

HUMAN RIGHTS AND GENDER ISSUES

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Naima Belahi is a 38-year-old Algerian who has made her living sewing French and Italian fabric into stylish dresses and evening gowns. She was visiting the United States in March 1994, when Algeria's Islamic insurgents ordered all women to veil themselves within a week or risk being murdered. One day after the deadline, a 16-year-old high school student who was walking without a head scarf was killed. Since the Islamic insurgency began in 1992, more than 50 women have been killed and many others have been knifed or raped for working alongside men or wearing Western dress.

Ms. Belahi is afraid to return home. As a matter of principle, she will not wear the shroud-like Islamic dress that has been ordained by the fundamentalists. She has applied for political asylum in the United States.

She is unlikely to get it. American law requires political refugees to show a "well-founded fear of persecution" based on race, religion, nationality, political views, or membership in a particular social group subject to abuse. The last two categories would seem to include Ms. Belahi. But when an Algerian doctor applied for asylum in the United States in 1995 because she had been threatened with death for supervising male physicians, the immigration officer in charge of her case said that violence in Algeria was "too random" to support her claim to belong to the kind of "particular social group" likely to be persecuted⁽¹⁾.

The word implicit in the topic of human rights and gender issues, and central to it, is "dignity." Human rights, taken as whole, mean that all human beings are entitled to be treated with dignity. As detailed in various international human rights documents, they supply a framework for a world order based on recognition of the inherent dignity possessed by everyone, simply because he or she is a human being. They represent a value above social policy, social utility, or other moral or political grounds for action.

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(1) Geraldine Brooks, "A Well-Founded Fear", *New York Times*, March 7, 1995.

They can be asserted against the state as well as against private individuals and associations. They are both negative and positive: Negative in the sense that no one has the legitimate power to interfere with a person's rights to such things as speech, or religious practices, or freedom of movement; positive in the sense that everyone can legitimately expect society to provide her or him with the opportunity to acquire the resources necessary to a dignified existence: Food, clothing, shelter, medical care, education. The concept of human rights implies a world in which people are free to pursue self-fulfillment, which consists in part of the exercise of their capabilities. We all have a right to employ and to enjoy the talents with which we were born.

In this sense, there would be no need to discuss human rights and gender issues in an ideal world, for human rights inhere in everyone, male or female, child or adult. Similarly, in an ideal world, we would not need "women's studies" - we would simply study history and sociology and literature. But just as women's studies are necessary because patriarchal societies and patriarchal scholars have omitted women from the records and study of history and sociology and literature, ignoring the lives that women lead, so we have to address both human rights problems that are specific to women and the more generalized human rights community, which is as patriarchal as any other human institution, have failed to articulate in the context of women. If, when we speak of human rights, we are referring in large measure to the right of all human beings to fulfill their capabilities, then we must recognize that human rights have been disproportionately denied to women throughout recorded history and remain disproportionately denied to women today.

The human rights community itself has acknowledged the unequal application of human rights precepts. Since 1948 the international community has adopted a plethora of documents that proclaim the universality of human rights. This is particularly true of what we might call the "core" international instruments: the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights. But while those basic documents seemingly apply to men and women alike, the United Nations agreed in 1979, in the context of the International Year of the Woman, that it was necessary to write and adopt the Convention on Elimination of All Forms of Discrimination Against Women. The reason was that the basic human rights instruments provided insufficient protection to women. The Geneva Convention Relative to the Protection of Civilian Persons in Time of War was adopted in 1949 but it, too, clearly gave women insufficient protection, as indicated by the adoption in 1974 of the Declaration on the Protection of Women and Child in Emergency and Armed Conflict. The June 1994 World Conference on Human Rights and the March 1995

World Summit for Social Development in no way negated the need for the September 1995 Fourth United Nations World Conference on Women.

