



Pushback on Women's Rights

“There is no such thing as a single-issue struggle because we do not live single-issue lives.

– Audre Lorde –

Women's Rights are Human Rights

Women's rights are human rights, and these are the rights of all peoples to pursue freely their economic, social, and cultural development without outside interference. They are fundamental to self-determination and development and the advancement of Women and Girls in all their diversity. Human rights are not just a matter of language and rules; they are embedded in institutions, processes, and organisations. At the international level and at the development of the International Bill of Rights, States that were mostly governed by men, worked to develop Conventions, Treaties, and International Agreements that display underlying patriarchal assumptions. These Conventions, Treaties, and Agreements constructed along masculinist lines are an important factor at the national level in determining what constitutes human rights and who has access to specific rights and services. Women's identities become uncritically subsumed under the inflexible identity of the 'State' or 'National' and women's rights cannot achieve their full meaning.



Judicial systems which play an important part in ensuring women's rights, remain locked in outdated systems and appear to remain blind to the impacts of the act of wilful force, violence, and violation of women's bodies should be treated in a courtroom.

The emergence of women's rights in the rubric of human rights, development and self-determination came along much later as a collective measure to the gendered character of the early Human Rights Conventions and as a means to address the multiple harms afforded to all women. The Convention on All Forms of Discrimination Against Women (CEDAW) adopted in 1979 and ratified in 1981, the Beijing Declaration and Platform for Action (BPFA) (1995), and Security Council Resolution 1325 on Women Peace and Security (2000) have provided a much-needed umbrella of rights for women and girls across the world to use to advance their full access to Human Rights. The very need for these Conventions, Treaties, and agreements reflects the gendered character of the International Bill of Rights and earlier human rights conventions, treaties, and security resolutions where abuses against human rights were measured and defined on the harms that men experienced.

Over the last 30 years, despite many gains in the area of women's development and advancement, we are now at a critical juncture, witnessing dangerous co-option and dilution of Human Rights and Women's Rights, increased violence against women and girls and a global pushback on women's rights and backlash on women's rights defenders/organisations.



Impact of COVID on women's rights

What can't be ignored in the discussion of women's rights is the **impact that the global pandemic of COVID-19** had on women's rights and gender equality. The COVID-19 pandemic and States' response to it, highlighted and exacerbated gender inequalities and injustices. Women's economic and social rights were severely impeded. In many cases, women's access to a livelihood was denied with no fallback to a social security net to support their families in food and accommodation. Essential care work already in the majority carried by women increased and access to services and support was denied or severely impeded. Violence against women increased and state restrictions did not allow escape from violence. Power dynamics shifted in the public and private areas of women's lives.

Pushback on Women's Rights

Despite these International Agreements, and advances in some areas of women's rights and gender equality, we are at this time witnessing an onslaught of right wing and fundamentalist politics all over the world, leading to the erosion of human rights overall and women's rights in particular. This structural violence intersects with gender, race,



class, and religion and in some cases filial duty, clan loyalty, and wifely devotion rather than personal agency and assertion of a right or freedom of choice.

We are now facing a world of **rising** fundamentalisms, different types of opposition forces and authoritarian regimes, unprecedented emergencies, climate crises, the COVID-19 pandemic, ongoing and new conflicts, shifting democratic power structures and neo-liberal economic systems, State Capture and a war in Ukraine which has shifted focus and dynamics once again to increasingly inward-looking views across Europe. State capture and corruption are seen to be predominantly a Global South governance issue while in the Global North, the continued corruption and destruction of countries are seen to be normalised through the cloak of colonial power and processes.

Colonial powers remain dominant in many regions of the World, bringing a neo-colonisation agenda through trade, aid, and development agreements. Extractive industries exploit natural resources increasing global warming and climate justice is an increasingly critical issue impacting women's rights. The rise of the BRICS Countries (Brazil, Russia India, China, and South Africa) and their economies are shifting global financial structures and attitudes as economic gain rises above human costs.

