



UMEÅ UNIVERSITY

Perplexities of the Personal and the Political

How Women's Liberation Became Women's Human Rights

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To my family

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Abstract

In this dissertation, I analyze understandings and employment of the idea that ‘the personal is political’ and how it appears in feminist politico-theoretical thought and activism in the period from the late 1960s until the middle of 1990s. My focus is primarily on the uses of personal stories in activism at the intersections of politics and legal discourse. The period in question is characterized by an evolving global feminist movement that gradually turned towards the framework of human rights. I explore two events that took place on either side of the human rights turn. These events are two international People’s Tribunals and their respective theoretical and historical contexts. The two tribunals were outspoken feminist initiatives, one held in Brussels in 1976 and the other in Vienna in 1993. They were organized by different actors at different historical moments who nevertheless identified themselves as being participants in a common international or global women’s movement. Their common denominator was both the choice of the form of a people’s tribunal and their aim of transcending national borders. Yet, their frameworks and language differ significantly.

The first tribunal, *Crimes against Women*, held in Brussels in 1976, was planned as a radical feminist grassroots event, an upfront and critical response in opposition to the United Nations Conference on Women held in Mexico in 1975. In Brussels, feminist consciousness raising was fused with the method of a people’s tribunal to contribute to the creation of a transnational feminist political subject. Testimonies included personal stories of oppression and sexual violence, and they were meant to educate and motivate the women themselves in their struggle. There were no judges involved in the ‘trial’ procedures because the organizers and participants claimed that women had had enough of being judged by a patriarchal society. The event was for women only and no media were allowed to attend. Inspired by the tribunal in Brussels, the *Vienna Tribunal on Women’s Human Rights*, however, was planned in relation to the UN’s Conference on Human Rights in 1993, with the conceptual framework “Women’s Rights are Human Rights.” Testimonies were now directed outwardly, and strategically-selected judges commented and promised to offer support for the campaign to include gender-based violence in the human rights framework.

My analytical focus is on three interrelated and overarching threads. Firstly, I identify ideas about politics found in the tribunal texts and the theoretical contexts that I place them in. Secondly, I trace the genealogy of violence against women as an international political issue. This converges with the history of transnational feminist activism, the rise of the human rights discourse and the search for common denominators. Thirdly, I look at the affective dimensions of the personal story as a political mobilizer. I argue that

they change significantly according to historical, institutional and theoretical (ideological) context.

Although the strategy of using personal testimonies might at first sight seem to be the greatest similarity that links the two events, the 'method' underwent some significant changes. I argue that the focus in Brussels was on creating a 'counter-public', to cultivate the participant's own political emotions, notably *righteous anger* and to forge transnational feminist consciousness and solidarity, whereas, in Vienna, the framework had a more strategic character, as the individual stories were aimed at personalizing the political and motivating the empathy or compassion of an audience.

Acknowledgements

I started my PhD-studies at the University of Umeå in the Fall of 2012, having arrived at the ‘capital’ of northern Sweden for the first time, only one day before started my new job. Umeå, which is geographically located on the same latitude as my home town Reykjavík, subsequently became my home for the next four years, where I gradually learned what it means to be a researcher. Hence, I was neither intimidated by dark winters nor bright summers, and since I was already used to northern lights, they did not seriously interrupt my academic activities. I did however take up skiing for the first time, since one of the advantages of northern Sweden is that the snow actually stays long enough for people to be able to enjoy it, as opposed to Iceland which has four seasons in one day.

Anyway, as is probably common among novices in any other profession, from the start of my PhD-studies, I frequently received wisdom and comments from people who had come further in their careers. These included statements such as how privileged one is as a PhD-student in Sweden, since that time constitutes among the longest time for full funded individual research, during which one can do exactly what one wants! Another thing I often heard was that it was not until people were in the finishing phases of their PhD-projects, that they realized how they should have organized their work and conducted the research from the start. Suffice it to say that both narratives made me somewhat nervous. I often spent my time confused and frustrated, looking at the clock ticking and my precious time running out. And, I certainly know the feeling of *now* knowing what I should have done all along. It has really been a learning process.

During this time, I have had the privilege of getting to know many good people, some of which have supported me, guided, (constructively) criticized or just shared some nice procrastinating moments at the cafeteria. First, I would like to thank my supervisors Sara Edenheim, Lena Eskilsson and Åsa Andersson. They have all in different ways supported me in this process. Sara and Lena have made an excellent team in the finishing phase, as they have generously dedicated their time to read, comment and take care of practicalities.

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1. Introduction

You [Germaine Greer] taught us that men would try and put their hands on us. You taught us how to fight and to speak up, and not take it lying down. We did not pluck these ideas spontaneously from the ether. #MeToo is merely another kind of consciousness-raising, and you pioneered that decades before we were even born.¹

Rhiannon Lucy Cosslett, 2018

Subversive Stories

Popularized by radical feminists in the seventies, the phrase that *the personal is political* recently proved its relevance with the #MeToo campaign spreading like wildfire in social media during the fall of 2017.² The idea of the campaign is to raise awareness of the extent of sexual abuse and harassment and it immediately went ‘viral’. The campaign centers on telling or writing stories about personal experiences of sexism on the new public platforms that these social media provide. As I write these words (in the Fall of 2018), the #MeToo campaign has achieved huge popularity and has already had some dramatic effects: shaking cultural institutions as well as political centers.³ The very form that this campaign has taken has actualized some classic elements of Western feminist activism and references to the ‘second wave’ are striking. As can be read from activist and writer Rhiannon Lucy Cosslett’s words quoted above, the uproar re-actualizes the concept of ‘consciousness raising’ so characteristic of the ideas of women’s

¹ Rhiannon Lucy Cosslett, “Germaine Greer, #MeToo is your legacy,” *The Guardian*, January 28, 2018, <https://www.theguardian.com/commentisfree/2018/jan/24/germaine-greer-metoo-legacy-mothers-grandmothers-feminism>

² The campaign has its roots back in 2006, when American social activist Tarana Burke used the phrase “Me Too” in social media to promote “empowerment through empathy” for victims-survivors of sexual abuse. However, the campaign really opened floodgates ten years later when Hollywood actor Alyssa Milano encouraged women to publish “Me too” on social media to demonstrate the extent of sexual abuse and harassment. The responses were massive, as the campaign spread spontaneously and the social media sites Twitter, and Facebook filled with personal stories within just a few hours.

³ For example the European Parliament: Milan Schreuer, “A#MeToo moment for the European Parliament,” *The New York Times* October 25, 2017 <https://www.nytimes.com/2017/10/25/world/europe/european-parliament-weinstein-harassment.html>, and the Swedish Academy: Christina Anderson, “Swedish Academy in Crisis as 3 Members Quit Amid #MeToo Scandal,” *The New York Times*, April 7, 2018, <https://www.nytimes.com/2018/04/07/world/europe/swedish-academy-abuse-accusations.html>, Zulekha Nathoo, “What’s really happening in Hollywood after #MeToo?” March 3, 2018 *CBC News* <http://www.cbc.ca/news/entertainment/metoo-on-set-hollywood-1.4556943>

liberation in the sixties and seventies.⁴ Nevertheless, the movement has had its share of critique which arguably is a consequence of its success.

Critique has been articulated by for example, the Australian-British feminist icon Germaine Greer, to whom Cosslett's words are directed. Greer referred to the method of #MeToo as a kind of "whingeing", thus echoing a common critique towards consciousness-raising practices, popular among radical feminists in the 1960s and 1970s: that the reciting of personal experiences in groups was 'just therapy' or sensational anecdotes that lacked political analysis and strategy.⁵ Another strand of criticism, voiced by WikiLeaks founder Julian Assange, among others, refers to this social media uprising as illegitimate (legal) procedures, since the 'outings' of individuals constitute grave public shaming and punishment without a fair trial. Hence, these critics have referred to the campaign as a form of 'mob trial', likening it to the practice of lynching in the late 19th century in the United States, the witch hunting in 17th century Europe and the United States, and the Moscow trials, often referred to as show trials, in the 1930s in the Soviet Union.⁶

Significant from the perspective of my research is how the #MeToo movement exemplifies the current preeminence of personal stories in the public sphere, often deployed to politicize certain culturally-coded, private issues. What further caught my attention are the critics' metaphorical references to jurisprudence and to historical incidences of the radical undermining of the Rule of Law. This struck a chord with me since my case studies in this dissertation concern the appropriation of the authority of legal discourse by feminist activists through deployment of the form of so-called People's Tribunals – initiated by civil society without formal legal authority. Thus, current events forcefully actualize two key topics of my dissertation: firstly, how feminists have employed the personal story to cultivate political emotions and raise issues from 'the personal' to 'the political' and, secondly, how they have mimicked a juridical discourse in

⁴ Cosslett's words were directed at women's liberation-feminist icon Germaine Greer, as an upfront answer to her allegations that #MeToo was a form of "whingeing". Nick Miller, "Germaine Greer challenges #MeToo campaign," *The Sydney Morning Herald*, January 21, 2018, <https://www.smh.com.au/world/germaine-greer-challenges-metoo-campaign-20180121-holpra.html>

⁵ Carol Hanisch, "The Personal is Political," *Notes from the Second Year: Women's Liberation, Major Writings of the Radical Feminists*, (eds.) Shulamith Firestone and Anne Koedt (New York: Radical Feminism, 1970), pp. 76-78.

⁶ Beatrice Dupuy, "Whistleblower Julian Assange Sounds off on #MeToo Twitter Campaign," *Newsweek*, October 23, 2017, <http://www.newsweek.com/julian-assange-sounds-me-too-campaign-690950>. Journalists and columnists critical of #metoo have described the campaign as a "twitter-mob", "trial by mob" or "trial by media", see for example "Trial by #metoo media," *The Spectator, Australia*, January 13, 2018, <https://www.spectator.co.uk/2018/01/trial-by-metoo-media/>. Staffan Heimersson, "Metoo en häxjakt med drag av Stalins utrensningar," *Aftonbladet*, 27 november, 2017, <https://www.aftonbladet.se/nyheter/kolumnister/a/E043MA/metoo-en-haxjakt-med-drag-av-stalins-utrensningar>.

their activism in order to draw attention to the structural oppression of women. For this end, they have deployed the people's tribunal method in drawing attention to the extensive and institutionalized, yet legally sanctioned and ignored oppression of women worldwide. My focus is on the period from the 1970s to the mid-1990s, a period initially characterized by the rise and fall of a feminist movement under the banner of *women's liberation*, followed by an evolving *global feminism* accompanied by the translation of feminist claims and rhetoric into a discourse based on human rights, or what could be termed the 'human rights turn'.

For the sake of clarification, by 'political emotions' I am referring to emotions that are explicitly named or implied in the narratives that I explore and are attributed significance in the context. A variety of emotions and affects appear in both theoretical and activist narratives about political mobilization which I argue are significant for the ways in which politics are conceived. Focusing on the two feminist people's tribunals and their theoretical contexts, I further distinguish between different narratives concerning the political, or how the concept of politics is understood and employed in different contexts.

Thus, I explore three interrelated and overarching threads in this dissertation. One concerns the politics found in the tribunal texts and the theoretical contexts that I place them in. I then trace the genealogy of the issue of gender-based violence as an international human rights concern. This theme in turn is entangled in a miscellaneous history of feminist international activism and its relationship to institutions such as the United Nations. In this regard, the tension between working within and outside established institutions is a recurring theme. Working within means receiving a wider audience but leaving a side radical analysis and aspirations rather than criticizing the 'system' from the outside. Therefore, I explore political activist appropriation of legal discourse that is caught in a tension between deconstructing the authority of the Law on the one hand, and the aspiration of widening its scope and therefore inclusion into its jurisdiction on the other. The third thread concerns the idea that the personal is political, as I have noted that the meaning of this idea, or how it is put to practice, changes according to context. This thread concerns, on the one hand, the political dimension of personal storytelling and, on the other, the emotional and existential dimension of politics. Thus, I have focused on how feminists have employed the personal story differently according to the political emotions they were meant to cultivate.

Before detailing my aims, research questions and theoretical and methodological points of departure, I will begin by briefly introducing the case studies that form the basis of this dissertation.

UN Conference on Women Provokes a Grassroots Response

In June 1975, the United Nations held its first World Conference dedicated to women's issues in Mexico City. The International Conference on Women (ICW) as it was called, marked the high point of the UN-declared International Women's Year (IWY) 1975, which was extended to a whole decade dedicated to women with the overarching theme: Equality, Development and Peace.⁷ The conference had been in preparation for some time and many feminists around the world were following the process. However, news of the UN-conference plans was met with a mixed reception. A number of women who were engaged in the – by then – flourishing women's liberation movement (the majority of whom were from Western Europe and the United States), were not particularly impressed by this initiative from the United Nations on behalf of the world's women.⁸

Thus, in 1974, when preparations for the UN conference were at their most intense, a group of feminist activists from various Western European countries and the United States decided to create their own network with the aim of organizing an independent international feminist event. "Rather than putting our energy into criticism of IWY", one of the organizers explained: "We wanted to engage in counter actions that would both be radical and constructive."⁹ The plan was to set up a grassroots forum, which was to become a radical and upfront anti-establishment response to the upcoming UN Conference. They wanted to use some of the "publicity, resources and rhetoric of IWY to the advantage of women." Aside from this, they did their utmost to present themselves as the antithesis of the United Nations' International Women's Year and the conference in Mexico.

The reason why these independent activists thought that the need for a "feminist response" was so pressing was because most of them "did not subscribe to the espoused IWY goal of giving women equality with men in the system as it exists today – a system that needs restructuring, not the integration of women into its patriarchal structures."¹⁰ Another related reason for their mistrust of the UN initiative was that they did not trust government-elected delegations to discuss women's issues in a meaningful, truly feminist way. They claimed that the government officials who would be participating in Mexico were all entangled in 'state politics', meaning ideologically-driven Cold War politics or competitive, inter-state politics. They further argued that the "male-dominated" governments voting for the IWY were themselves responsible for upholding laws that sanctioned and even constituted crimes against women directly. Thus, the whole

⁷ The United Nations, <http://www.un.org/en/sections/issues-depth/women/index.html> retrieved 2.9.2018.

⁸ Diana E. H. Russell and Nicole Van de Ven (eds.), *Crimes Against Women: International Tribunal Proceedings*. (California: Frog In the Well, 1984 [1977]).

⁹ *Ibid.*, p. 151.

¹⁰ *Ibid.*, p. 218.

project seemed hypocritical from their point of view. Their fear was that the UN conference would at best achieve little more than “window dressing” and, at worst, more seriously, might cause women to believe that the patriarchal governments and the male-dominated UN were sincerely concerned about the situation of women as an oppressed group. They underlined the affective dimensions of their stance in stating: “This could all too easily result in the co-optation of women’s energy, a blunting of our anger at our true situation.”¹¹

What happened next is that these independent women’s liberation activists created a temporary international alliance and organized what came to be the world’s first international feminist People’s Tribunal called *Crimes against Women*, held in Brussels in 1976 (hereafter referred to as *the Brussel’s tribunal*). The scheme of their project was inspired, *inter alia*, by philosopher Bertrand Russell’s initiative to investigate alleged war crimes committed by the United States in Vietnam under the banner of a People’s Tribunal.¹² The International War Crimes Tribunal that was held in two sessions in Stockholm and Roskilde (Denmark) in 1967 was the first event of this kind. The method subsequently gained popularity among activists. Even though the form, aim and scope of events called people’s tribunals vary greatly, one common denominator is that it is an appropriation by civil society of the forms and language of jurisprudence.¹³

However, this feminist deployment of the idea of a people’s tribunal departed from the form in one crucial matter since “there were no judges”, as the organizers proudly announced.¹⁴ The accused was not a person, nor a specific government or company but a *system*. On trial was a socio-political structure, the overall oppressive system of patriarchy in its various forms, in different geographical, social and cultural settings. Furthermore – although not particularly surprising considering their original ambition to hold the tribunal – these independent women’s liberationists regarded the United Nations as little

¹¹ *Ibid.*, p. 151., The quote actually interestingly continues “(as has happened in Sweden, for example), and a co-optation of the women’s liberation movement, or sections thereof”.

¹² The phenomenon of people’s tribunals has been described by legal scholars as an initiative by civil society in which a forum or a body of eminent persons or experts. It was established in order considering “allegations of violations of specific standards of international law [and possibly also other bodies of law] in light of documentary and other forms of evidence presented to them in formal proceedings.” Andrew Byrnes and Gabrielle Simm, *People’s Tribunals and International Law* (Cambridge: Cambridge University Press, 2017), 14.

¹³ Andrew Byrnes and Gabrielle Simm, “Reflections on the Past and Future of International People’s Tribunals,” in Byrnes and Simm (eds.) *People’s Tribunals and International Law*, (Cambridge University Press, 2017).

¹⁴ A few notable people’s tribunals were held in the period before the end of the Cold War. For example, in 1973, a people’s tribunal was organized to investigate and draw attention to the human rights abuses in Brazil and Chile in relation to the military coups. Every year between 1979 and 1984 the Permanent People’s Tribunal based in Rome, organized a people’s tribunal on violations on human rights in different regions or countries, often connected to military coups, international warfare, or transnational corporations. <http://permanentpeopletribunal.org/?lang=en> retrieved 2.9.2018.

more than an extension of the patriarchal power they thought characterized its member states. For them, feminism was international in the same sense as socialism, and women's solidarity, 'sisterhood', should transcend nations and national politics alike.

The Brussels Tribunal in 1976 opened with one of the organizers, Nicole Van de Ven's, reading of philosopher Simone de Beauvoir's letter to the participants. Beauvoir had accepted an invitation to open the event in person but at the last moment was unable to attend. Her words, permeated with antagonism, proclaimed the event as "the start of a radical decolonization of women". Beauvoir further contrasted the Brussels Tribunal with the United Nations conference in Mexico the previous year, which she described as a gathering in which: "Women, directed by their political parties, by their nations, were only seeking to integrate Woman into a male society."¹⁵ The idea was: "To put the women's liberation movement on an international basis; and to raise the public consciousness about the crimes committed against women, many of which are unknown or ignored", as Lydia Horton, one of the organizers explained.¹⁶

The antipathy towards the United Nations is visible on many levels in the tribunal proceedings and the organizers' narratives. For the feminist activists who are in focus here, the mistrust towards international politics in general, and the United Nations in particular, resulted in a deployment of this idea of a symbolic seizure of the power of international jurisprudence. Moreover, this was something that they associated with a well-tried method in the women's liberation movement, namely, the raising of political consciousness by speaking out about personal experiences of oppression in women-only groups and public speak-outs, which had been used in feminist activism in the struggle to legalize abortion. Nevertheless, something that could have prevented the event from being publicized and manage to truly raise public awareness globally about the plight of women, was the fact that it was a women's only event, and the media had limited access.

New Strategies: Advocating for Women's Human Rights at the UN

Almost two decades after the Brussels Tribunal, a group of international women's rights activists and scholars (among them veterans of the American women's liberation movement) started planning another women's people's tribunal, which then came to be called The Global Tribunal on Violations of Women's Human Rights (hereafter referred to as the Vienna Tribunal). They were inspired by the Brussels Tribunal in 1976 about Crimes against Women, with one reservation:

¹⁵ Diana E. H. Russell and Nicole Van de Ven (eds.), *Crimes against Women*, p. 5.

¹⁶ *Ibid.*, p. 157.

feminism now needed to reach a wider, audience. This meant that the exclusion of men, as well as the anti-institutionalism that characterized the former event, had to be abandoned. This time, ‘judges’ comprising highly-ranked people who worked on human rights at international organizations were carefully chosen to listen to testimonies and give a judgement.

The immediate historical context was that in 1993, the United Nations held its second world conference focusing solely on human rights, and the first conference about the issue to be held after the end of the Cold War. It was historic in the way it signaled increased emphasis on strengthening the framework of human rights internationally. Thus, in many ways it was a marker of new ethical standards in international politics and law. Yet, when the UN General Assembly announced the program, it did not include any references to women as a particularly vulnerable group.¹⁷ This absence of women’s issues provoked the above-mentioned feminist activists and scholars into action. They therefore planned this second international feminist people’s tribunal as part of a wider initiative called the *Global Campaign for Women’s Human Rights* to redefine injustice and violence against by women as violation of their human rights.

Hence, the aim of the Global Campaign and The Vienna Tribunal was to raise awareness about the gender-based violence suffered by women all over the world, which had not been addressed in the international human rights framework promoted by the United Nations. Since the organizers claimed that “many violations of women’s human rights continue to be ignored, condoned and perpetrated by societies in every region of the world,”¹⁸ despite the United Nations Universal Declaration of Human Rights, which proclaimed in 1948 that it applied to all human beings “without distinction of any kind such as race, colour, sex, language... or other status.”¹⁹ The aim of the advocates of ‘women’s rights are human rights’ was therefore to show “what it means for women’s perspectives to be incorporated into human rights.”²⁰

Furthermore, the Global Campaign and the Vienna Tribunal were especially directed at the *United Nations Conference on Human Rights* in Vienna in 1993 and were therefore held in close association and proximity to it, at the parallel NGO Tribune (which had been a tradition since the UN Conference on Women in Mexico in 1975). A new point of reference had entered the global

¹⁷ “World conference on Human Rights, 14-25 June 1993, Vienna, Austria,” United Nations Human rights office of the High Commissioner, <http://www.ohchr.org/EN/ABOUTUS/Pages/ViennaWC.aspx> retrieved 24.4.2018.

¹⁸ Charlotte Bunch and Niamh Reilly, *Demanding Accountability: The Global Campaign for Women’s Human Rights and the Vienna Tribunal for Women’s Human Rights* (New Brunswick NJ: Center for Women’s Global Leadership, Rutgers, 1994), p. 2.

¹⁹ The United Nations Declaration on Human Rights article 2, <http://www.un.org/en/universal-declaration-human-rights/index.html> retrieved 2.9.2018.

²⁰ Charlotte Bunch and Niam Reilly, *Demanding Accountability*, p. 9.

feminist discourse. Human rights that were hardly mentioned at the Brussels Tribunal, were, so to speak, omnipresent in Vienna. An example of the way in which the organizers of the Vienna Tribunal embraced the human rights framework and how they viewed the potentials in working with the United Nations is their statement that: “The UN World Conference on Human Rights became a natural vehicle to highlight the transformative visions of human rights thinking and practice.”²¹

The human rights rhetoric was a strategic move away from an exclusive women’s liberation rhetoric that had characterized the tribunal in 1976. Instead, the organizers of the Vienna Tribunal attempted to highlight the gender bias that formed part of the human rights framework, as the traditional human rights jurisdiction had only considered ‘political’ injustices and crimes. With Bunch’s words, “The narrow definition of human rights, recognized by many in the West as solely a matter of state violation of civil and political liberties.”²² Considering this overt emphasis on ‘public’ violence, the organizers of the Vienna Tribunal stressed that the public-private distinction at the heart of the human rights framework was fundamentally gendered, with the result that crimes against women were considered less grave than violence perpetrated against men. The Vienna Tribunal was a success, since the Vienna Platform for Action, drafted and adopted after the Human Rights conference included many references to women and violations of women’s human rights. Subsequently, the Vienna Tribunal on Women’s Human Rights has been described by legal scholars as a “watershed” regarding the understanding of human rights and their practice on an international level.²³

The people behind the *Vienna Tribunal* in 1993 referred to the Brussels Tribunal from 1976 as a source of inspiration. However, the overall framework differed in many ways from the forerunner. This applies both to the rhetoric and political assumptions, its structure and the ways in which it was carried out: The Vienna Tribunal was open, media centered and directed outwardly in contrast to the media restrictions and the strict exclusion of men in Brussels. Furthermore, what is perhaps the most distinguishable difference at first glance is the attitude towards the UN. Instead of opposing the United Nations, the organizers behind the Global Campaign and the Vienna Tribunal viewed the organization as an important platform on which to put forward claims and to make feminism public. This implies the view that feminists had been preaching to the converted (in

²¹ Ibid., p. 4.

²² Charlotte Bunch and Roxanna Carillo, *Gender Violence, a Development and Human Rights Issue* (Center For Global Leadership, 1991), p. 5.

²³ Rhonda Copelon, “International Human Rights Dimensions of Intimate Violence: Another Strand in the Dialectic of Feminist Lawmaking,” in *American University Journal of Gender Social Policy and Law* 11:2 (2003), pp. 865-876.

private) for too long and therefore needed to reach to broader audience. In turn, these changes affected the context in which the testimonies were articulated as well as their 'purpose'. Hence, the context of how 'the personal is political' had changed.

From Anger to Compassion

*It is in the nature of every significant political project to ripple beyond the project's avowed target and action, for the simple reason that all such projects are situated in political, historical, social and economic contexts with which they dynamically engage.*²⁴

Wendy Brown, 2004

Despite their differences, the two events described above share an emphasis on individual women's testimonies that usually took the form of recounting personal stories about sexism and discrimination, intended to raise consciousness about the oppression of women worldwide. In Brussels in 1976, the main emphasis was on raising your own as well as other women's political consciousness and cultivating international solidarity among the world's women by widely exposing and undermining patriarchal structures and 'sexual politics'. Consciousness raising as it appears in the women's liberation discourse that characterized the Brussels tribunal is, I argue, embedded in the cultivation of righteous anger as a political mobilizer: from self-blame to anger at structural injustice.

In contrast, in Vienna in 1993, somebody else's consciousness was at stake. There, witnesses had been selected by the organizers to represent different areas of concern that had, until this time, been considered beyond the scope of the human rights jurisdiction. The aim was to make a dramatic case. The testimonies in Vienna were to make women's gendered experiences of violence tangible to a wider audience and stir up emotions such as empathy resulting from identification with the witnesses' suffering. Thus, the testimonies were used to personalize the political aspect of gender inequalities. Instead of creating a counter venue and criticizing the 'system' from a grassroots position, the strategy of the 'women's rights are human rights' campaign was to incorporate notions of gender into the scope of human rights law by gaining sympathy for the cause within established institutions.

In this dissertation I follow a tradition of exploring historical cases of appropriation of legal discourse for political purposes, as I believe this will enrich

²⁴ Wendy Brown, "The Most We Can Hope For...": Human Rights and the Politics of Fatalism," *The South Atlantic Quarterly* 103:2/3 (Spring/Summer 2004), pp. 451-463.

our ideas about past and present political practices. I think that the tradition of the People's Tribunal constitutes an interesting case to explore since it represents an appropriation of the framework and discourse of jurisprudence from below. In applying the 'method' of people's tribunals, activists actualize questions about the relationship between politics, ethics and law. Who do the laws represent? Who is protected by the law and on what terms? What are the normative and cultural effects of jurisprudence? These questions are especially relevant when considering that a common critique currently directed towards so-called identity political movements is that they put too much energy and effort into struggling for inclusion and legal recognition of specific differences, rather than struggling for structural changes. I argue that the strategic move from the margins to the center, from the outside position to the inside, required the sublimation of anger and the shift of focus to affect and mobilize the consciousness of others, notably, the moral consciousness of agents assumed to have institutional authority. This meant that in 1993 the organizers of the Vienna Tribunal set out to elicit empathy in subjects considered to be in a position of power and thus able to show compassion and make things happen on an institutional level.

The differences between the two tribunals I have identified concern the history of the idea that 'the personal is political' and how the idea has been actualized in practice. The differences between events further indicate the importance of exploring varying affective dimensions of storytelling in the field of politics and the way in which personal narratives are deployed as a political and social mobilizer. In this regard, historian Joan B. Landes describes one of the most tangible effects of the 'second wave' as follows: "Feminism offered women a public language for their private despair."²⁵ Her choice of the word "despair" is telling, emphasizing the therapeutic dimension involved in gaining access to a politically and structurally aware and empowering perspective from which to view one's situation and talk about it in a group of peers. While Landes describes the emotional and empowering dimensions of speaking out, it is also important to note the affects involved in listening. In her opening talk to the Vienna Tribunal in 1993, Marjorie Thorpe who, at the time, was the director of The United Nations Development Fund for Women (UNIFEM), anticipated that: "The testimonies will undoubtedly stir up in us a wide range of emotions; pain of course, but also fear, shock, and a profound sense of frustration that these violations should persist some 45 years after the Universal Declaration of Human Rights."²⁶

²⁵ Joan B. Landes, "Introduction," in (ed.) Joan B. Landes, *Feminism, the Public and the Private* (New York: Oxford University Press, 1998), p. 1.

²⁶ Marjorie Thorpe quoted in Charlotte Bunch and Niam Reilly, *Demanding Accountability, The Global Campaign for Women's Human Rights and the Vienna Tribunal*, p. 19.

Furthermore, both discussions about the consciousness-raising practices that took place during the 1970s, and the subsequent theorizing about personal storytelling in the field of human rights, point to the healing aspects of speaking, something which brings to mind what psychoanalysis refers to as the 'talking cure'.²⁷ However, while the women's liberation discourse emphasizes the redirection of shame, the human rights advocates often emphasize the reparative aspects entailed in the public recognition of harm. Consequently, questions arise about *what* is to be healed or cured, *who* is to be cured by *whom*, and by what means.

The aspect of righteous and transformative rage and a dis-identification with ideas about femininity and women's assigned place in society stood out among feminist consciousness-raising theorists in the 1970s, with their frequent references to the story about Chinese peasants' 'speaking bitterness', which I will return to later. In simple terms, women's liberationists set out to 'cure' themselves of their learned inferiority complex by raising their feminist consciousness. Dis-identification and self-transformation was combined with the 'healing' involved in speaking out and having one's world confirmed by others. I argue, however, that the cultivation of empathy and compassion is what stands out in the human rights-oriented strategies of the 1990s. Then, the testimonies were intended to inspire identification and feeling with other subjects presented as victims of oppression. Thus, radical feminist legal scholar Catharine MacKinnon (one of those scholars who embraced the human rights discourse for feminist ends) stresses the healing aspects involved in recognition of the suffering as a particular kind of crime, namely a human rights violation. She argues that the harmed subject would retain their 'lost humanity' by being recognized as a human being who has suffered a *human rights* abuse.²⁸

It is worth noting that feminists were not alone in their strategic employment of personal stories in their political agitation and human rights campaigning. Scholars who work at the intersection of literature, culture and human rights studies who have studied the human rights trend, have noted that the use of personal narratives and life stories in the field of human rights activism has increased dramatically in the years before and around the millennium shift.²⁹ Thus, Kay Schaffer and Sidonie Smith argue in their book *Human Rights and Life Narratives* from 2004 that the post-Cold War decade which has been labeled 'the decade of human rights', can also be described as the decade of life narratives: the time of memoirs. Importantly, much of this burgeoning field of life narratives that

²⁷ Sigmund Freud, *Five Lectures on Psycho-Analysis* (Read books Ltd., 2014).

²⁸ Catharine A. MacKinnon, *Are Women Human? And Other International Dialogues* (Cambridge MA: Harvard University Press, 2006).

²⁹ Kay Schaffer and Sidonie Smith, *Human Rights and narrated lives: the ethics of recognition* (New York: Palgrave MacMillan, 2004).

increased so much during the 1990s has been focused on experiences of human rights violations. It is in this context that people's or civil society tribunals of various kinds gained increased popularity after the 1990s.

Among the aims of People's Tribunals, particularly those held around and after the 1990s, was to give disempowered people the possibility of testifying and telling their stories, without either the restraints or the questioning demanded by formal legal processes. However, the aim of enabling people to speak about their experiences is often subordinate to the main agenda, which is to mobilize affects among the audience, in the hope of achieving understanding and accountability. As a contrast, in the late 60s and 70s, a rhetoric about 'uncovering ideology' with implicit or explicit ideas about 'speaking truth to power' characterized the tradition of the people's tribunal. There is a catch in this kind of alteration of strategy, namely, that relations of power are seemingly left intact, since the possibility of change is left to the benevolence of the listener. As cultural critic Lauren Berlant has argued: "In operation, compassion is a term denoting privilege: the sufferer is over there. You, the compassionate one, have a resource that would alleviate someone else's suffering."³⁰

Schaffer and Smith note that the "triumph" of global capitalism was accommodated by a culture of the individual and a belief in the uniqueness of the individual, his or her story and individual rights.³¹ Furthermore, I would like to add that the post-political culture characterizing the 1990s might partially explain the increase in the desire for *the particular*, for stories of individual fates that do not fit neatly into ideological frameworks. In this dissertation I follow scholars like political theorists Wendy Brown and Chantal Mouffe and intellectual historian Samuel Moyn, among others, who have explored the post-political dimensions involved in the rise of the human rights discourse. Hence, my research unfolds against the backdrop of the rising trend of personal storytelling in the public sphere. I argue that there was a rise in the kind of storytelling in human rights activism that revolves around the idea that the listener identifies with the sufferer and consequently develops a compassionate attitude reflects notions of politics as rational overcoming of conflicts. Moreover, this is a reflection of a post-ideological atmosphere that characterized public discourse after the end of the Cold War. This 'politics of compassion', to refer to American philosopher, Martha Nussbaum's ideas, which I will discuss later, is at odds with the conflictual nature of the politics of women's liberation that I described above. Yet, what these two ideological frameworks, i.e. women's liberation and the politics of

³⁰ Lauren Berlant, "Introduction," *Compassion, the Culture and Politics of an Emotion* (New York and London: Routledge, 2004), 4.

³¹ Kay Schaffer and Sidonie Smith, *Human Rights and narrated lives: the ethics of recognition*, p. 24.

compassion, have in common, is that in both discourses the personal story is viewed as being more authentic than political analysis. Here we have arrived at a central question, namely: How are the concepts of *politics* or *political* and *personal* understood and used in feminist activist rhetoric? In order to answer this question, the most comprehensive part of my analysis of the two tribunals focuses on the deployment of these concepts in context.

Even though personal stories in public have had an historical momentum in a variety of areas as part of a post-ideological culture, feminism constitutes a specific case. I argue that the feminist movement has a more complex history of personal storytelling than other human rights movements. That is because of the widespread practice of consciousness raising and the centrality and longevity of the idea that ‘the personal is political’. Therefore, from a feminist philosophical perspective, I will argue, in line with Italian philosopher Adriana Cavarero, that the desire to tell one’s story that is so characteristic of feminist activism, also reflects a longing for recognition and to *appear* in the public sphere.³² Cavarero develops her idea of the narratable self in dialogue with political theorist Hannah Arendt’s ideas about how identity is dependent on a public realm, how our uniqueness is revealed to an *other* who is able to narrate our story. Subjectivity is thus dependent on a community of spectators, or witnesses to our being in the world, without which there would be no politics.

I suggested in the introductory discussion that the idea that the personal is political continues to accompany feminist activism whether organized and theoretically informed or more spontaneous, as the #MeToo movement recently showed. It is, nevertheless, noteworthy that long-standing and popular catchphrases are often polysemic and ambiguous, behind their more simplistic guise. *How* the personal is politicized (in this case, public reciting of personal experience) and *what kind of affects* are at play depends on the context. The context here being ideological and theoretical frameworks and general ideas about what politics is or should be. Something which, in turn, also reflects socio-historical circumstances and institutional settings.

Aims of the Study and Research Questions

My focus in this dissertation is on feminist activism in an international arena during a period when radical feminist ideas were complemented or replaced, to some extent, by a human rights discourse. The two international feminist people’s tribunals, Crimes against Women in Brussels in 1976 and the Vienna Tribunal for Women’s Human Rights in 1993 are positioned on either side of the ‘human

³² Adriana Cavarero, *Relating Narratives, Storytelling and Selfhood*, Paul E. Cottman, (trans.) (London, New York: Routledge, 2000).

rights turn' both with regards to rhetoric and temporality. Thus, they make good cases to contrast.

Considering these two cases, an overarching aim of this dissertation is to explore how feminists have politicized 'the personal' differently in the various historical contexts that the human rights turn manifests. Furthermore, this study is conducted against the backdrop of the discourse on the depoliticization of feminist politics which is considered to follow the 'juridification' accompanying the human rights paradigm. The term 'juridification' was coined by German philosopher and sociologist Jürgen Habermas in his *Theory of Communicative Action*.³³ He used the concept in his sociologically-informed analysis of the expansion of law as the colonization of the lifeworld.³⁴ Recently, the concept has been deployed in discussions regarding the increase in the framing of political questions in terms of legal issues.³⁵

The evolving idea and practice of 'global feminism' during the early 1990s coincided with a 'human rights turn' within transnational feminist activism, in terms of rhetoric and framing of issues. The trend since this time can be seen as both a continuation of ideas and themes characteristic of the women's liberation movements of the late 60s and 70s, and a break with them which appears in the ways in which issues are framed. There is a continuation on the emphasis on politicizing 'the personal' and 'breaking silences' concerning women's specific experiences of oppression. There is, however, an undertheorized difference in the ways in which political mobilization of the personal is played out, how feminist political subjectivity is imagined and, lastly, how personal testimony is used as a political strategy. In this dissertation, I explore these changing affective dimensions and relate to the varying conceptions of the political.

By conducting a contrastive reading of documents from two feminist people's tribunals, I explore how feminist activists have employed the personal story differently to cultivate political emotions that they have felt appropriate to the context, as well as the 'unplanned' affects that these contexts have mobilized. Furthermore, by contrasting two events, before and after the 'human rights turn', I examine the ways in which they have appropriated the language and form of jurisprudence and how ideas about 'the personal', 'the political', 'the private' and 'the public' are manifested in these two similar yet different contexts in which the metaphoric references to trials stand out. In addition to exploring the affective dimensions of politicization, I also analyze and contextualize theoretical and

³³ Jürgen Habermas, *The Theory of Communicative Action, Volume Two: Lifeworld and System: A Critique of Functionalist Reason* (Beacon Press, 1985).

³⁴ Daniel Loick, "Juridification and politics: From the dilemma of juridification to the paradoxes of rights, *Philosophy and Social Criticism*, 40:8 (2014).

³⁵ See for example Leila Brännström, *Förrättsligande: en studie av rättens risker och möjligheter med fokus på patientens ställning* (Malmö, Bokbox, 2009).

political ideas involved in the different strategies concerning personal storytelling.

Specific analytical questions are as follows:

- How was the personal story utilized at the Brussels Tribunal and the Vienna Tribunal, respectively? What emotions were they meant to cultivate?
- How are the concepts ‘the personal’, ‘the political’, ‘the private’ and ‘the public’ deployed by the organizers and by witnesses of each respective tribunal?
- How do the concepts above relate to the historical development of gender-based violence, or violence against women, as an international issue? How do the uses of the concepts correspond to their respective contemporary politico-theoretical contexts?
- How did the organizers and witnesses of each respective tribunal employ the concept of *consciousness raising*? How does this understanding correlate to how it is theorized in feminist political thought?

Selection of sources

I discovered the two people’s tribunals that now constitute the central events of this dissertation by coincidence. I was looking for material concerning the history of the issue of violence against women as a specific human rights concern, which was a question that I initially intended to study. I soon learned that the Center for Women’s Global Leadership (CWGL) at Rutgers University in New Jersey had been pivotal in putting violence against women on the international human rights agenda at the United Nations in the early 1990s. The CWGL and particularly its founding director, Charlotte Bunch, were the leading actors behind the Vienna Tribunal. Consequently, through the CWGL documents, I learned about the existence of the Brussels Tribunal that had taken place 17 years earlier and had been a source of inspiration for Bunch and her fellow advocates of women’s human rights. The two tribunals that I have chosen to explore constitute significant events in the history of the international women’s movement and they both rely on the same method, i.e. they promote and set forth political claims in the form of independent, symbolic trials. The tribunal from 1976 was the first of its kind (international *women’s* People’s Tribunal) and the organizers of the second tribunal in 1993 refer to it as a source of inspiration, which constitutes an intertextual link between the events. Furthermore, there were no comparable international people’s tribunals focusing on the situation of women held between the tribunal in Brussels in 1976 and the tribunal in Vienna in 1993.

To my knowledge, the people's tribunals in question have not been scrutinized before in terms of the history of feminist political theory and activism. Most references in academic literature simply state their historical existence. Although they are discussed in feminist legal scholarship, they are not discussed in relation to the history of ideas of feminism. The tribunals in Brussels in 1976 and in Vienna in 1993 are not the only feminist people's tribunals although they are significant because of their timing, their novelty and universal scope. Viewed together, the two events reflect a conflict regarding the ways in which international/global feminist activists have perceived the potentials of the United Nations. Correspondingly, this conflict concerns the difference between positioning oneself as fighting, respectively, 'outside' and 'inside' established socio-political institutions, or what in activist discourse is often referred to as the 'system'.

The primary textual material that I explore are reports from and documentation of the two above-mentioned tribunals. *Crimes against Women, Proceedings of the International Tribunal* is a report on the Brussels Tribunal and was written by Diana Russell and Nicole de Van de Ven directly after the event. This is the only documentation of the Brussels Tribunal that I have come across, apart from shorter reviews and articles in contemporary feminist activist journals. The most important of these is the Washington based radical feminist journal *Off Our Backs*, as well as coverage and discussions in academic journals contemporary with the events themselves. The only comprehensive description of the event, as well as its history (herstory, is the word used in the report and it reflects a feminist critique of the male bias in traditional historiography) and driving ideas, comes from the above-mentioned Diana E. H. Russell and Nikole Van de Ven, of which one has a more tangible presence in the tribunal proceeding's text, writing mostly in the first-person narrative. Therefore, I must consider the report as a description from a particular perspective, namely Russell's. The testimonies and the so-called country reports are, however, published in their entirety in the report, which make the witnesses' narratives accessible to me without mediation.

The Vienna Tribunal for Women's Human Rights held in Vienna in 1993 is documented in the report *Demanding Accountability: The Global Campaign and the Vienna Tribunal for Women's Human Rights*. That report was written by the previously mentioned Charlotte Bunch, the founding director of the Center for Women's Global Leadership and Niamh Reilly, a political scientist working at the Center at the time. Excerpts from the testimonies from the Vienna Tribunal appear in the book *Demanding Accountability* but have also all been published in their entirety in a separate publication, which is included in my analysis. In addition to this, I have analyzed preparation material, annual reports from the Center for Women's Global Leadership from 1991–1993, manuals from the event planners and the film *The Vienna Tribunal* made by Gerry Rogers in 1994.

With these events as starting points, I have traced threads concerning ideas about ‘the personal’ and ‘the political’ which has led me in various directions, historical as well as theoretical. However, as every researcher of the history of ideas has probably experienced, threads of ideas could be traced indefinitely and, furthermore, *context* is a floating term. How context is presented in historical research reflects the researcher’s choice of facts, and other texts and discourses that she finds illuminating, explanatory or enriching for the interpretation and presentation of the events and texts in question. I have emphasized a theoretical context and have therefore spent less time on drawing up a detailed picture of historical and political events surrounding the tribunals. However, the general historical and political context nevertheless constitutes a crucial element in my reading of the texts.

Some of the threads I analyze take the form of genealogies, which I explore in the first chapter. One example is the genealogy of People’s Tribunals. Considering the tradition of People’s tribunals, I focus on *Against the Crime of Silence: Proceedings of the International War Crimes Tribunal*, which recounts both the story and idea behind the International War Crimes Tribunal, also called the Russell Tribunal, held in Stockholm and Copenhagen 1967. The choice to focus on this publication relates to the fact that this was the first event organized around the idea of a People’s Tribunal and, furthermore, because Diana Russell and Nicole and van de Ven mention the IWCT as a source of inspiration. In the section on People’s Tribunals I also consider later publications from the Center for Women’s Global Leadership. The Center has been at the forefront of the ‘women’s rights as human rights’ campaign since 1991 and initiated many tribunals with a similar outlook, although not on the same scale as the Vienna Tribunal.

The women’s liberation rhetoric characteristic of the Brussels event led me to consider, by now, classic women’s liberation literature that constitute a theoretical cornerstone for radical and socialist feminism of the ‘second wave’.³⁶ As examples of feminist theorizing about sexual politics and consciousness

³⁶ In a following section, I discuss the ideas of different strands of feminism and the terms ‘radical feminism’, ‘socialist feminism’, ‘women’s liberation’ and the ‘second wave’. All labels were coined or at least deployed by activists around the year 1970. Members of the leftist and radical currents of the ‘second wave’ preferred to term “women’s liberation” over ‘the women’s movement’. The women’s liberation movement was then divided in many subgroups, and although most were connected to the New Left, radical feminists was a label used by those who wanted to criticize the ‘economism’ of the left. The ‘second wave’ in its turn, was a label used by many feminists to signify their awareness about an earlier struggle fought by women at the turn of the century, notably for suffrage. The metaphor was meant to capture the idea that the women’s liberation movement constituted a continuation of the older struggle albeit with a more comprehensive scope. The metaphor of waves in feminist history has been criticized from many different angles, as I will discuss later on. Here it suffices to say that at the moment I either refer to these categories as labels that agents have used to describe themselves or their movement, or as a form of discourse about a particular period in feminist history.

raising, I have chosen Sheila Rowbotham's *Woman's Consciousness, Man's World* from 1973,³⁷ Kate Millett's *Sexual Politics* from 1969,³⁸ and *Women's Estate* by Juliet Mitchell from 1971.³⁹ Lastly, I discuss one shorter essay by Carole Hanicsh from 1970, as this text is often presented as the text in which the phrase 'the personal is political' was coined. Although this is a major simplification regarding the origin of the phrase, since the idea was ubiquitous in feminist circles as well as in the New Left at the time. But the text is relevant because of how much it circulated in activist circles and Hanich is a good representative within the feminist strand known as the *pro-woman* line, which she gives an account of in this text.⁴⁰ I have limited my analysis to Anglo-American authors since they have reached the broadest international audience. However, in the chapter on 'consciousness raising', Simone de Beauvoir makes a strong presence because of her influence on the women's liberation movement in both Europe and the United States. In addition to her being involved in both the International War Crimes tribunal in 1967 and the Brussel's tribunal, her contribution to the theoretical travels of the idea of consciousness raising is hard to overestimate.

As for the theoretical context for the human rights-inspired feminism, I have focused on texts by the above-mentioned Charlotte Bunch, a long-term activist and scholar with a background in both the civil rights and the women's rights movements. For this end I have read Bunch's essay collection from 1987 *Passionate Politics*, as well as later publications by her that concern directly the idea of 'women's rights as human rights.' Catharine A. MacKinnon is another author I consider. She is a self-proclaimed radical feminist theorist who has written about women's human rights at the intersection of feminism and legal theory, I have thus explored her texts before and after she adopted the human rights framework. The third and last author considered in this context is Martha

³⁷ Sheila Rowbotham, *Woman's Consciousness, Man's World* (London & New York: Verso Books, 2015 [1973]).

³⁸ Kate Millett, *Sexual Politics*, (Urbana and Chicago: University of Illinois Press, 2000 [1969]).

³⁹ Juliet Mitchell, *Woman's Estate*, (London & New York: Verso Books, 2015 [1971]).

⁴⁰ Carol Hanisch, "The Personal is Political," in Anne Koedt and Shulamith Firestone (eds.) *Notes from the Second Year*. A thorough analysis of the American women's liberation movement is historian Alice Echols' dissertation from 1989. Echols' main argument in her analysis of radical feminism in America is that the movement was only vivid in the period between 1967-75, after which *cultural feminism* with an emphasis on revaluing the *feminine* became the dominant feminist ideology. Although Echols highlights the conflicts, factions and divides within the radical feminist strand of the American women's liberation movement, she still identifies enough similarities in the political analysis of these groups to establish a common ground. From this common ground she demarcates radical feminism from what she defines as cultural feminism. Furthermore, in Echols' view, the anti-pornography movement (in which Diana Russell became a prominent figure) had more in common with cultural feminism than radical feminism. As opposed to radical feminism, cultural feminism and the anti-pornography movement neither had ideological nor political ties with the Left. Moreover, Echols contextualizes both in an increased conservative atmosphere in the United States during the second half of the 1970's. Alice Echols, *Daring to Be Bad, Radical Feminism in America, 1967-1975*, (Minneapolis and London: University of Minnesota Press, 1989).

Nussbaum, and her text “Compassion: The Basic Political Emotion” from 1996. Nussbaum is perhaps among the most well-known contemporary liberal feminist philosophers and has written extensively on women’s human rights and compassion as one of the most vital political emotions.

In my genealogy of the issue of violence against women as an international concern, I have read a sample of texts about ‘white slavery’ from the turn of the century. Furthermore, the white slavery debates at the turn of the century also reveal a discussion about the employment of stories of individual fates in order mobilizing for legal measures. I only briefly discuss the United Nations’ Global Conferences on Women held between 1975 and 1985 but they will not be a focus of this study other than as part of an historical context and background.

Finding a relevant research context has been a challenge as both human rights and women’s rights are highly discussed topics in various academic fields. I have limited the research context to critical theoretical discussions at the intersections of philosophy, history and legal theory. My theoretical perspectives and method limit the historical background to the traces of threads and themes that I find relevant in terms of the topic and my overall focus. For historical overviews of women’s rights movements in an international arena and the histories and philosophies of human rights from the Enlightenment up until the present, there is much to choose.⁴¹ I offer historical overviews based on the writings of other researchers to contextualize my analysis when further explanations are necessary. The texts that I focus on in this dissertation were written in various contexts intended for different audiences. They belong to various genres that differ in terms of style and rhetoric. However, taken as a whole and compared they constitute sources that explain how certain ideas and concepts travel between settings and institutions. Read together they can reveal how the rhetoric they are embedded in differs according to context. Yet, as will become clear from my reading, rhetoric is never just rhetoric.

⁴¹ Good examples are: Leyla. J Rupp, *Worlds of Women: The Making of an International Women’s Movement* (Princeton: Princeton University Press, 1997), Karen M. Offen, *European Feminisms, 1700-1950: A Political History*, (Stanford: Stanford University Press, 2000); Lynn Hunt, *Inventing Human Rights: A History*, (New York: W. W. Norton & Company, 2008); Samuel Moyn, *The Last Utopia: Human Rights in History*, (Cambridge, Massachusetts and London, England: Belknap Press of Harvard University Press, 2010); Sue Morgan, (ed.) *The Feminist History Reader*, (Routledge, 2006).

Dissertation Outline

The dissertation is arranged in a thematic order. After giving an account of the methodological and theoretical perspectives that have guided my work, I present a state of the arts – a discussion of previous research that overlaps my work and with which I would like to be in dialogue. This discussion somewhat overlaps both my theoretical and methodological perspectives, as well as the genealogical chapter that follows. To clarify, my topic concerns discourses and theories of feminism and human rights in a historical perspective and therefore I have encountered a challenge in demarcating previous research, historical background and theory. This results in that the same authors sometimes appear in different sections in the dissertation, as I refer to their research and perspectives in different contexts.

The first chapter is called “Genealogies and the Search for Commonalities”. In this chapter I introduce the tradition of the people’s tribunal, genealogies of international feminism and the emphasis on the issue of violence against and conclude with a discussion about the human rights turn and the United Nations. The Brussel’s Tribunal is presented and analyzed in a chapter called “The Brussel’s Tribunal: “The Start of a Radical Colonization of Women””, followed by a chapter that contextualizes the tribunal theoretically: “Women’s Liberation Theoretically Contextualized”. The Vienna Tribunal is explored in a chapter called “The Vienna Tribunal: “They have the Power to be Heard”, followed by a chapter on theoretical contexts of the human rights turn, “Global Feminism’s Human Rights Turn Theoretically Contextualized”. Thereafter comes my analytical overview of the idea of consciousness raising within feminist activism and theory, “Consciousness raising Theoretically Contextualized”. Lastly, I collect the threads, develop my analytical conclusions, and discuss discourses about feminism’s past and future, as well as ideas about the relations between feminist theory and practice in the “Concluding Discussion”.

Methodological Perspectives

History of Ideas and Genealogy

The origin of the existence of a thing and its final utility, its practical application and incorporation in a system of ends, are toto cælo opposed to each other - everything, anything which exists and which prevails anywhere, will always be put to new purposes by a force superior to itself, will be commandeered afresh, will be turned and transformed to new uses; all "happening" in the organic world consists of overpowering and dominating, and again all overpowering and domination is a new interpretation and adjustment, which must necessarily obscure or absolutely extinguish the subsisting "meaning" and "end".⁴²

Friedrich Nietzsche, 1887

I find the quote above, taken from Nietzsche's seminal work from 1887, *Genealogy of Morals* captivating as a basis for a theoretical perspective, as a philosophy of the history of ideas. Histories of ideas are the histories of varying uses and applications of concepts and ideas; there is no pure or more accurate understanding of an idea that different historical applications can be measured against. Ideas are put into practice, or come into practice and practice entails ideas, whether outspoken or implicit, developed beforehand or evolving simultaneously in the action itself. Furthermore, practices and ideas are embedded in history, which consists of struggles of various kinds about meaning. Moreover, Nietzsche's words also prove to be a relevant description of the use and re-use of concepts, theories and methods within the history of feminism, the object of my study.

