

Women's Rights as Human Rights: A review of feminist history

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WOMEN'S RIGHTS WITHIN A HUMAN RIGHTS CONTEXT

Feminism refers to ideologies and political and social movements that support and advocate for women's rights. It aims at establishing political, social, and economic rights for women globally. Among the rights that feminism advocates for include the rights to vote, gain an education, receive equal pay, own property, and have freedom from inhumane treatment (Bodenner, 2016, p. 03). Over the years, feminist movements have recorded significant achievements in advocating for women's rights especially in the West. Feminism has accounted for drastic social changes regarding women status and rights; it has attained women suffrage, the right to own property and right to fair wages, and has made great advances in securing reproductive rights for all women. Many of these rights are now regarded as human rights that are inviolable and inalienable. However, women around the globe still regularly face discrimination, marginalization, and violations of basic human rights (Krug & Savic, 2002, p.232). Attaining women's human rights and achieving equality between men and women means eradicating all acts of discrimination against women.

Early feminism

Human rights issues in feminism date back to the 18th century. The campaign for women's rights as human rights in the U.S. is a recent campaign (Reidy & Sellers, 2005, p.83), but has its roots in the British women's rights movements. The radical changes for women in family life, religion, education, healthcare, employment, leadership, and government emanates from the struggle of different women's groups and individuals throughout history. For many centuries, women were passive recipients of discrimination, ill-treatment and marginalization within a patriarchal social structure. However, beginning in the 18th century, women in the Western world began to speak up and to fight for equal treatment with men. Women participated in meetings, lobbying, public speaking, demonstrations, and nonviolent resistance to petition for their rights. They worked tirelessly to create a better world for the women of future generations.

The U.S. women's rights movement

In the U.S. the women's rights movement dates back to mid-19th century when some women sought their rights as American citizens in a new democracy (Baker, 2009). On July 13, 1848, five women met for tea and conversation in New York. One of these women was Elizabeth Cady Stanton, a mother, and homemaker who was discontented with the situation of women at that time (Rossi, 1998, p.383). Stanton spoke of her grievances about the many limitations holding women back even after the American Revolution. Even though women had played an active role in the American Revolution, they had not gained the same freedoms as their male compatriots and were still lesser members of American society. The other women agreed with Stanton's concerns, and together they decided to organize a convention. This convention became the first of its kind; the first Women's Rights Movement Convention. The convention's theme was "to discuss the social, civil, and religious condition and rights of women". It was to take place between July 19 and 20, 1848 at Wesleyan Chapel in Seneca Falls.

The idea of these patriotic and visionary women became a milestone in the history of women's rights in Western civilization. Prior to the convention, Stanton drafted a Declaration of Sentiments that borrowed generously from the Declaration of Independence (McMillen, 2009, p.12). In the declaration, Stanton connected the idea of women's rights with that of liberty. She argued that men and women were subject to different treatment although they were equal entities with inalienable rights. Stanton listed some of the areas which highlighted male dominance over women and the unjust treatment of women in society. Among the areas of concern Stanton identified included restriction from voting, lack of property rights, restriction from entry to certain professions, and lack of educational opportunities. When the convention was held, the participants backed the Declaration of Sentiments unanimously. However, one of Stanton's pleas, the right to vote, was widely contested. It was hard to convince the participants that women should have the right to vote as the idea seemed strange and unattainable. After much debate, the convention's participants agreed that women should have the right to vote and hence participate in areas of governance, such as making laws and choosing leaders. As the convention ended, the participants vowed to use all available means to achieve their goal.