The role of International Financial Institutions (IFI's) and International Private Industries are creating and maintaining an axis of disadvantage and increasing inequalities between and within countries. On the one hand, they are seen to be providing countries with loans



to improve infrastructure and services, on the other, they are using the loans as leverage to asset strip through trade agreements and economic agreements which serve to exploit those most vulnerable in the workplace. IFI's often reinforce existing colonial power relations through using taxation, policies, and loan conditionalities. New players taking control in the global architecture is starting to shift this colonial geo-political landscape. Despite the positive trends of shifting colonial power relations, there is rising evidence of African and Asian Leaders moving away from democratic elections to succession leadership.

The challenges to maintain, sustain and advance women's rights and gender equality is at a crisis point. Violence against women is rising across the world and women's rights defenders are being imprisoned, killed, or disappearing. Rise in religious fundamentalisms is increasing violence against women, and limiting access to education, economic opportunities and services and reinforcing patriarchal systems and stereotypes. We are witnessing globally a growth in the nature and type of violence perpetuated against women and girls.

Funding for women's rights and addressing violence against women is becoming scarce.

Shifts in legal mechanisms such as strengthening of Sharia Law and new penal codes (Brunei) based on an extremely conservative interpretation of Muslim law restrict women's and girls' rights and freedoms and serve to punish women are being witnessed



in some Muslim countries. Conservative pressures from Catholic and Christian Leaders are pressuring States to push back on women's rights and gender equality agreements at the national level through shifts and changes in legislation and policy, that provide access to protections for women. A key example of this occurred in the USA where in the case of *Roe vs Wade* (USA)ⁱ not only has 50 years of protection for women been destroyed, but this legal precedent paves the way for other States and countries to follow suit. In Poland, a predominantly Catholic Country the government has spearheaded retrogressive laws and policies obstructing efforts to address gender-based violence and using it is a 'politically compromised' Constitutional Tribunal to undermine women's and girls' reproductive rights.

Conflict and fundamentalism are severely impacting on the women and girls in Afghanistan where the Taliban have banned women and girls from taking part in many aspects of daily life. Restrictions in movement, behaviours, socialisation, attending school and university and working in many jobs have been implemented and severe punishments in place for those who do not abide by the rulings. Fear and violence become an everyday situation for many women and girls in such situations. Freedoms once available, are now out of reach.

States are increasingly pushing back on women's rights and women's organisations pushing for women's rights. Women human rights defenders face violence, including online, and women's organizations face obstacles to both funding and registration. This



pushback takes multiple forms, States are silencing feminist voices by tightening social control, imposing strict censorship policies, banning feminist language and content, or labelling such content as “harmful speech” or “inciting conflict between the genders”. Misinformation and ‘fake news’ are part of a new normal, posing specific challenges for social justice organisations working on shifting social norms and systems. The increasing manipulation of information through social media platforms and Artificial Intelligence (AI) advances are yet to be fully understood.

Institutional mechanisms for the Advancement of Women and Girls are being weakened and threatened to be abolished. In Asia, South Korea has been considering abolishing the Ministry of Gender Equality and Family, and the term ‘women’ is being eliminated from policies that initially addressed gendered discrimination such as violence against women.

Backlash on women’s rights and women’s rights organisations

In addition to active pushback on women’s rights through legislative and policy shifts, we are also witnessing a strong increase in violence and pressure on feminist/ women’s rights organisations by both state and non-state actors. Impunity for perpetrators of violence against women human rights defenders/women’s rights organisations exists and this combined with lack of protection from the State for such organisations leaves many women vulnerable and at risk of imprisonment, violence, disappearance, or even death.



Backlash against women's rights activists and women's organisations in the form of harassment, pressure, or aggression on individual activists and progressive women's organisations occurs when unequal power structures or male violence against women is challenged. This pushback takes the form of imprisonment of individuals, state harassment of women's organisations and searching of work premises, and state tax audits of progressive women's organisations. In some countries, the criteria for being an NGO or CSO is being challenged with women's organisations having to constantly justify their existence and not being able to get on with the essential work needed to change the situation. Across the board, in most countries across the world, women and girls are largely excluded from the rooms where decisions are made. And so, the cycle of gender discrimination is perpetuated and women's needs and interests are often ignored and pushed aside in policies, legislation, and discussions that are key to them. If we extend this out from the national level to the international agreements currently under negotiation such as the climate discussions taking place through COP processes, only 15% of the environment ministers are women, and globally only one-third of 192 energy frameworks include gender consideration. While women across the world are facing increasing food insecurity due to climate shifts, pushback and backlash has been growing and increasing witnessed and experienced by women's organisations and human rights organisations and through the various Commissions and Treaty feedback mechanisms in place to measure and monitor State actions to International Agreements.



