariffs and Trade (GATT) failed to adequately enforce regulations that provide for the progress of the global capitalist order. New regional economic agreements such as

the North Atlantic Free Trade Agreement (NAFTA) and the Asia Pacific Economic Community (APEC) also designed to facilitate the global market, are reinforced with legally enforceable clauses that protect the rights of trade and investment (read: transnational business interests over those of local communities and countries of the South). 'National Treatment' clauses guarantee foreign investors the same rights as local businesses, meaning that states can no longer support local businesses, protect labour conditions and the rights of women and children where they are deemed to restrict or inhibit the ability of foreign investment to make a profit (Harawira 1999:8).

Sadawi claims the media has become very efficient at obscuring the real aims of international institutions or groups, such as the IMF and World Bank, that speak about peace, development, justice, equality, human rights and democracy, but whose agreements and decisions lead to the opposite - war, poverty, inequality and dictatorship (1997:10). She maintains that such international institutions are not only economic and social, but inherently political as well, a reality that she believes more and more people are beginning to realise. OXFAM Secretary General Pierre Galland[2] writes:

> The remedies provided by the World Bank for development are poisoned remedies that accelerate the process [of hunger, poverty and unemployment]. For my soul and conscience I am obliged to tell you enough! You have stolen the correct discourse of the NGOs on development, eco-development, poverty and people's participation. At the same time your policies of structural adjustment and your actions accelerate social dumping in the South by obliging it to enter defenseless into the world market... Africa is dying, but the World Bank is enriching itself. Asia and Eastern Europe are being robbed of all their riches, and the World Bank supports the initiatives of the IMF and GATT, that authorise this pillage, which is both intellectual and material (Galland 1994 cited in Sadawi 1997:12).

Trade liberalisation does not help Third World economies and peoples primarily because it acts in the interests of already developed countries. Shiva claims trade liberalisation not only undermines the right to development as the right to life and right to basic needs, but also accelerates environmental destruction (1989:10). Within

the context of contemporary global capitalism, a 'good' government is considered one that accepts the conditions of the World Bank and submits their nation's economy to the interests of the TNCs. A 'good' government also accepts 'aid' in order to achieve 'development', but Sadawi claims the real aim of 'aid' is, in fact, to enrich the US capitalist economy (1997:33).

Unilateralism, Development and Human Rights

Transnational corporate interests are increasingly undermining the national sovereign powers of the world, which once dictated economic and social outcomes with confident hegemony. Today, more then ever before, the 'economic-centered' approach dominates political decision-making, both nationally and internationally. As a consequence, trade considerations overpower human rights concerns, or at least they become subsidiary in importance and recognition. In "Global Economic Trends and Women's Human Rights: Understanding and Exploring the Conflict" (1995), Mara Bun claims that as market power supersedes national sovereignty, basic human rights previously guaranteed by the state, become less defined and more difficult to enforce (1995:2).

Until the middle of the 20th century, the word development was considered synonymous with evolution from within. However, increasingly the ideology of development can be seen to imply the globalisation of the priorities, patterns and prejudices of the west. Instead of contributing to the maintenance of diversity, development has created homogeneity and uniformity. In *Eco-Feminism* (1993) Shiva and Maria Mies claim that development, in fact, leads to the further entrenchment of poverty for most people in the Third World, primarily because externally guided development projects are often based on the violation of the effected people's human rights, and rights to their resources (Shiva and Mies 1993:12). Third World development as conceptualised in the dominant paradigm also destroys the

[2] "World Bank: Criminal", in *International Viewpoint*, April 1994

environment and is, therefore, unsustainable. Women's ecology movements worldwide have begun to illustrate how dominant models of economic development and scientific progress are based on a particular construction of production and knowledge which excludes women and Third World communities as producers of economic and intellectual value. Economic globalisation deepens this exclusion and hence becomes a threat to the survival and integrity of local communities (ibid).

In erasing the environmental and social contributions made by communities and extinguishing people's rights to their resources, Shiva believes the process of globalisation has very important consequences within rights discourse. People's rights and nature's rights are denied, and capital is empowered with absolute rights. The right to life and development of people in both the North and the South is, therefore, being undermined by trade liberalisation and globalisation. Within the framework of United Nations conventions, the right to development is guaranteed as an inalienable human right: all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development. The human right to development also implies the full realisation of the right of peoples to self-determination, which includes the exercise of their inalienable right to full sovereignty over their entire natural wealth and resources (Shiva and Mies 1993:14).

Within the context of economic liberalisation and free trade, development becomes a market-centered concept, based on an externalisation of environmental costs and human rights. Shiva believes the right to development based on the universalisation of a market-centered development philosophy is ecologically impossible since the market prosperity of the North is characterised by per-capita consumption and rates of natural resource utilisation five to 20 times higher than in developing countries (1993:18). She claims universalising this demand would require the resources from more than five planets. As such, Shiva maintains "the right to development as the people's right to meet basic needs necessitates a revisiting of the WTO and trade liberalisation agenda. The obligation to protect the environment which is the basis of people's development also necessitates a revisiting of the trade liberalisation agenda"

(ibid).

Globalisation essentially represents a contest over southern markets and resources. In this context, it is the poor people of the South who are paying the highest environmental and development price for globalisation. In recent times, the 301 clauses of the US Trade Regulations have been utilised as instruments of unilateral imposition. Special 301 and Super 301 are the most powerful and most imperialist of such instruments and have been used against Third World countries to force them to change their national laws (Shiva and Mies 1993:30). In India, the threat of these instruments has forced the government to impose western based 'Intellectual Property Rights' on traditional community rights to resources, knowledge and utilisation patterns. Shiva claims unilateral trade instruments like S.301 deepen inequalities between the North and South through their use as a "crowbar" to force open Third World economies, turning them from their path of self-reliance to dependence on imports from developed countries, and from sustainability to non-sustainability (ibid):

> Historically, unilateralism has never been used by the strong for the good of the weak, but for their exploitation. Unilateralism in the form of conditionalities attached to aid, structural adjustment programmes of the International Monetary Fund (IMF) and the World Bank, have all resulted in a lowering of the health, educational, environmental and living standards of people all over the Third World (Shiva 1993:33).

Sadawi claims 'development' is not something people of the South choose, but that "it is dictated to us through local governments dominated by international institutions such as the World Bank, IMF and GATT" (1997:36). Sadawi believes the result of development carried out in line with the policies of these institutions continues to increase poverty, and the flow of money and riches from South to North. As such, she suggests 'development' can be viewed as just another word for neo-colonialism. Sadawi claims development, and western sponsored aid are not helping women or their communities in the Third World, and that only a very small portion of that which is taken away from the Third World comes back in the form of aid, meaning the communities are not only robbed of material resources, but also human dignity:

> Human dignity is based on independence and self-reliance, on producing what we eat, not relying on what comes in from the exterior. Many countries have promoted the slogan "fair trade, not aid", raising the issue that what the South needs to fight poverty is a new international economic order based on justice and fair trade laws (Sadawi 1997:38).

Since unilateralism erodes structures of civil society in weaker countries by forcing acceptance of decisions made by external powers, unilateralism cannot be an instrument for deepening democracy. It gives more power to the powerful at the international level, and makes the weak weaker within and between countries. People's movements in the Third World are increasingly demanding that power should not be concentrated in institutions of the centralised nation state, but instead distributed throughout local communities and their institutions (Shiva 1993:34). While the TNC-driven globalisation agenda requires that power moves from the centralised control of nation-states, to the even more centralised control of global corporations and global institutions like the WTO, the World Bank and IMF, the people's democratically-driven agenda supports greater localisation, both political and economic, meaning decision making authority is transferred back to the local level (ibid).

The Impact of Globalisation on Women in the South

The economic institutions of the global free market - the World Bank, the IMF and the WTO - effectively reinforce each other's objectives and have, to date, failed to integrate development objectives with any gender representation or gender impact assessment. As developing countries respond to the pressures of competition in the globalised market environment, vulnerable groups, including women, experience the most extreme social and economic impacts of dislocation (Bun 1995:2). Most factories located in export promotion zones in the developing world employ an almost entirely female workforce. Wages tend to be lower for women than for men, and long working hours in harsh conditions is the norm. Evidence of detrimental

health effects on women working in more hazardous areas is mounting, and industrial safety standards tend to be grossly inadequate. Because TNCs are able to re-locate, continually searching for lower wages, Brinda Karat, general secretary of the All India Democratic Women's Association (AIDWA), believes many women in the Third World "have no choice but to engage in a race to the bottom' of the wages scale" (cited in Davies 1987:4). As such, it is difficult, if not impossible, for women to have any bargaining power vis-a-vis their employers under these circumstances.

Sadawi also believes the commodification of women is increasing as a result of globalisation, and argues that women are increasingly looked upon as bodies to be exploited and used to produce more profit (1997:22). More and more young women from Third World communities desperate for some form of employment to support their poverty stricken families are being driven overseas as migrant workers, many ending up as virtual slaves in foreign sex industries in countries such as Japan, India and Thailand. Sadawi makes a direct correlation between the global trade in women and the impoverishment of rural communities, accelerated by the globalisation of the free market economy, which is led by, and caters to, the needs and interests of wealthy First World countries at the expense of the well being and independence of the South (ibid).

In regards to health, Shiva claims women in the Third World are being silenced as patriarchal powers contest for control over their bodies (1993:56). Increasingly women in the South are being forced to face the onslaught of new and hazardous contraceptive technologies to provide a market for the growing appetites of the international pharmaceutical industry. Women's economic and political choice for self determination is being dispensed with through unethical research and marketing practices, often in connivance with Third World governments, forced into such a position because of loan conditionalities and structural adjustment programs. While claiming to be "pro-choice", Shiva believes population control programmes are, in fact, acting against Third World women's democratic and human rights. Both the superpowers and the pharmaceutical industry achieve their ends through the tools of

bilateral and multilateral 'aid' (ibid).

The new economic world order has consistently linked poverty in the Third World with population growth, a belief that Sadawi claims is promoted by those in power to hide the real causes of economic and political crises in the South. She argues that as divisions between rich and poor nations increase, inequality within countries also grows, leading to greater disparity between men and women at all levels (1997:38). In India, for example, statisticians have found that rural poverty has increased while consumerism in urban areas had increased by around 70 percent (Shiva 1989:24). Sadawi highlights the conflicting value systems women in the Third World must address in the face of the increased commercialisation that has resulted from the global capitalist economy:

> The new international order is working to foster globalisation or global multinational capitalism, which involves globalisation of not only the economy, but information, mass media and culture. A global market requires the establishment of a market of consumers who develop similar needs, similar interests, similar desires and similar habits of living in a certain way, that is similar patterns of consumption, constituted by a similar outlook on life, values and ideas. The relation between culture, politics and economics is thus very important (1997:39).

What Sadawi is suggesting is that the New World Order (NWO) encourages globalisation and unification when these processes serve its economic interests, but fights against globalisation and unification between people if they resist its policies. Sadawi believes that to fully realise the extent of the economic and cultural contradictions inherent in the NWO, one must expose the link that exists between religion and politics, capitalism and religious fundamentalism:

> The globalisation needed by the international capitalist system leads people in different countries and cultures to resist homogenisation resulting from global culture, or so-called universal values. It is a self-defence mechanism. It is an attempt to hold on to an authentic identity, an authentic culture or heritage, and these are some of the factors in the growth of religious fundamentalism, racism and ethnic struggles. It is a protest movement, but very often takes on reactionary, anti-women and anti-progressive characteristics thus leading to division and discord; it thus serves the purpose of capitalist globalisation because it divides the people who are

resisting it (ibid).

Women also suffer at the hands of the emerging forces of economic globalisation through their bid to remove the control of resources and knowledge from women and Third World communities, putting them instead at the service of corporations engaged in global trade and commerce to generate profits. Shiva claims that Intellectual Property Rights (IPRs) such as those utilised in the GATT agreement, further dispossess rural women of the power, control and knowledge used to generate sustenance and survival in the local community context. As such, the global free market economy facilitates the extraction of both materials and knowledge from women's hands, with the aim of making them the private property of TNCs; a process that further contributes to the physical, ideological and spiritual dispossession of women in the Third World (Shiva 1989:29).

In regards to women and development initiatives, a recent report by the Food and Agriculture Organisation of the United Nations (FAO) based on research in a number of developing countries asserted that externally driven development assistance has often failed to reach women in rural areas, both in absolute terms, and relative to that of men. Although, at times, assistance has been directed at women, Sadawi claims it is predominantly a type of assistance that is inappropriate to the real needs and circumstances of many women, based as it is on the misconception that a woman's only role is that of mother and house keeper, not producer (1997:27). In looking at development programmes in several countries, Sadawi maintains there is deep-seated sexism in the workings of development agencies, especially several of the United Nations bodies. This multi-sided neglect of women has, over time, further reinforced the image of the patriarch and his power, vis-a-vis his wife and other women, meaning knowledge, information and power disparities between men and women have increased tremendously as a result of development and modernisation (ibid).

Concluding Thoughts

As this study seeks to explore the position of women in the Third World, I felt it was important to locate this discussion within the wider context of past and present events that have structured the relationship between nations of the North and South. Inequalities between women and men in all societies are deeply rooted and, as such, need to be understood within the framework of social, cultural, economic and political life. The need for effective institutional and organisational policy to promote gender equality and the rights of women has been clearly recognised, however many of the national and international frameworks established to achieve this goal have so far failed. One explanation of this failure is the trans-national phenomena of trade liberalisation and the dominance of free market liberalism in today's global economy. Globalisation ensures that women remain economically and socially subordinate in relation to men; a position mirrored by the South vis-à-vis the North.

Progress towards gender equality is, however, not completely dependent on the income level of a society. Reduction in gender based discrimination has, in fact, been greatest where there has been strong political will to alter existing inequality. Real change will only occur where adjustments to laws and regulations are followed through with real action, which means the commitment of resources as well as good will to the explicit goal of reducing gender discrimination. This is, however, often a difficult task, as those who benefit from inequality are seldom willing to surrender their advantage without a struggle. In the worst cases, women's lives are literally at stake if the existing social order is challenged head on. International support is of great importance to protect women's right to speak out. However, it is vitally important that this is not confused with the imposition of western values and norms onto other societies.

In consideration of the realities of 'free trade', it is vital that economic 'growth' in Third World nations is accompanied by a focus on capacity building and institutional strengthening. Governments need to focus on the real needs of their people, including

health, education and judicial reform. They also need to put in place policies to combat corruption by promoting better governance, transparency and accountability and by focusing on the promotion of social justice, equality and human rights. In "The Myth of Equal Opportunity in Nigeria" (1987) Ayesha Imam claims that no nation can realise full social and economic development until all its citizens are educated to their fullest potential, including women. Imam suggests that, in many cases, progress in education will be dependent on success in tackling wider and deeper causes of inequality (1987:102). A growing body of evidence from research conducted in the Third World suggests that not only do women bear the significant brunt of poverty, but also that increased gender equality is a central precondition for its elimination (ibid).

Women's equality is more than a right. It is an absolute necessity if the blight of poverty is to be removed from nations of the Third World, allowing them to create a secure, sustainable and prosperous future. Gender equality and women's empowerment are inextricably entwined. Women will only achieve equality when they are able to act on their own behalf, with a strong voice to ensure their views are heard and taken into account. The empowerment of women needs to be supported and properly resourced by influential institutional and organisational frameworks. While equality of rights and opportunities for both women and men in the South remains the paramount goal, a specific focus on women is justified on equity grounds as long as they continue to bear the burden of economic and political discrimination.

Chapter Four

The Politics of Feminism - A Third World Women's Approach

According to Miranda Davies, author of *Third World, Second Sex 2* (1987), the goal of equality for women in the so-called 'developing' world is twice as difficult to achieve than for women in industrialised nations. Unlike women from the west, Third World women have to confront the challenge of breaking loose from the bonds imposed upon them by traditional societies, while at the same time avoiding the trap presented by developmental and modernising progress in which new forms of abuse are embedded. Because of their economically disadvantaged position vis-a-vis men in their own societies, and in terms of their countries' position in relation to First World economic systems, women from Third World societies are at risk to exploitation from a myriad of degrading and oppressive industries.

In considering questions of this nature, women within the fields of anthropology and sociology have begun a process of uncovering the male biases inherent in their disciplines. By taking a fresh look at the societies they study and the methodologies they have been taught, these women have begun to explore the fundamental causes of gender oppression. Together women activists and writers from around the world have begun to demonstrate how, in every patriarchal culture, women have been oppressed and controlled by ideologies that justify and legitimate their subjugation. However, divisions within the women's movement at an international level have served to inhibit the mainstreaming of this process to date.

Conflict between women from the North and South began to surface at several international conferences for women held in the 1970s and 80s. Many women, primarily those of western ethnicity, expressed the view that women's struggles will end when they have achieved parity with men in existing economic and political structures. Others, however, most significantly women from Third World regions, claim the struggle must continue on all fronts, challenging the notions of duty,

morality, family, religion and nation which have been used to subordinate them. Women from the South sought to broaden the agenda of the women's movement and treat feminism as fundamentally political, connected as much to the struggle of their communities for liberation and autonomy as to the work of gender discrimination. Women representing Third World societies became increasingly opposed to the idea that women from developing countries were defining their needs, aims and priorities, rather than empowering them to do so for themselves (Davies 1987:4).

Davies suggests that feminists of Third World origin believe the movements attempt to impose a western, non-political concept of 'women's issues' is, in fact, a form of cultural imperialism on the part of western feminists, and a political act in itself. It aims at forcing Third World women to accept the status quo and acquiesce in their national subordination (1987:6). The term feminism itself has been questioned by many Third World women because of its perceived relationship to cultural imperialism. Many believe the term is limiting in its definition of gender in terms of the white middle class experience (ibid).

Unlike the women's movement in the west, histories of Third World women's engagement with feminism are in short supply. Although a large amount of work exists on women in developing countries, this body of writing does not necessarily engage feminist questions. Indian feminist writer Chandra Talpade Mohanty suggests this may be because constructing feminist histories of women in the Third World is perceived to exist in competition with a number of other progressive discourses - western feminist, or third world nationalist, as well as the racist, imperialist and sexist discourses of slavery, colonialism and contemporary capitalism (1991:6).

In introducing the book *Third World Women and the Politics of Feminism* (1991), Mohanty claims it is challenging to even define what it means to be a Third World feminist because there is no simple way of representing such diverse struggles and histories. Mohanty suggests that in order to try and position writing on Third World women and the concept of feminism, one needs to identify first and foremost who

and what actually constitutes the Third World. She suggests today's world can only be understood in relational terms: "A world traversed with intersecting lines of power and resistance, a world which can be understood only in terms of its destructive divisions of colour, gender, class, sexuality, and nation; a world which must be transformed through a necessary process of pivoting the centre, for the assumed centre [Europe and the United States] will no longer hold" (1991:3).

Mohanty questions whether, in fact, we can assume that Third World women's political struggles are necessarily 'feminist', at least in regards to the western interpretation of the term. Mohanty challenges the reader to question what feminism actually is, and identify who claims the authority to construct this definition: "Which/ whose history do we draw on to chart this map of Third World women's engagement with feminism? How do questions of gender, race and nation intersect in determining feminism in the Third World? Who produces information about colonised people, and from what space / location?" (1991:12).

Mohanty claims scholars from the west generally locate Third World women in terms of underdevelopment, oppressive traditions, high illiteracy, rural and urban poverty, religious fanaticism and overpopulation (1991:8). Besides being based on white western (read: progressive / modern) / non-western (read: backward / traditional) hierarchies, Mohanty believes these analyses freeze Third World women in time, space and history (ibid). She suggests the histories of colonialism, capitalism, race and gender are inextricably inter-related, and as these factors are increasingly addressed "our very conceptual maps are redrawn and transformed" (1991:10).

In *Common Themes, Different Texts: Third World Women and Feminism* (1991), western feminist Cheryl Johnson Odim agrees the oppression and impoverishment of Third World women is linked to class as well as gender, and often also imperialism, producing a very different context in which Third World women's struggles must be understood. While acknowledging that the conflicting definitions of 'feminism' are problematic, Odim, however, claims that giving up on the term completely simply

retreats from this important debate, and runs the risk of losing sight of the fair amount of universality that does exist in women's oppression. She advocates instead for a workable conclusion to the problem by distinguishing between the limited liberal 'women's rights' focus and a more productive 'feminism as philosophy' focus (1991:316).

Unlike women from the west, the struggle women within the Third World face takes place at both the household level, within the family, as well as at an international level. The racism, imperialism and economic inequality that oppress women in the Third World also effect men from the region, although differences often occur in the manifestation of the oppression, not the source. At a meeting in Tanzania in 1984 in preparation for the UN World Conference in Nairobi, women from 17 African nations agreed that obstacles to women's progress within their countries were largely the result of increasing poverty through out the African continents caused by the current world economic order:

> In 'underdeveloped' societies it is not just a question of internal redistribution of resources, but of their generation and control; not just equal opportunity between men and women, but the creation of the opportunity itself; not only the position of women in society, but the position of the societies in which Third World women find themselves (Barrow 1985:10).

Third World women know that a gender-based analysis without the factoring of race, class and colonialism can never describe their oppression. Joseph (1981) pointedly states that, in terms of their oppression, black women have as much in common with black men, as they do with white women (cited in Odim 1991:318). This is the fundamental difference between western women and women from the Third World which leads some to believe that separate organising is the only path available to constructing a feminist theory relevant to the needs of all women. The President of the Association of African Women Organised for Research and Development (AAWORD), Marie Angelique Savane has written:

> Although the oppression of women is universal in nature... it is time to move beyond simple truisms about the situation of women to a more profound analysis of the mechanisms perpetuating the

> subordination of women in society...In the Third World, women's demands have been explicitly political, with work, education and health as major issues *per se*, and not so linked to their specific impact on women. In addition, women of the Third World perceive imperialism as the main enemy of their continents, and especially the women (AAWORD cited in Davies 1983:320).

Third World women cannot afford to embrace the notion of feminism if it seeks only to achieve equal treatment of men and women and equal access and opportunity for women. Therefore, gender oppression cannot be the single leg on which feminism rests. It should not by limited to achieving equal treatment vis-a-vis men, and it is here where feminism as a philosophy must differ from what Odim terms the 'shallow notion of women's rights' (1991:320). As such, the challenge remains to construct definitions of feminism that foster co-operation and sisterhood between women throughout the world, while simultaneously allowing for autonomy to ensure that the movement remains relevant to women in diverse struggles around the world. The need for feminism arises from the desire to create a world in which women are not oppressed. If no term or focus to define this aim and no movement to incorporate this struggle exist, Odim believes women world-wide run the risk of remaining invisible (ibid).

Gender Oppression, Patriarchy and the Colonial Process

In recent years, feminist scholars from Third World locations have begun to examine the links which exist between gender oppression and the colonial process, a relationship they claim is based on the construction of the imperial ruler as white, masculine, self disciplined and the protector of women and morals. Institutions of direct control have always been overwhelmingly masculine, thus the British colonial state established a particular form of rule through the bureaucratisation of gender and race, a creation based on a belief system which drew on social Darwinism, chivalry myths, Christianity, medical and 'scientific' treatises and the literary tradition of 'the Empire' (Mohanty 1991:13).

Colonial rule operated by establishing visible, rigid and hierarchical distinctions between the colonisers and the colonised, which were deemed necessary to maintain social difference and authority over subjects. Mohanty claims the colonial construct of white man as 'naturally' born to rule is grounded in the discourse of race and sexuality, which defined colonised peoples, men and women, as incapable of self-government (1991:19). The colonial state created racially and sexually differentiated societies conducive to a ruling process fundamentally grounded in economic surplus extraction. This was achieved through the institutionalisation of ideologies and knowledge that legitimated these practices of ruling - the discourses of sexism and racism (ibid).

In addition to the construction of hegemonic masculinity as a form of state rule, the colonial state also worked to transform existing patriarchies and class / caste hierarchies. For example, colonial policies relating to land ownership tended to re-empower existing landholding groups, granting property rights to men, excluding women from ownership and 'freezing' the patriarchal practices of marriage and succession. As such, the cumulative effect of colonial rule is at least partially the aggravation of existing inequalities as well as the creation of 'new' ones (Mohanty 1991:20). Patriarchal practices were shaped to serve the economic interests of both the land owning classes and the colonial state. Colonial rule also introduced the consolidation of separate public and private spheres, a process which involved the construction of a normative sexualisation model for women based on Victorian ideals of purity, chastity and domesticity (ibid).

Early twentieth century imperialism saw white capitalist patriarchies introduce relations of rule based on a liberal citizenship model where the state assumes responsibility as the primary organiser of the power relation of gender. While imperial rule was constructed on a sharp sexual division of labour whereby white masculinity was inseparable from social authority, the notion of citizenship created by bourgeois liberal capitalism is predicated on an impersonal bureaucracy and a hegemonic masculinity organised around the themes of rationalisation, calculation

and orderliness (Mohanty 1991:21).

In the context of contemporary economic globalisation, Mohanty suggests questions of gender and race take on a whole new significance as a consequence of the massive incorporation of Third World women into the multinational labour force, meaning feminist theorists have to rethink such fundamental concepts as the public / private distinction in their explanations of women's oppression (1991:24). World market factories relocate in search of cheap labour, often establishing a base in countries of the South, which have unstable or dependent political regimes, low levels of unionisation and high unemployment. Through the ideological construction of the 'Third World woman worker' as a victim of multinational capital as well as traditional sexist culture, Mohanty believes we can trace the existence of a sexist and racist class based structure internationally. She suggests Third World women constitute the world's most exploited population, making questions pertaining to their situation the most urgent theoretical challenge facing the social and political analysis of race and gender in post industrial contexts (ibid).

Creating a Context: Key Factors in Third World Feminist Discourse

Third World women's writing on feminism has consistently focused on several key factors - most importantly, the simultaneity of oppression as fundamental to the experience of social and political marginality, and the grounding of feminist politics in the histories and racism and imperialism. In addition, feminist writers in the South have insisted on highlighting the complex interrelationships between feminist, antiracist and nationalist struggles, and the inescapable link between feminist and political liberation movements which serve to distinguish Third World from western feminists (Davies 1987:16).

In discussing women and politics in the context of Nairobi, Ayesha Imam (1987) suggests that when women's organizations in developed countries focus their

campaigns on specific issues important to women's lives like rape and wife battering, they often discuss these issues in isolation from the wider contextual picture of their society (1987:99). Imam believes women in developing countries consider such specific phenomena to be less important for the women's movement to tackle, than the wider structures which facilitate their exploitation. She claims many western women still tend to look at developing countries in a fragmented, individualistic and 'orientalist' way, tending to focus on particular kinds of abuse women experience as the essential determinant of their situation as a whole (1987:100). In contrast, women who live under political, economic or racial oppression generally believe their oppression as women is part of their oppression as people. As such, most feminists from within the Third World believe that until the wider framework of structural oppression is removed, particular manifestations of oppression specific to women cannot be overcome (ibid).

In her critical essay "Under Western Eyes" (1991), Mohanty suggests that gender and race are relational terms, and that to define feminism in purely gendered terms assumes that "our [women of Third World nations] consciousness of being 'women' has nothing to do with race, class, nation or sexuality" (1991:49). Mohanty is particularly concerned with the construction and production of the 'Third World woman' as a singular monolithic subject in some western feminist texts. She believes this representation is based on a certain amount of appropriation of scholarship and knowledge about Third World women by groups who take as their reference feminist interests as they have been articulated in the western context (1991:52). Mohanty argues instead for the formulation of autonomous, geographically, historically and culturally grounded feminist concerns and strategies (ibid).

North / South Politics and the Construction of the Third World Woman

Mohanty claims that like most other kinds of scholarship, western feminist writings on women in the Third World are not the mere production of knowledge about a

certain subject, but are, in fact, part of a directly political and discursive practice. She maintains that feminist scholarly practices are inscribed in relations of power - relations which they counter, resist, or perhaps even implicitly support (1991:56). Mohanty claims one of the central questions the practice of feminist scholarship needs to address is the construction of a relationship between 'woman' a cultural and ideological composite 'other', and 'women' as real material subjects of their own collective histories. She suggests this is an arbitrary relationship set up by particular cultural groups which results in the production and representation of a composite singular 'Third World woman' - an image that she claims is arbitrarily constructed, but nevertheless carries with it the authorising signature of western humanist discourse (ibid).

Mohanty argues that an analysis of sexual difference in the from of a cross-cultural singular, monolithic notion of patriarchy or male dominance leads to the construction of a similarly reductive and homogenous notion of what she terms "Third World difference" - "that stable, ahistorical something that apparently oppresses most, if not all, of the women in these countries" (1991:58). It is in the construction of this Third World difference that western feminists appropriate and 'colonise' the constitutive complexities that characterise the lives of women in the Third World. Mohanty believes that through this process of discursive homogenisation and systemisation, a hierarchical power relationship is created between Third World and western feminist discourse (ibid). As such, western feminist writing on women in the Third World must be considered in the context of the global hegemony of western scholarship - the production, publication, distribution and consumption of information and ideas (ibid).

Mohanty suggests that within feminist discourse an assumption exists of 'women' as an already constituted coherent group with identical interests and desires, regardless of class, ethnic or racial location, which in turn implies that a notion of gender or sexual difference can be applied universally and cross culturally. She questions how, "in such an uncritical way", 'proof' of universality and cross-cultural validity is provided (1991:60). Because of these analytical "assumptions" a homogenous notion

of the oppression of women as a group is assumed, which facilitates the production of the image of an 'average third world women', who leads an essentially truncated life based on her feminine gender (read: sexually constrained) and her ethnicity (read: ignorant, poor uneducated, tradition bound, family orientated, victimised). This construct, Mohanty suggests, exists in contrast to the implicit self-representation of western women as educated, modern and in control over their bodies, sexuality and decision-making capacities (1991:61).

The homogeneity of women as a group is based, as such, not on biological essentials, but on secondary sociological and anthropological universals - women are characterised as a singular group on the basis of shared oppression. What binds women together is a sociological notion of 'sameness' in their experience of oppression, an analytical relationship that Mohanty claims is based on the wrongful assumption of women as an always already constituted group; one which has been labeled powerless, exploited and sexually harassed by feminist scientific, economic, legal and sociological discourses (1991:61). Mohanty suggests this focus is based not on uncovering the material and ideological specificity's that constitute a particular group of women as powerless in a particular context, but rather on finding a variety of cases of powerless groups of women to prove the general point that women as a group are powerless (ibid).

Mohanty cites the work of Fran Hosken[1] to illustrate the way in which women from 'other' cultural contexts are primarily defined in terms of their 'object' status by feminists from the west. In discussing the relationship between human rights and female circumcision in Africa and the Middle East, Hosken bases her whole discussion on what Mohanty terms "one privileged premise" - that the goal of FGM is to "mutilate the sexual pleasure and satisfaction of women" (Hosken 1981:11). This assumption leads Hosken to claim that African and Middle Eastern women are controlled by men sexually and reproductively. According to Hosken, "male sexual politics all around the world share the same goal: to assure female dependence and

[1] Mohanty is referring to "The Hosken Report: The Genital and Sexual Mutilation of Females" (1981)

subservience by any and all means" (1981:14). In defining women as victims of male control, Mohanty argues that Hosken essentially divides every society into powerless (read: women) and powerful (read: men) groups of people (1991:64). Mohanty vehemently opposes the characterisation of Third World women by their victim status, claiming this is essentially a new form of colonial oppression. She suggests that in order to understand and effectively organise against male violence, actual manifestations of abuse must be analysed and interpreted within the context of the specific society in which they occur. She claims "sisterhood can not be assumed on the basis of gender alone", but must instead be "forged in concrete historical and political practice and analysis" (Mohanty 1991:56).

Mohanty believes universal groupings for descriptive purposes become problematic only when the grouping is characterised by common dependencies or powerlessness. For example, 'women of Africa' can be used to describe women from the continent of Africa, but when 'women of Africa' is seen as a group precisely because they are generally dependant and oppressed, the analysis of specific historical differences becomes impossible because the reality is already structured by two mutually exclusive groups: the victims and the oppressors. Women are taken as a unified 'powerless' group prior to the analyses in question, thus it becomes a matter of simply specifying the context after the fact (Mohanty 1991:61). "Women are now placed in the context of the family, the workplace, or within religious networks, almost as if these systems existed outside the relations of women with other women and women with men" (ibid).