The Declaration of Sentiments received intense criticism from the public and particularly the media. Notably, the issue of women demanding to vote was ridiculed and censured. In fact, the Declaration of Sentiments received so much criticism that many of the women who had attended the convention started to rethink their position. Many withdrew their signatures from the Declaration due to the intense embarrassment and humiliation it caused them especially when their names were published in newspapers. Nonetheless, some remained resilient and did not withdraw their signatures. Not all of the attention was negative however. On the positive side, it sensitized people to the plight of women, and many joined the heated debate about women's rights. From 1850 onwards, more women's rights conventions were held to discuss women's grievances (Orleck, 2014, p.7). Stanton and other women such as Susan Anthony and Lucy Stone travelled around the U.S. creating awareness about women's rights.

In the second half of 19th century, the issue of women's suffrage became central in debates and discussions. Women like Esther Morris, Ida Wells-Barnet, and Mary Terrell contributed significantly to fight for women's suffrage. In 1869, two suffrage movements were formed; the National Woman Suffrage Association (NWSA) and the American Woman Suffrage Association (AWSA) (Noraian, 2009, p.15). The two movements advocated for women's voting rights at the state level. In 1890, NWSA and AWSA merged to create the National American Women Suffrage Association (NAWSA). The two organizations together were stronger and more effective than they had been individually (Campbell, 1993, p.72). The next two decades witnessed significant breakthroughs for NAWSA as many states granted women voting rights as a result of NAWSA's lobbying. In 1869, Wyoming became the first state to grant women the right to vote, followed by Colorado, Utah, and Idaho. It was not until 1920 that women's suffrage was achieved nationally in the US (Mountjoy & McNeese, 2007, p.14). With women's voting rights secured, the 1920s gave rise to the second wave of feminism that focused not only on women's political rights but also social, economic, and reproductive rights (Buechler, 1990, p.12).

However, the fight for women's economic rights such as right to equal employment opportunities and equal pay dates back to 1903 with the formation of the National Women's Trade Union League (NWTUL). The organization advocated for improved working conditions and better wages for women. In 1920, the Women's Bureau of the Department of Labor was established to gather information on women in the labor force and ensure decent working conditions for women. Advocacy for economic rights became an issue of race as well gender

(Harley & Terborg-Penn, 1997, p.17). The National Council of Negro Women, an alliance of black women's groups, formed in 1935 and led by Mary McLeod Bethune, lobbied against racism and sexism in the workplace.

As times progressed the issue of women's rights gained public and political momentum. In 1961, President John F. Kennedy established a commission to look into the status of women at the time. The commission's report documented immense discrimination against women, particularly in the employment. It also made recommendations on the steps that could be taken to curb this substantial discrimination, such as fair hiring practices and paid maternity leave. In June 1963, Congress enacted the Equal Pay Act, legislating that women and men should receive the same pay for equal work (Buchanan, 2009, p.180). The following year saw other laws passed to forbid discrimination in the workplace based on sex and race. The Equal Employment Opportunity Commission (EEOC) was created to enforce the legislations and investigate complaints. The National Organization for Women (NOW), the largest women's rights group in the US, was formed in 1966. NOW utilized various mechanisms such as litigation and public demonstrations to articulate their grievances against continued inequalities.

Advocacy for women's reproductive rights began in 1916 when Margaret Sanger opened a birth control clinic in New York. The clinic was the first of its type and attracted much attention and criticism. It was shut down after ten days, and Sanger was arrested. However, over time, women's reproductive health and rights gained attention and public acceptance. In 1923, Sanger created the American Birth Control League to campaign for women's right to take charge of their reproductive health. The campaign was followed by several milestones and recorded significant successes. Prior to 1936, birth control information was regarded as obscene and its dissemination forbidden. However, in 1936, several federal amendments were implemented to allow the distribution of birth control information through the mail. The amendment also declared that contraceptive information was no longer considered obscene. In 1960, the women's rights movements achieved another milestone when birth control pills were approved and certified by the Food and Drug Administration (Buchanan, 2009, p.176). Social legislation also continued to improve women's lives: in 1969, the state of California passed a landmark law that allowed married couples to divorce through mutual agreement. Other states followed California's example in subsequent years and also enacted legislation to guarantee the equal division of property following a divorce.