The obvious question is why: Why, in spite of general international instruments protective of human rights and general conferences devoted to questions of human rights, is it necessary to go on writing separate documents and holding separate conferences about women? The answer is equally plain. The phrase "human rights" initially was coined by men. It has been interpreted largely by men, and it has been applied primarily to men. Societies are described by scholars as being "better" or "worse" on human rights, as if the protection of male human rights in a society necessarily implies the equal protection of the human rights of women in that society. But such is scarcely the case. There are some political rights, such as freedom of speech and due process of law, that may apply to all, and in fact if they are violated, they usually are violated disproportionately against men - because it is men who are likely to own the forums in which speech is made public, men who are more likely to be found speaking in public, and men who are more likely to be the targets of criminal justice systems. But this is precisely the point. The human rights violations to which the world pays greatest heed are the violations of the rights of men. And while women, too, may suffer from lack of free speech or due process, there are other human rights violations that are specific to or disproportionately found against women.

One of the most obvious examples is violence against women in times of war. We finally have recognized, in the words of Amnesty International, that "The deliberate violation of human rights of women is a central component of military strategy in all parts of the world."⁽²⁾ On International Women's Day, 1993, U.N. Secretary-General Boutros Ghali spoke of our world as experiencing "a reversion to barbarism" and referred specifically to "the use of systematic sexual violence against women as a weapon of war to degrade and humiliate entire populations."⁽³⁾

War has always meant rape and sexual humiliation for women. We have only to think of the 100-200,000 Korean, Chinese, Filipino, and Indonesian "comfort women" forced by the Japanese Army to provide sexual outlets for its soldiers during World War II. What is different about rape during wartime today is that it has become an *articulated* element of military strategy. One reason is the changed nature of war. Amnesty International estimates that during the First World War, perhaps 5% of the casualties were civilians. That number soared to 50% during the Second World War, and today civilians constitute about 80% of war casualties.⁽⁴⁾ The re-

(2) Amnesty International, *Human Rights Are Women's Right* (1995), p. 4.

(3) Quoted in Amnesty, *op. cit.*, p. 4.

(4) Amnesty, *Op. cit.*, p. 29.

sult, quite simply, is that as war has changed from combat among men in clearly delineated zones to combat that ranges across entire countries, it directly affects women, and armies have taken advantage of that fact in their strategies. The UN Special Rapporteur on the Conflict in Bosnia reported in 1993 that "rape was being used as an instrument of ethnic cleaning... There are reliable reports of public rapes, for example, in front of a whole village, designed to terrorize the population and force ethnic groups to flee." Forcible impregnation of Bosnian women was a part of the Serbian war strategy. Bosnia unfortunately is not the only readily available example. The Human Rights Watch Women's Rights Project and Americas Watch have documented the systematic use of rape as a war tactic in Peru by both the government and its declared enemy, the revolutionary Shining Path movement.⁽⁵⁾ In many of the world's nations today, where a de facto state of war exists between the government and insurgent forces, women are often detained, tortured, held hostage and even killed because their relatives or people they know are connected to political opposition groups, or are wanted by the authorities. This was true of many of the former women prisoners I interviewed in Palestine.⁽⁶⁾ Amnesty has documented the imprisonment, torture and sexual abuse by Tunisian authorities of women whose male relatives are suspected of being members of the illegal Islamic movement al-Nahda.

Most sexual abuse by authorities goes unpunished. In many countries the social stigma attached to rape and sexual abuse amounts to a rapists' charter of impunity. Rape by the security forces is a particularly oppressive form of torture because many women are too afraid and ashamed to speak out about their experience. Those who do overcome the societally instilled sense of shame discover the unwillingness of male-dominated judicial systems to punish perpetrators.

Rape as a women's human rights issue exists on an even wider scale among what the United Nations High Commissioner for Refugees estimated in 1994 was the world's 20,000,000 refugees, of whom between 80 and 90% are women and children.⁽⁷⁾ Women refugees fleeing with or without their children but without the protection of armed groups are particularly vulnerable to rape. They are equally at risk in refugee camps, where they are subjected both to rape and to a system that may force them to barter sexual favors for food and shelter. In 1993, the Human Rights Watch Women's Rights Project and its Africa Watch reported on the rape of Kenyan

(5) Human Rights Watch, *World Report 1994*, p. 359.