VAWG and shifts from global norms and standards to national norms and standards.

The long-term implication of these pushbacks and backlash is a shift from internationally agreed norms and standards to a national context where increasingly regressive social norms and socially derived collective expectations of appropriate behaviours are being drawn around women's identities and stereotypes. Impunity, lack of representation, and the growing fundamentalisms and shifting power dynamics are developing harmful social norms that sustain and grow violent behaviours. Women's sexual purity, restriction of gender identity, protecting family honour over women's safety, men's authority to discipline women and children, and expectations that women obey their husbands can lead to physical violence used by husbands or male family members as punishment or discipline. Negative social norms, shame, and weak legal protections and policies make women and girls vulnerable to addressing the violence and taking action to remove themselves from violent situations. Abuse in intimate partner relationships and domestic settings, becomes invisible, unreported, and normalised, and as a result, not adequately addressed.

Co-option and dilution of women's rights



When we use the term co-option, we are using the language of progressive frameworks and goals such as ‘equality’, ‘rights’, ‘justice’ and so on to defend and maintain unequal structures and practices. Feminist actors, practices, and discourse have successfully made inroads into state policies, international projects, and political rhetoric. Political actors have utilised and adopted feminist rhetoric even though they may not have shifted their (anti-feminist) ideologies. Appropriation, dilution, and reinterpretation of feminist discourses and practices by non-feminist actors for their own purposes is growing. ‘In the co-option process, the concept itself is not rejected, but its initial meaning is transformed and used in the policy discourse for a different purpose than the original one’ (Stratigaki, 2004:36¹). Feminist goals and practices have altered as feminists occupy or influence positions of power in political institutions. This shift from Feminism to State Feminism as a move to strengthen the system from within is often viewed critically by those on the ground working to address women’s rights outside the institutions.

We are all guilty in the co-option of women’s rights concepts as we shift and change the rhetoric to obtain the result – compromises are sometimes made. Collective bargaining which brings the gains in many contexts, means compromise. Co-option of language, such as the changes in some countries from violence against women and girls to Family

¹ *Roe v. Wade*, 410 U.S. 113 (1973),^[1] was a [landmark decision](#) of the [U.S. Supreme Court](#) in which the Court ruled that the [Constitution of the United States](#) generally protected a right to have an [abortion](#). The decision struck down many [abortion laws](#), and caused an ongoing [abortion debate](#) in the United States about whether, or to what extent, abortion should be legal, who should decide the legality of abortion, and what the role of [moral](#) and [religious views](#) in the political sphere should be.^{[2][3]} The decision also shaped debate concerning which methods the Supreme Court should use in constitutional [adjudication](#).



Violence or Gender-based violence, have served to dilute and to some degree de-politicise violence against women.

UN and global women's movements have also served to dilute the equality principle through equity versus equality. There is a breakdown in rhetoric around building the environmental conditions globally to allow all people access to a condition characterised by 'justice, equality, impartiality, and fairness, including fair and equal distribution of power, economic resources, opportunities, goods and services across the social spectrum' (as enshrined in the International Bill of Rights). We are now seeing a hierarchy of needs and equalities that is shifting and changing with a geo-political landscape that is increasingly influenced by multi-national private corporations that prioritise economic gain over women's advancement.

UN Development Strategies such as the Sustainable Development Goals actively engage with corporate powers and extractive industries. Often the cumulative wealth of one of these industries is higher than the UN budget. Engagement with such industries that on the one hand causes many problems for women and yet are now centred in the power dynamics of the United Nations and have large amounts of funding at their disposal to achieve their own corporate goals. These challenges many aspects of global development and accountability.



Global campaigns, such as the HeforShe Campaign, have been destructive in shifting the emphasis of action from women to men and boys. Funding for Elimination of Violence work is now being metered out to men's organisations and networks stretching what are already limited resources. Men's engagement in feminist spaces, which is fully supported by UN Women and funding agencies is a pushback imposed to intentionally neutralize efforts of women and girls in dismantling patriarchy and diverting the focus of anti-violence work.