Mohanty is not suggesting that women are not oppressed within Third World societies, only that it is highly problematic to speak of a shared vision of women without addressing the particular historical, material and ideological power structures that construct the experiences and life worlds of particular groups of women. Because of my location as an academic western woman writing about the lives of women in Third World cultural contexts, I feel it is essential for me to locate the specific examples of gender violence experienced by women in the Third World within the

wider context of the historical, political, economic and cultural reality of the particular society in question. As such, the aim of this study is not to, as Mohanty suggests, *"prove the general point that women as a group are powerless"* (1991:61), but to address and examine the broader contextual frameworks that contribute to the diverse forms of discrimination women experience internationally.

Representing Women in Cross-Cultural Analysis

Mohanty claims cross-cultural analyses of women's experiences of gender-based discrimination often subscribe to what she terms "economic reductionism" in describing the relationship between the economy and factors such as politics and ideology (1991:63). By reducing the level of comparison to the economic relations between 'developed and developing' countries, any specificity to the question of women is denied. Mohanty claims the best examples of universalisation on the basis of economic reductionism can be found in liberal "Women in Development" literature. She suggests most authors assume 'development' to be synonymous with 'economic development' or 'economic progress', an assumption that becomes the basis for cross-cultural comparison between women's experiences. Again women are assumed to be a coherent group prior to the entry into the 'development' process. It is assumed that all Third World women have the same problems and needs, thus all must have similar interest and goals:

> Women are constituted as women through a complex interaction between class, culture, religion and other ideological institutions and frameworks. They are not 'women', a coherent group, solely on the basis of a particular economic system or policy. Such reductive cross-cultural comparisons result in the colonisation of the specifics of daily existence and the complexities of political interests which women of different social classes and cultures represent and mobilise (Mohanty 1991: 64).

Mohanty argues that economic reductionism on the part of western academics limits the definition of the Third World female subject to gender identity. Instead of analytically demonstrating the production of women as socio-economic political

groups within particular local contexts, this methodological structure chooses to ignore the social class and ethnic identities which frame women's life experiences (ibid).

Western feminist writings on women in the Third World subscribe to a variety of methodologies to demonstrate the cross-cultural nature of female exploitation and male dominance. Mohanty suggests one way in which this universalism in 'proven' is the arithmetic method (1991:65). To illustrate the shortcomings of this argument, Mohanty again cites Fran Hosken who suggests: "Rape, forced prostitution, polygamy, genital mutilation, pornography, the beating of girls and women and purdah are all violations of basic human rights" (1981:15). Mohanty believes that by equating purdah[2] with rape, domestic violence and forced prostitution, Hosken is claiming the primary explanation for purdah is always sexual control, regardless of the historic and cultural context it is located within (1991:66). She claims the problem with such a statement lies in its "descriptive generalisation", claiming "the analytic leap from the practice of veiling to the assertion of its general significance in controlling women must be questioned" (ibid). While physical similarities are evident between the veils worn by women in Saudi Arabia and Iran, Mohanty suggests the specific meaning attached to the practice varies significantly according to cultural and ideological context:

> The focus of using women as a coherent group across contexts regardless of class or ethnicity structures a world in ultimately binary, dichotomous terms, where women are always seen in opposition to men, patriarchy is always necessarily male dominance and the religious, legal, economic and familial systems are implicitly assumed to be constructed by men. It is only when men and women are seen as different groups possessing different already constituted categories of experience, cognition and interests as groups that such a simplistic dichotomy is possible (1991:69).

Mohanty claims the application of 'women' as a homogenous category to women in the Third World colonises and appropriates the pluralities of the location of different

[2] Purdah is a custom in some Muslim communities, which involves keeping women in seclusion, most commonly in terms of the concealing garments they are required to wear when they leave the house.

groups of women in social class and ethnic frameworks - an analytical move that "ultimately robs them [Third World women] of historical and political agency" (1991:72). As such, legal, economic, religious and familial structures are defined as 'under developed' or 'developing' by western standards, and when women are placed within them, an implicit image of the 'average Third World woman' is produced (ibid). While the category of the oppressed (implicitly western) woman is generated through an exclusive focus of gender differences, the 'oppressed Third World woman' has the additional attribute of 'Third World difference', which includes a traditional paternalistic attitude towards women in the Third World (ibid). As such, Third World women as a category are automatically and necessarily defined as religious (read: not progressive), family oriented (read: traditional), legal minors (read: they are still not conscious of their rights), illiterate (read: ignorant) and domestic (read: backward):

> When the category of sexually oppressed women is located within particular systems of the Third World, which are defined on a scale which is normed through Eurocentric assumptions, not only are Third World women defined in a particular way prior to their entry into social relations, but since no connections are made between First and Third world power shifts, the assumption is reinforced that the Third World has just not evolved to the extent the west has (Mohanty 1991:74).

In homogenising and systematising the experiences of different groups of women in different countries, this mode of feminist analysis erases all marginal and resistant modes and experiences, limiting theoretical analysis and reinforcing western cultural imperialism. Mohanty argues that in the context of the First / Third World balance of power, feminist analyses which perpetuate and sustain the notion of western superiority produce a corresponding set of universal images of the 'Third World woman', as, for example, the veiled girl, the chaste virgin and the obedient wife. Mohanty claims such images exist in "universal ahistorical splendor" (1991:76), setting in motion a colonialist discourse which exercises a very specific power in defining, coding and maintaining existing First / Third World connections (ibid).

Breaking Down the Barriers: Suggestions for a Way Forward

In her work "Women's Equality and National Liberation" (1991), western feminist Angela Gilliam agrees a major problem with the feminist movement to date has been the general assumption that women are natural allies. She characterises this premise as a form of 'female chauvinism', and believes, like Mohanty, that a more unified approach to the movement must simultaneously integrate the questions of racism, class oppression and sexism (ibid). Gilliam believes the separation of sexism from the political, economic and racial is a strategy of the elites in society, utilised to confuse the real issues around which most of the world's women struggle (1991:221).

In "We Cannot Live Without Our lives - White Women, Anti-racism and Feminism" (1991), Ann Russo suggests that to combat the exclusionary nature of the women's movement, women from the west must also begin to analyse their relationship with race, ethnicity and class (1991:299). Russo argues that in denying or ignoring our privilege as white and / or middle class, we [western women] will not help build a strong representative women's movement:

> If we want to be involved in a movement that speaks from and to the commonality as well as diversity among women, it is necessary for us to acknowledge our privilege, understand how the conditions of our lives are connected to and made possible by the conditions of other women's lives, and use what we have gained from that privilege in the service of social change (ibid).

In addressing division between the North and South within the women's movement, bell hooks[3] (1984) has suggested that it may be advantageous to speak of white supremacy rather than just racism. hooks argues that the term 'white supremacy' forces westerners to look power directly in the face, and assume some responsibility for the inequality that prevails both within the movement and in wider society. In shifting the focus from people of colour to white people, hooks believes that we [women from the west] will no longer have room for responses such as guilt, denial and paternalism, a move which may help us to be moved to action, as she believes

non-action implies acceptance of the status quo: "To move away from responses of denial and gilt, which promote immobilisation and passivity, towards responsibility, action and mutual exchange with women of colour is key to disestablishing white supremacy within the context of the women's movement" (1984:29).

Russo suggests that a major barrier to the goal of a unified women's movement lies in the fact that many western feminists still do not see racism as "our issue", tending instead to view work with racism as 'helping' women of colour (1991:300). Like hooks, Russo believes that focusing on white supremacy means that we as white women have to accept that racism is a white problem. While racism bares its impact of women of colour, it originates with, and is perpetuated by, white people. Race intricately shapes our identities, experiences and choices in our lives, both in giving us privilege in respect to women of colour, and also in shaping the specifics of the oppression we face as women (ibid). According to Frye (1983), not seeing race as a white issue is part of the privilege of being white.

Russo believes women from the west would benefit from including the specificity of their experience in developing theory, as is advocated by feminists in the Third World. As a self-proclaimed 'radical' feminist who believes the 'personal is political', Russo believes the best theory and politics emerge from an understanding of the materiality of our lives - economically, physically, racially, sexually, emotionally and psychologically. In regards to issues of representation, she believes that accountability, responsibility and equal sharing of power and control will continue to be a major problem in feminist organising, so long as the majority of white feminists believe that racism is only an issue for women of colour (1991:301). "Once race is addressed within the feminist agenda to the same degree as sexism and misogyny, and not simply as an example of it, we cease to make women of colour fundamentally different. Then we can begin to work more effectively with, not for, women of colour" (ibid).

[3] bell hooks chooses to have her name published in this grammatical style

Russo does not accept the view that feminism is only relevant to white middle class women, and suggests that an abandonment of feminist politics would fail to address the important issues of accountability and representation that have been raised by women of colour within the movement:

> In contrast, I think we should not retreat from feminism, but work towards making the movement larger and develop analyses and policies which at their base are feminist and which address the interconnections and intricacies of racism, classicism and imperialism within the context of sexism and misogyny (1991:303).

Russo believes white supremacy in the context of the women's movement, as in society generally, is not simply a matter of ideology, ideas, stereotypes, images and misguided perceptions, but is fundamentally based around issues of power and control, be it in terms of money, construction of ideology, or control over organisational agenda. As in any other arena, she suggests that change must occur at the level of leadership and access to resources (1991:306). In order to truthfully and authentically work against racism, Russo claims white women need to locate themselves within their own experiences of pain and suffering so that a connection can be formed of the basis of mutual desire and need, not pity or arrogance:

> We white feminists must learn to listen to the anger of women of colour and be similarly outraged about racism, rather than guilty, and recognise that we are not powerless in outrage, particularly as white women. It is very difficult not to feel guilty as white women in the face of the oppression of women of colour, and I think that many white feminists feel genuinely bad about racism, but do not know what to do - our guilt and feelings of hopelessness lead many of us to passivity and / or defensiveness, both of which maintain our position of power (1991:308).

While we cannot change who we are racially, ethnically or nationally, we can change to whom and what we remain loyal. When we respond to challenges of racism with only defensiveness and guilt, we continue to limit ourselves to the position and identity of oppressors. Russo believes it is because of racism that white women and women of colour within the women's movement do not automatically feel an alliance with one another. However because we are all women, connections can be built

around the things we share - like the kinds of abuse we face - such as sexual violence within the family and outside the home, and social, economic and legal inequality. Russo suggests that through creating familiarities, recognising and acting on our commonalties and building social and political alliances across race and class boundaries, a strong multiethnic women's movement can, and will, be possible (1991:309).

Concluding Thoughts

Feminism is constructed around the idea that because of their gender, women, regardless of class or race, are intrinsically positioned at the bottom of the hierarchical structure of society. As such, the main role of the feminist movement is to unite women around the world to raise their voices against their oppression within male dominated society. However, if feminism is to be concerned about redressing the oppression of all women, a broad base first needs to be established on which First and Third World feminists must agree, a base which must recognise that racism and economic exploitation are primary forces in the oppression of a huge number of women around the world. As Ann Russo (1991) has suggested, if feminism is about the empowerment of all women, and change in the condition of all women's lives, fundamental change is required within the women's movement itself (1991:314).

While gender is a potential bond, it must be recognised that women participate in the oppression of other women every day on an international scale. As such, a global feminism must have respect for cultural difference, and take as a primary goal the desire to view the world through non-colonial eyes. In practice, this means accepting that women in a variety of diverse cultural contexts throughout the world are perfectly capable of formulating and articulating their own voice. Based on the things we have in common as women, which Russo suggests are greater in number when we make the right connections between them, we must view women's oppression in the wider context of all oppression (1991:312). We must challenge a feminist perspective

to envisage a human centered world, in which the satisfaction of human needs, justly met, is a primary goal. As Marie-Aimee Helie-Lucas has suggested, we have everything to gain from being truly internationalist in our exchange of useful information, solidarity and support. "By building our strength it will become more and more difficult to exploit our protests in a way which does not suit our purpose" (Helie-Lucas 1987:12).

The participation of Third World women in defining feminism and setting a feminist agenda is essential to this process, and primarily represents a question of power. Because Third World women are members of relatively powerless communities, they do not have the same potential for access to resources that First World women have; a reality which illustrates the fundamental importance of developing a respectful working relationship between women from the North and South involved in the women's movement. Women from all walks of life and from all countries need to be actively engaged in attempts to define a feminism which is acceptable and relevant to all communities of women who suffer as a consequence of racism, sexism, structural poverty and economic exploitation. As Angelique Savane (1983), suggests:

> Feminism needs to be international in defining as its aims the liberation of women from all types of oppression, and in providing solidarity among women of all countries; it needs to be international in stating its priorities and strategies in accordance with particular cultural and socioeconomic conditions (cited in Davies 1983:316).

Many Third World women live under indigenous inequitable gender relationships, exacerbated by western patriarchy, racism and exploitation. A global feminism, must therefore, be a comprehensive and inclusive ideology and movement that incorporates, and yet transcends, gender specificity. Such a definition will allow us to isolate the gender specific element in women's oppression, while simultaneously relating it to broader issues, to the totality of what oppresses us as women. For a multiethnic women's movement to be successful, Mohanty believes women from the west must consciously work to challenge their essentialist notions of Third World feminist struggles. Once achieved, women with divergent histories and social locations can be woven together by political threads of opposition to forms of

domination that are not only pervasive, but also systematic. If the feminist movement does not address itself to the issues of race, class and imperialism, it cannot be relevant to alleviating the oppression of most of the women of the world. After all, as Mohanty suggests, "beyond sisterhood, there is still racism, colonialism and imperialism!" (1991:43).

Section Two

The Case Studies

Research Methodology

The Case Studies

Due to the unique nature of humanistic anthropological inquiry, it is vitally important for me as an anthropologist to ensure that I facilitate the presentation of the views and experiences of those whom the study is about, rather than just my own perspective. In the context of my presentation of the issues involved in this thesis, I was very clear about this being what I wanted to do, although actually achieving this goal became a difficult, and at times highly challenging, experience.

In order to ground the issue of gender-based discrimination into the real life experiences of women, I needed to discuss specific examples of culturally sanctioned violence against women. After a lot of consideration I decided on four different case study topics that appeared to represent what people from the west would consider violence, ill treatment or human rights abuses against women in the name of cultural or religious traditions - female genital mutilation, Islamic fundamentalism, trafficking for sex tourism and the Trokosi system located in Northern Ghana. As these four examples of gender-based violence are located within the Third World, I was also able to frame discussion of the case study material within the wider context of the neo-colonial relationship that exists between countries of the North and South.

In wanting to facilitate the representation of women's voices from within these cultural contexts, I had to not only make contact with women who had experienced human rights violations as a result of cultural or religious traditions, but make contact with women who would be willing to talk to me about such personal, and often highly taboo, culturally-specific issues. Within the definitions of traditional anthropological 'fieldwork', this goal would be achieved by physically travelling to where such women live. Once there, I would try to integrate myself into the communities with the aim of becoming known and acceptable to those who live there, in order to gain their trust, support and co-operation. In the context of my proposed study, this method would have involved several years travelling around such diverse

locations as Afghanistan, Burma, Nepal, Ghana, Thailand, India, and almost all of Africa, an option that although sounds ideal, has in reality several practical and theoretical problems.

Firstly, after six years of tertiary education in a context of ever-increasing student fees, I had no financial resources to help fund such a project. After applying for numerous research grants and scholarships to no avail, I realised quite early on that there was no readily available financial support from outside agencies, or the university that could help make this research option a reality. Money was not, however, the only thing that made this path unrealistic; time was also a major constraint. An MA thesis is only meant to be one year's work, so by the time I had conducted even some of the fieldwork necessary, the entire study period would have been over before I had even begun to write up any kind of results. Thirdly, I still have many reservations regarding the actual methodological process involved in 'traditional' anthropological fieldwork. What kind of authority does the anthropologist assume and construct when entering the 'field' in this kind of research situation? What do the research participants really gain from the experience in return for having a stranger from a completely different reality invading their lives and privacy for their own academic gains? Methodological difficulties such as these, just to name a few, represent a very real concern to me, particularly when the subject area of the study is, as in this case, already a highly sensitive and deeply rooted cultural or religious phenomena.

In consideration of these issues, I began to look for other ways to make contact with women who would be able to help me with this research, both within their home societies and amongst communities from these locations now living in New Zealand. The two methods I have utilised with the most success have been contacting women through local and national migrant and refugee organisations, and using the Internet.

Making Contact Over the Internet

Although using the Internet as a research method for this study has been successful in many respects, and will no doubt become a very promising tool for inter-cultural research in the future, it was also highly problematic in the context of this study for a variety of reasons. For a start, the kind of women I would have ideally liked to make contact and talk with would not generally have access to computers, the training to use them, or the exposure to English which would be necessary for us to communicate successfully. For these reasons, I chose to try and make contacts with women through existing organisations based in the case study locations working in the area of women's human rights, primarily because these contacts would be more likely to have the resources and skills needed to access the Internet.

I began by doing a wide scale search on the Internet and, after many hours, I found around 40 relevant web sites. I then sent a letter of introduction about myself and my study to those which had an e-mail address provided[1]. From the letters sent I, received only a small number of replies, but I did manage to make contact with several women from NGOs in Thailand, Nepal, Pakistan and Ghana as well as England and the United States. In each case where I received an initial reply I sent a second letter[2] outlining my study's aims in more detail and asking for help in finding possible interview participants willing to talk with me through the Internet about their experiences and views on the particular issues involved.

After this, I waited with my fingers crossed to see if anyone would reply. Unfortunately, however, after an initial few, replies came few and far between. Out of the organisations that did get back to me, some wrote of reservations they had about the research primarily because they had commitments to ensuring the privacy and safety of the women they worked with. Others thought the research was valuable and worthwhile, but also couldn't do much to help because they were too busy and understaffed as it was. American human rights worker Brenda Belak wrote to me

[1] See Appendix One
[2] See Appendix Two

outlining some of the practical problems she had experienced in conducting research regarding the situation of Burmese women working in the Thai sex industry as part of her work with *Images Asia*[3], problems which she felt would be an even bigger obstacle for me conducting the research over the Internet:

> The first and least insurmountable [barrier] is language: most women probably would not speak English very well and very few can write in English. They are not likely to feel comfortable answering your questions in English, because it would be difficult to express themselves without the help of a very competent interpreter.
>
> The second is cultural: people here do not like answering written questionnaires and, as a result, researchers rarely use them. They are intimidating.
>
> The third is access to the Internet: women who belong to sex-workers' organisations may have access to email, but I'm not sure how many can access a computer regularly or use one without some help.

Brenda went on to talk about even bigger problems she had experienced in her research based around the hierarchical relationship that exists between researcher and informant, issues that become even more problematic in cases where the researcher is western and the participant is from the Third World:

> Most importantly, [the] women are very likely not to feel comfortable answering your questions at all. Researchers' questions are often premised on assumptions that women themselves would not make about their situations, or posed in way that reflects more about the interviewer's situation than the one the woman is in. The researcher / interviewee relationship is also not a symmetrical one: asking questions puts one in a power position, and interviewers' questions are often intrusive and not well informed. (This is not meant as an accusation, just an explanation. It is part of the reason why we gave up interviewing women directly for our own report.) Women who do sex-work here work illegally, so they are legitimately uncomfortable with disclosure of some kinds of information.

Brenda's words of advice were very relevant to my study, and although I felt very disheartened after receiving this letter, it did force me to confront the problems I was

[3] Images Asia is an NGO based in Chang Mai, Thailand.

experiencing and make some decisions about how I could get around these issues if the research was to continue.

As the subject areas I am looking at are very personal and deeply entrenched in cultural and religious stigma, it is in retrospect hardly surprising that many of the organisations I contacted were not prepared to help me make contact with women who used their service. I came to realise that the kind of experiences these women endured would, in many cases, not even be discussed within the family environment, let alone with a complete stranger. As Brenda suggested:

> These issues are all complicated enough in face to face interviews, you can see how unlikely it is that a long-distance situation with language and other barriers is going to work. Women in sex-workers' organisations here have also had literally years of researchers and journalists coming to interview them, and many have put in a lot of time trying to help them, but gotten very little out of the situation themselves... only to have yet more journalists and researchers come again with the same questions.

However, despite the complexities of these issues, two organisations did make contact with me and agree to contribute to the research - for the Islamic Fundamentalism case study, *The Revolutionary Association of Women of Afghanistan (RAWA),* and for the Trokosi system, *International Needs*, a Christian organisation based in Ghana working to 'liberate' women enslaved in the Trokosi shrines. I think what sets these organisations apart from most others are interesting to briefly note.

The women involved with *RAWA* are very used to speaking out on an international level about their situation as women living under the Taliban regime. The main aim of their organisation is to educate the wider world outside Afghanistan about the appalling conditions that they and their communities are forced to adhere to under Taliban rule. In their work to date, the Internet has been one of the most successful methods utilised in their communication with the outside world. Because of the extremity of their situation and their hope for support from the international community, the women of *RAWA* were very accommodating of my requests for assistance with this part of the study.

As a Christian organisation *International Needs* works to convert women enslaved in the Trokosi system, in accordance with the belief that once the women become Christians, they will no longer be influenced by the indigenous religion of Ghana that binds them to their servitude in the Trokosi temples. Apart from having a significant moral objection to this course of action, I soon realised the information I was receiving through *International Needs* was not representative of what life was like for women within the Trokosi system. Interview material I had access to was in fact filtered through an *International Needs* staff member and focused primarily on how the women's lives and future outlooks had been improved by their conversation to the Christian faith. As *International Needs* is the only organisation currently working in Ghana with women from the Trokosi system, and as my time and other resources were running out, it became problematic for me to continue this case study, so I decided to focus my attention on the three remaining issues.

Although the initial aim I had for this research was to document the personal experiences of women who had suffered abuses of their human rights first hand because of cultural and religious traditions, by this stage I realised both my geographic location here in New Zealand, and my ethnicity as a westerner were going to make this a far more difficult process than I had first imagined. After a period of uncertainty and stress over the direction of the research, I came to realise that I needed to take a step back and focus my attention on the wider reasons why women become involved in these practices and traditions in the first place - issues which could be explored through discussions with women who originate from the practicing societies but now live here in New Zealand. Regardless of whether or not these women had actually experienced the practice / tradition personally became of little significance to me or the research because as members of the cultural group in which the practices / traditions are embedded, these women would still understand the complexities of the issues involved and could, as such, provide me with a deeper understanding of why the practices continue to exist within their home societies.

Women living in New Zealand

After deciding to follow this path, I wrote to a variety of agencies here in New Zealand that work with refugee and migrant communities in the hope that they would be able to help me make contact with women from any of the case study locations[4]. As with my experiences over the Internet, I received a generally skeptical response from many of the organisations I approached such as, the New Zealand branch of the United Nations Development Fund for Women (UNIFEM), Amnesty International, and Refugees as Survivors in Wellington. However, after many e-mails and phone conversations, I was able to make contacts within the Migrant and Refugee Resource Centre in Palmerston North, as well as the head office of the National Refugee and Migrant Service in Auckland.

From within the international community in Manawatu, I was introduced to women from Burma, Nepal, Kenya and Iraq. I then put together personalised letters for these women that detailed the purpose of my study and the kinds of issues I would be interested in hearing their opinions on[5]. Over the next month, I met with three of the four women on several occasions and eventually arranged times to conduct interviews with them in their homes. I also visited Auckland where I meet with Nikki Denholm, a New Zealand Pakeha women who has spent the last five years working with the Somali community in the Auckland region on heath issues related to FGM. Because of the trust and respect Nikki has built up within the Somali community over this period, she was able to arrange several interviews for me with women from not only Somalia, but also Sudan and Ethiopia - all societies that practice FGM on a large scale.

While in Auckland, I also visited Shakti, the first Asian women's refuge to be established here in New Zealand, where talked with Fatima[6], a Pakistani woman who is employed as a community liaison worker. I also followed up another contact I had

[4] See Appendix Three
[5] See Appendix Four
[6] Name changed for privacy reasons

made with Sou Chiam of the Human Rights Commission. Sou is a Chinese women who has worked extensively with survivors of trafficking, both from Burma to Thailand and Nepal to India. Although she did not wish to be formally interviewed, the discussion we had helped to clarify my understanding of the wider issues involved in trafficking in regards to structural poverty and globalisation.

After consideration of the issues that arose in the course of these interviews, I came to realise that a central focus of all the case studies was the cultural and particularly religious norms that influenced the way in which the women perceived their correct role in society. While I had originally planned to have a chapter dedicated to women and Islamic fundamentalism in the from of the Taliban, I realised that the relationship between women and religion was integral to not only the fundamentalism section, but also to my analysis of FGM and trafficking. In light of this I decided to use the interviews I had conducted with Islamic women from outside Afghanistan to form a more broad based analysis of women's role in Islam to create a framework for the remainder of the case study material. In choosing this structure, discussion relating to women's role in Islam is presented as a separate issue from women's position under the Taliban, a distinction considered vitally important by the Islamic women I spoke with.

The material resulting from this interview process is presented in the four case study chapters in the form of direct dialogue from the conversations that took place. In choosing this presentation style, I hope to be able to present the voices of the women who agreed to help me in their own words as much as possible. Although the interviews were structured with questions, I made it clear to the participants that what we discussed throughout the interview was completely up to them. As such, topics covered in each section do differ slightly, but in all cases the input of the women helps to ground the particular case study information in the words and experiences of real women.

In choosing to include this information, I do not intend for the voices of these women to be seen as representative of all women from within their home societies. As is the case in our own western cultural context, every woman's perspective is her own, each individually shaped by her personal life experiences and specific location within her own home society. What the interview material does provide, however, is an insightful and often highly personal dimension to this study, which helps us as the 'other' in this situation to make the connection between real life, and what often seem to be distant and unfathomable experiences from another world.

Chapter Five: Case Study One

Women and Religion - The Case of Islam

By their nature, religious traditions determine the moral norms and values to which their followers adhere. In the context of a global society where communities following different religious traditions co-exist, questions arise as to how diverse moral norms and values can be guaranteed under a universalist system such as human rights. Religious adherents claim universal validity for their beliefs and view their ethical codes as universally valid. In situations where these codes do not correspond fully with human rights, which are also considered to be universally valid, conflict is inevitable as both religious codes and human rights claim the highest authority over human life (An-Na'im, Gort, Jansen and Vroom 1995:12).

Conflict between cultural relativism and universal rights becomes even more complex where the west meets the Islamic world, particularly in relation to debate over the treatment of women in Muslim societies (ibid). The subjective perceptions of morality and immorality on both sides can be so powerful that objective discourse and cultural negotiation seem virtually impossible. The position of women in Middle Eastern society is directly related to religious precepts set by Islamic law, or Shar'ia. As such, ensuring Middle Eastern women enjoy a basic level of human rights can, in fact, be equated with disrespect for indigenous religious norms set by Islamic law. In 1990, all Muslim nations signed *The Cairo Declaration on Human Rights in Islam,* confirming their belief that all international human rights standards be subject to Islamic law. The declaration was, however, notably lacking in provisions granting women equal rights with men, or assuring them equal protection of the law (Mayer 1995:177).

While the Islamic faith itself is seen by many in the west as the primary root of women's problems in the Arab world, Nawal El Sadawi, a Muslim woman herself, argues gender inequality within Arab society is instead sustained through economic and political factors stemming from foreign exploitation of resources, as well as deep

rooted societal problems entrenched in traditional attitudes towards sex and gender. In highlighting fundamental connections between the realms of religion, politics and sex, Sadawi claims social structures which facilitate women's experiences of discrimination within the Islamic states of the Middle East cannot be looked at in isolation from the economic, political and cultural realities of the country concerned, in the context of the wider relationship of structural inequality between countries of the North and South (1997:16).

Throughout the course of this chapter I attempt to position the experiences of women in the Arab world within the contexts Sadawi highlights - the traditional patriarchal family structure, political movements of religious fundamentalism and historical contention between the North and South exacerbated by the transition from tradition to modernism in the global economy. I will also begin to introduce comments from the interview process outlined in the methodology section of this study, drawing on material gathered through two different interviews with Azadeh and Fatima[1].

Although Azadeh and Fatima now live in New Zealand, both woman have spent most of their lives immersed in the Islamic world, and both remain practicing Muslims here in New Zealand. Born in Iraq, Azadeh is married with three children and works as a veterinarian for the Dairy Research Institute in Palmerston North. Fatima is from Pakistan and is still unmarried. She works with the migrant community in Auckland facilitating resettlement through her role with Shakti - the International Women's Refuge based in the suburb of Three Kings. Material soured from my interview with Azadeh will appear mostly in the form of direct quotes as this interview was recorded. Fatima, however, preferred that I just take notes during our discussion, so instead her comments will appear within the main body of the text. Although these two women represent only themselves and their own personal experiences as women within the Islamic faith, their voices provide important and diverse interpretations of the position women have within Islam that are very important to a discussion of this nature in consideration of my position as an outsider to this faith.

[1] Names changed for privacy reasons

Islam, Women's Rights and CEDAW

Although some Muslim countries have ratified CEDAW, among those that have, almost all have entered reservations to its substantive provisions, largely on religious grounds. Such governments feel that reforms undertaken under CEDAW to give women 'rights' would violate Shar'ia requirements. Nations such as Libya, Egypt, Bangladesh and Tunisia made reservations so sweeping that critics have claimed they are completely incompatible with the primary object of CEDAW - to free women from systematic subordination because of their gender (Mayer 1995:178). Although it is permissible by the United Nations for state parties to ratify treaties subject to reservations, the reservations are not supposed to be incompatible with the purpose of the treaty itself. Rather than ratify with reservations that effectively nullify its obligations, Mayer suggests the state should elect not to become a party to the treaty or convention in the first place (ibid).

In 1987, the CEDAW committee made a recommendation to the United Nations that a study be undertaken in relation to the status of women in Islamic law. This proposal was, however, refused by the General Assembly after several Muslim countries asserted such a request constituted religious intolerance and cultural imperialism (Mayer 1995:179). Faced with appeals to cultural particularism, the United Nations choose to tolerate a situation which allowed certain Middle Eastern countries to remain parties to a convention whose provisions they had professed their unwillingness to abide by. Implicitly the UN acquiesced to the cultural relativist position on women's human rights in the Middle East, allowing parties to invoke Islam and their culture as a defence for their non-compliance with the terms of the convention (ibid).

In hindsight this was an extremely paradoxical move by the UN considering Article Five of CEDAW calls on state parties to "modify the social and cultural patterns of conduct of men and women with a view to achieving the elimination of prejudices and customary practices which are based on the idea of the inferiority of, or the

superiority of, either of the sexes, or on stereotyped roles for men and women" (UN:1979). As such, CEDAW was premised on the idea that where cultural constructs were an obstacle to the attainment of gender equality, it was the culture that had to give way (Mayer 1995:180).

When asked if she believed that human rights instruments could help facilitate equality for Muslim women, Azadeh replied that women in Islam had no need for protection under human rights law because they are guaranteed rights under Shar'ia:

> I believe human rights are there to protect people when there is, for example, violence or abuse, or whatever, when this is effecting people in different regions. But for the women in Islam, this is not needed for them, as women have a very respectful position in Islam. Actually the human rights is only used for the people when they get abused, or have violence against them, but there is nothing like this happening to the women in Islam.
>
> The position of women within Islam is a very respectable position; there is no abuse of women. Islam gives the women a very high position, although the men are dominant and look after the women. But the woman is a person, and is a very respectable position within the society and especially within the family. The westernised people they don't seem to understand that because they think that the women in Islam is not very looked after by people, or something like that. They think that the men they abuse women, and its not like that at all.

As a western woman, it is hard to understand how Azadeh can believe this is true knowing the atrocities that have been committed against women under the banner of Islam. However, as a Muslim first and foremost, Azadeh was raised to not question Allah or Islam. The strength of Azadeh's faith as a Muslim cannot even be comprehended by most in the west, especially someone like me who does not even consider themselves a Christian in the mainstream sense of the word.

> For us, it is not like we have the choice not to have a religion, everybody does. You have to follow the father and the mother, you are not allowed when you grow up to say, no I don't want this anymore. There is no way, it is our culture, it is in our blood that we are Muslim. We cannot change that, never ever. I am a Muslim. This is very much more important than that I am from Iraq. This always comes first. I am very happy and proud to say that I am a Muslim.