(6) Philippa Strum, *The Women Are Marching: The Second Sex in the Palestinian Revolution* (Lawrence Hill Books, 1992).

(7) Claude and Weston, *Human Rights in the Word Community*. 2nd ed., University of Pennsylvania, 199.

women in refugee camps on the Kenya/Somalia border by Somali soldiers or members of warring Somali factions. Ironically, many of the women had become refugees because they had been raped in Somalia. When the women and the UN High Commissioner for Refugees reported the rapes in the camps, the office of the Kenyan President accused the Somali refugee women of fabricating their stories in order to discredit the government.⁽⁸⁾

More ironically still, it is not women who begin these wars. Women are so effectively excluded from the policy-making process of the world's governments that it is no exaggeration to label war an almost exclusively male activity. In 1991 the Inter-Parliamentary Union surveyed 96 national parliaments and found that women constituted only 11% of the law-makers.⁽⁹⁾ There is no guarantee that there would be fewer wars if women were running the world. It is nonetheless true that women today are the victims of human rights violations in situations created by men. International human rights documents recognize self-determination as a human right, but it is not women who are determining the policies that shape their lives.

Here one reaches the intersection of the results of women's lack of access to both political rights - the right to participate equally in policy making - and economic rights - the right of equal access to resources. Think of the women refugees. They must not only attempt to protect themselves physically; they must attempt to provide for themselves and their children. But many of the nations in which they seek protection are among the world's poorest. And, of course the women are hampered by having been treated as women before they become refugees; that is, by having lesser access than men to the education and acquisition of vocational knowledge that would provide them with portable marketable skills. As the United States State Department Country Reports for 1993 stated, while physical abuse is the most obvious example of the rampant discrimination against women, "the political, civil and legal rights of women are often denied. In 1993 women throughout the world were subjected to onerous and discriminatory restrictions of such fundamental freedoms as voting, marriage, travel, testifying in court, inheriting and owning property, and obtaining custody of children. All too often, women and girls find that their access to education, employment, health care, and even food is limited because of their gender."⁽¹⁰⁾

Unfortunately, there is good reason to emphasize the crimes suffered by women during war in a discussion of human rights and gender issues to-

(8) Human Rights Watch, *World Report 1994*, pp. 362-63. See Africa Watch/Women's Rights Project, *Seeking Refuge, Finding Terror*, 1993; also see Amnesty International, "Women in Afghanistan: A Human Rights Catastrophe" May 1995.

(9) Amnesty, *op. cit.*, p. 5.

(10) United States State Department, *Country Reports for 1993*, pp. xvi-xvii.

day. War is engulfing more and more of what sometimes seems today to be a disintegrating world, and the greatest impact is on women. War is creating larger numbers of refugees than the world has ever before encountered, and the greatest impact is on women. War is interfering with efforts to alleviate poverty and enhance development in many of the world's nations. This is true whether they are themselves experiencing war or simply spending a large percentage of their national income on involvement in other nation's wars or on large defense budgets, with the greatest impact once again on women, for the majority of the world's poor are women and children. And war highlights the ubiquitous denial of women's human rights that will continue until women mobilize to assert that which is theirs by birth. War, begun by men but suffered primarily by women, demonstrates in a particularly dramatic way the inequality of the sexes throughout the world. Women will be denied their human rights until they have achieved equality, not only over policy-making but over access to resources and control of socialization mechanisms. Human rights violations against women are rampant partly because they remain largely hidden. Think of the popular conception of war victims: Men confined to veteran's hospitals or wheeled through the streets during parades on national holidays. The women victims are unseen.

Let us return for a moment to the kind of problem faced by Naima Belahi. Women are a minority of the people granted political asylum. As mentioned above, the standard in the United States is a "well founded fear of persecution" if the refugee applying for asylum is returned to his or her country. The standard of the European Union is whether a woman applicant comes from a "safe country of origin" or is in a "safe country of asylum." But what is "safe" for men is not necessarily safe for women. One reason women are denied political asylum is, again, that many of them are too ashamed to detail to the people in charge of granting asylum, who usually are men, the sexual abuse they have suffered and that they fear they will suffer a new if they go "home".

