

A “Family” Crisis at the United Nations

by Wendy McElroy

In 1979 the General Assembly of the United Nations passed the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which the United States has yet to ratify. Also in 1979—the International Year of the Child—the U.N. began discussion of a draft agreement on the rights of children, which resulted in the Convention on the Rights of the Child (CRC). Adopted in November 1989, the CRC also remains unratified by the United States. Both documents have become flash points of controversy.

The U.N. itself evolved from the Declaration of United Nations, signed in 1942, through which 26 nations pledged to support the Allies during World War II and to work toward peace thereafter. Libertarians have long been critical of the U.N., viewing it as a step toward a collective global government. The criticism became outright condemnation as the U.N.’s peacekeeping role assumed a more military air. For example, SFOR—the “Stabilization Force” of tens of thousands of troops in Bosnia-Herzegovina—operated under the authority of a U.N. Security Council Resolution. The fear of World Government was made more real by the Millennium Summit (2000) at which the U.N. assembly considered proposals to establish a U.N. bank that issued currency, a permanent standing army

of its own, and U.N. control of international financial institutions.

Today, influential conservative groups are adding their own unique criticisms of the U.N. Specifically, the Family Research Council (FRC; www.frc.org) and the Heritage Foundation (www.heritage.org) accuse factions within the U.N. of interpreting both the CRC and CEDAW according to a radical feminist ideology that seeks to subvert the family, national sovereignty, and religion. The FRC recently published a collection of essays titled *Fifty Years after the Declaration: The United Nations’ Record on Human Rights* (University Press of America, 2000). In the book nearly two dozens experts roundly criticize the recent social policies of the U.N. as they relate to women, abortion, and children’s rights.

Meanwhile, on February 5 the Heritage Foundation issued the report “How U.N. Conventions on Women’s and Children’s Rights Undermine Family, Religion, and Sovereignty” by Patrick F. Fagan, an official in George H.W. Bush’s administration. (See www.heritage.org/library/backgrounder/bg1407es.html.) The Heritage report claims that under “the political cover of international treaties that promote women’s and children’s rights,” the committees that “oversee implementation of U.N. treaties in social policy areas and the special-interest groups assisting them” are pressuring nations to change their laws in a manner that reflects an anti-family, pro-feminist ideology. To such conservative organizations, the U.N. has become anti-family.

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Perhaps a more accurate statement is that the U.N. is currently experiencing an ideological conflict between committees that condemn the traditional family and powerful forces within the organization that call on it to protect the family. Indeed, the conflict has become so public, and the right-wing so effective, that radical feminists—who generally pursue a strategy of ignoring opposing opinions—have issued their own reports on what they call an “anti-feminist” onslaught. For example, in the wake of the 44th session of the U.N. Commission on the Status of Women (March 2000), Anick Druelle prepared a report entitled “Right-Wing Anti-Feminist Groups at the United Nations,” which was funded by the Canadian government (<http://netfemmes.cdeacf.ca/documents/Anti-Feminist%20Groups-USLetter.pdf>).

It has taken years for the conflict over family within the U.N. to emerge publicly, and the shift toward anti-family policies has been gradual. For example, the U.N.’s Universal Declaration of Human Rights (1948) proclaims that the “family” is entitled to protection by society and state, and speaks of nurturing motherhood. Especially since the Fourth U.N. World Conference on Women in Beijing (1995), however, that provision has come under increasing assault. The U.N.’s new feminist agenda has taken a low profile, using vague and seemingly innocuous terms such as “gender mainstreaming.” Moreover, these terms are often embedded deeply in tedious mega-documents that most members of the U.N. probably do not read in toto.

But now that the light of controversy is shed on U.N. policies regarding family, let us consider whether the influential feminist groups operating within the U.N. are, in fact, anti-family.

Feminism Within the U.N.

The Beijing conference on women was pivotal. For many months preceding the conference, feminist nongovernmental organizations (NGOs) in America drafted a Platform for Action. The Platform was presented to the U.N. at a special session. In the document that resulted, the U.N. stated its determination to

“ensure the success of the Platform for Action, which will require a strong commitment on the part of Governments, international organizations and institutions at all levels” (www.un.org/womenwatch/daw/beijing/platform/declar.htm). Calling itself “an agenda for women’s empowerment,” the Platform for Action demanded the establishment, by government, “of the principle of shared power and responsibility...between women and men at home, in the workplace and in the wider national and international communities” (www.un.org/womenwatch/daw/beijing/platform/plat1.htm#statement).

An intrusion into the personal arrangement of households was called for in the section “Women in Power and Decision-Making,” which reads in part, “The unequal division of labour and responsibilities within households based on unequal power relations also limits women’s potential to find the time and develop the skills required for participation in decision-making in wider public forums.”