Considering the pervasiveness of personal stories and testimonies of various kinds in contemporary public discourse and political struggles, I set out to trace the theoretical and historical context of the idea that 'the personal is political' in feminist theory and activism. My interest in studying this topic originated in feelings of doubt, perplexity and curiosity. Does the personal story have a political value or is it merely anecdotal, sensational and individualistic? What is the relationship between the consciousness-raising practices of the 1970s and the contemporary identity-political emphasis of self-expression and recognition? The former awoke more positive connotations in me, while I had often thought the latter as being somewhat problematic. My feelings in light of these political practices were, of course, rooted in my theoretically situated, and politically engaged, evaluation of the present. Thus, I set out to create a distance,

⁴²Friedrich Nietzsche, *The Genealogy of Morals*, (transl.) Samuel B. Horace, (Mineola, New York: Dover Publications, 2003 [1887]), 50.

question my own theoretical and normative points of view and study the issue of personal storytelling within feminist activism from an historical perspective.

However, in line with intellectual historian Hayden White, I want to stress my epistemological premise that the *tracing of a history* is above all the historian's creation of a narrative that concerns past and current events and is not about discovering a history that was there all along waiting for somebody to uncover and write down. In a text from 1980, "The value of Narrativity in the Representation of Reality," White refers to Hegel's notion of history. Hegel had suggested that law, historicity, and narrativity were intimately related.⁴³ The relation appears in the sense that the desire to produce an historical narrative of certain events or deeds, presupposes a social order from which they are valued. According to this perspective, the existence of a legal order (society) is the measure of the significance of the event, since it is as a legal subject that the narrator becomes interested in telling a story – to argue for or against the legal system that she belongs to. The legal subject, i.e. the narrator, has an historical consciousness insofar as she has a social consciousness. According to White, this is what Hegel meant when he wrote in his *Lectures on the Philosophy of History* that "the term *History* unites the objective with the subjective side."⁴⁴ Facts, happenings and deeds are the objective side and the socially conscious subject who narrates them is the subjective side.

When trying to describe and translate my methodology into words I frequently return to the metaphor of threads. If the present is viewed as being constituted by a bundle of discourses including various themes, concepts, meanings and references to the past and the future, my method has been to draw different threads from the bundle and trace their historical expressions, linkages and breaks. Historian of ideas Michel Foucault used the term 'genealogy' to describe his opposition to the search for "ideal significations and indefinite teleologies" and I think this description also suits my project.⁴⁵ Philosopher Larry Shiner suggests calling Foucault's approach "anti-method", because he opposed the idea "that one can trace ideas or institutions back to a sort of founding era or moment when their essential meaning was first revealed", which could be followed as a "continuous development, either as progress or "fall" – away from the original and essential meaning."⁴⁶

⁴³ Hayden White, "The Value of Narrativity in the Representation of Reality," *Critical Inquiry*, 7:1, (Autumn, 1980).

⁴⁴ G.W.F. Hegel, quoted in Hayden White, "The Value of Narrativity in the Representation of Reality", p. 15.

⁴⁵ Michel, Foucault, "Nietzsche, Genealogy, History," *The Foucault Reader*, Paul Rabinov (ed.), (Penguin Books: London, 1984), p. 77.

⁴⁶ Larry Shiner, "Foucault: Anti-Method and the Genealogy of Power-Knowledge, History and Theory," 21:3 (Oct.,1982).

The questions that I have grappled with during the course of my work have a theoretical basis but are also grounded in my historical interest in the political present. Some of them form part of my initial inspiration and constitute the reason I chose the subject of this thesis, while others have gradually developed during the encounter with my primary material. The former stem from an interest in the political relevance of personal stories and ideas about political subjectivity. To clarify: in this thesis, I understand political subjectivity as political and social awareness or a view of one's own situation, combined with the will and a power to organize for change.

Narratives and Threads

The questions that arose from my reading of the two tribunals, which ultimately became the case studies for this dissertation, are about different and sometimes conflicting uses and understandings of the meaning of politics and the political. I started my analysis without a clear methodological framework. I did as historians of ideas often do: interpret ideas, compare, contrast and contextualize. However, after a while I concluded that I could classify the ideas I was analyzing in terms of narratives.

Thus, this dissertation became an historical and theoretical investigation of the significance and meaning of personal stories in the narratives of feminist activists and theorists on politics and the political dimension of their struggles and identities. The case study considers two international feminist events in which ideas about 'the personal' and 'the political,' 'the private' and 'the public' formed an explicit part of the agenda – with personal/private testimonies at center stage. Hence, not only are the events characterized by the telling of personal stories, but also by ideas about the stories and their significance for social and political mobilization. I approach the ideas about the personal testimonies that explicitly and implicitly appear in the discourse of and concerning the tribunals, as narratives. I adopt this approach as the organizers and participants apply certain meanings to the testimonies as important components of a certain storyline, a narrative about the personal and the political in particular and about feminism's aims and methods in general.

In order to address my analytical questions, I follow three interrelated and overarching threads that concern my topic. Firstly, people's tribunals enter the picture since transnational feminist activists employed this concept and method in mobilizing the struggle against sexism and violence against women. The use of the tribunal form illustrates an ambiguity concerning the deconstruction of juridical authority on the one hand, and an aspiration for legal recognition and inclusion into the human rights jurisdiction on the other. This is expressed in the tension involved, on the one hand, in appropriating and mimicking the language of law with the aim of exposing the fragility of its authority and, on the other, drawing attention to the biases of the human rights system, with the aim of

reforming it. In addition to illustrating an ambiguous relationship to the law, the people's tribunal method is interesting because of the symbolic authority it lends to testimony. In other words, the juridical framework constitutes a social sphere in which personal stories are given authority that they lack in private settings, or in civil society.

Secondly, I have traced a history of *violence against women as a human rights issue* at the international arena back to the debates around white slavery at the beginning of the 20th century, where stories, fictional and 'true', about the fate of individual girls notably played a major role.⁴⁷ The personal story, whether told in the first person or by someone else, has continued to play a paramount role in the genealogy of the international struggle against violence against women, of which the two tribunals constitute a part. Moreover, the emphasis on the struggle against violence against women in international feminism has historically been integral in justifying women's international solidarity across classes and races, by framing men's actual or potential violence against women as the ultimate common denominator.

The United Nations recognized violence against women as a human rights violation in the mid-1990s, after decades of compartmentalization of women's issues at the organization. Feminist legal scholars have described this change as a breakthrough as it constitutes a mainstreaming of feminism and a long-awaited recognition of the seriousness of the situation of women globally. Furthermore, the recognition was considered to have drastically changed the understanding and employment of the human rights framework. According to some feminist legal scholars, the reason for this breakthrough was that the recognition of a 'private' matter as a human rights issue broke the norm of the private and public distinction, which, up until that time, had characterized the human rights tradition.

Thirdly, I look at the affective dimensions of the personal story as a political mobilizer. They change significantly according to the historical, institutional and theoretical (ideological) context. Hence, the two events that I focus on express different notions of the idea of consciousness raising within feminist activism and theory. The aim of both events primarily concentrated on changing a political imaginary and discourse as opposed to passing legal verdict in particular cases.

⁴⁷ The term 'white slavery' was used at the turn of the 20th century to describe the kidnapping or luring of young women from Europe and the United States into forced prostitution, usually abroad. See for example: Edward J. Bristow, *Prostitution and Prejudice*, (Oxford: Clarendon Press, 1982); Margit Stange, *Personal Property, Wives, White Slaves and the Market in Women* (Baltimore: The John Hopkins University Press, 1998).

Theoretical Perspectives

Conflict or Consensus

There is politics because speaking is not the same as speaking, because there is not even an agreement on what a sense means. Political dissensus is not a discussion between speaking people who would confront their interests and values. It is a conflict about who speaks and who does not speak, about what has to be heard as the voice of pain and what has to be heard as an argument on justice.⁴⁸

Jacques Rancière 2011

Ideas about distinct spheres of human life, in terms of what is or should be private on the one hand and what should be of public concern on the other have been a focal interest in the history of political and social thought. Since the Renaissance ‘private’ and ‘public’ have appeared frequently in debates and discussions involving various ideas about the status of the individual and the family in relation to society, a state or some form of common governance.⁴⁹ Aristotle’s statement that “man is by nature a political animal” is a recurrent reference in the theoretical literature on politics, even though the interpretations of this statement vary.⁵⁰

If we look at how the word ‘politics’ is applied in everyday use, we see that it can refer to quite different things and situations. ‘Politics’ can, for example, be used to describe social engineering, ideologies, social or public problem-solving, distribution of resources or public deliberation about the common course of action. Sometimes ‘politics’ or ‘political’ is used to denote unequal power relations and even violence, or ‘insincere’ logrolling, i.e. bargaining and exchange of favors. Needless to say, such different significations of the word *politics* are equally found in feminist rhetoric as well as in other areas. Moreover, this lack of equivocality concerning the concept of politics and the political can partially be explained by ideologically-motivated theoretical points of view. Should we aspire to overcome conflicts and transcend political disputes in the name of a morally-informed universalism, aided by a nuanced and ethically-sensitive legal framework? Alternatively, is the conflictual dimension of reality something that is neither possible nor something to aspire to?

⁴⁸ Jacques Rancière, “The Thinking of Dissensus: Politics and Aesthetics,” Paul Bowman and Richard Stamp (eds.), *Reading Rancière* (London and New York: Continuum, 2011), p. 2.

⁴⁹ Michael McKeon, *The Secret History of Domesticity* (Baltimore: The John Hopkins University Press, 2005).

⁵⁰ Aristotle, *Politics*, 1253a, in *The Basic Works of Aristotle*, (ed.) Richard MacKeon, Introduction by C.D.C. Reeve (New York: Random House, 2001).

Around the time of the fall of the Berlin Wall and the dissolution of the Soviet Union, a discourse about the supposed end of politics flourished. The most well-known advocate of this idea is undoubtedly American political scientist Francis Fukuyama, who argued that mankind was approaching an endpoint of historical dialectics with the triumph of liberal democracy and a market-based economy.⁵¹ Fukuyama advocates a view on competing political ideologies as part of humanity's dialectical history towards progress. Hence, he casts political conflicts as a developmental state that has been overcome or synthesized.

A similar view about a rational overcoming of political conflicts is advocated by liberal thinkers (often) following the work of American philosopher John Rawls. His seminal work, *A Theory of Justice*, published in 1971, has since become canonical in Western liberal political thought.⁵² In his work he argues that under a 'veil of ignorance' most people would opt for the so-called 'difference principle' and decide on rules of the game that would maximize the well-being of those least well off. In simple terms, his idea also entails a rational overcoming of political conflict. Another American philosopher, whose work I will discuss in more detail later in this dissertation, is Martha Nussbaum. Her work provides a good example of this liberal view, and her advocacy of the cultivation of compassion as a basic social and political emotion is linked to her understanding of politics. Nevertheless, Nussbaum opposes Rawls' ideas about objectivity. In contrast to his idea of having one's eyes blindfolded like Justice, without knowledge of oneself or the situation or experience of any particular others, Nussbaum argues that it is precisely by knowing oneself and cultivating one's literary imagination that one becomes the compassionate citizen that liberal democracy needs. Consequently, Nussbaum's ideas are about expanding our knowledge and deepening our understanding of the experiences of others, of how it is to be in another's position. Her view, even though she departs from Rawls' ideas about objectivity, still entails ideas about the possibility overcoming of conflicts through knowledge.

Contrary to the liberal view, adherents of post-Marxism, post-structuralism and critical theory have in various ways advocated for another view of the political dimension of human existence, emphasizing the impossibility and undesirability of eradicating conflicts. Chantal Mouffe is probably the most well-known contemporary philosopher to advocate the 'conflictual' stand. She argues that we cannot obliterate antagonism from 'the political', and every attempt to do so means that politics is replaced by morality or jurisprudence. According to

⁵¹ Francis Fukuyama, *The End of History and the Last Man* (New York, London and Toronto: Free Press, 1992).

⁵² John Rawls, *A Theory of Justice* (Cambridge, Massachusetts and London, England: Belknap Press of Harvard University Press, 2005 [1971]).

Mouffe, the post-political thesis is but a regressive dream, and results in a lack of means, or discursive outlets to tackle unavoidable conflicts politically. Therefore, Mouffe, and others of the same tradition, consider the liberal view of politics to be ultimately a flight from ‘the political’. In this regard Mouffe stresses her idea about pluralistic agonism, which refers to the idea of sublimating social antagonism to agonism. The pluralism refers to an expanding of the Marxist categories of two classes to considering a variety of social positions. She insists on leaving aside the moral positions of ‘good and evil’, ‘friends and enemies’, and thereby give way to political adversary.⁵³

French philosopher Jacques Rancière is another theorist to confront the post-political worldview. He captures the spirit of the discourse about a liberal consensus well in an introductory text from 1992, the same year that Fukuyama’s text was published. He writes: “We are said to be living through the end of political divisions, of social antagonisms and utopian projects; entering into an age of common productive effort and free circulation, of national consensus and international competition.”⁵⁴ Rancière is highly critical of the discourse that implies an end of politically-invoked dissent and is wary of the kind of consensus-oriented politics that aim for technocratic solutions. Yet, he is also skeptical about the opposing trends in critical theory and post-Marxism described above, which he describes as “the blossoming of affirmations proclaiming the end of the illusion of the social and a return to a ‘pure’ form of politics”.⁵⁵

Rancière traces this puritanism to Hannah Arendt, among others, as well as some of her disciples. She notably emphasized the distinction between the private and the public, and hence the political, as I will discuss in more detail later on. According to Rancière, ‘the political’ is precisely about disturbing what he calls ‘the distribution of the sensible’, which categorizes and relegates people or issues as being either inside or outside the political. His ideas about dissent and *disidentification* correspond well to the ideas and activism of the early liberation movement – and the theme of the destabilization of the oppressive distinction into private and the public. Rancière argues in his “Ten theses on Politics” that a vicious circle is entailed in the theoretical strands that celebrate ‘pure forms’ of politics. This vicious circle is “located in the link between the political relationship and the political subject.” It somehow posits a way of life that is proper to politics,

The political relationship is subsequently deduced from the properties of this specific order of being and is explained in terms of the existence of a character

⁵³ Chantal Mouffe, “Politics and Passion, the Stakes of Democracy” (London: Center for the Study of Democracy, 2002).

⁵⁴ Jacques Rancière, “Introduction” *On the Shores of Politics* (Verso Books: New York and London, 1995).

⁵⁵ Jacques Rancière, “Ten Theses on Politics,” *Theory and Event*, 5:3 (Johns Hopkins University Press, 2001), p. 2.

who possess a good or a specific universality, as opposed to the private or domestic world of needs or interests. In short, politics is explained as the accomplishment of a way of life that is proper to those who are destined for it. This partition -- which is actually the object of politics -- is posited as its basis. ⁵⁶

Rancière's critique described above is instructive when analyzing feminist ways of politicizing the private, or the personal. This is because feminist (political) claims have historically been dismissed as either 'whingeing', to refer to Germaine Greer's comments about #MeToo, or politically irrelevant since they have been deemed as 'private'. This way of classifying what is political and what is not political and deciding who is to be considered a political subject and who is not, is what Rancière refers to as 'police'. This 'distribution of the sensible', which entails a policing and ordering of meaning in the world, includes, for example, the differentiation of intelligible speech from mere sounds of pain or pleasure. The former is a proper human capacity while the latter belongs to all animals alike.

However, this is not to argue that all sounds that people make or all words they utter are 'political' but to illustrate the power involved in the very act of classification. Distinction is a prerequisite of meaning and is therefore neither possible nor desirable to eliminate. Rancière's point is rather to emphasize the politics that are involved in challenging the distinctions. For Rancière, Arendt's critique of human rights and her emphasis on the private and public distinction have been an important source of inspiration, mainly because he argues against her.

Considering Rancière's critique of the policing of boundaries of the political discussed above, I argue that we should be sensitive to the power dimension involved in classifying speech as either political, involving claims to justice or alternatively as moralistic or mere sounds of suffering. Yet, I also want to stress the importance of theorizing and analyzing social mobilization precisely in terms of these distinctions. Perhaps I should add that this is the constructive paradox that inspires me in this research. Hence, in this regard I want to stress the importance of both the socio-historical and theoretical context that motivates certain political strategies over others.

Politics and Human Rights

By employing the phrase 'human rights turn', I follow scholars who have noted that political activism increasingly relies on the human rights framework and

⁵⁶ Ibid., thesis 1.

discourse.⁵⁷ In addition, several scholars argue that the human rights turn is to some degree accompanied by an increased juridical take on issues which, up until their incorporation into the human rights system, have been framed in more explicitly ideological terms. As an example, legal scholar Karen Engle has noted that the human rights discourse and framework brings with it an emphasis on the incorporation of human rights into positive law, more precisely, into criminal law.⁵⁸ Indeed, struggles for new laws or conventions often form a part of a moral-political project to raise awareness about some situation or vulnerabilities of specific groups. Yet, if a convention is agreed upon, signed and ratified, it could have the effect of blocking the possibilities of politicizing the issue in question. As philosopher Jürgen Habermas has argued, after the institutionalization of ideals into legal norms they become more applicable to technocratic solutions conducted by experts, which, in turn, entails a de-politicization as the elites contribute to eliminating any public, democratic discussion of values.⁵⁹

Similarly, legal theorist Costas Douzinas emphasizes the end-of-ideology-spirit of the human rights turn as he notes that: “The collapse of communism and the elimination of apartheid marked the end of the last two world movements which challenged liberal democracy.”⁶⁰ However, while noting the depoliticizing symptoms of the contemporary human rights discourse, Douzinas states: “Natural and, later human rights were conceived as a defense against the dominations of power and the arrogance and oppression of wealth.”⁶¹ Thus according to Douzinas the *idea* of human rights is not post-political in itself. The utopian hope for a better society that the idea of human rights expresses “has been hijacked by governments, submerged into treaties and conventions and often leads to the dismembering and reassembly of people into synthetic entities-carriers of rights.”⁶² Ethicist Elena Namli’s critique is akin to Douzinas’ view as she questions the shortcomings of what she calls “the current legalistic culture of

⁵⁷ For example, Samuel Moyn, *The Last Utopia*; Wendy Brown, “The Most We Can Hope for...”: Human Rights and the Politics of Fatalism”; Ratna Kapur, “Human Rights in the 21st Century: Take a Walk on the Dark Side”, *Sydney Law Review*, 28:665, (2006); Costas Douzinas, *The End of Human Rights* (Oxford: Hart Publishing, 2000).

⁵⁸ Legal scholar Karen Engle argues that the human rights movement has been, since the turn of the 21st century, almost synonymous with the fight against impunity. Today, she says, “to support human rights means to favor criminal accountability for those individuals who have violated international human rights or humanitarian law.” Karen Engle, “Anti-Impunity and the Turn to Criminal Law in Human Rights,” *Cornell Law Review*, 100:1069, (2015).

⁵⁹ Jürgen Habermas, *Toward a Rational Society*, J. J. Shapiro (trans.), (Boston: Beacon, 1970 [German, 1968a, 1969]).

⁶⁰ Costas Douzinas, *The End of Human Rights*, (Oxford: Hart Publishing, 2000), 1-2.

⁶¹ Costas Douzinas, *Human Rights and Empire, The Political Philosophy of Cosmopolitanism*, (New York: Routledge-Cavendish, 2007), p. 33.

⁶² Costas Douzinas, “Human Rights and Postmodern Utopia,” in *Law and Critique* 11 (2000).

human rights” which, she argues, results in weakening the links between human rights and democracy.⁶³

Scholars who emphasize the conflictual dimension of politics tend to view the rise of the human rights discourse as part of a wider and more comprehensive post-political context that characterizes the 1990s. According to this perspective a defining feature of this post-political atmosphere is the replacement of human rights discourse with other ideologically-driven political projects and utopian aims, as Samuel Moyn and Wendy Brown, among others, have argued.⁶⁴ Indeed, many historical examples support the thesis that the human rights discourse became hegemonic after the end of the Cold War and the subsequent rise of neoliberal world governance, to refer to Mouffe. However, the point of my dissertation is not to merely demonstrate how international feminism went from being ‘political’ to becoming ‘post-political’ in adopting the human rights rhetoric of the 1990s, but rather I want to demonstrate how political strategies depend on how politics and the political dimension of reality are conceived – focusing, in this regard, on the personal story as a political mobilizer.

Finally, a brief return to Aristotle and then to Hannah Arendt. In Aristotle’s claim about the human being as a political animal, the ability to speak is essential. Arendt builds on this notion because for her, politics revolves around acting and speaking in public. Thus, not only does she emphasize the importance of the distinction between the public and private spheres, but for her, ‘the personal’ in the sense of individual identity and self-expression refers to something that is developed and revealed in the public sphere and not in private. There is no ‘personal’ in the private sphere and ‘the political’ has to do with distinction and individuation as opposed to what is common, generalizable or structural. Thus, to some extent, Arendt’s classification runs counter to the feminist discourse that often uses ‘personal’ and ‘private’ interchangeably.

Moreover, Arendt sees the public and political realm as a condition for human plurality, and hence individuation. Such an understanding is further connected to the notions of ‘the political’ and ‘politics’ as an expression of freedom, which for Arendt derives its full meaning in our desire to appear. Politics is therefore an empowering and productive element for Arendt – a necessary dimension of a world in which the uniqueness of each and every one is recognized. Yet, such recognition also entails paying attention to the human capacity of beginning something new, which Arendt continuously thinks of in terms of spontaneity and indeterminacy. Spontaneity and indeterminacy are vital for

⁶³ Elena Namli, *Human Rights as Ethics, Politics and Law*, Uppsala Studies in Social Ethics 43, (Uppsala: Acta Universitatis Upsaliensis, 2014), 11.

⁶⁴ Samuel Moyn, *The Last Utopia: Human Rights in History*; Wendy Brown, “‘The Most We Can Hope For...’ Human Rights and the Politics of Fatalism.”

politics because without them there is no real freedom in politics, especially because we do not know beforehand what the effects of our actions will be.

In Arendt's framework, freedom, action, uniqueness and politics belong to the public realm, while the private realm can be tyrannical, subordinated to the cycles of our 'species life', namely, biological needs, necessity and possibly violence. The need to demarcate or protect the political realm from the private, and what Arendt calls 'the social', is vital for our unique lives in a common world. Furthermore, Arendt makes an important distinction between power or force on the one hand, and violence on the other. This is due to her claim that power or force are constituted by politics, i.e. acting in concert with others in a public sphere. Violence, in contrast, is the absence of politics; it is associated with tyranny, inequality and non-individuation, while power or force is what enables human beings to sustain their common world and build institutions which, for their part, enable them to act and express their uniqueness.

Arendt's ideas make an interesting contrast to the ideas that have been central in the international feminist activism that I study in this dissertation, particularly in light of the human rights turn in international feminist activism around the end of the Cold War and the accompanying shift in the deployment of the personal story in public. This is because of feminism's critical relationship with ideas concerning the 'private and the public,' 'the personal and the political.'

The Janus face of Justice

For the judge is not seated to give away the just things as a gratification, but to judge them. For he has not sworn to gratify whoever seems favorable to him, but to give judgement according to the laws.⁶⁵

Plato, The Apology of Socrates

Inherent in the idea of justice, as represented by the justice system, is that its authority resides above the fluidity and partiality of everyday politics and opinions. Thus, the idea of the impartial judge entails authoritative power as its source is imagined to be beyond the contingency of politics. However, within most contemporary liberal democratic societies, politics and law are intertwined, philosophically, historically, as well as in practice. As legal scholar John Ferejohn illustrates:

⁶⁵ Plato, The Apology of Socrates, 35,c,
<http://www.sjsu.edu/people/james.lindahl/courses/Phil70A/s3/apology.pdf>

*In a republic, the legislative power is supposed to be exercised, directly or indirectly, by the people; and power for and by the people is the principal source of direction and legitimacy in a democratic government. For this reason, the legislative power is always, initially, vested in a representative legislature.*⁶⁶

In contemporary democracies a great deal of what elected political representatives do, at least ideally, is to deliberate about laws, amend laws, make new laws or abolish old laws. Judges, on the other hand, are usually not directly democratically elected and are viewed as impartial interpreters of the law. We therefore demand neutrality and objectivity from judges in ways that we usually do not expect from politicians, as the latter are elected because of their values and opinions. Nevertheless, it is common juridical knowledge, at least in the realist tradition, that judges do play a crucial role in the development of law, since the interpretation of law in most societies is heavily based on precedence and social and political context.⁶⁷

To some extent, politics and law have different authoritative bases and impacts, yet both are concerned with justice. French philosopher Jacques Derrida has argued that the justice system and the law build on and receive authority from a mystical foundation. By ‘mystical foundation’ he means that in its inception, authority is neither legitimate nor illegitimate, but essentially violent as long as it is without reference to any higher authority. In stating a new order, a new law and new relations of power, it dismisses the ‘old’ authority in an act of violence, and the subsequent reason for the new order is to justify its initial violence. By this, Derrida means, that the authoritative legitimacy of a society’s laws is fragile. In addition, the justice system and the law are built on an idea of justice, which, they however, at every point of decision, always betray. According to Derrida, the idea of justice is that it is incalculable and non-measurable, but institutionalized justice as it appears in the practical reality of jurisprudence is precisely about comparing and generalizing and measuring, applying a general rule to particular cases. Thus, one of the aporias of justice is that “justice is the experience of the impossible”, meaning that “every time that we placidly apply a good rule to a particular case, to a correctly subsumed example [...] we can be sure that law (droit) may find itself accounted for, but certainly not justice”.⁶⁸

Hence, with Derrida we could say that transcendent justice belongs to the realm of the political, in the conflictual indecisive mode. The idea of justice

⁶⁶ John Ferejohn, “Judicializing Politics, Politicizing Law”, *Law and Contemporary Problems*, Vol. 65, No. 3, (Summer, 2002), pp. 41-68, Duke University School of Law.

⁶⁷ Richard A. Posner, “Realism about Judges,” *Northwestern University Law Review* Vol. 105, No. 2, (Northwestern University School of Law, 2011).

⁶⁸ Jacques Derrida, “The Force of Law: the ‘Mystical Foundations of Authority,’” Mary Quaintance (trans.), *Cardozo Law Review*, 11:919 (1990), p. 947.

beyond the law is a plane in which the possibility of justice is forever open, while the institutionalized justice of the legal system denies the same possibility it has always already decided what is just. Anything which is outside the law, appears as a violent threat to it.

This aporia informs us of the dilemma of rights-based politics, while the legal system is our common institutionalized way of following the idea of justice – it has the authority and power to change the conditions of our lives and social possibilities – a judicial verdict also forecloses possibilities of further politicization. I argue that we can view the tradition of the People’s Tribunal as being built around this idea of ‘justice beyond the law’. While appropriating the grammar of jurisprudence it demonstrates the fragile (mystical) foundations of law, the initial violence of the law. The actors behind the People’s Tribunals deconstruct the authority of jurisprudence by mimicking its framework and rhetoric, while also seeking recognition from institutionalized, authorized law. This is because justice has two sides: the institutionalized side that circumscribes our lives in the common world, and the idea of justice beyond the law that constitutes a driving force for politics.

To the discussion about the aporias of justice I would like to add the components of narrativity, uniqueness and social structures. Every case has not only *one* story but at least *two*, since when there is a conflict at hand, there are at least two parties with somewhat conflicting stories. Thus, every case is unique in some sense, as we are all unique and have our own experiences and life stories. Consequently, every case is different from every other case as well as different within itself. Yet, social structures mold so many lives into the same form and many individuals therefore, to some extent, tell ‘the same story’.

Testimony and Politics

Narratives, testimonies and tales of individual fates are a well-used strategy for mobilizing moral or political sentiments. In her analysis of storytelling as a method of protest in America during the 1960s, sociologist Fransesca Polletta lists some of the contradictive sociological features of storytelling. Stories are commonly seen as being so normatively compelling that if a speech entails a coherent enough narrative we become persuaded to act according to the message of the story. Yet, stories can also have the exact opposite effect such as in cases when they are judged to be mere rhetoric. Moreover, Polletta points to another tension in popular views on storytelling concerning how stories are thought of as both authentic and as deceptive. On a cultural and discursive level, she explains how stories, on the one hand, can be seen as universal in their applications and,

on the other, as dangerously particularistic and even idiosyncratic.⁶⁹ This double-edged feature of stories and storytelling is something that runs through the history of personal storytelling in political settings.

During the period after 1990, events organized around the sharing of personal stories in order to mobilize for social and political change have increased as I previously discussed in relation to the rise of the human rights discourse. In light of the popularity of personal narratives in the public sphere, in relation to political and social mobilization, it is easy to agree with literary scholar Shoshana Felman's suggestion that "testimony is the literary – or discursive – mode par excellence of our times".⁷⁰ Similarly, cultural critics Sara Ahmed and Jackie Stacey have talked about how we are living in a kind of "testimonial culture."⁷¹

They have argued that the desire to testify pervades contemporary culture, something which manifests in the imperative to speak out and tell one's story. This, according to them, is an imperative that "operates across the traditional boundaries of public and private spaces, and is mobilized by disenfranchised subjects and celebrities alike."⁷² They also mention the United Nations and the concept of human rights with which the organization operates, which is attached to a duty to report rights abuses all over the world, "to both bear witness and to speak, and indeed to close the gap between witnessing and speech." Ahmed and Stacey further draw attention to certain affective implications of this culture, which brings with it new obligations of witnessing:

*Readers, viewers, spectators, consumers are all required to become witnesses as they participate in different cultural forms. The demand to match the testimonial moment with the appropriate witness response may produce ambivalent and conflicted reactions: sympathy, terror, relief, recognition, empathy, anger, resentment, denial and disbelief.*⁷³

They argue that this proliferation of testimonial forms brings with it "an extension of the legal domain into other realms of politics and culture." Notions of 'justice' have accordingly become closely associated with witnessing, testifying and truth telling. The position of the witness and the position of the victim have become aligned. Ahmed and Stacey explain: "Both [victim and witness] are presented as the site from which justice can be delivered, and the trauma of the

⁶⁹ Francesca Polletta, *It Was Like a Fever: Storytelling in Protest* (The University of Chicago Press, 2006), p. xi.

⁷⁰ Shoshana Felman and Dori Laub, *Testimony, Crises in Literature, Psychoanalysis and History* (London: Routledge, 1992), 5.

⁷¹ Sara Ahmed and Jackie Stacey, "Testimonial cultures: An introduction," *Cultural Values* 5:1 (January 2001), p. 1-6.

⁷² *Ibid.*

⁷³ *Ibid.*

nation, community or individual healed.”⁷⁴ Hence, politics become closely bound up with finding out the truth, just like in a courtroom. This is the procedure within which we are familiar in a courtroom, that handles specific cases within the framework of existing laws. However, certain historical injustice or injustice of particular groups that transcend the scope of law because it concerns an idea of justice ‘beyond the law’ to refer to Derrida, will not become decided upon in the same ways as particular cases in courts of law. In this context Shoshana Felman discusses the relation between trials and traumas, which she argues, have been “conceptually articulated” since the Nuremberg trials in the aftermath of the Second World War,

*In the wake of Nuremberg, the law was challenged to address the causes and consequences of historical traumas. In setting up a precedent and a new paradigm of trial, the international community attempted to restore the worlds balance by re-establishing law’s monopoly on violence, and by conceiving of justice as not simply as punishment but as a marked symbolic exit from the injuries of traumatic history: as liberation from violence itself.*⁷⁵

Politics in this sense become dependent on a higher authority that legitimately decides on what is right and just. Ahmed and Stacey argue further: “If testimony is bound up with justice, then its coming into being also registers the crisis in both of these concepts; for one testifies when the truth is in doubt.”⁷⁶ What they mean by this is that the truth becomes an object of doubt in situations when injustice has occurred and the conflicting parts try to give evidence for their truth in the matter, in their waiting for a verdict, which decides on what is just and unjust. Hence, Ahmed and Stacey connect “the proliferation of testimonial forms” to a “collapse of the boundaries between the legal, the political and the cultural [...] precisely because ‘truth’ itself has come under appeal.”⁷⁷ Furthermore, implicit in the courtroom symbolism is that it concerns first of all what has already happened, an injurious past to refer to Wendy Brown, instead of deliberating about the future, as I will discuss in more detail further on.

Now, similarly, discussing the ‘crisis for truth’ that the notion of the witness entails, historian of ideas Michael Azar traces the idea of the ‘credible testimony’ in Western philosophy and Christian theology from antiquity until the present day. In his essay *Vittnet* (Eng: *The Witness*) Azar reflects on how the reliable and credible witness is understood as someone or something that accurately accounts

⁷⁴ Ibid.

⁷⁵ Shoshana Felma, *The Juridical Unconscious, Trials and Traumas in the Twentieth Century* (Cambridge MA: Harvard University Press, 2002), p. 1.

⁷⁶ Ahmed and Stacey, “Testimonial Cultures.”

⁷⁷ Ibid.

for the truth about oneself or about general matters of fact.⁷⁸ Through various examples, Azar offers an account of philosophical discussions about testimonies of truth and the ideas they entail about the possibility of accessing true knowledge, independent of interpretations, subjective perspectives or eschewed accounts and memories. Ideas surrounding the credible and reliable witness touch upon classic philosophical themes such as the relationship between the original and a copy, experience and thought, language and world, discourse and truth, and knowledge and power.

Azar tells how Socrates, in Plato's account, raised the philosophical implications of the reliable witness, while at the same time pleading for the necessity of something unquestionable, something or someone whose words can be trusted without a doubt. The problems that Socrates faces are that no matter how many witnesses testify about a certain event or the truth regarding some matter, there is always a possibility that the testimonies are false and therefore do not offer decisive arguments. There is, according to Socrates, only one witness whose testimony is beyond all doubt, and that is God. According to this Western theological, philosophical and juridical tradition, the reliable witness is always more or less dependent on an original authority, whose word and truth coincide and whose task is to testify to the witness' own reliability. Consequently, God has long served the position of the ultimate witness in the all-encompassing chain of doubt and fluctuating knowledge in the Western tradition of thought. The word of God is the truth and accordingly God's testimony is a self-referential movement of truth.

Testimonies, Stories and Politics

Furthermore, there is an aspect of narrativity, testimonies and storytelling that relates to individuation, sense of self, recognition and subjectivity. The desire to tell one's story, to put private experience into words and a narrative form for others to hear and recognize is so characteristic of our times that it feels like an essential part of the human condition. Our shared world is full of personal stories. There are stories of success and misfortune, gains and losses, love and empathy or violence and trauma. Until recently, the main channels were books, magazines, television and radio but now social media offers 'ordinary' people access to a public audience, online, directly from their own private space. The theoretical perspectives on this cultural trend vary.

Michel Foucault has famously analyzed the desire, which he saw increasing with modernity, to 'talk about oneself', in terms of confession. In his *History of Sexuality*, he writes,

⁷⁸ Michael Azar, *Vittnet*, (Göteborg: Glänta, 2008).

*We have since become a singularly confessing society. The confession has spread its effects far and wide. It plays a part in justice, medicine, education, family relationships, and love relationships, in the most ordinary affairs of everyday life, and in the most solemn rites; one confesses one's crimes, one's sins, one's thoughts and desires, one's illness and troubles; one goes on about telling, with the greatest precision, whatever is most difficult to tell.*⁷⁹

For Foucault, the confessional culture is connected to both subjectivation and power. He argues that we have become so accustomed to the idea that power is restraining, that it “holds us down and pins us down”, that we believe that the “revelation of all that which is inside of us” will make us free.⁸⁰ Foucault’s ideas about confessional culture are related to his theory that modern power relations are structured around the Christian mode of pastoral power.⁸¹ In effect, by confessing, Foucault argues, individuals take an active part in their own surveillance as they deliver to power knowledge and truth about their most hidden self – simultaneously fostering the idea of an inner self that needs to be expressed, a truth waiting to be revealed.

Drawing on Foucault, Wendy Brown has analyzed feminist Consciousness raising as a form of confessional discourse – as disciplining rather than liberating and cultivating what she refers to as ‘wounded attachments’. She argues that political solidarity that is based on a common injury tends to be more occupied with identity than with values or political goals that transcend the emphasis on recognition. Furthermore, she points to the paradox involved in the situation where political identity and therefore solidarity run the risk of becoming dependent on the same victimhood that the group struggles against. In this context she refers to Nietzsche’s analysis of ‘ressentiment’, which entails an idea of a righteous and innocent critique of power, something which, in turn, perpetuates a moralistic idea of the ‘good’ and powerless, versus the ‘evil’ and powerful. Political solidarity, Brown argues, could (and perhaps should) be based on more affirmative dimensions that transcend identities and harm.⁸² In this regard, Brown provocatively asks: “What kind of attachments to unfreedom can be discerned in contemporary political formations ostensibly concerned with emancipation?”⁸³

According to her, this is a characteristic feature of social and political movements in late modernity that are grounded in identity. She insists that this

⁷⁹ Michel Foucault, *The History of Sexuality, Volume 1: An Introduction*, Robert Hurley (trans.), (New York: Vintage Books, 1990 [1978]), p. 59.

⁸⁰ *Ibid.*, p. 60.

⁸¹ Ben Goulder, “Foucault and the Genealogy of Pastoral Power,” *Radical Philosophy Review* 10:2 (2007).

⁸² Wendy Brown, *States of Injury: Power and Freedom in Late Modernity* (Princeton University Press: New Jersey, 1995).

⁸³ *Ibid.*, p. 27.

perspective “delimits a specific site of blame for suffering by constituting sovereign subjects and events as responsible for the injury of social subordination.”⁸⁴ Accordingly, Brown argues, the identities of the injured become fixed as social positions, which further leads to the codifying of the “meanings of their actions against all possibilities of indeterminacy, and struggle for resignification or repositioning.”⁸⁵

The Narrated Self and Politics

In contrast to Brown, Adriana Cavarero values narrativity as a source of political subjectivity. Cavarero puts the desire for a life story at the center of political subjectivity. Thus, she has written about consciousness raising from a slightly different angle than Brown, who draws on the philosophy that focuses on discipline and subject formation. Influenced by Hannah Arendt, Cavarero considers the ground for politics to be simply the fact “that human beings live together and are constitutively exposed to each other through bodily senses”.⁸⁶ As Arendt speaks about a constitutive exposure of the self in a shared world, Cavarero adds the idea of the narratability of the self. According to Cavarero, the narration of a life story offers an alternative sense of politics since it deals with unique persons and illustrates their interaction.

*As the direct descendant of the natal impulse towards self-exhibition, the human faculty of action bears indeed, in Arendt’s view, the task of actively revealing the uniqueness of personal identity. Actively revealing oneself to others, with words and deeds, grants a plural space and therefore a political space to identity – confirming its exhibitivite, relational and contextual nature.*⁸⁷

Cavarero takes the consciousness-raising groups that were active in the late 60s and 70s as examples of scenarios in which the self became constitutively exposed to the other, something that turned it into a political space. She names the impulse of self-narration as typically feminine and, at its root, a “passage of a rather diffuse habit in the everydayness of female relations to the relatively stable and organized form of the group.”⁸⁸ The desire driving this collective action is ‘self-expression’ in the double sense of both “actively expressing one’s own self and of finding the words that translate that exposition into narrative form.”⁸⁹ Needless to say, language and recognizable narration are part of a social world

⁸⁴ Ibid.

⁸⁵ Ibid.

⁸⁶ Paul A. Cottman, “Translators Introduction,” in Adriana Cavarero, *Relating Narratives*, p. ix.

⁸⁷ Adriana Cavarero, *Relating Narratives*, p.22.

⁸⁸ Ibid., p. 59.

⁸⁹ Ibid.

that predates the particular narrative. The point is that since narration is relational, it is political in the Arendtian sense, because it constitutes a shared and interactive space. As her English translator Paul Cottman points out, Cavarero's 'narratable self' differs from ideas about the classical 'subject' or 'subject formation'. Hence, what makes narration a political act is rather the fact that it reveals the fragility of the unique, than the fact that it invokes a struggle of a collective subjectivity.

The narratable self, according to Cavarero, is driven by what she recognizes as the justifiable fear "that the partially unexposed is partially non-existent". In the practice of consciousness raising the narratable self satisfies her desire for a life story which coincides with a desire for an identity. Moreover, "there is a privileging of the word as the vehicle of a desire for identity that only the narrated form seems able to render tangible".⁹⁰ Cavarero further argues that "The 'thesis of an intrinsic authenticity of the personally lived,' which has always sustained the female friendship-relation," makes itself explicit in consciousness-raising practices and thus forms an "interactive significance that assumes the exhibitivistic characteristics of action."⁹¹ Still, the gender identity constructed on this political scene that allowed each woman to expose and narrate her uniqueness cannot avoid producing a contradictory effect as it invites each woman to identify with all other women.

In the reflection of the one in the other, the very personal identity that is consigned to the tale of an unrepeatable life story runs the risk of losing its expressive reality and founding itself in the common 'being women' that is represented here. 'I am you, you are me, the words which one says are women's words, hers and mine.' The empathy risks producing a substance.⁹²

Cavarero thus highlights here the tension inherent in the practice of collective consciousness raising that relates to the desire for the unique and the particular on the one hand and on a collective identification on the other. Yet she attends to the constitutive desire for an identity and posits it as a precondition for politics.

Research Context

This dissertation is written within the discipline of the history of ideas and this affects my perspectives and methods, respectively. However, the subjects I explore are of an interdisciplinary character, point in various directions and touch

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² Ibid., p. 60.

upon different fields, namely, legal studies, feminist theory, gender studies, history, sociology and human rights scholarship, to name a few. Some aspects of this dissertation, for example, the notion that ‘the personal is political’ and feminist ideas about the public and the private, are thoroughly explored topics within feminist theory and gender studies.⁹³ Similarly, studies of the relationship between subjectivity and witnessing are a growing field within literature, human rights studies and philosophy. I am not therefore working on unchartered ground. On the contrary, the main topics could be said to be central to cultural theory and studies on emancipatory political movements.

Nevertheless, as far as I am aware, the people’s tribunal tradition, and particularly its feminist appropriation, has not previously been discussed in relation to the history of ideas of feminist theory. People’s tribunals, sometimes referred to as opinion tribunals, ethical tribunals or conscience tribunals, probably sound foreign to readers outside the discipline of international law and human rights.⁹⁴ This is reflected in research, since the literature on people’s tribunals has been within the discipline and perspective of legal theory, with a few exceptions. I have divided the research context into two thematic sections that reflect the various disciplines I draw on and which I aspire to dialogue with, starting with ‘Human Rights Critique’, and continuing with ‘Conflicting Narratives on the ‘Second Wave.’

Human Rights Critique

Anthropologist and legal theorist Marie-Bénédicte Dembour’s identification of four schools within human rights scholarship has been helpful when I have been orienting myself in this wide and growing field of literature. The first school identified by Dembour is what she refers to as “natural scholars”. This school considers human rights as *given* and based on nature, God, reason or any other transcendental cause. This perspective entails a view of the existence of human rights as being independent from their social recognition, and that their universality derives from their naturalness. Secondly, there are the “deliberative scholars” who see human rights as socially constructed and *agreed upon*. The deliberative school conceives human rights as “political values that liberal societies choose to adopt”. Thirdly, there are “protest scholars” who argue that human rights are *fought for* by unprivileged, poor and oppressed people. Protest scholars are, according to Dembour, usually occupied with redressing injustice in concrete cases and they view human rights as “claims and aspirations that allow the status quo to be contested in favor of the oppressed.” Even if many of the

⁹³ Joan B. Landes (ed.), *Feminism, the Public and the Private*.

⁹⁴ Andrew Byrnes and Gabrielle Simm, (eds.) *People’s Tribunals and International Law*.

protest scholars would adhere to a view on human rights as being based on some transcendental plane, philosophical sources are not their primary concern but concrete social struggles. Lastly, there are the “discourse scholars” who look at human rights as a discourse, as *talked about*. Since the way in which I approach the human rights turn is a form of discourse, the research I discuss below is more or less limited to this perspective.

The aftermath of the Second World War and the drafting of the Universal Declaration of Human Rights is frequently referred to as a marker of new emerging ethics in international relations. Yet, as Samuel Moyn has recently argued, the human rights discourse does not seem to have gained the central position in public political and moral discourse it occupies today until the 1970s, when other utopian visions were considered to be facing bankruptcy. Even in the 1960s, during the legitimization crisis for the Cold War superpowers, other visions with different rhetoric such as national liberation and anti-imperialism dominated the discourse of dissidence. These utopian visions called for “community at home” in the United States, “socialism with a human face” in the Soviet Empire or liberation from neo-colonialism in the Third World.⁹⁵

In 1968 the United Nations held a conference on Human Rights in Tehran. By then, very few organizations worked under the banner of Human Rights and those that did, like Amnesty International, were not very known.⁹⁶ In this regard, Moyn claims that the moral world of Westerners shifted over the course of the 1970s, “seemingly out of nowhere [...] opening a space for the sort of utopianism that coalesced in an international human rights movement that had never existed before.”⁹⁷ Amnesty International finally became visible in the mid-70s, becoming, in Moyn’s words “a beacon of new ideals” and in 1977 the organization won the Nobel Peace Prize for its work. According to Moyn, the popularity of the human rights ideals and rhetoric paved the way for a new kind of internationalist citizen advocacy. Thus, Moyn argues: “Westerners left the dream of revolution behind [...] and adopted other tactics, envisioning an international law of human rights as the steward of utopian norms.”⁹⁸

Similarly, Wendy Brown has written extensively on the prevalent discursive dominance of liberalism in our contemporary political imaginary. Her analysis of the human rights discourse is that human rights are frequently described as a kind of ‘antipolitics’, “a pure defense of the individual against immense and potentially cruel or despotic machineries of culture, state, war, ethnic conflict, tribalism, patriarchy, and other mobilizations or instantiations of

⁹⁵ Moyn, *The Last Utopia*, p. 3.

⁹⁶ *Ibid.*

⁹⁷ *Ibid.*, p. 11.

⁹⁸ *Ibid.*, p. 4.

collective power against individuals.”⁹⁹ Contrary to this image of human rights as somehow being universally good, neutral and beyond politics, Brown argues that they do indeed constitute a specific moral-political project. Moreover, the human rights project has the effect of displacing, competing with, refusing and rejecting other political projects and imaginaries, and should therefore be judged and evaluated as such.

To illustrate her points about the implicit moral-political discursive operations of human rights, Brown analyzes Canadian historian and former politician Michael Ignatieff’s pragmatic and minimalist plea for human rights in his Tanner lecture from 2001, *Human Rights as Politics and Idolatry*.¹⁰⁰ She explores his ‘minimalist’ description of human rights and concludes that his view in fact entails a number of political values and is therefore not as minimalistic as he would like to convey. Brown consequently criticizes the minimalist discourse about human rights as “the most we can hope for”.¹⁰¹ She argues that it depicts certain social problems that are inevitable and beyond human control. As such, human rights appear as a legitimation of the liberal democratic, market-based system as the only alternative means of organizing our societies. Instead, Brown asks what kind of other justice projects the human rights discourse precludes, and asks: “What kinds of subjects and political (or antipolitical) cultures do they bring into being as they do so, what kinds do they transform or erode, and what kinds do they aver?”¹⁰² Her questions concern the implications that accompany the trend to position human rights as the most progressive, meaning the least harmful, international justice project.

Considering the practical side of the women’s human rights framework at the United Nations, the work of anthropologist Sally Engle Merry is very informative. She has analyzed the procedures of the CEDAW committee regarding violence against women by conducting ethnographic research into their meetings and government hearings. The CEDAW committee monitors the implementation and compliance of the *Convention of the Elimination of All Forms of Discrimination Against Women* (CEDAW), which is often referred to as the Women’s Convention. It constitutes the main United Nations treaty governing women’s status and is also one of the major instruments produced by the international human rights system in its endeavor to prevent violence against

⁹⁹ Wendy Brown, “The Most We Can Hope For...’ Human Rights and the Politics of Fatalism.”

¹⁰⁰ Michael Ignatieff, *Human Rights as Politics and Idolatry*, (Princeton, NJ: Princeton University Press, 2001).

¹⁰¹ *Ibid.*, p. 453.

¹⁰² Wendy Brown, “The Most We Can Hope For...’ Human Rights and the Politics of Fatalism,” p. 453.

women.¹⁰³ It is legally binding for state parties and has thus been theoretically incorporated into the national legal systems of ratifying countries.¹⁰⁴

Engle Merry notes that although CEDAW is a law without sanctions, her study of the CEDAW committee's processes states that it does "important cultural work by articulating principles in a formal and public setting and demonstrating how they apply to the countries under scrutiny."¹⁰⁵ According to Engle Merry, the processes of ratification, preparation and presentation of reports from state parties promotes new cultural understandings of gender and violence. National as well as international NGOs play a crucial role in this process by writing alternative so-called 'shadow' reports about the situation in each country to counter the tendency of government officials to make their respective governments appear in the most favorable light.¹⁰⁶

Engle Merry further demonstrates how the seemingly neutral, yet progressive values of the CEDAW committee is contrasted with "Backward people and ethnographic minorities" that supposedly do not respect the human rights of women.¹⁰⁷ Engle Merry argues thus that "the human rights regime articulates a particular cultural system, one rooted in secular transnational modernity."¹⁰⁸ It is a cultural system that regulates admission into the international community of "human rights-compliant" states. This culture is part of a wider picture connected to the post-Cold War period when ideas about legitimate sovereignty resting on democratic governance and humane treatment of citizens had increased resonance. Thus, acceptance of human rights has become the new international "standard of civilization", which is reflected in how they increasingly became a defining factor for the understanding of state sovereignty. These ideas, Engle Merry argues, "resonate with colonial era conceptions of what it means to be a 'civilized' nation and a respected member of the international community."¹⁰⁹

Engle Merry identifies two different notions of the concept of culture in the CEDAW context that include official texts and later instruments such as the DEVAW (Declaration on the Elimination of Violence against Women), the Beijing Platform for Action, as well as in the committee's discussions with government representatives. The first she connects to an old (and, from an anthropological perspective, outdated) vision of culture, as static, fixed and bounded. This can be identified in statements like those of the CEDAW committee in which it encourages state parties to seek and change "harmful traditional practices"

¹⁰³ Sally Engle Merry, "Constructing a Global Law – Violence against Women and the Human Rights System," *Law & Social Inquiry* 28:4 (2003), pp. 941–977.

¹⁰⁴ *Ibid.*

¹⁰⁵ *Ibid.*, p. 943.

¹⁰⁶ *Ibid.*

¹⁰⁷ *Ibid.*

¹⁰⁸ *Ibid.*, p. 945.

¹⁰⁹ *Ibid.*

rooted in custom and tradition. Accordingly, government representatives often represent women's disadvantages as being rooted in traditional patriarchal culture, thus picturing an "apparently fixed and homogenous cultural space that seems beyond intervention and change."¹¹⁰ The second notion suggests that culture is fluid. This notion is discursively linked to 'Western' industrialized countries and can for example be identified in the committee's arguments for the need of reforms that are rooted in existing practices and religious systems in order to be accepted locally. Engle Merry connects the former static notion to racialized understandings of otherness with clear links to a colonial worldview. The latter, however, she interprets as being closer to current anthropological notions of culture as "a process of continually creating new meanings and practices that are products of power relationships."¹¹¹ Merry Engle argues, based on her ethnographic investigation, that specialists of the CEDAW committee and government representatives generally identify themselves with the notion of culture as being fluid and open to contestation. In contrast, communities in poor, rural and marginal areas are portrayed as being static and traditional, bound by patriarchal customs that are harmful to women. She concludes that although compliance with the international human rights standards seems to be desirable for governments of state parties, there is a tendency to blame failures on the culture of poor, rural and marginal people.¹¹²

Thus, Engle Merry both emphasizes the power of the international human rights instrument to affect norms and culture, while also warning of a dichotomized view about the culturally fluid transnational space of civilization and progress on the one hand and the culturally static, poor, rural and marginal uncivilized on the other. Engle Merry suggests that a discursive world is created in these international human rights forums that "juxtaposes culture to the law".¹¹³ In these settings, culture is seen as that which is "out there, in the hinterland, with the minorities, while here there is law, with culture hiding from view, buried in the everyday practices of modernity." Engle Merry argues for more coherence in the conceptions of culture:

*The Village and the UN are on the same terrain, although clearly unequal in power. Cultural production takes place in each of these locations, as preexisting pieces are reconstituted and rearranged.*¹¹⁴

¹¹⁰ Ibid., p. 947.

