

Understanding Feminism

From a Human Rights Perspective

2022

Let's start with the myths ...

Some think feminism is:

- Antithesis** > The female equivalent of machismo or male chauvinism

- Men Haters** > Hating men because they hate women (misogyny)

- Femininity** > Having supposed attributes inherent to women because of their sex

- Feminine Superiority** > Being spiritual guardians of humanity

- Inherent in all** > Being born a woman and becoming a feminist automatically

- Accepting all** > Taking pride in caring and sacrificing for others

- Sexual "Liberation"** > Sexualizing all conducts between men and women

- Feeling Female** > Thinking that there is an inherent feminine stereotype (role, appearance)

- Against Family** > Hating family as a patriarchal unit that does not recognize women

- Abortion as a Sport** > Women who hate maternity with no regards to the human cost

- Against Motherhood** > Motherhood as submission to capitalism and patriarchy

But feminism is more complex, it seeks to...

- Achieve equality between men and women, favoring non-violence

- Dismantle male privileges and achieve equality

- Have diversity of attributes, not stereotypes

- Avoid mandates based on sex stereotypes

- Motivate women to fight and achieve women's human rights

- Recognize intersecting forms of discrimination, centering on women's rights

- Liberate from sexual submission and abuse from men

- Eradicate roles and stereotypes of subordination of women to men

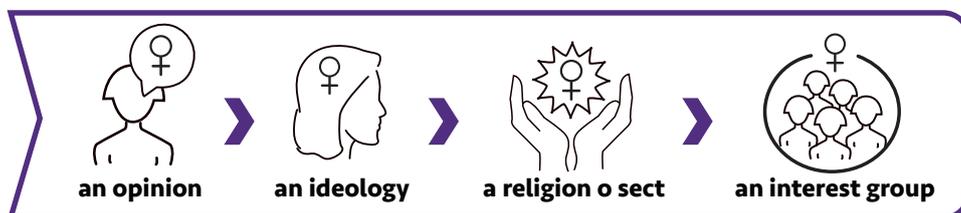
- Promote equal relationships, rights and responsibilities within the couple and children

- Decriminalize women seeking abortion and offer options to those who need to interrupt pregnancy

- Promote protections and rights for this important social role of women



In the end...
Feminism
IS NOT



Although there are many wonderful philosophers, writers and theorists who have written on feminist theory, it seems like there are many branches and even contradictory positions

However, there **is ONE** incontrovertible standard based on international **Human Rights** law

It's called
CEDAW!

The **Convention on the Elimination of All Forms of Discrimination against Women (1979)**



CEDAW invites us to:

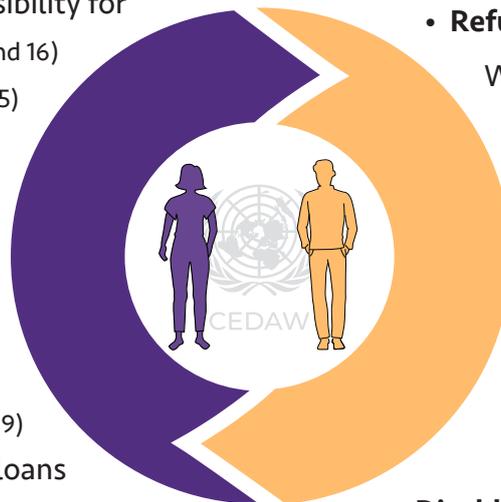
To take all **measures to ensure the full development and advancement of women**, for the purpose of guaranteeing the exercise and enjoyment of their human rights and fundamental freedoms on an **equal basis with men**. (Art. 2)

This **Convention** seeks to protect half of humanity:

- **Modifying** stereotypes and socio-cultural patterns (Art.5)
- **Promoting** common responsibility for children and marriage (Art. 5 and 16)
 - **Protecting** maternity (Art. 5)
 - **Suppressing** trafficking and exploitation of prostitution (Art. 6)
- **Promoting** women in the political and public life of the country (Art. 7 and 8)
- Acquiring, changing or retaining **nationality** (Art. 9)
- Accessing **education**, sports, loans and recreation (Art. 10 and 13)
- The right to **employment** and equal pay (Art. 11)
 - Participating and benefiting from **rural development** (Art. 14)
- Accessing **health care**, planning, nutrition even during pregnancy and lactation (Art. 12)
 - Exercising **legal capacity** and administering property (Art. 15)

The Committee's **General Recommendations** update the Convention, among other rights:

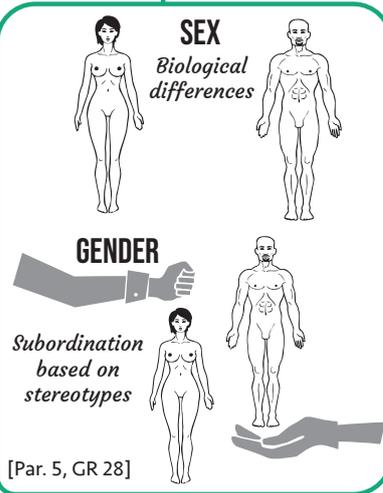
- **Trafficking** of Women and Girls in Migration (GR 38, 2020)
- **Refugee** and Asylum-seeking Women (GR 32, 2014)
 - Women in **Conflict** (GR 30, 2013)
 - Women and **Health** (GR 24, 1999)
 - Rights of Girls and Women to **Education** (GR 36, 2017)
 - **Rural Women** (GR 34, 2016)
- Women in **Politics** and **Public Life** (GR 23, 1997)
- **Disabled Women** (GR 18, 1991)
- **Unpaid** and Domestic Work (GR 16, 17, 1991)
- **Rights** of Girl-child (GR 31-2014)
- **Older Women** (GR 27-2010)
- **Violence** Against Women (GR 35-2017, 19-1992, 12-1989)
- Access to **Justice** (GR 33-2016)
- Migrant **workers** (GR 26-2009)



CEDAW developed important concepts:

1 Discrimination Based on Sex

Any distinction, exclusion and restriction which has the effect of impairing or nullifying the human rights of women, on the basis of equality of men and women. (Art. 1-2 and GR. 28)



3 Temporary Special Measures

Measures designed to correct past or present consequences of discrimination related to historic and structural problems faced by women. (Art. 4, GR. 25)

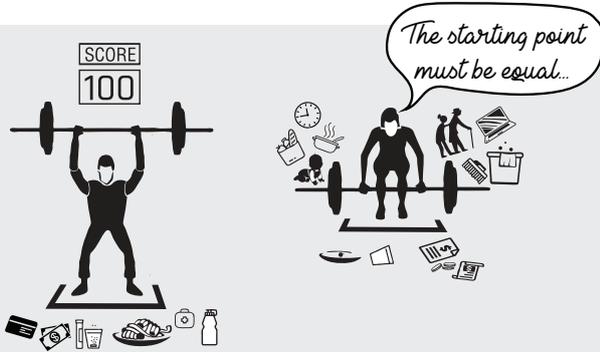
2 Substantive Equality

The absence of any form of discrimination against women for being women, and equal opportunities, benefits and results as those enjoyed by men. (Art. 4 and 5, GR. 28)

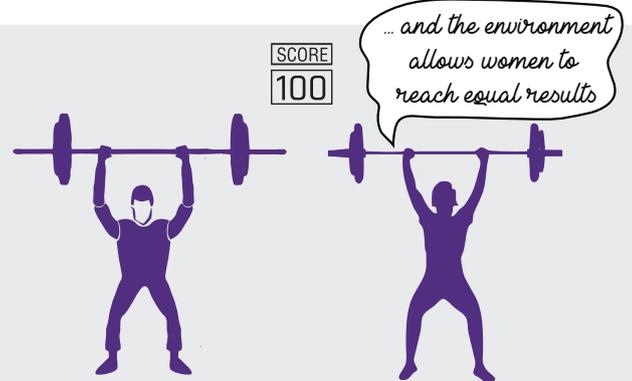
4 Violence Against Women

Violence exercised against women because they are born women or because it affects them disproportionately, justifying the subordination of women to men. (GR. 12, 19, 35)

REMEMBER that Substantive Equality:



- ✓ Values differences between women and men and affirms their equality in human dignity
- ✓ Ensures the absence of direct (in law and practice) and indirect (in results) discrimination
- ✓ Corrects all arbitrary, unfair and unjustifiable practice related to unequal power relationships
- ✓ Eliminates stereotypes, harmful practices, sexism and violence against women

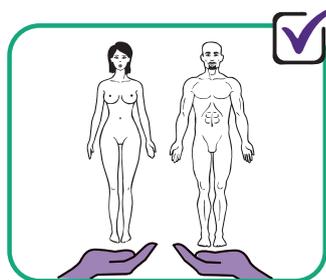


- ✓ Provides similar opportunities to those available to men and access to them
- ✓ Offers similar outcomes and benefits considering biological difference among sexes
- ✓ Offers protection, sanction and redress for prior discrimination
- ✓ Offers representation, redistribution of power and resources, considering prior discrimination