Under article 18 of the *Universal Declaration of Human Rights* (UDHR), all human beings have the right to freedom of thought, conscience and religion. This implies the freedom to express one's religion or belief, either individually or collectively, in public or private, in education, practice and in worship. However, in *Human Rights and Religious Values - An Uneasy Relationship* (1995), An-Na'im, Gort, Jansen and Vroom question how the doctrine of human rights can inspire people to embrace it as the core of social morality, if in doing so they have to set aside their religious ideals. They suggest that to make 'good' its claim to universal validity, the UDHR must allow for contextual interpretations (1995:13). An-Na'im claims that if this is not the case, then interpretation of one particular tradition [the west] gains universal dominance (1995:32). However, it can also be argued that this flexibility has the potential to denigrate the purpose of having a 'universal' declaration in the first place.

Why is Islam Considered 'Oppressive' To Women by Outsiders?

Depending on the particular country and historical context, women in the Islamic world have, at various times, been subjected to a number of restrictions and regulations considered by western society to be oppressive and degrading to women. Under the banner of Islam, women have been denied the right to access higher education, drive cars, vote in elections, travel without permission or accompaniment of a male relative, and testify in a court of law (Mayer 1995:176).

In "After the Revolution: Violations of Women's Human Rights in Iran" (1995) Akram Mirhosseini describes how, according to the Islamic penal code, a women's worth is considered only half that of a man. A married woman must at all times be willing to meet her husband's sexual needs, and if she refuses, she will lose the right to shelter, food and clothing. Under Iranian Shar'ia, brothers, fathers and husbands have the right to kill their female relatives and go unpunished if they believe the woman has threatened their family honour. Mirhosseini suggests such violence is, in fact, considered necessary if women are to be kept in their position as virtual slaves

subservient in every way to the men who dominate their lives (1995:73).

One does not have to search for long in books, magazines, or the visual media to find a multitude of stories detailing the horrific experiences endured by women in accordance with Islamic law. However, it is extremely important to note that all such examples must be viewed within the specific historical and cultural context in which they occurred to avoid ethnocentric reductionism when considering the position of women in Islam.

Fatima considered it very important for me to discuss the fact that practical interpretation of Islamic law differs significantly between cultural contexts, primarily because the meaning of the scriptures have been adapted over time to suit each different culture and its traditions in the from of the hadith[2]. Because Islam at its core means peace, Fatima believes it can only be truly read from the Qur'an[3]. However, because in places the text is very difficult to understand, Islam has at times been open to misinterpretation through culture, folklore and tradition. As an example Fatima told me the Qur'an states that after two years women are allowed to divorce and remarry if they are unhappy in their marriage. However, in Iran, divorce is forbidden for women under Shar'ia requirements. Fatima believes that because interpretation of the Qur'an has traditionally been the job of men in powerful decision making-roles, in some countries elements of Islam have been interpreted in ways that differ from their original meaning.

Azadeh also commented on the diversity of interpretation within Islam. However, she believes this phenomenon is common to all international religions:

> Islam, although it is multi international religion is also individual, you know. Just like, for example, when you look at the Christian religion, how many countries are there with very different language and culture where they are still all Christian. It is a mixture of many countries, and that is the same for Islam. It is multinational. The way that Islam is practiced in other countries is very different to my country. For example, if you

[2] The hadith is a complimentary text to the Qur'an in the Islamic religion
[3] The Qur'an is the original sacred text in Islam.

> don't wear hijab[4] [in Iran] they put you in jail, but not in my home, no.

Because aspects of Islam, like Christianity, are open to interpretation, much of what can be considered 'anti women' about Islam must be considered within the specific historical, political and social context in which they occur. Analysis of such wider considerations may, in fact, help to reveal that the oppression of women under Islam has in many cases less to do with Islamic precepts in their most pure from, and more to do the patriarchal structure of the society in which they are perpetuated. For example, in "Bound and Gagged by the Family Code" (1987), Marie-Aimee Helie-Lucas claims: "Islam is used whenever it is suitable [for men], but when it suits us [women], it is not used" (1987:190). She suggests that many things within Islam are open to misinterpretation by foreigners because like the Bible, the Qur'an is written in such a way that one can find many contradictions from one paragraph to another. What this means is that each and every protection or right given to women in the Qur'an can be later be challenged using another paragraph of the text (ibid).

The Role of Women in Patriarchal Society: Islamic and Christian Perspectives

Throughout history western society has condemned the treatment of women in Middle Eastern Islamic culture, judging it as 'backward' and 'oppressive'. However, in *Women and Fundamentalism: Islam and Christianity* (1996), Shahin Gerami claims debate over women's 'correct' role and place in society has been just as intense in western Christianity as it has been in Islam (1996:3). Sadawi (1982) maintains that the universal oppression of women is not linked to any specific religious ideologies and that, in fact, the great religions of the world uphold remarkably similar principles as far as the submission of women to men is concerned (1982:193). She claims that any serious study of comparative religion will clearly illustrate that in the essence of Islam, the status of women is no worse than in

[4] The hijab is a veil or head covering traditionally worn by Muslim women as a Shar'ia requirement

Judaism or Christianity (ibid).

Sadawi suggests women in the Middle East have not always suffered from gender discrimination to such an extreme degree, claiming that in Pharaonic times women of the Arab region were, in fact, highly valued and respected members of society (1982: 194). She believes women in both Islam and Christianity began to lose their independence as a result of larger socio-economic changes taking place in society, such as the advent of the patriarchal family, increasing private land ownership and the division of society into social classes. "The monotheistic religions, in enunciating the principles related to the role and position of women, drew inspiration and guidance from the values of the patriarchal and class societies prevalent at the time. These societies were based on the division between landowners and slaves" (ibid).

Sadawi argues that Islam, like Christianity, is fundamentally grounded in the structure of the patriarchal family, a system set up to ensure male economic interests that is based on the idea that women's sexuality must be diminished in order for monogamy to exist (1980:22). Both doctrines maintain that left unchecked, women's sexual power is destructive to social life and order. As such, female virginity is highly valued in both traditions, and although the two doctrines have chosen different paths to safeguard the purity of the male bloodline, the maintenance of women's chastity remains a major source of social control within all patriarchal societies (Gerami 1996:14). Sadawi suggests the patriarchal system would never have been possible or have been maintained to this day without "the whole range of cruel and ingenious devices that were used to keep her [women's] sexuality in check, and limit her sexual relations to only one man, who had to be her husband" (1982:195). As a consequence of this belief, women's reproductive power has been used to justify her confinement in the private sphere in both Christianity and Islam (ibid).

The Christian faith first exposes the destructive power of women in the story of Genesis, where she [a woman] is condemned to the pain of childbirth and servitude to her husband. "To the woman, he said: I will greatly multiply your pain in childbirth,

in pain you shall bring forth children, yet your desire should be for your husband, and he shall rule over you" (Genesis 1-5 cited in Gerami 1996:4). Dating back to the interpretation of Genesis, St Paul and St Augustine's statements, the Christian faith defines a primary social relationship between man and God, where as woman is related only to man:

> I want you to understand that the head of every man is Christ, whilst the head of a woman is her husband. For a man ought not to cover his head, since he is in the image and glory of God, but woman is the glory of man. For man was not made from woman, but woman from man. Neither was man created for woman, but woman for man (Corinthians 11 cited in Gerami 1996:5).

Gerami claims the historic diffusion of Roman, Greek and Persian philosophies influenced western Christianity's definition of women as subservient and submissive. As such, sexual inequality remains the essence of western Christianity's approach to women's status. This inferiority extends from family to society, denying woman equal access to valued resources and decision-making authority (Gerami 1996:12).

While western Christianity has denigrated sexuality and constructed virginity as asexual, patriarchal structures in the Middle East have conceptualised female sexuality as destructive, choosing spatial seclusion as the method to restrict women's movement in the public sphere (Gerami 1996:13). According to Shar'ait jurists[5], Allah[6] created men and women differently and assigned each distinct responsibilities to be performed in their proper domain. However, Sadawi argues this division derives not from Islam, but from the patriarchal family - an institution based on the belief that girls are not as valuable as boys. Because of this, she believes aggression against the female child is inevitable within Arab society:

> The education a female child receives in Arab society is a series of continuous warnings about things that are supposed to be harmful, forbidden, shameful or outlawed by religion. The child is trained to suppress her own desires, to empty herself of her authentic wants and wishes linked to herself and to fill the vacuum that results with the desires of others (1982:197).

[5] Guardians of Islamic law

Most communities within the Middle East still consider the hymen, a piece of thin membrane which covers the aperture of a woman's external genital organs, to be the most important part of a girl's body. In Islamic states, the reputation and social standing of the entire family may be irrevocably lost if one daughter loses her hymen before marriage, even if she is the victim of rape. A girl who does not preserve her virginity is liable to be punished with physical, or moral death, or at least divorced if the state of her hymen is discovered after she is married. Regardless of whether or not the girl did have sex, the patriarchal class structure that has imposed premarital virginity on girls as their very honour, positions her in a weak state to prove her innocence (ibid).

Azadeh spoke at length about the importance of virginity for women in Islam:

> It is written in our Qur'an that if a woman has a boyfriend and they do something they should not do, they will be killed. That is part of the family reputation, that is in our Qur'an. You are not allowed to have sex before marriage. That is very very important, the reputation of the whole family, and extended family depends on this - that the young women still has her hymen at marriage. It is part of our religion and we must do our best to protect our children. The hymen, is so very important, because this is mentioned in our Qur'an. If she has had sex before marriage, her father is supposed to use a special material like a thick belt and hit her over a hundred times until she dies, and that is written in our Qur'an.

Sadawi suggests that virginity as a strict moral rule only applies to girls, as "moral codes in our society rarely ever apply to all people equally" (Sadawi 1980:28). "Since it is men who rule over women, they in turn permitted themselves what they forbade women. Thus it was that chastity and virginity were considered essential for women, where as freedom and even licentiousness were looked upon as natural where men were concerned" (ibid). I asked Azadeh whether the same punishment applied for men as woman if they committed adultery:

> Yes, men and women both, but because the woman has a hymen it is easier to tell, or to prove that she has done this to disgrace her family. For the man, how can you know? You can't. So that's why

[6] The supreme being in Islam

> we see so many programmes about the women in Islam. Last year I saw one on 20/20 about women in Jordan, about their human rights, but I think it is just propaganda because they don't understand what is behind these issues. It is our religion, plus our whole families reputation and honour.

Gerami suggests that although methods utilised to safeguard women's chastity in the Christian faith appear less restrictive, women do not achieve an equal status with men in Christianity or Islam. "The doctrines of Islam and western Christianity generally follow similar paths for controlling women's behavior. It is only in the practical implementation of these restrictions that these doctrines part. While Islam prescribes spatial seclusion of women, western Christianity recommends functional restriction" (1996:15). Azadeh believes that although women in Islam do experience less personal freedoms than western women, their overall role within society is largely misunderstood because people from outside Islam do not understand and respect the unique nature of their faith:

> Our culture and our religion are the same. There is no separation between the two because our religion influences our culture. It is the influence of our religion on our culture that creates the unique environment, which is very different from what women from other societies will know, very different. People on the outside have a very wrong picture of us, of what it is like to be a woman in Islam.
>
> The women from the westernised country, yes they have more freedom, but what is the meaning of more freedom? For example, they can drink, they can go to the pub, they go out at night and stay out all night sometimes before they come home, but the women in Islam, no we don't do that because that is part of our religion. There are so many things that are different for us [women from the west and Islamic women].
>
> There is no way a young woman is to have sex before she is married. It is forbidden by our religion, and that is the difference I guess between us and the western women. We do not drink, we do not take drugs, we do not go out at night, or to the pub, we do not have a boyfriend until we are married, OK that is different. But this is in our Qur'an. This is part of our religion.

I asked Azadeh if she thought these regulations would ever change:

> No, not ever change. That is the good thing about our Qur'an. There

> is only one version and it will never change. That is what is different. Do you know since the very first bible how many different versions that have been written? So many, and every church they each have their own version that emphasise the parts of the bible that suit them, but [the] Qur'an, is not like that, there is only one. Our prophet Muhammad says it is for the past, the present time and the future, it will stay as it always is.

Azadeh talked about how women must adhere to rules outlined in the Qur'an in order to show their devotion and commitment to Allah. As an example, she talked a lot about the fact that drinking is prohibited by Allah, a regulation that she claims is very hard for people in New Zealand to comprehend because drinking is such a big part of our culture:

> Drinking for everyone is forbidden in Qur'an, but you will find even in Christianity and Judaism, there are some good people and some not so good. Some people will follow what is written in your bible, or the Torah[7], but other people will not. It is the same from us, because it is written in the Qur'an, our god Allah says it is forbidden to drink, but some people do drink, and that is up to them. That is their personal point of view. It is not up to us to say you should stop that. It is up to them to listen to what their heart says, but it is forbidden. That's for the men, but for the women, for all of us it is forbidden. It is the same for all women. All women in our society, we do exactly the same.

I found this comment very interesting as it seems to highlight that for Azadeh it is perfectly acceptable that different sets of rules apply to men than to women. This kind of normalised view of gender difference can be used to illustrate Fatima's earlier comment when she spoke of how she believes Islamic precepts have often been interpreted to suit the needs of those in authoritative positions, predominately men. Azadeh also said the Qur'an states that woman have to pray in a separate room from men so they do not distract the men from their worship of Allah:

> In our centres, we have women and men praying separately, the women behind the men because men, they are dominant in our religion, and plus in everywhere, I mean that's part of our whole life, and I think that it is apparent that men are dominant everywhere. Men are in all the highest positions. Who's controlling the whole world? It's not the women is it? It is everywhere, not just our

[7] The Torah is the whole body of Jewish sacred writings and tradition.

> country. It is part of all our lives. In our religion, if the women would pray in front of the men then probably the men would look at your body and probably he would see something that would attract him. Even if you cover yourself, if you are praying in front of the man then probably he will draw a picture of you in his mind and that would be a distraction for him. For our religion's sake, we as women pray behind the men because we are not there to create a problem.

The veil, or hijab, is often considered by many in the west as one of the most visible methods of oppressing women within the Islamic faith. However, Azadeh maintains that Muslim women choose to wear the hijab as it represents a visible sign of their commitment to Allah:

> They [westerners critical of Islam] always use the example of the hijab, but we wear the hijab because our god mentioned that in the Qur'an. The hijab is used to protect women from men's eyes. For example, if you walk around the streets and expose certain parts of your body, when the men pass along, definitely they would look at you, because you would be attractive to them. The hijab stops the men looking because there is nothing to attract him to look at her, as only the face and the eyes are not exposed. That is the idea behind hijab.

I found this comment very interesting as within western society it is considered socially acceptable for men to think of women as sexual objets, and to articulate these thoughts into comments and even actions. This in turn can cause women to associate their self worth as women with being sexually attractive to men, and as a consequence, many women within western society become obsessed with their physical appearance. Azadeh told me that within Islam this is not the case because Allah considers all women beautiful and attractive to men and this is the reason for the hijab. She talked about how the hijab is more of a problem to people in the west than to those women who actually wear it:

> I feel like the westernised people they definitely misunderstand the concept of hijab. The hijab is not enforced by the government or anything. The reason we choose to wear it is it is because it is written in Qur'an, because it is part of our religion. That is the reason that we stick to it. I am not wearing hijab now as you can see, but all of my sisters who live in Iran, they are wearing hijab. I have found it to be perfectly OK to wear it, and we respect that and we would like other people to respect that as well. I have found that

> some western people do not respect our religion and the differences we have to them. There is probably discrimination, and I can face that because I am happy in my faith.

Sadawi claims the veil was a product of Judaism - long before Islam came into being - that originates from the Old Testament, in that Eve was looked upon as a source of evil and sin, who must be made to feel shame for her corrupt nature by covering her body (1982:194). Sadawi believes that young women within Arab society are made to feel their bodies are impure, and as such, must remain invisible. Newspapers, magazines and the mass media reinforce this belief by instilling religious conceptions that portray female bodies as an obscenity that should be carefully hidden. Sadawi suggests that although it is commonly believed that the Qur'an requires women to cover their heads with a veil, one will "search in vain" through its many verses for such an imposition (ibid). The Qur'an does, however, 'enjoin' women not to use make up and adornments, which are a source of seduction and temptation to men, and teaches that women's garments should be respectable and avoid exhibitionism.

Fatima also believes the concept of the hijab is often misunderstood, even within Muslim communities. She does not wear a head covering, but does restrict her dress to modest clothing that does not attract attention or reveal her body in any way. Fatima told me that wearing the hijab is not an essential part of being a Muslim, and it is this kind of belief that contributes to the widespread misinterpretation people have of Islam. Like Azadeh, Fatima believes that Islam is very respectful to women. She told me that in its original form, the Qur'an provides many rules for men as well as women, even in regards to the hijab. While woman are meant to dress and behave modestly, men have an equal responsibility in that they are meant to look down and not rest their eyes upon women either. However, in saying this, Fatima also told me that she believes Islam is often used by those in powerful positions within society as a tool to ensure that women remain subordinate.

This view is reinforced by Fatimah Rahman in her text "No Return to the Veil" (1987). Within the context of Pakistan, Rahman argues that Islam has been

manipulated by those in positions of political power "to continue to oppress women through law" (1987:18). Rahman claims the Pakistani government uses its own "particular and narrow interpretation of Islamic laws" in combination with the maintenance of a particular feudal structure to ensure that women remain inferior and subservient in Pakistani society. "Culturally, and from an orthodox religious standpoint, the woman is recognised only as a mother, wife, sister or daughter, which places her in subservience to all the male members of the family. Male dominated society resists any expression of the women's self-realisation as an equal, and continues to disregard her contribution to economic development" (ibid).

Sadawi believes this link between politics and patriarchy continues to exist in contemporary international politics, and claims there is a strong connection between this situation, and the recent revival of religious fundamentalism (1997:48). Fundamentalism implies the affirmation of religious authority as holistic and absolute, and has been observed among all three major monotheistic religions of the world in various countries at different stages of socio-economic growth and diverse forms of political organisation (Gerami 1996:22). Fundamentalist movements promote the reinvigoration of traditional religious values. In the case of Islamic fundamentalism, serious attempts are being made to revive the spatial dichotomy of the public and private domains to reinforce the identification of women with their familial responsibilities (ibid).

What is Religious Fundamentalism?

Fundamentalist movements within Islam and Christianity reject the passivity of the old religious establishment and promote political activism of religious groups and organisations. Despite their call for a return to original scripture, religious fundamentalists do not seek the replication of the early years of a religion, rather they reformulate their religious ideologies to further a political agenda (Gerami 1996:18). Where traditional religious orthodoxy seeks to promote established and conventional

doctrines, fundamentalists instead claim to ascribe to the 'true' essence of a religious doctrine (ibid).

The emergence of fundamentalism can be directly linked to the spread of modernism, a social theory associated with the superiority of science, which in turn is closely linked with positivism - the supremacy of reason over faith, observation over judgement and detachment over passion. In suggesting that science is the only valid and acceptable source of information, modernism poses a serious threat to traditional knowledge (Gerami 1996:20). As such, fundamentalism can be viewed as an all-encompassing social phenomenon responsive to, and in rejection of, modernism. Fundamentalists believe modernity has fostered selfishness in women, which has in turn led society to moral decadence (ibid).

Fundamentalist discourse revolves around three interconnected circles: faith, family and state. Faith provides the ideological foundation for mobilisation against society in its present from, family forms the building block of a godly society, and the state is seen as the manifestation of ordained power. For the fundamentalist's divine formula to be successful, vigilance is required in all three circles, particularly the family as it is considered that a breakdown within the family structure will spread rapidly to other social institutions and foster universal moral decay (Gerami 1996:24). As the central figure of the family, women are considered responsible for maintaining the family unit, preserving morality and safeguarding continuity. Since they cannot be trusted to do this on their own wits or wills, mechanisms are in place to safeguard their morality and consequently their faith (ibid).

In the west, a strong fundamentalist movement within the Christian faith has attempted to highlight the increasing conflict contemporary women experience between family obligations and social aspirations. This new wave of American protestant fundamentalism involves active campaigning against any tampering with perceived ordained gender identities, and seeks to reaffirm traditional Christian family values. Christian fundamentalism suggests that the family, and not the

individual, is the basic social unit, with man in the position of authority and woman as the supportive agent of his decisions, promoting a dual functional system in which women's primary function is procreation and homemaking (ibid).

While increasing modernism has relaxed sexual segregation in some Muslim countries, the rise of Islamic fundamentalism in some states has resurrected spatial separation as the core of its ideal society. Reinstitution of Shar'ia, compulsory veiling and the removal or harassment of women in the public sphere are signs of a reinvigorated spatial allocation. In Muslim societies of the Middle East, Islamic fundamentalism has raised questions about the corruption of traditional culture, economic and cultural dependence on the west, assault on Islamic values, and usurpation of the extended family (Gerami 1996:25).

As soon as I mentioned Islamic fundamentalism to Fatima, she responded that there was no such thing and that it is just a western interpretation. She suggested that fundamentalist movements under the banner of Islam are not Islam, as there is only one version of Islam and that is what is written in the Qur'an. Fatima said that from her perspective fundamentalism is simply about power, politics and control. She believes that religion is used in many places and circumstances [in this case Islam] as a tool to increase and secure the power of those who are trying to gain control, a useful tactic because people will respond to it as religion is so close to their heart and important to their way of life.

When I asked Azadeh what she thought about Islamic fundamentalism, she replied that she knew very little and, like me, what she did know was through the interpretation of the western media. However, like Fatima, Azadeh also believes the laws enforced by Islamic fundamentalist movements like the Taliban are far more extreme than what the Qur'an teaches regarding the correct role of women within Muslim society:

> I hear that now they [the Taliban] have closed the schools for women, and allow no TV and no radio, but I would like to suggest to you that you will find that there are also some Christian people that

> do not have TV and radio as well, and they educate their children at home or by correspondence as well. They [non-Muslim societies] have these fundamentalists as well so why is the world only focusing on these people as Muslims? Fundamentalist means to me a more extreme version of Islam than what is written in our Qur'an. Our Qur'an does not say to isolate yourself, don't talk to people, don't send your girls to school, no it does not say any of that. These people are very extreme. I don't really have the knowledge to talk about this, but I do know what much of what they say is not in our Qur'an.

Fundamentalism, Modernism and the Private Sphere

Fundamentalism must be viewed as a contemporary phenomenon as it is a response to present day issues resulting from the process of modernism. Under the system of global capitalism that dominates the world economic system today, even the most remote societies increasingly have access to new communication technology such as video players, recorders, cameras and satellite technology that transfer modern western values into isolated areas, posing an unending challenge to social agencies committed to safeguarding tradition (Gerami 1996:34). For those in the South who oppose western economic and political polices, many see Islam as a way to struggle against westernisation, and the corruption and oppression it has often bought with it (ibid).

Whether actual or perceived, fundamentalists are responding to an assault on their normative ideal system. They perceive their position as being a minority under attack from outside forces that have access to political apparatus and consequently to power. For many Muslims, modernism is associated with westernisation and colonialism and is, as such, suspected and resisted. Islamic fundamentalism relies on political power acquired through large numbers of young men and women organised under the guise of reforming society and fighting corruption by a return to the values of Islam (Gerami 1996:36).

Gerami suggests that when two hegemonic forces clash for domination over

formulation of social order [in this case traditional values associated with Islam vs. modernism], the battlefield is not evenly spread - each suffers from a weak point that allows the other to prod and attack. "In the battle between fundamentalism and modernism, this juncture is in the private domain" (1996: 34). When it concerns itself with the public domain, the economy and polity, fundamentalism takes on a more modern approach. In regards to the private domain, the family and women's status, fundamentalism can be seen as anti-modern and regressive. In their selective adaptation of modernism to Islam, the fundamentalists single out the private domain as the bastion of incorruptible Islam. Women's domain remains firmly restricted to the family and her involvement in faith and state should only be to the extent of her familial obligations (ibid).

Islamic Fundamentalism and Women's Rights: The Case of Iran

When the Iranian revolution took place in 1979, huge numbers of women were encouraged to come out from behind the walls of their homes to join the battle that succeeded in ridding the country of the Shah's [8] imperialist regime. However, as soon as the battle was won, Khomeni took over leadership of the revolution, and calls to traditional Islamic rule became increasingly outspoken (Mirhosseini 1995:73). Just two days before a planned celebration of International Women's Day in 1979, Khomeni began to announce increasingly restrictive measures against women. Newly instated clergy insisted that the physical and mental weakness of women made them incapable of taking up certain jobs, especially in managerial or advisory positions. In the words of Ayatollah Mutahari, one of the principal ideologues of the revolution, "the specific task of women in this society is to marry and bear children. They will be discouraged from entering legislative, judicial or whatever careers may require decision-making, as women lack the intellectual ability and discerning judgement required for these careers" (ibid).

[8] Shah is the name given to the ruler of certain Middle Eastern countries

During the revolution, the government announced that "in order to promote motherhood and family life, the salary of any male employee will be raised 40 percent if his wife quits her job" (Tohidi 1991:254). Childcare centres were shut down, and in the five years that followed the revolution the number of women in employment fell to as low as 6.2 percent of the total population. Khomeni's regime forced more then 40,000 women working as elementary or high school teachers to resign, meaning since then a significant number of girls' schools have had to close because of the shortage of women teachers. As a direct consequence, the literacy rate among women, particularly those in rural areas, rapidly declined. Even today in Iran, public areas remain sex segregated, including schools and universities, and women continue to be excluded from entering certain fields of study such as law, agriculture, geology, archaeology and engineering (ibid).

In a further effort to confine women to the home, Khomeni declared the 1936 authorisation of freedom of dress for women null and void, commanding that the veil and Chador[9] again become compulsory for all Iranian women. Khomeni announced that "No part of a woman must be seen except her face and the part of her hand between the wrist and the tip of her fingers" (cited in Tohidi 1991:252). Appearing without hijab became a crime punishable by 75 lashes or up to a year's imprisonment. As well as lowering the legal age for marriage, Khomeni also reinstated polygyny, meaning a man can legally have up to four wives, as well as others on a temporary basis. Except for extremely unusual circumstances, women are forbidden to seek a divorce. A woman has no rights to guardianship of her children during marriage, after divorce or even after the death of her husband (ibid).

Under the Islamic law of Iran, women are not legally allowed to leave the house without the permission of their husband, and are officially discouraged from gaining employment outside the home. In 1982, the Law of Retribution (Quasas) was passed legitimising the claim that the value of a women's life is only half that of a man's. Sexually and reproductively, Iranian women have virtually no rights over the control

[9] Traditional Islamic attire for women

of their own bodies. Women convicted of adultery can be legally stoned to death, and thousands of women accused of offending against Islam and Allah continue to be flogged, raped, imprisoned, tortured, and executed in the name of religious purity (Tohidi 1991:253).

Women, Modernism and the West

While fundamentalist groups fight against westernisation, often these same agencies want and need modern technologies to reinforce traditional values, promote their ideology and learn about others agendas. Gerami tells us fundamentalist leaders utilise the latest technology and bureaucratic organisations to spread their message, recruit new members and establish a new system legitimised by God (1996:25). What this means is that while the fundamentalist movement within Islam is grounded in historical issues of contention between countries of the North and South, it can also be seen as a product of the increasing contradictions involved in the transition from tradition to modernism (Sadawi 1997:75).

Tension compounded by such a transition is especially evident in the private sphere. Despite intensive attempts to mould Arab girls into asexual beings, Sadawi suggests in the context of the rapid infiltration of commercial values from the west into the Arab world, a parallel and contradictory process is taking place, which seeks to transform women's bodies into instruments of sex, to be adorned and made beautiful to attract men. Sadawi suggests that because women's bodies are an important source of super profits, the use of women as a commercial commodity is increasingly challenging traditional notions of women's role in the Arab world (1997:76).

> This fundamental hypocrisy in Arab society inevitably has its victims, and women above all are made to suffer, perhaps now more than ever before. They are crushed in a mill of contradictions between lip service to traditional religious and moral precepts, and the invasion of their lives by vested [political and economic] interests whose aim, first and foremost, is profit at any cost (ibid).

Within the context of Iran prior to the revolution, many young women became increasingly caught between the two conflicting and competing value systems Sadawi speaks of. On one hand women were expected to adhere to traditional religious beliefs that enforced public morality and family commitments, while at the same time they were expected to adapt to the imported western culture reinforced by the state under the Shah. According to traditional norms a woman was to hide her body and submit herself like an obedient servant first to her father and later to her husband. In contrast, the 'new woman' was expected to show herself off in order to please both the public and her husband, while at the same time serve as a cheap commodity in the labor force (Tohidi 1991:257). Sadawi claims the veil itself as a symbol of the traditional Muslim woman has been affected by the increasing ideological contradictions between tradition and modernism that continue to infiltrate Arab society:

> Rich women spend a great deal on make up and jewelry but are never allowed to show their faces. Some poor women put on the veil to protect themselves from men, or for economic reasons. Some Muslim women put on the veil as an anti western protest, to assert their Islamic identity and indigenous culture. They do not realize that authentic identity of Muslim women is not to be veiled, and that the veil is not an Islamic dress. They think they can protest against foreign invasion and exploitation just by putting a piece of cloth over their face. Some upper class women import their veils from the west, and do not know their indigenous language or culture. Western colonial circles praise such battles against them as long as economic expansion continues. They portray Muslim women in western media as either veiled creatures or naked belly dancers. Some progressive people in the west tend to support the veil under the name of multiculturalism, or as an authentic symbol of identity for Muslim women. But the veil is just a piece of clothing. How can multiculturalism depend on confining women and hiding their faces? (1997:76).

In the context of Iran, Tohidi suggests the constant exposure of Muslim women to the modernised version of 'woman' and the corresponding values of western culture, combined with deliberate efforts to cultivate a mass consumption consciousness [10]

[10] Tohidi defines this as: "a preoccupation with self presentation resulting in the commercialisation of women"

created a confused version of womanhood hardly preferable to the traditional one (1991:258). However, Tohidi claims Islam should not be conceptualised as an autonomous, monolithic and static structure that is solely responsible for the prevailing conditions of women in Iran. Tohidi suggests that like many other Middle Eastern countries, the socioeconomic process and social relationships that are prevalent within Iranian society can largely be seen as the result of the uneven development of capitalism and industrialsation:

> The persistence of a traditional orthodox school of Islam and its formidable laws and regulations in terms of sex roles correspond to the persistence of pre-capitalist modes of production. The direct and indirect consequences of years of patriarchy, repression, dictatorial monarchy and cultural and economic penetration of imperialist forces have all contributed to the present backlash in Iran (ibid).

Sadawi claims that foreign oppression from outside the Middle East operating closely with reactionary forces on the inside make a concerted effort to misinterpret Islam and utilise it as an instrument of fear, oppression and exploitation (1997:45). "Colonisers, neo-colonisers and those who co-operate with them have systematically reinforced this apparatus [religion] to maintain power and control" (ibid). Like Rahman, Sadawi believes the existence of feudal and tribal remnants serve to strengthen all forms of patriarchal and class oppression:

> The existence of feudal and tribal remnants reduces human rights, women's rights, and the chances of good governance and it uses tradition and culture, including religion, as a servant to maintain outdated structures. Religion is therefore not the cause, but the mirror image and at the same time the willful instrument of fanaticism, bigotry, narrow mindedness and reaction (1997:48).

Sadawi suggests the idea that the oppression of women and the poor is divine law is propagated by the patriarchal class system. As a result of this, she believes the emancipation of Arab women cannot be achieved until the root causes of their oppression, and the conditions leading to it, are swept away. Real emancipation can only mean freedom from all forms of exploitation whether economic, political, sexual or cultural. Gender oppression is, therefore, inseparable from race, class and religious oppression (ibid).

Concluding Thoughts

While it has become increasingly evident throughout this chapter that the oppression of Muslim women and the underprivileged position they endure is directly related to the socio-economic system in which they live, many writers and analysts from outside the context of Islamic society continue to maintain that religion is the root cause of this oppression. Sadawi believes this notion:

> ...is perhaps the result of an incomplete or biased understanding of Islam and the role it has played in social change. It may even spring from a biased evaluation of Islamic precepts and systems, or constitutes an attempt to conceal the real facts and to cover up vested economic interests of certain ruling classes who are closely linked to the forces of neo-colonialism (1997:50).

Although opinions relating to women's rights expressed by many Muslim activists diverged from the majority feminist view during the Fourth World Conference on Women held in Beijing in 1995, consensus was achieved on a number of issues despite the diverse cultural and religious perspectives of the delegates. The most prominent of these was the universal opposition to all forms of violence against women in all societies. However, while it is certain the application of international human rights standards could have an enormous impact on legal systems in the Middle East in regards to improving the treatment of women within Muslim society, such a move remains highly problematic for a number of reasons. As well as customary norms that relegate women to a subordinate status, much of the discrimination against women within Arab society which denies them civil and political rights, is not against the law, but an integral part of it.