¹¹¹ Ibid.

¹¹² Ibid., p. 965.

¹¹³ Ibid., p. 974.

¹¹⁴ Ibid.

The family resemblance of discourses of development, human rights and ‘civilization’ has given rise to critique from a post-colonial perspective. In this regard, legal scholar Ratna Kapur has criticized the prevalence of the human rights discourse and women’s rights discourse in particular, and the neo-colonialism in which they are embedded. She claims that “The human rights promise of progress, emancipation and universalism has been exposed as myopic, exclusive and informed by series of global panics, especially a panic over national security, sexual morality, and cultural survival in the contemporary period.”¹¹⁵ Furthermore, she criticizes what she refers to as “the victimization rhetoric” of the international violence against women campaigns and the international human rights system’s focus on the same theme. Kapur argues that “Third World victim subject” has come to represent an idea of the “real and authentic victim subject”, which feminist politics in the international arena has promoted while advocating for women’s human rights.¹¹⁶ Her main argument is that the focus of international women’s rights as human rights campaigns on violence against women reinforces gender and cultural essentialism. Consequently, these essentialist assumptions have been displaced into a Third World–First World divide that “resurrects the ‘native subject’ and justifies imperialist interventions.”¹¹⁷

In a similar way to Engle Merry, Kapur criticizes the way in which the invocation of culture is used to explain different forms of violence against women. This, in turn, has resulted in what she calls a ‘reification of culture’ and especially the culture of “Third World” people or those living in a condition of post-coloniality. One example of this is how the issue of dowry violence is treated in national as well as international women’s human rights discourses, that is, as part of an ancient Indian tradition. Dowry murders in India have frequently been explained by appealing to broad assumptions about women and fire and the assertion that the burning of women is sanctioned by Indian cultural or religious tradition. The act is framed as a cultural practice and, in turn, presents the entire culture as being barbaric and uncivilized in its treatment of women. While in fact, much of the ‘barbarous’ acts have a history that dates to a period after the intrusion of colonialism and the accompanying influences by imperial rulers.¹¹⁸

Finally, both Engle Merry’s and Kapur’s critiques are akin to legal scholar Dianne Otto’s genealogy of the female subjects of human rights law in international instruments through the 20th century. In the human rights

¹¹⁵ Ratna Kapur, “Human Rights in the 21st Century: Take a Walk on the Dark Side,” p. 665.

¹¹⁶ Ratna Kapur, “The Tragedy of Victimization Rhetoric: Resurrecting the Native Subject in International/Postcolonial Feminist Legal Politics,” *Harvard Human Rights Law Journal* 15 (2002), p. 1.

¹¹⁷ *Ibid.*, p. 2.

¹¹⁸ *Ibid.*, p. 13.

instruments she identifies three recurring female subjectivities which, although different, overlap and “have otherwise complex and productive interrelationships.”¹¹⁹ The first of these female subjectivities is the figure of the wife and the mother in need of protection, during both times of war and peace. She is represented more as an object than a subject of international law. Secondly, there is the “woman who is ‘formally equal’ with men, at least in public life”.¹²⁰ And lastly, there is the victim subject who, according to Otto, is “produced by colonial narratives of gender and notions of women’s sexual vulnerability”.¹²¹ These subjectivities, Otto argues:

*are produced in contradistinction to the dominant male representations that they sustain: the protected subject is constituted by her ‘protector’ in the form of the head of the household and, in times of war, the combatant; the formally equal subject is produced by the masculine standard against which her claims to equality are assessed; and the ‘victim’ subject is created by the masculine bearer of ‘civilization’ who rescues ‘native’ women from ‘barbarian’ men.*¹²²

Otto emphasizes how international legal discourses reproduce sexed subjects that are concentrated around ideas about men as protectors and women as the protected. Consequently, international law ‘sexes’ its subjects, “(re)producing unequal relations of gender and power.”¹²³ Among Otto’s most crucial premises is that the worldwide women’s human rights campaigns, engaging activists, victims, policy-makers and lawyers have revealed that “women are systematically marginalized by the masculine standards and conceptions of the regime.”¹²⁴ She also argues that women have been present all along in international legal texts even when there are no direct references to sex or gender. The immediate and unquestioned subject of international law is masculine, one which is discursively created by negating the feminine. Thus, in 1946, when women’s rights advocates made efforts to include women’s rights in the drafting of the Universal Declaration of Human Rights, according to Otto, they “did not start with a clean slate.”¹²⁵ Women had “already been constituted as a subjugated category, more often implicitly than explicitly, by international legal instruments, which helped to shape what was possible in the post-war ‘moment’.”¹²⁶

¹¹⁹ Dianne Otto, “Lost in translation: re-scripting the sexed subjects of international human rights law.” (ed.) Anne Orford, *International Law and its Others*, (Cambridge: Cambridge University Press, 2006), p. 320.

¹²⁰ *Ibid.*

¹²¹ *Ibid.*

¹²² *Ibid.*

¹²³ *Ibid.*, p. 318.

¹²⁴ *Ibid.*, p. 319.

¹²⁵ *Ibid.*, p. 321.

¹²⁶ *Ibid.*

Thus, the incorporation of the distinction of sex and gender in international legal discourse misses “how law produces its subjects”, because “there is no natural subject who precedes representation in law.”¹²⁷ Legal texts and practices constitute the subjects of law and thus play a “particularly powerful role in the processes that (re)produce and naturalize dominant social norms and practices, including those that normalize women’s inequality.”¹²⁸

Conflicting Narratives about the ‘Second Wave’

Emerging from the ferment surrounding the New Left, the “movement for women’s liberation” began life as an insurrectionary force, which challenged male domination in state-organized capitalist societies of the postwar era. [I]nsisting that “the personal is political,” this movement exposed capitalism’s deep androcentrism and sought to transform society root and branch. Later, however, as utopian energies began to decline, second-wave feminism was drawn into the orbit of identity politics...¹²⁹

Nancy Fraser’s narrative above frames contemporary feminism as a de-politicized version of the more radical currents of second-wave feminism, as it has let itself be lured by liberal forces of the global market economy. Fraser’s view is shared by many scholars who consider the ‘gender equality discourse’ of today (thought to be characteristic of the work carried out in institutions like the United Nations), to be a de-politicized co-optation of feminist discourse. Thus, in their critique of the international gender equality project promoted, most prominently, by the United Nations, a number of scholars have in various ways argued that feminism has been hijacked by neo-liberalist state policies, and feminists therefore unwittingly contributed to post-modern techniques of governmentality.¹³⁰

The ‘feminism’ that is considered to have been co-opted or seduced often refers to an ideal image when the feminist movement presumably was truly political and aimed for structural system change. Entailed in this narrative is also a critique of the emphases by contemporary social movements on identity and recognition, who have, in Fraser’s terms been led astray by the liberal worldview.

¹²⁷ Ibid., p. 319.

¹²⁸ Ibid., p. 320

¹²⁹ Nancy Fraser, *Fortunes of Feminism, From State Managed Capitalism to Neoliberal Crisis*

¹³⁰ See for example Hester Eisenstein, *Feminism Seduced: How Global Elites Use Women’s Labor and Ideas to Exploit the World* (Paradigm Publishers, 2009); Kristin Bumiller, *In an Abusive State, How Neoliberalism Appropriated the Feminist Movement against Sexual Violence*; Nancy Fraser, *Fortunes of Feminism*.

For example, in the introduction to her *Fortunes of Feminism*, Fraser appeals to future historians to:

*“eventually explain how neoliberalizing forces succeeded, for a time at least, in defusing the more radical currents of second-wave feminism – and how (one hopes) a new insurrectionary upsurge managed to reanimate them”.*¹³¹

Similarly, Hester Eisenstein has argued in her *Feminism Seduced, How Global Elites Use Women’s Labor and Ideas to Exploit the World* that: “The many and varied feminist struggles of the 1970s have been selectively filtered into what [she calls] hegemonic, mainstream feminism, of a kind that can be readily used by people whose motives are anything but women-friendly.”¹³² Contrary to Fraser’s and Eisenstein’s somewhat nostalgic presentation of the second wave, Nanette Funk, another American philosopher and specialist in feminist movements, argues that, in fact, most ‘second-wave’ feminism, at least in the United States, was liberal and focused on the struggle against discrimination against women within the current socio-political system and on legal reforms.¹³³ Furthermore, Funk argues, the radical strands of the second wave, often referred to as the women’s liberation movement, were not primarily concerned with criticizing capitalism but sexism, as the radical feminists criticized what they perceived as the reductive ‘economism’ of the left. Hence, Funk argues convincingly that a simple narrative about the depoliticization of feminism does not bear historical scrutiny.

Concerning the other more ‘negative’ critique of ‘second-wave’ feminism, what stands out are generalizing accounts that often fail to consider actual sources, but simply utilize the term ‘second wave’ to describe something that is theoretically and politically passé for good reasons. This line of critique has for example been articulated by activists and scholars in the name of ‘third wave feminism’ in the period around the millennium shift. For example R. Claire Snyder discusses the contribution of ‘third wave feminism’ and argues that it responds to the “theoretical problems within the second wave.”¹³⁴ Furthermore, and interesting considering my focus in this dissertation she mentions that “in response to the collapse of the category ‘women,’ the third wave foregrounds personal narratives that illustrate an intersectional and multiperspectival version

¹³¹ Nancy Fraser, *Fortunes of Feminism*, p. 1.

¹³² Hester Eisenstein, *Feminism Seduced, How Global Elites Use Women’s Labor and Ideas to Exploit the World*, (Boulder and London: Paradigm Publishers, 2009).

¹³³ Nanette Funk, *Contra Fraser on Feminism and Neoliberalism*, Hypatia, February 2013, Vol. 28 (1), pp. 179-196.

¹³⁴ R. Claire Snyder, “What is Third-Wave Feminism? New Directions Essay,” in *Signs* 34:1 (Autumn 2008), p. 175.

of feminism.”¹³⁵ Moreover, she suggests that “as a consequence of the rise of postmodernism, third-wavers embrace multivocality over synthesis and action over theoretical justification.”¹³⁶ This narrative concerning the problems involved in ‘second wave feminism’ implies that it was both monoperspectival and non-intersectional.

Feminist theorist Clare Hemmings has explored the ways in which feminist writers repeatedly tell the story of ‘Western’ feminism in terms of developmental narratives of progress or loss.¹³⁷ Thus Hemmings argues that in feminist discourse the ‘second wave’ is often presented either as a lost golden era of political edge and radical potential that failed to actualize, or as both theoretically and politically naïve and, for better or worse, succeeded by more nuanced and mature politico-theoretical discourses. These narratives, the nostalgic and the ‘historical progressivist’, sometimes represent two sides of a heated debate about the legacy of second-wave feminism, but they can also go together in a narrative that presupposes linear progress, instead of a multiple of struggles situated in varied historical and cultural contexts.

My interest in this subject springs partly from the presence of these kinds of opposing narratives concerning the legacy of the ‘second wave’ of feminist activism and theory. The ‘second wave’ keeps on returning as a reference and as an object of opposing but equally affective evaluations of the present. Instead of responding to Nancy Fraser’s call about showing how second-wave feminism let itself be hijacked, I ask a somewhat different question: What was *political* about feminist activism in the 1970s? By this I mean, what conceptions about politics and ‘the political’ flourished in the narratives of the most ‘radical currents’ of ‘second-wave’ feminism, which I refer to as women’s liberation discourse?

The wave metaphor has long since become sedimented in feminist historiographical narratives and continues to be used despite critiques. Historian Linda Nicholson notes that the wave metaphor “tends to have built into it an important metaphorical implication that is historically misleading and not helpful politically.”¹³⁸ She is critical of the association that the metaphor engenders since it might give the impression that the feminist movement constitutes one singular movement with a common history, including highs and lows in the struggle towards a transhistorical goal. Taking note of Nicholson’s critique, I argue that it would be more ‘accurate’ to see the feminist movement as a plurality of movements existing simultaneously, ending and beginning anew

¹³⁵ Ibid.

¹³⁶ Ibid.,

¹³⁷ Clare Hemmings, *Why Stories Matter, The Political Grammar of Feminist Theory* (Durham and London: Duke University Press, 2011).

¹³⁸ Linda Nicholson, “Feminism in “Waves”: Useful Metaphor or Not?,” *New Politics*, XII, 4:48, (2010), (Online: <http://newpol.org/content/feminism-waves-useful-metaphor-or-not>).

with different ideas coming and going, responding to and creating new contexts. Even though I often use the phrase ‘the women’s movement’ in the singular I nevertheless postulate this plurality in feminist history.

A similar critique, although developed from a slightly different perspective than Nicholson’s, has been posited by Hemmings, who I referred to in the previous section. Hemmings’ critique is directed to the ways in which “Western feminist theory tells its own story as a developmental narrative [of relentless progress, proliferation or homogenization].”¹³⁹ She argues that feminist historiographical narratives repeat generalizations such as the idea that feminism was preoccupied with unity and sameness in the 1970s, replaced by a focus on identity and diversity in the 80s, and developing into the emphasis on difference and fragmentation in the 90s. This view “fixes writers and perspectives within a particular decade, individual thinkers to simple periods, and repeatedly (and erroneously) positions post-structuralist feminists as ‘the first’ to challenge the category ‘woman’ as the subject and object of feminist knowledge.”¹⁴⁰

In contrast to the kind of historiography that focuses on generational shifts, Hemmings demonstrates how an oversimplified version of the history of the ‘radical feminists’ of the 1970s characterizes both critics and adherents. Demonstrating how many critics unreflectingly repeat the idea that the radical thinkers of the 1970s were naïve, essentialist and racist, she argues that this perspective simplifies the nuances of important political analysis from the era in question. Whereas, on the other hand, the nostalgic appraisers who emphasize a lost solidarity and the loss of straightforward, radical feminist critique are caught up in melancholia, grieving a sense of sisterhood which perhaps was never as united as is sometimes claimed.

The desire for a progressive feminist history can also be viewed in light of what Robyn Wiegman has called feminism’s “political time” which, with a teleological impulse, “converts feminist movement into linear narration and produces origins for feminism that inculcate affective models of debt, betrayal, and guilt as the foundation of relationships among feminists.”¹⁴¹ This kind of discourse has been around since the turn of the twentieth century and Wiegman notes that the teleological impulse entails a perspective in which contemporary feminist failure is:

[D]efined by measuring the present according to the ethos, intentions, and critical dimensions of a purportedly more activist feminist past, a time prior to

¹³⁹ Clare Hemmings, “Telling Feminist Stories,” *Feminist Theory* 6 (2005), pp. 115-139.

¹⁴⁰ *Ibid.*

¹⁴¹ Robyn Wiegman, “Feminism’s Apocalyptic Futures,” *New Literary History* 31: 4 (2000), pp. 805-825.

*both the academic institutionalization of feminism and its public-sphere decline.*¹⁴²

Wiegman in turn, borrows the term ‘feminism’s teleological impulse’ from literary scholar Judith Roof who also identifies two paradigms applied to “generations of feminism”.¹⁴³ The first paradigm is the notion of the “spontaneous generation” defined in terms of their “recognition of oppressive conditions”, characterized, as Wiegman explains, “by a kind of originary self-creation, one that occurs in the absence of a mobilizing historical consciousness of feminist activism.”¹⁴⁴ While the second paradigm, the “generational legacy” is both a consequence of and an alternative to the first one, and is characterized by a narrative about how each generation “builds on the world of the previous one, and through time women realize substantial change.”¹⁴⁵

Wiegman’s identification of the affective dimension in the discourse about generations within feminism corresponds well with my reading of how the ‘strategists’ of the 1990s situated themselves in the same tradition as the ‘spontaneous’ activists of the 1970s. Both the framework and the themes of the Brussels Tribunal in 1976 places it in the more ‘radical currents’ of ‘second-wave feminism’, to borrow Nancy Fraser’s phrase. Thus, the organizers of the Vienna Tribunal in 1993 wanted to align themselves with the radical past, at the same time as seeing themselves as their more mature successors, with revised strategies that built on lessons from the mistakes of the older generation.

Although I have selected the authors whose work I discuss in this dissertation because they are considered to be a part of the ‘second wave’, my aspiration is to not repeat the notion of waves in the history of feminist thought: the tendency to classify authors and works neatly according to decades and generational shifts. On the contrary, I agree that that kind of classification blurs important differences between authors, as well as theoretical and political strands. Nevertheless, I approach the ‘second wave’ as a discourse about a certain feminist *radicality* and political potential, which has a temporal reference, namely the 1970s. Considering the texts that I have thus far referred to as classic women’s liberation texts – the texts that I discuss in this dissertation, by Rowbotham, Millett, Mitchell and Hanichsh – there is no denying that they share common features and frameworks. An important point, however, is that they belong to the strand of the ‘second wave’ that termed itself ‘women’s liberation’. Yet, they also differ from one another on crucial matters, namely in theorizing consciousness raising and politics, which are the topics of this dissertation.

¹⁴² Ibid., p. 807.

¹⁴³ Ibid.

¹⁴⁴ Ibid., p. 810.

¹⁴⁵ Judith Roof cited in Robyn Wiegman, “Feminism’s Apocalyptic Futures,” p. 810.

Thus, the conflicting discourses on whether 'second-wave' feminism should be considered as 'radical' and more 'political', or naïve and essentialist have inspired me to take a closer analytical look at what is signified as 'second-wave feminism', particularly its more radical strands. Nevertheless, it is good to bear in mind that the notion of 'second wave' was coined by 'second wavers' themselves during the late 1960s. The 'second-wave' label is not only a later construct in feminist historiography. As Linda Nicholson explains, many women's liberationists referred to themselves as 'second wave' to pay tribute to the feminists who, at the turn of the century, most notably struggled for the right to vote. This was part of the movement to retrieve and repossess history for women, as they were virtually invisible in traditional historical accounts. Women's liberationists in the 1960s therefore regarded themselves as successors to historical women's struggles, although focusing on different matters than the expansion of legal rights. So, from what I have seen, the wave metaphor can also be an expression of historical solidarity and not necessarily a scholarly evaluation of feminist history, or a way to scold older or younger generations.

Lastly, I feel compelled to mention that I have struggled with the thought that despite my theoretical reservations and critique of the emotional pitfalls that characterize feminist historiography. I have been concerned that my choice of topic and case studies repeats precisely what the theorists above criticize, i.e. contrasting two events organized by different actors in different times and contexts, and then using them as examples to say something more about feminism in general. If that would be the case, I would be contributing to a reification of the idea of feminism as a coherent transhistorical project with a clear definition of what women's liberation or equality means. However, I have come to believe that feminism can both be seen contextual, i.e. reactive to historical and local injustices according to sex and gender, and as a utopian political project that transcends particular, local and historical struggles. This makes 'feminism' applicable for scrutiny that includes the contrasting of different historical trends that have affected 'the movement', as well as the exploration feminism as a plurality of struggles in various contexts.

2. Genealogies and the Search for Commonalities

This chapter offers an historical overview and genealogies of the threads I follow when dealing with my analytical questions. In the first section I trace the history of the people's tribunals and give an account of the Russell Tribunal in 1967. In the second section I give an account of the genealogy of international feminist activism and its relationship to institutions like the United Nations, and in the final section I discuss the rise of the human rights discourse.

The Russell Tribunal

With the aim of exploring possible similarities, differences and even discrepancies, this section is dedicated to an analysis of both the ideas and rhetoric involved in the motivation for the people's tribunal form. After presenting a brief history of the phenomenon I continue with an analysis of the discourses that characterize this tradition. It is a tradition of political dissidence in which activists make use of juridical language in a performative gesture in order to raise awareness about specific cases of injustice.

The International War Crimes Tribunal (IWCT) was regarded as the first of its kind, a 'people's tribunal' completely independent of state power.¹⁴⁶ It was held in two sessions during autumn 1967, first in Stockholm, Sweden and then in Roskilde, Denmark. It is better known as the Russell Tribunal after its initiator British philosopher and mathematician Bertrand Russell. Russell organized the event together with French philosopher and writer Jean Paul Sartre, Italian lawyer and philanthropist Lelio Basso, American activist Ralph Schoenman, among other intellectuals and activists. The members of the tribunal included French lawyer and feminist activist Gizèle Halimi, Stokely Carmichael, a prominent figure in the black power movement in the United States (then leader of the SNCC: Student Nonviolent Coordinating Committee), British politician and writer Ken Coates, Argentinian novelist Julio Cortázar and writer and philosopher Simone de Beauvoir who, nine years later, became involved in the feminist tribunal Crimes Against Women in Brussels. Most of the tribunal

¹⁴⁶ John Duffet (ed.) *Against the Crime of Silence, Proceedings of the Russell International War Crimes Tribunal* (The Bertrand Russell Peace Foundation, O'Hare Books: London and New York, 1968). According to one of the organizers, Ralph Schoenman, the tribunal was loosely modeled on the so-called Dewey Commission headed by the American philosopher and educationist, John Dewey in the nineteen thirties in relation to Stalin's Moscow Trials.

members were prominent left-wing humanists and known in their own countries for political activism or writings.

The idea was to hold an independent war crimes tribunal to hold the United States accountable for the atrocities it was responsible for in Vietnam. The story presented in the tribunal proceedings describes the background of the event. An initial spark for the idea is described as British philosopher Bertrand Russell's moral outrage concerning the United States' military campaign in Vietnam. Russell, a dedicated long-term peace activist and humanist, is said to have started gathering data from Western media as early as 1961 when he heard about the Kennedy administration's use of napalm and poison gas in a so-called counterinsurgency in Vietnam. He also collected information about other inhumane activities such as internment camps, forced labor, chemicals, gas, bacteriological weapons and fragmentation bombs used by the United States government in Vietnam. "This daily Guernica offered to the peasants of South Vietnam filled Russell with loathing and anguish", as his secretary and activist partner during these years, Ralph Shoeman, stated in the foreword to the tribunal proceedings published under the title *Against the Crime of Silence, Proceedings of the Russell International War Crimes Tribunal*. After gathering a mass of information about the conduct of the US government in Vietnam, the (then) newly-established Bertrand Russell Peace Foundation started investigating the possibility of drawing attention to these atrocities "dramatically".¹⁴⁷ The investigation finally came down to what then became known as a 'peoples' tribunal'.

The book *Against the Crime of Silence* including the tribunal proceedings were according to Bertrand Russell, mostly directed at the American public since "It is in the nature of imperialism that citizens of the imperial power are always among the last to know – or care – about the circumstances in the colonies."¹⁴⁸ In his introduction, Russell argued that it was no coincidence that the communist threat was mobilized exactly during the era of decolonization, which was characterized by the new nation's struggle for sovereignty and independence. The ideas behind the motives for the tribunal rely on a notion of ideology operating through false consciousness. And the aim was to shatter such an ideological picture by confronting the American public with facts and testimonies from first-hand witnesses as well as shocking stories – with the hope of raising the public's consciousness about the real state of affairs.

¹⁴⁷ Ibid., p. 6.

¹⁴⁸ Ibid., p. 3.

The Virtue of the Powerless

The immediate historical context for the IWCT was the spirit of the post-World War II era when the Nuremberg Trials were thought to have introduced new international ethical principles for warfare, previously unknown. At Nuremberg, concepts such as war crimes, crimes against humanity and genocide were adopted as the initiation of a more just and humanitarian global ethical standards inscribed in international law. Sartre argues: “The Nuremberg tribunal remains the demonstration of this vitally important change: the replacement of the *jus ad bellum* by the *jus contra bellum*.”¹⁴⁹ Yet, according to the initiators of the IWCT, Nuremberg represented a kind of unfulfilled promise. Thus, Sartre claims that “it has been criticized for having been nothing but a *diktat* of the conquerors to the conquered and, which amounts to the same thing, as not having been truly international: one group of nations judging another.”¹⁵⁰

Sartre further argues that the IWCT was born out of a contradiction symptomized in the Nuremberg Judgement. The judgment had necessitated the existence of an institution to inquire into war crimes and possibly *also* sit in judgement. However, at the time, neither governments nor the public at large were capable of forming such a body.¹⁵¹ Thus we could say, with reference to my theoretical discussion, that the problem lies in the absence of an ultimate authority, that would be ethically legitimate as well as truly objective. Sartre concludes by stating that they are perfectly aware of their lack of mandate but that they had continued with the idea convinced that no one *could* have offered such a mandate in any case. For Sartre however, it seems to be a practical problem rooted in the particular historical context, and not a philosophical impossibility.

For Sartre, Russell and the others, it was a question of the possibility of impartiality, which they considered very limited in a world divided by state interests and ideologically-disguised imperialism. The IWCT organizers also expressed suspicion towards what Russell calls ‘realpolitik’, assuming a kind of insincerity towards the universality of the ideals set forth in the aftermath of the Second World War – that is, they were considered to be grounded in nation state politics of interest. Arguing for the exceptionality of the IWCT, he claimed that:

The Tribunal has no clear historical precedent. The Nuremberg Tribunal, although concerned with designated war crimes, was possible because the victorious Allied Powers compelled the vanquished to present their leaders for trial. Inevitably, the Nuremberg trials, supported as they were by state power, contained a strong element of realpolitik. Despite these inhibiting factors, [they]

¹⁴⁹ Ibid., p. 41.

¹⁵⁰ Ibid.

¹⁵¹ Ibid., 42.

expressed the sense of outrage, which was virtually universal, at the crimes committed by the Nazis in Europe.¹⁵²

The planning of the Tribunal faced opposition from both British and French authorities, which both denied the organizers permission to hold the event on their territory. Echoing the words of Sophocles' Creon, the king of Thebes, French president Charles de Gaulle claimed in a letter to Sartre that the prospective tribunal would be "outside the law" since justice, he argued, can only be determined by the State.¹⁵³ Answering the critique that the War Crimes Tribunal was biased, illegitimate and partisan, Sartre, however, claimed that the fact that they were "powerless" was the guarantee of their independence. Since they did not represent any government or party, he argued, they could not receive any orders. "We will examine the facts 'in our souls and our consciences', as we say, or, if one prefers, in the full liberty of our spirits."¹⁵⁴ Likewise, Bertrand Russell stated that they rejected the view that only "indifferent men are impartial men. [...] We must repudiate the degenerate conception of individual intelligence, which confuses open minds with empty ones."¹⁵⁵

Contrary to the agents of the 'great powers' governments, the IWCT people claimed they were able to be objective and pass a true judgement about the crimes against the Vietnamese people, the reason being their lack of connection to or support from any party or state. Thus, the idea of holding a 'people's tribunal' was to organize a tribunal independent of any state authority, initiated by "powerless" civil actors to expose the moral hypocrisy and discrepancies regarding the supposedly universal ethical verdict of the Nuremberg trials and the Geneva Convention. The hypocrisy concerned the fact that the United States, along with its allies, continued committing "barbarous acts" in the fight against communism in Vietnam and Cambodia – after they had presented themselves as the bearers and judges of the new ethical and civilized standards during the aftermaths of the Second World War.

Bertrand Russell, Jean Paul Sartre and their companions used the example of the Nuremberg trials to challenge the 'great powers', such as the United States and what they referred to as the 'old European colonial imperialist nations', to live up to their own standards, or prove that they represented nothing more than a victor's justice and outright hypocrisy. According to Russell, history had shown that the verdict at Nuremberg was an expression of a "right is might" ethos, since the criteria had turned out to be very convenient to the victor and had not

¹⁵² Bertrand Russell, "Speech to First Meeting of Members of the War Crimes Tribunal, November 13, 1966," in *Autobiography, vol. III* (London: Allen & Unwin, 1969), p. 719.

¹⁵³ Sophocles, *Antigone, Oedipus the King, Electra*, H.D.F. Kitto (trans.) (Oxford University Press, 1962).

¹⁵⁴ John Duffet (ed.) *Against the Crime of Silence*, p. 43.

¹⁵⁵ Bertrand Russell, *Autobiography*, pp. 215-16.

contributed to enabling “private citizens to make compelling judgements on the injustices committed by any great power.”¹⁵⁶.

*Our own task is more difficult [than at the Nuremberg Trials], but the same responsibility obtains. We do not represent any state power, nor can we compel the policy-makers responsible for crimes against the people of Vietnam to stand accused before us. We lack force majeure. The procedures of a trial are impossible to implement [...] I believe that these apparent limitations are, in fact, virtues. We are free to conduct a solemn and historic investigation, unimpelled by reasons of state or other such obligations.*¹⁵⁷

What the world needed, according to Russell was to “establish and apply certain criteria in considering inhuman actions by great powers.” This could not be done with the traditional *force majeure* ‘realpolitik’ of any state, since the logic of ‘reason of state’ would disrupt any universal moral verdict. The tribunal’s procedure was that delegates were sent to Vietnam and Cambodia to gather testimony to be evaluated by the tribunal. A mass of primary and secondary evidence was presented to the tribunal, which comprised intellectuals, writers and philosophers in the place of legal experts (even though some were in effect lawyers, they were not chosen on the grounds of their expertise as such). Just as Russell talks about the lack of “force majeure” as a virtue, Sartre emphasizes powerlessness as a proof of independence and freedom of conscience:

*We are powerless: that is the guarantee of our independence. There is nothing to help us except for the participation of the supporting committees which are, like ourselves, meetings of private individuals. As we do not represent any government or party, we cannot receive orders.*¹⁵⁸

Notice also Sartre’s description of themselves as “meetings of private individuals” – he argues that since they are not meeting as representatives of any public institution they “cannot receive orders”. Sartre’s reference builds on a classic liberal understanding of the private liberty of conscience always in danger of being curtailed by a common, political power. Individual (private) moral conscience and the realpolitik of states are presented as opposites in this rhetoric.

¹⁵⁶ John Duffet (ed.), *Against the Crime of Silence*, p. 4.

¹⁵⁷ Bertrand Russell, “Speech to First Meeting of Members of the War Crimes Tribunal, November 13, 1966.”

¹⁵⁸ John Duffet (ed.), *Against the Crime of Silence*, p. 43.

Uncovering Interests

The tribunal comprised people who, according to their moral qualities, were considered to be able to uncover the truth about the American military campaign in Vietnam from the ideological mystification of imperialistic aims. Their arguments rely on the claim that history is written by victors and that they constitute the laws according to their own interests. The great powers act ideologically, according to the initiators of the IWCT, in the sense that they hide their imperialistic aims behind false impartiality. Thus, Russell argues:

*I believe that we are justified in concluding that it is necessary to convene a solemn Tribunal, composed of men eminent not through their power, but through their intellectual and moral contribution to what we optimistically call 'human civilization'. I feel certain that this Tribunal will perform an historic role if its investigation is exhaustive. We must record the truth in Vietnam. We must pass judgement on what we find to be the truth. We must warn of the consequences of this truth. We must, moreover, reject the view that only indifferent men are impartial men.*¹⁵⁹

The evidence at the IWCT consisted of testimonies from both victims of the war in Vietnam and from investigative delegates who had been sent to the war zones on the behalf of the tribunal to collect evidence to prove or disprove the allegations of war crimes. The aim of the hearings was to present evidence for the alleged violations of international law and the use of force that was in breach of international humanitarian law and human rights law. The main aim of the tribunal was to expose the military campaign of the United States government and its allies in South-East Asia as an embodiment of old imperialist power and economic interests. Russell explains:

*The American empire is a world system of exploitation backed up by the greatest military power in history. In this role, America invokes the slogans of freedom and democracy, but when the system is challenged, as it has been in Vietnam, we see the reality behind the slogans, and the reality involves war crimes.*¹⁶⁰

The objects of the United States' war campaign in Vietnam were "domination, markets, cheap labour, raw materials, conscript armies and strategic points from which to control or threaten", Russell continues.¹⁶¹ The overarching narrative characterizing the IWCT concerns the unmasking of the imperialist and

¹⁵⁹ Bertrand Russell, *Autobiography*, vol. III, p. 720.

¹⁶⁰ *Ibid.*, p. 4.

¹⁶¹ *Ibid.*

exploitative aims of international politics. The framework of the tribunal further revolves around the idea that international politics is characterized by suppressive and silencing power which is corrupted by interests. The narrative of authenticity associated with the powerlessness of the witnesses is ubiquitous. Finally, something that supports Moyn's argument that human rights did not take hold of popular consciousness until the late 1970s is the fact that they appear only marginally in the tribunal proceedings and the organizers' discourse. This would soon change, as I will turn to later.

Subsequently, the organizers behind the Russell Tribunal held hearings relating to repression in Latin America from 1973–1976, freedom of opinion and public sector employment in West Germany from 1978–1979 and the rights of the Indians of the Americas in 1980. Twenty years later the concept was used again with a tribunal in 2001 on the rights of psychiatric patients.¹⁶² In 2009 the Bertrand Russell Foundation supported the initiative to set up the Russell Tribunal on Palestine, of which six sessions have been held over the course of five years. According to the spirit of the tradition of people's tribunals, jurors for the Palestine Tribunal include intellectuals, writers and Nobel Prize laureates, leftist politicians and actors in place of legal experts.¹⁶³

Another successor to the Russell Tribunal is the Permanent People's Tribunal (PPT) which is based in Rome. The PPT is an institutionalized version of the idea of people's tribunal and which follows the same concept as the Russell Tribunal and was initiated by Italian senator, Lelio Basso who was also one of the organizers of the Russell Tribunal. The PPT has organized over 40 hearings since its inauguration in 1979. Basso described the Permanent People's Tribunal as an *opinion* tribunal, which focuses primarily on identifying and publishing cases of systematic violation of fundamental human rights, particularly in "cases in which national and international legislation fails to defend the right of the people."¹⁶⁴ As in the Russell Tribunal, the jury members are not chosen based on their legal expertise but for their "moral, scientific, and literary qualities."¹⁶⁵ The choice of this form for the purpose of showing political dissent carries notions of a reclamation of the law from below. This includes references to uncovering truth from the mist of ideology and the misuse of power, contrasted with authentic and

¹⁶² Andrew Byrnes, "Claiming international law for the people: the persistence and role of civil society tribunals in the modern world," *paper presented at Rechtswissenschaftliche Fakultät, Universität Zurich*, October 8, (2012), retrieved October 3, 2018 (Online: <http://archive.ahrcentre.org/sites/ahrcentre.org/files/mdocs/Byrnes%20-%20Zurich%20lecture%20text%20-%208%20October%202012.pdf>).

¹⁶³ The Russell Tribunal on Palestine, retrieved October 13th 2017 (Online: <http://www.russelltribunalonpalestine.com/en/>). Among jurors were Angela Davis, Alice Walker, Roger Waters.

¹⁶⁴ Lelio Basso Foundation, "Introduction," retrieved March 19, 2015 (Online: http://www.internazionaleleliobasso.it/?page_id=207&lang=en).

¹⁶⁵ *Ibid.*

reliable testimony and a claim to moral and ethical authority – based on powerlessness. Bertrand Russell, Jean Paul Sartre and Lelio Basso all speak in the name of classic humanism and claim to speak the voice of humanity’s moral conscience. Hence, Lelio Basso defined the importance and specificity of an opinion tribunal by referring to “public conscience”:

The needs of public conscience can become a recognized source of law [...] and a tribunal that emanates directly from the popular consciousness reflects an idea that will make headway: institutionalized powers and the people, from whom the former claim legitimacy in actual fact tend to diverge and only a truly popular initiative can try to bridge the gap between people and power.¹⁶⁶

According to legal scholar Andrew Byrne, assessments of the contemporary impact and subsequent legacy of the ICWT vary. Nevertheless, Byrne argues, it provided both inspiration and theoretical justification and thus served as a model for holding this kind of people’s tribunals. Perhaps the most well-known people’s tribunal in recent years was the one held in Tokyo in December 2000 under the name *Women’s International War Crimes Tribunal*. It was established to bring attention to the extent of rape and sexual slavery in relation to Japanese military activity in the Asia-Pacific region in the 1930s and 1940s. In addition to that the aim was to pursue the Japanese government’s accountability towards the victims of this violence. In a discussion about the impact of this event, legal theorist Christine M. Chinkin considers the value of people’s tribunals in general. She argues that the use of people’s tribunals is a “striking example of civil society as an international actor” since they are premised on an understanding of law as an instrument of civil society. According to Chinkin, the fact that people’s tribunals only exercise moral authority stems “from the continued grip of the state on the formal institutions of international law”.¹⁶⁷ Chinkin emphasizes the democratic potential of people’s tribunals and agrees with Byrne who argues that they play a role that can be seen as a part of “Democratization in the making, interpretation and application of international law.”¹⁶⁸

Global Consciousness at the Turn of the 20th Century

This section provides an historical overview of the early stages of international feminist organizing. This discussion serves as a genealogy of the centrality of the issue of ‘violence against women’ in the context of international cooperation,

¹⁶⁶ Ibid.

¹⁶⁷ Christine M. Chinkin, “Women’s International Tribunal on Japanese Military Sexual Slavery” in *The American Journal of International Law*, 95:2 (April 2001), pp. 335-341.

¹⁶⁸ Andrew Byrnes, “Claiming international law for the people: the persistence and role of civil society tribunals in the modern world,” p. 14.

politics and law. Included in this section is a brief presentation of debates concerning the issue of ‘white slavery’ that took place at the turn of the century.

The reason for my interest in this period is that the issues that international women’s activists and feminists were occupied with in the late nineteenth and early twentieth century reveal a tension between a struggle for political rights on the one hand and a struggle for social reforms on the other. Furthermore, feminist concerns have proved vulnerable to appropriation for other ‘suspicious’ aims in the past, as historians have pointed out. Yet, it would be an error to reduce feminist struggles on the international arena to imperialism or conservative moralism. Another important aspect that I want to emphasize is that the history of international activism is closely linked to the United Nations and its forerunner, the League of Nations. The foundation of the League of Nations in 1919 meant that an infrastructure was created that facilitated further international interaction and cooperation. International activist strategies in this period often took the form of lobbying, as several organizations set up offices in Geneva in close proximity to the League’s headquarters.

Infrastructure: Facilitating International Activism and Lobbyism

A new international sphere emerged with the revolution in transportation and communication after 1850 and enabled international activism which, before this time, had been more or less unthinkable.¹⁶⁹ Samuel Moyn argues that: “Since that era ‘internationalism’ has been the dominant modern universalism, presupposing nations but seeking their interdependence.”¹⁷⁰ Around the 1870s and onwards, international organizations and leagues flourished and many of them, Moyn argues, “prioritized the promotion of a new global consciousness.”¹⁷¹ Among these new international organizations were the working class movement and international socialism, organizations concerned about the abolition of slavery, temperance and women’s organizations and leagues.

This was also the case for women’s rights advocates, as European feminists had begun collaborating and changing ideas across borders in the middle of the 19th century and, from 1875–1890, a movement to connect women’s activities across national boundaries emerged.¹⁷² Among important meetings was the women’s rights congress held during the Paris International Exposition in 1878,

¹⁶⁹ Historian Karen Offen argues that developments of the woman’s press as well as international postal communication facilitated largely the growth of networks. Along with Moyn, Offen underlines the importance of improvements in transportation during this time, which in turn made it easier for people to travel and meet, change ideas and organize. Karen M. Offen, *European Feminisms, 1700-1950: A Political History*.

¹⁷⁰ Samuel Moyn, *The Last Utopia*, p. 39.

¹⁷¹ Ibid.

¹⁷² Ibid.

where feminist activists created international networks.¹⁷³ As part of this upswing in international interaction among activists, European (notably French and English) and American suffragists started making alliances in the 1880s. One example is when the French activist for women's suffrage, Hubertine Auclert, invoked her American counterparts May Wright Sewall and Susan B. Anthony in 1884 to gather for a "Universal Congress in favor of Woman Suffrage" in Paris, emphasizing the importance this might have in pushing forward the cause of "woman's emancipation throughout the whole world".¹⁷⁴ International cooperation intensified further in relation to the suffrage question some years later. In relation to the establishment of the League of Nations at the Paris Peace Conference in 1919, representatives of various international women's organizations were present. Thus, by the 1920s, transnational organizing had formed structures to facilitate international interaction and cooperation on women's issues. Consequently, the concept or the idea of an 'international women's movement' gained currency.¹⁷⁵

In her *Unfinished Story of Women and the United Nations*, former UN delegate from Finland Hilikka Pietilä describes how internationally organized women used the opportunity provided by the new international milieu that was created with the establishment of the League of Nations. Their aims were to lobby for various women's issues, and they were successful in many respects. They submitted proposals regarding the Covenant of the League of Nations "to prevent the exclusion of women from the provisions and decisions."¹⁷⁶

Around this time, international women's organizations founded the Inter-Allied Suffrage Conference that was granted a right to send delegates to participate in certain peace conference commissions. This gave them a platform on which to demand that women be given access to decision-making positions within the League of Nations and to make proposals for the organization. Among the issues they sought to promote were universal suffrage rights in all member states, the rights of married women to retain their nationality when marrying a foreigner, the abolition of trafficking in women and children and the cessation of state-supported prostitution. This is telling for the ways in which the League of Nations developed. As historian of ideas Katarina Leppänen has demonstrated, the League of Nations, although formed in order to guarantee peace, soon became a venue for various international collective struggles for equality and justice.¹⁷⁷

¹⁷³ Ibid., p. 152.

¹⁷⁴ Karen M. Offen, *European Feminisms, 1700-1950: A Political History*.

¹⁷⁵ Leyla J. Rupp, *Worlds of Women*.

¹⁷⁶ Hilikka Pietilä, *The Unfinished Story of Women and the United Nations*, (New York and Geneva: United Nations, 2007), p. 2.

¹⁷⁷ Katarina Leppänen, "The Conflicting Interests of Women's Organizations and the League of Nations on the Question of Married Women's Nationality in the 1930s" in *Nora, Nordic Journal of Feminist and Gender Research* 17:4 (2009), p. 248.

Historian Daniel Gorman argues that the outbreak of the first World War represented a nationalist blow to the internationalism that had been flourishing since the late 19th century, but that internationalism revitalized in the 1920s. According to Gorman, the war had “created a greater consciousness of social, political and economic problems which transcended borders.”¹⁷⁸ Thus, Gorman suggests that even though the war signified a kind of a moral bankruptcy in international affairs for many, there were still steadfast believers in internationalism who advocated for a kind of ‘moral internationalism’. Furthermore, this is something that was realized in the interwar period, as organizations concerned with social relief, focusing on reducing harm and social problems became a large part of the international cooperation. The most expansive of these social relief campaigns during the 1920s was directed against trafficking in women and children.¹⁷⁹

Katarina Leppänen believes that “The fact that trafficking was written into the League of Nations covenant is, in itself, remarkable,” since it demonstrates the visibility of feminist interests in the organization.¹⁸⁰ According to Leppänen, it is a sign of how successful women’s and feminist organizations were in their lobbying for their causes at this international platform from the start. She further argues that ‘the internationalization’ in due course required a rethinking of the issue regarding the racial and sometimes racist assumptions embedded in the term ‘white slavery’. This resulted in reframing the issue as ‘trafficking in women’.¹⁸¹ However, the ‘moral internationalism’ also took the form of ‘humanitarian imperialism’, something that Gorman’s describes as “a moral imperative to improve social conditions abroad, and the unquestioned assumption that it was their right and duty to do so.”¹⁸² Thus, one way of looking at the international success of the struggle against trafficking in women and children is that it also served imperialist aims.

According to Leila Rupp, the Second World War nearly severed the international connections among women’s groups and marked a certain end of the first wave of international feminism.¹⁸³ She thus claims that the emergence of the Cold War, the spread of national liberation movements and the emergence and resurgence of national women’s movements globally transformed the context for an international women’s movement. In addition, she argues that it wasn’t

¹⁷⁸ Daniel Gorman, “Empire, Internationalism, and the Campaign against the Traffic in Women and Children in the 1920s,” *Twentieth Century British History*, Vol 19, No. 2, (2008), pp. 186-216.

¹⁷⁹ *Ibid.*

¹⁸⁰ Katarina Leppänen, “Movement of Women: Trafficking in the interwar era” in *Women’s Studies International Forum* 30 (2007), pp. 523-533.

¹⁸¹ *Ibid.*

¹⁸² *Ibid.*

¹⁸³ *Ibid.*, pp. 3-4.

until the 1960s and 1970s that “transnational interaction jumped out of the well-worn transatlantic tracks”.¹⁸⁴

Universalism and the Search for Common Denominators

Historians who have studied the history of international women’s movements have noted that during the interwar period a discourse on women’s commonalities flourished.¹⁸⁵ Women’s commonalities were emphasized since they were seen as a prerequisite for forging an international ‘we’, an international ‘sisterhood’. Therefore, solidarity among women on an international basis became deeply embedded in a discourse about universal sexual difference. The emphasis on women’s global commonalities and interests was understood to be important in creating the solidarity necessary for the continuation of the international cooperation.¹⁸⁶

Furthermore, even though the leaders of these internationally-based movements were of different nationalities, they constituted a somewhat homogenous group in other respects. International organizations such as the International Women’s League for Peace and Freedom (WILPF), the International Council of Women (IWC) and International Alliance of Women (IAW) were dominated by Northern European or American descendants of Northern Europeans, predominantly Christian, white, middle or upper-class women. These leading figures were in turn criticized by movement members from other ethnicities and classes who felt that they were being marginalized. Hence, the emphasis on a global sexual difference can be read in light of the fact that women were and are still very divided along axes of social stratification, something which undeniably poses challenges.¹⁸⁷ Why should women show solidarity to other women living under very different circumstances and not primarily to people of their own social class, culture or nation regardless of their sex? Hence, this could partially explain how the difference between women as a group and men as a group gains momentum, especially among the leaders of the movements who have an interest in universalizing their claims.

Consequently, values connected with femininity were defined and contrasted with masculinity. In this regard, pacifism became a feminine attribute as ideas flourished about women’s natural hatred of war as opposed to men’s desire for it. Furthermore, motherhood was an important ideological point of reference and was defined as the capability to nurture and care in general, as a feminine characteristic, regardless if one had children of own’s own or not.

¹⁸⁴ Ibid.

¹⁸⁵ Leila J. Rupp, *Worlds of Women*.

¹⁸⁶ Ibid.

¹⁸⁷ Ibid.

According to Rupp, the emphasis on the psychosocial side of mothering was important for the international women's movement, which was often made up of women who had chosen not to live in a heterosexual marriage and have children. Thus, this 'broad' interpretation of motherhood was a way to circumvent differences among women in order to emphasize their difference from men.

Furthermore, the years during and after the First World War witnessed increased awareness of the subject of violence against women as international women's movements drew attention to the prevalence and seriousness of sexual violence against women during wartime. The movements also advocated that the issue of 'women's sexual slavery' or trafficking should be dealt with internationally.¹⁸⁸ At that time, 'violence against women' figured amongst the most important issues considered to unite women as political subjects, thereby legitimizing an international women's movement.

The threat of rape was mobilized as a common denominator for the world's women, otherwise differentiated by class, culture, race and nationality. Moreover, the issues of men's sexual violence against women and their warmongering were thought to be related. An example of activities related to this issue is the fact that The International Council of Women (ICW) had a special Peace Committee that protested in 1913 against the sexual violence that tended to accompany warfare. According to Rupp, such protests increased in intensity during the First World War. In this regard she gives an example of a petition in which women from twelve nations pleaded to the American president Woodrow Wilson to not only save the lives of men but also to prevent women becoming "victims of the unspeakable horrors which inevitably accompany the bloody game of war."¹⁸⁹ Another example Rupp brings up that expresses the theme of violence as the basis of women's international solidarity is a flyer announcing the upcoming Hague Congress of Women, which was held in 1915:

*The moral and physical sufferings of many women are beyond description and are often of such nature that by the tacit consent of men the least possible is reported. Women raise their voices in commiseration with those women wounded in their deepest sense of womanhood and powerless to defend themselves.*¹⁹⁰

Hence, what with contemporary terminology we would arguably refer to as 'violence against women' had been a debated topic nationally and internationally for some time before it became the subject of feminist people's tribunals and later entered the UN human rights agenda. The issue had engaged feminists, social

¹⁸⁸ Ibid.

¹⁸⁹ Leyla J. Rupp, *Worlds of Women*, p. 85.

¹⁹⁰ Ibid., Rupp is citing Rosika Schwimmer "Women of the World Demand Peace."

reformers, philanthropists, state officials and politicians since at least the late 19th and the beginning of the 20th century. It can as I have discussed be traced back to the public debate around the issue of ‘white slavery’, which subsequently resulted in international conventions and acts. Important to the subject of this thesis is the presence of stories, both fictive and ‘true’, as a means of political and moral mobilization, as in the case of ‘white slavery’ as I will discuss further on.

White Slavery and Storytelling

It was not only feminists or women’s rights advocates that engaged in the struggle against ‘white slavery’. A number of conservative ‘protectionists’ participated passionately. The first international agreement that at least partially concerns the protection of women from violence was the *International Agreement for the Suppression of the White Slave Traffic*, also referred to as the Paris Treaty. The Paris Treaty later resulted in an International Convention for the Suppression of the ‘White Slave Traffic’, which was agreed upon at an international conference in Paris six years later, on May 4th, 1910. This agreement did not target violence specifically, but as a *means* to ‘lead away a woman or a girl’. Nevertheless, it directly targeted ‘forced prostitution’, which currently is defined by the international community as an act of violence. The first paragraph of the convention runs as follows:

*Whoever, in order to gratify the passions of another person, has, by fraud, or by means of violence, threats, abuse of authority, or any other method of compulsion, procured, enticed, or led away a woman or girl over age, for immoral purposes, shall also be punished, notwithstanding that the various acts constituting the offence may have been committed in different countries.*¹⁹¹

The issue of white slavery has been widely studied by historians and a generally held interpretation is that the problem was exaggerated due to a “moral panic” and that there was a conflict within the women’s movements about protectionism and emancipation. The agreement has also been subsequently interpreted as a method of regulating women’s sexual behavior. This convention was later re-enacted by the UN in 1949 with some amendments as *The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others*, which is a resolution of the UN General Assembly from 1949.

¹⁹¹ International Convention for the Suppression of the "White Slave Traffic," May 4, 1910, 211 Consol. T.S. 45, 1912 GR. Brit. T.S. No. 20, *as amended by Protocol Amending the International Agreement for the Suppression of the White Slave Traffic, and Amending the International Convention for the Suppression of the White Slave Traffic*, May 4, 1949, 2 U.S.T. 1999, 30 U.N.T.S. 23, *entered into force* June 21, 1951. (Online: <http://www1.umn.edu/humanrts/instree/whiteslavetraffic1910.html>)

The term 'white slavery' has its origin in the labor movements in both Britain and the United States in the 1830s where it was used by workers to criticize their working conditions, while simultaneously distancing themselves from the 'transatlantic trade' slaves of African descent. In the last decades of the 19th century, however, the term had increasingly been deployed by abolitionists in the discussion about state-sanctioned prostitution and forced prostitution. The term was specially deployed to account for the idea that large numbers of young women were being kidnapped from their families and taken to foreign countries for sex slavery.¹⁹²

At the turn of the century, organizations and individuals representing a wide scope of political and ideological strands became united in the effort to eradicate 'white slavery'. During this mobilization, a great number of 'white slavery narratives' circulated in the form of plays, films, books, pamphlets and magazine articles. The narratives often took the form of stories that told of the fate of individual women and girls' fate, which included abduction and sexual exploitation. Implicated in a kind of politics of storytelling, the narratives became a vehicle for mobilizing the empathy and moral consciousness of society in general regarding forced prostitution.¹⁹³

One of the persons involved in raising public awareness about 'white slavery' in the United States was Dr. C. C. Quale. His book *Thrilling Stories of Eye Opener on White Slavery* contained dramatic stories about girls or women who had been abducted and violated. With titles such as "The judge who did not know his own daughter", "The escape of a girl" and "Brother cutting up his own sister", the stories were dramatized, personalized and focused on a particular girl or family and their fate. In the 'white slave narratives', the women were commonly pictured as helpless and innocent (white) victims of 'foreign' or socially deviant agents. And, the stories were meant to elicit moral condemnation, and legal protection from this great evil that affected not only the girls and women in question but society as a whole.¹⁹⁴ At the end of one the stories Quale writes these comments:

Dear reader, I wish you could have seen that girl as, crushed and heartbroken, she sobbed the bitter tears of sorrow, forced upon her through the brutal plot of creatures in the guise of men. As she left, she expressed the hope that her story could be related, to serve as an eye-opener to the many light-hearted and frivolous young women who encourage, through their actions, dress and

¹⁹² Mara L. Keire, "The Vice Trust: A Reinterpretation of the White Slave Scare in the United States 1907-1917," *Journal of Social History*, 35:1 (2001).