Women's rights to education and equal educational opportunities were also among the agendas of women's rights movements. In 1972, some educational amendments barred sexual discrimination in schools. As a result of this amendment many women enrolled in schools and others ventured into courses that were previously the preserve of men (Monteith, 2004, p.240). The Pregnancy Discrimination Act of 1978 forbade discrimination against women on the basis of pregnancy. A woman could not be denied a job, promotion or be fired due to pregnancy.

Third wave feminism

1980 to present is referred to as the third wave of feminism or women's rights activism. This period has witnessed enormous streamlining of men's and women's rights. During this period, the phrase "women's rights as human rights" was coined to refer to rights that not only apply to women as a group defined by gender but also women as human beings. In 1986, the Supreme Court proclaimed that sexual harassment in the workplace is a type of job discrimination and is therefore illegal. This ruling was enforced by the 1994 Violence Against Women Act. The Act imposed heavy penalties for sex offenders and set aside funds to care for victims of sexual offences and domestic violence.

In 1995, Hillary Clinton gave a landmark speech titled Women's Rights as Human Rights. Clinton was at the time the U.S. First Lady and was addressing the UN Fourth World Conference, held in Beijing, China. In her speech, Clinton argued that the issue of women's rights should not be divorced from human rights; human rights are women's rights and women's rights are human rights (Chozick, 2015, p.6). Clinton recounted the many cases of women's rights violation from rape to domestic violence. She proclaimed that "women are often the ones whose human rights are violated". This legendary speech has been ranked among the top 100 speeches of the 20th century. The third wave of feminism has also witnessed changes in the military to accommodate women (Anderson, 2014, p.80). In 1996, the Supreme Court declared that all Virginia Military Schools that were exclusively for men should be opened to women. In 2013, the defense secretary lifted all gender-based discrimination to military service. In 2016, women were allowed to serve in all armed services jobs as long as they meet the required qualifications.

The role of the UN

The UN has played a critical role in tackling the issue of women's human rights globally. Since its inauguration in 1945, the UN has been at the forefront of promoting equal rights for

men and women. The UN Charter adopted in 1945 mandates the UN to promote and protect human rights regardless of individual's race, sex, religion, and language (Hernandez-Truyol, 1996, p.619). The 1948 Universal Declaration of Human Rights further promoted women's rights by stipulating that its entitlements apply to both men and women equally. In 1979 the Declaration on the Elimination of Discrimination against Women declared discrimination against women to be an offence against human dignity (Walters, 2013, p.16). The Declaration provides the platform for the achievement of equality between men and women by ensuring women have access and equal opportunities in politics, education, health, and employment. The issue of women's rights as human rights was confirmed in 1993 at the UN World Conference on Human Rights held in Vienna (Narayan & Harding, 2008, p.28). Women, just like men, are human beings and are entitled to inalienable and inviolable human rights (Hegarty, 1999, p.150). Therefore, neglecting women's rights is equal to violating human rights. Rights such as the right to education and healthcare are fundamental human rights that all humans are entitled to regardless of race, religion, sex, socio-economic status, and language.

The UN acknowledges that women are subjected to many human rights violations as opposed to men. Patriarchal societies have subjected women to ill treatment, discrimination, marginalization, and exposed them to violence and abuse (Bunch, 1990, p.487). Women are often among the poorest and least empowered group in society. They are denied access to education, health care, employment, property, leadership positions, and community decision-making. Bearing this in mind, the UN has made tremendous strides to promote women's rights as an essential part of the promotion and protection of human rights. Women's rights are inalienable human rights to which all women around the world are entitled. In 1975, the UN organized the first Conference on Women, which took place in Mexico. Following the conference, the UN went a step further to declare a Decade for Women from 1976 to 1985. In this decade, the UN took sweeping measures to promote the status of women, organizing more women's conferences, incorporating women's rights in the agenda of UN meetings, and creating specialized agencies for women. During this Decade for Women, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was drafted and enacted. Although cultures often challenge the universality of women's rights, the UN emphasizes that cultural practices should not undermine inherent and universal human rights.