The section on “Institutional Arrangements” declares that “Implementation [of the Platform] is primarily the responsibility of Governments. . . . Governments, the United Nations system and all other relevant organizations should promote an active and visible policy of mainstreaming a gender perspective.” When speaking more specifically about implementation, the document uses words like “monitoring” and “reallocation of resources,” and speaks of the need for feminist groups “to organize networks” and for governments to integrate “a gender perspective in budgetary decisions.”

Such plans for carrying out the Platform’s aims may seem harmless because U.N. resolutions do not have the power of law. But nations (especially poor ones) that wish to receive aid or other benefits from the U.N. would certainly feel pressured to comply. After all, in signing the CRC and CEDAW, nations had agreed to abide by its provisions. Moreover, U.N. resolutions have been used recently by various international agencies and governments to justify the use of force against weaker governments that do not live up to certain standards of human rights.

The standard in question is that of gender

equity. It is important to understand that, in current "U.N. speak"—the use of buzzwords and phrases that often sound innocuous but that are politically charged—gender is considered a social construct. That is, it does not refer to the biological difference between male and female, but rather to the sex roles—such as "male" or "heterosexual"—that (allegedly) have been artificially constructed by social institutions and imposed on individuals. According to the U.N. Office of the Special Advisor on Gender Issues and the Advancement of Women, gender is defined as "the social attributes and opportunities associated with being male and female. . . . These attributes, opportunities and relationships are socially constructed and are learned through socialization processes."

"Gender as a social construct" is the polar opposite of what has been called "sexual essentialism"—the theory that sex is a natural force that exists prior to society. Sexual essentialism claims that sexuality and sex roles are based in biology, rather than determined by culture; that is, such phenomena as motherhood, family ties, and heterosexuality are biologically driven.

By contrast, radical feminists maintain that even deeply felt urges like motherhood and heterosexuality are the results of a cultural indoctrination engendered by patriarchy (white male culture). If gender has been constructed, this is good news for radical feminism because then it can be deconstructed and put back together according to a politically correct design. The key to this deconstruction and reassembly lies in controlling the institutions of society. It is especially important to control the law and its administration. The strategy being used by feminists who wish to do precisely that is an ongoing and politically correct reinterpretation of the CRC and CEDAW during the regularly scheduled follow-up U.N. conferences designed to monitor the implementation of those Conventions.

In his paper "Toward a Permanent United Nations Pro-Family Bloc," Austin Ruse—president of the Catholic Family & Human Rights Institute—described the modus operandi of the committees involved in these matters. In essence, they assume broad pow-

ers to reinterpret the meaning of the CRC and CEDAW. Thus Ruse observes, "The CEDAW committee has ordered the government of China to legalize prostitution even though the Convention expressly forbids the trafficking [sic] and prostitution of women. Moreover, and most egregious, the committee has ordered the government of Libya to reinterpret the Koran so that it falls within Committee guidelines" (<http://reagan.com/HotTopics.main/HotMike/document-6.19.2000.2.html>).

From a radical feminist perspective, one of the institutions most responsible for the subjugation of women is the traditional family. It is seen as the foundation of patriarchy. In her essay "Liberalism and the Death of Feminism," the legal theorist Catharine MacKinnon describes the radical feminist agenda that analyzes "war as male ejaculation. It criticized marriage and family as institutional crucibles of male privilege. . . . Some criticized sex, including the institution of intercourse, as a strategy and practice in subordination."

The debate over the family in the U.N. is an ideological conflict. When pro-family advocates view issues such as domestic violence they see a deviation from the norm that can be corrected through the existing legal system. When radical feminists view domestic violence they see a crime that typifies marriage, a crime against women that must be confronted in the political arena by creating new non-patriarchal institutions. And by disabling old patriarchal institutions such as the family.

Narrowing the matter down to two issues—children's rights and stay-at-home mothers—what is the substance of the charges being leveled by conservatives against the U.N.? In particular, how are the CRC and CEDAW being used to destroy the traditional family?

The Convention on the Rights of the Child

In recent years, a great deal of attention has justly focused on the plight of children who are refugees or who are forced into prostitution. The U.N. has also been concerned by reports of high infant mortality and the lack of health care and education for children in Third World nations. The CRC was meant to

be a definitive and specific statement of children's rights that could be enforced under international law. By the end of 1995, six years after its adoption, 185 countries had ratified it, thus binding themselves to implement its provisions.

States Parties (signatories) are required to advance legislation and administrative policies that conform to the Convention to the "maximum extent of their available resources and, where needed, within the framework of international cooperation." That is, governments are expected to revise their laws to ensure that the CRC is being implemented. It is also expected to properly train those who may be working with children, including teachers, psychologists, social workers, and police so that they can enforce the Concluding Observations. Indeed, within in two years of signing the CRC, every government signatory agrees to submit a report on the compliance measures taken and to submit a report every five years thereafter.