Mayer believes women in many Muslim societies are engaged in a socio-economic and political struggle with religious fundamentalists who manipulate cultural and religious ideology to their own advantage. She claims there is an urgent need to fight back and reverse the fundamentalist trend, both in terms of educating and organising people. The ideological significance of Islam as a political alternative to which many people within the Arab world have turned must be understood, and appropriate

measures must be drawn up to respond to it. A call for separation of the state from religion as a democratic principle should be included in any progressive platform of political groups faced with the threat of fundamentalism.

Sadawi believes the authentic identity of the Arab women is not based on veiling the face, but instead on unveiling the mind (1982:116). To unveil the mind the Arab woman must question the dominating Islamic tradition defined for her by men, study her history and redefine Islam in intellectual terms. As a Muslim woman herself, Sadawi believes there is nothing in Islam that prevents women from participating fully in religion and political activities. She maintains the real battle ahead for both men and women within Muslim societies is economic and political, against both external and internal exploiters, who try to transform economic and political wars into religious ones. "What is required is not a formal return to tradition and religion, but a re-reading, a reinterpretation of our history that can illuminate the present and pave the way to a better future" (ibid).

Chapter Six: Case Study Two

Religious Fundamentalism -The Taliban in Afghanistan

The complex relationship between politics, power and religion that forms the core of fundamentalist movements can be best represented in today's context by extremist group the Taliban[1]. In the name of religious purity, the Taliban has consistently and violently violated the rights of women and children through the enforcement of its laws and practices since it seized control of most of Afghanistan in late 1995. Throughout this chapter, I hope to be able to dispel many of the myths surrounding the Taliban, not by claiming it has not violated the human rights of girls and women, but by unveiling the complexity of its structure and purpose, and identifying the kind of forces that have contributed to the abhorrent situation that prevails in Afghanistan today.

Since the Taliban regime began, conditions under which women have been forced to live have become increasingly restrictive. As mentioned in the previous chapter, fundamentalist movements exert their most extreme hegemony within the private sphere in an effort to maintain religious purity and tradition under the structure of the patriarchal family. As a consequence of this process, the Taliban have imposed numerous restrictions on women, enforcing them through cruel, inhuman and degrading punishments and ill treatment. Many of the Taliban's edicts regarding women can be seen to be in complete opposition to basic and fundamental human rights, including the right to freedom of association, expression and employment. A report released in 1997 by Amnesty International[2] claims abuses perpetrated by the Taliban militia in areas they control include "indiscriminate killings, arbitrary and unacknowledged detention of civilians, physical restriction of women for reasons of their gender, beating of women, beating and ill-treatment of detainees, deliberate and arbitrary killings, amputations, stoning and executions" (1997:2).

[1] Taliban is sometimes written as Taleban.
[2] Amnesty International is a human rights organisation with branches throughout the world.

Because of the nature of such atrocities, the situation in Afghanistan is often cited by people in the west to justify the view that the Islamic faith is oppressive to women. However, it is vitally important to clarify at the outset of this chapter that this kind of oppression is neither the tradition nor culture of Afghanistan, but instead an alien imposition that must be considered extreme even for those cultures where fundamentalism is the rule. As Nawal El Sadawi (1997) claims, discriminatory regulations and punishments committed by religious fundamentalists like the Taliban are not required by the religious doctrines themselves. In the majority of cases, the restrictions forced on women in the name of religion and culture are in reality methods employed by fundamentalist leaders to ensure their own powerful position and political legitimacy (1997:55).

I begin this chapter with a brief historical overview of events leading up to the emergence of the Taliban, then go on to discuss specific elements of the regime including its relationship to Islam, and the impact the Taliban has had on the human rights of women within Afghanistan. Through the technology of the Internet I have been able to speak with Seli [3], a member of the Revolutionary Association of Women of Afghanistan (RAWA), an opportunity that has allowed me to hear first hand the atrocities committed against Afghani women at the hands of the Taliban soldiers. RAWA is a human rights organisation committed to improving the rights of women living under the Taliban. Because of the nature of their work, the women of RAWA have been forced to flee their homes and are currently based in the remote Pakistani border town of Peshawar. I was able to make contact with the Association through their Internet site[4] which I found when conducting a wide ranging search on women and the Taliban.

The women of RAWA claim the Taliban have misused the name of culture to attack women in Afghanistan, and it is this message they hope to spread worldwide through the use of the Internet. Unlike the women I have spoken with for the other issues I am discussing in the case study sections of this thesis, Seli is engaged in the active

[3] Name changed for privacy reasons

publicity of her experiences of abuse and gender discrimination. Seli agreed to speak with me through a series of e-mails because she believes it is her duty to tell the world what women like herself have been forced to submit to under the military force of the Taliban. Seli has worked with RAWA for almost five years and although she is very proficient in English, I have edited some of her dialogue to ensure the opinions she expressed are presented clearly in the text that follows. Through the Internet, RAWA and other Afghani human rights organisations hope to be able to make the world more aware of the horrific situation in which their people are forced to live. In making these claims they hope not to bring shame and disrespect to the Islamic faith, but to highlight the nature of their situation to the international community in the hope of raising the support they so desperately need.

What is the Taliban?

Throughout the 20th century a number of attempts were made by successive Afghan governments to modernise the country and free it from 'backward' repressive traditions. Significant reforms aimed at revising the traditionally second-class status of women were introduced in the 1920s and 1960s, culminating in the establishment of a communist government in 1978. The People's Democratic Party of Afghanistan moved to prohibit traditional practices which were deemed feudal in nature, including bride price and forced marriage and established widespread literacy programmes to encourage education for both men and women (Amnesty International 1995:5). Such reforms were, however, not universally supported. Many Afghans, particularly in rural areas, viewed the developments as an imposition of secular western values considered to be un-Islamic and alien to Afghan culture (ibid).

In 1979 civil war broke out in Afghanistan after Soviet troops invaded the country to back the communist government. Traditional Islamic and tribal groups opposed to the policies of the communist government and the Soviet occupation responded by

[4] www.rawa.org

mounting armed opposition. During the 10 years of fighting that followed the Soviet invasion, Afghanistan became a Cold War battleground as Soviet and Afghan government troops fought against armed Islamic guerrilla fighters backed by the USA, its European allies, and Pakistan, Saudi Arabia and Iran. Much of the fighting took place in rural areas where civilians were targeted by Soviet and Afghan troops in reprisal for the actions of armed opposition groups. Men, women and children were killed, and people's homes and livelihoods were destroyed. Thousands of Afghans suffered serious human rights abuses and millions were forced to flee their homeland (Amnesty International 1995:7).

After the Soviet withdrawal in 1989, fighting continued between the government and opposition forces until the communist government finally collapsed in 1992. In the wake of this event, the loosely allied and fractious Mujahideen[5] groups began fighting each other for control of territory and administrative institutions. As a consequence of this fragmentation of political power, lawlessness spread throughout the country. At the end of 1994, the Taliban, a newly emergent political and military force captured the city of Kandahar. Starting with the aim of ridding Afghanistan of corrupt Mujahideen groups, the Taliban has since succeeded in seizing large areas of country and currently controls around 80 percent of Afghanistan. However, conflict continues between the Taliban and opposition forces and the political situation remains volatile (ibid).

When viewed in contrast to Mujahideen groups of the past, the Taliban initially appears to be a more cohesive organisation in that it has brought a degree of order and stability to areas of the country under its control, primarily because its policy of disarming opposition groups resulted in a reduction in acts of banditry and extortion (Amnesty International 1995:8). However, despite these improvements in some aspects of personal security, serious human rights abuses have continued to be reported in Taliban-controlled areas. The rigid social code imposed by the Taliban is a reflection of its extreme interpretation of Islamic law, and has resulted in the loss of

[5] Mujahideen translated into English means 'soldiers of Islam'

fundamental rights and freedoms previously enjoyed by sections of Afghanistan's civilian population (ibid).

The social costs of two decades of war in Afghanistan have been enormous. More than one million civilians are believed to have been killed and countless others injured. During the time of the Soviet occupation, over six million people fled the country (Amnesty International 1995:11). Although many returned after the Soviet withdrawal, there are still over two million Afghan refugees in Iran and Pakistan, making Afghans the largest single refugee group in the world (ibid). Inside the country, the infrastructure and institutions of state have been largely destroyed by the conflict. According to the United Nations, the population of Afghanistan suffers one of the worst socio-economic conditions in the world (cited in Amnesty International 1995:13). Health-care is rudimentary and many remain without access to basic provisions. Thousands of children die from malnutrition and respiratory infections every year. Maternal mortality is one of the highest in the world. Literacy rates are extremely low and are estimated to have dropped to as low as four percent for women (ibid).

Women and the Taliban

Violence against women has, and continues to be, a prominent part of the ongoing conflict in Afghanistan. Oppression of women under the Taliban can be located on a continuum of human rights abuses that Afghan women have been subjected to as a result of their perceived inferior status in society. Traditionally, the lives of Afghan women have been controlled by their male relatives. Notions of honour and shame that underpin cultural norms and practices emphasise female modesty and purity. Seli believes the position of men and women within her society has never been equal primarily because the culture and religion of her people have traditionally been utilised by Afghanistan's oppressive governments to entrench institutional gender inequality:

> Afghanistan is the most backward country in the world because it is dominated mostly by male chauvinism and, therefore, there is a wide gap of inequalities between the two sexes. These inequalities are caused by many reasons such as the presence of oppressor governments that promote closed, backward, anti-science views, the domination of religion which limits the rights for women to an extent, and the dominant traditions and customs that are upheld by religion that serve to strengthen and perpetuate the economic dependence of women on men.

Under the Taliban the commonly held belief that women are second-class citizens was elevated to the status of official policy, meaning women's rights to full participation in social, economic, cultural and political life were drastically curtailed and later on summarily denied to them by the Taliban (Amnesty International 1997:3). Seli says that while women did fulfil defined gender-specific roles within traditional Afghan culture, the restrictions forced on women under the Taliban are far more extreme:

> We [RAWA] agree that our culture has got negative aspects but it is a bare fact that the culture of a given nation can't be completely inhuman and misogynous. It is only the fundamentalists who try to conceal their crimes against women within the framework of culture and religion.

Islamic fundamentalism in the form of the Taliban considers women to be sub-human, useful only for procreation and household slavery (ibid). Seli told me that although she believes women are oppressed and dominated in every society, the struggle women in her country face is very different than for women in the west, or even in other Islamic states:

> Violation and discrimination against women is a universal phenomenon but with different forms. In the west women are struggling say for abortion as one of their serious problems, while in Afghanistan, women have to strive to be considered as human beings

Since the Taliban came to power, women in Afghanistan have been deprived the right to education (all girls' schools have been closed down), the right to work (all women have been ordered to remain in their houses and employers have been threatened with

dire consequences for employing women), the right to travel (no woman can venture out of the house unaccompanied by a prescribed male member of the woman's immediate family), the right to health (no woman can see a male doctor, family planning is outlawed and women cannot be operated upon by a surgical team containing a male member), the right to legal recourse (a woman's testimony is worth half a man's testimony; a woman cannot petition the court directly), the right to recreation (all women's recreational and sporting facilities have been banned, women singers cannot sing as their female voices are thought to 'corrupt' males), and the right to being human (women cannot show their faces in public to male strangers, they cannot wear bright coloured clothing, they cannot wear make up and can only appear outside their houses clad head to foot in burqas) (Amnesty International 1997:6).

As the Taliban has consolidated its position, these rules have not been relaxed in any way. In fact, the opposite is the case. Additional edicts have been issued which further physically restrict women solely on the basis of their gender. Homes where a woman is present must have their windows painted black so that she can never be seen by outsiders. An Amnesty International worker based in Kabul was told by a representative of the Taliban that: "The face of a woman is a source of corruption for men who are not related to them" (1997:9). Women are made to wear silent shoes so that they are never heard, and live in fear of their lives for the slightest misbehavior. Men have the power of life and death over their women relatives, but Taliban soldiers have just as much right to stone or beat a woman, often to death, for exposing an inch of flesh or offending them in the slightest way (ibid).

In December 1996, Taliban-controlled radio announced that a group of 225 women had been rounded up and punished in Kabul for violating Taliban regulations on attire. Because women are required by law to be completely covered from head to toe in the form of the burqua, those who do not conform are 'punished'. Sources state that on this occasion the punishment consisted of a series of lashes on the back and legs, but on other occasions women have been beaten and stoned in public for not

being completely covered. Amnesty International claim such 'disciplinary' measures, which have frequently resulted in the death or disablement of the victim, have allowed the Taliban to intimidate the civilian population into almost complete submission (ibid). The Taliban have also used rape and sexual assault against women as an ultimate means of dishonouring entire communities and reducing people's capacity to resist military advances (Amnesty International 1997:10).

Because Afghani women are not allowed to work outside the home, or even be out in public without a male relative, professional women such as professors, translators, doctors, lawyers, artists and writers have all been forced from their jobs and made to stay within the walls of their homes. Those without male relatives or husbands are left either starving to death or begging on the street. There are almost no medical facilities available for women within the country, and the majority of relief workers present during the civil war have since left in protest of the Taliban's restrictive edicts (ibid).

Because women enjoyed relative freedom to work and dress generally as they wanted until 1996, the rapidity of this transition has caused widespread depression and suicide amongst a large number of women. Afghanistan's economic and social development prospects are also being undermined by the Taliban because women and girls have continued to be barred from attending schools and universities in Taliban controlled areas (1997:12).

The Taliban, Islam and Human Rights

In response to domestic and international criticism over their discriminatory gender practices, the Taliban has repeatedly claimed that its policies are in accordance with Islamic law and Afghan culture, and thus not open to question. The Taliban's original leader, Mullah Mohammed Omar, has been reported as saying: "We do not accept something which somebody imposes on us under the name of human rights which is

contradictory to the holy Qur'anic law. Anybody who talks to us should be within Islam's framework. The holy Qur'an cannot adjust itself to other people's requirements. People should adjust themselves to the requirements of the holy Qur'an" (cited in Amnesty International 1997:4).

However, as has been discussed in earlier sections, Islam is not a uniform and homogenous code. Islamic law, in fact, depends crucially on human interpretations that are shaped by cultural and ethnic identity, historical context, and political policy. It is, therefore, a matter of some choice which interpretation individuals or authorities apply. Many Muslim individuals, organisations and even entire states have criticised the Taliban's interpretation of Islam, claiming it contributes further to the already negative picture of the religion in many western countries. Seli believes the extent to which the Taliban has manipulated Islamic precepts to further its own interests can be illustrated through a comparison of the treatment of women in Afghanistan to that of other Islamic states:

> The negative and anti-women aspects of some of our traditions are widely used by the religion, but it can be clearly alleged that the Afghan fundamentalists' laws are more and more misogynist, brutal and inhuman than the same laws in the notorious regimes of Iran, Sudan and Saudi Arabia.

Seli believes the treatment of women in her country "is a blatant abuse of their human rights". Although human rights standards are western in origin, she believes their recognition within the international community means women in Afghanistan deserve the protection such a framework can provide them. "Because human rights are universal, the same standards have to be applied for all nations despite economical, political and cultural differences between the countries". While, like most Muslims, Seli believes the maintenance of her unique culture and religion are vitally important, she told me "we believe that the well being of humans must have the priority". Seli suggests that in consideration of the situation under which most women live in Afghanistan, the concept of human rights seems like an unobtainable dream. "Our ill-fated people are deprived of their elementary rights and women are treated as cattle. For us human rights can only mean the right to live as human beings".

In "A Perspective on Women's Plight in Afghanistan" (1996), Islamic scholar Dr Hassan Hathout claims fundamentalist groups like the Taliban do not have a proper understanding of the Muslim faith and, as such, should not be seen to represent Islam by those outside of the faith. Hathout argues that many of the Taliban's beliefs and actions, particularly those pertaining to the status of women are, in fact, in complete contradiction to some of the most basic principals of the Qur'an:

> The Taliban must know, as we do, that the Prophet[6] said: "The pursuit of knowledge is obligatory over every Muslim, male or female." Muslim women attained such scholarship so that they became teachers to prominent men. Islam gave women the right to mange their wealth, generate income, and issued them the right of individual, independent ownership. Women participated in public affairs, and it was the wisdom of Um-Salamah, the wife of the Prophet, that diffused the crisis amongst the Muslims at the Hudaybiah treaty. Caliph Omar, the second successor to the Prophet as head of state, appointed a woman judge, Al-Shaffa, over commercial affairs. When Omar gave directives regarding the marriage dowry, it was a woman in the mosque who stood up to correct him by quoting the Qur'an, only for him to say, "The woman is right and I am wrong" (1996:8).

Hathout suggests that by invoking religion and Afghan culture, armed groups such as the Taliban give themselves the mandate to make pronouncements about appropriate behaviour for women, imposing restrictions on their freedom of movement and access to employment and education in areas they control. He believes that while the constraints on women in Afghanistan are inextricably linked to interpretations of tradition and religion, there should be no doubt that they are, in fact, cultural, and not religious, in origin (ibid).

The Muslim Women's League[7] (1996) believes the Taliban's insistence on secluding women from public life is, in fact, a political maneuver typical of authoritarian methods employed by suppressive movements in many countries throughout the

[6] Hathout is referring to Muhammad, the prophet of the Muslim faith.

[7] The Muslim Women's League is a non-profit Muslim organisation based in the United States. Their primary objective is " to implement the values of Islam and thereby reclaim the status of women as free, equal and vital contributors to society"

Middle East (1996:2). It claims the Taliban manipulated and used the rights of women as a tool to gain control of the country, and to secure financial and political support. Like Hathout, The Muslim Women's League promotes the belief that the Taliban's edicts pertaining to the seclusion of women are not derived from Islam, but rather from a cultural bias found in many societies throughout the region (ibid).

As such, the current situation for women under the Taliban can be seen to be the result of the combination of traditional cultural attitudes regarding the status of women and the extreme political volatility resulting from the long history of conflict in the region. Once the Taliban seized power, the widespread political instability prevalent in Afghanistan interacted with a pre-existing oppressive ideology towards women, culminating in the widespread and extreme human rights violations suffered by Afghani women. Some members of the Taliban have been quoted as saying that these actions are temporary and that women's rights will be restored once the government is more stable. However, to date, within Taliban controlled boundaries, women continue to be oppressed, politically, socially and economically.

International Involvement

Since the Taliban took control of the capital Kabul in September 1996 it has been calling for international recognition of its administration. Pakistan became the first country to officially recognise the Taliban administration as the government of Afghanistan. Pakistan is known to support the Taliban and many observers believe that this includes military assistance, despite Pakistan's official denial of such assertions (Amnesty International 1995:13). Saudi Arabia and the United Arab Emirates also formally recognised the Taliban administration as the government of Afghanistan, although Saudi Arabia is believed to support the ultra-conservative Sunni militia as a counterweight to the influence of Shi'ite Iran in the region. Iran has also backed parties in coalitions opposed to the Taliban (ibid).

Taliban representatives abroad are understood to have had meetings with government officials in the United States and Britain on the issue of recognition, but when questioned publicly both governments have avoided any definitive statements. Amnesty International believes the Taliban's call for recognition gives governments of the world an important opportunity to impress upon the Taliban - as an armed group making a claim to constitute a government - that international recognition brings with it a responsibility to comply with the international human rights treaties that Afghanistan has previously ratified, including the *International Covenant on Civil and Political Rights* (1966), the *International Covenant on Economic, Cultural and Social Rights* (1966) and the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (1984), all of which they are currently contravening (ibid).

Seli told me that RAWA encourages people from throughout the world to join its opposition to the Taliban, regardless of what ethnicity and religion they belong to: "All justice-loving people around the world should exert pressure on their governments and the United Nations to disarm the Afghan fundamentalist groups and impose restriction on those countries which are arming and financing the warring factions. Justice-loving organisations and individuals must show their support and solidarity with the fight and plight of Afghan women and help all democratic minded organisations, including RAWA, in a practical and meaningful way".

Amnesty International claims economic actors, such as the US oil company Unocal, Saudi Arabian company Delta Oil and Argentinean oil company Bridas, who are reportedly competing to build a $2 billion natural gas pipeline across Afghanistan from Central Asia, should also use any leverage they have on the Taliban to command respect for human rights (1995:14). Amnesty International has publicly appealed to the international community to ensure that concern for the human rights of all Afghans is not considered secondary to other political and economic strategic interests, as has been the case in numerous cases throughout history. The United Nations Development Fund for Children has called on Islamic scholars, other UN

agencies, and governments throughout the world that have influence with the Taliban to keep the pressure up until "each and every girl and woman has her basic human rights restored" (cited in Amnesty International 1997:12)

Why Isn't More Being Done?

Even though atrocities committed during the Bosnia crisis, just to name one example, pale in comparison to what women continue to face under the Taliban, the international community appears to neither hear nor care about what goes on in Afghanistan to any significant degree. Amnesty International suggests that while preservation of the Islamic faith has been seen as the impetus for the ongoing conflict in Afghanistan, much of the war has, in reality, been fuelled by outside powers providing political and military support to their favoured Afghan armed groups, to advance their own geo-political and economic goals in the region (1995:14).

For over a decade during the Soviet occupation, vast quantities of arms and ammunition poured into the country at a cost of untold millions of dollars. The states primarily responsible were the former Soviet Union, the USA and its western European allies, and Pakistan, Saudi Arabia and Iran. Even today, years after the Soviet withdrawal, outside political and military interference is recognised as being a critical factor in the perpetuation of the conflict, and in the persistence of human rights abuses (ibid). Seli told me that while RAWA has to be grateful for any support it receives from agencies outside Afghanistan, it remains aware of the fact that the actions of individuals, organisations and even entire countries are generally guided by their own economic and political interests in the region:

> As far as RAWA is concerned, we have some great friends in the west. There are some women's organisations that are willing to help us sincerely, regardless of any political and economical interests of their governments but it is also true that some organisations are biased and only contribute when they have something to gain.

In "Positioning Human Rights in the Current Global Conjuncture" (1997), Pheng

Cheah claims what is really at stake in discussion between states over international human rights is not really "western or northern imperial universalism versus eastern or southern cultural difference", but "the fight between different globalising models of capitalist development attempting to assert economic hegemony" (1997:225). In realty, as pessimistic as it may seem, it appears that those states which do have the power and influence to effect change in Afghanistan are not taking up this opportunity because they have nothing to gain, economically or otherwise, from stability and peace in the region. As history has amply demonstrated, the international trade agenda and transnational economic alliances influence international interventionist policy to a far greater degree than the well being of women and children.

Concluding Thoughts

The inferior status of women in Afghanistan has and continues to be used by armed extremist groups as a political tool in their struggles to secure and maintain power. Fundamentalist movements like the Taliban impose restrictions on women in the name of religion and culture as a means of consolidating their own position and legitimacy, and employ acts of violence against women such as public beatings, rape and sexual assault to intimidate and humiliate the civilian population until they can no longer fight back.

If the aims of peace and development are ever to be realised in Afghanistan, then women's fundamental human rights must be respected and guaranteed. It is now recognised the world over that progress, social justice, the eradication of poverty, sustained economic growth, and social development all critically depend on the full participation of women on the basis of equality in all spheres of society. Governments participating in the Fourth UN World Conference on Women in Beijing in 1995 agreed that local, national, regional and global peace is attainable, but will not be achieved until women throughout the world are able to participate in all

aspects of society. In the Beijing Platform for Action, world governments pledged to take all necessary measures to prevent and eliminate violence and discrimination against women, which are major obstacles to the advancement and empowerment of women. In this respect, responsibility for breaking the pattern of human rights abuses against women in Afghanistan lies not only with Afghan armed groups and Afghan women and men themselves; the international community also has an important role to play in support of this process.

After years of bitter civil conflict in Afghanistan in which the civilian population has suffered persistent human rights abuses perpetrated by the numerous warring factions, there is only one thing that can be said with any degree of certainty: Lasting peace and stability will not be achieved unless the fundamental human rights of all Afghanistan's tribal, ethnic and social groups, including women, are respected by those who wield power.

Chapter Seven: Case Study Three

Female Genital Mutilation

In "Sudanese Women's Struggle to Eliminate Harmful Traditional Practices" (1995), Amna Hassan tells us that "harmful traditional practices include a wide range of culturally specific practices ranging from minor ones to major societal beliefs and practices that are truly damaging to the health of women and girls" (1995:2). Female Genital Mutilation (FGM) is considered by many around the world to be the single most harmful traditional practice affecting the physical and psychological health of girls and women today. However, because of its deeply rooted cultural and religious significance in the countries in which it is practiced, FGM remains a vitally important rite of passage for millions of girls around the world. Over the last ten years debate surrounding FGM has not only set western feminism against African cultural traditions and Islam, but also pitted Muslim against Muslim and African against African.

Despite the fact that a broad spectrum of the community, including women's and human rights organisations across Africa and the western world, have called for an end to the genital mutilation of girls and women, to date, efforts to eradicate the practice remain largely ineffective. While FGM has been proven to effect both the physical and psychological well being of women, older women continue to perform the surgery, and young girls continue to submit to it. In fact, in many cases it is these women themselves who actively evade attempts to suppress the practice. Throughout the course of this chapter, I do not intend to cast judgement on the moral 'correctness' of the practice, but instead focus on looking at why FGM continues to be such an important part of the lives of so many women today.

As explained in the methodology section of this study I was able to speak personally with several women from societies that practice FGM who now live in New Zealand. These meetings were arranged by Nikki Denholm, a New Zealander, who has spent the last five years working on heath initiatives for circumcised and infibulated women

in the Auckland region. After meeting with Nikki, I was introduced to four women who whom I later met with and interviewed - Fadumo from Sudan, Etuti from Ethiopia and Idil and Mari from Somalia[1]. Idil and Mari are both highly educated women who worked as health professionals before they came to New Zealand. Mari now works with Nikki as an interpreter for the Somali community in Auckland. Etuti is married to a New Zealander and has two children. Fadumo is a single mother of two who came to New Zealand as part of a refugee assistance programme in 1995.

Like the other woman I have met with throughout the course of this study, these women speak only for themselves in the dialogue that follows, and their opinions must be viewed within the context of their position as Third World women now living in New Zealand. Fadumo, Etuti, Mari and Idil not only come from different cultures, they also come from very diverse economic and social backgrounds, meaning their views should not be taken to represent the perspective of all women within their societies. What the women do share, however, is the experience of growing up as women within societies that consider circumcision to be a vitally important part of their culture. Because of this, the opinions provided by Fadumo, Etuti, Mari and Idil are an extremely important contribution to the following discussion of the practice of female circumcision.

What is Female Genital Mutilation?

FGM is the collective name given to several different traditional practices that involve the cutting and removal of female sexual organs. In communities that practice FGM, the procedure is commonly referred to as 'female circumcision'. However prominent anti-FGM activist Nahid Toubia suggests this term implies a "fallacious analogy to non mutilating male circumcision" (1995:224). While male circumcision involves the cutting of the foreskin from the penis without damaging the organ itself, female circumcision is anatomically much more extensive. Toubia claims the male

[1] names changed for privacy reasons

equivalent of even the mildest form of FGM would, in fact, involve the amputation of most of the penis itself (Ibid).

Although there are many different types of female genital surgeries, the different operations can be incorporated into two broad categories: clitoridectomy and infibulation. A clitoridectomy or reduction operation includes the removal of all, or part of, the clitoris, or the removal of both the clitoris and the inner labia, a procedure also known as excision. Approximately 85 percent of all women who undergo FGM have clitoridectomies (Toubia 1995:225). Infibulation or covering operations are a more severe form of FGM that involve the removal of the clitoris and all, or part of, the labia minora, as well as the cutting of the labia majora to create raw surfaces which are stitched together to cover the urethra and most of the vagina. Since a physical barrier has been created, a small opening must be reconstructed, sometimes as small as the head of a match stick, to allow for the flow of urine and menstrual blood (ibid).

In order for sexual intercourse to be possible after marriage, the infibulated vagina must be torn, stretched or cut open by the bridegroom, and then prevented from healing shut; an agonising procedure that may take weeks or even months to complete. Re-cutting is also performed during childbirth to allow the baby to be born without tearing the tough scar tissue that surrounds the minute vaginal opening. After the birth, it is common for the edges to be sutured again, often the same size as before marriage to recreate the illusion of vaginal tightness. An estimated 15 percent of all women who experience FGM are infibulated, but within Somali and Sudan 80-90 percent of FGM involves infibulation (Lightfoot-Klein 1989:10). The age at which FGM is practiced varies widely. In some cultural contexts, it is performed on girls at infancy, while in others the ceremony may not occur until the girl is of marriageable age, around 14 to 16. In the majority of cases, however, girls undergo FGM from age four to eight, as this is considered to be an appropriate time for them to be made aware of the social role expected of them as women (Toubia 1995:226).

History and Origins of FGM

In *Prisoners of Ritual: An Odyssey Into Female Genital Circumcision in Africa* (1989), Hanny Lightfoot-Klein suggests the practice of FGM predates Christianity, Islam and Judaism, and is as old as the Pyramids of Ancient Egypt. From its probable origins in Egypt and the Nile Valley, female circumcision is thought to have diffused to the Red Sea coastal tribes, along with Arab traders, and from there into eastern Sudan, Somalia, Mali, Kenya, Nigeria, Guinea, Ethiopia and Gambia. Efforts by Christian missionaries to persuade tribal leaders to abandon female circumcision met with no visible success anywhere in Africa. When British colonial officials in Africa outlawed FGM in 1946, the practice simply became more surreptitious and, as a consequence, women found it harder to access treatment for mistakes or side effects of the illegal surgery (ibid).

As well as occurring sporadically in communities throughout Latin America and Asia, up until the 19th century female circumcision was also well known in Europe. In some groups FGM appears to have been a mark of distinction, while in others it was considered a mark of enslavement and subjugation (Lightfoot-Klein 1989:7). In Victorian England and even more recently in the United States, clitoridectomy was used as a surgical 'remedy' for a variety of female sexual 'deviancies' including masturbation, hysteria and lesbianism (Sadawi 1980:23). At present, FGM is reportedly practiced in at least 26 African countries, among a few groups in Asia and increasingly amongst immigrant populations in North and South America, Australasia and Europe. An estimated total of 85-114 million girls and women throughout the world are believed to be genitally mutilated. At least two million girls are at risk of FGM every year, approximately 6000 per day (Toubia 1995:227).

Since the late 1970s, western feminist and human rights organisations have attempted to raise international attention around the issue of FGM by making public statements, undertaking studies and pressing for international laws to prohibit the practice. Toubia suggests that while these actions were helpful in exposing the issues and

removing the "shroud of silence" (1995:227) that had previously surrounded the practice, she believes the issue was largely mishandled and sensationalised by women from the west who tended to treat African and Asian women in a condescending manner. Toubia claims their [western feminists] "crude approach to such a complex issue" (ibid) has, in fact, created a defensive reaction among many people involved with the practice who might otherwise have been allies in the fight for its eradication.

More recent efforts to highlight the persistence of FGM to the world community have focused on FGM as a health hazard and a form of violence against women. As a result of this pervasive publicity, many governments and national leaders have publicly denounced the practice. However, few have translated their concerns into laws prohibiting FGM, or practical programs to help persuade people to abandon the practice. Since 1984, the Inter-African Committee (IAC) has worked extensively throughout the continent to establish a number of representative groups committed to promoting the eradication of FGM within their communities. However, despite these continued efforts, there is no indication that circumcision practices are dying out to any considerable extent. When one considers the increasing population within societies practicing circumcision, the actual number of girls being circumcised has, in fact, increased within recent years (Lightfoot-Klein 1989:23).

Why Does FGM Continue? Social and Cultural Justifications

Because FGM is a social and cultural tradition that has existed over centuries, many myths have evolved in support of the procedure that are used to justify its continued importance within practicing communities. In many countries where FGM is practised, such as Sudan, Egypt, Somalia, Ethiopia, circumcision is considered desirable because the clitoris is perceived as repulsive, filthy, foul smelling and hazardous to the health and potency of the husband. An unexcised female is called 'nagisha' (unclean), and the external female genital organs are considered dirty (Toubia 1995:228). The clitoris is believed by some to be dangerous and even evil. In

some communities it is thought that if the clitoris comes in contact with a baby's head during birth, the child will die. In certain areas of Ethiopia and Sudan, women believe that if circumcision is not carried out, the clitoris will grow to dangle between the legs like a man's penis. Because of this myth, the clitoris is viewed as a rival to the male sexual organ and is, as such, intolerable to men (ibid).