And "home" is precisely the place where much sexual abuse occurs. Women asylum seekers may fear domestic violence, which quite possibly may be the world's most common human rights violation. Authorities in the majority of the world's countries ignore domestic violence, and in many, marital rape is not a crime. Or it may not be what we normally refer to sexual abuse that women fear in their homes; it may be something perhaps more properly labelled gender abuse. Egyptian law, for example, permits men who kill wives found in an adulterous situation to go free, while women face the death penalty. In 1990 Iraq passed a decree giving men the legal right to kill female relatives for "reasons of honor." The decree was rescinded within two months, but it is difficult to imagine harsh punishment being passed upon men found guilty of killing their wives if the decree rep-

resents the society's values. There were 5,000 dowry deaths in India in 1993 - murders by husbands incensed at their wives' refusal to ask their families for additional dowries.⁽¹¹⁾ It is the decision of their families that causes about 2,000,000 of the world's girls and women to undergo genital mutilation each year. It is estimated that today 110,000,000 women have serious or life-threatening injuries suffered during or as a result of genital mutilation.⁽¹²⁾

Gender abuse, as the case of Naima Belahi indicates, may occur outside the home. In May 1995, the Algerian Armed Islamic Group vowed to kill "every mother, sister or daughter" of soldiers, police officers and government officials.⁽¹³⁾ Since the promulgation of its penal code in 1991, the Sudanese government has flogged hundreds of women for prostitution or for wearing clothing contrary to public decency, which has been interpreted to mean wearing trousers. The Iranian government created special forces in 1993, with the mission of setting up roadblocks to see if female passengers were wearing the chador. Women uncovered by a chador were subject to 74 lashes.⁽¹⁴⁾ Some Sudanese women, squatters displaced by the war raging in the Sudan and now living in camps, have turned to the brewing of alcohol, one of the only sources of income available to them. The punishment for brewing alcohol is flogging. In 1994 the world's media highlighted the story of a young American man convicted of spraying graffiti in Singapore and subjected to four lashes. There is no similar coverage of the regular lashing of women, nor is gender-based persecution a reason for asylum under the laws of most countries.

Women are the majority of people in the world who are poor, starving, and illiterate. One third of the world's families are headed by women, which of course means that women are those families' main providers. Women are in fact responsible for 50% of the food produced in the developing world - a fact that is not reflected in their incomes. In the industrialized world, women are paid between one half and three quarters of the wages received by men for doing the same or comparable work. The president of the Women's Research Institute of the Chinese Academy of Management Science has noted that as the Chinese economy undergoes drastic changes, 70% of the workers currently being fired or soon to be fired are female. Those most at risk are women under 35 or over 45, and it is

(11) Amnesty, *op. cit.*, p. 10.

(12) Amnesty, *op. cit.*, p. 10. This paper does not cover the related phenomenon of women being sold into prostitution. See, e.g., Human Rights Watch/Asia Watch/Women's Rights Project, *A Modern Form of Slavery: Trafficking of Burmese Women and Girls into Brothels in Thailand*, 1993.

(13) Youssef M. Ibrahim, "Algeria Militants Vow To Kill Women Related To Employees of State", *International Herald Tribune*, May 4, 1995.

(14) Amnesty, *op. cit.*, pp. 93-94.

they who are less likely than men to be retrained for other jobs.⁽¹⁵⁾ Women all over the world are treated as supplementary labor, to be employed when the economy "needs" them and to be discarded at other moments. This is one reason that poverty is to an overwhelming extent a women's problem. And female poverty is not a concern only for developing nations. The poorest people in the United States are elderly widows, who have inadequate pensions, and female heads of households with young children. 46% of the families in the United States that have incomes below the governmentally established poverty line are headed by women with children under the age of 18. Yet the right to reproductive freedom currently is under attack in the United States. Across the world, only one third of all women have any access to contraception, and abortion is not recognized as a human right in many countries. The lack of the ability to control one's body, surely a basic human right, results in health problems for many women forced to bear too many children. It also means that women are in effect made to give birth to children for whom they expected to provide, by societies that deny them the very skills that would enable them to do so.