¹⁹³ Brian Donovan, *White Slave Crusades: Race, Gender, and Anti-Vice Activism, 1887-1917*. (Champaign: University of Illinois Press, 2006); Margit Stange, *Wives, White Slaves, and the Market in Women* (Baltimore: The Johns Hopkins University Press, 1998).

¹⁹⁴ Margit Stange, *Personal Property: Wives, White Slaves, and the Market in Women*.

*words, the advances and boldness of the panders, thus becoming easy victims for the white slave man.*¹⁹⁵

Quale and the girl who he speaks for hope that the story has the potential to raise awareness among young women who “light-hearted and frivolous [...] encourage, through their actions, dress and words, the advances and boldness of the panders.” This awareness concerns how young girls should take note of how their own behavior might contribute to their own victimization by encouraging perpetrators. This example illustrates how the personal story can and has been deployed to mobilize conservative views. I cannot help reading Quale’s as what we with contemporary terminology would refer to as ‘victim blaming’, as he stresses how young women and girls tempt and attract “the white slave man” with their way of dressing and behaving. Another interesting aspect of Quale’s discourse is how violence against these girls is perpetrated as non-human. It is not men who are the doers of these acts since it is “creatures in the guise of men”.

The use of narratives in humanitarian abolitionist struggles was not uncommon in the nineteenth century. According to historian Kimberly K. Smith, who studied the struggle against slavery in the United States during the Antebellum Period, personal narratives played a decisive role. She demonstrates how abolitionists rejected reasoned debate based on arguments and favored a politics of storytelling organized around the narrative testimony of fugitive slaves. The slave testimonies were used to foster sympathy among advocates and defendants of slavery. Even though ‘sympathy’ was sometimes used as a synonym for compassion or pity, the more common usage implied “a kind of identification, not only with another person’s feelings, but with her thoughts and perspective.”¹⁹⁶ There are certainly similarities between the ‘slave narratives’ and the in the ‘white slave narratives,’ which also strive to create a moment of identification and empathy, even though the moral message was more conservative in the latter case.

As mentioned above, the discussions on white slavery engaged a wide range of people with conflicting political views and ideological stands. Not everyone agreed on how to frame the problem. Debates concerned issues such as morality, femininity, labor rights, women’s economic situation and double standards concerning sexuality, but were concretized in the views for or against the legal measures. In 1912, the *Journal of the American Institute of Criminal Law and Criminology* published an address by the Honorary James Bronson Reynolds, Assistant District Attorney for New York City, in order to draw attention to the

¹⁹⁵ C.C. Quale, *Thrilling Stories of Eye Opener on White Slavery* (Chicago: The Hamming Publishing Co., 1912), p. 14.

¹⁹⁶ Kimberly K. Smith, “Storytelling, Sympathy and Moral Judgement in American Abolitionism,” *Journal of Political Philosophy*, 6:4 (December 1998).

treaty. Bronson Reynolds emphasized the importance of the initiative by referring to the problem as the great evil of the time.

*Its ratification is an event deeply significant of the fresh confidence with which the twentieth century is grappling with the great evils which stand in the way of the social and moral progress of mankind. It is the first treaty made by the great powers of the world in relation to social morality.*¹⁹⁷

Bronson Reynolds subsequently stated the geographical dimension of the problem and claimed that although it was “not strictly a *white* slave traffic” since “all colors are involved”, the movement was clearly in one direction, from north to south. “Europe is an exporter”, he claimed.¹⁹⁸ Because of the international character of the crime, international cooperation was needed. Furthermore, another engaged social reformer, Edwin W. Sims, United States District Attorney in Chicago, implied the duty of civilized nations to gather their forces to fight the crimes. Thus, in his introduction to a text compilation published in 1910 called *Fighting the Traffic in Young Girls, or War on the White Slave Trade*, he stated:

*The growth of this "trade in white women," as it has been officially designated by the Paris Conference, was so insidious that it reached the proportions of an international problem almost before the people of the civilized nations of the world learned of its existence.*¹⁹⁹

Sims continued by acclaiming the concerted international actions in the matter in Paris and citing the formal agreement accompanying the treaty:

*...being desirous to assure to women who have attained their majority and are subjected to the deception or constraint, as well as minor women and girls, an efficacious protection against the criminal traffic known under the name of trade of white women ("Traite des Blanches"), have resolved to concert proper measures to attain this purpose.*²⁰⁰

Critics: Emancipation vs. Protection

National versions of the international agreement were applied in both the USA and Britain and elicited a critical response. For example, suffragette Teresa Billington-Grieg expresses her view on the British Criminal Law Amendment Act

¹⁹⁷ James Bronson Reynolds, “International White Slavery,” *Journal of the American Institute of Criminal Law and Criminology* 3:1 (May, 1912), pp. 134-137.

¹⁹⁸ *Ibid.*

¹⁹⁹ Ernest A. Bell (ed.), *Fighting the Traffic in Young Girls, War on the White Slave Trade* (The Project Gutenberg eBook, 2008 [1910]), p. 18

²⁰⁰ *Ibid.*, p. 20.

of 1912 that was meant to target the suppression of white slave traffic in her article “The truth about white slavery”, published in the *English Review* in June 1913. She mentions the role of stories in the mobilization for the law:

The Criminal Law Amendment Act of 1912 was carried by stories of the trapping of girls. The sudden clamour for legislation to which that Act was yielded was created almost entirely by the statement that unwilling, innocent girls were forcibly trapped; that by drugs, by false messages, by feigned sickness, by offers of or requests for help and assistance, girls were spirited away and never heard of again [...] There have been so many of these stories, and in nature they have been so disturbing that thousands of simple souls have been filled with alarm and dismay, a fierce wave of anger has been evoked leading to a re-introduction of flogging, and Parliament, the pulpit, and the press, the three chief public agents of irrational emotion have all responded to the horror called forth.²⁰¹

Billington-Grieg appreciates the affective power of the stories and therefore understands the emotional reactions they evoked in “thousands of simple souls”, but against the force of irrational emotion she stresses factual knowledge and a thorough comprehension of the root of the problem. She claims that the legislation was based on unreliable statistics, heresy and hysteria about the supposed problem, which has been framed wrongly according to the need to protect women and not to emancipate them. Billington-Grieg claims that statistical evidence would entirely disprove the arguments made by the “alarmist campaigners”. The number of missing women and girls had not increased, and they were not in any greater proportion to men or boys who were registered as missing. According to her, this dilemma leaves them with a choice of two unpleasant admissions: “either the Act has failed to achieve the chief purpose for which it was passed, or there was no need to pass it!”

Billington-Grieg regards the amendment to be sign of hypocrisy and ultimately as something that works against women’s emancipation rather than enhancing it. She implies that the illustration of women as weak, intellectually as well as physically, undermines their claim to participation in public affairs and politics. Furthermore, according to her, prostitution is one form of the more general economic exploitation of women, against which she recommends “the slow way”, including education, a changed social outlook and a gradual reorganization of economic conditions for women and men. She concludes her article by stating that the Act worked against the emancipatory project of women and their claims to political rights: “For just as these neuropaths hold that man is

²⁰¹ Teresa Billington-Grieg, “The Truth about White Slavery”, in *the English Review*, (June 2013, p. 438).

vicious, so do they hold that women are impotent and imbecilic weaklings incapable of resisting him.”²⁰² Billington-Grieg assumes that nothing is achieved by the Act for the “victims of exploited prostitution [sic],” which rather serves as “an ease of mind” for those who stand behind it. Thus, according to Billington-Grieg the British Criminal Law Amendment Act of 1912 constituted a sign of hypocrisy, giving the initiators a “sense of having accomplished something”, while it in fact “Provided arms and ammunition for the enemy of women’s emancipation.”²⁰³

On the other side of the Atlantic, the anarchist Emma Goldman constitutes a critical voice in the white slavery debate. She takes issue with the sensationalism that distinguishes the public discussion. Furthermore, in accordance with Billington-Grieg she underlines the hypocrisy accompanying the whole issue. Goldman expresses a frustration towards what in contemporary terminology we could call the de-politicization of the issue:

*Only when human sorrows are turned into a toy with glaring colors will baby people become interested – for a while at least. The people are a very fickle baby that must have toys every day. The “righteous” cry against the white slave traffic is such a toy. It serves to amuse people for a little while, and it will help to create a few more fat political jobs – parasites who stalk about the world as inspectors, investigators, detectives, and so forth.*²⁰⁴

In her polemical essay “Traffic in Women” Goldman mocks those whom she calls “our reformers” who suddenly made a great discovery of a social problem framed as ‘white slavery’. She criticizes the references to race and claims that this new discovery is nothing but a reframing of prostitution as a sensationalized moral issue, when the real cause of the trafficking in women is economic exploitation: “The merciless Moloch of capitalism that fattens on underpaid labor, thus driving thousands of women and girls into prostitution”. Goldman continues by stating that:

*Nowhere is woman treated according to the merit of her work, but rather as a sex. It is therefore almost inevitable that she should pay for her right to exist, to keep a position in whatever line, with sex favors. Thus it is merely a question of degree whether she sells herself to one man, in or out of marriage, or to many men.*²⁰⁵

²⁰² Ibid.

²⁰³ Ibid., p. 446.

²⁰⁴ Emma Goldman, *Anarchism and Other Essays*, 2nd revised edition (New York & London: Mother Earth Publishing Association, 1911), p. 184.

²⁰⁵ Ibid.

While emphasizing the exploitative conditions of capitalism as the most conspicuous reason for prostitution at the time, she still concludes that it would be naïve to only blame economics. Prostitution and women's subordination had actually been sanctioned and procured by the Church for centuries. Thus, she condemns the double morality of a society that commodifies women's bodies and sexuality while simultaneously keeping them in a state of ignorance and shame. Moreover, she implies that the illustration of innocent young girls who are kidnapped or lured into forced prostitution, hides the fact that many women who turn to prostitution, do so consciously, but out of economic necessity. Hence, for Goldman, prostitution and so-called 'crimes against women' are part of a wider and more comprehending sexual subordination and economic exploitation of women. According to her, these causes are displaced in the moralist protectionist discourse that puts women's purity and fragility at the forefront.

In a similar vein, Teresa Billington-Grieg and Emma Goldman criticized what they considered a sensationalist moralism that distinguished the public discussion about white slavery and prostitution in general. They called for a deeper political analysis which would get to the root of the problem instead of fostering the double standard. With a tone of disillusionment, Goldman claims that it is "much more profitable to play the Pharisee, to pretend an outraged morality, than go to the bottom of things".²⁰⁶

This short historical overview of women's international activism in the late 19th and early 20th century together with non-feminist discourses on the protection of women was intended to illustrate the following points: Firstly, women's (both feminist and non-feminist) international activism and cooperation flourished at the turn of the 20th century largely due to international institutions such as the League of Nations. Secondly, the universality of men's violence against women has been on the international agenda since the turn of the 20th century and has been used strategically by feminists to cultivate global solidarity among women, particularly in light of differences in situation, experience and opportunities. However, I want to stress that a reversed narrative is also valid; that women joined forces globally to combat the universality of men's violence against women. These narratives are not exclusive; together they merely emphasize the plurality of perspectives from which one can view reality and how it is possible to highlight different connections based on the overall perspective or argument.

Finally, the case of 'white slavery' illustrates the effects of 'stories' in social and political mobilization. In this example the stories were often 'second hand', published by men and the girl protagonists seldom appeared by name, although the stories were mostly presented as being true. Furthermore, the example of

²⁰⁶ Ibid.

Billington-Grieg and Goldman serve to illustrate the fact that storytelling, in the case of the public discussion on ‘white slavery’ was contested by agents who in the name of women’s emancipation opposed irrational emotions to rational discussions involving political analysis and facts.

The Human Rights Turn: A Common Language

As an absolute yardstick, human rights constitute the common language of humanity. Adopting this language allows all peoples to understand others and to be the authors of their own history. Human rights, by definition, are the ultimate norm of all politics.²⁰⁷

UN Secretary General Boutros Boutros-Ghali, 1993

When the United Nations was founded after the end of the Second World War, individual freedom and dignity in the form of political, civil as well as social and economic rights as universal human rights were raised and institutionalized in international conventions and declarations. The idea of the aftermath of the Second World War as a catalyst for the emerging paradigm of international commitments to human rights is a familiar one. Yet, as Samuel Moyn has demonstrated, the language of human rights does not seem to have found its way into popular consciousness and discourse until the 1970s.

Furthermore, the human rights discourse reached new heights after the end of the Cold War when liberal democracy was assumed to have won a global battle as the hegemonic political order. This was also the time that international feminism took a human rights turn, and as I have discussed, this exemplifies in the fact that prominent actors adopted the language and framework of human rights to the advancement of women. Previously mentioned, Martha Nussbaum sees the successes made by international women’s movements in amending and complementing the bulk of human rights law as a significant progress for women globally. Similarly, legal scholar and feminist Catharine MacKinnon sees a restorative humanizing effect in human rights. For MacKinnon, defining gendered crimes as human rights violations is a sign of the recognition of women’s *humanity* as *women*. Thus, for MacKinnon, the recognition of women’s oppression as women entails notions of sexual difference being incorporated into our notion of the human being. For Charlotte Bunch, however, theoretical perspectives concerning differences play less of a role. As one of the main

²⁰⁷ Boutros Boutros-Ghali, “Human Rights: The Common Language of Humanity,” *United Nations: World Conference on Human Rights, The Vienna Declaration and Programme of Action* (The United Nations, 1993).

organizers of the Vienna Tribunal and the ‘women’s rights are human rights’ agenda, Bunch is a steadfast advocate of the human rights discourse, although primarily for practical reasons. Bunch’s pragmatic perspective seems to be a motivation for her to adhere to the human rights framework because of its moral authority and claim to universality, as its popularity reaches heights of which feminism could not even dream.

Feminism, of course, is not the only social or political movement that has embraced the human rights discourse during the last decades of the twentieth century. As Moyn has argued: “Human rights have [...] come to define the most elevated aspirations of both social movements and political entities – state and interstate. They evoke hope and provoke action.”²⁰⁸ Hence, Moyn’s reference to human rights as “the last utopia” in the contemporary moral-political climate, as other political programs have lost legitimacy in popular consciousness. In this regard, legal scholar Upendra Baxi comments: “No preceding century in human history witnessed such a profusion of human rights enunciations on a global scale. Never before have the languages of human rights sought to supplant all other ethical languages”²⁰⁹ Hence, these scholars point towards a paradigm shift for the ways in which political dissent is expressed, since humanity has now found one common *language* to speak. The idea of a common language is also the content of former UN secretary general Butros-Butros Gali’s speech at the human rights conference in Vienna in 1993 that I quoted above.

Is this a story of humanity’s new-found language a tale of success that everyone agrees on? No, on the contrary. The universalism of the human rights discourse has been challenged from feminist as well as critical post-colonial perspectives that confront the abstract notion of ‘the universally human’ as being both particular and historical, imagined by philosophers of western modernity, reflecting both masculinity and whiteness.²¹⁰ For example, post-colonial feminist theorist Chandra Mohanty thinks that the human rights discourse is so embedded in colonialism that it is utterly impotent.²¹¹ Among critics we also find Wendy Brown who sees in the human rights discourse a “politics of fatalism”, arguing that, “human rights take their shape as a moral discourse centered on pain and suffering rather than political discourse of comprehensive justice.”²¹² It is

²⁰⁸ Samuel Moyn, *The Last Utopia, Human Rights in History*, p. 1.

²⁰⁹ Upendra Baxi, *The Future of Human Rights*, (Oxford Scholarship Online, 2012 [2008]), 1.

²¹⁰ Legal scholar Sari Kouvo writes “The idea of human rights is embedded in Western political and philosophical history: rights can be viewed as one of the more persuasive constructs of Western modernity. Intimately intertwined with this history and this construct are the exclusion of women as rights’ holders and the creation and ever changing notion of sexual difference.” Sari Kouvo, *Making Just Rights?: Mainstreaming Women’s Human Rights and a Gender Perspective* (Uppsala: Iustus Forlag, 2004).

²¹¹ Chandra Mohanty, *Feminism Without Borders: Decolonizing Theory Practicing Solidarity*.

²¹² Wendy Brown, “The Most We Can Hope For...,” p. 453.

important to take note of Brown's critique, specifically in light of my focus on testimony concerning individual experience of harm as a potentially political act. Brown has further suggested that both liberalism and human rights are frequently connected discursively to an historical and civilizational progress and are thus positioned beyond political and cultural disputes. In Brown's words: "The putative autonomy of liberal political principles and institutions is incarnated in the liberal insistence on the universality and hence supervenience of human rights."²¹³

Sovereignty of Individuals

According to previously mentioned Sally Engle Merry "the idea that legitimate sovereignty rests on democratic governance and humane treatment of citizens has been growing since after the end of the Cold War. So that the new international 'standard of civilization' includes acceptance of human rights."²¹⁴ Kofi Annan, Secretary-General of the United Nations between 1997 and 2006, gives a good example of this discourse. In an article from 1999 he discusses what he understands as the redefinition of state sovereignty:

*State sovereignty, in its most basic sense, is being redefined—not least by the forces of globalisation and international co-operation. States are now widely understood to be instruments at the service of their peoples, and not vice versa. At the same time individual sovereignty—by which I mean the fundamental freedom of each individual, enshrined in the charter of the UN and subsequent international treaties—has been enhanced by a renewed and spreading consciousness of individual rights. When we read the charter [Charter of the United Nations] today, we are more than ever conscious that its aim is to protect individual human beings, not to protect those who abuse them.*²¹⁵

Annan's emphasis on the individual is significant for the liberal, secular framework within which the ideas about this new kind of sovereignty were embedded. This can be identified in the discourses that characterize the activities of the United Nations. Hence, individual rights were connected to a larger civilizational project as human rights and development were dovetailed in connection with the global conferences held by the UN in the 1990s: The Human Rights Conference in Vienna in 1993, The International Conference on

²¹³ Wendy Brown, *Regulating Aversion, Tolerance in the Age of Identity and Empire* (Princeton and Oxford: Princeton University Press, 2006), p. 22.

²¹⁴ Sally Engle Merry, , "Constructing a Global Law – Violence against Women and the Human Rights System," p. 943.

²¹⁵ Kofi Annan, "Two Concepts of Sovereignty," *The Economist*, 16. September 1999, retrieved October 3, 2018, (Online: <https://www.economist.com/international/1999/09/16/two-concepts-of-sovereignty>).

Population and Development in Cairo in 1994 and the Fourth Global Women's Conference in Beijing in 1995. As an important part of these new emphases, the United Nations Conference on Human Rights was held in the summer of 1993. It was the organization's second global conference on human rights and the first to be held after the end of the Cold War, the first being held in Tehran in 1968. The Vienna Conference in 1993 also marked the beginning of a series of conferences and summits organized by the United Nations Economic and Social Council during the 1990s and 2000s around topics concerning human rights, development, population and the environment. These series of conferences resulted in the adoption of the so-called Millennium Development Goals, which rest on an "unprecedented global consensus on a shared vision on development."²¹⁶ Furthermore, in recent decades the human rights framework has been applied and referred to in increasingly more areas concerning injustice and violence, or to emphasize the specific rights of groups.²¹⁷

Consequently, one can see the strategic move taken by the actors behind the Vienna Tribunal in 1993 in defining women's rights in terms of human rights as part of a rejuvenation of the human rights project in its entirety, together with a new vision and program of global human development. As a consequence, the ideas and content of human rights are also subject to constant revision and deliberation while more political and emancipatory claims are framed as human rights or development issues. The United Nations Human Development Report from 1990 states that,

Human development is a process of enlarging people's choices. The most critical of these wide-ranging choices are to live a long and healthy life, to be educated and²¹⁸ to have access to resources needed for a decent standard of living. Additional choices include political freedom, guaranteed human rights and personal self-respect. Development enables people to have these choices.

In line with this new and enlarged emphasis on human rights and development, Charlotte Bunch and Roxanna Carrillo were in the forefront of advocating for the

²¹⁶ The United Nations, Conferences and Summits, "Overview", retrieved 5. December 2013 (Online:<http://www.un.org/en/development/devagenda/devagenda.shtml>)retrieved on 2013.05.12

²¹⁷ UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, entered into force 2 September 1990, United Nations, Treaty Series 1577:3 (Online:<https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>); *Declaration on the Rights of Indigenous People*, adopted 13 September 13 2007, UNTS (Online: <http://undesadspd.org/IndigenousPeoples/DeclarationontheRightsofIndigenousPeoples.aspx>); *Convention on the Rights of People with Disabilities*, adopted 13 December 2006. UNTS (Online: <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>)

²¹⁸ The United Nations Development Programme, "Human Development Report," (1990) (online: <http://hdr.undp.org/en/reports/global/hdr1990>) retrieved Oct. 3. 2018.

view, in the early 1990s, that gender violence (or gender-based violence) should be understood as an issue of both human rights and development. During this time, the United Nations concentrated on issues of development which was defined so that it was easy for feminists to jump on the train. In a publication they made on the issue in 1990, Bunch and Carrillo did include a definition of violence against women as a political issue, concerning difference in power between men and women, even if they adopted the more strategic discourse of development in their general framing of the problem.²¹⁹

However, what often accompanies the development discourse is a civilizational rhetoric, that that posits good against bad, the civilized against the barbarous. In 2000, the UN General Assembly adopted the *United Nations Convention against Transnational Organized Crime* and opened it for signatures. The convention includes three protocols of which one is a successor to the convention from 1949, namely the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, usually referred to as the Palermo Protocol. In his foreword to the official publication of the Convention, Kofi Annan, UN Secretary-General at the time, underlined the importance of combating transnational crimes transnationally with a civilization rhetoric that referred to transnational criminals as “enemies of progress and human rights”, a discussion he continued by fleshing out his notion of civilization in a contemporary globalized world:

*One of the starkest contrasts in our world today is the gulf that exists between the civil and the uncivil. By “civil” I mean civilization: the accumulated centuries of learning that form our foundation for progress. By “civil” I also mean tolerance: the pluralism and respect with which we accept and draw strength from the world’s diverse peoples. And finally, I mean civil society: the citizens’ groups, businesses, unions, professors, journalists, political parties and others who have an essential role to play in the running of any society.*²²⁰

In the speech Annan refers to the “civilized” players above as “constructive forces” which he contrasts with what he terms “uncivil society” consisting of terrorists, criminals, drug dealers, human traffickers and others who undo the good work of civil society by taking “advantage of the open borders, free markets and technological advances that bring so many benefits to the world’s people”.²²¹ Annan’s rhetoric positions the contemporary world order as just and the people who share the values of liberal democracy and uncontested human rights on the

²¹⁹ Charlotte Bunch and Roxalla Carrillo, *Gender Violence, a Development and a Human Rights Issue* (Center for Women’s Global Leadership, 1990).

²²⁰ Kofi Annan, “Foreword” in *the United Nations Convention Against Transnational Organized Crime and the Protocols Thereto* (New York: The United Nations, 2004), p. iii.

²²¹ Ibid.

side of the good and the civilized, while the uncivilized posits a threat to that order.

Women's Rights and Human Rights

*By introducing the notion of power in to the human rights discourse, the [DEVAW] takes the definition of human rights into new and transformative territory. It recognizes that inequalities in power are the fundamental problem...*²²²

As mentioned previously, DEVAW refers to the *Declaration on the Elimination of Violence against Women*, which was adopted by the United Nations' General Assembly on 20th December 1993. A few months later, following the declaration, the United Nations' Commission on Human Rights decided to appoint a Special Rapporteur on violence against women, including its causes and consequences. Some legal scholars interpret the adoption of DEVAW as a turning point in the understanding of human rights, as the above quote implies. The DEVAW Declaration is the first human rights instrument to be adopted by the UN that specifically addresses violence against women and although it does not have the binding legal authority of a convention or a treaty, "it is universal in coverage and a strong statement of principle to the international community."²²³

In contrast, *The Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW), which was adopted by the General Assembly in 1979, often referred to as 'the women's convention', has legally binding authority for ratifying states. Both CEDAW and DEVAW are the results of feminist activism and lobbying in an international arena since the 1960s and are usually referred to as outcomes of the UN decade for Women 1975–1985 and the accompanying UN Global Conferences on Women held in 1975 in Mexico, 1980 in Copenhagen, 1985 in Nairobi and 1995 in Beijing. Currently, the CEDAW, together with its additional general recommendations, is among the most important legal instruments of the international human rights system in preventing violence against women. Nevertheless, by presenting the DEVAW Declaration in 1993, the United Nations has emphasized the relevance of countering gender violence *per se*. A common view presented by feminist legal scholars is that the 1990s constituted a paradigm shift in the understanding and application of the human rights framework, especially within the United Nations.²²⁴ This is presented as the result of effective lobbying and activism

²²² Legal theorist Dianne Otto cited in Alice Edwards, *Violence Against Women Under International Human Rights Law* (Cambridge: Cambridge University Press, 2011).

²²³ Barrie Levy, *Women and Violence: Seal Studies* (Berkeley California: Seal Press, 2008), 69.

²²⁴ Alice Edwards, *Violence Against Women Under International Human Rights Law*, (Cambridge: Cambridge University Press, 2011).

around the issue of violence against women. Hence, legal scholar Alice Edwards states that even though women's entitlement to equality before the law and equal legal protection has been recognized in all major human rights treaties since 1945, 'violence against women' first entered the international human rights agenda during the 1990s. She claims that the mid-1990s were "arguably the watershed for attention to be paid to the serious violations on women's rights at the level of international law".²²⁵

The transformation, celebrated by legal scholars such as Edwards, is what is regarded as a significant undermining of the private and public distinction in which the liberal tradition of rights is historically and philosophically grounded; a distinction profoundly analyzed and substantially criticized by feminist thinkers and activists.²²⁶ Thus, if the adoption of DEVAW represents such a significant symbolic break within the liberal tradition, it certainly could be described as an historical victory for the international feminist movement. Somewhat supportive of this idea of breakthrough is that a radical feminist analysis connecting gender, power and violence has, to a certain extent, become *mainstream*, by being incorporated into an institutionalized human rights discourse in which the United Nations General Assembly recognizes that:

*Violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men.*²²⁷

Since the early 2000s the issue of 'violence against women' or 'gender-based violence' has received increased attention on both popular and an institutional level. Several campaigns by the United Nations, the World Bank and prominent NGOs such as Amnesty International and Human Rights Watch have raised the issue, legal reforms have been made on national and international levels and the issue has been greatly covered in the media, literature and popular culture.²²⁸ This is something that suggests that the problem of gender-based violence has

²²⁵ Ibid.

²²⁶ Carole Pateman, *The Sexual Contract* (Stanford: Stanford University Press, 1988); Catharine, A. MacKinnon, *Toward a Feminist Theory of the State* (Cambridge MA: Harvard University Press, 1989).

²²⁷ General Assembly resolution 48/104, Declaration on the Elimination of Violence against Women, A/RES/48/104 (20 December 1993), available from undocs.org/A/RES/48/104.
<http://www.un.org/documents/ga/res/48/a48r104.htm>

²²⁸ Examples of campaigns are: *The V-day (Vagina Monologues, One Billion Rise)*, UN emphasis on countering VAW *End Violence against Women, 16 Days of Activism against Gender Violence*, Amnesty International's *Stop Rape Now*.

truly become a public concern and not only a feminist issue. However, I have explored above, this is not the first time that the issue of violence against women receives attention outside of feminist circles. After this genealogical exploration I will turn to the first case study, namely, the Brussel's tribunal.

3. The Brussels Tribunal: “The Start of a Radical Decolonization of Women”

In accordance with normal UN procedures, the International Conference on Women in Mexico in 1975 was organized in cooperation with concerned governments of UN member states. The idea of organizing a conference on this scale originated in the Commission on the Status of Women (CSW) which was founded in 1947. It is noteworthy that the existence of this commission was largely a result of feminist work and lobbying within the UN and its forerunner the League of Nations over many decades. At the time when the idea of an international conference was raised, the CSW had been working steadfastly on a bill of rights for women – what then came to be the *Declaration on the Elimination of Discrimination against Women*, which was later changed into a convention, the previously mentioned *Convention of the Elimination of Discrimination against Women* (CEDAW).²²⁹ As previously discussed, historians have noted that the international milieu created by organizations such as the UN and the League of Nations proved to be very important for women’s international exchange of ideas, cooperation and activism.²³⁰

Thus, the discourse among women’s liberationists about the 1975 IWY and the conference in Mexico being nothing more than a patriarchal plot can be seen as a rhetorical overstatement. However, their mistrust towards established institutions was very much in accordance with the political discourse of radical movements of the time. It is at least clear that they were very antipathic towards any idea of working within already established structures, or ‘changing the system from within’ as the phrase goes. Judging from their rhetoric, they regarded most social structures and institutions as being characterized by male dominance. Thus, the grassroots feminists behind the Brussels Tribunal wanted nothing to do with the United Nations and the International Year of the Woman. This is reflected in Simone de Beauvoir’s description of the event as a “radical decolonization of women”.²³¹

This chapter is dedicated to a description of the Brussel’s Tribunal in 1976, its history and main ideas. In the following chapter I explore the rhetoric that characterized the tribunal proceedings and identify narratives concerning politics. However, this chapter is intended to give a ‘thick description’ of the atmosphere as it appears to me as a reader of the tribunal proceedings, as well

²²⁹ See for example Hilkka Pietilä, *The Unfinished Story of Women and the United Nations*.

²³⁰ See for example Leyla J Rupp, *Worlds of Women: The Making of an International Women’s Movement*, and Carol Miller, “Geneva – The key to equality: Inter-war feminists and the League of Nations,” *Women’s History Review* 3:2 (1994).

²³¹ Diana E. H. Russell and Nicole Van de Ven (eds.), *Crimes against Women*.

from descriptions and comments I have found in activist journals in the form of reviews.²³² When I continue in the next chapter to analyze the more precise uses of concepts, this chapter on the organization and idea of the event will provide context.

Ideas and Organization

The organizers trace the idea of the Brussel's Tribunal back to discussions that took place at a feminist summer camp organized by a Danish radical feminist group called Rødstrømperne (*Red stockings*). The camp, which was held every summer on Femø, a small island on the coast of Lolland in Denmark usually attracted many international participants who met and discussed the situation of women globally.²³³ In the summer of 1974 the forthcoming United Nations' International Women's Year became a major talking point among those attending the camp. Moreover, discussions at a special seminar dedicated to the United Nations' plans revealed that many who were present at the camp were unanimous in their suspicion of the UN and its genuine interest in women's issues.²³⁴

The idea of holding a tribunal on crimes against women was just one of many ideas that came up during the final days of the camp in Femø. Consequently, the women who were most engaged in the question agreed to hold another planning meeting to strategize about counter actions. This meeting actually became a large preparation conference with around 600 participants, held in Frankfurt in November 1974. In Frankfurt it was decided to organize an international tribunal on crimes against women. Then another preparatory meeting was held in Paris in 1975, attended by approximately 50 women.

During these meetings it was agreed that national contacts should be created in as many countries as possible. The national contact could be an organization but in reality, was often only one or two persons. The national contacts were given the task of agitating for the tribunal in their home country and setting up national committees to organize preparatory meetings. The national committees were tasked to identify the crimes that they saw as most pressing in their home country and find witnesses willing to testify. The national

²³² Thick description was a concept used by anthropologist Clifford Geertz to describe his in-depth analysis of context in ethnographic research. I use it here mainly to denote the idea of giving a rather detailed description of the event in order to draw up a picture from which to read and interpret the narratives. Clifford Geertz, "Thick description: Toward and interpretive theory of culture," Timothy Oakes and Patricia L. Price (eds.) *The Cultural Geography Reader* (London: Routledge, 2007).

²³³ Henriette Løgstrup and Astrid Elkjær Sørensen, "Rødstrømperne og den nye kvindebevægelse, ca. 1970-1985, (Aarhus Universitet: danmarkshistorien.dk, 2012) (Online: <https://danmarkshistorien.dk/leksikon-og-kilder/vis/materiale/roedstroemperne-og-den-nye-kvindebevaegelse-ca-1970-1985/>).

²³⁴ Diana E. H. Russell and Nicole Van de Ven (eds.), *Crimes against Women*, p 151.

committees were also urged to ‘raise consciousness’ about crimes against women in their countries and abroad, prepare a report to present in Brussels and raise funds for travel.²³⁵ As described in the tribunal proceedings, the organization of the event seems to have been in line with the kind of ‘flat’ and loose structure that characterized many women’s liberation groups at the time.²³⁶

Diana Russell mentions in her account of the ‘herstory’ of the tribunal that at the Paris meeting, the organizing committee had such differing politics that they could not agree on an official statement of purpose to use at the opening of the tribunal. There was only one aim that they could all agree on:

It is important to show that the oppression of women is the same everywhere, only different in degree; and that each case is not an isolated case, but typical of what happens in the particular country. The aims are to reach women everywhere, to reinforce solidarity between women, and to discover ways to combat crimes against women.

Due to a lack of funding the event missed the opportunity to constitute a contemporaneous alternative to the UN conference. The alternative grassroots event was finally realized when the Belgian Minister of Culture offered the Palais de Congrès in Brussels free of charge to the tribunal. Thus, the first independent women’s People’s Tribunal: *Crimes against Women*, was held in Brussels from 4th–8th March 1976, together with a conference and various workshops and seminars. Representation was high and geographically broad, considering the lack of resources, as it was attended by around 2,000 women from 41 different countries,²³⁷ although not any Eastern bloc country was represented, nor China.

The stakes were high as the opening statement by a New York preparation tribunal considered the upcoming forum to be “one of the first truly international feminist events planned by women outside the condescending approval of male-dominated organizations.”²³⁸ The event comprised seminars and workshops, therapy sessions and political discussions in addition to the actual tribunal, at which women testified about their experiences of violence and oppression. As a ‘first of its kind’ international women’s peoples’ tribunal, it was inspired partly by the International War Crimes Tribunal (IWCT), which I discussed in the previous

²³⁵ Diana E. H. Russell and Nicole Van de Ven (eds.), *Crimes against Women*, p. 152-154.

²³⁶ Jo Freeman, “The Tyranny of Structurelessness,” *Women’s Studies Quarterly*, Vol. 41, Nr. 3 & 4, Fall/Winter 2013 [1970], pp. 231-246.

²³⁷ Countries represented were *Australia, Austria, Belgium, Brazil, Canada, Chile, Denmark, Egypt, England, France, West Germany, Greece, Guinea, Holland, Iceland, India, Iran, Ireland, Israel, Italy, Japan, Korea, Luxembourg, Mexico, Mozambique, the Netherlands Antilles, Norway, Philippines, Portugal, Puerto Rico, Scotland, South Africa, Spain, Sweden, Switzerland, Syria, Taiwan, the U.S.A., Vietnam and Yemen.*

²³⁸ Diana E. H. Russell and Nicole Van de Ven (eds.), *Crimes against Women*, p. 163.

chapter. Another important source of inspiration was the radical feminist method of *consciousness raising* and the idea and practice of public *Speak-outs* that had been practiced by feminist activists since the late 1960s, notably in the struggle for the right to safe abortions.²³⁹

The tribunal was open to women only and centered on personal testimonies concerning patriarchal violence, sexism and oppression based on sex. The testimonies formed part of a feminist consciousness raising that aimed to create and strengthen a feminist political consciousness – international women’s solidarity conceptualized as “global sisterhood”, echoing the title of American radical feminist Robin Morgan’s anthology from 1970, *Sisterhood is Powerful*.²⁴⁰ The coordinating committee was made up of twelve women: Mariam Bazzanella from Italy, Lily Boekens from Belgium, Grainne Farren from Ireland, Erica Fischer from Austria, Maureen Giroux, Lydia Horton and Diana E. H. Russell from the United States, Mireya Gutierrez from Mexico, Jennifer Morris and Marguerite Russell from Britain and Marit Winnem and Lisbet Natland from Norway. Diana Russell and Nikole Van de Ven from Belgium were the authors, editors and compilers of the tribunal report.

This chapter is dedicated to a reading of the sources of the Tribunal, which mainly comprise this post-conference report. In my reading, I focus on what I interpret as the theoretical and ideological grounds for the tribunal, as they appear in the discourse of both organizers and participants. These include both explicit arguments and implicit assumptions and uses of concepts and phrases that situate the narratives in a wider context of brandishing feminist ideas and politics. Firstly, my aim is to trace the most outstanding themes and the issues that came up. Secondly, to look at how testimonies were discussed and what their role in mobilizing political sentiments was perceived to be and, thirdly, to contextualize the discourses around the event in a wider history of feminist activism and theory. For the sake of enriching the context, I think that a brief description of the tribunal report authors, Diana E. H. Russell and Nicole Van de Ven, is in order. At the time of the Brussel’s Tribunal, Diana Russell (born 1938) was a British citizen living in California and working as a college teacher in sociology and women’s studies. She conducted research into sexual abuse and incest and just one year before the tribunal her book *The Politics of Rape* (1975), based on interviews with rape victims, was published.²⁴¹ Russell was a native of South Africa where she had been active in the anti-apartheid movement before moving to the USA to attend graduate school. According to her own biographical

²³⁹ Alice Echols, *Daring to be Bad*. Public speak-outs were held in New York and Paris in 1969.

²⁴⁰ Robin Morgan (ed), *Sisterhood is Powerful: Anthology of writings from the women’s liberation movement* (Random House, 1970).

²⁴¹ Diana E. H. Russell, *The Politics of Rape: The Victim’s Perspective* (Stein and Day, 1975).

accounts, she first became a feminist after moving to the United States in 1963. Further, she tells readers about her five months leave of absence from her work “in order to go to Western Europe to try to find out what was happening in in the women’s liberation movement over there.”²⁴² Her feminist activism reached new heights around and after 1976 when she became a prominent figure in the anti-pornography movement and she continues her dedicated fight against violence against women to this day.²⁴³ Since the Brussels Tribunal she has advocated for the use of the term ‘femicide’ to highlight the extent of “the killing of females by males because they are female”.²⁴⁴ The term is now used by various UN bodies and the World Health Organization (WHO).²⁴⁵

The other author, Nicole Van de Ven, is described in the report as a French-speaking Belgian journalist and photographer. Her presence is not nearly as tangible in the report as Russell’s. For example, she does not “introduce herself” in the report as Russell does and her biographical info is limited to some facts about her impressive language skills and that she had worked in the Middle East as an art critic. Russell describes her enthusiasm about the tribunal in the report in a third-person narrative. After hearing about the idea in November 1975, Russell writes that Van de Ven was “immediately excited by the idea [and] became heavily involved from that day on, finally giving up her job so that she could work full time on the Tribunal.”²⁴⁶ Notably, Diana Russell and Nicole Van de Ven were central figures in planning the event from the beginning and Russell was among the original initiators, present at both a women’s summer camp in Denmark where the idea was born and in Frankfurt where it was developed further.

²⁴² Diana E. H. Russell and Nicole Van de Ven (eds.), *Crimes against Women*, p. 157.

²⁴³ Diana Russell, “Biography” found on her website: <http://www.dianarussell.com/bio.html> accessed on September 29th 2017.

²⁴⁴ Diana E.H. Russell, and Roberta A Harmes, (Eds.), *Femicide in Global Perspective* (New York: Teachers College Press, 2001), 13-14.

²⁴⁵ “Understanding and addressing violence against women”, information sheet by the World Health Organization, 2012,

http://apps.who.int/iris/bitstream/handle/10665/77421/WHO_RHR_12.38_eng.pdf;jsessionid=F766491C21EE33DACEE73074DDDA41C9?sequence=1 accessed June 12th 2018. “Latin American Model Protocol for the investigation of gender-related killings of women (femicide/feminicide)”, Regional Office for Central America of the United Nations High Commissioner for Human Rights (OHCHR), 2014, <http://www.un.org/en/women/endviolence/pdf/LatinAmericanProtocolForInvestigationOfFemicide.pdf> accessed June 12th 2018.

²⁴⁶ Diana E. H. Russell and Nicole Van de Ven (eds.), *Crimes against Women*, p. 8.

Global Speak-Out

Strengthened by your solidarity, you will develop defensive tactics, the first being precisely the one you will be using during these five days: talk to one another, talk to the world, bring to light the shameful truths that half of humanity is trying to cover up. The Tribunal is in itself a feat. It heralds more to come. I salute this Tribunal as being the start of a radical decolonization of women.

Excerpt from Simone de Beauvoir's opening letter to the Tribunal, 1976

Russell and Van de Ven described the event as a global speak-out and a feminist response to the UN- declared International Women's Year 1975, of which, according to them, many women's liberation activists were highly critical, as discussed above.²⁴⁷ Russell describes how the idea of having an international tribunal on crimes against women was born at the Danish Redstockings' summer camp, where the participants met every day and discussed what kind of actions the women's liberation movement could engage in during the United Nations declared Women's Year.

Most of us were highly mistrustful of what would be organized during this year by people unrelated to the women's liberation movement. Most of us did not subscribe to the espoused IWY goal of giving women equality with men in the system as it exists today—a system that requires radical restructuring, not the integration of women into its patriarchal structures. Besides, to eradicate sex roles requires such radical restructuring; the integration of women can never be more than token.²⁴⁸

Demands for a radical restructuring of the social system are very tangible in Russell's account as is evident from the quote above. Patriarchy is viewed as being embedded in all global social and economic structures, and sex roles are its most pervasive pillars. A clear mistrust towards the United Nations is a consequence of this viewpoint. According to Russell, the discussions in Femø entailed a fear that, in all probability, IWY would achieve little beyond window dressing. "More seriously, it might succeed in leading women to believe that these patriarchal governments and the male-dominated UN itself have our best interests at heart."²⁴⁹

²⁴⁷ Diana E. H. Russell and Nicole Van de Ven (eds.), *Crimes against Women* p. 5.

²⁴⁸ *Ibid.*, p. 151.

²⁴⁹ *Ibid.*

Russell's and the other organizers' suspicion of authority and established institutions is in line with the attitudes of women's liberation groups during this period. Hence Echols explicates how this kind of suspicion was endemic to the women's liberation movement in the United States. The fear concerned the co-optation of feminist ideas that would entail a relative "success" instead of a radical restructuring of society. This type of attitude was not limited to the women's movement since the fear of co-optation of political issues and discourse was peculiar among radical movements during the late 1960s and early 1970s.²⁵⁰ The tension between revolution versus revision is a familiar theme.

According to Russell, a radical yet constructive, independent international feminist conference was called for as a necessary counter action to the United Nations' initiative around women's issues. After two years of organizing, women from various parts of the world met in a spirit of international feminism that strove beyond nation-state politics.²⁵¹ Russell and Van de Ven emphasize how well the slogan of international solidarity address the assumptions of the organizers. "Our struggle", they state, "must not only be conducted within nations, but across national boundaries. Nations are man-made." It is in this spirit that the United Nations is depicted as being only an extension of the patriarchal man-made nation states.

Real Crimes

*For purposes of the International Tribunal on Crimes Against Women, all man-made forms of women's oppression were seen as crimes against women. This conception implies a complete disagreement concerning acts defined as crimes by patriarchal societies.*²⁵²

Diana Russell explains how Bertrand Russell's and Jean Paul Sartre's initiative for the International War Crimes Tribunal (IWCT) had "Helped spark the idea that oppressed peoples have the right to dissociate themselves from those definitions of crimes which have been developed by their oppressors to serve their own interests."²⁵³ In referring to the tradition of people's tribunals, the organizers of the Brussels Tribunal place themselves in a tradition of critique of formal legal

²⁵⁰ Alice Echols, *Daring to be Bad*.

²⁵¹ Participants were from Australia, Austria, Belgium, Brazil, Canada, Chile, Denmark, Egypt, England, France, West Germany, Greece, Guinea, Holland, Iceland, India, Iran, Ireland, Israel, Italy, Japan, Korea, Luxembourg, Mexico, Mozambique, the Netherlands, Antilles, Norway, Philippines, Portugal, Puerto Rico, Scotland, South Africa, Spain, Sweden, Switzerland, Syria, Taiwan, the U.S.A., Vietnam and Yemen.

²⁵² Diana E. H. Russell and Van de Ven, *Crimes against Women*, p. 152.

²⁵³ *Ibid*.

systems from the perspective of the formally powerless. However, the Brussels Tribunal departed from-legally authorized tribunals as well as the IWCT, in which witnesses testify in front of a panel of judges, in their total dismissal of the role of judges. In contrast, the IWCT Tribunal in 1967 included a panel of judges who were chosen on the grounds of their moral and ethical standpoints. In the Palais des Congrès in Brussels in 1976 “we were all our own judges” and “the women present, completely rejected patriarchal definitions of crime; all man-made oppressions were seen as crimes.”²⁵⁴ Furthermore, the crimes defined by the Crimes Against Women Tribunal were not considered as such in most parts of the world, as Russell explains:

*Most of the crimes testified about are not recognized as such by patriarchal nations, indeed many of the crimes are enforced by our patriarchal laws. [...] If laws were made to serve women’s interests instead of men’s then it would be a crime, for example, to force women to be mothers against our will by outlawing contraception and abortion.*²⁵⁵

Laws are defined as products of a patriarchal system, directly protecting the interests of men against those of women; the powerful against the disempowered, and not rooted in any universal values. The dismissal of judges can also be read in light of the authoritative value that the testimonies were granted. The witnesses speak for themselves and there is no need for an external evaluation or legitimation of the speech. Thus, the egalitarian principle also reached down to epistemology; the authority of the narrated experience is total. The call for truth further resonates with feminist emphasis on patriarchal distortions of women’s experiences.

Simone de Beauvoir, whose opening greeting officially launched the event, emphasized in the same vein as Russell, that the subordination of women should be regarded as “real crimes”. She argued:

You are right to consider this condition the source of real crimes: the position imposed on women, whether under institutionalized forms or not, leads to unacceptable attacks against the human being; against these, in the vast majority of cases, there is no legal recourse. That is why it is urgent that women should mobilize themselves to combat these concerns by their own means. Strengthened by your solidarity, you will develop defensive tactics, the first being precisely the one you will be using during these five days: talk to one another, talk to the world, bring to light the shameful truths that half of humanity is trying to cover up. The Tribunal is in itself a feat. It heralds more

²⁵⁴ Ibid., p. 7.

²⁵⁵ Ibid.

*to come. I salute this Tribunal as being the start of a radical decolonization of women.*²⁵⁶

As existing political institutions did not recognize the systematic oppression of women, they would have to challenge the very understanding of crimes. Thus, according to Russell and Beauvoir, there is a difference between “real crimes” and those crimes recognized and condemned by legal systems. The contrast brings to mind Derrida’s discussion about the justice of the legal system and justice beyond the law. However, there is an interesting twist in the use of the word “real” because in this instance it does not have the same meaning as in ‘real politics’ as this phrase is usually meant to signify politics as they are conducted by politicians. “Real crimes”, however, appear to refer to a higher order reality than the reality manifested in the worldly practices of (patriarchal) jurisprudence. Regarding ‘real politik’, Beauvoir criticizes the UN conference for representing little less than typical party politics and nation-state politics.

Women’s Liberation as de-Colonization

Addressing the participants as “Dear sisters”, Beauvoir expressed her sorrow for not being present at this “great historical event,” which she compared to the United Nations conference in Mexico, the previous year:

*Where women, directed by their political parties, by their nations, were only I [sic] seeking to integrate Woman into a male society, you [the participants in Brussels] are gathered here to denounce the oppression to which women are subjected in this society.*²⁵⁷

Beauvoir praises women’s activism around the world, which “for the first time [...] will join together, and women coming from all over the world will become conscious of the scandal of their condition.” Women’s decolonization lies in their own hands, she argues, and underlines accordingly that “they mobilize themselves to combat these concerns by their own means.” Important to Beauvoir, which moreover resonates with her Marxist-Hegelian and existentialist philosophy, is that freedom from oppression is not granted from above; it is claimed by the oppressed themselves.

As previously mentioned, the organizers planned the Brussels event as a counter venue to the UN conference, and they therefore wanted the events to coincide. However, for financial reasons, the Tribunal in Brussels was delayed until the spring of 1976 and therefore did not actually become the alternative

²⁵⁶ Diana E. H. Russell and Nicole Van de Ven, *Crimes Against Women*, p. 5.

²⁵⁷ Ibid.

event as they had hoped. The organizers expressed some disappointment because of the delay, mainly because of the loss of media attention, which probably would have been greater if the tribunal had coincided with the UN conference in Mexico. Yet, in the last instance, Beauvoir wrote an article about the Tribunal in *Le Nouvel Observateur* on March 1st, just before the opening of the event, where she claimed that it perhaps was more agreeable that the tribunal took place at this precise time and didn't coincide with the IWY. Her description of the Mexico conference clearly manifests the antipathy towards the UN that permeated the spirit of the Brussels Tribunal. Her word also further stress the importance of an independent struggle on behalf of women, by women, as women, which would make it truly universal.

*[...] the Tribunal will open after the closing of the preposterous Year of the Woman, organized by male society to confuse women. The feminists gathering in Brussels intend to take their destiny into their own hands. They are not appointed by parties, nor by nations, nor by any political or economic group; it is as women that they will express themselves. In effect, under whatever regime, law, moral code, social environment in which they find themselves, all women suffer from a specific form of oppression: they will be meeting in Brussels to denounce it.*²⁵⁸

Beauvoir's description of the event as a point in which women meet and discuss their oppression *as women* is a politicization of the status and experience of women as a group with common interests, which she claims transcend national and geographical boundaries. It is as much a claim about global patriarchy as it is a call for women's global solidarity. De Beauvoir's notion of the "radical decolonization of women" connotes to ideas about reclaiming something, which has been taken away, or distorted by a patriarchal 'colonialism'. Furthermore, by using this phrase she makes a connection between the struggles of women's liberation and the struggles of the colonies for independence from European imperialist authorities. As I will demonstrate in the next chapter, the rhetoric of "de-colonization" also resonates with how radical feminist thinkers identified their struggle with blacks and appropriated both phrases and methods from the black power movement. A good example is Kate Millett's description of patriarchal ideology as "interior colonization without a peer".²⁵⁹

²⁵⁸ Ibid.

²⁵⁹ Kate Millett, *Sexual Politics*.

Testimonies and Authenticity

The tribunal divided into sessions around different themes, with the presentation of reports including analyses about the state of affairs in each represented country concerning the issues at stake, followed by individual testimonies about personal experiences of violence or discrimination. The themes concerned issues that related to women's reproductive rights, economic discrimination, patriarchal family structures and the persecution and discrimination of women who break the norms of their respective societies, notably 'forced heterosexuality'.²⁶⁰ The participants were invited to initiate workshops that included various topics based on interest. Many of the topics were related to, or directly connected to, the themes of the testimonies, as well as on topics such as medical self-help, elderly women, feminist therapy, pornography, capitalism and women's oppression, anti-feminist socialism, the setting up of an international newsletter, the outcome of the Tribunal.

Diana Russell appears in the text as an enthusiastic advocate of the method of large-scale consciousness raising, which she claims constituted one of the most fundamental ideas of the Tribunal from the start and emphasizes the "power of personal testimony to educate, politicize, and motivate."²⁶¹ She discusses the decision to favor testimonies of individual experiences as a means of politicizing the struggle and claims that this was intended to be a place where victims of crimes against women would testify about their experiences, rather than "experts and well-known people" propounding their views. A suspicion towards 'abstract theoretical debates' is explicit in her plead

It seemed more powerful, too, than a conference where women from the women's liberation movements in different countries would debate about the causes of our oppression and the pros and cons of different strategies for change. Discussions about causes and solutions are, of course, indispensable to our struggle, both nationally and internationally, and the International Tribunal was always intended to include such discussions. However, our

²⁶⁰ The themes were: forced motherhood, compulsory non-motherhood, persecution of non-virgins and unmarried mothers, crimes perpetrated by the medical profession including brutality towards women giving birth and general medical crimes, compulsory heterosexuality: persecutions of lesbians, crimes within the patriarchal family, economic crime, dual oppression by family and economy, double oppression of third world women, double oppression of immigrant women, double oppression of women from religious minorities, violence against women including rape, woman battering, forced incarceration, in mental hospital and marriage, femicide, castration of females: clitoridectomy, excision and infibulation, violent repression of nonconforming girls, torture of women for political ends, brutal treatment of women in prison, and violence against women in general, and lastly sexual objectification of women.

²⁶¹ Diana E. H. Russell and Nicole Van de Ven, p. 152.