Within societies that practice FGM, the procedure is also believed is believed to carry with it a persuasive array of health benefits, including increased fertility and enhanced well being. FGM is also thought to help prevent promiscuity in societies where virginity is highly valued. Young girls are told the procedure is performed for purposes of cleanliness, purity, and the preservation of a good reputation. Because of these perceived benefits, circumcision is staunchly defended by both men and women within practicing societies. FGM is considered to be essential not only for the physical health and deportment of girls, but also for the social standing of the family within their community (Lightfoot-Klein 1989:30). Mari told me that FGM is seen as a normal and highly valued part of life within Somali society:

> This is something that is not even questioned in our society. There is no question whether you will have it done or not. It is not part of our religion, even though a lot of people believe this, it is cultural. There is no question, it is part of living in our society, and is usually between the ages of six to 10 years old.

Etuti described how communities in Ethiopia believe circumcision guarantees a healthy and prosperous life for female children and, as such, is preformed very soon after daughters are born:

> We are not really told a reason other than that it is traditional for us to do this. They don't really tell us a reason why we have to do this other than that we have to do it. They do this seven days after we are born because it is not that much painful if they do it earlier. They think if they do it the devil will not come to us, and they will be healthy, a good baby. They think like this in my society and practice the operation earlier than in some other countries.

In most practicing societies, a girl who does not undergo the circumcision operation is talked about by people, and looked down upon by the community. Mari told me

that within traditional Somali communities "if it is not done, people are teasing you and calling you bad names like clitoris, and smelly, and that you are bad, you can't pray, all sorts of things like that". Etuti talked of a similar fate for girls in Ethiopia. She said that people believe uncircumcised girls become vulnerable to the influence of the devil, and as a result cannot control their behaviour:

> They [the community] think if we do not do this there will be something pushing you to do bad things, the wrong things, like the devil's fingers, because religion is not two sides, it is one good side and the other devil side. If you don't do it, you are not a clean person. It's like inside you there will be something there that will push you to do bad things, like no manners. This is why our society feels that it is so important that we do it.

It is widely recognised that left uncircumcised, a girl will would become 'bad', and be likely to start running after men. Excision is believed to protect a woman from her sexuality and preserving her chastity, beliefs that must be understood in the context of a society that sees female virginity as an absolute prerequisite for marriage (Toubia 1995:227). Mari told me it was important to realise that parents do not circumcise their daughters because they want to cause them pain, but because they have a genuine fear that if the procedure is not performed they will be allowing the girl's life to be ridden with mistakes and misfortune:

> The mothers, they have to circumcise their daughter, it is not like she is abusing her daughter. They are doing a good thing for her because if she is circumcised, first of all she will be a virgin, she will be faithful and not have any extra marriages, and someone who gets married to her will be happy she is a virgin, and also she will get a good marriage if she is circumcised. The mothers have to do this for their daughter, it is not harming.

In "Tackling Tradition: African Women Speak Out Against Female Genital Mutilation" (1987), Adi Gevins discusses the pressure that is placed upon women to have their daughters circumcised. She believes that in her society [Mali], "...the elders and family have too much power over us" (1987:245). She talks of her personal struggle to protect her own daughters from circumcision, but claims that within her cultural context this is not considered something she can decide on her

own, as her aunt or grandmother would go behind her back and do it anyway. A similar story was also told by Mari's sister. She had refused to allow her daughter to be circumcised, but while she was out one day her mother came and took her daughter away for the operation regardless. Mari said:

> Even when people have all the information, and they understand the risk and all this, they still feel that they need to do this for their daughters. It has so much to do with the opinions of everyone, our whole community, one person on their own it does not matter what they think, it is a lot of pressure on us if we refuse to have this done to our children.

FGM as a Rite of Passage

FGM is performed as a rite of passage in many areas, such as Northern Sudan, Somalia, Kenya and Mali. Idil told me that within Somali communities circumcision is seen as a celebration of a girl's passage into womanhood. An elaborate ceremony surrounds the event, including special songs and dances intended to teach the young girl her duties as a good wife and mother. In some areas, the girls will be given gifts, such as gold, clothes and food. In the majority of cases the child wants, more then anything, to please their parents and other relatives by doing something that is highly valued and approved of, so even though girls are often aware that circumcision involves great pain, there is generally very little resistance from the girls themselves (Toubia 1995:226).

Although traditionally over 80 percent of women in Somalia were infibulated Mari and Idil told me that increasingly Somali families are choosing to have their daughters circumcised with the 'sunna' method[2]. This way there is less risk to the girl's heath and future well being, but the highly valued ceremonial aspect of the ritual can still take place. Mari told me:

> This [sunna circumcision] is just like a little pricking, piercing of the clitoris and it is more common these days and this way our

[2] 'Sunna' circumcision is a far more mild procedure than infibulation that involves the pricking of the clitoris rather then its complete excision

> community can still have the celebration that goes with the circumcision of our girls. It is a ceremony that teaches the girls about women, womanhood, and sexual relations. We must never have sexual relations unless we are married. It is a very big occasion, the neighbours, the family, the tribe, they all come here, the whole community is involved to make sure our women know these important rules. Virginity is very important for our women.

However, because of increasing education and campaigns promoting eradication, many of the ceremonial aspects associated with FGM are beginning to disappear. Gevins suggests the meaning given to FGM in traditional society cannot be compared to the procedure in today's context because the specificity of the operation has changed:

> It [FGM] has no social meaning now. I have become convinced that it has no purpose, that we don't need it, we are just doing it mechanically. It was something that once had a role in the traditional world, but now that we are much more modern, it does not have a place. There are no initiation rites attached to the practice anymore, and a lot of people are against it but nobody wanted to be marginalised by standing out as an example (1987: 246).

This comment was reinforced by Fadumo who told me that although many people now realise that FGM is harmful and dangerous, they feel there is no alternative but to continue to have their daughters circumcised because they can not risk being ostracised from their community:

> If I do something against my society, I become isolated from my community because they believe that I have done something wrong. In my country, the community is needed very much by women as a source of support, and if your community does not support you then you have no other from of support left. A woman in our culture needs her family to take care of her especially because the woman is treated like a slave.
>
> FGM has a lot to do with community; women feel fear from the community, because as part of FGM in Sudan our community prepares a special day for the girls with a lot of preparation, invite everyone and have a feast, you know. Now sometimes the more educated women prepare this day the same, but take the girls into the doctor instead, telling the people it is better for the girls if the doctor performs the circumcision, but they in fact do not get anything done, just put some bandages there so people from the community believe

> it has taken place, but it has not. We have to do it this way because in our society if you don't have the operation done, people will insult you and people give you a very bad name.

FGM, Sex and Patriarchy

Most circumcisions take place when a girl is already receiving multiple messages abut her position in society in general, and particularly her role in regard to boys and men, linking the operation to a process of what Toubia terms "social feminisation" (1995:228). Toubia suggests because of this it would be difficult for any child above infancy to not associate circumcision with some diminution of sexual desire (ibid). Circumcision and infibulation are believed to reduce the sexual drive of women, and protect them from their own rampant sexuality and irresistible inborn drive toward total promiscuity (Sadawi 1980:34). Idil told me that people in Somali believe if girls are not circumcised they will grow up to be over sexed, and even prostitutes:

> People in our society believe that if you do not circumcise your daughter, she may grow up to become over sexy, and even become a prostitute, so that is why they are afraid. If she becomes a prostitute, or gets pregnant before her wedding, she will bring shame onto the whole family.

As such, FGM can be seen to be fundamentally linked to the maintenance of virginity amongst girls in practicing societies until after marriage. Sadawi claims: "Behind circumcision lies the belief that by removing parts of a girl's external genital organs, sexual desire is minimised, therefore allowing a girl who has reached puberty to protect her virginity and honour with more ease" (1980:28). Both Idil and Mari spoke of the emphasis placed on virginity as a prerequisite for marriage within Somali society:

> Idil: The most important thing is to protect virginity of the girls, and also to get married because to get married the girl must be circumcised. It [FGM] is our culture, and it has been this way for a very very long time.
>
> Mari: No man will ever touch her if she is not circumcised, a woman has this done to show she never has sex before the marriage.

Etuti said that while excision is more common than infibulation in Ethiopia, "it is also important for girls from my country to be virgins when they get married, and also they will only get married once forever to one man, and that is all".

In most societies that practice FGM marriage is primarily viewed as an economic partnership, essential for the woman's survival. The need to be acceptable in the marriage market is a very real concern in societies where women have few other options, and where the men also have strong feelings about the 'condition' of their potential wives. Cohen suggests that women's sexual pleasure is not considered a high priority, and men associate the procedure of FGM with the purity and fidelity of women, the honour of their families, and the purity of the family name - an especially important consideration in the context of societies where inheritance of property is controlled through the male line (1998:56).

Sadawi also believes FGM is fundamentally related to the economic interests of men in practicing societies. She claims female sexuality must be controlled to ensure women remain monogamous, as sexual relations outside the marital relationship may arise in confusion between the children of the legitimate husband and the outside lover, which would in turn facilitate a collapse of the patriarchal family built around the name of the father alone (Sadawi 1980:30). Fadumo expressed this idea when she commented that "it [FGM] really has to do with the control of the bearing of children originally, mostly to keep the community pure from outside intermarriage". Fadumo went on to tell me that she thinks the whole idea of FGM is designed specially for men, and has nothing to do with cultural tradition, or the well being of girls and women:

> They [men] do these things [FGM] just to bring women down, so that they can't have sex. They feel if the girls and women can not have sex then this means that they cannot get pregnant and have babies to men that come from other tribes. They don't want to mix with others. This is one of their main fears.

Hassan believes because FGM is based on the manipulation of women's sexuality, it serves to reinforce male domination in practicing societies and, as such, should be

viewed as part of the international structure of patriarchal repression that has used various methods to restrict and control female sexuality throughout history (1995:12). Similarly, Toubia claims FGM represents an extreme example of efforts common to societies around the world to suppress women's sexuality, ensure their subjugation and control their reproductive functions (1995:227). Sadawi believes forms of sexual repression, such as female circumcision and the chastity belt, are the result of economic interests that ensure the maintenance of unequal power relations within patriarchal society (1997:111).

When I asked Etuti if she thought the relationship between men and women within her society was equal, she replied:

> No, it is not an equal relationship I don't think, it is a very male dominant society. Men dominate women, the men they are very powerful and women are there to look after the children. They [men] don't really seem to think that women are fit to do things, they just look after the children, and they think that women do things in a more light or simple way. But it's like my ideas will not be accepted because I am a woman, like there is some kind of problem with my mind or something like that. I think that a lot of women are much smarter than men, but men are taught to not respect women in this way. I notice this even here in New Zealand.

Idil and Mari both considered patriarchy to be an international phenomenon, in that men in every culture dominate women to some extent, and they told me that boys are still considered more important than girls in their society. "Traditionally, a lot of people would like to have boys, because this way they get to keep the name of the family. If we have girl children then she goes with the new family of her husband, but for boys, the family name will go on". However, they also said that this belief is not part of the Qur'an. Like Azadeh, Mari and Idil believe the Muslim faith provides them as women with a far more respectful position within society than women have in the west:

> Idil: Yes, we feel that we do have a male dominated society, but women are very respected also. We have to follow Islamic rules, which is what is in the Qur'an, and this means that the men cannot say to women, well I am better than you or anything like that. The mother especially, she is very respected.

> Mari: Some people from outside [Islamic society] I do not think they understand. They see that the women is dominated because in our society the man is the leader of the family, but she has another kind of power which is more private. But as a family, one person has to be the leader and that will be the man. People think we are dominated, but as a woman I have my own rights and my own place in the community, but if my brother is there, then he has the voice. As a woman I am a very important contributor to his voice, this is important, but in our community the men are the spokespeople for us.

FGM and Islam

Although FGM is a cultural and not religious practice, it is often strongly associated with Islam, primarily because some African Muslim communities believe FGM is a religious requirement, and because westerners have mistakenly related FGM to Islam. Despite female circumcision's prevalence in African Islamic societies, it is also found in some non-Islamic African contexts and is rare in Islamic contexts outside Africa. Toubia maintains that FGM is, in fact, not a requirement of any religion, neither the Qur'an nor the hadith include a direct call for FGM (1995:228).

All four of the women that I spoke with believed that the association of FGM with religion plays a key role in the persistence of FGM as a deeply rooted cultural practice within their societies. Although all these women believe FGM is not a requirement of the Muslim faith, they maintain that many people within their home communities still think that it is. Etuti told me that within her community circumcision was always thought to be a religious requirement:

> I was bought up with very very strong religious family and because of this the circumcision was considered very important, and they try to convince you and tell you how very important it is doing this. If we don't do it then something is wrong in the family and something bad is going to happen. That kind of brainwashing is very strong. It is there all the time and we can not do much to change it.

Ambiguity surrounding the role of FGM in Islam remains entrenched within

practicing societies as to date there is still no clear consensus among Muslim scholars or among African Muslims about whether female circumcision is mandated by religion. Religious interpretation in the Sudan as early as 1939 determined that female circumcision is only 'manduh' (desirable), and not compulsory (Toubia 1995:229), while in 1994 the Sheikh of Al-Azhar Islamic University in Cairo, Gad al-Haq Ali, called female circumcision "a noble practice which does honour to women" (ibid). Meanwhile, his chief rival, the Grand Mufti of the Egyptian Republic, said that female circumcision is not part of Islamic teaching and is a matter best evaluated by medical professionals (ibid). Idil said:

> A lot of people they still believe the practice is part of our religion, but that is actually not true. It is not part of our religion. The educated side says you can't do this anymore it is very harmful, and this is not in the Qur'an, and they don't want to continue this practice.

Fadumo believes those who want FGM to continue are the ones responsible for perpetuating the myth that FGM is a religious requirement of Islam. She believes men in positions of authority utilise Islam as a tool to subjugate women and repress their sexuality:

> It is important that you know that this [FGM] is not what our book [the Qur'an] said; these people [those in power in politics and religion] they have abused our religion, they use this to abuse the women as well, and to say to the women God says you have to stay in the house, women, don't ever go with other men, and all the other stuff. This is not in our religion. This is something designed for the men only, nothing to do with any religion. Yes, in many places you see that the men they mix the culture with the religion and then they abuse the culture and the religion to press the women down, and they abuse women by the name of the religion, by the name of the law, and by the name of the culture as well. A long time ago they would tell the women that it was our religion to do this, and when it was discovered that this was not what God said they began to abuse the culture.

Sadawi claims economic factors and, concomitantly, political factors are the basis upon which such practices as female circumcision have been entrenched in society. "Many are the people who are not able to distinguish between political and religious

factors, or who conceal economic and political motives behind religious arguments in an attempt to hide the real forces that lie at the basis of what happens in society" (1980:32).

Mari believes that educating people about the fact that FGM is not a requirement of being Muslim would be very beneficial to promoting further eradication of the practice. "Many women in Africa who are not Muslim still practice [FGM], it doesn't have anything to do with our religion, and it is very important that people in our societies know this. It is traditional and cultural".

The Effects of FGM on Women: Health Complications

Toubia suggests it is important to remember that FGM is neither a disease nor a reproductive risk, but "a socially driven surgical procedure that causes grave damage to women" (1995:224). Both clitoridectomy and infibulation can cause serious health complications, although those resulting from infibulation generally occur more frequently, are more severe and have more permanent effects. With clitoridectomy, immediate complications most commonly seen are hemorrhage, shock (due to intolerable and prolonged pain), infection, and tetanus. The majority of operations are done without anaesthetic, and even when the midwives use local anesthesia, pain in the highly sensitive area of the clitoris returns after two to three hours. Pain, swelling and inflammation of the front of the vulva can also result in an inability to pass urine for hours or days, which in turn leads to more pain, possible urinary infections and damage to the kidneys. If bleeding is very severe and uncontrolled hemorrhage may occur and, in some cases, can result in death (Lightfoot-Klein 1989: 22).

Fatalities among girls subjected to the procedure in Sudan for example, are quite high - medical estimates suggest from 10 to 30 percent (ibid). However, since cultural norms prohibit people from speaking about children who have died, these estimates

may, in fact, be far lower than death rates in real terms. Lightfoot-Klein suggests a high death rate is to be expected, as infection is very common:

> The operation is performed on the earthen floors of huts, under lighting conditions that are inadequate to any surgical procedure. Even when the operation is carried out by medically trained midwives or nurses under what passes for sterile conditions with the use of local analgesics and antibiotics, it is still exceedingly hazardous (1989:23).

With infibulation, the extensive cutting and stitching compound the possible complications. Prolonged bleeding means the risk of hemorrhage and abscesses are greater. Pain is generally more severe and less likely to be dulled with local anesthesia, and urine retention is more common because the skin is stitched over the urethra. After the wound has healed further complications can result from the infibulation including difficult and painful urination and urinary infections resulting from debris collecting behind the infibulation. If the new opening is very small, the menstrual flow can also be obstructed leading to frequent reproductive tract infections, followed by pelvic infections. Pain during sexual intercourse is common, and the operation has, in many cases, led to infertility, which has devastating repercussions in a society in which a woman's reproductive capacity is central to her existence. Obstructed labour can also cause life-threatening complications for both mother and child.

All the women I spoke with were well aware of the health complications associated with the procedure:

> Fadumo: It [FGM] can cause many problems for us in the health area, like some inflammation and infections. It is very bad not only for our marriage and sexual lives, you know, but for our health as well. Afterwards, the women are very closed and this makes it very difficult to clean properly, and childbirth is extremely complicated for us as well. Big problems can happen because of this in many parts of our lives.

> Etuti: It [FGM] is very bad. A lot of people back home, they don't go to doctors, they will get very very sick and have no treatment, nothing, they think their fate comes from God. If you get well then God wanted you to be better, and if you die then this is also what

> God wanted for you.
>
> Idil: We are health professionals, the two of us. We know it [FGM] has very serious side effects, which cause many problems, and now many many African women are fighting to try and stop this because of the health problems for our girls and women.

Mari talked about how within the Somali community families are increasingly looking towards excision rather then infibulation for their daughters, as the health complications are perceived to be less severe:

> It [FGM] is not something that we are embarrassed about, it is something that we are very proud of, but the main issue is the health issue. In some places they are doing this [FGM] in the hospital where they have the right equipment, the main issue is the health issue. But this does not help the people who are not near the hospital, or do not have the money, for them it is not safe. We have to do this because of the tradition, and the tradition is something they are very proud of. This is why now more people are going to the hospital, and also doing the sunna type circumcision. This is not extreme, just a small pricking, and maybe this is best because a lot of people, you know, they really want to do this, and that way there is no cutting and less problems with heath and especially child birth.

However, Toubia suggests the promotion of clitoredectomy as a safer alternative to infibulation should be regarded "regressive" in that it tends to legitimise the practice in some form. "The ultimate question is not which procedure should take place, but what kind of medical system, or public health policy condones the cutting away of part of the human body for no other reason that gender subjugation" (1995:229).

Psychological Damage

While the majority of attention surrounding FGM has focused health-related issues, little has been paid to the possible psychological consequences of the procedure. Sadawi suggests the circumcision operation and accompanying outdated notions related to virginity greatly influence the personality and mental constitution of women in Arab societies and that, in many cases, women who undergo the procedure

experience life-long psychological shock (1980:28). She claims the psychological side effects of FGM are not well documented because in the majority of cases they either go unrecognised or are not taken seriously, even when they are severe and incapacitating (ibid).

Psychological symptoms in many practicing societies are recognised as the work of evil spirits and traditional remedies and rituals are offered as cures, however repressed and untreated, these problems escalate. As a clinician in public hospitals in Sudan, Toubia writes of thousands of women who, with a little probing, talk of their fear of sex, the state of their genitals and the threat of infertility that can result from FGM related infection (1995:229).

Frequently seen psychological complications include severe, recurrent anxiety, depression and a generalised phobic state. These tend to manifest themselves at various stress points in a woman's life, such as the period preceding circumcision, before and for some time after marriage, and with the birth of each child. A severely depressed self-image, lack of confidence, feelings of sexual inadequacy and worthlessness, and repressed rage have also been observed (Lightfoot-Klein, 1989: 44). Professor T. A. Ba'shor, a Sudanese psychiatrist and former World Heath Organisation Regional Adviser for the Eastern Mediterranean on mental health, confirms FGM is not an issue effecting only the physical heath of the effected women when he states: "It is quite obvious that the mere notion of surgical interference in the highly sensitive genital organs constitutes a source of major physical as well as psychological trauma" (cited in Lightfoot-Klein 1989:45).

Sexual Health Problems

Not a great deal is known about the sexual experiences of circumcised women in the Arab world, primarily because sex is not something that is discussed in public, combined with the fact that most women would not have experienced any sexual

contact prior to the operation as it is usually performed around the age of seven or eight years old. The limited amount of research that has been conducted, however, leads to the conclusion that circumcision is not only a source of psychological shock, but also leads to varying degrees of sexual frigidity (Sadawi 1980:29). While the clitoris is the primary specialized female sexual organ, the vagina is an organ of reproduction with minimal sensory capacity. Because FGM involves the removal of the clitoris, a circumcised woman is left with only her reproductive organs intact. In the case of infibulation, women will not only be deprived of pleasure, but will also experience significant pain during intercourse. Fadumo spoke of the terror associated with sex for many infibulated women in her society:

> When African women get married, you know these things are very terrifying for us, with the husband after circumcision we can have a very complicated sexual life. It is something that makes us very terrified, as it is like we have a threat or something, this is why sometimes it is hard for us to be happy in our marriages. Also the women are very worried as they hear a lot about these things, and they can't have any kind of sexual life at all.

Hassan (1995) cites the testimony of a Sudanese man's first sexual experience with his circumcised bride to illustrate the extent of sexual problems experienced by infibulated women and their partners. She claims infibulation not only causes pain and trauma for the women affected, but also frustration and guilt for their husbands, tension which in many cases contributes to difficulties within the relationship and low self-esteem among women:

> The first experiences were very painful for her. For a long time we could not enjoy sex together because it was a unilateral thing. It was I who had the orgasm. She only had fear and pain. I loved her very much, and for a long time, for several months, we both tried very hard to make it work. It was a nightmare. Of course I wanted sex. Every time I approached her sexually, she bled. The wound I had caused was never able to heal. I felt horribly guilty. The whole thing was abnormal. The thought that I was hurting someone I loved so dearly troubled me greatly. I felt like an animal. It is an experience that I would rather not remember. It was bad for both of us (1995:22).

FGM and Human Rights

Because female circumcision is a deeply rooted cultural practice, defenders of the procedure, female and male, African and western, often invoke cultural relativism a justification for its continued existence within their societies. This is the belief that the practice should not be judged from outside the cultural context within which it occurs. Opponents of FGM, however, argue that while the morality and values of an individual are certainly shaped by the culture and history of a given society, this does not negate the philosophical theory that human rights, defined as the rights to which one is entitled simply by virtue of being human, are universal by definition. What this means is that although human behaviour is necessarily culturally relative, human rights are, by their nature, universal entitlements that are grounded in moral values recognised across cultural boundaries (Fluehr-Lobban 1998:9).

Many women who come from societies that practice FGM, including some of the women that I spoke with, follow that belief that because FGM is so deeply embedded within their culture, it cannot be seen as a human rights issue. Mari and Idil told me that women from the west see FGM as a rights issue for women in Africa only because they can not properly comprehend the importance the practice holds within African cultural tradition:

> In our culture, we don't think that it [FGM] is a woman's human rights, because if you are in the culture, you don't feel like that. People like you from outside our culture they see this and think it is very harmful, why are we doing that, you know. Well because this is our culture and everyone is doing it, it is very complex to understand why.

Etuti talked about how, for people within her home society, human rights seem like an abstract notion unrelated to everyday life. She told me that living in Ethiopia is a very different experience to living here in New Zealand:

> For me, I think human rights means the freedom to do things, like you managing your life in your way, and not having someone controlling you. I think it means you have rights to say no, but I think these kind of rights do not apply in my country because

> everything we do we have to be very careful as the government won't let us say and do many things. We are never allowed to complain about the government, you can't even sit down and talk about things like this. It is very hard and in this way I feel like we do not have the human rights compared to here which is very free.

Etuti believes FGM is so deeply ingrained within her society that women do not even consider if it is against their human rights or not. She told me that because girls grow up knowing that this is what will be done to them they believe it is totally normal, and not to have it done would be very strange. "It is very difficult [to see FGM as a rights issue] as it is seen as a very important part of our culture".

Fadumo was far more accepting of the view that cultural practices should be regarded as secondary to human rights standards. She believes that human rights for women should entitle them to an equal position with men in their society, regardless of cultural beliefs surrounding the 'correct' role of women:

> Human rights means that we women should have an equal position with men, I think, equal rights. It means we should not have things only designed for men, it means that as a wife we should be able to enjoy married life as an equal position with men. As a woman we are not allowed to have sex, only in married life, but for the man, our culture allows for the husband to have two or three wives and to divorce as well. He can marry another two wives if he likes, but for women, no. We have just one choice, one man, and if he is no good, then there is nothing we can do, and we will never get divorced.
>
> Yes, I really believe that FGM is against our women's human rights because, women she can't enjoy her life the same after this. It's almost like she is an animal. She is treated like she has no mind of her own and becomes like a slave to the husband in many ways.

FGM, Feminism and the West

Campaigns concerning FGM from the perspective of women in western society have been strongly criticised by leading FGM activists in the Third World such as the Association of African Women for Research and Development (AAWORD), for their "ignorance, sensationalism and total lack of consideration of the particular context in

which African women are struggling against oppression" (1983:217). Many women working to promote eradication of FGM from within practicing communities believe campaigns promoted by western feminists are fundamentally grounded in the moral and cultural prejudices of Judeo-Christian society. As a result, western led crusades against FGM have often fallen back on sensationalism to publicise their cause, a tactic that AAWORD claims is highly insensitive to the dignity of the very women they wish to 'save':

> In their conviction that this is a just cause they [western campaigners against FGM] have forgotten that these women from a different race and a different culture are also human beings and that solidarity can only exist alongside self-affirmation and mutual respect (1983:218).

In "Female Circumcision Goes Beyond Feminism" (2000), Rogaia Mustafa Abusharaf claims western feminist discourse on female circumcision as a signifier for global gender oppression needs to be criticised for its reductionism and ethnocentrism. Abusharaf cites *Warrior Marks*[3] (1993), the work of African American feminist writer Alice Walker[4], to illustrate the way in which western approaches to the issue of female circumcision are based around a neo-colonial hierarchical relationship between 'self' and 'other'. She suggests that Walker, like many other privileged western women, needs to be mindful of the sin of "arrogant perception" - the view that one is the centre of the universe which distances 'us' from the 'other' (2000:17).

Through such observations it becomes apparent that debate surrounding FGM cannot be viewed in isolation from historic rivalry between European / American Christian culture and Arab / African Muslim civilisations. While many African intellectuals, health professionals and everyday people of both sexes have become acutely aware that something is intrinsically very wrong with FGM, and wish to see it eradicated, they bitterly resent western interference in their social and personal affairs. In view of

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[3] *Warrior Marks: Female Genital Mutilation and the Sexual Binding of Women* (1993) by Alice Walker and Pratibha Palmer is both a film and a printed text.

[4] Alice Walker is most well known for her controversial best selling novel *The Colour Purple* published in 1981.

the all too recent history of the slave trade and colonialism, it is altogether understandable that such a fundamental mistrust of western motives exists.

Many people within practicing societies view FGM as not only an important symbolic act in the lives of women, but also as one of the few traditional practices that remain after colonialism that, as such, must be preserved. African people who love and cherish the positive aspects of their culture have been wounded by colonialism and many fear that western-lead action against FGM will be used as another excuse to invade, dominate and humiliate them. As Gevins suggests:

> It is easier to see that something is wrong with the system when you are outside of it, easier than when you are inside. We should keep in mind that many westerners have more experience in dealing with the subject than we do, because they were the first to talk about it, so in our relationship with the western world I would say we need them, but again, life is complex. We have been colonised by this western world and we have, lets say, something against them. This means we don't want them to overwhelm our lives anymore. I don't think we can be in the same group with them to fight something in my own country, because I will feel, "here they go again, colonisation" (1987:249).

Idil and Mari also believe women from the west cannot understand the cultural complexities of the issues they face in regards to FGM. They told me that, in their experience, western woman working within their communities have tended not to respect the position of Somali women working towards eradication of the practice like themselves. Both Mari and Idil believe western culture is far more isolating and abusive to women, and western defined 'women's issues' simply do not meet the needs they have for themselves and their daughters. Western constructs of women's human rights represent another way in which the west can assert its power by telling them how they should act and feel about their own bodies, ideals and values based on our own perspective and experiences as western women:

> Mari: We think that they [western women] do not understand a lot of why we do this. They just think we are abused. They just look for something that to us is not even there. And they also overlook us, and the way they think, it is not like that. They only look for the negative side, and only see the negative side, and do not even try to

> understand. They think that it is abusing, and that our children need protection from us or something like that. Women do this to protect their daughters, and these women need to understand this more. The communication between the two sides is not something that can be done in only one year, or even two. It comes from a long-term understanding. We feel like they are sometimes interfering. The western women come to us and tell us what we should do with our daughters. To us that is interfering, and insulting. What we need is more friendly.

To understand why women defend a practice that risks their health and damages their sexuality, it is vitally important to understand that even the most highly educated individuals become defensive when they feel their culture and personal identity are being attacked, especially by outsiders who misunderstand them. As an African woman herself, Toubia suggests "the fear of losing the psychological, moral and material benefits of 'belonging' is one of the greatest motivations to conformity" (1995:226).

While AAWORD firmly condemns genital mutilation and all other practices, traditional or modern, that oppress women and justify exploiting them economically or socially, it believes that any campaign against FGM must take into account the wider context within which this practice takes place. AAWORD claims that the majority of the young women and girls who are circumcised in Africa must also be recognised as people who struggle to satisfy their basic needs on a daily basis, a reality it claims is directly related to the exploitation of developing countries, manifested especially through the impoverishment of the poorest social classes:

> In the context of the present world economic crisis, tradition with all of its constraints, becomes more than ever a form of security for the people of the Third World. For these people, the modern world, which is primarily western and bourgeois, can only represent aggression at all levels - political, economic, social and cultural. It is unable to possess viable alternatives for them. Moreover, to fight against genital mutilation without placing it in the context of ignorance, obscurantism, exploitation and poverty, and without questioning the structures and social relations that perpetuate this situation, is like refusing to see the sun in the middle of the day. This, however, is precisely the approach taken by many westerners, and is highly suspect especially since westerners necessarily profit

> from the exploitation of the peoples and women in Africa, whether directly or indirectly (1983:219).

Alice Walker's *Warrior Marks*[5] is also cited by Inderpal Grewal and Caren Kaplan in their text "Warrior Marks: Global Womanism's Neo-Colonial Discourse in a Multicultural Context" (1996). Grewal and Kaplan suggest that debate surrounding FGM becomes even more complex within the context of contemporary world conditions prevalent under increasing globalisation. They believe "constructing monolithic notions of 'western', and 'non western' subjects in binary opposition can no longer account for the complex, hybrid and often contradictory subject positions that mark the era of post modernity" (1996:8). Grewal and Kaplan discuss how Walker utilises the intersection of gender and ethnicity that results from globalisation to construct what she terms "a global womanism" - a homogenous colonised female body that she sees as representative of women throughout the world (ibid).

Through the articulation of this multicultural "anti-racist" feminism, Walker enables herself to personally identify with the 'other' - in this case the circumcised woman. However, given the history of discussions regarding genital surgeries in Africa in anthropological literature and the western cultural feminist discourses of human rights, Grewal and Kaplan suggest the multicultural feminist, or womanist approach Walker chooses cannot escape a colonial legacy. Within the transnational framework employed by Walker, Grewal and Kaplan suggest it becomes virtually impossible for the US multiculturalists to properly address issues of inequality and difference that exist between themselves and the women they are writing about because they presume the goal of progressive politics is to construct subjects, feminist or womanist, that are just like themselves (1996:7).