Women throughout much of the world receive less education than do men. Women constitute two-thirds of the world's one billion illiterate people.⁽¹⁶⁾ This of course means not only that they are confined to low-paying jobs but that they lack the written communication skills that are among the keys to political mobilization. Women throughout much of the world receive health care inferior to that made available to men. UNICEF estimates that each year more than a million infant girls die because they are female and their families are more reluctant to go to the trouble and expense of seeking medical care for them than would be the case if the infants were boys.⁽¹⁷⁾ Each year half a million women die in pregnancy and childbirth.⁽¹⁸⁾

Patriarchy and universal human rights are incompatible. And there is the real gender issue: patriarchy, with everything it implies for socialization, political power, limited economic development - limited, because the full talents of half the world's population are being wasted - and the inequality of the genders. A number of feminist theorists have in fact attacked the concept of political systems based on nations of rights, arguing that "rights"

(15) Kevin Murphy, "Labor 'Paradise' Feels Transition Pains", *International Herald Tribune*, April 24, 1995. For similar statistics drawn from a different society, see Human Rights Watch/Women's Rights Project, *Russia: Neither Jobs Nor Justice*, 1993.

(16) Barbara Crossette, "U.S. Offers Women's Aid Plan", *International Herald Tribune*, March 8, 1995; Irene Santiago, Executive Director of the Beijing NGO Forum, quoted in Jaya Dayal, "Women: UN Plan Fails to Tackle Power Imbalances, Say NGOs," *International Press Service* release, April 5, 1995.

(17) Amnesty, *op. cit.*

(18) Santiago, *op. cit.*

are a patriarchal concept that hides inequalities between the sexes as well as among races and classes.⁽¹⁹⁾ I find the proposed substitute, political systems based on the concept of care, inadequate and unrealistic as a mechanism for organizing large societies, and would argue that the hope lies in redefining, reinterpreting, and reapplying notions of human rights to encompass the inequalities faced by women in such a way as to negate them.

But, as these theorists might well ask, is there any hope of this, given the gloomy picture I have just painted? I think so: A hope, not a certainty, but a hope.

The most important cause for hope is the fact that women are mobilizing. The United States State Department **Country Reports on Human Rights Practices**, as well as organizations such as Amnesty, Human Rights Watch and the Lawyers Committee for Human Rights, regularly discuss the climate in the world's nations for non-governmental organizations, particularly women's NGOs. They all report that while human rights organizations and human rights activist still are perceived by many countries as threats - because of course they **are** threats against the status quo; opposition to the status quo is their reason for existence - they are finding increasing acceptance around the world, however reluctant that acceptance may be. What is even more encouraging is the very high percentage of these organizations that are created and run by women. Ten years ago one could name the countries with women's NGOs; today there are few if any countries without them. They range from well publicized groups such as Black Sash in South Africa and the Mothers of the Plaza de Mayo in Argentina to tiny and largely unknown grassroots organizations on every continent, engaged in health and education projects, support networks, loans and advice to women's economic endeavors, battered women's shelters, housing projects and so on. When the UN General Assembly adopted its 1993 Declaration on the Elimination of Violence Against Women, it praised "the role that women's movements have played in drawing increasing attention to the nature, severity and magnitude of the problem of violence against women."⁽²⁰⁾ But Amnesty International reports that few of the world's governments consider the work of women's human rights organizations to constitute a legitimate exercise of fundamental civil and political rights,⁽²¹⁾ and the statement issued by women's NGOs after the April, 1995 planning session for the Beijing Fourth United Nations World Conference on Women reflected

(19) See, e.g., Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge: Harvard University Press, 1982); Carole Pateman, *The Sexual Contract* (Stanford: Stanford University Press, 1988).

(20) Quoted in Amnesty, *op. cit.*, p. 13.