Co-option through the rise of the gender ideology

'Gender ideology' narratives are increasingly present in public discourse and policy-making spaces, posing a significant threat to human rights. This ideology casts advocates of gender and social justice as legitimate supporters of a nefarious agenda. Gender concepts and constructs have long been used within the feminist movement and are enshrined in human rights law. UN Human Rights mechanisms have developed a robust understanding of 'gender' as a socio-cultural construct that assigns roles, behaviour, and forms of expression, activities, and attributes according to the meaning given to biological sex characteristics. 'Human rights norms have addressed discrimination based on gender, gender identity and gender expression. Thus, the notion of discrimination being prohibited on the grounds of "sex" has evolved to cover not only physiological characteristics but also the social constructs of gender stereotypes.'ⁱⁱ



What the ‘proponents of gender ideology’ are doing is using the concept of gender as an oppressive ideology that actually opposes rights related to gender and sexuality. It has been used in Turkey to legitimize violence against women by claiming that the Istanbul Conventionⁱⁱⁱ was used to “normalize homosexuality” and that as such it was incompatible with Turkey’s social and family values. This mix of cultural relativism – whereby “Western “values are claimed to be imposed on Turkish society and a moral panic around a powerful imaginary^{iv}. Gender ideology has also been used to ban gender and comprehensive education in Paraguay and as anti-trans mobilization against reform of the Gender Recognition Act in the United Kingdom. These are but a few examples of the political power of anti-rights actors who claim that oppressive patriarchal gender roles are the norm, allowing no space for other ideas, cultural norms, and forms of social life.

The rise of gender ideology has placed gender and sexuality in a precarious position, especially in the areas of bodily autonomy and expression of sexuality. While through the UN Conventions States have the obligation to remove legal barriers and develop and enforce policies, good practices and legal frameworks that respect bodily autonomy^v. The combination of gender ideological proponents and the pushback on safe abortions is a dangerous petri dish for bodily autonomy and gender equality.

Co-option and Intersectional Feminism



The 'MeToo' movement utilised online media to not only help progress in terms of accountability for sexual harassment at the larger institutional level in male-dominated industries, it also brought centre stage the white notions of women's equality as situated in neo-liberalist globalization. The tensions in the women's movement that historically have had a north-south profile with middle-class white women being at the centre. This centring locates women in political power relations that are 'blind' to privilege and race. In positions that ignore historical injustices caused by colonialism practices and speak of different cultures, epistemologies, experiences, histories, and material conditions that separate our politics and analysis.

What is evident is that the subjective position of cultural capital that white race privilege confers means there is very little imperative for them to change. For many the #MeToo movement opened up an opportunity to shine a light on the racial blindness that exists in the feminist movement. Race is often seen as different to 'equality'. *"We tend to talk about race inequality as separate from inequality based on gender, class, sexuality or immigrant status. What's often missing is how some people are subject to all of these, and the experience is not just the sum of its parts"* (Crenshaw, 1991)^{vi}. Crenshaw led the way in bringing Intersectional Feminism which centres the voices of those experiencing overlapping, concurrent forms of oppression in order to understand the depths of the inequalities and the relationships among them in any given context.



What does this mean for INEVAWG Network?

In an environment of push-back and backlash on women's rights, we need to remain vigilant to the changes around us.

ⁱⁱ Committee on Economic Social and Cultural Rights, General Comment No. 20, Non-discrimination in economic, social and cultural rights (art.2, para 2, of the International Covenant on Economic, Social and Cultural Rights) 2009, para 20.

ⁱⁱⁱ **Council of Europe Convention on preventing and combating violence against women and domestic violence (CETS No. 210)** www.coe.int/en/web/conventions/full-list?module=treaty-detail&treaty-num=210

^{iv} AWID "Gender Ideology" Narratives : A Threat to Human Rights Case Study 1 p 3 para 3

^v Human Rights Council Resolution 39/13, 2018, A/HRC/RES/39/13, and Human Rights Council Resolution on the Elimination of all forms of discrimination against women and girls, 2018, A/HRC/38/L/Rev.1

^{vi} ***Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color***, Kimberlé Williams Crenshaw, *Stanford Law Review* 43, no. 6, 1991: 1241-1299 [Academic Article, requires ARTIC login to access]