Grewal and Kaplan suggest the value laden terminology utilised in *Warrior Marks* justifies and rationalises interventional narratives and practice that adhere to "a set of ideological and discursive formations that produce specific subjects: in this case,

[5] Grewal and Kaplan are referring to both the film and printed version of *Warrior Marks*

victimised females in rural Africa and their First World saviours" (1996:15). As Ella Shohat and Gayatri Spivak have suggested, binary divisions between 'tradition' and 'modernity' create the logic for western intervention as the process constructs a view of modernity as corrective to tradition (cited in Grewal and Kaplan 1996:15). As such, modernity becomes a signifier for a range of attributes including the enlightened west, progress, civilisation, democracy, self-determination and freedom of choice. Tradition becomes the 'other' by which non-western cultures mark their own empowerment socially, politically and culturally (ibid).

Grewal and Kaplan argue that although *Warrior Marks* was undoubtedly made with the best intentions by two committed feminist activists of colour, the construction of multiculturalism employed by Walker remains firmly embedded in the practices of western modernity and Euro-American cultural feminism, meaning her articulation of a global version of womanism results in a neo-colonial representational practice (1996:23). As such, a universalised body, whole, unified and organic in relation to the circumcised body of the 'other' forms the standpoint for the feminist practices visible in *Warrior Marks*. Grewal and Kaplan claim such a standpoint prevents recognition of the ways in which western patriarchies are inscribed on women's bodies through various technologies and disciplinary practices, such as breast augmentation, liposuction, rhinoplasty, tubal ligations, in-vitro fertilisation, mastectomies and cosmetic surgery (ibid).

Idil's mother, an 82-year-old Somali woman, told me about an article she had read recently in a women's magazine here in New Zealand which discussed an increasing demand amongst upper class women in the United States for vaginal tightening cosmetic surgery. The Somali women thought this was very funny indeed and extremely ironic, considering both this procedure and the infibulation traditionally practiced in Somalia involve the cutting and stitching of women's genitalia in order to make the woman more sexually attractive to men. Comparing FGM to plastic surgery is not aimed at trivialising the enormous psychological and physical damage FGM causes, but instead to highlight that within our own society women's sexuality

is also manipulated and controlled to adhere to patriarchal constructs of sexual desirability amongst women.

Grewal and Kaplan suggest that female genital surgeries need to be examined as a problematic social practice within the reconstruction of patriarchies in the context of decolonisation. Yet within the context of western literature and activism on the subject, there has been virtually no discourse on FGM that has not reproduced social relations inherited from European imperialism. Poor women everywhere, especially in formerly colonised parts of the world, face limited health care and educational opportunities, as well as the denial of economic and political agency due to global inequalities, rearticulations of patriarchies in specific regions, and the legacies of colonisation (1996:15). Western discourse on female genital surgeries does not incorporate these complex factors, but continues to direct a "horrified gaze" towards its colonial and post-colonial subjects that has, to date, not allowed African women themselves to dictate their mobilisation against certain aspects of their reality (ibid).

How Can Women from the West Help to Eradicate FGM?

AAWORD believes it is vital that western feminists see FGM as a problem for African women, and claim that no change is possible without the consensus participation of African women. It suggests attitudes such as interference, maternalism, ethnocentrism and misuse of power will only serve to widen the gap between western feminism and the Third World. However, many women working towards the eradication of FGM within their communities believe western women do have a role to play in their struggle, provided the boundaries of their involvement are defined by those who understand the cultural complexities of the issue. Gevins (1987) believes a working relationship between the two groups should be based around understanding and mutual support rather than interference from the west. "I appreciate when they [women from the west] suggest things to me. Suggesting means I can say no or yes, but that's different from, "do that in Mali, do that in Senegal".

That's the kind of working relationship I want between white and black women on the topic of female circumcision" (1987:249).

Toubia believes that in order to effectively fight for the eradication of FGM those involved must understand the deeply felt beliefs of the people who practice it (1995:229). This statement is mirrored by Abusharaf when she claims that debate surrounding the issue of circumcision must be restructured in ways that are neither condemnatory or demeaning, but that foster perceptions illuminated by careful study of the nuanced complexities of culture:

> Efforts to achieve the perceptual integrity that is so essential to the development of effective challenges to troubling traditional practices can only be achieved by listening to the voices of women within cultures where such practices are common. Careful listening to women helps us to recognise them as political actors forging their own communities of resistance. It also helps us to learn how and when to provide strategic support that would be welcomed by women who are struggling to challenge such traditions within their own cultures (2000:17).

While Mari and Idil agree that western women do have a role to play in the fight against FGM, they believe their input should come in the form of support for women from practicing communities already involved in FGM eradication campaigns. They believe that moves towards the eradication of FGM must first come from inside their community, from health professionals, community and religious leaders, men and women, their own people, not westerners, as outside influence has the tendency to cause a backlash against efforts to promote eradication and further entrench the practice. Mari and Idil made special mention of the damaging effect that the media has played in the campaign against FGM to date. They believe that most of what the western media has portrayed about FGM has been much more damaging than not doing anything, as it has tended to disregard the real reasons why FGM remains a part of Somali society:

> Mari: Yes, it is good when we get support from another friendly environment, where we can talk about it together, with an open mind and open heart, but not writing in the press or the TV about us. When this happens in our society, the community, they put us [African

> women who oppose FGM] down and talk about us, but we never agree with what they are publishing about us either.
>
> Idil: A lot of media people, they don't know anything, and they are just making things more difficult, we are heath professionals, we want to help stop this in our culture already, so what we need from all the other people is support; so when the media does this it makes me very angry, because it makes the other people in our community think that we are helping them and agreeing with them, and this does not help at all. It makes me very angry. They do not understand what they are doing.

Mari and Idil talked about how the women that are fighting against FGM in their communities have little money and financial support, and that they see this is the way in which western organisations can make a practical contribution to the fight against FGM. They also talked about how they don't have any respect for Somali model Waris Dirie who has become a campaigner against FGM in the western media. They feel she is a bad role model for Somali women because the type of photographs and media attention she is involved in goes against the traditional values a Somali women should possess. Mari and Idil wonder why an educated and respectful Somali woman is not given the role of ambassador, someone who can relate to the women in Somalia who want to adhere to their religious and cultural values, but do not feel that FGM is a valuable custom because of the related health risks.

Etuti believes women from the west have an important role to play in the eradication of FGM because as outsiders to the communities where the practice is so entrenched, they may be able to offer an objective view on the value of FGM:

> Yes, I feel that it is good [to have women from the west working in her community] because everything comes from the outside. If I try to teach, or do things for my community, I don't think so, it will not work as well. There is a lot of competition going on and if I do it people think, why has other people not done it, it can cause a lot of conflict. Change works best when it comes from outside especially with my people, as they have a really really good respect for white people. Even now in my country there are areas where we are not allowed to go there, they are still for white people only. Even if I am working hard to try doing lots of things, rather than me telling them to do these things they respect outside people more.

However, like Mari and Idil, Etuti believes that assistance from those outside of the community would be most beneficial if it is used in conjunction with the knowledge and influence of people who understand the cultural issues involved:

> When we talk about educating and teaching my people, what do you think if your own people go there. I don't think that it will work so good because I am from here and I can't see everything so clearly, what is wrong, you know? Rather than I tell them, they need some one from the outside who is a good listener. They will have more respect for them I think. It's good for my people when somebody from outside comes, and together with someone from our community as well. If someone from outside comes and tries to teach us something, they will not do it, but if somebody from the community was convinced it is a good thing for us, then they can work together and this works best for us.

Fadumo believes woman from the west can help combat FGM through empowering women in practicing communities with knowledge and information on rights issues as this kind of education is not readily available in many areas that practice FGM:

> I think they [western women] help us because, for example, some of the women in my country they don't know about their rights, the women's rights and the human rights, because they are told to sit down and be quiet as they are growing up. This is all they know, and they don't think that they have rights. Even I was made to leave my country when I stood up and started to speak out about what was happening to our women. Nothing like this happens, and we need to teach our women that we do have rights. It is very important that women know they don't have to take everything that people try to do to them.

Idil also thought that education provided by western women's organisations is beneficial to women in practicing communities. "If women [from the west] want to help women through educating them [Somali women] and empowering them, then this is really good. These are women's issues, not cultural, and we are all women. It's very good to support each other in that way".

AAWORD suggests that while women in Africa rightly criticise many western-led campaigns against genital mutilation as imperialist and paternalist, many remain passive and defensive. "As is the case with many other issues, we [African people]

refuse here to confront our cultural heritage and to criticise it constructively. We seem to prefer to draw a veil of modesty over certain traditional practices, whatever the consequences may be" (1983:219). AAWORD claims that if FGM is to be eradicated, African women themselves must stop being reserved and "shake themselves out of their political lethargy" (ibid).

> On the question of traditional practices, such as FGM, African women must no longer equivocate or react only to western interference, but make themselves heard on all national and international problems, defining their priorities and their special role in the context of social and national demands. African women must speak out in favour of the total eradication of all these practices, and lead educational and information campaigns to end this within their own countries and on a continental level (1983:220).

Looking Ahead

Despite growing opposition to FGM amongst both western and African women, support for the practice remains widespread. In areas of Africa, such as Sudan, where there are few schools, no paved roads, no electricity, no functioning telephone systems, and limited food and water, the struggle to combat FGM must take its place behind numerous other more pressing problems (Lightfoot-Klein 1989:45). However, since the 1980s increasing discussion about FGM in the public arena amongst both men and women must be viewed as a major indicator of a change in attitudes regarding the social and cultural sanctity surrounding FGM. Hassan (1995) claims that as education about the practice increases, more and more people within practicing societies are viewing FGM as "a shameful symptom of backwardness and anti-modernity" to the extent that some have started to have the procedure performed in secret (1995:8). The Sudanese National Committee on Harmful Traditional Practices recently announced it expects eradication of up to 60 percent by 2002 if current efforts to eradicate the practice continue (ibid).

When I asked the women I spoke with how they felt FGM could most effectively be combated within their societies, they all believed that education was the key to

helping reduce circumcision. Etuti told me that while FGM is still common in Ethiopia, she believes educating people about the benefits and consequences of FGM will help combat the practice, particularly in regards to the misconceptions that surround the role of FGM as a religious requirement:

> FGM still happens in some areas in my country, some people are still very strong in their traditions. It began to be eradicated by actually telling them what will be the side effects, and what is the important thing, if it is done or not done, what will change, what will be the difference. If somebody has done it, or not done it, what will we lose, or what will we gain. It is really important to educate our people, our culture, because most of the time for those people who are very strong in their religion, it is very hard to change their minds.
>
> One thing is that the health aspects have been made clear to us that it is very dangerous for women to have this operation, and now it is also considered not so necessary. The health problems is what has slowly started to change their minds.
>
> Education is what helps the people to realise that this [FGM] is a bad thing, not what God wants for our women. If they know especially the side effects this will help them understand. I know that a lot of girls die from circumcision, and a lot of others have chronic illness, and if they know all these side effects they will stop. It's like if something happens in the name of God but it is not in the name of God to kill girls, so why use this as a reason? Why do people really do this? No one really knows, so I think the best thing that we can do is education.

Fadumo believes empowering women to be able to make decisions for themselves regarding their own bodies is the key to reducing FGM in Sudan:

> We need to teach them [women in Sudan] more about self confidence, like you don't have to do this to go with men and please men, and that you have the right to say no to any man if you don't want to do that. One of the big problems is that our society teaches that very bad things will happen if you do not do these things, like you are going against God's wishes, but I don't think that we have to do this to our girls, just to teach that this is good, and this is wrong, and how to behave. And when this is done to the girls, they are only six and seven years old, they can't say no. They do not choose this for themselves. They do not even know what is happening to them, and that is why for many years to come we remember it is something very terrifying to us when we were children.

Mari and Idil also think education is important, but they believe both here and in Somalia education needs to accompanied by practical support to be effective in curbing the practice to any significant degree:

> Idil: Education is the best way, and support. Like here in New Zealand they make it [FGM] illegal but do not provide any kind of support for us. They say it is illegal, but it is a very deeply rooted cultural practice for us. It is hard to just stop and maybe this will just make people do it secretly. What we really need is some more support and education, and all those things might help to actually change the ideas we have, and have been bought up with. In Somalia, even though it is illegal, people still do it so we need the religious groups and the health people to tell people about it, and educate people to stop it.

While the growing awareness that FGM is inextricably linked to numerous health hazards has helped curb the practice to a degree, Sadawi believes this alone will never be completely effective in combating the long-standing and established traditions that govern Arab society, primarily because society's attitudes towards women's sexuality "...are strongly linked to moral and religious values that have dominated and operated in our society for hundreds of years" (1982:39). As Gevins (1987) suggests, traditional attitudes associated with the benefits of FGM mean educating women about the heath risks will not necessarily reduce the cultural beliefs associated with FGM, particularly in regards to women's sexuality:

> They tell us that sex is dirty, taboo, you should be discrete if you talk about it. They think that it [FGM] diminishes sexual desire, so that means that you will be faithful. They say also that female circumcision purifies a woman, that means our sex genitalia is dirty. We know that it will be hard [to eradicate] because people don't want to talk about this part of sex; it's easier to tackle the problem with health, but that is not enough. There is a cultural part and a sexual part that is important (1987:245).

As such, Toubia claims that it is imperative that FGM becomes widely recognised as part of the global subordination of women in order to highlight that none of the underlying messages and language used to justify FGM are unique to Africa. "These messages reflect a universal language used to perpetuate women's second class status and are reminiscent of reasons given for slavery, colonisation and racism. The

challenge for Africans now is to struggle to save the positive aspects of initiation rites while eliminating damaging practices that subjugate women" (1995:229).

Concluding Thoughts

Carolyn Fluehr-Lobban (1998) claims the fact that female circumcision is an ancient custom found in many diverse cultures does not legitimate its continued persistence. She believes it is increasingly evident that attempts to justify the control of female sexuality - whether using aesthetics, cleanliness, respectability or religious ideology - are being questioned and rebuked in different cultures and cannot be sustained as a justification for the continuation of a harmful practice (1998:13). As a consequence of this, more and more women and men within Africa are beginning to take an active role in evaluating the contemporary legitimacy and relevance of cultural practices, arguing for the retention of useful traditions and the abandonment of practices that inflict harm or injury (ibid). Toubia believes the rising movement against FGM amongst African women themselves is proof that when women "rid themselves of their psychological pain and fear, when they throw off the denial mechanisms they have used for survival, they are able to speak out against this inhuman and unnecessary suffering" (1995:230).

However, because FGM is such a deeply rooted social practice with a ritualistic psychosexual aspect, simply legislating against it will not result in its eradication. People who practice FGM feel very strongly about it, and there are numerous factors that force them to adhere to such a strict cultural regulation. As Cohen (1998) suggests, women of the Third World will not thank us for 'liberating' them, unless suitable conclusions are reached that leave all people within the society satisfied the change will be beneficial. Changing customary and culturally patterned behaviour requires awareness of context and of the secondary benefits associated with the particular behaviour or practice (1998:56). Gevins (1987) suggests that the challenge for practicing communities is to find an alternative to certain parts of their social

structure, while maintaining others that still have important functions:

> We have to recognise that African women's power has been eroded with modernity. Because of that a lot of society's structures are breaking down, and people no longer know where they are within that society. I think the challenge for African women is to look at the positive aspects of our culture and to build upon them. I think that when a lot of African women say "What right does anyone have to interfere in excision", they are not talking about excision *per se.* What they are talking about is the goodness in women being together, the identity of bonding that comes with a group of women who have been circumcised together (1987:245).

Toubia (1995:227) claims the notion that FGM is a religious precept must be defeated, while efforts to preserve cultural integrity must be honoured. She believes the eradication of FGM will only be possible if efforts and concerns are linked globally so women in practising cultures are not forced to fight isolated battles against their own social and economic powerlessness, a powerlessness that she believes allows FGM to continue. Global action against FGM has the power to combine local knowledge and sensibility with international technical and financial resources, meaning FGM can become associated not only with human rights, but also women's economic development, health, family planning, child development, education and religion (ibid).

However, like the women from Somalia I spoke with, Toubia feels the overriding consideration for all campaigns against FGM is that they be guided by the knowledge and wisdom of individuals from the communities involved. Unguided or patronising interference from outsiders can create a backlash in favour of FGM, as has happened in the past. Toubia believes it is vital to locate FGM within the global context in which women's bodies are controlled by male dominated social ideology (1995:300). A global campaign against FGM cannot undertake to abolish this one violation of women rights without placing it firmly within the context of efforts to address the social and economic injustice women face throughout the world. If women are to be considered equal and responsible members of society, no aspect of their physical, psychological or sexual integrity can be compromised.

Chapter Eight: Case Study Four

Transnational Trafficking of Women for Sex Tourism

Over the last decade, transnational trafficking and trade in women has reached an unprecedented level in countries of the South. The increasing globalisation of the world economy has resulted in the formation of an international sex industry in which more and more women are treated as sex objects to be bought and sold across national boarders. In *Women in the New Asia* (1999), Yayori Matsui describes how each year, thousands of women are kidnapped, sold to 'pimps' or lured into foreign countries with promises of high paying jobs. These women become virtual sex slaves, in many cases forcibly confined to the brothel in which they live and work, controlled by violence, threats, rape and drugs (1999:13).

The Executive Director of the Women's Rights Division of Human Rights Watch, Ralph Regan, defines trafficking in persons as "the illegal and highly profitable transport and sale of human beings for the purpose of exploiting their labour" (cited in Human Rights Watch 2000:2). While sexual enslavement may occur domestically, international trafficking is seen as an even more horrific phenomenon because women enslaved in a foreign country are even more powerless to escape. During a 1991 conference of South-east Asian women's organisations, it was estimated that from one to two million women and children are trafficked each year, meaning 30 million women have been sold worldwide since the mid-70s (Matsui 1999:16).

> The number of persons trafficked each year is impossible to determine, but it is clearly a large-scale problem, with estimates ranging from hundreds of thousands to millions of victims world-wide. The International Organisation for Migration has reported on cases of trafficking in South-east Asia, East Asia, South Asia, the Middle East, Western Europe, Eastern Europe, South America, Central America and North America (Human Rights Watch 2000:3).

While the problem of trafficking varies according to the particular cultural context in which it occurs, Human Rights Watch claims certain consistent patterns can be identified (2000:4). Young women from rural areas in poverty stricken Third World

countries can end up sold, coerced or forced into prostitution in a foreign country through a number of methods, a process almost always facilitated by a middle person or trafficking agent. In some cases, girls are sold into prostitution by their families, while others are deceived by trafficking agents into thinking their migration will lead to guaranteed employment in the hospitality or service industry. Girls and women have been tricked with false promises of marriage, while outright abduction by trafficking agents has also been reported in some areas. Kidnapped women generally suffer terrible abuses. They are most often under-fed and denied medical care, and even killed by brothel owners if they become sick (ibid).

Throughout the course of this chapter, I will be focusing on the trafficking of women and girls from Burma to Thailand, and Nepal to India to illustrate the complex relationship that exists between traditional patriarchal society, the global economy and the growing international trade in women. Although both cases must viewed as separate, and considered from within the context of their own culture and geographic location, both Burma and Nepal are very poor countries where huge numbers of women from largely rural areas are targeted by trafficking agents for the purpose of prostitution.

Through a contact at the Manawatu Migrant Resource Centre, I was introduced to Mya from Burma and Niriani from Nepal[1] who both now live in Palmerston North. After meeting with Mya and Niriani on separate occasions to discuss the content and purpose of this study, both women agreed to meet with me again to discuss the trafficking of women and girls from their home countries into the sex tourism industry. Although both Mya and Niriani come from relatively well off families in the context of their largely poverty stricken countries, and neither of them have had personal experiences of trafficking or prostitution, their knowledge of the issues involved is extremely valuable to a study of this nature. As Mya and Niriani understand the social, cultural, religious, economic and political institutions that structure Burmese and Nepalese society, their contribution to this discussion helps to

[1] Names changed for privacy reasons

illustrate why women and girls from these societies remain so vulnerable to the trafficking agents and the international sex tourism industry.

Mya came to New Zealand in the early 1990s with her husband who works at Massey University. She is a mother of one, and a part time business studies student at the Manawatu Polytechnic (UCOL). Before coming to New Zealand, Niriani worked with women's organisations in Nepal and is currently completing her Masters in Development Studies at Massey. Although I have chosen to discuss the trafficking of Burmese and Nepalese women within the same dialogue, it is important for the reader to consider Mya and Niriani's comments within the context of their own home society, as this is the context in which their discussion with me took place. I now turn to a brief summary of recent historic events in both Burma and Nepal to help frame the discussion that follows.

Burma

Over the past three decades, Burma has suffered severe economic decline, and in 1987, it was labelled the world's least developed country by the United Nations (cited in Images Asia 1997:2). Burma is the most impoverished nation in the Asia region, and as the price of staple foods continues to rise, more and more people struggle to survive (ibid). Many of Burma's economic and social problems are directly related to the current military dictatorship known as the State Law and Order Restoration Council (SLORC). Since coming to power in late 1988 the SLORC has concentrated all the country's resources on maintaining its 300,000 strong army, and on purchasing arms to extinguish democratic and ethnic resistance. As a result, Burma has experienced the almost complete disintegration of its education and health care systems (Images Asia 1997:3).

The continuing political and economic crisis in Burma has meant that increasing numbers of Burmese women have been persuaded to leave their homes and travel to the Thai-Burma boarder areas encouraged by promises of good wages paid in Thai

currency (Pyne 1995:215). It is very important to note that many Burmese people consider Thailand to be a wealthy and prosperous country that offers opportunity and freedom, a stark contrast to the future they are likely to face if they remain in Burma.

Trafficking agents within Burma, who have connections in Thailand and with the military along trade routes, have taken advantage of the desperate situation many women face to coerce them into prostitution. Although men have always had the opportunity to join the army or enter a monastery, poor women in Burma are left with virtually no viable economic opportunities (Images Asia 1997:6). Historically, rural women have migrated to cities to work as domestic servants, their move facilitated by a network of friends and agents. Today, however, the trafficking agents have tapped into this acceptable means by which poor women acquire employment and have transformed the network into the basis of the trade in Burmese women (ibid).

The dire political and economic situation in Burma, coupled with the flourishing Thai sex industry, propels the trafficking of Burmese girls and women into forced prostitution. It is difficult to know just how many Burmese women are forced into prostitution as the brothel owners tend to only identify the nationality of Thai women, as others are considered illegal immigrants. The Bangkok-based Center for Protection of Children's Rights, which maintains a shelter for women rescued from brothels claims that at least 40 percent of the women in its care are of Burmese origin (Pyne 1995:216).

Nepal

Nepal is a tiny country situated north of India in the Himalayan mountains. Nepal is one of the poorest nations in the world today, a reality that according to Gauri Pradhan can be attributed to the country's long history of feudalism, fatalism and imperialism (1997:3). When Nepal gained democracy in 1990, many believed the country's economic and social situation would improve. However, in reality the

political transition bought no significant change to the lives of most Nepalese people, particularly those in rural areas.

In discussing the situation of young Nepalese women, Pradhan suggests it is important to realise that women and children remain the most vulnerable victims of the country's social, economic, cultural and political structures. Within the context of Nepal, Pradhan suggests that trafficking and selling of women is not an isolated problem, but a complex situation embedded in the nation's social, cultural and political realities. Nepal is a country suffering from the burden of socio-economic and cultural injustice. This, coupled with the lack of political commitment within the country and objectionable international polices, has compounded the problem of trafficking of women and children (1997:4).

Suffering from poverty, starvation and unemployment many women and children looking for an alternative means of survival become the main victims of trafficking for prostitution. To many Nepalese people, the lucrative cities of India, such as Bombay, represent everything they so desperately lack: money, materials and prosperity. As a result, people of the villages are now, more than ever, willing to try their luck, making themselves the perfect target for trafficking agents. It is important to realise that the majority of women who are deceived by the traffickers are deprived of education and basic childhood rights and are victims of socio-economic and cultural stigma. Trafficking of Nepalese girls to India for the sex trade is not a new phenomenon; it has been a lucrative business for the vested interest groups for many years. Pushed by the growing starvation in the rural mountain areas of Nepal, or attracted by the city life, many young girls become the victims of the conspiracy of these criminals:

> Taking advantage of our social problems, these agents lure the girls to prostitution by means of various attractive promises like money, employment and prosperity. Many young girls are illegally trafficked or abducted into India, and then they are sold to the brothels wherever the traffickers receive the highest prices. In this way, Nepalese girls are being depleted so easily, like commodities (Pradhan 1997:7).

According to the Child Workers in Nepal Concerned Centre (CWIN), between 5000 to 7000 young Nepalese girls are trafficked into India for the sex trade every year (cited in Pradhan 1997:8).

What Makes Women Vulnerable to Trafficking?

Both Burma and Nepal are very poor nations, even within the context of the Third World. Within these societies very stringent class structures exist, and as a result, girls and women from the lowest social classes become the most likely targets for the trafficking agents. Looking at the problem of trafficking from the perspective of class yields a clear dichotomy between the wealth and opportunity available to city-dwellers and the poverty that is the legacy of the rural sector in many Third World societies such as Burma and Nepal. This increasing class distinction is reinforced on multiple levels, including educational opportunities, rate of development, development resources allocated and economic well being (Mirkinson 1996:9). A huge majority of the women sold or coerced into forced prostitution come from under developed rural areas where employment opportunities are extremely limited and extreme poverty is the norm.

Mya told me the most important thing for me to understand when considering why women from her country become involved in the sex industry in Thailand is the level of poverty in the rural areas of Burma. She said that most of the women who become vulnerable to the trafficking agents come from the rural village areas and are uneducated about the potential dangers of going to Thailand:

> Most of the women who go through the boarder to work in sexual tourism in Thailand come from the villages, and I think for most of them it is because of poverty. Mostly they are uneducated. Most of the women are poor people, and village people, and they know nothing about the sexual tourism. They are very innocent, very simple very honest people and they didn't know about that business, or the business people [trafficking agents]. Maybe they [the agents] lie to them and tell them they can go and work as a servant in a foreign country. You see they are very proud to do that work, and they will be willing to do that. Everyone is pleased to do that

> because in our country it is very hard to do. But it is difficult because when they get in that situation [prostitution] they cannot refuse. How do you say, they can't reject them. It is a very hard situation. Not all the women leaving are from the village; some from the city, but maybe they are uneducated still.

Mya talked about how the agents trick girls into thinking that once in Thailand they will be working in a restaurant or as a domestic servant, an opportunity that most poor people in Burma would consider very attractive:

> We don't have very much education for girls, but some people they think that the working in a foreign country maybe as a servant is very proud for our girls. Really they can make more money in foreign countries like Thailand, because there is some work that is not like sexual tourism, some working is a real job. With a servant worker they may be able to get accommodation also, and they can also get some salary. Some can go and be real servant or in the restaurant, some if they are lucky enough with the joining people[2], they can get real job and help their family and village by sending the money back, but if they are unlucky they can face this problem.

Within the context of Nepalese society, Niriani told me that poverty is undoubtedly the main reason why girls and women become vulnerable to work in the sex industry in the cities of India. Niriani told me she believes it is very difficult for people in countries like New Zealand to try and comprehend the kind of desperation this level of poverty results in:

> The main reason [for trafficking] is poverty. As a western woman, you don't have to face finding food, clothes and shelter, but as a Nepalese woman we have to face food, shelter and clothes for the surviving purpose. They [women in Nepal] need to go and sometimes sell their bodies as the government has not taken care, or taken responsibility for them to survive. For example, here the government takes care of the people. No one here [NZ] is in hunger. In Nepal, there are categories of people, most are very poor, some are medium, standard, and a small number are very rich. These rich they don't have to struggle for the food, shelter and cloth, but those who don't have property to survive and don't have job to survive, they have to survive by selling their body or something like that.

[2] By 'joining people' Mya is referring to those who work along the Thai-Burma boarder facilitating black market immigration.

Niriani said that although some girls are sold into prostitution by their families, many are tricked by the trafficking agents and only discover their fate once they arrive in India:

> Some know [that they are getting into sex work] and some do not. There are two places in the middle part of Nepal, and parents are allowed to go there [to sell their daughters to the traffickers], but some are going unknowingly, the agents, male agent used to go to give money and clothes to the women first, telling them: "Oh, I would like to marry you, and I would like to take you and help you to get a job in India", or whatever the women is interested to, he would say: "Ok well I will help you do that". Later on when they get there they will go to be a prostitute, but at this time they do not know that. When they enter the brothel and they start asking, then they will know. Mostly, they don't know, but sometimes their family they want to sell their daughters because they are very poor, always because of money.

Niriani talked about how the selling of daughters to trafficking agents needs be considered within the context of traditional Nepalese attitudes towards women, attitudes that result from entrenched patriarchal structures and economic inequality between the sexes:

> In Nepal, many parents want to send their daughters away to earn money by selling their bodies. They have to go and earn money so they can bring some back home for the family. Nowadays women are fighting for their honour, they want to be a good citizen. Those sort of women, they don't like to go and sell body. They are hiding from the trafficking, and fighting the trafficking. They are fighting for the human rights for the women, and against the women's discrimination in our country, and they are fighting against the economic inequality and property rights. I think one of the major issues for Nepalese women is the property rights.

As such, kidnapping and deception on the part of trafficking agents are not the only factor that forces women and girls into enslavement in the Thai and Indian sex industries. The kind of extreme and unfathomable poverty experienced by many women in Nepal and Burma coupled with a lack of other available options forces many women, even against their will, to submit to such a fate. As westerners, we have little or no understanding of the kind of poverty these communities face or the

deeply rooted cultural values that facilitate the sacrifice these girls and women are willing to make for their communities. Auckland-based human rights activist Sou Chiam spoke with me about the vital importance of outsiders not casting moral judgement on women in this situation, and stressed the need for westerners, in particular, to look at their position within the wider context of the social and economic status of their home societies. Prostitution, whether physically forced, or the result of circumstance, is the sacrifice that many girls and women in Burma and Nepal make as a result of their impoverishment and lack of opportunity, an economic situation that is fundamentally linked the unequal distribution of wealth between countries of the North and South.

How do Patriarchy, Culture and Religion Contribute to Trafficking?

Like Niriani, Chiam believes the trafficking of women for prostitution results from a combination of extreme poverty and traditional attitudes towards women as inferior. Patriarchal institutions in both Nepal and Burma dictate that women are not as important as men to the community as a whole. Mya told me that within Burmese society it is very normal for families to consider men more important than women:

> Traditional belief tells us men are more first priority than woman. For example, when the whole family eats together, we offer the food first to the elder people, and then the husband, and after that everybody else, the children and, then last, the woman. That is still a very important tradition today. Men are the first priority, but we don't mind that tradition. That is just the way it is.

Because most people in Burma are Buddhist, Mya believes many of the social attitudes towards women's status stem from interpretations of religious beliefs concerning the superiority of men, similar to what has been discussed regarding Christianity and Islam in previous chapters. Mya spoke of how religious beliefs in Burma impact on beliefs regarding the birth of a son:

> In our religion, some of our temples, there is an area where women can't go. Some areas are just for men, these places are a little bit higher and nearer to the temple, and this is only for the monk and the

> men, and woman can't step up there. I think this is because Buddha is a man. Also when we women are pregnant and we carry the baby, most of the parents like to have a boy, like I guess many other cultures also. We have the belief that if we have a son we can make him to the monk. This is the noblest place for him. Most of the communities they prefer to have boy first.

Niriani also believes that religion is a major contributor to gender inequality in Nepal, primarily because when gender difference is thought to be sanctified by God it becomes more deep-rooted and pervasive. Niriani told me that religion dictates women's role in society in many significant ways that differentiate women from men and identify them as inferior citizens in Nepalese society. She believes the Hindu religion makes women more passive, encourages them to obey men, requires them to stay at home and forbids them to participate in society or work outside the home. However, Niriani thinks these values are, in fact, cultural and, that according to the Vedas[3], women should have equal power to men:

> Originally it appears that the Nepalese religion, based on teachings in the Vedas, treated men and women equally. The Vedas prescribes that women should be honoured and treated as equal to men, but nowadays women are not treated equally by the religion because priests and writers, all male, twisted the original meaning of the Vedas and used their interpretation to change the culture to their advantage. After the Vedic age, before 1000BC, culture changed giving them [men] greater power over women.

Niriani believes religion and culture are closely linked and play a central role in shaping the value system and the social organisation in most societies, including Nepal, often influencing state legislation. Niriani told me that in Nepal, the law discriminates against women in regards to property rights, marriage and divorce, citizenship, dowry, inheritance and adoption. As women do not have the same property rights as men, they are kept dependent on men because the ownership of property is directly related to economic and financial power and independence.

> In traditional society, what I think is happening to our women is the discrimination from religion and culture in Nepal. Because of Hindu religion and the religious writings, the women have to follow the

[3] The Vedas are the original sacred texts of the Hindu religion.