(21) *Ibid.*

an attempt by conference organizers to shut them out.⁽²²⁾ It is not necessary, however, to permit governments or intergovernmental commissions to have the last word. Women were at the top of the agenda of the Vienna conference in 1993, and they were there because in the months leading up to the conference and during the conference itself, women's NGO's met and organized and lobbied and demonstrated and insisted that, as the conference concluded in its Declaration, "The human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights." Some of us may find that rather obvious. A lot of governments and non-governmental institutions do not, which is why the Declaration "urge[d] the full and equal enjoyment by women of all human rights and that this be a priority for Governments and for the UN." It will not be a priority if no one is watching. That is yet another reason women's NGOs are so badly needed.

These groups are crucial for the psychological and economic empowerment of women. There would be no hope for most women without them. Hillary Rodham Clinton's announcement in Copengahen that the United States will make educational opportunities for poor girls a priority in its foreign aid policy is encouraging, if only because the fact of the announcement helped put the problem on the world's human rights agenda. So are the decision of European and other donor nations to put more of their aid in the hands of private organizations rather than governments with the stipulation that they be used for social purposes, and the discussion in Copenhagen about using nontraditional banking institutions to make small, no-collateral loans to village women.⁽²³⁾ At least that may mean some additional funding for women entrepreneurs and women's NGOs. And of course it is vital for women to begin organizing *now* to demand that governments spell out the criteria they will use for choosing the NGOs to which that money will be allocated. But economic activity alone will not achieve the gender equality that is a basic human right. What is needed is analysis and strategy: Analysis of what it is in each society that has prevented and is hindering equality, and development and articulation of strategies for change. Women's studies programs are central to analysis. Without them, without the systematic gathering and reinterpretation of information about one's own society and the status of women in other societies, no coherent analysis of the relationship between patriarchy and human rights is possible. Praxis must then follow theory. And the one thing that is more significant for praxis than anything else is political mobilization and the kind of political pressure necessary to create legal equality.

(22) Press Release, Women's Environment and Development Organization, April 3, 1995, delivered at United Nations to Main Committee of the Commission on the Status of Women; Dayal, *op. cit.*

(23) Press Release, Women's Environment and Development Organization, April 3, 1995, delivered at United Nations to Main Committee of the Commission on the Status of Women; Dayal, *op. cit.*

Very few countries are likely to hand women equality on a platter. One might argue that it is impossible to bestow equality, for if equality is bestowed it is presented by a superior to an inferior, and it is questionable whether the inferior will know how to maintain and further equality. That is not to argue that governmental action is unimportant. On the contrary, the fight for women's rights is a continuum. We mobilize; we pressure governments into passing laws that create legal equality and the institutional means for resocializing populations into accepting the idea of gender equality; then we see what the laws have failed to do, and we mobilize once again. In 1991, many South African women in black homelands and in other areas of the country were considered permanent minors, either legally or by custom. Such women were born under the custody of their fathers and lived their adult lives under the custody of their husbands. The rate of domestic violence was extremely high, and the rate of rape among all races in South Africa was believed to be among the highest in the world. Marital rape was not a crime. There were no government programs for abused women. The transitional constitution of December 1993 guaranteed equal protection of the laws to all citizens. The Promotion of Equality Between Men and Women Act eliminated a husband's power over his wife in property and financial matters, abolished legal discrimination against married and pregnant women, and repealed protective legislation that kept women out of many high-paying positions. The Prevention of Family Violence Act gave courts the power to issue injunctions against violent spouses and to authorize a spouse's automatic arrest if the injunction was broken. It also recognized marital rape as a crime.

Does that mean that gender equality has come to South Africa? Certainly not, any more than it has come to the United States, where women have succeeded in getting legislative statutes or judicial decisions that, on the one hand, give them equal access to education, credit, employment, fringe benefits and service on juries; and, at the same time, have eliminated restrictions on hiring women with pre-school age children or pregnant women, governmental intervention to prevent domestic violence and governmental prohibition of contraception and abortion. But the point in both cases is that governmental action was generated by mobilization and continuing pressure by women. It would be naive not to recognize that women can pay a high price for gender-related political activity. Local clergy ordered ten Bangladeshi men to divorce their wives in 1994, because the wives worked for women's NGOs. Women challenging the status quo have been beaten and imprisoned in Indonesia, Colombia, Brazil, Guatemala. Saudi Arabian women who dared to organize a demonstration in which they drove their own cars lost their jobs. But the price women pay for acceptance of the status quo is much higher.⁽²⁴⁾

(24) Amnesty, *op. cit.*, ch. 2; cf. Amnesty International, *Women in the Front Line: Human Rights Violations Against Women* (1991).

