

Book Reviews

OURS BY RIGHT: WOMEN'S RIGHTS AS HUMAN RIGHTS

Joanna Kerr, Ed. Published by Zed Books (1993).

by *Victoria Foote*

With the approach of the Fourth United Nations Fourth World Conference on Women, this is an obvious time to reflect upon the progress made with respect to the promotion and protection of women's human rights. The last such conference, held in Nairobi, Kenya, generated a document entitled "The Nairobi Forward-Looking Strategies for the Advancement of Women," the purpose of which is to "provide a framework for renewed commitment by the international community to the advancement of women and the elimination of gender-based discrimination." In addition to the "Forward-Looking Strategies," human rights activists can refer to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Declaration on the Elimination of Violence Against Women as internationally recognized declarations condemning all forms of discrimination based on sex. It would seem, then, that there is no shortage of documentation supporting women's human rights and calling for the elimination of gender-based discrimination. More problematic, of course, is the enforcement of the norms articulated in these documents. As Joanna Kerr points out in her introduction, laws and institutions can be changed, but without a similar alteration in societal values, few gains can be achieved.

The impressively diverse case studies in this book—whose chapters are based on presentations delivered at a

conference held in 1992 called "Linking Hands for Changing Laws—Women's Rights as Human Rights Around the World"—reveal a mixture of achievements and frustrations experienced by women's human rights organizations around the world. The most persistent theme in Part II, "Women's Rights—Country Experiences," is that the legal existence of rights seldom corresponds with social practice. In her chapter "Special Challenges Confronting Latin American Women," Silvia Pimental notes that the recent trend in many Latin American countries toward democratization has provided fertile ground for an increase in women's political activities. Democracy, however, is an incomplete project if it does not, in effect, represent women. For example, writes Pimental, women's constitutional rights in Brazil were substantially broadened in 1988 with the drafting of a new constitution which explicitly states that it is the duty of the state to restrain domestic violence. But because a patriarchal culture prevails in most Latin American societies, rights which exist for women legally do not necessarily exist in practice. At best, according to Pimental, these rights are used only erratically in the application of the law.

The situation Latin American women find themselves in is by no means uncommon. The constitution of Pakistan, Rashida Patel tells us, declares that all citizens are equal before the law and are entitled to equal protection. It further states that discrimination on the basis of sex is not to be tolerated. The experiences of women in Pakistan, however, suggest otherwise. According to Patel, women suffer disproportionately from poverty and neglect, the latter being especially notable in the areas of health care and family planning. As well, the *Maulanas* (religious leaders) currently enjoy considerable influence and

power. In "Women Living Under Muslim Laws," Marie Aimée Hélie-Lucas lists some of the punishments meted out to Muslim women for perceived social and religious transgressions: death by stoning or 100 lashes for alleged adultery in Pakistan; the loss of women's right to marry in Algeria—women must be given in marriage by a *wali* (matrimonial tutor); the allowance of men to kill their womenfolk for adultery in Iraq.

In addition to concerns raised about the legislative as opposed to the practical existence of human rights, another theme emerges from the chapters, which is the role of donor agencies and, as one author discusses, whether they should impose conditionalities along with their funding.

Without exception, the contributors refer to insufficient funding as a chronic problem their organizations must endure which hinders their ability to accomplish their goals. Donors, in turn, consider whether their funding should be contingent upon recipient country states meeting certain conditions, such as political reform or an improved human rights record. The argument for conditionalities is that they lend support to groups fighting for human rights by applying external, and highly visible, pressure. But there are also problems with this strategy. Elizabeth McAllister writes that developing countries may resent conditionalities for one or more of the following reasons: conditionality may be regarded as an invasion of a nation's sovereignty; it reflects power inequities; and it invokes a paternalistic approach in that it suggests that donors know what is best for their recipients. McAllister, a representative from the Canadian International Development Agency (CIDA), concludes that as a strategy,

conditionality is ineffective and possibly inappropriate. A strategy of cooperation and accountability, she argues, is therefore preferred.