*analyses, our syntheses, our proposals for action, must be informed by feelings, not just intellect.*²⁶²

A variation of the idea that feelings should play a more crucial role than intellect in feminist activism occurs repeatedly in the text whenever the idea of the event is discussed, something which hints at its importance. It is a strong indication that the struggle should originate from below, from the grassroots. This, in turn, is something that she contrasts with “abstract” theoretical and political discussions concerning strategies. Thus, *feeling* is depicted in her narrative as more concrete and more authentic than *theory*. The division between theorists, experts or famous women on the one hand and ordinary women on the other is further described through a distinction between intellect and feeling. Furthermore, as these remarks demonstrate, Russell is very much entangled in the thematic of ‘anti-leadership’. She goes to great lengths in apologizing for her organizing role, even though she is sure to mention that she thinks she and the other organizers received well beyond their share of critique.

Russell’s evaluation of the role of feelings in women’s political struggle is a plea for the authenticity of experience as well as the importance of emotions in the forging of international solidarity among women. Thus, untheorized experience is pictured as being truer and the spontaneous politics that spring from it more authentic. The participants in Brussels are described by Russell as representing women as *women*, who have come together to fight for common interests. Arguing that it was a uniting factor of women’s liberation groups from various parts of world, she presented the method as universal and ‘natural’ for women, noting, however, that consciousness-raising practices were less common “where the movement is still very strongly influenced by the left.”²⁶³ Her comments become more understandable if connected to the debate that took place in the early days of the women’s liberation movement between ‘politicos’ and ‘feminists’ or radical feminists. As Alice Echols has discussed, in its initial phase, the women’s liberation movement grew out of the New Left, and socialist analysis dominated the discussion of women’s oppression, which was considered an epiphenomenon of capitalism. Radical feminism, however, grew out of a frustration with sexism within the Left and offered an alternative analysis arguing that women constituted a sex class, meaning that sexism was inherent in the capitalist system, but was also an independent source of the oppression of women.²⁶⁴ As I will discuss at more length in a subsequent chapter about consciousness raising, the phrase ‘the personal is political’ partially stems from

²⁶² Diana Russell and Nicole Van de Ven, *Crimes against Women*, p. 152.

²⁶³ *Ibid.*

²⁶⁴ Alice Echols, *Daring to be Bad*.

the expressive politics of the New Left. However, a debate concerning the idea of consciousness raising had been a source of conflict between the radical feminist wing of the women's liberation movement and the Left. In addition, many of the women's liberation groups in the USA around 1970 debated about how to apply and theorize consciousness-raising practices. That is, *why* and *if* they were important to the movement.²⁶⁵

Discussing Power

When giving an account of the event, Russell writes in a personal style from a first-person perspective. This way of writing 'herself' as an emotionally-invested participant personalizes the text, which gives it the effect of authenticity which, in this context, imbues it with a certain authority. Another related character of her style is the way in which she distinguishes herself, the other organizers, as well as the participants in opposition to power, hierarchies and high status. These were "ordinary women" as opposed to those who attended the conference in Mexico. Russell states that the Tribunal was not a conference of leaders.

*It was a conference in which the willingness to talk about having been a victim of sexist oppression was the best qualification going. Ordinary women, who are actually extraordinary women, most commonly held our attention. Many had trouble raising the money to get there. Housed for the most part in youth hostels reserved by the Belgian committee, wearing casual clothing typical of women in the movement, the participants were indeed very different from those attending: IWY Tribune in Mexico, or the World Congress in East Berlin. This applies also to the organizers of the Tribunal.*²⁶⁶

A lack of power, influence and economic resources is portrayed as a sign of authenticity and virtue, similar to Sartre's rhetoric at the IWCT in 1967. Moreover, the emphasis on the participants' lack of formal political and economic power can be interpreted as a means of giving the voices a sense of truth and thereby a claim to political authority, even though that is not explicit. The participants' style of clothing and accommodation are used to describe how close to reality they are and not part of the political establishment (as they picture the participants in Mexico) The general assumption is that they do not have any 'interests' in anything that would distract their judgement. With Marx and Engels we could say that they "have nothing to lose but their chains."²⁶⁷

The opposition to hierarchy and power can be detected on many levels in the report of the event. Frequent references to and antagonism towards "male

²⁶⁵ Ibid.

²⁶⁶ Diana E. H. Russell and Nicole Van de Ven (eds.) *Crimes against Women*, p. 10.

²⁶⁷ Fredrich Engels and Karl Marx, *The Communist Manifesto*, (Penguin Classics, 2002 [1948]).

structures” and “authoritarian organizing” as opposed to “organized anarchy” are said to have developed during the course of the event. At the opening of the tribunal, the organizers commented on the hierarchical architecture of the conference hall at the Palais des Congrès, and Marguerite Russell, one of the planners, therefore apologized to the participants for “being stuck up here in a God-like position”.²⁶⁸ According to Diana Russell, the hierarchical structure of the hall would lead to a “great deal of antagonism” during the tribunal and “no amount of apology or explanation could stop the feeling that those up there wielded enormous power.”²⁶⁹

The egalitarian structure of the testimonial procedures and the emphasis on the absence of traditional court structures with the accompanying hierarchy of judges and juries represent an effort to depart from traditional battles for truth, in which the victim is as much under trial as the defendant. Furthermore, Russell and Van de Ven emphasize that they have done their best to transcribe the testimonies, uncut and un-edited, and further in documenting the discussions as objectively as they possibly could, allegedly demarcating their own interpretations and answers to some of the critique in a separate section. This was their way of writing non-hierarchically, refraining from interpreting the experiences of others and/or speaking for them. In the last instance, they take the premise of non-hierarchy so literally so that they appear as striving to resist having any power.

Another important way to emphasize the grassroots character of the event was to emphasize that it was based on voluntary work and on a very low “shoestring budget”, that it traversed national as well as class boundaries and was anti-institutional, as opposed to the United Nations. That the event was a safe space for women to speak up was thought to be supported by its gender separatism. Furthermore, some hours were also reserved in the program each day for “spontaneous testimony”, something that was also pictured as a marker of the loose structure of the event.

The method employed at the Brussels Tribunal of telling personal stories is meant to reflect a method that many women’s liberation groups applied at the early stages of organizing, but on a larger scale and in a bigger group. The more common way of practicing consciousness raising had been in so-called ‘rap groups’ made up of between 5 and 20 individuals, discussing their problems and analyzing in group.²⁷⁰ The Brussel’s Tribunal, however, involved a hundred times more people and it can be simply assumed that the atmosphere reflected this difference, not to mention the fact that the ‘method’ had been contested for a

²⁶⁸ Diana Russell and Nicole Van de Ven, *Crimes against Women*.

²⁶⁹ Ibid.

²⁷⁰ Jo Freeman, *The Politics of Women’s Liberation. A Case Study of an Emerging Social Movement and its relation to the Policy Process*, (California: Addison-Wesley Longman Ltd, 1975).

while. Despite Russell's belief in the unifying effect of story sharing, she admits that the event was not just harmonious sisterhood and support: "This is not to say that there was no analysis, and no discussion of solutions, nor that there were no conflicts!"²⁷¹

Controversies over Method

Three issues caused the most significant controversies at the Brussels Tribunal: power and egalitarianism, the exclusion of male journalists and the emphasis on testimonies. These conflicts are all connected to ideological perspectives concerning the ways to organize. The first controversy regarded the role of the organizers and the supposedly undemocratic structure of the event. Criticism resulted in the coordinating committee stepping down from its role as moderators, as well as symbolically and physically stepping down from the platform from where speeches were conducted. Lively discussions about power, authority, male structures and hierarchy accompanied this conflict.

The second controversy regarded the strict separatist policy of the Tribunal, notably the exclusion of male journalists from the event. Separate daily press conferences that men would have been permitted to attend according to the initial plan were cancelled following the debates about the issue. This seems to have been a much-debated decision favored by some and regretted by others. This disagreement surely has to do with strategies, since most of the organizers and participants must have wanted the event be a catalyst for change in the situation of women, and not only a closed meeting that would be confined, unnoticed and unremarked on, to the historical dustbin. Nevertheless, the ambivalence towards publicity on the one hand and autonomy and the fear of misrepresentation on the other, contributed to the disputes.

In fact, the separatism of the event is not odd, considering that it had been common practice among small women's liberation groups around 1970. Political scientist and member of the movement Jo Freeman mentions that male exclusion was among the least controversial issues within the women's liberation movement, although it was probably what provoked outsiders the most. Neither was suspicion of the media new. According to Freeman, media boycotting was common in the movement in the U.S. due to bitter experiences accompanied by journalists' systematic distortion and ridiculing of women's activism. As Echols explains, the New left in the United States was struggling with ideas concerning how to organize. After proponents of the black power movement started claiming a separate space and demanded power over their own struggle, white radicals, for example, started to split because of heated debates about political subjectivity.

²⁷¹ Russell and Van de Ven, *Crimes against Women*, p. 7.

Could students constitute a political subject or were they only to be seen as privileged middle- class kids? Should black people lead the movement since they were the most oppressed? The question was whether to organize around your own cause or organize on behalf of others, whether to be auxiliaries or political subjects. In this discussion, political subjectivity is understood as being ultimately embedded in questions of identity and authenticity.

The third controversy was also a familiar one and had been the cause of offshoots and splits within the women's liberation movement before, as I mentioned above. It concerned the program for the event, more precisely the emphasis on personal testimony discussed above. Russell describes the conflicts in some detail:

*We had scheduled a feedback and critique session at the end of the first day, and this time the Spanish women suggested a total change in the Tribunal program. A Spanish spokeswoman complained that the testimony consisted either of mere "anecdotes" or factual descriptions. She felt that theoretical analyses of the causes of the crimes should be developed instead, and ways of combating them should be discussed.*²⁷²

A member of the coordinating committee replied that it would be unfair to restructure the Tribunal because of the work that had been put into the national reports and in preparing the testimonies. The representatives from the committee also stated that some women had even come to the Tribunal because they specifically liked the idea of including personal testimony and therefore opposed the suggestion of departing from the original program, of which the testimonies were a key part. Russell describes how "Some women saw this response as inflexible and authoritarian and the Spanish women's point of view was to gain increasingly vocal support as the Tribunal progressed."²⁷³ The following is an excerpt from a statement by a group of Australian women at the Tribunal:

*But we think that the structure of the Tribunal should change to include less individual testimony and allow more dialogue and interaction between women speaking and the audience. We feel that there are a lot of people here who feel dissatisfied with the superficial nature of the testimonies. The present form of testimony allows for no examination of the specific crimes within their particular context, and a formulation of strategies for change.*²⁷⁴

²⁷² Diana E. H. Russell and Nicole Van de Ven (eds.), *Crimes against Women*, p. 169.

²⁷³ *Ibid.*

²⁷⁴ *Ibid.*, p. 171.

Much of the reviews of the book from the time of its publication discuss the conflict regarding the emphasis on personal testimonies. Teresa D. Marciano dwells on the larger problematic that the conflict exposes in her review of *Crimes Against Women*. She starts the discussion with the prophetic words that “if in a religious age suffering was believed to hold the possibility of redemption, in a secular age it holds the possibility of revolution.”²⁷⁵ According to her, both the critique and the responses from the organizers reflect the problem of how “women who are frightened, isolated and poor [will] be encouraged to link their fates to a larger feminist movement.”²⁷⁶ Marciano emphasizes that although impersonal analyses would not have had the same impact as personal testimony, organized action on a larger scale is still necessary. She concludes:

*Thus the question arises for this, as for so any movement, of how organizational structures can be shaped which will crystallize and channel individual consciousness and energies, shaping them into a collective force, without muting the cause for which the structures were created.*²⁷⁷

Marciano describes the dilemma as being a strategic one, yet she is in accord with the premise that the “cause” is individual women’s experience of subordination and their expression of that experience. This conflict at the *Brussels Tribunal* is not, however, an isolated incident. It exemplifies a tension within the women’s movement at the time regarding the relationship between theory and practice. More precisely, it touches upon the relationship between experience and analysis or interpretation and how the former is put in a political context, which further relates to vanguardism and hierarchy within social movements and the seemingly endless source of debate about who gets to speak and in whose name.

Thus, from my reading about these conflicts I draw the conclusion that the emphasis on the epistemological value of personal speech and the importance of authenticity and spontaneity was not an uncomplicated matter for the participants. The emphasis of ‘feeling versus theory’ ultimately became a source of the most significant disputes during the event. Yet, the conflict is, to a certain extent, also an example of a division between socialist feminism and radical feminism. I will return to this theme and discuss in further detail in a subsequent section dedicated to different understandings of ‘politics’ and ‘the political’.

However, the resistance to power in the organizer’s discourse strikes the reader as very ambivalent. There is a tension between the ways in which the organizers’ and certain participants’ description of power and organizational

²⁷⁵ Teresa D. Marciano, “Review of *Crimes Against Women: Proceedings of the International Tribunal*. by Diana E. H. Russell; Nicole van de Ven,” *Contemporary Sociology*, 6:4 (July 1977), p. 483.

²⁷⁶ *Ibid.*

²⁷⁷ *Ibid.*, p. 483.

structures as always being oppressive and negative on the one hand, and their truth claims and efforts to make changes in the division of power between men and women on the other. Like the conflict over theory versus practice or intellect versus feeling, the ideal of non-hierarchy, spontaneity and total egalitarianism was a well-discussed topic within the women's movements of the early 1970s. Alice Echols explicates how many small women's liberation groups (in the United States) learned that this ambivalence towards – and awkwardness regarding – power could become politically futile. Jo Freeman's by now classic essay "The Tyranny of Structurelessness" was an input to this discussion and exemplifies both the actuality of the topic and disagreements within the movements. Notably, Freeman stresses that even though so-called leaderless, structureless groups felt like a natural reaction "against the overstructured society in which most of us found ourselves, and the inevitable control this gave others over our lives", she argues that the idea of "structurelessness" has gone from being a "healthy" counter to becoming "a goddess in its own right." In this short and well dispersed text, she argues that "the idea is as little examined as the term is much used, but it has become an unquestioned part of women's liberation ideology."²⁷⁸ Freeman goes on to argue that even though a lack of structures and leadership worked well for small 'rap groups' concentrated on consciousness raising, the limits of structurelessness and lack of organization were obvious when it came to further action. In the small groups, looseness and informality could encourage participation and create an atmosphere supportive of personal insight. However, if the plan is to develop politically and move on to more specific actions then the virtue of structurelessness runs the risk of becoming a tyranny of informal leaders and cliques, concealing unavoidable power dynamics.

Considering the number of conflicts regarding leadership in Brussels, Freeman's analysis seems to be quite accurate. The anti-leadership atmosphere sometimes resulted in a total anti-power attitude and this seems to have been quite constraining to possible actions. Also, the organizers' anxiety and ambivalence towards their role seems to have taken a considerable amount of time and energy from strategizing and action plans. Nevertheless, despite of the above described controversies the tribunal appears to have had some significant outcomes, as connections were made across borders, information was dispersed, and some particular cases received extensive media coverage in their respective home countries.

In the next section I continue by exploring the ways in which the idea that 'the personal is political' was expressed at the Brussels Tribunal in 1976. I then present my reading of radical feminist Carole Hanisch's text "The Personal is Political" from 1969, a short article which is frequently referred to in feminist

²⁷⁸ Jo Freeman, "The Tyranny of Structurelessness".

historiography concerning the origin of the phrase, Kate Millet's ideas about 'the political' in her book *Sexual Politics* from 1970, and Juliet Mitchell's book *Women's Estate* from 1971. These texts, written some years before the Brussels Tribunal, correspond in many ways to the issues that came up at the tribunal, which reveals how topical they were at the time.

Notions of the Political and the Personal at the Brussels Tribunal

What do the concepts 'personal' and 'political' refer to in the women's liberation discourse? Questions that have guided my reading of the Tribunal proceedings from Brussels and Vienna and the theoretical texts are: What kind of ideas about politics or 'the political' can be identified in the discourses of each tribunal? How do they understand 'the personal'? What kind of ideas formed the basis of efforts to destabilize the distinction between the private and the public? How are these spheres considered to be connected to the 'personal' and 'the political'? Did radical feminist ideas about 'the personal' and 'the political' undergo any changes with the incorporation of the human rights framework? In this chapter I present my reading of the Brussels Tribunal in terms of how these concepts are utilized by organizers and witnesses alike.

Transcending Politics

The idea that 'the personal is political' permeated the air at the Brussels Tribunal. As I traced in the previous section, the event was characterized by a strong commitment to grassroots activism, anti-elitism, spontaneity and authenticity. The sharing of personal experience is believed by Russell and her co-organizers to transcend not only national, racial and economic boundaries but also politics. In the context I take it that she means traditional party politics, or block politics of left and right.

Personal testimony was emphasized because of the belief that it is through sharing our personal experiences of oppression that we become politicized and motivated to struggle against that oppression and the societal conditions producing it, rather than by engaging in abstract theoretical debates divorced from our personal experiences [...] For us to recognize our common interests as women in combating the crimes we are subjected to, should help us more easily transcend differences in nationality, as well as culture, class, race, sexual preference, age, religion and politics. In contrast to the IWY Tribune in Mexico

*where these differences led to constant disruptions, the Tribunal's focus on our common problems did help to unite us.*²⁷⁹

By sharing individual problems, Russell argues, “we come to see that these problems are not merely personal, but that they are caused or exacerbated by the way women are regarded and treated in general, and the situations and roles we commonly find ourselves in.” Moreover, the focus on personal experience is pictured by Russell as something that unites the participants in Brussel, while the UN venue in Mexico the year before is depicted as a place of differentiation and antagonism, where women were divided by political ideologies, Cold War division into system blocks or nation-state politics. Thus, Russell contrasts ‘personal experience’ at the Brussel’s tribunal with ‘politics’ at the UN conference in Mexico.

Hence, in some instances the words ‘political’ and ‘politics’ appear in the tribunal report when they are used to refer to particular interests as opposed to what is general and shared by the majority, as a reference to agents of political parties who might have suspicious aims, according to the narrator. Simone de Beauvoir argues, for example, that the women present were not representatives of any political parties or nations but “gathered here to denounce the oppression to which women are subjected in this society.”²⁸⁰ Thus, one could interpret Beauvoir’s words to mean that the women who were present were not under the influence of any *particular* ideology but denouncing a *general* situation. Another example of a similar understanding is in a testimony in a section called “Violence against Women”. A testimony about rape and the treatment of women victims of rape in the juridical process called for a solidarity that would rise above politics.

*We are making an urgent appeal for the solidarity of each one of you in your different countries, a solidarity that will rise above any political, social and philosophical differences between us.*²⁸¹

Also, in this narrative, an understanding of ‘political’ appears as something that has to do with particular interests, right and left, as opposed to what is general and universal. Women’s solidarity across borders, races and classes is pictured as being dependent on a universality that reaches beyond political particularities and differences. Women’s struggle is seen as more fundamental, more universal than ideological and geographical disputes. A good example is a joint resolution by Arab and Jewish women from Israel:

²⁷⁹ Diana E. H. Russell and Nicole Van de Ven (eds.), *Crimes against Women*.

²⁸⁰ *Ibid.*, p. 5.

²⁸¹ *Ibid.*, p. 87.

Be it resolved, that the dialogue between Arab and Jewish women that has begun at this Tribunal shall continue within the framework of international feminism. As women, we understand that our oppression is by men and not by opposing nationalities. This Tribunal is the first international forum in which both Israeli and Arab women have each publicly condemned their own societies for their oppression of women, rather than condemning one another. This act on the part of the Middle Eastern women demonstrates that international feminism can rise above male-dominated nationalistic power politics.²⁸²

Political Awakening and Empowerment

Since the tribunal proceedings include many witnesses from all over the world there are many different voices in the report but what nearly all of them have in common is that they are already ‘politicized’. In other words, from their testimonies one can read about their political awakening and activities in some social or political organization in their home countries. Hence, the testimonies often contained some kind of political analysis of the situation they describe and most of them identify themselves as part of ‘the women’s movement’. Moreover, some of the testimonies were reports of campaigns made by feminist organizations and groups, such as campaigns concerning wages for housework, campaigns against rape and other violence against women, or targeting forced heterosexuality and crimes against lesbians. Thus, one of the expressions of the political dimension in the stories of personal experience is the ways in which the witnesses emphasize the importance of organizing collectively and seeing the ‘crimes’ they have suffered as part of a bigger picture, structure or ideology.

In contrast to the understanding about feminism as being a truly universal struggle that transcends politics and ideology, this second narrative emphasizes the clash of ideologies. Patriarchy is seen as one ideology and feminism as another, contesting the ‘political’ framework, which is based on a structural analysis of women’s situation and a will to change the relations of power between men and women. Connected to this narrative is the psychologically-empowering effect of political awakening, entailing a reinterpretation and redirection of a feeling, with the aid of a theoretical perspective. In a testimony about ‘forced heterosexuality’, a witness emphasizes the importance of organizing politically as a survival method and how a politicized identity as a lesbian poses a threat to the patriarchal system:

In order to survive this daily battle with teachers, employers, colleagues, parent, institutions, and the whole heterosexual environment, lesbians have to

²⁸² Ibid., p. 143.

*organize. The fact that we are organizing has political overtones, and that is the point at which being lesbian becomes a concrete danger to the patriarchal society. It is a danger because by doing this, we are visibly opposing two of the basic requirements on which the patriarchal system functions – heterosexuality and isolation of women.*²⁸³

This witness expresses an understanding of political action as something that threatens the status quo and thus entails a clear conflictual aspect of politics and the political. In addition, it is implied that *being political* is about seeing things from a particular enlightened view from a feminist perspective. Furthermore, a number of witnesses emphasize the importance of political organizing for personal growth. One example is a testimony about the importance of political awakening concerning “economic crimes”. Here a woman describes her experience of joining an action committee:

*Moreover, the moment that you join an unemployment committee, or something similar, outside the cycle of the consumer society, your eyes are opened to the power of the capitalist system where most of the gadgets are only designed to trap women into the cycle of conspicuous consumption so that they forget what life is about.*²⁸⁴

She concludes by emphasizing the life fulfilling aspect of being politically active: “Women fill in the gap in their lives by good works which are well regarded by our society. But isn’t it in political and feminist groups that we should take our place?”²⁸⁵ This witness underlines how enriching social activities can be but encourages women to dedicate their time to political activities instead of doing ‘good works’ or charity. Here, feminist awakening is part of an ideological critique of capitalism and is therefore not seen as transcending politics but entangled in a critique of political economy. In various ways these narratives describe a feeling of disillusionment, joy and empowerment in becoming organized or politically aware about their own situation in the ‘larger picture’. It includes a conflictual view of social reality and an attitude that emphasizes active political participation by women in order to change their situation.

A witness from India describes this conflictual dimension and her struggle at home to agitate her ‘sisters’ to organize as women within the left. “I have come a long way to speak to you” she said and stressed the fact that she had been waiting a long time for this opportunity to speak about the oppression of women in her country. She stated that women from India suffered from triple sexual

²⁸³ Ibid., p. 42.

²⁸⁴ Ibid., p. 56.

²⁸⁵ Ibid.

exploitation: by men in their families, by the state and by “an international system of male complicity”. She spoke on the issue of women political prisoners.

Another woman and I got involved in politics about five years ago. We were very upset about the condition of our country, about the poverty, about the oppression, and we wanted to do something about that. We got involved in a left movement—the Naxalites—and we tried to organize women into groups. [...] As a result of our activities, we were arrested. In prison we tried to organize solidarity with the other women prisoners, because we felt that the women prisoners were also there for political reasons. Although we were consciously political, they were not arrested for any consciously political action, yet it was the system in which all of us were trapped which had landed us all in prison.²⁸⁶

This story includes two notions of ‘politics’ and ‘political’. The witness describes herself and her fellow activist as consciously political, which meant that they had embraced a leftist feminist analysis of their situation and organized accordingly. Their consciousness had been raised and they saw themselves as political subjects. However, she also implies that the violence of ‘the system’ and its structures of domination are political. This brings me to the next feature of the uses of the word ‘political’, namely, as a structural and categorical domination.

Politics as Structural Violence

We must realize that a lot of homicide is in fact femicide. We must recognize the sexual politics of murder. From the burning of witches in the past, to the more recent widespread custom of female infanticide in many societies, to the killing of women for “honor,” we realize that femicide has been going on a long time.²⁸⁷

A third aspect of the way in which the concepts ‘political’ or ‘politics’ appear in many of the narratives in the tribunal proceedings is that it is understood as a system of domination and oppression of one group over another, often through violent means. Russell is a very good representative of this thought and just the previous year she had published a book called *The Politics of Rape, the Victim’s Perspective* in which she argued, among other things, that rape was not to be conceived as a socially-deviant behavior but as a consequence of socially-accepted ideas about masculinity.²⁸⁸ The title is clear: Men raping women is politics. By this she means that rape is not a random act of one individual against another,

²⁸⁶ Ibid., p. 117.

²⁸⁷ Ibid., p. 104.

²⁸⁸ Diana Russell, *The Politics of Rape*.

but one of the most brutal expressions of a power struggle, as the way in which one group of people dominate another and retain ‘political’ power.

In the tribunal proceedings, Russell writes short introductory remarks to the testimonial sessions that are divided in terms of types of ‘crime’. In a section containing testimonies about violence against women, she suggests that: “Violence against women in general serves a political function in maintaining sexism.”²⁸⁹ Still another example appears in Russell’s short introduction to the testimonies about “Woman battering”. She argues:

*Assault of women, or “woman battering” as it is now commonly called, both within marriage and outside it, has much in common with rape. The fear of men that both rape and battering instill in women has similar political consequences. Both are often accompanied by an agonizing fear of death, and both sometimes result in womanslaughter – or femicide.*²⁹⁰

What Russell is referring to when she claims that the fear of rape has political consequences is that it is a form of terrorizing that restricts women’s participation in both private and public life. The political consequences are that one may feel threatened *as a woman* and that *men as a group* benefit from that fear. She opposes what she considers to be “the general view” (shared mainly by men, according to her) that “the murder and mutilation of a woman is not considered a political event”, concluding her discussion by connecting politics to fear and control when she argues that “the political content of the terror helps to perpetuate it, keeps us weak, vulnerable and fearful.”²⁹¹ This understanding of politics implies that a feminist project should aim for relations between men and women that are stripped of ‘politics’ understood as a violent power struggle.

In my reading I have highlighted three differing narratives of ‘the political’ and ‘politics’ as they appear in the tribunal proceedings. The first narrative entails a view that implies that *politics* is about defending particular interest groups as opposed to representing the general and the universal. Being ‘political’ in this sense refers to one openly or deceptively representing some particular interest and, against this kind of particularity, argues for the universalism of feminism. Feminism is not ‘politics’ and should transcend it. According to this narrative, political parties and ideologies often distort the truth or disguise suspicious aims. True solidarity should therefore aim to transcend politics according to this logic.

Secondly, I have identified a narrative that emphasizes the moment of political awakening. In this understanding, becoming ‘political’ is part of an awakening that coincides with seeing things as part of a larger social structure

²⁸⁹ Diana E. H. Russell and Nicole Van de Ven (eds.), *Crimes against Women*, p. 111.

²⁹⁰ *Ibid.*, p. 92.

²⁹¹ *Ibid.*, p. 105.

and particular incidents as part of a general system and relations of power. Included in this perspective is also an idea of empowerment and joy followed by the appropriation of a political analysis and collective action. In some ways the second narrative also contradicts the first about becoming political since it does not include the same antagonism towards the concept but includes a view that the world is 'political', meaning permeated with different conflicting interests.

Lastly, there is the kind of usage that implies that politics is about structural oppression and domination, tactics to maintain a system using terror and violence. For something to be considered a political act means that it is not innocent in relation to the general system of domination. Suffice to say it is a rather negative view of politics and therefore also implies some kind of will to transcend it as it is more or less equated with structural violence. Now let us look at the other half of the equation: 'the personal is political'. How is 'the personal' understood by the Brussels Tribunal's participants?

From Self-Blame to Anger

By sharing personal experiences and problems, we come to see that these problems are not merely personal, but that they are caused or exacerbated by the way women are regarded and treated in general, and the situations and roles we commonly find ourselves in. We come to see that many of our problems are externally or socially induced, and hence, widely shared by other women. By talking honestly with each other, our isolation can be transformed into solidarity and our self-blame into anger, which motivates action much more powerfully than self-hatred.²⁹²

Russell's presentation of the method of consciousness raising indicates a move from the particular to the general, from the individual to the structural. According to her, it is by analyzing our own experience and telling our stories to our fellow women that we are able to form a political understanding of our situation. Moreover, according to this view, *understanding* comes by articulating and reflecting on *experience*. The simple choice of organizing a tribunal with individual testimonies at center stage is an example of the importance of the method of moving from the articulation and recognition of a personal experience to a more general analysis and political consciousness.

However, as I mentioned in my discussion of the political dimension of the tribunal testimonies, nearly all the witnesses already had a political analysis of their situation prior to the Brussels Tribunal. Whether they represented only themselves and told their individual story or spoke on behalf of a larger group or

²⁹² Ibid., p. 152.

campaign, they had, so to speak, already had their ‘consciousness raised’. Their testimonies often recounted their political awakening as feminists and many applied a Marxist analysis to their situation and associated their individual experiences of oppression and exploitation to a capitalist system.

Considering the fact that most if not all witnesses already speak ‘as feminists,’ they have already applied a theoretical perspective to their experience and narrate it accordingly. My reading of the testimonial narratives in the proceedings thus suggests that the act of speaking about personal experience revolves to a greater extent around the revaluing of affects. The stories enhance a common feeling of active anger, rather than being directly a source of political consciousness. Passive and inward-looking self-blame is transformed into outwardly directed, active anger, when analyzed together and presented in a ‘political,’ feminist theoretical light. Feelings of isolation and helplessness are rethought and revalued and the ‘blame’ is directed at ‘the system’. In women’s liberation discourse around 1970, ‘the system’ usually referred to capitalism. But gradually with the rise of radical feminism, it came to refer to patriarchy.²⁹³

The most common usage of the concept of ‘personal’ in the tribunal proceedings is when the witnesses refer to themselves as particular and unique individuals who want to share their *individual experience*, as in “I have come to testify about something that happened to me personally.”²⁹⁴ Some of the testimonies begin with a general analysis of a situation, structures or material conditions for women, which is then followed by a “now I will tell you about my personal experience of...,” as to give a concrete example of what she had already presented more generally and in structural terms.²⁹⁵ Similarly, a witness testifying about “Double oppression of third world women” starts by stating that she hopes that her statements:

*Will help raise the consciousness of all women here and strengthen us in the development of an international sisterhood so powerful that all crimes against women will end now and forever.*²⁹⁶

Then she continues by saying that before discussing her “personal plight of poverty and the welfare system”, she “would like to talk about more general aspects of welfare and poverty in the U.S.”²⁹⁷ Similarly, one witness starts with the general and then refers to her own experience “As a lesbian, I personally suffered all the repressions that have been talked about today.”²⁹⁸ Hence, in a

²⁹³ Alice Echols, *Daring to be Bad*.

²⁹⁴ Diana E. H. Russell and Nicole Van de Ven (eds.), *Crimes against Women* p. 22.

²⁹⁵ *Ibid.*, p. 20.

²⁹⁶ *Ibid.*

²⁹⁷ *Ibid.*, p. 72.

²⁹⁸ *Ibid.*, p. 46.

way, contrary to the theory about consciousness raising as happening at the moment one speaks up, most of the witnesses move from a general political analysis to a representation of their own experience from within that analysis.

The 'Personal' as Private and Authentic

Another aspect of the ways in which 'the personal' appears, although implicitly, is that many of the issues raised were 'crimes' committed within the protected walls of the home and the family, sanctioned by laws concerning privacy and marriage, for example. Thus, the content of the individual narratives usually concerned issues that had not been regarded as being of public and political interest before. There is, however, no explicit reference to the private and public distinction in the Brussels Tribunal proceedings, which is interesting in light of the importance the concepts of 'private' and 'public' received in Vienna almost twenty years later. A further dimension I have identified in the different notions of the personal is when personal, individual experience is pictured as something concrete, in oppositional tension with what is abstract 'political' theorizing. Experience is personal, it is individual and pre-theoretical and pre-political. It is therefore truer and more authentic because it is understood to be grounded in the real lives of real women.

As I have discussed in a previous chapter, the emphasis on the personal testimonies proved controversial. Many of the tribunal participants were frustrated because of the emphasis on "anecdotal" personal stories of suffering and asked for a deeper political analysis. Even though the witness proceedings were followed by workshops on political strategies, many participants found that too much time had been spent on listening to stories of personal experiences at the cost of political discussions and strategizing for further action. Suggestions were made at the end of the tribunal that instead of organizing another similar tribunal with testimonies, those interested in the subject should organize an "International Strategy Conference" to combat crimes against women.²⁹⁹

These conflicts and the various, often contradictory, understandings and applications of 'the personal' and 'political' that I have identified in the tribunal report and the witness proceedings indicate that there was a tension between different notions of both 'the personal' and 'the political'. The concept or the term 'political' often appears as either referring to structural oppression or tactics of domination of one group over another, or as a particular ideology. Nevertheless, the meaning of the phrase *being political* as a description of political awakening, disillusionment and collective action, exists alongside the other understanding of politics as structural violence. Similarly, 'the personal' appears either as more

²⁹⁹ Ibid., p. 149.

authentic than ‘the political’, as in the understanding of ‘political’ as a particular as opposed to a general view, or a distorted (and unjust) view of reality that women’s common experiences should transcend in order to create true solidarity – or ‘the personal’ appears as unreflective anecdotes without further political importance. Now, before continuing with the personal and the political in women’s liberation theory, I believe that a brief discussion of the great opponent, that is the United Nations conference on women in Mexico is in order.

Mexico – “Where Governments spoke, not Individuals”

According to Diana Russell, it was the United Nations’ plan to hold a World Conference on Women in 1975 that eventually became a catalyst for the internationalization of the radical, anti-establishment feminist movement. Thus, before the Mexico conference was even realized, the mere fact that the UN was planning such an event caused so much frustration among the women who met at Femø that they decided to hold their own international feminist grassroots event. What was the reason for such suspicion towards the United Nations? Was the critique, voiced by Simone de Beauvoir, amongst others, that in Mexico, women were “directed by their nations [...] only seeking to integrate women into a male society” justified?

In this section I will offer an overview of the discussions leading up to the first international conference on women’s issues and some of the tensions that characterized the UN Decade for Women and the world conferences. The initiative further marked the start of the UN’s increased emphasis on women’s welfare and rights in the coming decade(s) as the International Women’s Year (IWY) was extended to a whole decade dedicated to women, with additional international conferences in Copenhagen in 1980 and Nairobi in 1985, not to mention the 10-year follow up in Beijing in 1995. One of the most significant outcomes of the United Nations’ work on women’s rights was the preciously discussed Women’s Convention (CEDAW), which was adopted by the UN during the Decade for Women (1979) but had been in preparation since 1965.

As previously mentioned, the idea for this first World Conference dedicated to women’s issues originated in the UN Commission on the Status of Women (CSW), which had been established in 1947. According to ethnographer Kristen Ghodsee, the deliberations of the CSW, like many other UN bodies, became heavily influenced by Cold War politics during the late 1960s. There was even disagreement over the issue of whether to hold such a conference in the first place, because the Soviet delegation opposed it. According to some sources, they were afraid that such a conference would weaken their image as self-proclaimed preponderance in women’s issues. As a former CSW delegate from the Philippines recalls: “A constant topic of debate in the commission between those who came from the East and their Western counterparts was the superiority of women’s

status in the Socialist bloc against the advantages of women in market-oriented economies.”³⁰⁰

Regarding the World Conference plans, the Soviet opposition eventually lost its struggle, since the majority of votes were in favor of the event. Yet, according to Ghodsee, after the decision to hold the conference was taken, the Soviets became actively involved in the preparations. Moreover, this sudden eagerness made the United States, particularly the National Security Council, nervous that the Soviets would manage to “politicize” women’s issues. This perceived threat made U.S. Secretary of State, Henry Kissinger, oppose sending First Lady Betty Ford to the conference, even though he and his colleagues knew that such a decision would surely anger American feminists. As Ghodsee argues, the threat of linking women’s issues to an anti-capitalist and therefore an anti-American agenda turned out to be decisive in the matter. Thus, American politicians became actively involved in constructing an acceptable agenda concerning women’s issues for the American delegates to promote in Mexico.

The fear that the Eastern-bloc delegates would control the agenda and use the event to criticize the United States was not entirely without foundation. The discourse of women’s rights had been an integral part of the Soviet strategy to win over nations in the developing world to the communist cause. Furthermore, the subsequent U.N. World Conferences on Women in Copenhagen and Nairobi that were part of the United Nations Decade for Women were heavily characterized by a Cold War tension. This tension, in turn, resulted in passionate disagreements about what actually constituted “women’s issues” and the causes of and remedies against women’s oppression.

The American delegation strove to move the discussions towards issues such as legal barriers, employment discrimination, or women’s representation in politics, i.e. equality within the prevailing system of a market-based economy, while the Soviet delegates argued that the World Conferences should be a platform for women to have their say in global political issues, such as warfare, the Israel-Palestine conflict and apartheid in South Africa. This often meant that the Soviets used the platform to criticize US imperialism and warfare. The official Soviet line was that that back home, women did already enjoy equal rights as men. Furthermore, the so-called “peace” line advocated by the Eastern bloc was based on ideas about women’s oppression as not only a consequence of patriarchy but also a result of exploitation, imperialism, colonialism, violence and warfare for the sake of the private accumulation of wealth. Hence, when the American politicians opposed the “politicization” of women’s issues, they meant that

³⁰⁰ Leticia Ramos Shahin cited in Kristin Ghodsee, “Revisiting the United Nations decade for women: Brief reflections on feminism, capitalism and Cold War politics in the early years of the international women’s movement,” *Women’s Studies International Forum*, 33/3:12 (2010).

equality between men and women should be seen as a separate and distinct matter, not connected to the economy or foreign policy.

Regarding Russell's and Beauvoir's allegations about the Mexico conference, it is suitable to cite Arvoine Fraser who was one of the American delegates during the Decade for Women. In an interview with Kristen Ghodsee, she claimed retrospectively that, "Individual people did not speak at these conferences, governments spoke."³⁰¹ These perspectives on the political climate during the U.N. World Conferences on Women give some context to the hostility from Western women active in the women's liberation movements. Hence, it seems clear that the political climate at the World Conferences on Women was largely embedded in Cold War tension. Although the conferences undoubtedly have been vital in the creation of the international gender equality agenda, women's issues were also used as trump cards in geopolitical conflicts.

Lastly, something that has an interesting resonance with Beauvoir's critique discussed in the previous section in which she contrasted integration with transformation – a common phrase in the report from the UN's International Women's Year conference in Mexico in 1975 – is precisely the "integration of women" in "development processes", "national and international life", "society" and "the labor force."³⁰²

With regard to the Vienna Tribunal in 1993, the world political situation was drastically different. As historian Eric Hobsbawm puts it: "There can be no serious doubt that in the late 1980s and early 1990s an era in world history ended and a new one began."³⁰³ In the following chapter I will turn my focus to theories concerning women's liberation and look more closely at the understandings of politics in the works of a selection of prominent authors, whose texts were well dispersed in the 1970s.

³⁰¹ Ibid.

³⁰² United Nations, *Report of the World Conference on the International Women's Year*, 1976

³⁰³ Eric Hobsbawm, *Age of Extremes, the Short Twentieth Century*, p. 5.

4. Women's Liberation Theoretically Contextualized

Feminist Politics and the Private-Public Distinction

In the late 1960s the slogan 'the personal is political' became a hallmark of the new women's liberation movement which gained momentum during the last years of the 1960s, particularly in the United States, in the wake of the radicalization of anti-racist struggles, the rise of student movements and the emergence of the 'new left'. A frequently heard rallying cry in both Europe and North America, the phrase about the personal as political, was used with somewhat varying meanings to emphasize the connections between individual experience and larger social and political structures. In the women's liberation movement, the phrase was often deployed in the context of challenging stereotypes and sex roles, division of work in the home, intimate partner violence, or values associated with the nuclear family that were traditionally held to be beyond the scope of political reflection and debate. Furthermore, for something to be described as 'political' often indicated that it was social or cultural and therefore *constructed* as opposed to *natural*, as Juliet Mitchell argued in her *Woman's Estate* from 1971 "Like woman herself, the family appears as a natural object, but is actually a cultural creation."³⁰⁴

The phrase 'the personal is political' also indicates a challenge to the idea of distinct spheres of private and public, understood to have been primarily a reflection of a gendered division of labor and roles.³⁰⁵ Efforts to destabilize the distinction between the private and the public was in many ways considered to be an act of revealing the structural suppression of women in the private sphere as socially constructed and not natural, and thus susceptible to change. Yet, although ideas about the private and the public with their gendered distinction and accompanying effects on women's lives were emphasized explicitly by the women's liberation movement in the 1960s and 1970s, the issue was not new to feminism thought. As political theorist Carole Pateman argues in her work *The Disorder of Women, Democracy, Feminism and Political Theory* from 1989, the "dichotomy between the private and the public [...] central to almost two

³⁰⁴ Juliet Mitchell, *Women's Estate*, p. 99.

³⁰⁵ Juliet Mitchell discusses historical roots and the political and intellectual context of the new women's liberation movement in the US and some European countries in her *Woman's Estate* from 1971. She makes a distinction between women's liberationists and radical feminists, the former seeing women's oppression as part of a wider oppression of various groups under capitalism while radical feminists view women's oppression as primary. Although she often uses the term women's liberation as a general term for both strands. Mitchell discusses the connection as well to early socialist and communist thinkers such as Charles Fourier, Karl Marx, Friedrich Engels, August Bebel.

centuries of feminist writing and political struggle [...] is ultimately what the feminist movement is about.”³⁰⁶ Supportive of her statement is that the ‘patriarchal family’ as a source of women’s oppression has been part of feminist thought since at least the middle of the 19th century, a perspective shared by liberal and socialist writers alike, although analyzed from different theoretical and political frameworks.³⁰⁷ Since this time a major perspective that permeates the feminist tradition has pictured the private and public distinction as one of the main sources and strongest pillars of women’s subordination across classes, cultures and history. Thus, the gendered division of work according to private and public spheres of life has been thought to be one of the main reasons for women’s lack of influence and visibility in society. Therefore, the questioning of the distinction and how various tasks are placed and hierarchized in relation to it has formed a major part of feminist critique.³⁰⁸

However, interest in the subject of different spheres of life is not limited to feminist theory and activism. Political theorist Hanna Pitkin argues that political theory has “in a way [...] always been concerned with this transition from private to public, and the relationship between the personal and the political.”³⁰⁹ Opposed to both classic liberalism and republicanism – political-philosophical strands which, although for different reasons and to a different extent, value a distinction between ‘the private’ and ‘the public’ – feminists have worked to undermine and deconstruct the distinction by revealing its embeddedness in a gender hierarchy.

A key notion in the theory and practice of ‘consciousness raising’, the phrase ‘the personal is political’, became paradigmatic for what frequently is referred to as second-wave feminism. Those who referred to themselves as ‘radical feminists’, particularly embraced the notion that ‘the personal is political’ and the phrase, along with its ideological and theoretical implications, has undeniably had great influence on feminist activism and research in subsequent decades. One of the most characterizing examples is the emphasis on the concept of gender and the social construction of identity in feminist research.

³⁰⁶ Carole Pateman, *The Disorder of Women: Democracy, Feminism, and Political Theory* (Stanford: Stanford University Press, 1989), p. 118.

³⁰⁷ An example of a liberal thinker see for example Harriet Taylor Mill, Dale, E. Miller <https://plato.stanford.edu/entries/harriet-mill/> Stanford Encyclopedia of Philosophy, (Stanford Encyclopedia of Philosophy; 2015). Among early socialist thinkers who criticized the family and women’s subordination were August Bebel and Friedrich Engels.

³⁰⁸ See for example Joan B. Landes, *Feminism, the Private and the Public*.

³⁰⁹ Hanna Fenichel Pitkin, “Justice, On Relating Private and Public,” *Political Theory*, 9:3 (August 1981), p. 348.

Politics and Therapy

One of the ways in which the political dimension appears in the tribunal proceedings is in the testimonies that describe the joy and empowerment found in organizing around particular issues and in realizing that individual problems were part of a larger picture of social inequality. One example is the witness who described becoming politically active in terms of personal growth. This presentation of political awakening as empowering and even healing leads us to heated discussions in the 1970s regarding the relation or opposition between ‘politics’ and ‘therapy’. The phrase “the personal is political” is often attributed to the radical feminist and member of the New York Redstockings group, Carol Hanisch, as it is the title of a text she wrote as an input to that debate, as a defense of consciousness-raising practices. “The Personal is Political” is a rather short essay written in 1969, published in a collection of texts under the title *Notes from the Second Year: Women’s Liberation in 1970*. However, even if Hanisch is frequently mentioned as the first to put the phrase on print, it was the editors Shulamith Firestone and Anne Koedt who decided the title of the essay for publication and not Hanisch herself. The essay was a response to a critique arguing that the new women’s liberation movement wasn’t really political and that consciousness raising as practiced in many women’s groups was “just therapy”. Hanisch connects this to a wider debate within the left about ‘therapy’ versus ‘politics’ sometimes expressed as ‘personal’ or ‘political’, hence the conflation imbedded in the formulation ‘the personal is political’.

Hanisch, who had participated in consciousness-raising groups for more than a year, explains her opposition to the accusation that what they were doing was merely “therapy”. The word therapy, she argues, “assumes that someone is sick and that there is a cure, e.g. a personal solution.”³¹⁰ She asserts that “women are messed over, not messed up!”³¹¹ and argues that women need to change the objective conditions, not adjust to them. She then describes how they used to choose a topic and take turns in answering particular questions from personal experiences. They concluded the meeting by summarizing what had been said and tried to generalize and make connections. “One of the first things we discover in these groups is that personal problems are political problems. There are no personal solutions at this time. There is only collective action”, she concludes in the essay.³¹²

Hanisch admits, however, that what happens in the meetings has some therapeutic aspects, not in the sense that they would spend time and energy in solving or discussing individual cases, but as an effect of realizing that personal

³¹⁰ Carol Hanisch, “The Personal is Political”.

³¹¹ Ibid.

³¹² Ibid.

problems are political problems. Hanisch suggests this could be called ‘political therapy’. “The most important is getting rid of self-blame”, she says. “Can you imagine what would happen if women, blacks, and workers [...] would stop blaming ourselves for our sad situation?” Thus, the therapeutic aspect lies in the partial redirection of emotions from inward blame and sadness to a political pathos directed at social structures and inequalities. This mental change of attitude would be the first step towards liberation. In later commentaries, another women’s liberation veteran, Lynne Segal, has referred to the era as a return to an earlier ‘politics of self’ – expressing a need for individual self-discovery and the articulation of personal discontent. Hence, somewhat therapeutically, as Segal points out: “Social transformation was to accompany women’s search for personal growth and happiness.”³¹³

Still another women’s liberation theorist, Juliet Mitchell, partakes in the debate about therapy versus politics, although her point of departure is slightly different. She discusses the issue in her seminal work *Woman’s Estate*, claiming that “Many liberationists see consciousness-raising as one of the most important contributions of the movement to a new politics.”³¹⁴ Furthermore, she takes special note of the affective dimension of feminist consciousness-raising:

The process of transforming the hidden, individual fears of women into a shared awareness of the meaning of them as social problems, the release of anger, anxiety, the struggle of proclaiming the painful and transforming it into the political – this process is *consciousness-raising*.³¹⁵

Moreover, according to Mitchell, “the apparent denigration of therapy is really only a concealed put-down of women: oh, they’re moaning again, gossiping their complaints, having a nag... what they need is a good therapist.”³¹⁶ However, being a psychoanalyst herself, instead of going out her way to try and save the consciousness-raising sessions from the charge of being only therapeutic, she underlines the similarities between them. Like Hanisch she begins by claiming that the “accusation” that consciousness-raising groups were nothing more than group therapy, “reveals both prejudice and inaccuracy” since while group (psycho)therapy is based on the idea that there is a *therapist* present in the session – there is no such “impartial” agent present in a women’s liberation consciousness-raising session, since “all are involved and at stake.”³¹⁷ Note the resemblance between this thesis and the statements by the organizers of the

³¹³ Lynne Segal, “The liberated Orgasm,” in *Radical Feminist Thinkers: A Sample* (Verso Books, 2015).

³¹⁴ Juliet Mitchell, *Woman’s Estate*, p. 61.

³¹⁵ *Ibid.*, *ibid.*

³¹⁶ *Ibid.*, p. 61-62.

³¹⁷ *Ibid.*, p. 61.

Brussels Tribunal about the lack of judges; there is no ‘outside’ perspective that would be more objective.

So how do these feminist thinkers understand ‘the political’? Hanisch, for one, does not mention the word ‘structural’, but it is clear that what she means when she refers to ‘political’ is that it is meant to capture something which is more than just an individual problem, that many women face the same or similar obstacles that are rooted in “material conditions”.³¹⁸ In her 2006 introduction she explains that ‘political’ was used in “the broad sense of the word as having to do with power relationships, not the narrow sense of electoral politics.”³¹⁹ This explanation is tellingly similar to the one given by Kate Millett in her *Sexual Politics*, which was published in the same year as Hanisch’s text.

Kate Millett’s influential work from 1969, *Sexual Politics*, is based on her doctoral dissertation in literary criticism and has earned a canonical place as a feminist classic. In her work she argues that sex has a political dimension, “a status category with political implication”.³²⁰ She enters the discussion by claiming that in introducing the term ‘sexual politics’, one must first answer the inevitable question about whether “the relationship between the sexes [can] be viewed in a political light at all?” The answer, of course, depends on how one understands ‘politics’ and Millett therefore lays out her own definition, not limited to a “relatively narrow and exclusive world of meetings, chairmen, and parties”.³²¹ “The term ‘politics’, Millett argues, “shall refer to power-structured relationships, arrangements whereby one group of persons is controlled by another.”³²²

Millett refers to *The fourth edition of the American Heritage Dictionary’s* definition of ‘politics’, which reads as follows: [politics are] “methods or tactics involved in managing a state or government.” Millett suggests that this definition could be expanded to include “a set of stratagems designed to maintain a system.” Thus, she argues: “If one understands patriarchy to be an institution perpetuated by such techniques of control, one has a working definition of how politics is conceived in this essay.”³²³ To further develop her use of ‘politics’ in describing the relationship between the sexes, Millett goes on to argue the importance of developing a “more relevant psychology and philosophy of power relationships beyond the conceptual framework provided by our traditional formal politics.”³²⁴ Millett is suggesting a new understanding of politics that takes into account the relational, psychological and personal dimension in how power is maintained,

³¹⁸ Carole Hanisch, “The Personal is Political”.

³¹⁹ Ibid.

³²⁰ Kate Millett, *Sexual Politics*, p. 24.

³²¹ Ibid.

³²² Ibid.

³²³ Ibid.

³²⁴ Ibid..

unequally distributed, and how the identities of masculinity and femininity are part of that system. Yet her understanding of politics seems to be overtly negative and repressive, concerned mainly with control.

Millett's theory is that politics are grounded in "personal contact and interaction between members of well-defined and coherent groups: races, castes, classes and sexes."³²⁵ This means that personal relations are, or at least could be, political, that is, they could be organized around tactics of control and domination. According to Millett, sex is the most pervasive among these categories that differentiate people into subordination and domination and, in its universality, it characterizes "primitive cultures" as well as "civilization" throughout history. Thus, Millett's understanding of patriarchy is that it is transhistorical and universal even though it may have different forms in different locations. It is a system, often unacknowledged, yet institutionalized, which lies in a social order of a "birthright priority whereby males rule females".³²⁶

Millett draws on sociologist Max Weber's account of politics as domination or rule who, in his 1919 lecture "Politics as Vocation", argues that: "Organized domination, which calls for continuous administration, requires that human conduct be conditioned to obedience towards those masters who claim to be the bearers of legitimate power."³²⁷ Weber defines politics as operating with "very special means, namely, power [*Macht*] backed up by violence [*Gewaltsamkeit*]."³²⁸ For Weber, although politics may serve various ends, including morals ones, they are still defined by the use of power, which he understands as "the probability that one actor in a social relationship will be in a position to carry out his will despite resistance..." Accordingly, the Weberian conception of politics is "domination or rule [*Herrschaft*], with power and always potentially violence as its instruments."³²⁹

Millett applies the Weberian understanding of politics to the relationship between the sexes and complements it with the notion of ideology. She refers to the ideology of sexual politics as "a most ingenious form of 'interior colonization,'" by which the patriarchal system gains its consent. Although not cited by Russell and her co-organizer, I suggest that they have similar notions of politics and power to Millett as she formulated it in her seminal work, as *distinguished by relationships of domination and subordination*. As in the organizers' discourse at the Brussels Tribunal, Millett's discussion of and relationship to power is ambivalent, something to strive for yet at the same time

³²⁵ Ibid.