One way of insuring the non-acceptance of the status quo is the encouragement of women's studies. We must recognize differences in order to achieve equality, and we must be able to articulate both the ways in which women have been and are treated differently and the mechanisms that can be employed to create equality and bridge chasms in a world of differences. We live in a world that is torn not only by sexism but by racism, classism, tribalism, and xenophobia. Women must not permit themselves to be set against each other because they are of many classes, races, ethnic backgrounds. Some of today's most exciting political theory is being generated by women analysts: Sheila Rowbotham, Fatima Mernissi, Anne Phillips, Joan Wallace Scott, Margot Badran, Catharine Mackinnon, Carole Pateman, Kathleen Jones. These women do not necessarily agree with each other and we may disagree with some of them. What is important is that they are teaching us a new way of conceptualizing by rejecting patriarchy and reexamining its assumptions about authority, legitimacy, statehood, and personal and public spheres. Their thinking holds the promise not only of allowing women to regain their history - *our* history - but of demonstrating how differences of many kinds, whether of gender or class or nationality, can be transcended to create a world that will recognize the dignity of all human beings.

One success story is sufficient here to indicate why women must mobilize politically and what can be accomplished. In 1976, the United States Supreme Court handed down a decision that upheld the right of General Electric, one of the country's large corporations, to provide their employees with a health plan that covered most imaginable illnesses and injuries, including skiing accidents, vasectomies, elective plastic surgery, but not the expenses connected with pregnancy and childbirth. The law had been attacked under the Civil Rights Act of 1964, which held that companies could not discriminate on the basis of gender. There was no such discrimination, the all-male Supreme Court said; the plan covered no one who became pregnant, whether male or female.⁽²⁵⁾ Within two days of the decision's being handed down, a coalition of 300 groups had been formed. It included some labor unions and church groups, but the overwhelming majority of the coalition's members were women's groups. The women mobilized their supporters throughout the country and in a very short period of time members of Congress were being inundated with letters and telephone calls demanding new legislation; the lobbyists of the groups that made up the coalition, already familiar with Washington, were knocking on legislators' doors; and the media was publicizing the effort across the nation. The result was a 1978 law that requires companies providing their employees with health insurance plans to include pregnancy coverage. The women won.

(25) *General Electric Co. v. Gilbert*, 429 U.S. 125 (1976).

More: Human rights won, for surely adequate medical care is a human right.

Some of the women meeting at the United Nations in April 1995 to plan the Beijing conference issued a statement that said in part, "The meaning of the word 'gender' has evolved as differentiated from the word 'sex' to express the reality that women's and men's roles and status are socially constructed and subject to change. In the present context, 'gender' recognizes the multiple roles that females fill throughout our life cycles, the diversity of our needs, concerns, abilities, life experiences and aspirations - as individuals, as members of families and households, and in society as a whole." If the word "gender" is going to be accompanied by the words "equality" and "human rights," women must exercise their rights to speak, to organize, to mobilize, to lobby. Women must, in short, mobilize to fight their own wars, the details of which will vary from society to society depending upon each society's culture and resources. But these wars will have three things in common. One is that they essentially will be fought around the same issue - the issue of gender equality and human dignity - however different the details. The second is that because the basic issue is the same everywhere, women will learn from each other's battles and be prepared to support women's human rights in an international framework. And finally, these wars will not be wars of violence but wars designed to change the thinking of men and women, girls and boys. In this sense, they will be entirely different, and infinitely more productive for humanity, from the kind of wars described earlier in this article.

(26) Pregnancy Discrimination Act of 1978, P.L. 95-555 (1978).