Four general principles form the backbone of the CRC. Article 2 states that "No child should suffer discrimination" because of such characteristics as race, language, or religion. Article 3 prescribes "the best interests of the child" as the "primary consideration" to be used by state authorities in making decisions affecting children. Article 6 declares that the "right to life, survival and development" should be ensured "to the maximum extent possible." Article 12 states that the opinions of children "in all matters affecting them . . . should be given due weight" and that children have a right to be heard in "any judicial or administrative proceedings affecting them."

How do these goals translate into what the Heritage Foundation report calls "a campaign to undermine the foundations of society"? Despite repeated language that renders a nod of recognition to the importance of family, influential forces within the U.N. clearly wish to transfer current parental rights of supervision to the state in the name of children's rights. For example, in February 1995 a CRC Committee (8th Session) in its "Concluding Observations of the Committee on the Rights of the Child: United Kingdom of Great Britain and Northern Ireland," criticized the

UK for allowing parents to withdraw their children from sex-education in schools, most of which are government supported. ("Concluding Observations" are especially significant because they are widely publicized and governments that have signed an agreement, such as the CRC, are expected to abide by the committee's conclusions.)

Article 9 deals with the separation of a child from a parent. It says, in part, that States Parties will not separate a child from its parents "except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child." Factors that constitute the best interests of the child are "respect for the views of the child" and the right to "appropriate" information, such as sex education, and to abortion and birth control without parental consent. This interpretation of "best interests" provides great latitude for the state to override the authority of parents despite assurances elsewhere that parental rights will be respected.

According to the Heritage Foundation report, the U.N. is pressuring States Parties to give the following "rights" to children: "The right to privacy, even in the household; the right to professional counseling without parental consent or guidance; the full right to abortion and contraceptives, even when that would violate the parents' ethics and desires; the right to full freedom of expression at home and in school; the legal mechanisms to challenge in court their parent's authority in the home."

In terms of specific recommendations to States Parties, the U.N. has urged Belize, for example, to prohibit corporal punishment within the family and to set up "legal mechanisms" that allow children to challenge their parents in court. Children should be allowed to seek medical and legal counseling without parental consent. To Japan, the Committee on the Rights of the Child suggested that additional measures be taken, "including legislative ones, to guarantee the child's right to privacy, especially in the family." Mali was urged "to develop youth-friendly counseling, care and rehabilitation facilities for adolescents

that would be accessible without parental consent." In short, the U.N. committees recommend decreasing parental authority over children in their own homes and within society.

The target at which the U.N. radicals are aiming is the traditional family. To illustrate the depth of this attack, consider how the "stay-at-home" mother has come under U.N. scrutiny.

Convention on the Elimination of All Forms of Discrimination Against Women

One of the main accusations leveled against the U.N. by the Heritage Foundation is that current policies constitute an attack on traditional motherhood and encourage women to leave the home for the workplace. Fagan wrote, "The U.N. criticized the republic of Georgia, for example, for 'the prevalence of stereotyped roles of women in Government policies, in the family, in public life based on patterns of behavior and attitudes that overemphasize the role of women as mothers.' One country report even criticized the observance of Mother's Day."

In session after session, the feminist-driven CEDAW committee has urged the restructuring of social norms concerning men and women. For example, Armenia was asked to combat the stereotype of motherhood through education and to increase the responsibility of fathers as parents. Azerbaijan was encouraged to establish a national plan "to enhance gender awareness and to promote the campaign to combat traditional stereotypes regarding the roles of women and men." Belarus was publicly criticized for "such symbols as a Mothers' Day and a Mothers' Award," which promoted women's traditional roles. Colombia was urged to eliminate all sexist stereotypes in the media. The CEDAW committee expressed concerns that German "measures

aimed at the reconciliation of family and work entrench stereotypical expectations for women and men." The list of recommendations to States Parties on the elimination of the stereotypes of women and motherhood scroll on. (See the paper by Fagan cited above.)

The U.N. actively encourages women to leave the home and enter the workforce by insisting that governments change their laws and constitutions in order to provide such incentives as state-sponsored childcare. Thus formative children are further placed under the umbrella of government and further removed from the influence of parents.

For those who still envision the U.N. as a peacekeeping organization dedicated to state sovereignty, it may seem unbelievable that the U.N. is trying to dictate family policy and moral codes to countries. After all, in recognition of state sovereignty the U.N. Charter itself states that "Nothing contained [herein] shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state."

By contrast, however, the CRC and CEDAW Committees demand that states conform domestic matters such as religious and moral attitudes to U.N. recommendations. Perhaps the most dramatic illustration of this demand is the issue of abortion. The U.N. has recommended that Catholic hospitals, such as those in Italy, offer abortion services even though the medical personnel have religious objections to performing the procedure. The principle of national sovereignty has not only been turned upside down, the U.N. is also reaching down to the individual level and declaring the right to decide moral matters.

As Fagan concludes in his excellent critique, "If the objective is to increase state control of all functions of society, then the U.N. approach makes sense." □