³²⁶ Ibid.

³²⁷ Max Weber, "Politics as Vocation" in (ed) David S. Owen, *The Vocation Lectures* (Hackett Publishing, 2004), p. 3.

³²⁸ James D. Ingram, "What Is a "Right to Have Rights"?: Three Images of the Politics of Human Rights," *American Political Science Review* 102:4 (November 2008), p. 24.

³²⁹ Ibid.

fight against. Millett's and Hanisch's idea of politics implies a situation of domination and of one group against another, although Millett adds that "an ideal politics might simply be conceived of as the arrangement of human life on agreeable and rational principles from whence the entire notion of power over others should be banished."³³⁰

When it comes to the application of the concept of politics or 'the political', Mitchell departs from radical feminists such as Millett and Hanisch (we could also add Diana Russell here) since, for her, 'politics' usually refers to some theoretically-based collective organizing as in "The politics of women's liberation", which is the title of two chapters of her book.

Thus, Mitchell discusses at length radical feminism's ideological points of departure, philosophical inspiration and conclusions and compares it with those of socialism and particularly socialist feminism. Mitchell identifies more clearly with the latter although values many of the points made by radical feminism about some of the insufficiencies of socialist analysis when it comes to the situation of women and the particularities of sexist oppression. In her *Woman's Estate*, Mitchell discusses Kate Millett's *Theory of Sexual Politics*, which, in itself, is an indicator of the spread and publicity of the former since there is only one year between the publication of these works. One difference between the works is that while Millett sets out to provide a comprehensive analysis of patriarchy and the operations of women's oppression, Mitchell's work is an analysis of the main ideas and practices of the (then) current women's liberation movement.

Mitchell criticizes, for example, Millett's description of the workings of patriarchy as a form of sexual politics. She argues that although Millett describes "the *symptoms* of patriarchy and some of the means by which it achieves its success" this doesn't make it politics. Neither does Mitchell think Millett's analysis of how male domination "permeates our lives" is sufficiently explanatory to qualify as a theory. Mitchell argues that although Millett isolates different mechanisms of how patriarchy works she doesn't analyze their relations. In her view, experience of oppression says little in and of itself:

From the apparently undifferentiated mass (or mess) of our experience we have to separate the mechanisms that make it function as such, but then we have to decipher the complex interconnections of the complex mechanisms (or contradictions) that make up the complex whole.

A further analysis is therefore needed in order to make experience understandable in terms of a theory of a political system. The lack of explanatory analysis that Mitchell identifies in Millett's analysis is not something she thinks

³³⁰ Kate Millett, *Sexual Politics*.

is accidental in her theory alone but inherent in the idea of patriarchy as a political system. “For one thing” she claims, “there can be no such thing as a *general* system since she argues that “any political system is always a specific aggregate.”³³¹ As a socialist, Mitchell adheres to a definition of political system as being dependent on a particular mode of production. Thus, a political system is always an economic system as well, and patriarchy is not in itself a mode of production. Thus, for Mitchell, politics either refers to a specifically theoretically-based analysis of systems of exploitation or inequalities that organized groups use as the basis of their struggle or it can refer to the particular system itself which, however, is always a specific interconnection of different variables. Before moving on to the second case, the Vienna Tribunal in 1993, I will discuss Hannah Arendt’s ideas concerning politics.

Thinking about Feminist Politics with Arendt

For the sake of comparison, I will now connect Hannah Arendt’s writings about ‘the political’ with my previous discussion about the various uses and understandings of the concept within the women’s liberation movement. Contrary to the strive to destabilize the private and public distinction, as previously discussed in the chapter about feminist critique of human rights, Arendt defends a distinction between the two spheres and her main critique is that the public sphere with late modernity, has more or less been taken over by what she calls ‘the social’ – neither private nor public and mostly revolving around “a gigantic, nationwide administration of housekeeping” only concerned with the necessities of life.³³²

A comparison with Arendt is particularly relevant since her writings have been heavily criticized by radical feminist thinkers, precisely on the grounds of her lack of attention to the gender and power aspect of the private and public distinction. The most famous of these critiques is perhaps Adrienne Rich’s who claimed that *The Human Condition* was a “lofty and crippled book” and an example of a “tragedy of a female mind nourished on male ideology”.³³³ This is understandable since for decades, Western feminist activism and theory has circled around the critique of the private/public distinction and the ‘political’ aspects of social identities and roles.

However, I argue, in line with Cavarero’s reading, that the notion that the personal is political can in fact be compatible with Arendt’s ideas about appearing

³³¹ Juliet Mitchell, *Woman’s Estate*, 83.

³³² Hannah Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958), p. 28.

³³³ Rich, Adrienne, *On Lies, Secrets and Silence: Selected Prose, 1966-1978* (Norton: New York, 1979), pp. 211-212.

among peers, which at that very moment becomes a political space.³³⁴ Because Arendt has very specific ideas about politics and the public sphere, they make a good backdrop from which to compare the various notions of politics that appears in the women's liberation discourse. Therefore, her writings on the political have figured as a philosophical contrast in my readings of how feminist understandings of 'the personal' and 'the political' change according to context.

In her seminal work *The Human Condition* Arendt sets forth her theory of the three aspects of the active life, or what she refers to as *Vita Activa*. These are labor, work and action. Politics belong to action, they are about acting in public. For Arendt, the public sphere of speech and action is a site of freedom and the appearance of the self, namely *who* we are and not merely *what* we are.

It is important to note that, there is an ambiguity in Arendt's illustration of the public, political realm. It could both be interpreted in the traditional sense of the formalized conception of the distinction between different spaces and spheres in a community, which renders the home as belonging to the private, while the school or the town square would be part of a public world, and possibly political. For example, in the *Human Condition*, Arendt states that: "The distinction between a private and a public sphere of life corresponds to the household and the political realms, which have existed as distinct, separate entities at least since the rise of the ancient city state".³³⁵ The sphere of the family, home and household is a place of necessity and hierarchy where the main aim is the maintenance of biological life, whereas the public sphere is an arena for individuation, equality, freedom and human plurality.

However, Arendt also discusses her idea of the shared public world as a something that appears whenever people come together and act, and that might as well happen at a kitchen table. In the public/political sphere of freedom in which people appear to each other as equal but distinct. What is important is that people appear as someone, as the 'who' they are and not as the 'what' that they are. Action and speech constitute the public sphere and correspond to what she refers to as 'world building', namely the building of an intersubjective world of experience, while work corresponds to the making of a world of human artefacts, in which durability and permanence are at stake, and labor corresponds to a life

³³⁴ Joan B. Landes (ed.) *Feminism, The Private and the Public*; Adriana Cavarero, *Relating Narratives*. Despite the loud feminist critique, Arendt's ideas have attracted feminist readers since long. Feminist thinkers have thus turned to Arendt in order critically rethinking matters of personal and the political. Hence, in recent decades, Arendt's works have been appropriated by feminist thinkers who strive to go beyond so-called identity politics and retrieve a different notion of 'the political.' In this engagement with Arendt's notions of the political, I follow a tradition within feminist theory, initiated by Hanna Pitkin, Sheila Benhabib and Bonnie Honig, among others. They have critically examined Arendt's writings about politics in a fruitful manner, reading Arendt from a critical feminist perspective and criticizing feminist theory from an Arendtian point of view.

³³⁵ Hannah Arendt, *The Human Condition*.

of necessity, circulation and consumption. Labor belongs to the private sphere, according to Arendt's schema, where the individuality of each person is subordinate to the chain of natural necessities and biological survival. Importantly, 'the private' and 'the personal' do not have much in common for Arendt since, according to her, we do not 'appear' as the unique beings that we are in the private, where we are reduced to our bodily being. The former understanding runs counter to feminist critique of the public and private distinction as a way to 'police' the distribution of the sensible, to refer to Rancière. The second however, can explain the attractiveness of the consciousness-raising form.

Thus, for Arendt, politics or 'the political' is neither a necessary evil, in the service of the protection of the private sphere, as modern liberals would have it, nor is it a place of hierarchy, domination and control, like some of the radical feminists suggest. In her view 'the personal', in the sense of unique or individual, belongs to the public sphere. Thus, as a public space, the Brussel's constituted a place in which the participants could appear to each other, as the unique beings that they are. As I have suggested in my discussion of the tribunal, the testimonies expressed a what we with Arendt's terminology could call 'views and opinions about the common world.' Furthermore, Hannah Arendt can arguably be said to be the political theorist of late modernity who has most enthusiastically stressed the reiteration of the ancient thought that access to politics is a form of positive gratification. This corresponds well to the view of the personal growth involved in political action that was expressed in numerous testimonies in Brussels. However, there are some striking differences between the ways in which 'politics' or 'political' is sometimes perceived in women's liberation discourse as part of violent subordination of one group by another. Politics, for Arendt is the absence of violence, its authority lies in the power of acting in concert with others.

Importantly, what Arendt finds characteristic of modernity is a certain *loss of the world*. By this phrase she means that the public sphere of action and speech has been restricted and even eliminated in favor of the private sphere, characterized by introspection and the private pursuit of economic interests. This is described as her as the rise of the social. Thus, according to Arendt, it has been an era of mass society with the triumph of the idea of man as a laboring animal as opposed to the ancient ideas about man as first of all a creative and political being. The dispersion of private concerns, particularly economic issues, in public reduces people to consumers and what is more, they do not act, they behave.

The private sphere is a necessary precondition for the public sphere of action, speech and appearance in which activities related to a common world have their place but need to be separated. Although Arendt is sure to point out the etymological roots of the word 'private', which refers to being deprived of something, she still gives value to privacy. "The second outstanding non-privative characteristic of privacy", she argues, "is that the four walls of one's private property offer the only reliable hiding place from the common world, not only

from everything that goes on in it but also from its very publicity, from being seen and being heard.”³³⁶ The importance of the distinction becomes clear when she emphasizes that without the distinction from the undistinguished life lived in the darkness of privacy, “a life spent entirely in public, in the presence of others, becomes as we would say, shallow.”³³⁷ Thus, the distinction of the public and private is necessary as a condition for both. Regarding their meaning in antiquity she says:

*Privacy was like the other, the dark and hidden side of the public realm, and while to be political meant to attain the highest possibility of human existence, to have no private place of one's own (like a slave) meant to be no longer human.*³³⁸

At first sight, Arendt's emphasis on the separation between the private and the public seems to run counter to the radical feminist notion that the personal is political, and that women's greatest obstacle over the centuries has been the private-public dichotomy. Yet with her emphasis on speech and the importance of appearing among peers, her thought can indeed allow us to read 'consciousness-raising' practices in another light, as Italian philosopher Adriana Cavarero has pointed out. And, to refer back to Juliet Mitchell, perhaps therapy and politics cannot be so easily separated if we see the political potential in a therapeutic recognition of the self as both a product and a producer of norms.

³³⁶ Ibid., p. 71.

³³⁷ Ibid., p. 70.

³³⁸ Ibid., p. 64.

5. The Vienna Tribunal: “They have the Power to be heard”

When we first began to conceptualize our rights we called our struggle “women’s rights” or “feminism.” We did not think in terms of “human rights” because we were trying to understand what was distinct in women’s experience. Having conceptualized “women’s rights” we now know what is missing in the mainstream definition of human rights. Our demand that “women’s rights are human rights” is a return to the mainstream, but not to fit ourselves in on the old terms, but to transform the very definition of human rights.

Charlotte Bunch, 1991

Why suddenly we hear less feminism and more women’s rights as human rights. That is an interesting question that one has to ask oneself. As being an old feminist I realized that human rights is the mainstreaming of feminism, that’s what makes the difference here. That is why women’s rights activists started to be interested in human rights groups; they have the mechanisms that we don’t have. They have the power to be heard, that the women’s movement yet did not acquire³³⁹

Ariane Brunet, 1993

Demanding Accountability from the International Community

Until the 1990s, women’s rights and human rights followed two relatively distinct paths in the United Nations system.³⁴⁰ Significant to this categorical separation of women’s issues and human rights within the UN system is the fact that the three World Conferences on Women held during the UN Decade for Women were initiated by the Commission on the Status of Women and not by the Commission on Human Rights (which in 2006 replaced by the United Nations Human Rights Council).³⁴¹ Although both were placed under the Economic and Social Council (ECOSOC). In fact, references to human rights were peripheral in the overall

³³⁹ Gerry Rogers, *The Vienna Tribunal* (film), (Canada, 1994) (21.12 minute of the film).

³⁴⁰ Alice Edwards, *Violence against Women under International Human Rights Law* (Cambridge University Press, 2011).

³⁴¹ The United Nations, *Resolutions adopted on the report of the Third Committee* [http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/3520%20\(XXX\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/3520%20(XXX)), retrieved August 28th 2018.

framework in all of the World Conferences of women since the general framing came under the heading: “Equality, Development and Peace”. The primary emphasis was on concepts such as inequality, discrimination against women and women’s rights, not however, framed in terms of human rights. Charlotte Bunch referred to this lack of attention to the “particular concerns that affect [women’s] daily lives” as “ghettoization” of women’s issues, in a publication from 1990 that focused on the redefinition of gender violence as a development and human rights issue.³⁴²

Thus, when the United Nations’ General Assembly announced the program for the upcoming Global Conference on Human Rights in early 1991, the absence of women’s issues did not come as a surprise to the ‘women’s rights are human rights’ advocates who had recently started organizing on an international basis. Yet, as a way of demonstrating their critique of the marginalization of women’s rights in the overall rights framework, they reacted strongly to the silence surrounding violence against women as a human rights concern.³⁴³ Consequently, “a loose coalition of groups and individuals worldwide working for women’s human rights”, led by the Center for Global Women’s Leadership (CWGL) situated in New Brunswick, New Jersey, launched a campaign to promote the issue of ‘women’s human rights’ at the United Nations conference to be held in Vienna in 1993.

The Center for Women’s Global Leadership was founded in 1989 as a project of the Douglas College at Rutgers University in New Jersey. The center’s official mandate is described in the 1991 report of the institute for “Violence, Women and Human Rights”: “to promote the visibility of women and of feminist perspectives in public policy decisions and implementation globally; increase women’s participation in local and national governments as well as international agencies; and to build international linkages among women in local leadership that enhance their effectiveness and expand their global consciousness.”³⁴⁴

³⁴² Charlotte Bunch and Roxanna Carrillo, *Gender Violence, a Development and a Human Rights Issue*, p. 1.

³⁴³ Charlotte Bunch and Niamh Reilly, *Demanding Accountability: The Global Campaign for Women’s Human Rights and the Vienna Tribunal for Women’s Human Rights*.

³⁴⁴ Center for Women’s Global Leadership, *1991 Women’s Leadership Institute Report*, “Violence, Women and Human Rights” (Center for Women’s Global Leadership, 1992). Organizations that the Center for Women’s Global Leadership mention as their most important collaborators in developing and organizing the campaign are Asian Women’s Rights Council, Austrian Women’s Human Rights Working Group, Feminist International Radio Endeavor (FIRE), Human Rights Watch Women’s Division, International Women’s Tribune Centre, ISIS International, United Nations Development Fund for Women (UNIFEM), Women in Law and Development in Africa (WiLDAF) and Women Living Under Muslim Law International Solidarity Network. *Demanding Accountability*, Center for Women’s Global Leadership, 1994. Rutgers University: New Jersey and United Development Fund for Women UNIFEM: New York, USA

The highlight of the campaign was the organizing of a Women's tribunal which then came to be held in Vienna at the same time as the official Human Rights Conference, with the aim of highlighting the gendered aspects of violations of the human rights of women. Charlotte Bunch and Niamh Reilly are the authors of a book-length report on the campaign *Demanding Accountability - The Global Campaign and Vienna Tribunal for Women's Human Rights*. They refer to the Crimes against Women Tribunal in Brussels as a source of inspiration.³⁴⁵

As previously mentioned, Bunch had written a new introduction to a second edition of the *Crimes Against Women*, tribunal proceedings in 1984, and there she also mentions that she was indirectly involved since she participated in a preparation tribunal for Brussels, in New York, in 1975. Thus, even though she did not attend the actual international event in Brussels, she was entangled in the planning of it. By referring to the event in Brussels, Bunch and her fellow 'women's rights are human rights' advocates, place the Global Campaign in a history of international feminist activism and themselves as subjects of that same struggle as the one fought in Brussels. The following section is based on an analysis of the *Global Campaign for Women's Human Rights* with a special focus on the *Global Tribunal*.

Background: Leadership and Strategizing in New Brunswick

The decision to organize a women's tribunal was the result of the previously mentioned two 2-week long residential institutes in New Brunswick, New Jersey in 1991 and 1992. These 'institutes' were in fact workshops with women in leadership roles in their respective countries, concerning women's issues. The institutes were designed to "provide opportunities for women leaders from different regions around the world to exchange experiences and to look for global responses that complement their local actions."³⁴⁶ Participants were selected through an application process and were chosen by the CWGL's staff on the grounds of their "ability to communicate and multiply the work generated by the institute in their own regions" and "finally [they] wanted women with varying levels of expertise, both older and emerging leaders, but all of whom had demonstrated a cooperative leadership style."³⁴⁷

The emphasis placed by the CWGL on expertise and leadership in New Brunswick in 1991 becomes particularly interesting if read in light of the disputes regarding leadership and power in Brussels in 1976 and how the organizers refrained from any leadership role and underlined the conference participants'

³⁴⁵ Charlotte Bunch and Niamh Reilly, *Demanding Accountability: The Global Campaign for Women's Human Rights and the Vienna Tribunal for Women's Human Rights*, p. 9.

³⁴⁶ Center for Women's Global Leadership, *1992 Women's Leadership Institute Report*, "Violence, Women and Human Rights" (Center for Women's Global Leadership, 1993), p. 2.

³⁴⁷ Ibid.

“ordinariness,” reflected in lack of power. However, this change of perspective was not left unremarked at the institute held in 1991, since the participants discussed aspects of feminist organizing which they considered to have been related to a “confusion surrounding leadership and power.”³⁴⁸ For example, Bunch mentions that this confusion had to do with “legitimate concern about issues of power, authority, and domination associated with traditional forms of leadership.”³⁴⁹ She suggested that feminists tended “to see power as “power over” and thus oppose or shy away from it”, emphasizing that “we also need to regard power as an enabling force that is critical to making change.”³⁵⁰ In this respect, Bunch referred to previously mentioned, analysis of the “Tyranny of structurelessness” by Jo Freeman. As discussed above, Freeman claimed that efforts to remain ‘structureless’ would only lead to the masking of power because every group will necessarily develop some kinds of informal structures around decision-making.³⁵¹

It seems clear that Bunch had become critical to the anti-leadership thematic within the radical women’s movement, as well as the emphasis on internal conflicts concerning theoretical points of view. Furthermore, it is easy to interpret Bunch’s change of course, to direct consciousness raising outwards, instead of inwards, in her critique of the Brussel’s tribunal that the closed setting limited its public reach. Hence, she emphasized in her introduction, that despite its great importance to the evolution of global feminism, very few had even heard about the tribunal. “This conference which demonstrated the strength of feminism as an independent idea and movement and sparked the organizing of numerous women’s projects is in danger of being lost from our collective memory.”³⁵² Now, it was time for new methods and strategies.

Translating Feminism into a Human Rights Language

Initiating the two-week workshop at the institute held in 1991, Bunch presented the basic framework to the participants, which involved approaching gender violence as a human rights issue. The proposition rested on the argument that women’s issues had been marginalized within the UN framework while the “mainstream” human rights bodies, as Bunch called them, had never taken women’s concerns seriously. Nevertheless, according to her, most of the issues that impacted women on the grounds of their sex, which feminists had been

³⁴⁸ Ibid.

³⁴⁹ Center for Women’s Global Leadership, *1991 report* (Center for Women’s Global Leadership, 1992), p. 60.

³⁵⁰ Ibid.

³⁵¹ Jo Freeman, “The Tyranny of Structurelessness.”

³⁵² Charlotte Bunch, “New introduction to the reprint edition” in Diana Russell and Nicole Van de Ven, *Crimes against Women*, p. 198.

highlighting for years, could be translated into the human rights language and framework. Following this, the Director of the United Nations Centre for Human Rights, Elsa Stamatopoulou, came to educate the participants about the human rights system at the UN. She emphasized how little power the CEDAW Committee had and that the “creation of special women’s rights treaties and mechanisms [had to a large extent] created symbolic recognition at the expense of action.”³⁵³ Stamatopoulou concluded that much of the human rights bodies’ neglect of women’s human rights stemmed from their “overwhelmingly male composition” and could thus be seen as “myopia”. ‘Myopia’ means oversight or nearsightedness and is therefore a rather neutral and uncritical metaphor, relating to seeing or not seeing. Stamatopoulou argued, however, that “The United Nations does not need new legislative texts to improve the situation of women. The law is there and so are the mechanisms. What is missing is political will.”³⁵⁴ Thus, what the institute participants set out to do was strategize on how to mobilize this political will and raise the awareness of those in power to ensure that they included women’s issues under the already-existing frameworks.

However, in order to incorporate the feminist project in the ‘mainstream’ human rights bodies, a discussion about feminism was needed, both the concept, its cultural connotations and the general project that the feminism stands for. The participants discussed the negative reactions to the word ‘feminism’ and that the hostility towards it was associated with both ignorance about what it stood for as well as general opposition to the ‘feminist project’. Vina Mazmundar from India therefore claimed that “it is not the word but the goals of feminism that established powers oppose.”³⁵⁵ What the participants thus saw as negative connotations attached to feminism had led some of them to dismiss the word ‘feminism’ altogether and frame their projects (to the advancement of women) differently. Others however, wanted to keep it and change the cultural connotations by educating people what feminism was about.

Regarding the issue of violence against women, some participants noted that references to women’s rights, or women’s right to their own bodies, or even to human rights, had not proved persuasive. What had been “far more powerful” was the framework of ‘women’s work’ and their participation in development. Notwithstanding, the participants “agreed that feminism involves bringing women’s perspectives, realities, and problems into public discourse and away from the margins of the private sphere.”³⁵⁶ To continue with the metaphor of myopia, we could say that the strategy developed in New Brunswick involved

³⁵³ Center for Women’s Global Leadership, *International Campaign for Women’s Human Rights 1991- report*, p. 15.

³⁵⁴ *Ibid.*, p. 16.

³⁵⁵ *Ibid.*, p.58.

³⁵⁶ *Ibid.*

correcting the nearsightedness of power by exposing ‘men in power’ to ‘realities of women’ that they themselves did not have direct access to on the grounds of their gender.

Another thing that came up was that feminists, so it was thought, had been focusing too much on women. Hence one participant at the institute recounted from her experience of working against violence against women in her home country:

In my country, there is a very big backlash against feminism [...] Women say to me, “Your work is strengthening us but at the same time men are strengthening their resolve against us.... As it stands you are giving women so much of the burden by focusing only on us. The other side (men) are not being educated and they don’t understand our problems.” They were not asking us to apologize for men [...] but to include men in some of our organizing.³⁵⁷

When the Vienna tribunal was realized, one can see that the aim of educating men, was a high priority. The participants all appeared to identify as feminists and, while designing strategies comprising networking and lobbying the mainstream, they raised concerns about “the dangers of co-optation”, described as a risk of losing control over the agenda in collaboration with more powerful human rights groups. However, the participants have agreed to not let such fears stand in the way of their actions because this could leave them isolated. They further concluded that the culture within women’s movements of labeling each other as “sell outs” had to be challenged. Thus, the participants showed a willingness to set aside references to radical feminist analysis with the hope of a revision of the mainstream human rights discourse to include women’s issues. Lastly and importantly, a strategic step was taken to start promoting gender-based violence as a health and development issue.

Raising Public Awareness

There were many references to ‘consciousness-raising’ during the Institute and the phrase occurs in many of the strategy goals put forward. However, the participants in the Institute in New Brunswick did not use it in the same sense as the participants at the Brussels Tribunal, as a personal and collective disillusioning of the patriarchal ideology affecting women’s lives and gendered identities. The phrase ‘consciousness-raising’ now meant something closer to raising public awareness. Accordingly, since ‘consciousness-raising’ does not refer to the realization of the structural and political dimension of *one’s own* experiences but to raising a public awareness of the unjust situation of women,

³⁵⁷ Ibid., p. 45.

we further witness a different approach to the usage of individuals' stories or experiences.

In order to prove a bias in legal systems, in striving for their revision, the group concluded that "it is often more persuasive to argue from a case where real individuals have been wronged rather than from abstract principles."³⁵⁸ Thus, what served as group consciousness raising and an individual empowerment in Brussels was now a strategic tool to persuade the public and those in power. Furthermore, the strategies developed concerned a focus on specific types of gender-based violence with a clear vision of how they could be incorporated into the existing frameworks. The report from this first two-week Institute in 1991 is particularly important since it documents very well the discussions behind the strategies for the Global Campaign. Now I will turn to the documentation of the actual activities in Vienna.

Charlotte Bunch and Niamh Reilly open the book *Demand Accountability*, with a reference to Article 2 of the 1948 United Nations Declaration of Human Rights, which confirms the unconditionality of the application of the rights proclaimed "without distinction of any kind such as race, colour, sex, language... or other status"³⁵⁹ It is a reminder of the universality of the human rights project and sets the stage for what is to come, namely a critique of the gendered ways in which that universality has been interpreted. Bunch and Reilly describe how the UN World Conference on Human Rights "became a natural vehicle to highlight the transformative visions of human rights thinking and practice", which was being developed by various subordinated groups.³⁶⁰

The book on the event is characterized by optimism and a sense of *mission accomplished*. Looking back at the Vienna Conference on Human Rights they state that "by the time the World Conference ended in Vienna in June 1993, gender-based violence and women's human rights emerged as one of the most talked about subjects." The introductory remarks of the report frame the campaign as a link in a long history of women's struggle for human rights and indicate what will be the target of critique, namely the distinction between the private and public spheres and women's confinement to the former.

The fight for the recognition of women's humanity, and thus of their entitlement to human rights, has a long history that continues to the present day. To be confined to only one social space, the home, has meant that through the centuries men have played the role of intermediary between women and all the other spheres of social life. To mediate such a relationship is a formidable

³⁵⁸ Ibid., p. 54.

³⁵⁹ UDHR article 2. quoted in Charlotte Bunch and Niamh Reilly, *Demanding Accountability* p. 2.

³⁶⁰ Charlotte Bunch and Niamh Reilly, *Demanding Accountability*, p. 4.

*exercise of power, even for those men who do not have access to wealth and social prestige.*³⁶¹

This quote presents a generalized view of the situation of women “through the centuries” as being confined to the home or the private sphere, which is both historically limited and draws little attention to class and racial differences. However, it can be seen as a rhetorical style and as a somewhat vernacular introduction to what comprises an important part of the organizers’ theoretical analysis, namely, the private and public distinction of the human rights framework. In contrast to Brussels where the emphasis was on ‘the personal’ and ‘the political’, including ideological and psychological aspects of identity, the emphasis in Vienna was on sociocultural location or different ‘spheres’. This kind of analysis is meant to explain the underlying reasons for the human rights community’s failure to recognize women’s issues as human rights violations; they had, so to speak, been left in the silent darkness of the private sphere. They argue that during the past four decades since the proclamation of the Universal Declaration of Human Rights, the main focus of the human rights community had been on “certain aspects of civil and political rights, which address important but limited concerns [...] perpetrated by state actors.”³⁶² The emphasis on civil and political rights is understood by Bunch and Reilly to have prioritized the protection of citizens from direct state coercion and, moreover, even to “[facilitate a] “protection” of male-defined cultural, family or religious rights often at the expense of the rights of women.”³⁶³

Thus, the organizers of the Global Campaign sought to challenge the United Nations, national governments, and the international human rights community regarding their implicit gendered understanding of human rights. The first of these key areas is the already-mentioned private and public distinction and demonstrating how it obstructs women's enjoyment of human rights, especially regarding gender-based violence against women. ³⁶⁴

Human rights abuses committed against women and girls—from rape and battery, to forced sterilization, compulsory marriage and sexual exploitation—are acts of “cruel and inhuman treatment.” For millions of women they constitute “torture” and the denial of “life, liberty and security of person.” Yet, traditional human rights practice has relied upon a biased understanding of “public” and “private” spheres, whereby violations experienced by men as citizens tend to be more readily acknowledged as important than those

³⁶¹ Charlotte Bunch and Niamh Reilly, *Demanding Accountability*, v.

³⁶² *Ibid.*, p. 3.

³⁶³ *Ibid.*

³⁶⁴ *Ibid.*, p. 10

*experienced by women in the so-called private domain. The Tribunal was to challenge this distinction by demonstrating the impact on women's lives of gender-based violations in many contexts, whether perpetrated by state actors or by private individuals.*³⁶⁵

The overall paradigm is that human rights standards already recognized by the international community could very well capture the violations suffered by women, the limitation being that the traditional understanding of the human rights framework had left out the private sphere. Gender-based violence, the organizers claim, is generally not perpetrated by the state or agents of the state. Other key areas of concern sought to expose how the international community had ignored violations of women's rights in war and conflict situations. The emphasis was placed on the universality and indivisibility of women's human rights and highlighting "the ways in which some claims to cultural and religious rights impede the universality of human rights with respect to women."³⁶⁶

*The human rights of women must be unconditionally protected and cannot be negated in the interest of claims made by some regarding ethnicity, culture or religion. Religious fundamentalism—Christian, Hindu, Jewish, Islamic or any other—which seeks to enforce its edicts through prohibitions on women's freedom, either in terms of violations of bodily integrity, or the exclusion of women from social, political and economic power, cannot be tolerated if human rights are to be realized for all. Similarly, traditional practices which are intrinsically injurious to women and girls can find no justification or immunity in a human rights framework that claims to be universal.*³⁶⁷

Instead of framing the issues in terms of *patriarchy*, the focus in Vienna is on *religious fundamentalism* and *traditional practices*. The key areas further stressed the gendered dimensions of already recognized human rights violations and underlined how the secondary status of social, economic and cultural rights compared to political and civil rights affected women proportionally. The organizers challenged the international community to "evaluate the effectiveness of human rights instruments, procedures, bodies and agencies, including non-governmental human rights organizations, in protecting and advocating for the human rights of women."³⁶⁸ And lastly, they wanted to "show that violations of

³⁶⁵ Ibid., p. 10.

³⁶⁶ Ibid., p. 11.

³⁶⁷ Ibid.

³⁶⁸ Ibid.

women's human rights occur in both industrialized and 'less developed' countries."³⁶⁹

The Vienna Tribunal on Women's Human Rights

The Tribunal was divided into five thematic sessions intended to correspond with the concerns mentioned above: Human Rights Abuse in the Family; War Crimes against Women in Situations of Conflict; Violations of Bodily Integrity; Violations of Women's Socio-Economic Human Rights; and Political Persecution and Discrimination. The sessions were introduced and moderated by women who had "been active for many years in women's movements around the world and are *leaders* in the Global Campaign for Women's Human Rights."³⁷⁰ (my emphasis). In Vienna, no conflicts appeared to occur resulting from a difference in status among participants, in contrast to Brussels where they caused a "great deal of antagonism."³⁷¹

The Women's Tribunal included testimonies by 33 women from different areas around the globe. They told their stories about violence and abuse to an audience of UN officials, human rights lawyers and judges. This is relatively different from the setting at the Brussels Tribunal, where organizers made a point of being "all our own judges."³⁷² In Vienna, however, the choice of judges was very a strategic act, as Bunch and Reilly make clear:

*Judges were sought who would have some or all of the following traits: demonstrate a commitment to advancing the position of women; possess human rights expertise; be internationally recognizable; be influential with her/his peers and within the UN community; and have the stature to command media attention.*³⁷³

Thus, the concerns raised by the organizers and participants of the Women's Tribunal address gender bias in the ways in which human rights have traditionally been understood. The critique does not, as in Brussels, target international institutions and power as such, but rather seeks to change them by incorporating women's issues. The culprit in the story is the private and public distinction, not explicitly *patriarchy* or *male dominance*, as in Brussels.

³⁶⁹ Ibid., p. 11. "The Tribunal organizers included a number of cases involving violations of women's human rights in the North in order to dispel the widespread attitude that human rights violations are confined to so-called underdeveloped countries. This was particularly important because, while there is no country in which women's human rights are secure, industrialized countries often champion women's causes abroad even as they ignore their plight at home."

³⁷⁰ Ibid., p. 19.

³⁷¹ See discussion in chapter 3.

³⁷² See discussion in chapter 3.

³⁷³ Charlotte Bunch and Niamh Reilly, *Demanding Accountability*, p. 15.

Lastly, the act of translating and creating a narrative in one's own testimony and the testimonies of others is a crucial part of the contexts in which the testimonies appear and what subjects are the targets of mobilization in each case. In Brussels, the testimonies stand unchanged in themselves, there are no judges, minimal comments, and less talk about strategies. The overall framework in which the testimonies are interpreted are: patriarchy, capitalism, male dominance. In Vienna, however, the strategy forms part of the project of mobilizing the international community, the institutions of the United Nations and the general public. The testimonies were carefully chosen, the judges were strategically selected, and the words of the witnesses were thoroughly placed in a narrative context of the overall framework of human rights and how they are biased vis-a-vis women. The organizers behind the Global Campaign subsequently published a pamphlet with guiding principles for preparing a successful and popular tribunal. In these guidelines they emphasize the importance of using expert knowledge in the planning of issues and themes that are to be identified in the process. The experts should form a committee that would identify relevant witnesses and help them prepare and revise their testimonies so that they would be compatible the overall objectives of the tribunal. The authors state that a tribunal or a hearing "can include first-person, advocate, or joint testimonies".

A "first-person testimony" is usually one that is delivered by the person who experienced the violation(s) recounted. However, it is also possible to for an appropriate person to introduce and then dramatically represent such an account as a first-person narrative.³⁷⁴

In addition to this openness regarding the strategic usage of the dramatizing effects of a first-person narrative even when performed by a mediator, the authors of the instructional pamphlet also underline the politics of testifying:

Given the stressful nature of the tribunal/hearing process, it is imperative that all potential testifiers fully understand the political nature of the tribunal/hearing and their role in speaking out as politically conscious survivors, or as advocates on behalf of survivors.³⁷⁵

In this framework, the 'political nature' of testifying has become something about which the witness has to be made aware, since he or she has been chosen to testify because his or her story is considered to be compatible with the overall aim of a

³⁷⁴ Reilly, Niamh and Posluszny, Linda, *Women Testify: A Planning Guide for Popular Tribunals & Hearings* (New Brunswick NJ: Center for Women's Global Leadership, 2005). p.21

³⁷⁵ Ibid.

political action designed by people who possess a wider perspective or special knowledge of the issue. This institutional framework appears quite distant from the idea of spontaneous testimony as an empowering (and political) act in itself.

The Double-edge of Right(s) Strategies

The call for an emphasis on effective strategizing that ended the Brussel's Tribunal with the conflict over the role of 'the personal' was, in a way, taken up by Charlotte Bunch when, around 15 years later, she started to lay the ground for the *Women's Rights are Human Rights* campaign. Bunch and her co-organizers of *The Vienna Tribunal* decided that it was time to "take feminism public" instead of continuing to speak before an already convinced audience in closed rooms (just therapy?), and their strategy was to incorporate the language and framework of human rights into their international feminist agenda. Nevertheless, this turn towards the public or, should we say, towards 'publicity', with the explicit aim of being more strategic did not mean that they would abandon the personal testimony, as many of the critical voices in Brussels suggested. It included instead a more strategic and functional use of the personal narratives.

The human rights turn further demanded a new vocabulary and an analysis of the situation of women and therefore new ways of countering it. Thus, since the international human rights framework builds on a liberal tradition of rights that are based on a certain distinction between the private and the public spheres, the strategy was to challenge that distinction for being gendered and unjust towards women. Thus, at the *International Tribunal on Women's Human Rights* in Vienna in 1993, the overall framework was that the distinction between the private and the public spheres in the western political tradition and practice was the main reason why discrimination and violence against women had not been taken seriously as a human rights issues until this time.

In Vienna in 1993, the framework constituted the idea that women's rights are actually human rights. The problem according to this perspective was considered to be that these 'rights' had simply not been *recognized as such*; that women's needs had not been taken seriously by the international human rights community because of the private and public divide inscribed in the liberal doctrine of individual rights. Abuses of women's rights had, so to speak, been hidden in the shadow of the home and protected by privacy. The aim was to demonstrate that much of the abuse that women suffered from could actually be interpreted according to already acknowledged human rights if the private and public distinction could be destabilized in favor of women's human rights. The testimonies played a leading role in this strategy and were chosen and edited accordingly. Furthermore, the emphasis on gender-based violence was explicitly strategic. Afterwards, however, the organizers noted that the issue of violence overshadowed other violations such as economic injustice. The following extract from *Demand Accountability* illustrates this well:

In its early stages of development, the Global Campaign made the strategic decision to emphasize issues of gender-based violence as ones which best illustrate how traditional human rights concepts and practice are gender-biased and exclude a large spectrum of women's human rights abuse. Since different forms of violence against women clearly parallel other types of human rights violation that the international community has condemned, such as torture, enslavement, terrorism, etc., they were a useful starting point for showing concretely the meaning of a gender perspective on human rights. Unfortunately, some people interpreted this strategy as lack of concern for other types of human rights abuse suffered by women. This was further complicated by the media, which primarily reported on the violence aspects of the Global Tribunal and almost universally ignored the testimonies of socio-economic violations that were reported there.³⁷⁶

These complications following the strategy to focus on violence brings to mind Emma Goldman's and Teresa Billington Grieg's critique of the white slavery discourse that I discussed in an earlier chapter. They argued that the white slavery discussion was 'sensational' and lacking in political analysis of the roots of women's susceptibility to violence. I suggest that the double-edged sword of 'dramatic storytelling' lies in the fact that it is easier to get people's attention and acknowledgement of the gravity of an issue if they are exposed to stories of brutal violence. These kinds of graphic stories cause immediate abhorrence and moral condemnation, while stories that describe other kinds of political and economic injustice draw less attention.

I will conclude this chapter with a quote to one to the 'judges' at the Vienna Tribunal, the honorable Ed Broadbent. In his statement I see hints of another theme that brings to mind the 'white slavery' discourse at the turn of the century. It has to do with how perpetrators of violence against women are pictured not as respectable social reformers or politicians but either as "men deranged in a personal way" or the products of patriarchal cultures:

I am the first man to have spoken today, and before I make comments of a particular nature on the series of grotesque events we've heard described to us, I want to say that I am not ashamed but I am deeply saddened. I'm not ashamed because like the other men here, and the men attending meetings upstairs presumably, we didn't commit these vile acts that we've heard about. But I am deeply saddened, almost beyond description, because as one of those who spoke said, and I quote her, 'those making the war are not women, those doing rapes are not women, however those being raped, yes, we are the women.' And although these unspeakable acts have been committed by individuals, often men deranged in a personal way, probably a large majority

³⁷⁶ Charlotte Bunch and Niamh Reilly, *Demanding Accountability*, p. 109.

are the results of not years but centuries, not of one culture, but of almost all cultures around the world, of patriarchy, of conditioning that has caused men, at best, to view women consciously or unconsciously as second-rate citizens, and at worst, as disposable chattel.

The “men meeting upstairs” that Broadbent mentions as innocent of “these grotesque events” are government officials and politicians gathered at the United Nations Conference on Human Rights. His narrative emphasizes a view on gender violence as being grounded in ignorance and prejudice and he contrasts this picture with the people meeting upstairs who he considers to be good, enlightened people.

6. The Human Rights Turn of Global Feminism Theoretically Contextualized

Literature, Empathy and Human Rights Consciousness

Historian Lynn Hunt argues in her book *Inventing Human Rights* that the Universalist ideas of equal freedom, dignity and rights found in contemporary human rights doctrines have their roots in new ideas about the individual's inner feelings and about humankind's commonality regarding the ability to reason and feel pain that emerged in the second half of the 18th century in Europe. She sees an unquestionable echo between the 1948 United Nations Declaration of Human Rights and the Declaration of the Rights of Man and of the Citizen of 1789 and accordingly argues for the importance of scrutinizing the social conditions for the emergence of the ideas found in the latter. Hunt claims that the "self-evidence" of the ideas of universal equality and liberty proclaimed in both the American Declaration of Independence and The Declaration of the Rights of Man and of the Citizen was supported by ideas about human commonality that had been popularized through new kinds of experiences of, for example, fine arts and literature. Hunt argues that painting exhibitions and the reading of epistolary novels that emerged in the second half of the 18th century generated experiences that "helped spread the practices of autonomy and empathy."³⁷⁷

Drawing on Benedict Anderson's thesis that newspapers and novels created an "imagined community" in order for nationalism to flourish, Hunt claims that what serves as the foundation of human rights could be termed "imagined empathy." The term *imagination* is used in this context to emphasize that "empathy requires a leap of faith, of imagining that someone else is like you."³⁷⁸ This imagined empathy was, moreover, strengthened by accounts of torture now understood in relation to new views about pain partially generated by novels that induced "new sensations about the inner self."³⁷⁹

The epistolary novels that Hunt uses as examples feature young women as protagonists and comprise first-person narratives although they are written by men (Rousseau's *Julie* and Richardson's *Pamela* and *Clarissa*). They became widely read and, according to reader's letters analyzed by Hunt, invoked a sense of emotional thrill and previously unheard of identification with people of different social classes and genders than the readers themselves. Hunt argues that these novels therefore reinforced ideas about "a community based on

³⁷⁷ Lynn Hunt, *Inventing Human Rights: A History*, p. 32.

³⁷⁸ *Ibid.*, p. 32.

³⁷⁹ *Ibid.*

autonomous, empathetic individuals who could relate beyond their immediate families, religious affiliations, or even nations to greater universal values.”³⁸⁰

Furthermore, Hunt claims that human rights are more than just mere doctrines formulated in documents, because they rest on specific attitudes towards other people, that is: “a set of convictions about what people are like and how they know right and wrong in the secular world.”³⁸¹ Hunt’s identification of the significance of the invocation of feelings for and empathy with a particular individual’s life story as a crucial mobilizing factor that explains the power of human rights discourse is convincing and resonates with the later use of individual testimonies for strategic reasons in popular tribunals. The fact that the recognition of people’s moral and rational capabilities was seen as a prerequisite for their recognition as bearers of human rights poses an interesting contrast to ideas about the requirements for the reliable witness that I have discussed.

In contrast to Hunt, as well as many other historians of human rights, in his book *The Last Utopia, Human Rights in History*, the previously-mentioned Samuel Moyn emphasizes the difference between the contemporary human rights discourse from the proclamation of the *Rights of Man* during the Enlightenment Era. The main difference, according to Moyn, is that the natural rights proclaimed in the French Revolution and the American War of Independence did not emphasize individual rights in the same manner as the contemporary human rights discourse. The practical outcome of the natural rights doctrines at the basis of the *Declaration of the Rights of Man and Citizen* and the *American Declaration of Independence* were popular sovereignty and rights of peoples and thus preceded and supported the nation state. In contrast to contemporary discourse, which is seen as undermining the nation state, reaching beyond the it towards a supra-national enforcement of universal moral standards. Regarding this point of universal moral standards, he agrees with Hunt and others, yet emphasizes the difference while others seek to underline the resemblance and the importance of universalism in the declarations of the Enlightenment. Moyn even argues that although the *Universal Declaration of Human Rights* was proclaimed by the United Nations in 1948, the human rights discourse did not gain wide popularity until decades later.

As the title of Moyn’s book suggests, he identifies the contemporary human rights discourse as a utopian program of the highest moral precepts and political ideals available today. “Human rights in this sense” he argues, “have come to define the most elevated aspirations of both social movements and political entities – state and interstate. They evoke hope and provoke action.”³⁸² Moyn

³⁸⁰ Ibid.

³⁸¹ Ibid., p. 27.

³⁸² Samuel Moyn, *The Last Utopia*, p. 1.

argues that the contemporary human rights discourse with an emphasis on individual rights, with appeals to supranational laws and protection from state-sanctioned abuses and persecution, for example, did not really gain public popularity until the 1970s, when other utopian ideas such as socialism and communism were facing bankruptcy. The utopianism lies in the aspirations associated with the program, since not only does the contemporary human rights discourse refer to minimal protection against state-sanctioned abuse, they imply “an agenda for improving the world, and bringing about a new one in which the dignity of each individual will enjoy secure individual protection.”³⁸³

Gaining a Voice in Something Larger: Memoirs from an Activist

*Consciousness raising is our term for the process by which women begin to discover ourselves as an oppressed people and struggle against the effects of male supremacy on us. It happens when we describe and share our individual problems so that we can understand the universality of our oppression and analyze its social roots.*³⁸⁴

Charlotte Bunch was one of the main initiators of the Global Campaign for Women’s Rights as Human Rights at the Center for Women’s Global Leadership. Some years before her work with the Campaign she published a collection of political essays under the name *Passionate Politics* written between 1968 and 1986. The texts include personal and self-reflective discussions and provide a good insight into how Bunch’s thinking developed during this period, from theorizing about consciousness raising to developing strategies for effective leadership in the global movement for women’s human rights. She subsequently, became a pivotal figure in the campaign to reframe women’s rights as human rights, beginning in the late 1980s and continuing through the 1990s, the campaign which culminated in the Vienna Tribunal. I argue that one can detect Bunch’s ideas as they appear in this essay collection in the discourse concerning the strategy change involved in the plans and ideas behind the Vienna Tribunal in 1993. These ideas concern making use of the insights and strategies from the early days of the women’s liberation movement while adjusting them order to be able to influence a wider audience, even if this would mean leaving feminist theorizing aside. My point is not to personalize and psychologize the international feminist ‘human rights turn’ by associating it with Bunch’s story, but to explore

³⁸³ Ibid.

³⁸⁴ Charlotte Bunch, *Passionate Politics: Feminist Theory in Action*, (St. Martin’s Griffin, 1987), p. 30.

her narrative as an example of a certain discourse about feminist theory and practice.

A Coming of Age Story

Bunch's introductory memoir narrative, written around 1986, describes her own activist path and her political concerns from a personal developmental point of view. She describes her political awakening during her college years when she became active in leftist movements, the civil rights movement and, lastly, the liberation movement and her later "process of redefining [her] understanding of the relationship of radicals to reform activities." She claims that she decided "that it was time for more radical feminists to reach beyond the feminist subculture." Having been "sympathetic to the ideals of socialism," she talks about the absence of a fixed ideological standpoint. "I was more interested in political action than in political theory," She claims.³⁸⁵ It was not until after graduation when she was already working full time as a social and political activist that she came in contact with radical feminist groups. She further describes how her "evolving consciousness as a woman" made her sensitive to sexism within the activist groups she was involved with prior to her involvement in radical women's groups. She recounts how she gradually started dedicated her activism to women's liberation and the affective dimensions of struggling for one's own cause: "the excitement of women uncovering common problems and creating political directions for ourselves."³⁸⁶ This is a familiar story told by many women who have described their entry into the women's liberation movement, repeated in memoirs as well as historiographical accounts of the emergence of the movement.³⁸⁷

Bunch eventually joined a group that referred to itself as a *radical women's group* and she describes how the members spent a lot of time in convincing themselves that "it was politically okay to meet separately as women and to focus on women's concerns." Thus, Bunch describes a tension regarding an ideal of universalism and inclusiveness in the political dialogue one the hand and their need for a collective *room of their own* on the other.

We felt somewhat more secure because we saw a parallel to the arguments of blacks who had been establishing their right and need to have their own space. Ultimately, however, the experience was so powerful that it justified itself. Most of us gradually changed our political work, embraced the term "women's

³⁸⁵ Charlotte Bunch, *Passionate Politics*, p. 4.

³⁸⁶ *Ibid.*, p. 5.

³⁸⁷ See for example Sara Evans, *Personal Politics, The Roots of Women's Liberation in the Civil Rights Movement and the New Left* (New York: Random House, Vintage Books, 1979); Jo Freeman, *The Politics of Women's Liberation*.

*liberation,” helped start more such (later called consciousness-raising) groups, and initiated public actions aimed at making people aware of women’s oppression.*³⁸⁸

However, the atmosphere in the women’s liberation movement was not all harmony. Bunch talks retrospectively about the battles and debates on the sources of women’s oppression and the appropriate priorities for organizing accordingly during the first American National Women’s Liberation Movement Conference in 1968. “I often found myself in the middle feeling that there was some truth to many of the competing positions”, she claims and describes how she strove to “clarify the best ideas of each” in order to keep the cooperation going, while maintaining that: “the conference forecasted the divisiveness that would plague the women’s movement as it grew.”³⁸⁹

In the early 1980s, Bunch started to argue for her view of feminism as being one of the most important political perspectives for the coming decades, especially in order to counter the right-wing agenda. According to her, feminism had the potential to provide progressive politics with insights and approaches necessary for the projects that lay ahead. “To realize that potential” she argues, “we must take the movements’ successes of the 60s and 70s – in consciousness raising, in community and culture building, in identifying and raising new issues for the public agenda – and transform those successes into political and economic policy proposals and organized power for structural change.”³⁹⁰ She maintains that the feminist movement has had a “wonderful array of creative small groups and projects” but as long as these don’t reach a broader audience and “a voice in something larger”, as she calls it, the movement’s potential power will be lost since the knowledge will stay within a closed circle without affecting the general public.³⁹¹

“Remold Feminism and Make it More Viable”

Bunch’s narrative revolves around the idea that feminists have been too comfortable in their own safe spaces and that they need to reconsider their tactics and engage themselves with “women who don’t necessarily call themselves feminists.” This could be understood to mean that she no longer considers a feminist political consciousness to be a prerequisite for feminist politics. She maintains that “if our ideas cannot survive the test of being engaged in the world more broadly, more publicly, then feminism isn’t developed enough yet, and that engagement will help us to know how to remold feminism and make it more

³⁸⁸ Charlotte Bunch, *Passionate Politics*, p. 6.

³⁸⁹ *Ibid.*, p. 6.

³⁹⁰ *Ibid.*, p. 62.

³⁹¹ *Ibid.*, p. 72.

viable.”³⁹² These ideas about the future of feminism anticipate Bunch’s human rights turn and could also be connected to what I mentioned previously regarding a certain theory fatigue among feminist activists.

Thus, she shifted her activist focus from national to international, and the project about raising awareness of violence against women on a global scale. Bunch recounts how, in a way, this was her personal solution to dealing with a burnout caused by divisions and conflicts in the American women’s liberation movement, among other things.³⁹³ This narrative is related to statements she has made on other occasions about the emphasis on the struggle against violence against women at the United Nations, i.e. that for many activist scholars like herself, it was a way of strengthening the idea of women’s global commonalities at a time when a great amount of theoretical focus had been placed on differences among women.³⁹⁴

In an article published by Bunch in 1990, she lists the benefits of the human rights framework for feminist aims and the challenges the campaigners face from the international community. The first benefits she describes are that human rights constitute: “One of the few moral visions ascribed to internationally. Although its scope is not universally agreed upon, it strikes deep chords of response among many.”³⁹⁵ Thus, Bunch emphasizes the universal and moral character of human rights and the affective power they entail. She highlights the potential for empathy and responsibility that are attached to their very idea, signified by her comments that they “strike a chord of responsibility.” Furthermore, Bunch’s idea is that abuses of women and their gendered vulnerabilities should not only be women’s concerns but subjected to common responsibility.

Consequently, a good strategy for getting women’s claims universally accepted is to redefine them according to what probably constitutes the closest we can get to universal moral principles today, that is, as human rights. However, there have been some difficulties in convincing the international community about this reframing of women’s rights and, in the article, Bunch lists reasons for the opposition, which she then challenges. In the following, I will present her points, and dwell on her use of the concepts ‘politics’ and ‘political’.

³⁹² Ibid., p. 76.

³⁹³ Charlotte Bunch, “Opening Doors for Feminism: UN World Conferences on Women. *Journal of Women’s History*, Volume 24, Number 4, Winter 2012, pp. 213-221, p. 216

³⁹⁴ Similar argument has been made by Maria Carbin and Sara Edenheim about the concept of intersectionality. Maria Carbin and Sara Edenheim, “The intersectional turn in feminist theory: A dream of a common language?” *European Journal of Women’s Studies* 20:3 (August 2013).

³⁹⁵ Charlotte Bunch, “Women’s Rights as Human Rights: Toward a Re-vision of Human Rights.” *Human Rights Quarterly*, 12:486 – 498, (Baltimore: The Johns Hopkins University Press, 1990), p. 486.

Bunch's Ideas on Women's Abuse, Human Rights and Politics

The first obstacle faced by the proponents of women's rights as human rights is that discrimination based on sex is considered to be secondary compared to graver issues related to basic survival, which human rights were traditionally meant to protect.