The Millennium Development Goals adopted by the UN in 2000 included eight essential goals for all countries to embrace, including the promotion of gender equality that is vital for sustainable development in the world. Gender equality is only achievable when women's rights are prioritized and recognized as human rights (Carlsson & Osotimehin, 2013, p.8).

REFERENCES

1. Anderson, J. (2014). *Women's rights movement*. Edina: ABDO Publishing.
2. Baker, J. (2009). *Women and the U.S. Constitution, 1776-1920*. Washington: American Historical Association.
3. Bodenner, C. (2016, February 12). What does feminism mean today? *The Atlantic* online (n.p.). Retrieved from <http://www.theatlantic.com/notes/all/2015/09/what-does-feminism-mean-today/408616/>.
4. Buchanan, P. (2009). *The American women's rights movement: A chronology of events and of opportunities from 1600 to 2008*. Wellesley, MA: Branden Books.
5. Buechler, S. (1990). *Women's movements in the United States: Woman suffrage, equal rights, and beyond*. New Brunswick, NJ: Rutgers University Press.
6. Bunch, C. (1990). Women's rights as human rights: Toward a revision of human rights. *Human Rights Quarterly* 12(4), 486-498.
7. Campbell, K. (1993). *Women public speakers in the United States, 1800-1925*. Santa Barbara: ABC- CLIO.
8. Carlsson, G. & Osotimehin, B. (2013, June 2). Women's rights are human rights- now more than ever. *Aljazeera.com* Retrieved from <http://www.aljazeera.com/indepth/ opinion/ 2013/06/2013626447880533.html>.
9. Chozick, A. (2015, September 5). Hillary Clinton's Beijing speech on women resonates 20 years later.
10. *New York Times* (online) Retrieved from <http://www.nytimes.com /politics/first- draft/2015/09/05/20-years-later-hillary-clintons-beijing- speech-on-women-resonates/>.
11. Harley, S. & Terborg-Penn, R. *The Afro-American woman: Struggles and images*. Baltimore: Black Classic Press, 1997.
12. Hegarty, A. (1999). *Human rights: 21st century*. Singapore: Cavendish Publishing.
13. Hernandez-Truyol, B. (1996). Women's rights as human rights- rules, realities and the role of culture: A formula for reform. 21 Brook. J. Int'l L. 605. Retrieved from <http://scholarship.law.ufl.edu/facultypub/511>.
14. Krug, B. & Savic, O. (2002). *The politics of human rights*. New York: Verso Books.
15. McMillen, S. (2009). *Seneca Falls and the origins of the women's rights movement*. Oxford: Oxford University Press.
16. Monteith, S. (2004). *Gender and the civil rights movement*. New Brunswick: Rutgers University Press.
17. Mountjoy, S. & McNeese, T. *The women's rights movement: Moving towards equality*. New York: Infobase Publishing, 2007.
18. Narayan, U. & Harding S. (2000). *Decentering the center: Philosophy for a multicultural, postcolonial, and feminist world*. Bloomington: Indiana University Press.
19. Noraian, M. (2009). *Women's rights, racial integration, and education from 1850-1920: The case of Sarah Raymond, the first female superintendent*. Berlin: Springer Science and Business Media.
20. Orleck, A. (2014). *Rethinking American women's activism*. Abingdon: Routledge.
21. Reidy, D. & Sellers, M. (2005). *Universal human rights: Moral order in a divided world*. Lanham: Rowman & Littlefield.
22. Rossi, A. (1988). *The feminist papers: From Adams to de Beauvoir*. Lebanon, New Hampshire: University Press of New England.
23. Walters, R. (2013). Are women's rights human rights? *E-International Relations* website. Retrieved from <http://www.e-ir.info/2013/07/20/are-womens-rights- human-rights/>.