> religious rule and women have to follow the cultural rule. Our culture came from that religion, and the culture became so strong to the women rather than to the man that the society became men dominated, so then always women are in the second position and men are the first position. That way women are always in the down position compared to the men in Nepalese society.

Like Mya, Niriani also talked about how families in Nepal are disappointed when baby girls are born instead of sons. She thinks this attitude contributes to the belief that it is acceptable to sell daughters to the traffickers. In Nepal parents train their sons and daughters differently; sons are motivated to be superior and do well academically, where as girls are taught to do domestic and agricultural work, and often do not even have the opportunity to attend school. As a result, men gain opportunities for career development where women do not, and women are excluded from decision-making roles both in the family, and the wider community:

> Because women were not allowed to further their education and were always inside the home, all the non productive work is done by the women and all the productive work is done by men. That's how men go outside to earn and the earning authority goes to men. That way women were always staying at home looking after with children and cooking and cleaning and the men were outside earning getting knowledge. The men make the books, rules and constitution. They make everything and they twist, they twist the rule for the women and they make the rule inside for them.

Niriani believes it is this kind of social thinking makes women live in fear of men. Women's identity in marriage is defined by their husbands and they are entirely dependent on them. She believes that women have no independence in Nepalese society and, as such, are not recognised as a development problem because it is assumed they will be cared for by the male heads of household, meaning their marginalisation from economic activities is considered both inevitable and appropriate. Because of differential social, political, economic, constitutional and legal positions, Nepalese women are not able to achieve equality, and are dominated almost completely by men.

Mya told me that men in Burma also have a lot more opportunities for work than

women. She believes it is because women are uneducated and unemployed that they are targeted by the trafficking agents:

> For the men in our country, maybe we have a lot of jobs, more opportunity, but for the women they are an increasing number and most of the time they just have the education up to the fourth standard, not university. For the job opportunity, for the finding a job, I think we have no different for men and women. Everybody can try, but especially for the higher position like a decision-making position, this will be the men. They think woman is not enough to make the decision. A lot of people have jobless, and that is why. Because of this then, the agents they just look for women, not for men.

Deeply ingrained cultural and religious values regarding the role of women in many societies in which trafficking occurs maintain the importance of submission. Female children are raised in a communal society which teaches that the welfare of the family as a whole is more important than the rights of the individual; girls are taught to do what is best for the family over what is best for themselves as individuals. As a result of their socialisation as inferior to men, many young girls within the very poor rural areas of Burma and Nepal believe it is their responsibility to leave the community in search of income. In the context of Thai society, Sukanya Hantrakul (1998) speaks of how the Buddhist faith can be seen to reinforce this belief:

> Traditional Thai culture, partly rooted in the Buddhist concept of the accumulation of merit and the Law of Karma, encourages Thai women, particularly those living in rural areas, to view men as their superiors. Women see themselves as disadvantaged and less worthy. They need money as a means of showing gratitude to their parents for bearing and raising them, as a way of taking care of their younger siblings and giving them a wider range of opportunities, including education (1998:130).

Chiam claims it is this ignorance and vulnerability that leads many young girls into the trap of traffickers. Religious and cultural traditions reinforce the belief that the female child has an obligation to do whatever it takes to help her family financially, even if this means working in the sex industry. Mya spoke of how in Burma the increasing impoverishment of rural communities is forcing all family members to do what they can to contribute to family income:

> In Burma, it is very hard to find a job because the district people, they are just used to farming and now the soil fertility is down very much and the weather is not enough. In our country, most of the family stay altogether under one roof, and it is usually just one person working, but now everybody needs to work, and we all have to help find the money, for all the whole community.

Enslaved and Exploited: What Happens After the Women are Trafficked?

In "AIDS and Gender violence: The Enslavement of Burmese Women in the Thai Sex Industry" (1995), Hnin Hnin Pyne presents the results of extensive research conducted with a group of 43 Burmese women in brothels in the city of Ranong, situated in the south of Thailand. Pyne found that three quarters of the Burmese women working in the brothels were in their late teens, nearly half had no formal education, and all had become involved in prostitution only since coming to Thailand. Only two of the women had approached the brothel owners themselves, with the rest being tracked and sold into brothels by a middle person or agent. Three of the women had been sold by husbands or boyfriends, 10 by a 'friend', and 28 by a stranger, who in most cases, enticed the women by promising them high wages as waitresses, maids or food vendors (1995: 217). Pyne tells the story of Aye Aye, a 17 year-old girl from Mathila, a city in central Burma, to illustrate the vulnerability of young rural Burmese women to the traffickers in Thailand:

> In Burma, Aye Aye's father mends pots and her mother sells food. When she was only 14, a woman well known in the community for her business in border trade proposed to Aye Aye's sister that she go to Bangkok to work as a domestic servant. Their parents agreed for both Aye Aye and her sister to go with the woman on her next trip, and posing as merchants, they were smuggled across the boarder. Once in Thailand, the woman handed them over to a group of men who sold them to a brothel. Aye Aye remained in Thailand for three years where she worked in two different brothels. From noon until about 3am was forced to service around 20 men per day, receiving only about one sixth of the money paid to the brothel keeper by her clients (1995:218).

Like Aye Aye, most women who are trafficked from both Burma and Nepal have no

control over the work they will do, or the terms and conditions of their employment. Many women who have been deceived about the nature of the work they will do have also been lied to about the financial arrangements and conditions of their employment, and will find themselves in coercive and abusive situations from which escape is both difficult and dangerous (ibid).

Trafficking agents and brothel owners in both Thailand and India's city centres target foreign women because it is much more difficult for enslaved women to escape in an environment they are unfamiliar with. In most cases, women brought into the destination country from outside will not even understand the language that is being spoken around them. Foreign women are also more attractive targets because the kidnapping gangs usually know the local authorities and can easily bribe the local police and judiciary (Human Rights Watch 2000:8). Local police are also far less sympathetic to foreign women. To prevent escape, employers take full advantage of the women's vulnerable position as migrants. These factors are compounded by a range of coercive tactics, including constant surveillance, isolation, threats of retaliation against the woman and her family members at home, and confiscation of passports and other documentation (ibid).

In the case of Burmese women working in the Thai sex industry, Pyne suggests that because most have no formal education and little experience with paid employment before coming to Thailand, they are especially vulnerable to deceit by brothel owners concerning wages and 'debt' (1995:219). In her research, Pyne found that in each of the cases were women were sold, the brothel owner paid the agent a sum of money, none of which went to the woman herself, but formed a 'debt' which would have to be paid back through 'work' before the woman was allowed to leave. The accounting of this debt was exclusively in the hands of the brothel owner, and the women had to rely solely on his word (ibid). This common form of coercion, termed debt bondage, can be further illustrated through the experiences of Nyi Nyi:

> Nyi Nyi was recruited from Burma at age 17 by a friend who had worked in Thailand. She had no idea what type of work she would do, but she agreed to go. When she met the agent, he gave her

> 15,000 baht (approximately US$600), that she gave to her sister. Then the agent sent Nyi Nyi to a brothel in northern Thailand, in a truck driven by a police officer. When Nyi Nyi arrived, she learned that the 15,000 baht from the agent was a 'debt', which she would have to repay through prostitution. Nyi Nyi could not speak Thai, she did not know where she was and she was always afraid of being arrested by the police. After a year of working almost every day, she was told that she had repaid her debt, but did not have enough money to pay for a return trip to Burma. So she continued to work, and a short time later she was arrested during a brothel raid. The police initially promised that she would be taken back to Burma in a few days, but instead Nyi Nyi was sent to a reformatory for prostitutes, where she was confined for the next six months (Human Rights Watch 2000:12).

In such cases of debt bondage, women are told that they must work without wages until they have repaid the purchase price advanced by their employers, generally an amount far exceeding the cost of their travel expenses. Even for those women who knew they would be in debt, this amount is invariably higher than they expected and is routinely augmented with arbitrary fines and dishonest account keeping (Human Rights Watch 2000:14). Employers also maintain their power to 'resell' indebted women into renewed levels of debt. In some cases, women find that their debts only increase and can never be fully repaid. Other women are eventually released from debt, but only after months or years of coercive and abusive labour (ibid).

In three of the four brothels Pyne surveyed, the women had waiting rooms in which they sat behind a glass partition, wearing numbered buttons, until they were selected by a male customer. These women had no choice but to work every day unless they were menstruating. However, the fourth brothel required them to work whilst menstruating, and even in the early months of pregnancy (1995:219). The establishments did not provide quotas on the number of clients, but women were prohibited from rejecting customers. The number of customers varied. Women at three of the brothels had six to 10 customers per day, while, at the fourth, women were expected to serve 16 - 20 customers (ibid).

The situation for Nepalese women in Indian brothels is remarkably similar. In *Back*

Home from Brothels: A Case Study of Victims of Sexual Exploitation and Trafficking Across Nepal - India Border (1997), Pradhan uses the story of Maya and Parvati to illustrate the typical experiences of Nepalese women who end up sold into brothels in Bombay or Calcutta. Once in India, the situation in which such women are forced to live is deplorable. They have no sanitation, the food provided for them is meager and half spoiled and they are constantly threatened and exploited by police, politicians and pimps. For women like Maya and Parvati, the dream of going to India becomes a nightmare from which there is often no escape:

> Maya and Parvati, two teenage girls from Sikharbesi village, left their home in 1986 with a group of other young men and women in the hope of finding employment in the carpet factories of Kathmandu. After six months of working under terrible conditions, an aged woman from their village who had lived in Bombay for many years offered to take the girls there with her. She looked very rich and privileged, and for the girls it was a dream come true. To them Bombay seemed like the ultimate city of joy and good fortune, but they were never taken to Bombay. The old lady sold them to a brothel in Sonagachhi, Calcutta, and disappeared with the 25,000 rupees she made from their sale. The majority of the 40,000 prostitutes in Sonagachhi are from Nepal.
>
> After two years of torture, cruelty and violence, Maya and Parvati were rescued by two of their regular customers who married them. However, this did not end their suffering, for their husbands began bringing customers home and filling up their pockets by selling their own wives. One day Maya's husband took her to Bombay, where she was sold again to a brothel in Kamathipura where she spent over two years in a dark room receiving on average five to 10 customer a day. Given no choice, she had to entertain all types of customers, having no option but to accept the maltreatment of the customers and the cruelty of the brothel owner as part of her everyday life. For these services, she received nothing but two small meals a day and the occasional small tip given to her directly by a customer. She was never allowed to leave the brothel (Pradhan 1997:7).

A survey conducted in 1993 by Human Rights Watch revealed that approximately 200,000 Nepalese women were working as prostitutes in India at that time (1997:8), the majority of whom were victims of trafficking - their stories all remarkably similar to that of Maya and Parvati. Most of the girls working in the brothels were illiterate, 20 percent were minors, and 30 - 45 percent had been deceived by relatives

or other people in their village. These women took between five and 35 customers per day, each customer paying between 50 - 200 rupees ($1- $5 US). Most of the women had worked without being paid for the first five to six years, after which they halved their agent's fees (Human Rights Watch 1997:10).

Nepalese women in Indian brothels often relate stories of how they have been beaten, raped, burnt with cigarettes, kept starving, put in isolation and subjected to various other kinds of extreme torture. If any try to escape from a brothel, or continue to refuse to go to bed with customers, they will suffer even more severe types of torture. Brothel owners use alcohol, drugs and medicine to coerce the women into working, meaning as a result of their enslavement many women suffer from not only physical health complications but also various psychological problems, such as humiliation, sadness, depression, worry, shock, anger and fear (ibid).

The Effects of Forced Prostitution on Trafficked Women

As the majority of enslaved women are forced to have unprotected sex with a large number of men every day, disease becomes a major threat to the health of many women who have been trafficked. Studies have shown that in some locales, more than 40 percent of those working in the sex industry have contracted one or more sexually transmitted diseases, the most damaging of which are HIV and AIDS[4] (Pyne 1995:220). However, because women in forced prostitution have no choice but to endure threats and abuse, with many reporting they are beaten if they do not comply with the wishes of clients, protection from HIV and other sexually transmitted

[4] Acquired Immunodeficiency Syndrome (AIDS) results from the late stage of infection with Human Immunodeficiency Virus (HIV). HIV is transmitted through the exchange of any HIV-infected body fluids such as blood, semen and vaginal secretions. HIV most frequently is transmitted through unprotected sexual intercourse.

The AIDS pandemic has already resulted in the deaths of approximately 11.7 million people worldwide and will ultimately cause the deaths of the estimated 30.6 million men, women and children around the globe still living with this disease. In 1997 Roughly 6 million people were newly infected with HIV - nearly 16,000 people each day (New Zealand AIDS Foundation 1998).

diseases seem a minor dimension of their daily struggle to survive.

The Thai brothels surveyed in Pyne's study provided inadequate or no medication for women with illness or infections, and very limited contraceptive protection. Only one-third of the women Pyne spoke with had received check ups for sexually transmitted diseases. Most shook their heads in bewilderment and smiled in embarrassment when the subject of AIDS was raised (1995:221). Pyne claims few had even heard of the disease, but out of those who had, their knowledge was extremely limited, especially regarding transmission and protection. The women were, however, afraid of AIDS, not because they considered themselves at risk, but from fear of seeing others contact the virus. Pyne claims most did not know HIV was communicable, and many related stories they had heard of HIV positive prostitutes being taken away by police and killed (ibid).

As women who have been trafficked are in most cases forbidden to leave the vicinity of the brothel, they are largely unable to access health advice or medicine when they contract infections or become ill, thus health care rests entirely on the owner. Pyne believes consideration of the women's social status in relation to the customers is also critical to understanding the vulnerability of the women to HIV. Her study revealed that most of the women perceived condoms as both protection against disease and as a cause of infection. Overall usage rates were very low as most clients routinely refused to use them. In almost every case the women had absolutely no bargaining power with the customers; a reality which, according to Pyne, is a reflection of the general status of women and gender relations in Thai and Burmese society. It is not merely that a client may refuse a prostitute's request to wear a condom, but that the prostitute may not even ask. Feeling powerless, many women remain in their traditionally defined roles, accepting and respecting the superior position and spiritual status of men (ibid).

In the context of Indian brothels, ABC Nepal[5] (1996) claim the spread of HIV

[5] ABC Nepal is a human rights Non-Governmental Organisation based in Kathmandu, Nepal

infection in Nepal is directly related to the nation's economic situation. ABC Nepal suggests: "Poverty produces an increase in trafficking in women, meaning consequently those who are the most likely to be infected are persons in the remote poverty stricken mountain villages, causing poor families with HIV infected family members to sink even deeper into poverty" (1996:8). Poverty is also inextricably linked to the spread of HIV in Thai brothels. One study conducted by a professor in Bangkok found that HIV infection rates in brothels where the fees were under 50 bhat were as high as 72.2 percent (Matsui 1999:34). The women in the cheapest brothels are unable to protect themselves by making their customers use condoms because they have no control over what happens to them. It is estimated that the number of Burmese girls infected with HIV is three times that of Thai women, as the Burmese women are made sex slaves in the poorest brothels (Pyne 1995:223).

> AIDS is spread rapidly and efficiently by the brothels because, basically, men do not like to use condoms, and the women can ill afford to refuse a customer who will not. The rapid onset of the disease is imminent, if not already in progress, simply because, most of the men visiting prostitutes reported having non-prostitute partners as well. The brothels also serve to export AIDS internationally as well. When foreign prostitutes become infected in the brothels of the cities of the Philippines or Thailand, they are often sent home to Burma, or Cambodia, or Laos, where they continue to spread the disease (ABC Nepal 1996:9).

As the number of HIV infected women in the sex industry continues to increase, brothel owners in both Thailand and India are increasingly requesting younger and younger girls from the trafficking agents largely because of the common belief that sex with virgin girls enhances a man's virility. The AIDS epidemic has also contributed to the demand for young girls from Burma because they are believed to be untouched by infections and disease. Thus girls as young as eight-years-old are now being sought and provided throughout the world for their sexual services. However, children are actually more prone to AIDS; the internal tissues of the vagina and anus in young children is more delicate and tears more easily as a result of sexual intercourse, especially with adults. It is estimated that 20-30 percent of child prostitutes are HIV positive (Pyne 1995:220).

Pyne believes the vulnerability of trafficked women to HIV and AIDS is directly linked to the loss of self-esteem and dignity that women experience after working in the sex industry. Traditional patriarchal society in both Nepal and Burma demands that women should not allow more then one man access to her body, an ideology which lowers the self-esteem of women who are unable to fulfil this socially determined requirement. As a result, many women who are trafficked consider themselves worthless after having lost their virginity, even if it was against their consent. While Patriarchal society views women's sexuality as a potentially dangerous force requiring strict control, men are treated as natural human beings with natural human needs. Where as virginity is imposed as the most important asset of a 'decent' woman, sexual promiscuity is acceptable and encouraged for men without any negative social sanction (Pyne 1995:223).

As a consequence of these beliefs, many Burmese and Nepalese women, even if released, will choose not to return home out of fear their village or community will discover they had been prostitutes. Believing their lives had been ruined and that they deserved whatever happened to them, these women had little incentive to protect themselves from infection (ibid).

Despite the periodic glamorization of the profession in movies and TV shows, prostitutes continue to be looked down upon as the scum of society, people who somehow deserve their fate. These women become objects of pity and disrespect. Because prostitution is illegal in most places, the women working within the industry are often punished and put into danger. In general, most people do not distinguish between the women as individual human beings and prostitution as an institution. Based on this, the suppression of the institution is, therefore, synonymous with arresting and penalising women who are prostitutes. Such an approach neglects other elements and factors in prostitution, such as the syndicates involved in the trafficking of women and the socio-economic and political relationships between countries of origin and destination (Pyne 1995:222).

Trafficking, Poverty and Tourism: The Global Picture

In *Red Light, Green Light: The Global Trafficking Of Women* (1996), Judith Mirkinson claims women trafficked for the purposes of prostitution can be seen to represent the globalisation of the world's economy in that they have become commodities in a multibillion-dollar industry (1996:5). During the 60s and 70s tourism was promoted by the world economy as a potentially lucrative industry for developing nations such as Thailand and India. The International Monetary Fund, the World Bank and agencies like U.S.AID, urged impoverished countries to exploit their natural resources by developing resorts and hotels to attract foreign capital. Part and parcel of the tourist attraction was sex. These tours are built on the patriarchal and racist fantasies of European, Japanese, American and Australian men by touting the exotic, erotic subservience of Asian women (ibid).

Mirkinson suggests women in many Third World societies are subject to age-old, deeply ingrained stereotypes and pre-conceptions regarding their sexuality (1996:28). Asian women were, and still are, looked upon as fragile, exotic, sexual flowers, there for men to do with as they wish. Practices that might be frowned upon or illegal for tourists in their own countries are freely available in places like Bangkok and Manila. Mirkinson claims: "Sex tours primarily market Asian women as exotic and docile..." (1996:13), constructed around the perceived "mystique of the Asian woman as beautiful, obedient and available", as compared to the perceived nature of the western women who, as a result of modernity, has become too assertive and independent (ibid).

Ironically, the Vietnam War proved fortuitous to many Third World economies in that countries such as Korea, Vietnam, Thailand, the Philippines, and Japan built up burgeoning sex industries outside the American Military bases. The demand generated by 'rest and recreation' created whole new cities and added much-needed capital to the overall economy of each nation. For example, it is estimated that by the mid-1980s the sex industry surrounding American military bases in the Philippines

had generated more than US $500 million (Mirkinson 1996:21). At the end of the war in Vietnam, Saigon had more than 500,000 prostituted women – an amount equal to the total population of Saigon before the war began. As a consequence, many impoverished countries in the Third World developed policies and passed legislation to facilitate the growth of the sex industry (ibid).

In the case of Thailand, the World Bank recommended the government pursue mass tourism as an economic strategy. The economic initiatives consequent on the bank's report led to what is routinely described today as a US $4 billion-a-year business involving fraternal relationships among airlines, tours operators and the masters of the sex industry. In this sense, sex tourism is like any other multinational industry, extracting enormous profits from grotesquely underpaid local labour and situating the immediate experience of the individual worker - what happens to the body of a 15-year-old from a village in North-east Thailand or Burma - in the context of global economic system (Mirkinson 1996:22). Despite extensive conflict with traditional religious norms of modesty, the Thai government has officially promoted this policy since 1980, which was declared the 'Year of Tourism'. Mr Boonchu Rojanasathien, the deputy Prime Minister during that time, declared to the national meeting of governors in October 1980 that:

> Within the next two years, we have a need of money. Therefore I ask of all governors to consider the natural scenery in your provinces, together with some forms of entertainment that some of you might consider disgusting and shameful because they are forms of sexual entertainment that attract tourists. Such forms of entertainment should not be prohibited if only because you are morally fastidious. We must do this because we have to consider the jobs that will be created for the people (cited in Mirkinson 1996:24).

Almost 75 percent of the five million tourists who visit Thailand each year are male (Mirkinson 1996:28). Tourism has emerged as the single largest foreign exchange earner in Nepal, Thailand, and the Philippines. Men are guaranteed a good time and, to sweeten the deal, are given the impression that they are actually doing good deeds by injecting money into developing economies. Tax-free industrial zones and capital growth centres are also increasingly becoming centres for trafficking. Police and

governments in the host countries are completely complicit in the running of the sex trade. Sexual services are, in fact, provided on a regular basis to government officials to keep them in line, and government profits from the industry are so immense that they are loathe to complain anyway (ibid).

To meet the demand created by these sex tours, entire villages in Nepal and Burma are being decimated of girl children. In a strange twist parents welcome, for the first time, the birth of a girl rather than a boy because they know they have a guaranteed wage earner. Many of these families feel they have no other choice than to give up some of their children in order to survive. As a consequence, children are being sold at younger and younger ages; a trend welcomed by the traffickers because of the increasing demand for child sex and young virgins (Pyne 1995:219). According to the United Nations Children's Fund (UNICEF), up to 40,000 Burmese girls have been imported into Thailand to serve tourist retreats (cited in Mirkinson 1996:30).

While countries such as Thailand and India have benefited economically from the tourism industry and the resulting foreign exchange, the 'development' process involved is facilitated by a blatant disregard for the development of women's opportunities for economic independence. Vandana Shiva (1989) claims that in the case of Thailand, it cannot be denied that development, under the many different labels of industrialisation, modernisation and exportation, has marginalised women and placed them in a very desperate position. As Shiva explains:

> When commodity production as the prime economic activity is introduced as development, it destroys the potential of nature and women to produce life and goods and services for basic needs. More commodities and more cash means less life in nature (through ecological destruction) and in society (through of basic needs). Women are devalued first because their work co-operated with nature's processes, and second, because work which satisfies needs and ensures resistance is devalued in general. It is no accident that the modern, efficient and productive technologies created within the context of growth in market economic terms are associated with heavy costs, borne largely by women (1989:22).

In this context, women become vulnerable to oppression on the basis of not only

gender and class, but also the particular role of their homeland in the games of the international political economy. As Maria Mies stated in her presentation to the 1991 "Women and Children First" Symposium in Geneva: "The prevailing world market system, oriented towards unending growth and profit, cannot be maintained unless it can exploit external and internal colonies, nature, women and other people" (1991:4).

Trafficking and Human Rights

During the Vienna Conference on Human Rights held in June 1993, women from around the world formed a special tribunal to demand that women's basic rights be recognised as human rights, including the trafficking of women and children. Delegates agreed:

> Sexual exploitation is a violation of human dignity. Therefore, it must be considered a fundamental human right to be free from sexual exploitation in all of its forms. Sexual exploitation is a practice by which person(s) achieve sexual gratification or financial gain, or advancement through the abuse of a person's sexuality by abrogating that person's human right to dignity, equality, autonomy, and physical and mental well-being (cited in Pyne 1995:218).

Within the context of Nepal, Niriani agrees that the trafficking of women to India for prostitution constitutes an abuse of their human rights as women. However, she believes sexual exploitation against women in Nepal is not limited to trafficking and prostitution:

> Women who are working in the factory and even offices at the secretary level, they are often sexually abused by their bosses. In many other jobs than prostitution this [sexual exploitation] is a very big problem for Nepalese women. At the moment only very few Nepalese women are truly independent and free from this kind of abuse, like in a teaching job in university and school. Those who are working in an office, factory and even some academic fields, they are abused. For example, if they are good to the boss they may be getting a promotion, if they are no good to the boss, no promotion. It's very hard to say, to describe what is happening inside to other people who are outside. Because it is very important tradition for Nepalese women to remain virgins until they are married, this helps

them not to tell anyone about the abuse.

Niriani believes women in Nepal have very few rights because the economic, social, cultural, and political institutions of traditional Nepalese society all work to legitimate and entrench male dominance in both the public and private sphere:

> If you ask me I would answer that women have no rights in Nepalese culture. Culturally, religiously, politically, economically, socially we are discriminated. We are not getting human rights. Politically women are discriminated, they are not equal. Constitutionally they [the Nepalese Government] give 5 percent of votes to women that way, but hardly any women ever come to the parliament, maybe only 2 percent women, so that way women never get to go to the policy making position. If the women are not able to change the policy in the policy making sector, that policy cannot go to be implemented at the root level, and always the root level women are having many problems. Because policy and law favour the men in our society, culture and religion also favour the man. So in this way, I don't think that Nepalese women have the human rights.

Niriani talked abut how existing human rights standards need to be applied cross culturally because, in patriarchal societies like Nepal, it is often cultural norms that are used to justify gender discrimination against women:

> Somehow they [human rights standards] should be able to change cultural things. Some cultural things do people out of human rights. In my country women who are in menstruation time are not even allowed to eat together with their family. They [Nepalese men] don't allow us to sleep together, even live together. These are the kinds of cultural rules that make women face many difficulties. Nepalese culture is very much different for men and women. That culture should be changed, not totally, but sort of changing in these ways.

Niriani believes human rights standards should apply equally to both men and women and, as such, could be utilised to facilitate equality in all areas of society:

> Human rights means human beings should have their rights as humans to survive. But those human rights as much as a man can get should be there for the women too. Women also should have the human rights as well as men to survive, to eat, to live together, to get education, to get job opportunity, to equality not only in the home, but equality in the parliamentary system, equality to the administration, academic, everywhere.

Mya told me that before coming to New Zealand she knew very little about human rights standards in regards to the United Nations because the military dictatorship in Burma allows almost no contact with the outside world:

> Before I came here to study, I just know human rights as freedom for reading, writing and talking. We didn't know exactly about human rights, but now I find that it means no unlawful discrimination against people because of sex or nationality. Before I think it was simple things like freedom for reading and writing and talking about especially, political things. We have a lot of force in our country and we can't talk about what we don't like. Most of the people in my country think like that about human rights.

However, like Niriani, Mya also believed that forced prostitution was an abuse of women's human rights, particularly when they were deceived by trafficking agents over the nature of their employment once in Thailand:

> Yes, sexual tourism is very bad for them [Burmese women] because if they like to do then that is not bad for them because that is their choice, but if they don't like to do then that is very bad for them. If they honestly didn't know about that, then they have no choice then that is against their human right.

Why Doesn't Human Rights Law Protect Women from Trafficking?

Although various international treaties exist that forbid the kidnapping of women for the purpose of forced prostitution, women continue to be kidnapped and deceived internationally and domestically on an alarmingly regular basis. While international conventions provide a comprehensive framework aimed at the prevention of the traffic in women for forced prostitution, these agreements are not well adhered to by many of the countries who endorsed them. Corruption in law enforcement groups and a lack of governmental interest in the plight of women enslaved in the sex industry make it almost impossible to enforce international law when related to trafficking (Matsui 1999:32). In many cases, corrupt officials in countries of both origin and destination actively facilitate trafficking abuses by providing false documents to trafficking agents, turning a blind eye to immigration violations, and accepting bribes from trafficked women's employers to ignore abuses (ibid).

Human Rights Watch has documented numerous cases in which police patronised brothels where trafficked women worked, despite their awareness of the coercive conditions of employment (2000:9). In the majority of cases, the indifference of officials to the human rights violations involved in trafficking has allowed this practice to persist with impunity (ibid). Even when confronted with clear evidence of trafficking and forced labour, Pyne claims officials often choose instead to focus on violations regarding immigration regulations and anti-prostitution laws, rather than violations of the trafficking victims' human rights (1995:219). As a result, the women are targeted as undocumented migrants and prostitutes, while the traffickers either escape entirely, or face minor penalties for their involvement in illegal migration or businesses of prostitution (ibid).

In the case of Thailand, the official position on prostitution is that it does not exist because it is illegal, a reality illustrated by the fact that brothels are generally disguised within other services such as massage parlours, restaurants, motels and tea houses. Pyne suggests the official complacency with prostitution in Thailand is tied to the view of prostitutes as a national resource, a stance she claims is a "severe handicap to campaigns that seek to provide safeguards for prostitutes and to limit the spread of AIDS" (1995:223).

While world-wide agreements that ban the traffic of women already exist, these prohibitions have little effect, primarily because too many people in influential positions in countries of both origin and destination continue to make significant amounts of money from the trade in women for sex tourism. After all, if one can ignore the egregious human costs, this commodification of basic male desire, is merely an efficient, unrelenting articulation of our modern market values applied to male sexuality.

What Can Be Done?

Human Rights Watch suggests a fundamental contributor to non-compliance with international law in regards to trafficking lies in the fact that there is no international enforcement agency or organisation in existence that has the mandate to carry out the prohibitions (2000:25). It maintains that the creation of an international law enforcement agency to deal with this predicament, and an international criminal court system to try those engaged in such crimes, is one possible solution to the growing problem (ibid).

Pyne believes most important in the fight against trafficking in women is realisation by the international community that trafficking represents a form of violence against women, and that those liberated from enslavement have the opportunity to seek remedies and redress for the human rights violations they have suffered, including compensation for damages, unpaid wages, and restitution (1995:222). She claims it is vital that trafficking be seen to encompass the use of coercion to extract work or service, and that active investigating, prosecuting, and punishing of those involved in trafficking in countries of origin and destination must begin to be taken seriously. Pyne suggests particular attention should be paid to evidence of collaboration by government officials in the facilitation of trafficking abuses along with the imposition of penalties appropriate to the grave nature of the abuses they have committed (ibid).

Pyne argues that fundamental changes must also occur in the way that society views women who have been trafficked. After women are freed from debt bondage, many of the rehabilitation schemes available to them focus on 'upgrading' the women in order to prepare them to become normal members of society again. However, this same rule does not apply for their male customers (1996:223). She believes such schemes serve as further punishment for the women, meaning many women are afraid to enter the programmes as they see them as a kind of detention before they are allowed to go home. Education in many of the rehabilitation centres also focuses

on 'feminine' skills of which there is little or no demand for in the labour market, meaning many of the women end up returning to prostitution regardless (ibid).

On a broader scale, further work must be done in the field of protecting women's rights and addressing the inequality in status and opportunity that make women vulnerable to trafficking and other forms of abuse in the first place. States should support policies and programmes that promote equal access to education and employment for women and girls. They should also provide women with information about their rights as workers and how to protect these rights overseas. Structural changes have to be initiated in order to eliminate impoverishment and exploitation in regions where trafficking is common.

Such initiatives were mentioned by Mya in the context of our discussion regarding the trafficking of Burmese women to Thailand. Mya believes women from her community will remain vulnerable to trafficking as long as they continue to be uneducated and impoverished - a likely situation under the present political situation in Burma. Mya believes until there are better opportunities for women to gain employment within Burma, women will continue to migrate to Thailand as a means of supporting their family's back home:

> We need to be able to give them [poor women in Burma] an opportunity to get employment in our own country so then poverty for them will not be so great. Then another thing is education. We need to give them more education and more information and knowledge about other countries, and about the whole world. At the moment our newspaper only just talk about the military government and what they do, the only thing it has for the foreign news is just one page, and everything is cut down because if they don't like the people to know, then they cut it out. That is why we don't have enough knowledge about foreign countries. Most of us just see our military television, under the control of the military. They just show what they want us to see. We have no knowledge and no news in Burma about the outside world still today, only for the rich.