Secondly, Bunch mentions that the abuse of women has been viewed as cultural, private or individual and not as a *political* issue, something that the state should not be responsible for preventing or protecting against. Here one can interpret Bunch's reference to the *political* in at least two ways: the fact that an issue is viewed as political can be seen as a precondition in order for the state to get involved, or that it becomes political if, and only if, the state already has a stake in the matter. There are also similarities in her use of the word 'politics' to the use I identified in the Brussels Tribunal's discourse, namely, 'politics' as structural oppression and violence. The third obstacle she mentions is the widely accepted understanding that although women's rights are important they are not considered to be *human* rights. Lastly, she mentions that when abuse of women is recognized, it is seen as inevitable. Another way of stating this last point is that the abuse of women is naturalized and efforts to combat it are therefore seen as futile.

Finally, she claims that: "Violence against women is a touchstone that illustrates the limited concept of human rights and highlights the *political* nature of the abuse of women."³⁹⁶ Here is another understanding of 'political' as something which is not natural but socially constructed. Bunch says that "female subordination runs so deep that it is still viewed as inevitable or natural, rather than seen as a politically constructed reality maintained by patriarchal interests, ideology, and institutions."³⁹⁷ Bunch maintains that the possibility of imagining change lies in the understanding of violence against women and male domination as "a politically constructed reality" rather than "inevitable or natural" – thereby using 'politically constructed' synonymously with 'socially constructed' – in opposition to what is regarded as being natural and beyond human control.

Thus, she posits the issue of violence against women as an example of the gender bias inscribed in the traditional and institutional understanding of human rights, and that gender bias actually also exposes the "political nature" of human rights. Bunch then argues that one can see the political nature of violence against women in the fact that victims are chosen because of their gender; the violence is not 'random' as the risk factor is being female:

³⁹⁶ Ibid., 490.

³⁹⁷ Ibid., 491.

*The message is domination: Stay in your place or be afraid. Contrary to the argument that such violence is only personal or cultural, it is profoundly political. It results from the structural relationships of power, domination and privilege between men and women in society. Violence against women is central to maintaining those political relations at home, at work, and in all public spheres.*³⁹⁸

This use of the word ‘political’ is similar to one of the meaning I identified in the Brussel Tribunal’s discourse. Namely, the understanding of the ‘political’ as structural oppression. Yet another way of interpreting this claim is that if something is a matter of structural inequality, then it should be of public/political concern. The exclusion of sex discrimination from the human rights agenda is the result of what Bunch regards as the failure to see violence against women as *political*.

The emphasis on violence against women is also a direct consequence of the reframing of women’s rights as human rights. As Bunch states, one of the major reasons for the opposition to redefine discrimination against women as human rights violations is that they were not recognized as being serious enough. Bunch answers this criticism by deconstructing what, according to her, is the “most insidious myth about women’s rights” by noting various examples of the fact that “sexism kills.”³⁹⁹ Thus, the focus on violence against women as “the most pervasive violation of females” such as wife battery, incest and rape, dowry deaths, genital mutilation and female sexual slavery was part of a campaign to convince the international community that sex discrimination really is a matter of “life and death.”⁴⁰⁰ What is more, the emphasis on violence against women was also thought to capture the universal character of women’s oppression. Thus, violence is presented as *the* common denominator for women. “These abuses occur in every country and are found in the home and in the workplace, on streets, on campuses, and in prisons and refugee camps. They cross class, race, age and national lines.”⁴⁰¹

I have sought to extract the meaning Bunch attaches to concepts such as ‘moral’ and ‘political’ in my reading and I am surely taking the argument further than she intended. Nevertheless, her use of the concepts strikes me as somewhat ambiguous. She presents the attractiveness of human rights as residing in their position as universal moral standards, which seems to presuppose that women’s issues up until now have been understood in terms of conflicting (particular) interests or relating to contested world views – that is, as having a *political*

³⁹⁸ Lori Heise quoted in Charlotte Bunch, “Women’s Rights as Human Rights: Toward a Re-vision of Human Rights,” p. 490.

³⁹⁹ *Ibid.*, p. 488.

⁴⁰⁰ *Ibid.*

⁴⁰¹ *Ibid.*, p. 489.

dimension, while in the next sentence she states that one of the reasons why women's abuse has been considered out of the scope of human rights considerations is that, up until now, they have not been considered *political* enough, but private or personal. This latter use suggests a notion of *political* similar to the radical feminist notion discussed earlier, which understands *political* as something that is structural, related to a socially-ascribed identity and as tactics used to legitimate unequal power relations. She argues that "this narrow understanding of human rights, recognized by many in the West as solely a matter of state violation of civil and political liberties, impedes consideration of women's rights." Consequently, Bunch's narrative provides a good example of the universal moral-political claim often embedded in the human rights discourse:

*Significant numbers of the world's population are routinely subject to torture, starvation, terrorism, humiliation, mutilation, and even murder simply because they are female. Crimes such as these against any group other than women would be recognized as a civil and political emergency as well as a gross violation of the victim's humanity. Yet, despite a clear record of deaths and demonstrable abuse, women's rights are not commonly classified as human rights.*⁴⁰²

Included in the reframing approach that Bunch advocates is also something that I would like to call a 'politics of translation'. This means that a direct comparison of cases of women's gendered vulnerabilities are reframed in terms of already recognized human rights violations, as revealed in the quote above. Bunch gives the following examples: forced prostitution is a form of *slavery*, rape is sexual *terrorism*, confinement to the home is a form of (non-legal) *imprisonment* and systematic battering is a form of *torture*. Another theorist who takes the politics of translation further and in more detail is Catharine MacKinnon.

MacKinnon and the Question of Humanity

Along with other 'women's rights as human rights' activists, Catharine MacKinnon has compared men's "systematic and systemic" violence against women to torture.

Torture is regarded as politically motivated; states are generally required to be involved in it. What needs asking is why the torture of women by men is not seen as torture, specifically why it is not seen as political, and just what the involvement of the state is in it.

⁴⁰² Ibid., p. 486.

The comparison of men's violence against women and torture has been made by other feminist legal scholars and international lawyers seeking redress on behalf of women in international courts. A common critique from these scholars is that in order for violence against women to be taken seriously by the international community as a human rights violation it has to be compared to a violation to which men have been subjected, and where the perpetrator is a state. In a speech presented in 1992 at a United Nations conference under the heading "Global Strategies for Achieving Fairness in the Courts: Domestic Violence", Catharine MacKinnon argued that men's violence against women had not been seen as structural, systematic and political, but as natural, private and even protected by law. She claimed that traditionally and historically, laws have been male-biased and structured according to men's interests, which includes suppressing and dominating women, using and abusing them without indictment.

MacKinnon further criticizes what can be termed the laws' normalization process, exemplified by the way in which the law usually positions itself as always opposing any form of violation by classifying beforehand an often 'unusual' violation as illegal while common phenomena such wife battering is tolerated. The normalizing effect of the law results in victims being "ideologically rendered appropriate to their treatment, the unequal treatment serving to confirm their ontological status as lesser human." MacKinnon attributes this bias to what she calls "the equality logic" of treating "likes alike and un-likes unlike", a paradigm in legal thought which she traces back to Aristotle. This is approach, she argues, "Seeks to have law mirror life: likes in life treated as likes in law, unlikes in law." However, against this logic, MacKinnon argues that since social life is unequal then legal equality "becomes a formula for reinforcing, magnifying, and rigidifying the social inequalities it purports to be equalizing and might have ratified."⁴⁰³ MacKinnon appears to move towards a language of human rights in the early 1990s, which is when the emphasis on recognition becomes more evident in her writings. Her focus on the male bias of law prevails but she emphasizes the gains achieved by the grassroots women's movement in modifying the law by widening its scope to include women's specific vulnerability. She believes that the human rights framework can be relieved of its historical and political heritage of exclusionary, equality logic by taking more diverse experiences into account. Hence, she argues that 'becoming human' in a legal as well as a lived sense, is a legal, social and political process. However, critical as she may be about Western liberal thought and the notion of equality, she stays faithful to the ideas of human rights and sees the human rights framework as a viable strategy for women given that, within patriarchy, the problem for women

⁴⁰³ Catharine A. MacKinnon, *Are Women Human, and other International Dialogues* (Cambridge, Massachusetts and London, England: The Belknap Press of Harvard University Press, 2006), p. 107.

lies in the fact that they have not been recognized as fully human. She further remains positive to the possibilities of the human rights discourse, despite her critique of the state as a concentration of male power that only reflects the interests of men, something which, in turn, would suggest that the international arena only constituted a prolongation of men's power over women. Somewhat paradoxically, she recognizes the international community and the human rights discourse as being legitimate. For instance, recognition as a human by the law is a key theme of MacKinnon, a key to personhood and dignity.

MacKinnon's belief in the changing force of the feminist critique of law and her faith in the human rights project can be read in the following words taken from the introduction to her essay collection *Are Women Human?* This text was published in 2006, although partially written in 1999. The quote is a good example of the authority of her discourse on human rights in her later works, as well as a relative change in focus from her earlier writings:

Sexual violation may be law's ultimate challenge. Rationalized as consensual, it is coerced. Considered private, its shared and public role and reality demand public redress. Attributed to sexual difference, it enacts sexual dominance. Endlessly moralized, it is political, sexually political. Ignored it is condoned. Sexual violation is a crime of inequality of status, to which those who are low in status and its power are subjected and to which those who are subjected and lowered. Its centrality to women's inequality to men (and some men's inequality to other men) plays out through culture, honor, religion, family, dignity, identity, intimacy, integrity, and respect. It dehumanizes. No material recompense or punishment can fully restore its intangible, invisible harm. Official force alone, although essential, is not enough. Beyond incarceration, punishment, and other retribution; beyond damages and other reparations; beyond truth and reconciliation and symbolism; beyond restitution for the irreparable loss of family members; beyond the return of farms, homes, jobs, and legal systems, human rights can give back the humanity the rapist takes away.⁴⁰⁴

MacKinnon attributes a psychological and cultural power to the ideas of human rights, stating that through their recognition the violated person is able to retrieve a lost 'humanity'.

Compassion and Poetic Justice

In a text published in 1996, "Compassion, the Basic Social Emotion", Martha Nussbaum sets out to philosophically "investigate compassion and its social

⁴⁰⁴ Catharine A. MacKinnon, *Are Women Human?*, p. 14.

role.”⁴⁰⁵ Her aim is to defend this emotion which, as the title of her text suggests, she regards as one of the most fundamental and important emotions to cherish and cultivate for the sake of human flourishing in well-functioning, just democracies. Her point of departure is what she regards as a false dichotomy between reason and emotion that she finds pervasive in contemporary debates about public rationality. “In economics, in politics, and especially, perhaps, in the law,” she argues, “we find a recurrent contrast between “emotion” and “reason,” especially where appeals to compassion are at issue.”⁴⁰⁶ She considers jurisprudence to be a vital part of (political) public life and argues for the cultivation of compassionate judges, while she criticizes the idea of legal rationality as being devoid of emotion. Nussbaum argues that “compassion is “rational” in the descriptive sense in which the term is frequently used [...] not merely impulsive, but involving thought or belief.”⁴⁰⁷ Nevertheless, she is sure to guard herself against the notion that all compassion is rational in the normative sense because not all beliefs are “true and well grounded.”⁴⁰⁸ “Properly filtered” however, she argues, “compassion proves to be an essential ingredient in an Enlightenment moral conception.”⁴⁰⁹

Nussbaum’s writings from the mid-1990s onwards have to a various extent touched upon issues concerning human rights, narratives and political emotions. She positions herself within a philosophical tradition of liberal humanism, which she forcefully defends against what she perceives to be the evils of contemporary critical theory’s post-modernism: obscurantism, cultural relativism and a disregard for the lives of real people. In these matters she has notoriously aired her particular disappointment regarding the state of academic feminism, which she claims “makes only the flimsiest of connections with the real situation of real women.”⁴¹⁰ In an interview published in the *New York Times* in 2016, Nussbaum says that in the 1960s she had been “too busy for consciousness raising” and, moreover, she had been “suspicious of left wing group think”.⁴¹¹ In the following pages I explore Nussbaum’s discussion about compassionate spectators and her arguments for the importance of cultivating a literary imagination as a way to identify with, and thus show empathy towards, sufferers of injustice.

⁴⁰⁵ Martha Nussbaum, “Compassion: The Basic Social Emotion,” *Social Philosophy and Policy* 13:1 (1996), p. 28.

⁴⁰⁶ *Ibid.*, p. 29.

⁴⁰⁷ *Ibid.*

⁴⁰⁸ *Ibid.*

⁴⁰⁹ *Ibid.*

⁴¹⁰ Martha Nussbaum, “The Professor of Parody: The Hip Defeatism of Judith Butler”, *The New Republic*, vol. 22, 1999, 37-45.

⁴¹¹ Rachel Aviv, “The Philosopher of Feelings”, *The New York Times*, July 25, 2006 issue, <https://www.newyorker.com/magazine/2016/07/25/martha-nussbaums-moral-philosophies>

Nussbaum lists three reasons why taking a special look at this emotion is particularly important for the thinking about “the relationship between the individual and the community.”⁴¹² Firstly, it is an emotion that has been viewed as a “central bridge between the individual and the community” within the philosophical tradition. Nussbaum then argues that the philosophical tradition conceives compassion as being “our specie’s way of hooking the interest of others to our own personal goods.”⁴¹³ Her second reason is that some modern moral theorists, especially within liberal and individualist traditions, treat compassion as an “irrational force” and thus a distraction when thinking and designing social policy. Her third and last point is that compassion has also been discredited by advocates of communitarianism. Even though being opponents of individualistic liberalism on other grounds, they share the perception of reason and emotion as being opposites. In Nussbaum’s words their critique is that giving compassion a legitimate role in public reasoning amounts to “basing judgement upon a force that is affective rather than cognitive, instinctual rather than concerned with judgement and thought.”⁴¹⁴

According to her first argument about the centrality of compassion within the philosophical tradition, she devotes the first part of her paper to discussing historical (philosophical) debates about the definition, relevance and implications of the emotion. This serves the function of shedding a deeper philosophical light on contemporary thought about public reasoning. In ancient and premodern philosophy, Nussbaum argues, pity has the same meaning as the modern concept of compassion and does not have the negative meaning attached to it that we are used to today. Thus, when she uses the words “pity” and “compassion,” [she is] really speaking about a single emotion.⁴¹⁵ She uses ‘pity’, ‘compassion’ and sometimes ‘empathy’ synonymously, apart from the distinction that she uses ‘pity’ when commenting on ancient discussions and ‘compassion’ when referring to contemporary matters. As one might have guessed, she places herself in what she calls the “pro-pity” tradition within Western philosophy, together with Aristotle and Jean Jacques Rousseau, among others. With references to these thinkers, she argues against the “anti-pity” tradition stemming from Socratic and the Stoics, to Spinoza and Nietzsche. Nussbaum turns to Aristotle with the question concerning “what pity actually is”:

Pity, Aristotle argues, is a painful emotion directed at another person’s misfortune or suffering (Rhet. 1385b13ff). It requires and rests on three beliefs:

⁴¹² Martha Nussbaum, “Compassion: The Basic Social Emotion,” p. 28.

⁴¹³ Ibid., p 28.

⁴¹⁴ Ibid.

⁴¹⁵ Ibid., p.29.

*(1) the belief that the suffering is serious rather than trivial; (2) the belief that the suffering was not caused primarily by the person's own culpable actions; and (3) the belief that the pitier's own possibilities are similar to those of the sufferer. Each of these seems to be necessary for the emotion, and they seem to be jointly sufficient.*⁴¹⁶

What may be of special interest regarding the topic of personal stories as a way of cultivating empathy in public life is that Nussbaum links the occasions for pity highlighted by Aristotle with the occasions around which tragic plots are built, which are “death, bodily assault or ill-treatment, old age, illness, lack of food, lack of friends, separation from friends, physical weakness, disfigurement, immobility, reversals of expectations, or absence of good prospects (86a6-13).”⁴¹⁷ I will return to and discuss Nussbaum's ideas about the important role played by the ancient tragedy and the modern novel for compassionate public life later on.

Regarding the first principle about the gravity of the suffering, Nussbaum goes on to argue, with the help of examples or stories (we can call them ‘thought experiments’ or ‘literary examples’) that people's judgments about their own suffering may “go wrong in many ways”. This, in turn, explains her warning, which I mentioned earlier, that “not all compassion is rational in the normative sense [meaning that they are] based upon beliefs that are true and well-grounded.”⁴¹⁸ According to Nussbaum, the ‘sufferers’ either run the risk of denying the importance of their own suffering because they live in a state of oppression and are accustomed to believing that this is how life should be for them (what with writers such as Kate Millett, Simone De Beauvoir and Frantz Fanon we could call ‘internalized oppression’). Alternatively, sufferers might draw too great conclusions from their suffering of something that “we might think are either trivial or bad for them.”⁴¹⁹ Nussbaum's argument revolves around the idea that *another* person, an “onlooker”, is more capable of valuing the gravity of the suffering and that their view is “informed by the best judgement the onlooker can make about what is really happening to the person being observed.”⁴²⁰ Continuing to build her arguments around Aristotle's criteria, the second principle for compassion is that the suffering is “undeserved”, meaning it is either not the sufferer's fault in any way or that the suffering is out of proportion to the fault.

“Putting seriousness and fault together, we see that pity requires the belief that there are serious bad things that may happen to people through no fault of

⁴¹⁶ Ibid., 31.

⁴¹⁷ Ibid.

⁴¹⁸ Ibid., 32.

⁴¹⁹ Ibid.

⁴²⁰ Ibid.

their own, or beyond their fault. In pitying another, the pitier accepts a certain picture of the world, according to which the valuable things are not always safely under a person's own control, but can be damaged by fortune."⁴²¹

The third requirement of pity according to Aristotle and what Nussbaum calls the 'poetic tradition' is that compassion is based on the judgement of similar possibilities. This means that the onlooker identifies with the sufferer to the degree that he or she deems it necessary so that he or she too might end up in the same or similar situation. Here Nussbaum takes an example from Rousseau: "Rousseau argues, agreeing with Aristotle, that an awareness of one's own weakness and vulnerability is a necessary condition for pity; without this, we will have an arrogant harshness." Then she quotes Rousseau's work on pedagogy and education, *Emile*,

*"Why are kings without pity for their subjects? Because they count on never being human beings. Why are the rich so hard toward the poor? It is because they have no fear of being poor. Why does a noble have such contempt for a peasant? It is because he never will be a peasant... Each may be tomorrow what the one whom he helps is today."*⁴²²

Stressing the criteria of similarity and temporary identification, Nussbaum, however, argues that entailed in the emotion of compassion is an awareness of "one's own *separateness* from the sufferer – it is for *another*, and not for oneself, that one feels."⁴²³ Nussbaum continues to argue that it is precisely because of the difference (in situation) that compassion is linked to fear in the poetic tradition. The fear that the tables might turn, that one day we might find ourselves in the same horrible situation as the sufferers. (This reminds me of the frequently heard argument when men talk about violence against women: you have a sister, a mother, a daughter or a wife! Think about it if it was them!) Here, Nussbaum considers the argument about the importance of acknowledging that there is a "community between myself and the other." "Without that sense of commonness, both Aristotle and Rousseau claim, I will react with sublime indifference or mere intellectual curiosity, like an obtuse alien from another world; and I will not care what I do to augment or relieve the suffering."⁴²⁴ This is connected to the idea of humanizing or dehumanizing.

Nussbaum argues that the physical affects often associated with compassion as an emotion are not necessary. Drawing on Rousseau's discussion

⁴²¹ Ibid., 33.

⁴²² Ibid., 34.

⁴²³ Ibid., 35.

⁴²⁴ Ibid.

in Emile, she implies that it doesn't serve any purpose to investigate the bodily authenticity of pity or compassion, all we need to care for is to "look for the evidence of a certain sort of thought and imagination, in what he says, and in what he does."⁴²⁵ Now we arrived at a pivotal issue, which is also of great interest to Nussbaum in her other works, namely, how could a complex yet important sentiment such as compassion be learned? Nussbaum's answer is that tragic drama and related narrative literature is of great moral importance and pivotal in *cultivating humanity*, meaning a sense of community necessary for us to care about the sufferings of others. Nussbaum then brings the ancient Athenian view of tragedy, which states that it is "not for the very young; and not just for the young." Since:

Mature people always need to expand their experience and to reinforce their grasp on central ethical truths. To the young adolescent who is preparing to take a place in the city, however, tragedy has a special significance. Such a spectator is learning pity in the process. Tragedies acquaint young people with the bad things that may happen in human life, long before life itself does so: they thus enable concern for others who are suffering what the spectator has not suffered. ⁴²⁶

For Nussbaum, the important lesson we can learn from the ancient Greek dramas lies in the way in which the spectator is invited to identify with the tragic hero who is simultaneously portrayed as a "worthy person".

Through sympathetic identification, it moves [the spectator] from Greece to Troy, from the male world of war to the female world of the household [...]. Becoming a woman in thought, he would find that he can remain himself, that is to say, a reasoning being with moral and political commitments. ⁴²⁷

It is by investigating the common humanity of those who we see as different from us as others in some ways, while simultaneously recognizing their special vulnerabilities, that we as spectators receive an education in social justice.⁴²⁸

Women's Human Rights and the United Nations

Charlotte Bunch's usage of the concept and method of consciousness raising, although somewhat reconceptualized as raising public awareness, is a way of paying tribute to the radical feminist roots or 'the spontaneous generation' while

⁴²⁵ Ibid., 38.

⁴²⁶ Ibid., 39.

⁴²⁷ Ibid.

⁴²⁸ Ibid., 40.

simultaneously positioning the present movement as more informed and strategic, one which builds on the legacy of the former generation but has learned from its mistakes. In the 1990s, something called ‘global feminism’ had entered the stage and its leading proponents had, so to speak, learned how to negotiate within institutional power. Instead of working against ‘the system’, represented by the United Nations, they now worked within it.

Furthermore, Bunch has in retrospect confirmed that the emphasis on ‘violence against women’ at the UN’s World Conferences was a way of strengthening the idea of women’s global commonalities at a time when a great theoretical focus had been placed on differences among women.⁴²⁹ One way of looking at the global human rights turn is to see it as an answer to a feeling of reaching a political impasse – caused by the theoretical deconstruction of the feminist political subject. However, even looking at the state of the American women’s liberation movement as early as 1970s, characterized by debates and factions of political identities, strategies and theories, blaming post-structuralism could just as well be seen as a good example of a psychological transference. In her activist memoir, Bunch describes how she found political contentment and meaning in global feminism after experiencing an activist burn-out in the late 1970s. Thus, it is clear that radical feminist activists like Bunch, who had been locally active in the USA for years, and to their great frustration, embedded in factional strides, found meaning in the global feminist movement and the work with/within international institutions such as the UN.

References to human rights, at least in late modernity, are a call to a higher moral-political authority than the nation state, aimed at protecting universally-recognized basic needs or protecting individuals from state violence. They have traditionally been called upon in the critique of public violence, state violence towards individuals or groups, as opposed to particular violence perpetrated by private actors. The United Nations is viewed as this higher authority. However, the United Nations receives its mandate from its member states. In addition to the aspiration of breaking this norm of ‘public’ versus ‘private’ violence, the international feminist turn to a human rights language was part of an effort to reach beyond local politics and a call for a higher authority. Thus, nation states still serve as the main protectors of human rights even, at in an international arena, hence, Arendt’ famously identified paradox in *The Origins of Totalitarianism*, which leaves the ‘human’ in ‘human rights’ ultimately meaningless in a world order which virtually only recognizes citizens’ rights. Humanity, Arendt argues, does not constitute a political community that would be necessary for the protection of both individual and group rights. Her critique

⁴²⁹ Charlotte Bunch, “Opening Doors for Feminism: UN World Conferences on Women,” *Journal of Women’s History*, 24:4 (Winter 2012), p. 216

of the notion of human rights is a direct conclusion of her view regarding the importance of belonging to a political community – of having the right to have rights as a political being as opposed to being reduced to mere biological life conditioned by necessities.

7. Consciousness raising Theoretically Contextualized

People's Tribunals as Consciousness-raising practices

As I explored in a previous chapter, the method used for consciousness raising, namely the focus on personal testimony, was a contested issue at the Brussels Tribunal, while it had become a non-controversial issue at the Vienna Tribunal. I argue that these conflicts can, in turn, be linked to theoretical divisions in how to understand the idea. With the two tribunals as an historical backdrop, this chapter is devoted to the concept of feminist consciousness raising in feminist theory and activism. I explore the historical and analytical context in which the concept or the idea of consciousness raising has been deployed by focusing closely on a selection of texts written in the midst of the heyday of women's liberation movements. Through this I hope to deepen the understanding of the two tribunals by showing the nuances and differences in the ways in which women's liberation theorists perceived political consciousness. I focus on their similarities and different emphases, and, finally, the theoretical conundrums inherent in their theories that affected the decades to come.

In line with a rhetoric of the women's liberation movement, the organizers and participants of the Brussels Tribunal used the phrase 'the personal is political' in describing their primal point of departure. The theoretical and practical efforts of the women's liberation to politicize the personal placed a strong emphasis on *speaking*. This further entailed the recognition of alternative, and up until this time, foreclosed, or *silenced*, narratives of experience. Thus, at the Brussels Tribunal the personal was politicized with the accounts of individual women of their condition and experiences of sexist oppression and violence. This is in line with organizer Diana Russell's emphasis on sharing personal testimonies as a means of elevating issues to a political level. In Russell's account of the tribunal it was the belief in "the power of personal testimonies to educate, politicize and motivate" that constituted one of its most fundamental ideas.⁴³⁰ Speaking up, confirming each other's truths and creating new *empowering* interpretations was known as consciousness raising, and the method and aim of the Brussels Tribunal.

Simone de Beauvoir's salute of the tribunal as a "start of a radical decolonization of woman" is in line with this kind of idea of consciousness raising. It was a gathering, Beauvoir insisted, in which women from all over the world

⁴³⁰ Diana Russell and Nicole Van de Ven (eds.), *Crimes against Women*, p. 152.

would join forces for the first time and “become conscious of the scandal of their condition.”⁴³¹ The event was organized as ‘counter public’, to refer to Nancy Fraser’s term, to which neither men nor media were given access. In her opening greeting, Beauvoir underlined the importance of strengthening solidarity among women and developing “defensive tactics” by talking to one another and to the world in order to “bring to light the shameful truths that half of humanity is trying to cover up.”⁴³²

In contrast, when feminists re-vitalized the idea of a people’s tribunal within the framework of human rights at the *Vienna Tribunal* in 1993, the concept of ‘consciousness raising’ was still present in the organizers’ rhetoric and at least a few of them had been active in the women’s liberation movement since its heyday in the late 1960s and early 1970s. However, I argue that in the 1990s the concept was deployed in differently. The change has to do with a shift from the focus on creating a feminist political consciousness to raising general awareness (of others) about women’s situations. By this time, the meaning of the idea in terms of becoming aware of oneself as structurally oppressed, as a step towards becoming a political agent, had given way to an emphasis on external recognition.

During the tribunal in Vienna in 1993, ‘consciousness raising’ was mainly used in reference to the need to raise a general awareness of injustices suffered by women on the grounds of their gender. It was argued that these were issues that traditionally had not been recognized as public concerns, situated within the private sphere of intimacy, irrelevant to public deliberation and thus not viewed as *political* but *personal*. Thus, the main task of the Vienna Tribunal was to demand attention to the seriousness of these gendered injustices and crimes. *Gender bias* became the point of reference from which to criticize discrimination understood as being inclusion or exclusion from rights, social goods and protection.⁴³³

The misrecognition of women’s human rights was described in terms of a myopia, a shortsightedness grounded in a limited and gender-biased perspective rooted in the sharp distinction between ‘the private’ and ‘the public’ that the feminist activists argued distinguished the international human rights framework. This way of presenting the problem suggests that gender-based violence against women, and the lack of recognition of it in terms of human rights violations, are based on ignorance and prejudices about women and their lives

⁴³¹ Ibid., p. 5.

⁴³² Ibid.

⁴³³ This reading supports Sari Kouvo’s thesis that when the concept of *gender* was adopted in the UN policy discourse in the 1990’s it often replaced the word *women* and did not highlight the social constructivist perspective that the term was originally used to refer to in feminist theory. Sari Kouvo, *Making Just Rights?*

and their suffering. It further implies that if the agents of recognition were to just listen to the stories of victims and thereby witness their suffering, they would change their bad ways and *see* that the violence *exists* and that it is *unjustified*. However, as philosopher Patchen Markell argues, the framing of injustice in terms of misrecognition “gives short shrift to the underlying forms of desire and motivation that sustain and are sustained by unjust social arrangements...”⁴³⁴ This way of reframing ‘consciousness raising’ in terms of recognition or lack of it carries an idea about a rational overcoming of conflicts which I discussed in the theoretical discussion at the start. Moreover, this is related to a change in emphasis from fostering solidarity and political agency driven by *righteous anger* to appealing for and cultivating the *compassion* of others.

Conflicts Concerning the ‘Politics of the Self’

The women’s liberation movement had its theoretical and philosophical roots in Marxism as well as in liberal equal rights feminism. However, the movement also emerged as a frustrated response to the respective traditions’ limitations. Marxism was criticized for subsuming sexism under the primarily more oppressive system of capitalism and liberal equal rights feminism for disregarding the collective experience of gender ideology.

Influences from French philosopher Simone de Beauvoir are easily detected in the women’s liberation discourse, particularly her theorizing about how the situation of women forms and limits their consciousness. She argued that women’s emancipation demands both concrete changes in their social and material conditions as well as their own mental liberation from the *bad faith* that characterizes and limits their ways of being. Identity and the *self-concept* of women, as phrased by Catharine MacKinnon and Charlotte Bunch, soon became central in feminist theory. As British socialist feminist and psychologist Lynne Segal has pointed out, the dawn of the new women’s liberation movement was characterized by a return to an emphasis on ‘the politics of the self’ that was so defining of the radical movements of the early 1960s. According to Segal, this appeared in the “need for individual self-discovery, the articulation of personal oppression and discontent.”⁴³⁵ In this context, “an emergent female consciousness raising”, to borrow British historian and socialist feminist Sheila Rowbotham’s formulation, was “part of the specific sexual and social conjuncture, which it [sought] to control and transform.”⁴³⁶ The aim was to develop active feminist political subjectivity to challenge the patriarchal and the capitalist order based on hierarchy, domination and exploitation.

⁴³⁴ Patchen Markel, *Bound by Recognition*, (Princeton NJ: Princeton University Press, 2003), p. 5.

⁴³⁵ Lynne Segal “The Liberated Orgasm? Feminists Fall Out”, p. 9.

⁴³⁶ Sheila Rowbotham, *Woman’s Consciousness, Man’s World*, p. viii.

There is however, an often-overlooked tension in the feminist literature on consciousness raising from the early 1970s. It involves different perspectives on “the psychology of oppression”. To put it simply, on one side there were those who emphasized a critical interrogation of something imagined to be a socially-imposed identity and on the other side there were those who refused to psychologize women’s behavior and rejected the idea of ‘false consciousness’ which the former implied. The former emphasized dis-identification and deconstruction of women’s learned inferiority, which was thought to be a necessary step in the construction of new feminist (political) subjectivities. An example of this thought is Kate Millett’s idea of gender as an ideological consent and internalized slavery. The second perspective, often referred to as the ‘Pro-Woman Line’ was advocated by Carole Hanisch, among others, who denied the idea of an internalized inferiority or ‘false consciousness’.

Freeing Oneself from an Interior Colonization

Simone de Beauvoir had distanced herself from feminism for a great part of her career but declared herself a feminist in an interview in *Le Nouveau l’observateur* in 1972. By then she had been active with the new *Mouvement de liberation de femmes* (MLF) in France for a couple of years. In an interview with John Gerassi from the same year as the Brussels Tribunal took place, Beauvoir claims that her view on feminism had changed since she wrote the last pages of *The Second Sex*.

Before [...] I was convinced that equality of the sexes can only be possible once capitalism is destroyed and therefore – and it’s this “therefore” which is the fallacy – we must first fight the class struggle. It is true that equality of the sexes is impossible under capitalism. [...] But it is not true that a socialist revolution establishes sexual equality.⁴³⁷

With the MLF, Beauvoir had, for example, organized a public hearing about crimes against women in 1972 at which women testified about the violence and injustice they had suffered because of their sex. The MLF rented a large conference center in the 5th arrondissement in Paris called *La Maison de la Mutualité* for two days and the event, which was open to the public, was full of people for its entire duration.⁴³⁸ Thus, Beauvoir had experience of both the Russell Tribunal in 1967 and a feminist event of a similar style in France, although MLF did not refer to the latter as a tribunal as it was still based on testimonies.

⁴³⁷ John Gerassi, “The Second Sex 25 years later” interview with Simone de Beauvoir 1976, (trans.) Andy Blunden (Transaction Publishers, 2005) Retrieved November 18 2016 (Online: <https://www.marxists.org/reference/subject/ethics/de-beauvoir/1976/interview.htm>)

⁴³⁸ Claudine Monteil, *Simone de Beauvoir – Le mouvement des femmes, Mémoires d’une jeune fille rebelle*, (Éditions du Rocher, 1996).

The abortion issue was high on the agenda at the event in Paris in 1972 and many of the witnesses testified about having had an abortion, thereby risking prosecution since, at the time, abortion was illegal in France. Thus, for Beauvoir, the act of breaking the silence of crimes against women was very specific in the way in which just speaking about the crimes was not only socially transgressive but even included breaking the law. In the same interview with Gerassi cited above, Beauvoir underlines the importance of gathering women's experiences from around the world and across classes as an empirical ground from which to base the struggle.

*We must derive our theory from practice, not the other way around. What really is needed is that a whole group of women, from all sorts of countries, assemble their lived experiences, and that we derive from such experiences the patterns facing women everywhere.*⁴³⁹

Yet, she simultaneously stressed the necessary condition of consciousness raising. She claimed that the women fighting for liberation were mostly bourgeois intellectuals and that raising the consciousness of working-class women and non-white women as feminists was harder since they either tended to stay faithful to men of their own class or that they remained "firmly attached to the society's middle-class value system."⁴⁴⁰

Beauvoir's employment of the word colonization in reference to women's situations in her opening letter is not a unique gesture. This comparison was common in the women's liberation rhetoric at the time, resonating, for example, with Kate Millett's claim in her *Sexual Politics* from 1969 that patriarchal ideology is a form of *interior colonization* – and as such has been the most successful throughout history. The *interior colonization* in this case refers to what we normally call 'femininity' or the 'feminine gender'.⁴⁴¹ Similarly, Sheila Rowbotham uses the concept of colonization to refer to men's interpretive hegemony of what it means to be a woman psychologically and physiologically, "only here does the extent of our colonization really become event." She says:

*We substitute our own experience of our genitals, our menstruation, our orgasm, our menopause, for an experience determined by men. We are continually translating our own immediate fragmented sense of what we feel into a framework which is constructed by men.*⁴⁴²

⁴³⁹ John Gerassi, "The Second Sex 25 years later".

⁴⁴⁰ Ibid.

⁴⁴¹ Kate Millett, *Sexual Politics*.

⁴⁴² Sheila Rowbotham, *Woman's Consciousness, Man's World*, p. 35.

References to colonization and the comparison of women's situations to those of colonized people are in many ways historically explainable in light of the widespread struggle for independence and decolonization during the post-war years, in the decades preceding the upswing of radical movements in Europe and the U.S.A. In the U.S.A, the civil rights movement constituted a major influence and inspiration for the women's liberation movement. Political scientist and women's liberation activist Jo Freeman notes that the profound effects of the black civil rights movement on white, middle-class women should not be underestimated. In her analysis of the politics of the liberation movement from 1975 she notes:

Just as the status of women had been "the nearest and most natural analogy" for those seeking a legal status for slaves in the seventeenth century and for those justifying slavery in the nineteenth, so was it similarly easy for women in the twentieth century to identify with and respond to efforts by black to change their position in society.⁴⁴³

Freeman mentions that it is hard to bypass one of the most popular phrases used in the early stages of the women's liberation movement, "woman as nigger", to describe women's position in society. Yoko Ono's and John Lennon's song from 1972, "Woman is the Nigger of the World", is an example of the spreading of this analogy. However, what is perhaps a more qualitative similarity between the black power movement and the emerging women's liberation movement is the emphasis placed on the psychological aspects of oppression and the socialization of oppressed subjects as such. The focus on identity becomes a common thread. Here the emphasis on dis-identification and active and creative identity politics are a common nominator.

The similarities between the works of Beauvoir and anti-colonial thinker Frantz Fanon are evident and their ideas gained increased political popularity around the same time. They were both influenced by G.W.F. Hegel's ideas about the struggle of consciousness for recognition portrayed in the master and slave dialectics and, moreover, both Fanon and Beauvoir emphasized the lived experience of the oppressed subject. In his foreword to the 2008 edition of Fanon's *Black Skins, White Masks*, cultural critic Ziauddin Sardar claims that after having been intellectually marginalized for some years after his death, Fanon gained renewed relevance when his works were translated into English in the late 1960s. *Black Skins, White Masks* was translated in 1967 when the anti-war campaign was at its height in the USA and student strikes and protests were destabilizing the political situation. Furthermore, the assassination of Dr. Martin

⁴⁴³ Jo Freeman, *The Politics of Women's liberation. A Case Study of an Emerging Social Movement and its Relation to the Policy Process*, p. 28.

Luther King gave the black power movement's critique of the emphasis on the assimilation and integration of black people increased legitimacy. Fanon's ideas about the idea of black consciousness and his analysis of how colonialism is internalized by the colonized as an inferiority complex towards the colonizers became extremely influential. *Black Skin, White Masks* even "became the bible of radical students, in Paris and London, outraged at the exploitation of the Third World", Sardar maintains.⁴⁴⁴ As for Beauvoir's influence on the Anglo-American political and intellectual climate, her grand oeuvre *The Second Sex* was translated into English in 1953 but it was not until around the late 1960s that she gained a wider influence that inspired women's liberation thinkers to challenge "the myth of femininity."⁴⁴⁵

Hence, ideas about consciousness raising were not only peculiar to the feminist movement but characterized the ideas of the black power movement in the USA and other autonomous anti-capitalist groups during the 1960s and 1970s on both sides of the Atlantic. However, the issue of *what women are* or what we could perhaps term *the problem of femininity* has most likely occupied an exceptionally large space within feminist theory and it goes further back in the feminist history of ideas. The questioning of femininity as a learned inferiority and self-objectification follows a long tradition of feminist thinkers from Mary Wollstonecraft, Emma Goldman to Simone de Beauvoir. Clare Hemmings calls this "feminism's complicated relationship with femininity."⁴⁴⁶

In Beauvoir's philosophy, *bad faith* represents a passive self-lie based on a belief in one's own lack of capabilities and possibilities of being an active and responsible subject in the world. According to Beauvoir, women's consciousness (and men's also for that matter, but with different outcomes) is distinguished by bad faith. In the case of women, this bad faith is supported by the objectifying look that they are susceptible to from society and which they internalize – and their social and material condition that shapes their mundane *lived experience*. By living and acting according to the objectifying look, women limit themselves to a life of *en soi*, in themselves, instead of *pour soi* or for themselves, and thereby reduce their own being and capabilities to their social condition, thus confining themselves to a life of *immanence* and *resentment*. These aspects of Beauvoir's analysis became her greatest influence on the women's liberation movement twenty years after the publication of the *Second Sex*, although the direction that

⁴⁴⁴ Ziauddin Sardar, "Foreword" in Frantz Fanon, *Black Skin, White Masks*, Charles Las Markmann (trans.) (Pluto Press, 2008), p. x.

⁴⁴⁵ Carol Giardina, *Freedom for Women: Forging the Women's Liberation Movement, 1953-1970*, (Florida: University Press of Florida, 2004).

⁴⁴⁶ Clare Hemmings, "Considering Emma" in *European Journal of Women's Studies* 20:4 (September 2013), p. 341.

the radical feminists took perhaps emphasized to a greater extent men's collective interest in keeping women subordinated, resulting in a socio-cultural system referred to as *patriarchy*. For the radical feminists, Beauvoir's "One is not born a woman but becomes one" became a distinction between biological sex and cultural *gender*. The idea that the feminine gender is an ideological construction that serves men's interests and something to liberate oneself from in order to be able to *discover or construct* another kind of being for women is probably what primarily stands out in radical feminist theory about consciousness raising.

Gender: An Ideological Consent

Within the theoretical strand that emphasized 'the psychology of oppression', the idea and method of consciousness raising were closely associated with a notion of ideology as a mystification of immediate social and bodily experiences of oppression. The concept of *ideology* was ubiquitous to radical theory during the postwar era.⁴⁴⁷ According to literary theorist, Terry Eagleton, the concept of ideology is used and understood in various ways. Two of the most common uses have somewhat incompatible meanings. According to one usage, it is supposed to illustrate a *lie* in contrast to *truth*, as a distortion of reality, while the other understanding refers to the concept to describe meaning making as something that is always bound to a perspective. The first understanding is more normatively laden while the second understanding is perhaps more neutral, referring to the idea that language and meaning are a collective (situated) construction of social reality. Although the second understanding is described by Eagleton as being neutral, it can still imply that there are conflicts concerning the conception of reality, since we are situated differently. I suggest that these two meanings of ideology exist in women's liberation discourse in general but also within the Brussels Tribunal narratives. Insofar as the idea of consciousness raising is embedded with notions of *truth*, *experience* and *power*, it is the former understanding that is identified by Eagleton. When it is used to refer to the construction of both individual self-concept and a battle over the 'political' – over what is general – what counts and matters in the public discourse, it is the latter understanding.

In her *Sexual Politics* from 1969, Kate Millett argues that through socialization the ideology of the superiority of men and women's lesser status is internalized by individual men and women through gender identity formation. For Millett, gender is:

The formation of human personality along stereotyped lines of sex category ("masculine" and "feminine"), based on the needs and values of the dominant

⁴⁴⁷ Terry Eagleton, *Ideology: An Introduction*, (London and New York: Verso, 1991), p. 2-3.

group and dictated by what its members cherish in themselves and find convenient in subordinates: aggression, intelligence, force, and efficacy in the male; passivity, ignorance, docility, "virtue," and ineffectuality in the female. This is complemented by a second factor, sex role, which decrees a consonant and highly elaborate code of conduct, gesture and attitude for each sex.

Millett's social constructivist view concerning femininity and masculinity is based on psychiatrist Robert Stoller's research into the distinction between biological sex and cultural gender identity, a theory which gave the social constructivist view of feminist theory important scientific authority at the time.⁴⁴⁸ "*Gender*" Millett argues, "is a term that has psychological or cultural rather than biological foundations." And she continues: "Indeed, so arbitrary is gender, that it may even be contrary to physiology."⁴⁴⁹ Conditioning from an early age is the key to the success of gender identity socialization. "In the matter of conformity", Millett claims, "patriarchy is a governing ideology without peer; it is probably that no other system has exercised such a complete control over its subjects."⁴⁵⁰

Catharine MacKinnon was inspired by both Simone de Beauvoir and Kate Millett and has theorized about what it is that characterizes the feminine gender and makes it so susceptible to oppression. The texts that I consider here are written some years after the publication of Millett's *Sexual Politics*, to which MacKinnon refers as a founding text for radical feminist theory.⁴⁵¹

Gender: The Objectifying Look

Vision plays an important role in MacKinnon's theorizing about women's consciousness of themselves. The woman, she claims, internalizes an objectifying male look and her identity is thus constructed around a kind of double vision and she constantly views herself as the object of another's look. The sexuality of women and men, including their desires and behaviors are constructed around the objectification of the former both with and through the objectifying look. Sexuality is embedded in the idea of femininity so that what defines a woman is her sexual attractiveness, "which means sexual availability on male terms."⁴⁵² In turn, hierarchal sexuality of domination and subordination creates both masculine and feminine gender. However, it is by theorizing this *experience of objectification* that women's political consciousness is developed.

MacKinnon believes that women's reclamation of *truth* is both possible

⁴⁴⁸ Robert J. Stoller, Sex and gender, *The Development of Masculinity and Femininity*, (London: Karnac Books, 1968).

⁴⁴⁹ Kate Millett, *Sexual Politics*, p. 30.

⁴⁵⁰ *Ibid.* p. 33.

⁴⁵¹ MacKinnon has on several occasions paid tribute to Millett's work in *Sexual Politics*.

⁴⁵² Catharine A. MacKinnon, *Toward a Feminist Theory of the State*, (Cambridge, Massachusetts and London, England: Harvard University Press, 1989), p. 110.

and necessary for their liberation. Consciousness raising, she claims, “inquires into an intrinsically social situation, into that mixture of thought and materiality which comprises gender in the broadest sense.”⁴⁵³ It is, she argues, through consciousness raising that women “grasp the collective reality of [their] condition from within that experience.”⁴⁵⁴ Feminism’s claim to the women’s perspective, she argues, is a political claim to truth. By discussing their lives “in all their momentous triviality”, the technique allows women to “explore the social world each woman inhabits” through *speaking of it*.⁴⁵⁵ According to MacKinnon, consciousness raising is a way for women to develop a group identity by listening to and paying attention to each other’s particularities and differences, while still striving to develop a collective consciousness. She insists that by *speaking* about their experiences from a collectively-theorized perspective, *that reality becomes true*. She argues that the fact that men were not physically present “made speech possible”; their absence helped the women feel *freer*.

*It was not only that silence was broken and that speech occurred. The point was, and is, that this process moved the reference point for truth and thereby the definition of reality as such.*⁴⁵⁶

For MacKinnon, consciousness raising aims to deconstruct women’s isolated view of themselves and theorize the individual and personal as collective and structural, but it also helps the individual woman’s self-concept to emerge.

*Who she thinks she is, how she was treated in her family, who they told her she was (the pretty one, the smart one), how she resisted, how that was responded to, her feelings now about her life and herself, her account of how she came to feel that way, whether other group members experience her the way she experiences herself, how she carries her body and delivers her mannerisms, the way she presents herself and interacts in the group.*⁴⁵⁷

The influence of Beauvoir on MacKinnon’s theory is lucid, both regarding the emphasis on women’s gender, what Beauvoir would perhaps call “character”, as self-objectification, and the emphasis on the combination of material and social conditions (external) and women’s reactionary character (internal). MacKinnon apparently has a similar view to Millett on gender socialization, to whom she also

⁴⁵³Ibid., p. 83.

⁴⁵⁴Catharine A. MacKinnon, “Feminism, Marxism, Method, and the State: An Agenda for Theory,” *Signs* 7:3 *Feminist Theory*, (Spring, 1982).

⁴⁵⁵Catherine, A. MacKinnon, *Toward a Feminist Theory of the State*, p. 83.

⁴⁵⁶Ibid., p. 87.

⁴⁵⁷Ibid., p. 88.

refers when she claims that viewing sex as gender and sex as sexuality ultimately reveals that it is sexuality that defines gender and not the other way around.⁴⁵⁸

Consciousness raising as a Search for Identity

Sheila Rowbotham's idea of consciousness raising is that it is intertwined with a desire for an identity. In her "Through the Looking Glass" she writes about her childhood fascination with dressing table mirrors in three sections – the kind of mirrors in which one can see a repeated reflection of oneself from different sides. "I used to wonder which bit was really me", she stated, and "where was I in all these bits of reflection?"⁴⁵⁹ The self-image, the identity, according to Rowbotham's theory, is a result of a socially-determined being, and power operates through an ideologically constructed hall of mirrors in which the dominant class, sex or race expands a particular interest-based vision into a general vision. Rowbotham argues that the majority of human beings "have always been mainly invisible to themselves while a tiny minority have exhausted themselves in the isolation of observing their own reflections."⁴⁶⁰ Rowbotham claims that an ideological world-making is necessary for every mass political project. Thus, the crucial part of the political awakening of an oppressed group is the creation of an alternative version of reality to the oppressive one.

At first this consciousness is fragmented and particular. The prevailing social order stands as a great and resplendent hall of mirrors. It owns and occupies the world as it is and the world as it seen and heard. But the first glimpse of revolutionary possibility leaves a small but indestructible chink in its magnificent self-confidence.

According to Eagleton's classification of different understandings of the concept of ideology, I identify Rowbotham's account as the unavoidable "process of production of meanings, signs and values in social life", as well as "a body of ideas characteristic of a particular social group or class [that might] help to legitimate a dominant political power". Hence, according to Rowbotham's account, a politically-informed subjectivity is necessary to bring about change, and this means a painful self-reflection in which old truths are surrendered in order to cultivate new ones. "In order to create an alternative", Rowbotham insists, "an oppressed group must at once shatter the self-reflecting world which encircles it and, at the same time, project its own image onto history." Since "the indignity of femininity has been internalized for millennia [...], sisterhood demands a new

⁴⁵⁸ Catharine A. MacKinnon, "Feminism, Marxism, Method, and the State: An Agenda for Theory," p. 531.

⁴⁵⁹ Sheila Rowbotham, *Woman's Consciousness, Man's World*, p. 26.

⁴⁶⁰ *Ibid.* p. 27.

woman, a new culture, and a new way of living.” The creation of an alternative world, she claims, is a laborious process which cannot come about in a day. And she encourages her readers to keep in mind that theoretical consistency can easily result in dogmatism. Rowbotham argues that “we always aspire beyond what we can realize” and that a revolutionary project is not about recovering a past to bring to the future. Thus, she argues that the “idealization of women incongruous to a revolutionary feminist movement [...] belongs rather to the sentimentalism which elevates powerless people into innocents.”⁴⁶¹ This means that effective solidarity will be found much less in the praising of some existing idea of femininity than in scattering it and seeking new possibilities of being.

Rowbotham insists that theory is contextual and definitions changeable since “circumstances transform themselves and our relationship to them.”⁴⁶² In a revolutionary moment, “the mirror dissolves into a light show”, which means that it creates a rupture in the web of meaning that makes up social reality. There is a space in which create new meaning and new identities and Rowbotham insists that a new consciousness emerges in and through political action but takes time to be communicated. At first it is fragmented but slowly bits and pieces come together in forming social reality. However, she reminds us that although we make a new reality through combined action and organization we still have to “discover our own reality too or we will simply be subsumed.”⁴⁶³ This is Rowbotham’s reservation against an idealism that disregards concrete material situations, which leads her to emphasize the importance of developing a perspective according to a social reality which, to a great extent, is externally determined.

When it comes to consciousness raising, in its necessary collective dimension it constitutes the basis of solidarity, and there is a movement between the individual and the collective as they are each transformed in the process. Every revolutionary movement needs to appropriate language and construct its own connections and, through this, break the hold that the dominant group has over theory. The movement has to collectively construct a way of speaking, since not having a language amounts to paralysis. Hence, the feminist emphasis on *breaking the silence* concerning women’s experience. Rowbotham connects this silence with an estrangement from the world and the vulnerability of being in between cultures: the hegemonic oppressive culture and the new culture that emerges while the theorization of one’s situation begins. Although Rowbotham insists on the similarity between classism, racism and sexism in terms of paralysis resulting from lack of language and culture, she claims that the last-mentioned

⁴⁶¹ Ibid., p. x.

⁴⁶² Ibid., p.28.

⁴⁶³ Ibid., p. 29.

extends more deeply on a psychological level: “The clumsiness of women penetrates the very psyche of our being.”⁴⁶⁴

For her part, Juliet Mitchell talks about how ‘consciousness raising’ really is a re-interpretation of the revolutionary practice among Chinese peasants known as ‘speaking bitterness’. According to Mitchell, this is a practice that builds on the basic idea that “the first symptom of oppression is the repression of words” and ‘speaking bitterness’ is therefore “the virtually bringing to consciousness of the virtually unconscious oppression.”⁴⁶⁵ According to Mitchell, consciousness raising is basically “speaking the unspoken” – which, of course, is also the purpose of psychoanalysis. However, the most important characteristic of revolutionary politics is that, according to Mitchell, they have to have a linear progression, that is from an individual to a small group to the whole of society. From the particular to the general, from the personal to the political – “The circles of the mind”. Since some of the women’s liberation ‘consciousness-raising’ groups “suffered the fate of whirlpool”⁴⁶⁶, Mitchell claims, as they went from individual to small groups and back to individual groups, they lost out on their revolutionary potential.