It is probably worth bearing in mind that CIDA is in the business of development and that the imposition of conditionalities could curtail their operations significantly. In other words, it is in CIDA's interest not to adopt such a strategy. Unfortunately, *Ours By Right* offers no such critique of the role of the donor despite its promise to consider the role funding agencies play in women's human rights promotion. None of the chapters provides a thorough or critical analysis of the relationship between donor and recipient. Rather, the authors confine themselves to calls for additional funding—with the exception of Carolyn Hannon-Andersson, who raises the concern that women's issues have become marginalized in many development agencies through the creation of Women in Development (WID) programmes.

The book's strength lies primarily in its case studies (and Marsha A. Freeman's excellent chapter on the CEDAW), which are thoughtful and informative. These chapters demonstrate that, as Kerr points out in her conclusion, while oppression may be culturally-specific in form, women around the world are nonetheless united in their subordination, be it economic or social—a message which will be delivered yet again at the Fourth UN Conference on Women in Beijing.

CHALLENGING RACISM AND SEXISM: ALTERNATIVES TO GENETIC EXPLANATIONS

Ethel Tobach and Betty Rosoff, Eds.
New York: The Feminist Press, 1994.

by Satish K. Sharma

Ever since the revolutionary developments taking place in the science of genetics one question has persistently

been raised: is it possible to improve the quality of human behaviour through the transmission of particular types of genes? This question has raised an unending debate, with some scientists holding a position for and others against. A paper presented by J. Philippe Rushton in 1989 asserted emphatically that genes determine the difference in intelligence, socio-economic status, brain size and sexual behaviour. The issue was not only critically debated, but it culminated into a book which has dealt with it at length. The book under review in fact is a critique of Rushton's thesis of genetic determinism.

The editors, Ethel Tobach and Betty Rosoff, introduce readers to the existing paradox between science and societal processes, which to them has resulted in the emergence of racism and sexism in human society. They have argued that the struggles of the oppressed seeking equality have often been without support from the scientific community. The opposition to their cause has been coming from the pseudo-scientific theory of genetic determinism which asserts that genes not only determine the characteristics of all organisms, but also program the cognitive, emotional and social processes that guarantee genes' succession. Despite the tall claims, the editors point out that the genetic deterministic explanation itself is not complete, as there is lack of consensus among the scientists. Many in the divided scientific community do not subscribe to such a viewpoint and therefore described it as a *non-issue*. Rather, they believe that genes alone do not influence human behaviour, whatever influence there is due to their interaction with environmental factors.

The articles by Hubbard, Tobach and Rosoff, Woodward, Kaplan and Rogers, Reid, and Green included in the first part of this collection examine the concepts of racism and sexism from the perspective of biology, physiology and psychology. The key issue raised in this part is: can biology and physiology account for racism and sexism which are also socio-psycho-

logical categories? The answer certainly is in the negative, as biological or psychological explanations cannot explain the differences between individual and group behaviour. The inadequacies of such explanations are obviously due to the fact that nowhere do they take into consideration the role of class and history in human evolution and behaviour. The other questions discussed at length relate to the adequacy of genetics in bio-medical research and human evolution; the inadequacy of molecular genetics; socio-biological interpretations of genetic processes; and unscientific usages of morphology and hormonal processes. The stress is laid on the idea that instead of generalizing the genetic influences, an analytical distinction between the genetic functions affecting the human body and the factors having a bearing on human evolution must be made. In this context, it is important to remember that besides biological and physiological factors, environmental factors affect human evolution considerably. The articles by feminist scholars make it clear by referring to the impact of racism and sexism on the development of educational and social policies, which affect the women and their evolution in varying. Thus, a critical examination of biological, physiological, and psychological explanations of racism and sexism reveals their one-sidedness. From the methodological and empirical point of view, a holistic explanation of these phenomena is highly desirable. This in fact is emphasized as an alternative to genetic determinism.

The second part—philosophical and historical issues in racism and sexism comprising four theoretical papers—examines racist and sexist discrimination which has been going on in human society for a long time. The basic question raised here is how feminist movements have dealt with the question of the relationship between race, gender, and class. It is pointed out that understanding about the above question has been inadequate. The reason for this is the conception of women as a universal