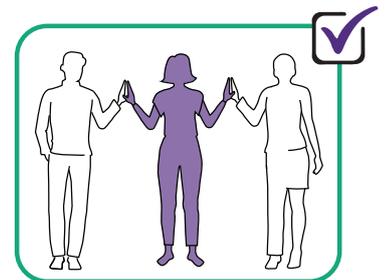
Under CEDAW Feminism IS



A **human rights** movement that focuses on **women's rights**

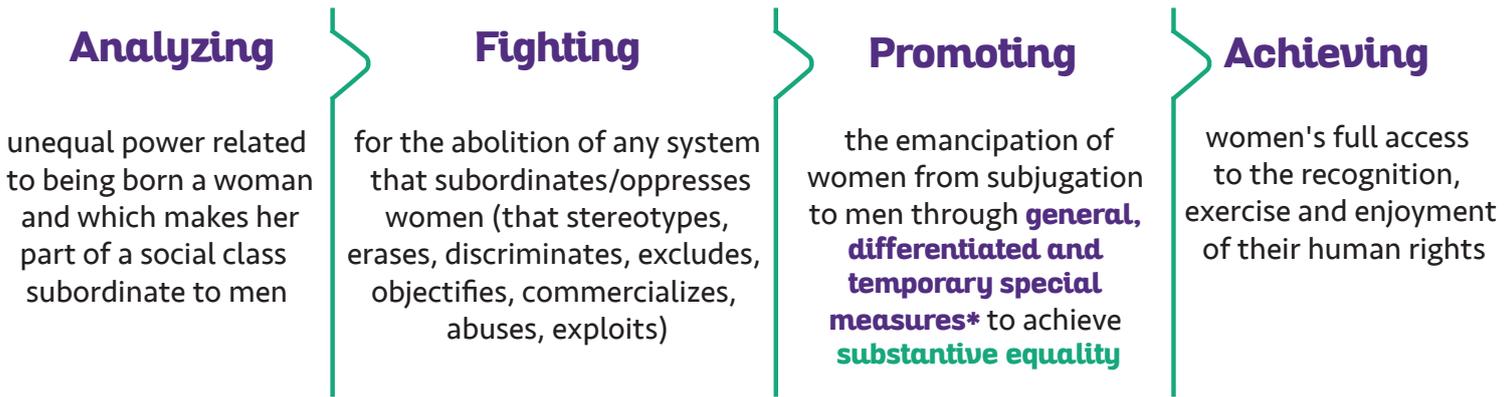


It seeks to ensure **that sex does not justify a deficit or arbitrary attribution of rights**



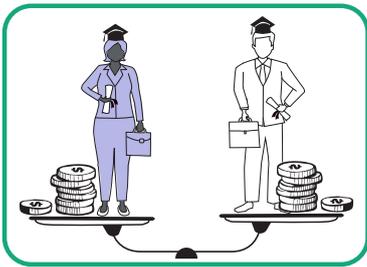
It **does not attack the dignity of others** (but neither does it take on their struggles)

A feminist perspective based on human rights, must include:



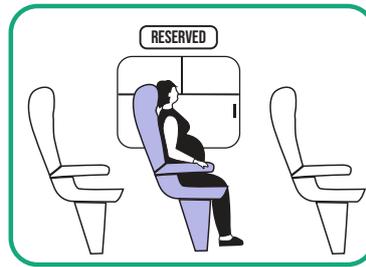
***MEASURES needed by women:**

General Measures



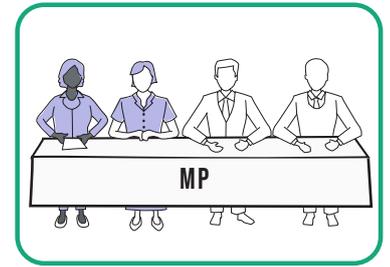
They improve the general situation of women and girls in line with fundamental human rights (e.g. education, health, employment)

Differentiated Measures



They consider needs related to biological differences (e.g. protecting maternity, pregnancy, menstruation and menopause)

Temporary Special Measures



They aim to solve historic structural problems (e.g. by quota systems, preferential hiring, resource allocation, single sex spaces)

HOW TO SUPPORT **the feminist agenda based on human rights?**

A Use CEDAW

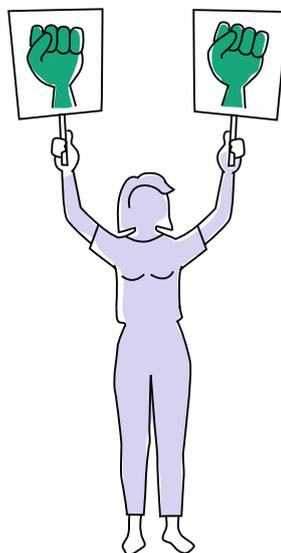
and its standard principles based on international law.

B Use WOMEN-centered language

avoiding confusions embedded in the term **GENDER**.

C Explicitly reject

initiatives that endorse any form, practice, law or industry that subordinates/oppresses women.



Confirm **D**

that the initiative works to end **discrimination on the basis of sex** (including all forms of violence against women) and contributes to achieving **substantive equality**.

Support **E**

all types of initiatives, but especially those that strengthen the largest and most vulnerable groups of women.