Niriani also stressed education as a key factor in the fight against trafficking for Nepalese women and girls. She believes if women from her society become

empowered with knowledge concerning their rights they will realise they have more options than what they may otherwise have thought:

> Well, first women should be educated. Once you can get the education to them then the women themselves can get empowered by education. They will know what to do and what not to do. Women need to become empowered to learn the issues like property rights, and equal legal rights and equal constitutional rights, all the issues for women in Nepal. If they know these issues and become empowered, less will be vulnerable to the trafficking.
>
> In this situation, for example, educated women are fighting all sorts of discrimination because they know the situation; what exactly is going on in the country and what they want. That's how educated women can help, but this is not always easy. I am a qualified woman, but to be here I had to fight with my family, I had to fight with my society, I had to fight with my economic condition, everything. Now what I want to do is help to change this situation. That's why my study is not enough for me. If I do a job, if I earn money, and if I enjoy myself, that is not enough for me.

However, like the Somali women I spoke with regarding FGM eradication, Niriani talked about how this change must be guided by women from the community in which the situation is embedded. She told me that many development and women's rights organisations from the west see trafficking as a development issue that can be solved by development-based initiatives derived from western economic models. As such, Niriani believes these programmes do not take into account the cultural complexities of the issues involved, and do not actually meet the needs of the communities they are trying to help. She told me she believes many such agencies, in fact, have their own self serving agenda for helping women in countries like Nepal:

> There are lots of INGOs[6] in our country, but I don't think that INGOs can help the development of women in rural parts of our country. Of course they are poor and somehow the INGOs like to make their empowerment income generated, or educational empowerment or whatever, but to me I think that this is not enough. INGOs always have their own objective to go there, and they don't really know what exactly the rural people want, or understand what are their basic needs. They don't know. They go by themselves on their own objective benefit, just because they have some money and

[6] INGOs are International Non-Governmental Organisations

> they want to launch a programme there for their own purpose. I think in some places these groups have a negative impact. I mean INGOs want to develop in that area, but the people they don't want them. They don't know the basic needs for the development of that area, what exactly the people want, what are the needs of those people to make development. Many people think they are using people rather than helping the development in that area because they don't know the basic needs and necessity of these people.

Mya believes outside assistance would be beneficial to those working towards the eradication of trafficking, providing the agencies have knowledge about the cultural context in which they will be working in. However, unlike Nepal, Burma has historically received little attention from outside development agencies because of its isolation under the military government. As such, North / South contention regarding development and rights issues has, to date, not been as widespread:

> Yes, I think it is good, but it depends on their education. If they are from a developed country and they know a lot about the other country, and they have information and knowledge about what goes on there, then that is good. Because there are some things that we cannot do that they can do for us, we must appreciate that. I know some people think that this is none of their business from outside, but I think we should appreciate what they can do to help us.

Concluding Thoughts

Rapid economic development in the Third World based on the free market system has greatly contributed to the international trafficking of women and children; a system of modern slavery entrenched in the historic relationship between capitalism and patriarchy. Trafficking in persons is a profound human rights abuse to which women in impoverished societies, like Nepal and Burma, are particularly vulnerable due to the persistent inequalities they face in status and opportunity.

By organising against sex trafficking, women are challenging the view of themselves as objects and commodities to be moved around or discarded according to the needs of the marketplace. In highlighting human rights abuse in the context of trafficking

for sex tourism, one is not only focusing on issues surrounding the treatment of women, but also the intersection between racism and sexuality and the increasing economic disparity between the North and South.

While governments in both donor and host countries need to take concrete steps to prevent trafficking, punish traffickers and the corrupt officials who facilitate their crimes, and provide protection and redress for survivors, it must also be understood that as long as there are no other jobs available for women within these contexts, widespread prostitution and trafficking will continue. Governments, human rights organisations and women throughout the world fighting against the traffic in women must recognise that this issue cannot be solved without challenging the model of economic development upon which it is based.

Where To From Here?

Conclusions

Nancy Scheper-Hughes believes the work of anthropology demands an explicit ethical orientation to 'the other' (1995:417). In the past - and with good reason - this orientation was interpreted as a respectful distance, a hesitancy and a reluctance to name wrongs, to judge, to intervene or to prescribe change, even in the face of considerable human misery (ibid). As a consequence of anthropology's fundamental connection to the colonial world, anthropological thinking, in a sense, became radically conservative with respect to its 'natural' suspiciousness towards all projects promoting change, development and modernisation, primarily because: "We [anthropologists] know how often such interventions were used against traditional, nonsecular and communal people who stood in the way of western cultural and economic expansion" (Scheper-Hughes 1995:418). As a result, the artificial and (at times) counterintuitive ideal of cultural (and moral and political) relativism evolved as a sacred oath of anthropological fieldwork (ibid).

This study has attempted to question the value of cultural relativism in the face of traditional cultural or religious practices that cause 'real harm' (Cohen 1998:115) to women and girls in the Third World. In the context of a subject such as the relationship between gender-based violence and cultural practices, feminist anthropologists like Scheper-Hughes believe anthropologists have an obligation to reconsider their traditional role as neutral, dispassionate and rational observers of the human condition, in favour of a morally engaged and politically relevant 'new' anthropology that is "capable of sinking through the layers of acceptance, complicity and bad faith that allow the suffering and deaths [of those we study] to continue" (1995:418). In her ethnographic work, Scheper-Hughes claims she is "tempted to call anthropology's bluff, to expose its artificial moral relativism and try to imagine what forms a politically committed and morally engaged anthropology might take" (ibid), and suggests there is "little virtue to this false neutrality [relativism] in the face of the broad political and moral dramas of life and death and good and evil that are being

played out in the lives of everyday people" (ibid).

Scheper-Hughes (1995) advocates a more 'womanly hearted' approach to anthropology that is concerned with not only with how humans think, but with how they behave towards each other, thus allowing a direct engagement with questions of ethics and power that have been absent from traditional anthropological discourse. She believes those who are privileged to witness human events close up and are privy to community secrets that are generally hidden from the view of outsiders have an ethical obligation to identify culturally sanctioned ills or wrongs, providing they do so with the use of care and responsibility. Scheper-Hughes claims anthropologists who choose to ignore this methodological path effectively collaborate with existing relations of power that allow situations of violence or destruction to continue (1995:417).

In light of such claims, this study has attempted to illustrate that certain culturally sanctioned violent and / or oppressive practices towards women are not essential or valuable parts of the specific religion or culture in which they are embedded, but are instead, historically constructed, gender-bound interpretations of religious and cultural values perpetuated by those in authoritative decision-making positions, primarily, if not completely, men. Through the analysis of four specific case studies, I have argued that, over time, such interpretations become known and accepted by society as integral and essential aspects of 'tradition', but that in reality, their real purpose is to entrench and legitimate structural inequality along the lines of class and gender. When broken down and analysed within the wider contextual framework presented in this thesis, the cultural and / or religious practices I have discussed are revealed as historically and culturally specific manifestations of a universal patriarchal structure which seeks to legitimate the continued control and subjugation of women throughout the world.

As such, violence against women must be viewed within the socio-economic and political context of power relations, as it is produced within a class-based, gendered

society in which male power is the dominant force. This thesis has attempted to construct violence against women as a form of both social and political control, ideologically supported in a variety of different ways by the state. The demarcation of public and private life within society is one such political process that both reflects and reinforces power relations, particularly between gender, race and class.

Even though violence against women occurs in almost every society in some from or another, our socialisation as 'enlightened' westerners causes us to view manifestations of culturally sanctioned violence against women in 'other' societies as somehow worse, or more oppressive that what women experience within our own culture. However, as I hope this thesis has demonstrated, nothing is quite as simple as it may first appear through the western colonial gaze. For example, while the western world seems content to assume the Muslim faith is, by its very nature, inherently oppressive to women, I have attempted to reveal that both Islam and western Christianity are fundamentally grounded in the institution of the patriarchal family. While not denying that patriarchy is a major source of control and subjugation of women throughout the world, I have tried to illustrate that its manifestation in the form of the hijab, for example, is no more, and arguably less, oppressive to women than cultural conventions in our own society regarding beauty and sexual desirability that result in women choosing to undergo dangerous cosmetic surgery.

In recognising and naming the inextricable links that exist between gender, class, ethnicity and the colonial process in shaping the lives and experiences of women in the Third World, this thesis has attempted to provide the reader with an understanding of the reasons why specific examples of culturally sanctioned gender violence continue to exist, rather than simply judging the practices as morally wrong. Without the inclusion of this framework, anthropologists studying aspects of society within the Third World cannot escape the male-centred colonial legacy of structuring their discussion of such issues around a hierarchical relationship between 'self' and 'other'. By positioning my analysis of the relationship between women and Islam, religious fundamentalism in the form of the Taliban, female genital mutilation and the

trafficking of women within the wider context of contemporary global capitalism and the social institution of the patriarchal family, I was able to reveal the implicit role the First World itself has played in the continuation of the practices discussed.

Female circumcision, for example, is a deeply ritualized traditional practice that is highly valued by those in practicing communities primarily because of its perceived value in the context of post colonial society. While many recognise that FGM is a harmful procedure that effects the physical and psychological well being of girls and women, the value it holds as a unique aspect of cultural identity in the wake of colonial oppression supersedes this potential damage. Even though I am morally opposed to the practice of mutilation itself, the reasons why those in practicing societies resist western interference in regards to this custom are very clear indeed. Similarly, the exploitation of women from Nepal and Burma in the international sex tourism industry is a direct consequence of the relationship of structural inequality that exists between nations of the North and South – a relationship that we as westerners benefit from every day.

As expressed in chapter six of the thesis, religious fundamentalism in the form of the Taliban is also related to the imposition of western political and economic values onto the Third World. While the cruel and dehumanising treatment women in Afghanistan are subjected to remains unfathomable to most of us in the western world and cannot be justified in any way, recognising the ways in which the neo-colonial structure of the global economy fuels this conflict is extremely eye opening to those of us who would rather remain protected by our ethnocentric "cultural blinders" (Cohen 1998:117).

Many Third World women live under local inequitable gender relationships, exacerbated by western patriarchy, racism and exploitation. While international human rights law offers a framework within which culturally sanctioned abuse of women can be eliminated, it too can be seen to reflect the notion of western superiority as a result of its focus on individual rights. However, in recognising that

the morality and values of an individual are certainly shaped by the culture and history of a given society, this does not negate the philosophical theory that human rights, defined as the rights to which one is entitled simply by virtue of being human, are universal by definition. What this means is that although human behaviour is necessarily culturally relative, human rights are, by their nature, universal entitlements that are grounded in moral values recognised across cultural boundaries.

While acknowledging that a problem remains in searching for an ethical standard that does not privilege our own western cultural presuppositions, developing strategies to protect women from culturally sanctioned gender violence in any cultural context must continue to be a serious concern for all women. Angelique Savane (1983), President of the Association of African Women Organised for Research and Development, suggests that while many women in the Third World consider that national and ethnic traditions must be respected and maintained so as to create a genuine sense of nationhood, "aspects of our [own] culture which discriminate, restrict and devalue women's physical, psychological and political development must be eliminated. To achieve this, women must be mobilised politically for action" (1983:221).

While speaking on behalf of Third World women represents a neo-colonial representational practice, ignoring the commonalties that do exist in regards to the discrimination women face serves to limit the ways in which western women can use their privileged position in a positive way. We need to utilise the money, power and resources we, as western women, can access, to help women in disadvantaged societies to develop and implement programmes they consider appropriate for themselves and their situation. A global feminism must, therefore, be a comprehensive and inclusive ideology and movement that incorporates, and yet transcends, cultural differences amongst women. Such a definition will allow us to isolate the gender specific element in women's oppression, while simultaneously relating it to the broader issue of inequality between nations of the North and South.

In choosing to question the cultural practices of 'others' that allow the physical and psychological abuse of women to continue, I have, in the words of Scheper-Hughes, stopped being a spectator and started being a witness (1995:416). While observation is a passive act that positions the anthropologist as neutral and objective, witnessing allows the anthropologist to have an active voice - an approach that locates the anthropologist inside human events as a responsive, reflective and morally committed being, one who will take sides and make judgements, though this flies in the face of traditional anthropological non-engagement both with ethics and power (ibid).

While acknowledging that the anthropologist is always a necessarily flawed and biased instrument of cultural translation, Scheper-Hughes believes that, like every other craftsperson, we can do the best we can with the limited resources we have at hand - our ability to listen and to observe carefully and with empathy and compassion. She believes ethnography grounded in feminist principles can be a tool of critical reflection and human liberation and, as such, justifies the imposition of anthropologists into the lives and personal experiences of those they do not know. "What draws me back to these peoples and places is not their 'exoticism' and their 'otherness' but the pursuit of those small spaces of convergence, empathy and recognition that we share. After all, not everything dissolves into the vapour of absolute cultural difference and radical otherness" (1995:418).

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Appendix One

Introductory letter sent to Human Rights Agencies found through Internet search.

Antoinette Tanguay
C/- Dept of Global Studies
Massey University
Palmerston North
e-mail: antoinette@inspire.net.nz

Re: Requesting help with research on Women and Human Rights violations.

Hello, my name is Antoinette. I am a 22-year-old woman from New Zealand, currently working on my Masters thesis in Social Anthropology at Massey University. Put simply, my study aims to understand issues of women's human rights in a global context. I am hoping to look at the conflicts which arise between the physical and psychological human rights of women, and the maintenance of traditional cultural and religious practices in Asia, Africa and the Middle East, and how this is, if at all, related to increasing globalisation of the worlds economic markets.

As a student of Social Anthropology I feel in looking at these issues my study will be both inaccurate and pointless if I don't have the opportunity to talk with women from different cultures who have experienced conflict between their own cultures practices, and their individual human rights, first hand. Due to financial restraints in the Social Sciences in New Zealand there is unfortunately no opportunity for me to travel overseas to speak with women from different cultural groups about these important issues; this is why I am writing to you.

The areas I am very interested in focusing on are the following:
- The Trokosi practice in northern Ghana which sees young women sacrificed to local priests to live out the rest of their lives as slaves.
- The practice of female genital mutilation and its link to the maintenance of 'culture' in the societies in which it is still practiced.
- The trafficking of women into forced prostitution and sex tourism. (looking at two specific areas Burmese women into Thailand and Nepalese women into India); and
- The reality of life as an Islamic women living under a fundamentalist regime such as the Taliban in Afghanistan.

I am hoping to be able to interview women, through the internet who have experienced violations of their human rights as a result of the above practices, to help me gain a deeper insight into how they feel such violations relate to the wider religious or cultural beliefs of their home societies. I understand that these would be extremely sensitive areas for the women to discuss, but I am committed to doing my upmost to make this an empowering and useful experience for those who agree to talk

with me.

I am also interested in talking with women from organisations such as your own who are working in these areas as you will have a far greater understanding of the issues surrounding these practices than I.

Please e-mail me back if you would like to know more about my study, or are willing to assist me to find possible interview participants. Your help would be greatly appreciated Please keep up your amazing work. It is an inspiration to women like myself around the world.

Thank you for your time.
Regards,

Antoinette Tanguay.

Appendix Two

The second, more detailed letter sent to the NGO's that responded to the first e-mail.

Antoinette Tanguay
C/- Dept of Global Studies
Massey University
Palmerston North
e-mail: antoinette@inspire.net.nz

Patience Vomor
International Needs Ghana

Dear Patience,

Hello, my name is Antoinette. I am a 22-year-old woman from New Zealand, currently working on my Masters thesis in Social Anthropology at Massey University. Put simply, my study aims to understand issues of women's human rights in a global context. I recently made contact with Wisdom Messiah from your organisation who put me in contact with you. He asked me to send you some further information about my study in the hope that you may be able to help me.

As a student of Social Anthropology I feel my study into the Trokosi system will be both inaccurate and pointless if I don't have the opportunity to talk with women from your culture who understand the conflict between the practice, and their individual human rights. To listen to and understand the experiences of real women is the primary aim of this study, as there is only so much I can learn from books and studies already in print. Due to financial restraints there is unfortunately no opportunity for me to travel overseas to speak with women living in countries like Ghana about these important issues, so I need to try to make contact with women like yourself, through the Internet.

By talking with women such as you who work with the Trokosi, and hopefully some of the Trokosi themselves, I am hoping you will be able to tell me what you think are the most important issues for me as a western women to consider when researching such a topic. In conducting my research this way I am trying to go against the academic tradition that sees western academics talking on behalf of the 'other', rather than really trying to understand societies different from what we know by talking with those from these societies.

With your help I would like to be able to talk about the Trokosi - not in isolation, but in the widest possible context to try and ground it's existence into the 'big picture'; taking into account the social, economic and political factors that contribute to it's continuation as well as 'cultural' reasons. I am very conscious of not making any judgements about cultural practices like the Trokosi system being 'wrong' or 'bad', and am interested most to see how women who have lived within this system explain

its existence.

I understand that these would be difficult issues for you and the other Trokosi women to talk about with a stranger, but I would very much like to let you as a group, or individuals decide how you would like the discussions to work, and what we would talk about in the course of the meetings so it is up to you to set the boundaries of your participation.

Wisdom from International Needs has told me that it is unlikely that any of the Trokosi women will be able to speak English, so conducting discussions through the Internet will not be suitable, unless you would like to participate in this way. Alternatively I could send you a tape and you could record a discussion with the Trokosi women about the issues they feel are most important when considering their enslavement in the system. What would be easier for you? I will hopefully be able to arrange the translation back here in New Zealand to make things easier for you. What language do the women speak?

Here are some possible questions I would like to ask you and the other women, but they are intended as just a guideline to the areas I an interested to understand.

- What do you feel are the most important factors for Westerners to understand when looking at the enslavement of women and girls in the Trokosi system?

- How do you see the relationship between men and women in your culture? Do you think it is equal? If not, What do you think the reasons for the inequality are?

- What do you think 'Human Rights' means?

- Do you think the 'Human Rights' movement / law does enough to look after the rights of women as well as men?

- Do you think that abuse / violence against women happens in all countries around the world, just in different forms?

- Do you think 'Human Rights' standards should be the same in every country, or different depending on each countries culture?

- Do you think 'Human Rights' are based on western values and moral standards?

- Do you think women's human rights are violated / abused within your culture? In what ways?

- Do you think your treatment as women within the Trokosi system is an abuse of their / your Human Rights as women?

- Do you think the treatment of women in your country has anything to do with the traditional culture or religion of your country?

- Which do you think is more important - The well being of women, or the maintenance of traditional culture or religion?

- What else do you think causes the human rights of women in your country to be abused? (What do you feel the wider reasons are for the treatment of women in your society, like economic and political pressure)

- Do you think there is a link between 'globalisation', (or the West's economic domination of the Third World) and the continuation of harmful practices to women in your country?

- If so, Why?

- How do you feel about Western women working in organisations that try to help women from your culture? Do you think it is their business?

- What do you think can / should be done to help women from your culture to live free from violence / oppression?

Please answer only the questions that you, and the other women think relate to your situation as women living under the Trokosi system. I rely on your help to guide me in understanding what you feel are the important reasons why women like yourselves are treated this way. Thank you very much for your help. I cannot explain how important it is for me to have your help.

I also send a 'consent form'. This is for people involved in research to read, and it explains that you are free at any time to withdraw form the study, and that your identity will be protected. Please write back if you have any questions.

Hope to hear from you soon.

Best wishes,
Antoinette.

Appendix Three: A

Introductory letter to migrant and / or refugee agencies or human rights organisations based in New Zealand.

Antoinette Tanguay
C/- Dept of Global Studies
Massey University
Palmerston North

To whom it may concern,

Hello, my name is Antoinette. I am a 22-year-old pakeha woman living in Palmerston North, currently working on my Masters thesis in Social Anthropology at Massey University. Put simply, my study aims to understand issues of women's human rights in a global context. I am hoping to look at the conflicts which arise between the physical and psychological human rights of women, and the maintenance of traditional cultural and religious practices in Asia, Africa and the Middle East, and how this is related to the globalisation of the market economy.

I am wanting to do an cross cultural Anthropological study looking at the relationship between women's Human Rights and religious or cultural traditional practices, focusing on the following areas as case studies:

- The Trokosi practice in northern Ghana which sees young women sacrificed to local priests to live out the rest of their lives as slaves.
- The practice of female genital mutilation and its link to the maintenance of 'culture' in the societies in which it is still practiced.
- The trafficking of women into forced prostitution and sex tourism. (looking at two specific areas Burmese women into Thailand and
Nepalese women into India); and
- The reality of life as an Islamic women living under a fundamentalist regime such as the Taliban in Afghanistan.

I am hoping to be able to interview women who have lived these realities, and have experienced violations of their human rights because of the above practices, to help me gain a deeper insight into how they feel such practices relate to the wider religious or cultural beliefs of their home societies.

Due to financial restrictions for students in the Social Sciences, there is no way I can travel to other countries to talk with women in their home countries, this is why I contacted you as I am hoping to speak with refugee or migrant women now living in New Zealand.

Historically anthropologists seeked to explain the 'exotic' and the 'primitive', and did so from an extremely male centred and colonial perspective. Although I will not

deny I am trying to look at differences between people from a pakeha woman's perspective I am interested in trying to understand these differences through the eyes of those for whom it is 'normal'.

I understand that these would be extremely sensitive areas for the women to discuss, but I am committed to doing my upmost to make this an empowering and useful experience for those who agree to meet me and perhaps become involved; because of this I am very conscious of not making any judgements about cultural practices being 'wrong' or 'bad'.

If women do agree to talk with me, I want them to understand the aims of this work. I cannot say it will change the world or anything, but it will hopefully be valuable to women's groups working to push women's human rights on the international agenda. I also think it is important to ask the women involved what they see as a positive way to use the document, and to give it back to them as a record of their lives and experiences.

If you are able to help me, or would like to know more please contact me via this e-mail address. I hope to hear from you soon.

Thank you for your time.

Regards,
Antoinette.

Appendix Three: B

Letter to local and national refugee and / or migrant organisations to be distributed to potential research participants

Antoinette Tanguay
C/- Dept of Global Studies
Massey University
Palmerston North

Dear potential research participant,

Hello, my name is Antoinette. I am a 22-year-old pakeha woman living in Palmerston North, currently working on my Masters thesis in Social Anthropology at Massey University. Put simply, my study aims to understand issues of women's human rights in a global context. I am hoping to look at the conflicts which arise between the physical and psychological human rights of women, and the maintenance of traditional cultural and religious practices in Asia, Africa and the Middle East, and how these conflicts, if at all, are related to the globalisation of the world's economic markets.

The four areas I am hoping to look at as case studies in this project are:
- The practice of female circumcision in Africa and Middle East
- The Trokosi practice in northern Ghana
- The trafficking of women into forced prostitution and sex tourism. (looking at two specific areas Burmese women into Thailand and Nepalese women into India); and
- The reality of life as an Islamic women living under a fundamentalist regime such as the Taliban in Afghanistan.

As a student of Social Anthropology I feel in looking at these issues my study will be both inaccurate and pointless if I don't have the opportunity to talk with women from different cultures who understand the conflict between specific cultures practices, and their individual human rights. To listen to and understand the experiences of real women is the primary aim of this study, as there is only so much I can learn from books and studies already in print. Due to financial restraints there is unfortunately no opportunity for me to travel overseas to speak with women from different cultural groups about these important issues, so I need to try to make contact with refugee or migrant women now living in New Zealand like yourself.

By talking with women such as yourselves who come from these societies I am hoping you will be able to tell me what you think are the most important issues for me as a western women to consider when researching such a topic. In conducting my research this way I am trying to go against the academic tradition that sees western academics talking on behalf of the 'other', rather than really trying to understand societies different from what we know by talking with those from these societies. With your help I would like to be able

to talk about these practices - not in isolation, but in the widest possible context to try and ground their existence into the 'big picture'; taking into account the social, economic, religious and political factors that contribute to their continuation as well as 'cultural' reasons.

I am deeply moved by such situations that are effecting the lives of women throughout the world, every day, and I often feel very useless and sheltered in my own life as a middle class women in an industrialised society. Through doing this research on a subject that I feel so passionate about I hope that others will be able to use this information in the wider struggle for women's human rights throughout the world.

I understand that these would be difficult issues for you to talk about with a stranger, but I would very much like to get to know you and gain your trust before this would happen. I would also like let you as a group, or individuals decide how you would like the discussions to work, and what we would talk about in the course of the meetings so it is up to you to set the boundaries of your participation.

Please think about my request and contact me either on the phone (06-356-2541) or e-mail (antoinette@inspire.net.nz) to discuss further arrangements.

Thank you for your time.

Regards,
Antoinette.

Appendix Four

Personalised letter to research participants in New Zealand specific to subject area.

Dear .....

Here is a little bit more information about my study, and some guidelines on the areas I would like to talk to you about. They are written down as questions but it is important that you now it is completely up too you to decide what we talk about. The reason I wanted to talk with you for this study is because in talking with a women from the country/culture where the trafficking of women and girls into the sex industry takes place will help me better understand the situation, as you have a lot more knowledge about the wider reasons for the practice than I do. It is up to you to tell me what you think I should know, What you think are the most important reasons why this practices takes place

At the most general level I want to look at violence towards women cross culturally, to illustrate that abuse of women's human rights takes place in every cultural context, just in different forms. More specifically I will be looking at violence with is related to religious or cultural aspects of the society. This is still a really broad area as I think of 'culture' as partly being the way in which men and women are taught to relate to each other in each society. I want to look at why practices like trafficking of women which seem to be very bad treatment of women continue to occur. I want to try and look for some 'less obvious' reasons why the practices occur, to try and 'contextualise' them, rather than just to say that they are wrong or bad. Each practice is taking place in a country where extreme poverty is the norm, and I want to try and relate this to economic imperialism or globalisation, and the country's relationship with the West

Historically anthropologists seeked to explain the 'exotic' and the 'primitive', and did so from an extremely male centred and colonial perspective. Although I will not deny I am trying to look at differences between people from a western women's perspective , I am interested in trying to understand these differences through the eyes of those for whom it is 'normal', or those who understand its reasons more than I. It is for this very reason that I feel it so important that I to talk to women like you who have more understanding and knowledge of this practice than me. As a New Zealander I have little understanding of why such practices continue, and feel it is not up to me to speculate without talking to those who understand the practices within their cultural context.

As well as the trafficking of women and girls into forced prostitution and sex tourism from Burma into Thailand and Nepal into India, I also hope to investigate these areas as other possible case studies:
- The Trokosi practice in northern Ghana which sees young women sacrificed to local priests to live out the rest of their lives as slaves.
-The continuation of female circumcision in Africa and the Middle East; and

- The reality of life as an Islamic women living under a fundamentalist regime such as the Taliban in Afghanistan.

Anyway, I hope that explains things a little bit more. Here are the questions I have come up with, but remember, they are just a guideline.

Overall questions I guess.....
- What do you feel are the most important factors for Westerners to understand when looking at the trafficking of women from Nepal for prostitution in the sex tourism industry in India?

- How do you see the relationship between men and women in your culture? Do you think it is equal? If not, What do you think the reasons for the inequality are?

- What do you think 'Human Rights' means?

- Do you think the 'Human Rights' movement / law does enough to look after the rights of women as well as men?

- Do you think that abuse / violence against women happens in all countries around the world, just in different forms?

- Do you think 'Human Rights' standards should be the same in every country, or different depending on each countries culture?

- Do you think 'Human Rights' are based on western values and moral standards?

- Do you think women's human rights are violated / abused within your culture? In what ways?

- Do you think the position of women as sex workers is an abuse of their Human Rights as women?

- Do you think the treatment of women in your country has anything to do with the traditional culture or religion of your country?

- If so, which do you think is more important - The well being of women, or the maintenance of traditional culture or religion?

- What else do you think causes the human rights of women in your country to be abused? (What do you feel the wider reasons are for the treatment of women in your society, like economic and political pressure)

- Do you think there is a link between 'globalisation', (or the West's economic domination of the Third World) and the continuation of harmful practices to women in your country?

- If so, Why?

- How do you feel about Western women working in organisations that try to help women from your culture? Do you think it is their business?

- What do you think can / should be done to help women from your culture to live free from violence / oppression?

- Is there anything else you think is important for me to know?

Please contact me if you have any questions or suggestions. Thanks again for your help, and I hope to see you soon.

Kind Regards,

Antoinette.

Addendix Five

A Note on Ethics

The research presented in this thesis was undertaken in accordance with the Ethics Code of the Association of Social Anthropologists of Aotearoa/New Zealand. Before making contact with potential research participants, I structured a consent form designed to allow those who decided to take part to fully understand their rights and responsibilities (see Appendix Six). This form introduced myself, described the subject of the research, and explained that its primary purpose was an academic work in partial completion of a Masters Degree in Social Anthropology at Massey University. The form explained that I would make every effort to protect the identity and anonymity of participants, that access to tape recordings, manuscripts or publications from the research would be provided on request, that at any time they could withdraw from the research or renegotiate this agreement, and that their permission would be requested in the case that information from this study were to be used in any subsequent publication. I went through the consent form with each of the participants and, provided they were happy with the responsibilities of both parties, I ensured they signed the form.

Possibly the most important point addressed in the informed consent form concerned the anonymity of the informants. In consideration of the at times sensitive and even controversial nature of the subject matter being discussed in this thesis, the creation of pseudonyms for the participants' voices to go under in the written text was intended to allow the women the anonymity to speak freely about whatever they considered important to our discussion.

As a result of the contact I had already had with the women through both face-to-face meetings and a series of letters concerning the main objectives of the study (see Appendices One to Four), it was already very clear to the participants what my study was about and what kind of issues I hoped to be able to gather their experiences, opinions and perspectives on. In providing this information and personal contact to potential participants before they agreed to take part in the research, I sought to create a relationship in which the decision to be involved in the research rested completely with the women themselves. Before any discussion of the actual interview took place, all the women I approached were empowered with the knowledge of exactly what my purpose in speaking with them was - to understand their culturally constructed perspective on a particular issue as a Third World woman. As a result of this up front approach some of the contacts I was given declined to be involved in the research. However, others were interested and later agreed to participate.

In the course of my discussions with the participants, I learned a great deal about not only what the women thought about female genital mutilation, Islam, trafficking or the Taliban, but

also about the women themselves and their life experiences as Third World women migrants in New Zealand. In choosing to provide personal details about the women's lives that came up in the course of our discussions, it is not my intention to reveal the identity of any participant in any way, but rather to ground their particular or individual perspective within the context of their wider life world. As expressed in the early chapters of this thesis, woman-centred writing seeks to contextualise what we believe and see about our own lives, rather than to discuss particular realities in complete isolation from the rest of our lives. In choosing this approach it may be suggested that the anonymity of the participants cannot be fully guaranteed. However, any personal details of research participants that are included in this thesis came from interviews where both parties clearly understood that these details would be reported in the thesis. Hence, all personal details about research participants are provided with their informed consent and recognition that in some cases this may compromise their anonymity.

Finally, it is important to note that the women who agreed to take part in this research were extremely willing to share their experiences and perspectives with me. One of the key messages this study presents is that just because FGM or Islam, for example, are alien to us, and may be considered oppressive or degrading, these same realities are not necessarily considered harmful or oppressive to those who understand them as part of their culture and everyday life. During the course of my discussions with the participants in this study, many of the women astounded me with their openness about subjects that I thought they would not want to talk to a virtual stranger about. In general, the women were not embarrassed or ashamed about their situation, but proud of it, primarily because it can be seen to represent their unique culture and identity - a consideration that may help to explain why most were not particularly concerned with issues of privacy and anonymity. Some even suggested to me that I should use their real name, as it made no difference to them what so ever, however I chose to treat each participant in the same manner for the sake of continuity.

Appendix Six

Department of Social Anthropology, School of Global Studies, Massey University.

Proposed Title:

Positioning Women's Human rights and Traditional Cultural and religious Practices in the Context of Global Economic Imperialism.

Consent Form.

I, ..., consent to being interviewed for the research project, **Positioning Women's Human rights and Traditional Cultural and Religious Practices in the Context of Global Economic** to be carried out by Antoinette Tanguay in partial completion of an Masters degree for the department of Social Anthropology, School of Global studies, Massey University, Palmerston North. This will be under the supervision of Dr Sita Venkateswar and Dr Jeff Sluka. The completed thesis will be available in the Massey University Library, Turitea Campus, Palmerston North.

I understand:

-My anonymity will be maintained.

The researcher will make every effort to protect the identity of the participants

-That if I request access to tape recordings, manuscripts or publications from the above research, it will be supplied without question.

-That at any time, I am free to withdraw from this research project.

-That at any time during the project I can re-negotiate this agreement.

-That the proposed distribution of this material will be for academic purposes. I will be notified of any other publication possibilities prior to publication.

-Efforts will be made to ensure confidentiality of information produced at meetings with informants until publication.

Signed:

.....(Participant)

..... (Researcher)

on .....(Date)