Against Theory

The organizers of the Brussels Tribunal, especially Diana Russell, wanted to emphasize feeling over intellect and practice versus abstract theorizing when describing the aims and outlook of the event. Simply making this distinction, however, is a token of a theoretical perspective even if it is implicit. It indicates that one has certain assumptions about what *feeling* and *theory* are, how they are connected or opposed, and which of them is most suited to feminist activism and politics. Indeed, Russell’s remarks about the organizers’ intentions and ideas as well as her description of the event, implies a certain underlying theory about how feminist politics should be conceived.⁴⁶⁷ This includes assumptions about women, what women’s liberation entails, what women are up against and what kind of methods should be used. Thus, ironic as it may sound, anti-theory still constitutes a theory. Alice Echols discusses the ‘anti-theory’ strand within the women’s liberation movement and argues that it had the most notable expression in the Pro-Woman Line, promoted by members of the New York Redstockings in

⁴⁶⁴ Ibid., 33.

⁴⁶⁵ Juliet Mitchell, *Woman’s Estate*, p. 62.

⁴⁶⁶ Ibid., p. 63.

⁴⁶⁷ Working as a fulltime academic at the time when the women’s lib was at its highest, Russell’s activist background prior to feminism was in the anti-apartheid movement in her native South-Africa. In fact, the Brussels Tribunal seems to have been her first major feminist activism and after that she became prominent in the anti-pornography movement in the United States Biographical information found on Russell’s own webpage. Fetched 2017.09.19.
http://www.dianarussell.com/political_actions.html#unitedstates

1969, including Kathie Sarachild and the previously-mentioned Carol Hanisch. Russell's rhetoric is strikingly akin to theirs. The Pro-Woman Line included one view among many of what consciousness raising was about, a view that was not uncontroversial among radical feminists at the time.

The Pro-Woman Line – Women are not Brainwashed

[All the talk about conditioning or brainwashing] *“falsely divides women into two groups – those who are “militant” and those who are still “brainwashed,” thus keeping us apart and preventing us from realizing our common oppression. Talk about brainwashing ensures domination of the feminist movement by college-educated white women: the majority of women whose struggles we must join (welfare mothers, black and brown women fighting for their liberation, working women and housewives) are too involved in matters of survival to listen to mythical abstractions about damaged psyches or internalized images.*⁴⁶⁸

The New York Redstockings was an explicitly radical feminist group that was founded in 1969. The name was meant to “represent a synthesis of two traditions”, one was the “earlier feminist theoreticians and writers [...] insultingly called “Bluestockings” [...] and the militant political tradition of radicals – the red of revolutions.”⁴⁶⁹ After a few months of activity, the Pro-Woman Line had become one of the group's most characterizing features. Ellen Willis, one of the founding members of the group, together with Shulamith Firestone, described the line as “a kind of neo-Maoist materialism.”⁴⁷⁰

The theory of the Pro-Woman Line is that women's behavior results from immediate external conditions as opposed to any kind of conditioning. Thus, the Redstockings' manifesto states that “women's submission is not the result of brainwashing, stupidity, or mental illness but of continual, daily pressure from men.”⁴⁷¹ All psychological explanations of women's submissive behavior and thus the idea of false consciousness were rejected. Barbara Leon, one of the members of the Redstockings, also frames the line as a way of confronting the issue of class, as the quote above illustrates. Echols describes how one of the main proponents of the Pro-Woman Line, Carol Hanisch, argued that looking pretty, giggling and acting dumb were survival strategies which women should continue to use “until such time as the power of unity could replace.”⁴⁷²

⁴⁶⁸ Barbara Leon cited in Alice Echols, *Daring to be Bad*, p. 144.

⁴⁶⁹ A flyer from the Redstockings cited in Alice Echols, *Daring to be Bad*, p. 138.

⁴⁷⁰ Ellen Willis cited in Alice Echols, *Daring to be bad*, p. 144.

⁴⁷¹ Robin Morgan (ed.) *Sisterhood is Powerful*.

⁴⁷² Carole Hanisch, “The Personal is Political.”

However, the Maoist inspired anti-elitist style of the Redstockings, as well as the Pro-Woman Line, finally became the reason why one of the founding members, Shulamith Firestone, split with the group. Theoretical debates concerning the “psychology” of oppression turned out to be a watershed in the movement. As Alice Echols has demonstrated in her dissertation from 1989 *Radical Feminism in America 1967–1975*, the women’s liberation movement in the USA was all but monolithic. Conflicts over issues of class, race, femininity, sexuality, leadership and ideology characterized the movement and were the cause of splits and offshoots as new factions were constantly being formed in opposition to some already existing group. According to Echols, the two most serious conflicts concerned sexuality; the so-called straight–lesbian divide, as well as the relationship with the New Left: the ‘politicos’–‘feminist’ divide. This divide, in turn, affected ideas on leadership, but it also intersected with the divide on how to view the role of sexuality and identity in feminist politics.

From Political Consciousness to Public Awareness

Both events, however, use the form of a trial for political and educational purposes and therefore juxtapose the language of law, truth and crime with a rhetoric of political consciousness and the raising of social awareness. They express a theatrical encounter between the legal and the political – truth and opinion, the particular and the universal, the individual and the structural. The method of people’s tribunals, which could be described as a political protest or spectacle in the form of a trial, is an expression of an overlap of the ideas of the legal subject and the political subject and sets in motion various understandings of the relationship between ‘the political’ and law. Moreover, the form of people’s tribunals also expresses an apparent need for public recognition of victimization and suffering and hence a call for some kind of collective accountability.

Comparing the Brussels Tribunal in 1976 and the Vienna Tribunal in 1993 in terms of the uses of the notion of consciousness raising, it is clear that the former had a considerably deeper, what could perhaps be called *existential* connotation, referring to the becoming of a political subject. *Gender* (bias) was not a category from which to criticize legal norms and the framework of rights because, in 1993, *gender* was rather a target of critique and an object of consciousness raising. In many ways this is understandable given the emphasis of the women’s liberation movement during the 1970s on self-definition. As Teresa de Lauretis has pointed out, the feminist movement at the time was occupied with questions such as: “Who or what is a woman? Who or what am

I?”⁴⁷³ Consequently, she argues, “feminism – a social movement of and for *women* realized the non-being of *woman*.” De Lauretis denotes this as the paradox of *woman* being simultaneously captive and absent in discourse:

*Constantly spoken of but of itself inaudible or inexpressible, displayed as spectacle and still unrepresented and unrepresentable, invisible yet constituted as the object and the guarantee of vision; a being whose existence and specificity are simultaneously asserted and denied, negated and controlled.*⁴⁷⁴

The question regarding the paradoxical feature of the category *woman* was in many ways initiated by Simone de Beauvoir when, in her work *The Second Sex* (fr. *Le Deuxieme Sexe*) from 1949, she asked her phenomenological question of what a *woman* is.

*If her functioning as a female is not enough to define woman, if we decline also to explain her through ‘the eternal feminine,’ and if nevertheless we admit, provisionally, that women do exist, then we must face the question: What is a woman?*⁴⁷⁵

Even though Beauvoir at the time she wrote these lines was skeptical of the idea of a collective feminist politics, her influence on the women’s liberation movement in the decades to come cannot be overstated. The questions she posed have been the most central issues for feminist theory over the last sixty years. In the final instance they revolve around the possibility of a feminist political consciousness or a feminist political subjectivity – in light of the paradox described by de Lauretis.

However, the human rights turn in international feminist activism during the 1990s was accompanied by a certain theory fatigue and, for some, this meant that, for better or for worse, a gap had been created between theorizing and activism.⁴⁷⁶ As I mentioned previously, there were activist-scholars who had participated in the political awakening of the 1970s who found themselves impatient with the ‘politics of the self’ emphasis in the feminist movement and who wanted to reach a wider audience. One of those people was Charlotte Bunch,

⁴⁷³ Teresa De Lauretis, “Eccentric Subjects: Feminist Theory and Historical Consciousness,” *Feminist Studies* 16:1 (Spring 1990), p. 115.

⁴⁷⁴ *Ibid.*

⁴⁷⁵ Simone De Beauvoir, *Second Sex*, H.M. Parshley (trans.) (London: Jonathan Cape, 1953 [1949] p. 14.

⁴⁷⁶ *Bringing Together Feminist Theory and Practice: A Collective Interview* Author(s): Heidi Hartmann, Ellen Bravo, Charlotte Bunch, Nancy Hartsock, Roberta Spalter-Roth, Linda Williams and Maria Blanco Source: *Signs*, 21: 4, *Feminist Theory and Practice* (Summer, 1996).

who became the main organizer behind the Women's Rights as Human Rights Campaign and the women's people's tribunal in Vienna.

Thus, the focus of the new human rights-inspired international women's movement moved away from the emphasis on affecting or developing women's consciousness of themselves as political subjects. This included, to some extent, a departure from theoretical debates about the extent of the social construction of femininity as either an oppressed identity or a source of agency to a more concrete emphasis on affecting the general consciousness or what we could call the moral 'conscience' of the general public. Yet, on the theoretical front, feminist theory also witnessed a challenge from within by thinkers who criticized feminism's identity-based politics and one-sided repressive theory of power.

It turns out that consciousness raising is a slippery concept that can mean different things depending on who employs it and in what context. Whose consciousness is supposed to be raised by telling or listening to personal stories? Does it involve a deconstruction of feminine identity or the revealing of social and political power structures, or is it deployed as an incitement for identification and empathy with people who suffer from violence.

8. Concluding Discussion

Politics of People's Tribunals: "We are Not Judges, We are Witnesses"

The Russell Tribunal believes [...] that its legality comes from both its absolute powerlessness and its universality.

Jean Paul Sartre, 1967

We are not judges. We are witnesses. Our task is to make mankind bear witness to these terrible crimes and to unite humanity on the side of justice in Vietnam.

Bertrand Russell, 1967

Unlike a traditional Tribunal, there was no panel of judges at the International Tribunal on Crimes Against Women. We were all our own judges. Moreover, the women present completely rejected patriarchal definitions of crime; all man-made forms of women's oppression were seen as crimes.

Diana Russell, 1976

We listen today to testimonies from the whole world showing that national legislations do not give answers to violence against women, that we women do not exist, and that abuses against us are defined under legal codes but are not considered crimes in practical life.

The Honorable Elizabeth Odio, 1993

A line of tributes connects the tribunals that are at the center of this dissertation to a tradition that goes back to 1967. The organizers behind the Vienna Tribunal in 1993 thus made a reference and tribute to the *Crimes against Women* tribunal in Brussels in 1976, and the organizers in Brussels, in turn, mentioned the so-called Russell Tribunal in Stockholm and Roskilde in 1967 as an important source of inspiration.⁴⁷⁷ The organizers of the *Crimes Against Women* Tribunal in

⁴⁷⁷ Charlotte Bunch and Niamh Reilly, *Demanding Accountability*, p. 7

Brussels claimed that even though they did not explicitly mention the *International War Crimes Tribunal* from 1967 at the time of the planning of their own event, that they were definitely inspired by it. The IWCT initiators had introduced the idea that oppressed people could dissociate themselves from the definition of crimes that their oppressors had developed for of their own interests.

These intertextual references suggest a connection and even an historical succession between the events, even though they are rooted in their own historical and political contexts and differ accordingly. At least there is reason to argue that the organizers of the second two tribunals had an ambition to contextualize their own event and place it within this tradition of a critique of law from below, by referring to recent historical examples. Even the use of the title ‘people’s tribunal’ or ‘popular tribunal’ is an indicator of such an identification. Nevertheless, while succession implies similarities as well as continuation, I have identified several significant differences between the various applications of the idea of people’s tribunals. The Brussels Tribunal stands out with its leaning towards a ‘room of one’s own’ framework – to use Virginia Woolf’s famous phrase. Whereas, the other two were more focused on raising public awareness. While both the IWCT in 1967 and the Brussels Tribunal in 1976 share a radical grassroots identity and institutional independence, the Vienna Tribunal in 1993 had a more strategic outlook and desire to work directly with established institutions. The idea of ‘consciousness raising’ is central to all events, but from different frameworks.

People’s tribunals lack legal authority and could therefore be seen as constituting a kind of political spectacle or symbolic trial with a political and even educational function, i.e. aimed at raising awareness. Their aim is to affect public consciousness and to give the victims or survivors a sense of public recognition of the wrongs they have suffered. Feminists have embraced this method as it suits feminist critique of the traditional and institutionalized forms of justice as outcomes of a patriarchal society, that directly works in support of it. Feminists are, however, not the only ones to have embraced the idea of people’s tribunals as this method has been adopted by various minorities around the globe, thus appealing to Antigone’s old claim of justice as a higher order when it goes against the laws of men.

The idea of people’s tribunals was initiated as a critique from below and their primary aim is to raise public awareness, or alternatively, public consciousness. The idea exemplifies an intriguing theatrical appropriation of the language of jurisprudence in political activism. As the people behind the IWCT stated, the decision to organize a Peoples’ Tribunal was a mean to “dramatically” drawing public attention to the atrocities inflicted by the US government’s military campaign in Vietnam.⁴⁷⁸ To say that something is dramatic means that it

⁴⁷⁸ John Duffet (ed.), *Against the Crime of Silence*, p. 6.

relates to *drama*. A quick look at an English dictionary tells us two things about drama: first that it is a literary concept relating to theatrical performance involving “conflicts and emotions through action and dialogue”; and it also tells us that it can refer to “a state, situation, or series of events involving interesting or intense conflict of forces.”⁴⁷⁹ The organizers behind all three People’s Tribunals do not explicitly develop this theme of “drama” any further, but I argue that this bypassing description of People’s Tribunals as “dramatic” is significant. The reference to drama is compatible with the emphasis on personal testimony, narrated to emphasize a conflictual relation, in a public setting. In this regard, the organizers of Vienna Tribunal had emphasized the persuasive power involved in arguing “from a case where real individuals have been wronged rather than from abstract principles.”⁴⁸⁰

Contexts: A change of Scene demands a Change of Script

The Brussels Tribunal represents a fusion of the women’s liberation method of ‘consciousness raising’ with a symbolic use of the form and setting of a trial, in a separatist “subaltern counter public”, to use Nancy Fraser’s terminology.⁴⁸¹ In contrast, the Vienna Tribunal took place after the end of the Cold War and the international political landscape had changed accordingly, and thus the change of context (the scene) changes the text (the storyline). What interests me in this change of context is how the ‘radical’ discourses of system change and the creation of counter-publics gives way to a discourse in line with the liberal tradition of rights. Furthermore, how the change of context shapes the ways in which political struggles are framed – particularly those struggles that revolve around the vulnerability of people who are thought to face specific injustices on the grounds of an historically and culturally-determined social position or identity. When I refer to *the liberal tradition of rights* in this context I draw on political theorist Wendy Brown’s usage, which “transpires at a level of historical and intellectual generalization [...] in order to theorize about politics in a mythological and ahistorical space and time, the argument proceeds by assuming liberalism to be a contemporary cultural text we inhabit.”⁴⁸²

A characterizing feature of the change of context lies in how the ‘juridical discourse’ is utilized. The IWCT and the Brussels Tribunal had a more deconstructive approach, insisting on the fragile foundations of international

⁴⁷⁹ Definition of “drama” in Merriam-Webster online dictionary, retrieved 13 November 2017 (Online: <https://www.merriam-webster.com/dictionary/drama>)

⁴⁸⁰ Center for Women’s Global Leadership, *1991 report*, p. 54.

⁴⁸¹ Nancy Fraser, “Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy,” *Social Text* 25:26 (January 1990) Duke University Press.

⁴⁸² Wendy Brown, *States of Injury: Power and Freedom in Late Modernity*.

legal authority as a form of 'victor's justice' or that laws "were made to serve [men's] interest." In Vienna, the strategy did not question the laws as such but a widening of their scope.

The change of scene is also reflected in the ways in which feminists before and after the human rights turn have employed the notion that 'the personal is political' differently. I contextualized the events temporally and ideologically in the women's liberation movement (Brussels 1976) and the human rights turn (Vienna 1993), respectively. In my contrastive reading of the textual material from the two tribunals, *Crimes against Women*, held in 1976 in Brussels and the *Vienna Tribunal on Women's Human Rights* in 1993, I have, for example, focused on how the concept of 'politics' is used. This further connects to what I see as a change in the use of the idea of consciousness raising.

However, what I have argued is that the picture is more complicated than the notion that 'consciousness raising' went from one consistent and clear idea to another, since the meaning and content of feminist consciousness raising had already been debated within the women's liberation movements' theoretical and activist discourse. The conflict back then seems to have been primarily between the Pro-Woman Line on the one hand and the psychology of oppression on the other. The first emphasized the concrete difference in power between men and women implying that oppression worked on women 'externally', and thus explaining women's behavior as coping strategies, with Carol Hanisch's words: "Women are messed over, not messed up." The second view circles around the idea that gender as an identity is based on the internalization of oppression and self-objectification. Yet both of these interpretations of feminist consciousness raising focus on women's own realization of themselves as political subjects, as agents in their own struggle for emancipation.

The feminist discourses I have explored are embedded in ambiguities regarding political and institutional recognition of women's gendered injustices and a substantial critique of international law. There is a relative shift in focus from some of the women's liberation discourse that I have considered, and the discourse found in human rights instruments. A dominant narrative that distinguishes the Brussels Tribunal presents violence as an active power strategy in maintaining a worldwide (patriarchal) system, producing gendered ways of being, while the human rights instruments of the United Nations put more weight on an analysis of gender violence as part of traditional cultures and uncivilized attitudes towards women. The political incentives for the former were idealist and concerned justice beyond the law, while the institutional discourse mainstreamed at the United Nations relied on economics, health and development.

In Brussels, the predominant emphasis was on the construction of a political subjectivity, perceived to be bound up with realizing 'the truth' about one's social condition. It was closely connected to a critical confrontation of the ideological image and self-identity of the women themselves, resonating with Kate Millett's and Catharine MacKinnon's identification of the interest of

patriarchal ideology in the construction of subordinate femininity. In Vienna, however, the emphasis of the self-transforming role of speaking up was not an issue in the same way. Bunch and the participants at the strategy institute in New Brunswick came to the conclusion that the feminist message needed to reach a broader audience. In that project, the personal story was given a new function, as an effective mobilizing tool to create awareness and, I would like to add, to *personalize the political*. In the second framework, the witnesses speak-outs were less acts of self-empowerment but the means of mainstreaming feminism in a larger political strategy using empathy.

In Vienna, the personal testimonies were used to attract the attention of the international community and create awareness about and recognition of women's subordination and suffering. The overall purpose of the event was to frame violence against women and discrimination particularly faced by women, as human rights violations. Strategically chosen 'judges' with relative influence within the UN human rights system listened and commented on the testimonies and promised their support. The testimonies and the tragedy and unfairness they expressed were thus part of a certain strategy to foster empathy and awareness among the listeners who, in turn, were considered to be in a better position to affect changes within the international human rights community. Thus, the overall framework in Vienna was rather different from the idea of an egalitarian space that the activists in Brussels strove for with their emphasis on gender separatism and restricted media access. The last striking difference is that, in contrast to Vienna, at the Brussels Tribunal in 1976 there was hardly any mention of the concept of 'human rights' while the reference to 'patriarchy' was, so to speak, omnipresent – a concept that was almost completely absent in Vienna, where the human rights discourse constituted the language per excellence.

Witnesses and Political Subjects

As women testify, they not only make visible the abuse to which all too many females are regularly subjected. They also move from being victims to becoming survivors engaged as political actors in changing their own lives and creating the conditions necessary to end such abuse in the lives of millions of women around the world.⁴⁸³

⁴⁸³ Charlotte Bunch, in Niamh Reilly (ed.) *Without Reservation: The Beijing Tribunal on Accountability for Women's Human Rights*, (New Jersey: Center for Women's Global Leadership, 1996) p. iv.

As I have discussed in this dissertation, international activism around gendered violence has turned towards the framework and discourse of human rights in recent decades. I argue that the human rights turn within international feminist activism can be viewed in light of the politics of recognition in which the positions of the subordinated and the subordinator are set in motion with a strategic use of empathy. The plea of the women's human rights movement for recognition from the international community by presenting the gendered sides of inequality and suffering with personal narratives of experiences of abuse and pain is one form of mobilizing for social change. Accordingly, increased trust in established institutions, including nation states and the United Nations is exemplified in the struggle for inclusion and recognition. This is apparent in the international feminist discourse that focuses on gender-based violence, although it is important to state that this appeal for recognition has evolved alongside a critique of the very institutions meant to protect these rights. The ways in which empathy was mobilized for political use during the strategic appropriation of the human rights discourse is only one dimension of the feminist reconfiguration of the relations between the private and the public, personal and political. As I have explored in this dissertation, the personal story has served a different purpose in feminist activism.

Contrasting the events in Brussels and Vienna, I suggest that the overall rhetoric along with the theoretical frameworks and references are very different. References to concepts such as patriarchy or ideology so distinguishing for the former event have almost vanished in the latter event. Furthermore, explicit critique of hierarchies, power and institutions as such have been abandoned and some of the revolutionary spirit has been refined to fit the new location, i.e. the United Nations arena. For example, in Brussels many references were made to connect capitalism and the exploitation of women, whereas in Vienna capitalism as a social and economic system was not discussed as a cause of inequality or oppression. Rather, in Vienna, discussions took a more technical form, criticizing the human rights implications of structural adjustment policies, without connecting them to any ideology or 'system'.

Yet, what has outlived these changes is the method: the testimonies and the privileging of personal narratives. The method underwent an interesting transformation with the change of setting. The overall framework differed: from the emphasis on personal and collective consciousness raising to strategic politics of persuasion and raising public awareness. The radical feminist methodology tried out at the Brussels Tribunal can be seen an attempt to break away from the reliance on an outside authoritative recognition, and to claim the experience of subordination and the victim's *speech* as authoritarian in itself. In a Hegelian framework, the slave assumes the power of definition and tries to break away from the master's authority. Realizing the potential of the method, the organizers of the Vienna Tribunal concluded that victims could speak to each other at will,

but that they will not be *heard* unless they start a dialogue with power. The need for recognition demanded that *consciousness raising* be re-defined.

My analytical emphasis has been on ambiguities in radical feminist theory and rhetoric regarding the authority of law and recognition from ‘conventional political institutions’ in the struggle to ‘become human’ in a political and legal sense, to paraphrase Catharine MacKinnon. These ambiguities come down to a particularly ambivalent definition of, and relationship to, power and the relations between violence and gender. The conflation of violence with barbarity or the “uncivilized” is a common thread in both the radical feminist discourse as well as in the human rights discourse exemplified, for example, in the rhetoric of UN officials like Kofi Annan.

Ariane Brunet stated in 1993 that the reason “why suddenly we hear less feminism and more women’s rights as human rights” is because “they have the power to be heard, that the women’s movement yet did not acquire.”⁴⁸⁴ There is something paradigmatic about this remark made during the Global Campaign in Vienna. Brunet puts her finger on something important: The human rights discourse retains an authoritative power that the feminist discourse did not. Apparent in Charlotte Bunch’s rhetoric around the women’s rights as human rights campaign is an attempt to hold on to the central concepts from women’s liberation’s heydays. Yet the concepts are translated or reconfigured to fit into a pragmatic strategy and a dialogical meeting with power. What served a certain political awakening and as an important building block for the construction of a global feminist subject in the 1970s, became a tactic of persuasion for recognition in the 1990s. The fact that Charlotte Bunch and her collaborators chose to hold on to a concept such as consciousness raising can be interpreted as a desire to retain some of the radicalism and grassroots spirit often attributed to radical feminism, and especially the 1970s. Despite the change in meaning, the persistence is on a feminist continuity, an idea of a common feminist movement that matures and learns from its past mistakes.

Crisis in the Relationship between Theory and Practice?

In feminist historiography, the ‘second wave’ is often presented as the origin of contemporary feminism, as I discussed in the introduction, repeatedly pictured as feminism’s radical moment per excellence, from which present feminist strands have evolved. According to the narrator this has either been a progression or a downfall.⁴⁸⁵ Yet, as Clare Hemmings has noted, the ‘second wave’ or ‘the 1970s’ seem to be the object of various affective discourses about feminism’s past, present and future. However, Hemmings notes that both mourners and critics of

⁴⁸⁴ Ariane Brunet, in 1994 film “The Vienna Tribunal.”

⁴⁸⁵ See Clare Hemmings, *Why Stories Matter*; Robyn Wiegman, *Feminism’s Apocalyptic Future*.

the second wave seem to have a similar developmental understanding of the history of feminism. What they have in common is a view on paradigmatic shifts, temporally placed in decades that are characterized by different currents of critique. Thus, the second wave is commonly cited as a time of great radical potential, albeit theoretically simplistic and politically exclusive. The hegemonic story goes like this: Second-wave feminism was (for better or for worse) succeeded by more nuanced and complex theories of intersectionality and post-structural power analyses.⁴⁸⁶ The hijacking/co-optation narrative could be divided along the lines of the mourning-critical divide. Nancy Fraser, who I cited before, gives a good example of the mourning discourse that emphasizes de-politicization and co-optation, whereas Wendy Brown's critical point of view uses a different analysis on the de-political aspects of feminist politics and human rights.

Brown's thesis is that emancipatory social movements that are grounded in identities such as women, gays and lesbians or people of color are centered around and based on an idea of a common injury. As such, they tend to be more occupied with remembering an injurious past as the *sine qua non* of political solidarity rather than a collective creation of a democratic future. Thus, their existence as political movements are dependent on keeping their common wound open, leading the collectivity to become grounded in what she refers to as *wounded attachments*. This politics of resentment, Brown argues, is actually de-politicizing. She develops her critique of consciousness-raising in line with a Foucauldian analysis of power in which women's tales of their experience and claims to 'truth' become a confessional discourse – disciplining rather than liberating. However, I would like to suggest that Brown misses the affective reasons for the attractiveness of 'consciousness-raising' practices, and the political desires mobilized therein. This is where Cavarero and her reading of Arendt enters the picture. Their arguments about 'the constitutive exposure of the self' and the desire for a story and a recognition as a prerequisite of 'the political' can to some extent explain the attractiveness and persistence of some versions of consciousness-raising practices or identity politics. Yet they reveal the paradoxes of such practice in light of how the tension inherent in a desire for 'uniqueness' is entangled with a desire for recognition and identification with a group.

The relevance and meaning of political identities have been theoretically debated for decades and the literature on identity politics is immense, yet the topic never seems to be exhausted. When one reads about the conflicts that arose among radical groups in the United States at the end of the 1960s, the resemblance to contemporary discussions is hard to ignore. The discussions that

⁴⁸⁶ Clare Hemmings, *Why Stories Matter*.

radicals engaged in about vanguardism, politicized identities and multiple splitting of the left seem all too familiar. Although I would not want to exaggerate an opposition between activism and theory, the rhetoric among radical activists during the 1960s was often characterized by humanist Marxism and existentialism, while *avant garde* theory was characterized by a deconstruction of the humanist legacy – involving the de-centering of the subject and the problematization of ideas about recognition and liberation. Considering this tension, feminist philosopher Rosi Braidotti talks about what she refers to as a “rather perverse division of labour” involved in the ironic fact that “thinkers who are located in the *centre* of past and present empires [are the ones] who are actively deconstructing the power of the centre – thus contributing to the discursive proliferation and consumption of former ‘negative’ others.”⁴⁸⁷ In contrast black, post-colonial and feminist thinkers and those historically and materially constituted ‘others’ continue seeking instead to reassert their identities. Interestingly, storytelling is arguably one of the most salient features of the constitution of political subjectivities.

Defenders and critics of identity politics tend to adhere to opposing ontologies regarding the relations between subjects (individuals), world (society) and historical and social change and a closure of the discussion is therefore implausible. Although some scholars have attempted to come up with a synthesis by reconciling the opposing views, the results often turn out to be theoretically unconvincing by critics on both sides. The debates about identity politics represent some of the most crucial issues in political philosophy in general, so my historically-informed guess is that the tension between identities and politics, the personal and the political, will continue to haunt political theory and activism for the unforeseeable future.

Historian Joan Scott has argued that the history of feminism reveals an insurmountable paradox. She exemplifies this in her work on French feminism from the 1789 revolution until 1944 and French women’s fight for citizenship. Scott claims that the French feminists argued that the connection between the sex of one’s body and the ability to participate in politics was neither logical nor empirical. They argued that “sexual difference was not an indicator of social, intellectual, or political capacity.”⁴⁸⁸ Scott argues that although their arguments were powerful, they were paradoxical since: “in order to protest women’s exclusion, they had to act on behalf of women and so [invoke] the very difference they sought to deny.”⁴⁸⁹ Scott’s emphasis on the paradox involved in the claiming

⁴⁸⁷ Rosi Braidotti, *Metamorphosis, Towards a Materialist Theory of Becoming*, (Massachusetts: Polity Press, 2002), p. 15.

⁴⁸⁸ Joan W. Scott, *Only Paradoxes to Offer French Feminists and the Rights of Man* (Cambridge: Harvard University Press, 1997), p. x.

⁴⁸⁹ *Ibid.*

of rights on behalf of a particular group, asserting a difference and denying it simultaneously, makes a valuable point for understanding the ambiguities concerning the constitution of the gendered subjects of human rights. She also emphasizes the ambiguous meanings that the word ‘individual’ possesses, judging from its various usages within Western political history. “On the one hand”, Scott argues, “the individual is the abstract prototype for the human; on the other, the individual is a unique being, a distinct person, different from all others of its species.”⁴⁹⁰ For the Enlightenment philosophers, the former notion – the abstract individual as a prototype of the human being – became the grounds from which claims to natural and universal human rights to liberty, property and happiness were made. These, in turn, “gave men a common claim to the political rights of the citizen.”⁴⁹¹

The activist practice of organizing people’s tribunals exemplifies negotiations and conflicts regarding the meanings of, and relationship between, politics, morality and jurisprudence. The court framework revolves around truth and justice: by making a judgement based on reliable testimony. A theatrical appropriation of the court framework in political activism sets in motion ideas concerning the relationship between politics and truth.

The Brussels Tribunal posited ‘witnessing’ or giving testimony as an act of personal assertion and as a political performance meant to raise political consciousness, share knowledge and create solidarity. The dismissal of the role of the judge was part of a political epistemology that granted the testimonies full authority and claims to truth on the one hand and public awareness on the other, although with different strategies and rhetoric, as well as varying emphases. The mobilization of a moral-political pathos regarding the injustices faced by particular groups is central when ‘the personal’ and ‘the political’ and the ‘private’ and the ‘public’ were juxtaposed at these events. Furthermore, they constitute important international feminist events that hint at how political strategies and ideas change or persist in different times and settings. They exemplify tensions in feminist thought and activism regarding the relationship between experience, truth and politics. The tribunal proceedings and the discussions preceding and succeeding the events further reveal conflicting ideas about how feminist activists have perceived the political, power and negotiated strategies. A key strategic move in this context is the feminist appropriation of a human rights discourse and the altering of a radical feminist method to suit new venues and aims. I read these tribunals as part of a larger complex in the history of political ideas and struggles.

⁴⁹⁰ Ibid., p. 5.

⁴⁹¹ Ibid.

Feminist Success Stories and the Risk of Co-optation

For Charlotte Bunch, Niamh Reilly and the other organizers behind the *Vienna Tribunal*, the event was a great success. The *Global Campaign* advocating for women's rights to be recognized as human rights gained hearing, and subsequently the United Nations General Assembly agreed on a *Declaration on the Elimination of Violence against Women* (DEVAW) and appointed a Special Rapporteur on Violence against Women, its causes and consequences. Following the success of the Vienna Tribunal, the group behind the *Global Campaign* planned further women's people's tribunals in relation to the United Nations Conferences in the 1990s on *development, population and gender equality*. At these venues, women from all over the globe came and testified about specific issues to emphasize the importance of taking gender into account when it comes to rights, policies and various public initiatives. They appear to have been operating with the people's tribunal method, at the onset of what soon became a trend. Since this time, a great number of women's people's tribunals, or courts of women, initiated by various groups and organizations, with a similar framework as in 1993, have followed their example.⁴⁹²

My initial point of departure was rooted in a perception that certain feminist issues had become mainstream in Western political discourse,⁴⁹³ particularly the issue of 'gender-based violence', which in recent decades has received great public visibility – accompanied in varying degrees by feminist analysis – yet nearly always mobilized as a human rights issue.⁴⁹⁴ In fact, as a number of scholars have pointed out, it seemed that since the early 1990s, violence against women had become *the* global women's issue. Even institutions like the World Bank have launched a campaign to fight "the global pandemic" of violence against women and girls.⁴⁹⁵ Moreover, success stories of global feminism characterize the narratives of international actors who promote the human rights discourse. Often, the United Nations is granted a major role in the story of the progress of transnational feminism. To take just one telling example from an anthology on global feminism from 2006:

⁴⁹² In 2007 the organization Feminist Task Force started using the method of women's tribunals and they have since organized over twenty tribunals. <http://feministtaskforce.org/reports/womens-tribunals/>

⁴⁹³ By 'discourse' here I mean trends in public discussions in how particular issues, concepts and proto-analyses gain currency and status of acceptability, truths and tropes. More on the concept of discourse in the chapter on methodological and theoretical reflections.

⁴⁹⁴ And even appropriated by nationalistic forces in a struggle against multiculturalism or the 'war against terror'.

⁴⁹⁵ The World Bank, "Violence against Women and Girls," retrieved 4 October 2018 (Online: <http://www.worldbank.org/en/topic/socialdevelopment/brief/violence-against-women-and-girls>)

The global feminist movement is rooted in women's movements around the world, not solely in Western nations, and [...] the UN in its turn became women's guardian and advocate, the "unlikely godmother" on whom women have depended to put forward legislation and adoption by all countries, to offer us chances to meet across national and regional borders, to open doors for us to join discussions of issues that impact our lives...⁴⁹⁶

Also, a recurring theme in these stories is how feminists contributed to a redefinition of the whole framework of human rights, following the critique of the private and public distinction – which was brought to the forefront in the efforts of international feminist actors to ensure that gender-based violence was recognized as a human rights issue. Nevertheless, critique of feminist success narratives has not been lacking. For example, British sociologist Angela McRobbie argues that we are living in a cultural landscape of post-feminism in which:

elements of feminism have been taken into account, and have been absolutely incorporated into political and institutional life. Drawing on a vocabulary that includes words like 'empowerment' and 'choice', these elements are then converted into a much more individualistic discourse, and they are deployed in this new guise, particularly in media and popular culture, but also by agencies of the state, as a kind of substitute for feminism.⁴⁹⁷

Thus, McRobbie criticizes the instrumentalization of 'feminism' and how it has been appropriated by Western governments to provide imperialism with a new cloak, signaling "to the rest of the world that this is a key part of what freedom now means."⁴⁹⁸ Considering the critique of feminist success narratives together with the critique of the human rights discourse from the perspective of post-colonial theory and Marxism – and perhaps because of my own training in reading with a certain 'hermeneutics of suspicion,'⁴⁹⁹ I found that literature (human rights initiatives, public policies, etc.) on gender-based violence often

⁴⁹⁶ Margaret Snyder, "Unlikely Godmother: The UN and the Global Women's Movement" in *Global Feminism*, (ed.) Myra Marx Ferree and Aili Mari Tripp, (New York: New York University Press, 2006).

⁴⁹⁷ Angela McRobbie, *The Aftermath of Feminism, Gender, Culture and Social Change*, (London: Sage Publications, 2009), 1.

⁴⁹⁸ Ibid.

⁴⁹⁹ 'Hermeneutics of suspicion' is a phrase used by french philosopher and hermeutic Paul Riceour, to capture what he saw as a common spirit in the writings of Marx, Freud and Nietzsche who despite their differences shared a commitment to unmask "lies and illusions of consciousness". Quoted in Felski, Rita. "Critique and the Hermeneutics of Suspicion." in *Journal of Media and Culture* Vol 15, nr. 1 nov. 2011. <<http://journal.media-culture.org.au/index.php/mcjournl/article/view/431>>. Date accessed: 23 jan. 2018.

framed it as something that signified a cultural remnant. As cultural habits that we or perhaps especially *others* have to grow out of. The UN definition states:

*Violence against women is a manifestation of the historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of women's full advancement. Violence against women throughout the life cycle derives essentially from cultural patterns, in particular the harmful effects of certain traditional or customary practices and all acts of extremism linked to race, sex, language or religion that perpetuate the lower status accorded to women in the family, the workplace, the community and society.*⁵⁰⁰

Even though this definition is based on a feminist critique of unequal power relations, the causes and roots of these relations are seemingly placed in the past, or far away in 'underdeveloped' cultures. Hence, post-colonial, feminist legal theorist Ratna Kapur has noted that a liberal idea of individual freedom tends to characterize the rhetoric of equality that 'other', 'less developed' cultures should adopt in order to catch up with the 'West'.⁵⁰¹ In her view, human rights are part of a Western liberal progress narrative that ironically reiterates an all too familiar civilizational discourse. Similarly, anthropologist Sally Engle Merry has observed that the concept of culture that appears in UN discourses tends to be of a "static and homogenous system, bounded, isolated and stubborn", something localized in a village in the global south and not in the offices of the United Nations in New York.⁵⁰² The human rights discourse has several different components of which two are particularly worth delving into, taking into account the subject of this dissertation. The first component is the role of human rights as universal moral standards and the second is their applicability in legal frameworks. Both aspects are, to some extent, de-politicizing. This, in turn, raises the question of whether de-politicization is the price of mainstreaming. Moreover, does de-politicization invite the risk of the co-optation of feminist rhetoric in the service of aims such as control of global markets?

The kind of critique that Ratna Kapur and other feminist and post-colonial thinkers have put forward have generated a wave of pragmatic defenders of the ideas and practice of human rights. Canadian historian, public intellectual and politician, Michael Ignatieff, is one of these defenders and has promoted a minimal account of human rights, a pragmatic perspective not based on

⁵⁰⁰ Beijing Platform for Action + five. P. 77 http://www.unwomen.org/-/media/headquarters/attachments/sections/csw/pfa_e_final_web.pdf?la=en&vs=800 Date accessed: 23. Jan. 2018.

⁵⁰¹ Ratna Kapur, "Human Rights in the 21st Century: Take a Walk on the Dark Side."

⁵⁰² Sally Engels Merry, "Constructing a Global Law – Violence against Women and the Human Rights System," p. 947.

philosophical or ontological truths. His perspective admits their limitations and vagueness, that they are more symbolic than substantive and often a “guise in which superpower global domination drapes itself”, to borrow a phrase from Wendy Brown. Yet, in the complicated but cruel world order we live in, they are the most that we can hope for – to minimize pain and cruelty and limit political violence. This definition resonates with Moyn’s thesis about human rights representing a ‘last utopia’ that rises from the ashes of the death of ideologies and political utopias.

Brown challenges the minimalist view by asking whether the human rights promise to reduce suffering in a particular way, they actually preclude other possible ways of challenging injustice. Thus, she asks what kind of subjects and political (or anti-political) cultures they bring into being. She argues that since human rights activism constitutes a moral political project that “displaces, competes with, refuses, or rejects other political projects” then it should be assessed as a particular form of political power and should be evaluated and judged as such.⁵⁰³ Hence, a central issue is the conflictual relationship of the human rights discourse to the political, since it often functions as a way of transcending the political by aspiring to a higher moral authority, to uncontested universals. Brown’s questions are worth considering in relation to the feminist appropriation of the human rights discourse. She represents a critical perspective on this development that enables an acknowledgement of the idea that while the human rights discourse has given feminist analysis legitimation it has, to some extent, de-politicized gendered violence by turning it into a developmental issue and contrasting it with progressive ideas of liberal secular modernity. Furthermore, a critical post-colonial perspective highlights how the ‘progressive’ women’s liberation discourse is at risk of falling back on a colonial specular logic in which the global North or ‘the West’ is a subject at the forefront of a liberal global equality project of which the ‘underdeveloped rest’ constitutes the *other*. Something which literary critic and post-colonial feminist, Gayatri Spivak has referred to as: “White men saving brown women from brown men.”⁵⁰⁴

The fact that various kinds of human rights initiatives are fighting violence against women could surely be considered a feminist success, while the emphasis on ‘violence against women’ in public discourse, when used as a justification for the initiation of war, or a reason to close borders, seems like a cynical co-optation of feminist values. Much of the success of the discourse on gender-based violence can be explained by an institutionalization of feminist analysis in supranational institutions like the United Nations. One possible reason for this public success

⁵⁰³ Brown, Wendy, “‘The Most We Can Hope For...’: Human Rights and the Politics of Fatalism,” 453.

⁵⁰⁴ Gayatri Chakravorty Spivak, “Can the Subaltern Speak?” in *Marxism and the Interpretation of Culture*, (eds.) Cary Nelson and Lawrence Grossberg (Urbana: University of Illinois, 1988).

could be that the issue of gender-based violence had been framed in a more palatable manner for a larger public as distinct from the more agonistic and confrontational style of radical feminism.

Furthermore, questions about the status of feminist politics come to mind when considering the prevalence of the struggle against gender-based violence. Human rights initiatives of various kinds, including the United Nations, are now, a quarter of a century after the Vienna Tribunal, fighting violence against women like never before. Is this to be regarded as a feminist success or failure, since it could also indicate that minimal effort has been made? Yet, in 1990, when various campaigns to recognize women's rights as human rights were at their height, Charlotte Bunch rightfully stated that: "No government determines its policies toward other countries on the basis of their treatment of women, even when some aid and trade decisions are said to be based on a country's human rights record."⁵⁰⁵ Thus, it is fair to keep in mind that the contemporary presence of the discourse on women's human rights in public discourse is a consequence of feminist political claims to the concept of human rights. However, in describing the human rights turn in international feminist activism as a de-politicizing move, must we assume that feminism was more political *before*?

Was Feminism Hijacked?

What ideas about the personal as political flourished in the discourse of the authors and activists that have recorded in history as 'second wave'? How was this expressed in international activist settings? Does this understanding differ from the understanding that characterizes human rights? While second-wave feminism, particularly socialist and radical feminism, have been the targets of critique and have to, some extent, become marginal perspectives in an academic context – succeeded by more 'nuanced' power analyses – a counter discourse has evolved that stresses the overly theoretical turn of feminism and the institutionalization of women's or gender studies. Hence, mourners of the second wave often equate post-structuralism with theory and blame the former for having de-politicized feminism,⁵⁰⁶ while the narrative of feminist progressivism tells the story of deeper and more nuanced power analyses leading up to the present enlightened focus on intersectionality and complexities of power

⁵⁰⁵ Charlotte Bunch, "Women's Rights as Human Rights: Toward a Re-vision of Human Rights."

⁵⁰⁶ Some of the criticism is targeted towards the "gender turn" within women's studies programs and the inclusion of what Carol Hanisch et al. call the "freedom for gender" movement as opposed to the radical feminist strive for "freedom from gender". The term "freedom for gender" is targeted at transgender people and inclusion of queer- and trans theory and politics in the feminist movement and has been criticized for transphobia and hate. Carol Hanisch, Kathy Scarbrough, Ti-Grace Atkinson and Kathie Sarachild. 2013. *Forbidden Discourse: The Silencing of Feminist Criticism of "Gender"*. Retrieved December 15 2014 (Online: <http://meetinggroundonline.org/wp-content/uploads/2013/10/GENDER-Statement-InterActive-930.pdf>)

relations. However, there is often a consensus concerning the idea that second-wave feminism belongs to a radical, more political past. The narrative about feminism's co-optation overlaps a lot with the narrative about the alleged theory–activism split. In a collective interview with a group of women “who had long been active in academia or advocacy or both”, published in 1996 in *Signs*, a journal for feminist theory, one of the protagonists of this dissertation, Charlotte Bunch, stated that her “relationship with feminist theory has become very ambivalent”:

*I definitely see myself as a practitioner. In the seventies, I saw myself as both a practitioner and a feminist theorist. Today, I don't think I'm qualified to teach “feminist theory” because I don't know what it has become. It depresses me, but I do not find most of the theory being written today very helpful.*⁵⁰⁷

Likewise, feminist philosopher Nancy Hartsock says in the same interview that she has “been someone who is concerned about the deteriorating relationship between feminist theory and practice.”⁵⁰⁸ She talks about how several feminist theorists who had met to discuss the issue in 1992 had expressed the view that feminist theory had become “too esoteric, much too difficult to understand, much too disconnected from practice and much too much into deconstruction.”⁵⁰⁹ Bunch, Hartsock and the other interviewees claim that the focus on women's differences and the questioning of a political “we” within feminist theory has contributed to a kind of immobilization of activism. This narrative could, in turn, be read in terms of what Wendy Brown analyzed as a form of ‘left melancholy’ which is a phrase she borrows from German cultural critic Walter Benjamin. Left melancholy, Brown explains, is “Benjamin's unambivalent epithet for the revolutionary hack who is, finally, attached more to a particular political analysis of ideal [...] than to seizing possibilities for radical change in the present.”⁵¹⁰ Brown uses the phrase in reference to a narrative concerning the scapegoating of identity politics and post-structuralism for the fragmented unity of the left and its unfulfilled promise of solidarity and seizure of political power. This discourse, Brown argues, is ultimately conservative and loses sight of the political potentials of the here and now, while expressing a narcissist attitude towards political attachments and identities of the past.

⁵⁰⁷ *Bringing Together Feminist Theory and Practice: A Collective Interview* Author(s): Heidi Hartmann, Ellen Bravo, Charlotte Bunch, Nancy Hartsock, Roberta Spalter-Roth, Linda Williams and Maria Blanco.

⁵⁰⁸ *Ibid.*

⁵⁰⁹ *Ibid.*

⁵¹⁰ Wendy Brown, “Resisting Left Melancholy”, *Boundary 2*, 26:3 (Fall 1999).

The perspectives voiced by Bunch, Hartsock, Fraser and others who have expressed similar fears can be seen as a form of ‘feminist melancholy’. They idealize a time passed that represents the idea of an uncomplicated relationship between theory and practice, before the age of the deconstruction of political agency by detached academics in ivory towers. Furthermore, their narratives concerning the feminist movement also indicate ideas about generational shifts within the feminist movement and the idea of a lost radical atmosphere is used to criticize an alleged de-politicized present.

Finally, even though I interpret differences between the two feminist tribunals and the human rights turn in light of post-politics, it should be clear from my discussion above that I do not identify the human rights discourse as being mere depoliticization. I think the human rights discourse could be used to “aspire hope and provoke action”, to borrow a phrase from Samuel Moyn. However, the socially transformative potential depends on how the human rights discourse is applied, and its overall context. In the case of the Vienna Tribunal in 1993, the strategic use of personal stories to cultivate compassion and empathy were well suited to an atmosphere of non-conflictual, post-political atmosphere. However, they were successful on an institutional level and marked the beginning of the ‘mainstreaming’ of women’s human rights at the United Nations. Thus, in some sense, the politics of compassion were simultaneously de-politicizing and politicizing. The ‘women’s rights are human rights’ advocates managed to put violence against women on the international human rights agenda, thereby ‘politicizing it’, in the sense that they managed to bring it out from “the space of shadows” to the sphere of deliberation about common concerns.⁵¹¹ However, by downplaying feminist demands for structural change, the ‘human rights of women’ discourse perhaps became more applicable for ‘co-optation’.

The Affective Power of the Personal Story

I have three interrelated arguments that I have put forward in this thesis. Firstly, I have been arguing for the thesis that a fatigue of ‘politics of the self’ accompanied the conflictual understandings of consciousness raising among some radical women’s liberationists. This in turn contributed to the desire to renew feminism’s public language to reach a broader audience. In the 1970s, feminist activism and theory were occupied with the notion of consciousness raising which, in turn, was entangled in opposing and conflicting notions of ideology. Hence, the radical currents of ‘second-wave’ theorizing were divided when it came to the issue of the ‘psychology of oppression’.

⁵¹¹ Jacqueline Pitanguy, “Preface” in Charlotte Bunch and Niamh Reilly, *Demanding Accountability*.

This included debate concerning the emphasis on the social construction of gender, and its significance for feminist politics. On the one hand there was the emphasis on finding women's voice and political agency by freeing oneself from a learned inferiority complex, which meant a deconstruction of femininity. The understanding of the term experience was ambiguous. Patriarchy constituted both material and psychological conditions for women's experience and women were, it was argued, kept in a form of a psychological prison, or slave morality, both by the 'system' and by themselves. Yet it was through experience that women were supposed to be able to deconstruct (in MacKinnon's use of the term) their former interpretation of this experience, thereby liberating themselves.

On the other hand, there was the neo-Maoist influenced Pro-Woman Line that rejected any kind of false consciousness, slave morality or internalized oppression. Instead of focusing on the psychological identities of individual women, the Pro-Woman Liners stressed the importance of focusing on power relations. According to this strand, femininity was not an internalized oppression turned into an identity, but a survival strategy. However, the egalitarianism and anti-hierarchy position steadfastly advocated by for example the Pro-Woman Liners also contributed to organizational problems and frictions as discussed by Jo Freeman. Charlotte Bunch refers to these divisions and factions within the women's liberation, (divisions that can clearly be sensed in the material from the Brussels Tribunal), when she explains her attraction to the framework of human rights. Bunch and other – what I would like to refer to as – 'pragmatist activists' turn to a human rights-inspired feminism aimed at continuing to pursue radical feminism goals on a global scale while minimizing the theoretical conundrums and splits discussed above. Yet, the women's human rights advocates still expressed a need to base feminist solidarity on a "common denominator". This suggests that the language of rights demanded an identity-political stance in order to include *women* as *women* into the scope of human rights concerns, to paraphrase Catharine MacKinnon. Thus, the common denominator, defining women as political subjects, became the global and pandemic threat of gender-based violence.

My second argument concerns the post-political atmosphere surrounding the rise of the human rights discourse in the early 1990s, more precisely, how the feminist notion of consciousness raising in conjunction with the idea that the personal as political was re-interpreted to suit a new venue and audience. The differences between the tribunals and the varying uses of the phrase "consciousness raising" show how the radical politics of self-transformation/self-creation, a search for agency and a political subjectivity, became both strategically and unintentionally transformed into a moral-politics of empathy and persuasion. This can be seen in the different uses of 'the witness' in Vienna and the different choice of audience.

Thirdly, I have argued that the personal or individual story is affective and therefore effective for political mobilization and the creation of moral and

political pathos. Yet, the usage of interpersonal empathy is delicate since, as we have seen, it simultaneously politicizes and depoliticizes, depending on the context. The movement between the level of the individual and the structural or the personal and the political also presupposes and verifies the distinction. By telling my own story I receive acknowledgement and recognition that I am not alone while realizing that I might share this experience with others who are similarly structurally positioned. Accordingly, I rise above my individuality and politicize the experience in question, yet this movement presupposes an idea of the pre-political, the individual and personal, which should not and cannot be analyzed as structural. Lastly, as I have argued that what is embedded in this kind of consciousness raising is a kind of cultivation of 'righteous anger'. While another strategy, the one utilized by the human rights advocacy, entails leaving structural or political analyses aside and give suffering a particular face; a voice with which it is easier to identify and feel empathy for. Thereby *personalizing the political*. Finally, regarding the theoretical development of feminism, the theoretical conundrums and ambivalence towards power within the second-wave became a catalyst for the turn towards a human rights framework – which ever since characterizes feminist struggles.

Enkel sammanfattning på svenska

Ämnet för denna avhandling är idéer om det personliga och det politiska, det privata och det offentliga inom feministisk teori och aktivism på internationell nivå. Närmare bestämt, så undersöker jag hur feminister har förstått idéen om att 'det personliga är politiskt' på olika sätt beroende på historisk, politiskt och teoretisk kontext. Avhandlingen undersöker tidsperioden från slutet av 1960-talet då feministiska diskurser gjorde ett stort intåg lokalt liksom på den internationella arenan och tills att den i början av 1990-talet till stor del blev ersatt med en diskurs centrerad kring mänskliga rättigheter. Mitt fokus ligger på feministiska idéer om och strategiska användningar av personliga berättelser för feministiskt-politiska ändamål. Frågan om vittnesmålets betydelse i 'politiserandet av det politiska' utgör således ett centralt tema i avhandlingen. Med andra ord undersöker jag hur dessa tillämpas som strategi för att mobilisera politiska känslor, som ändras beroende på kontext. Dessutom ändras ramarna inom vilka vittnesmålen yttras anmärkningsvärt mellan de två evenemangen, liksom deras avsedda syfte.

Som primärt empiriskt material har jag undersökt och gjort en jämförande läsning av två feministiska folkliga tribunaler som i sin tur är någon slags symboliska rättegångar. Det vill säga 'rättegångar' utan juridisk auktoritet, initierade av civilsamhället, med avseendet att väcka uppmärksamhet och höja medvetenhet om olika gruppers utsatthet och kritisera underordning och orättvisor. Denna jämförande läsning använder jag som en grund för en genealogisk undersökning av olika teman och trådar som jag har sett som tribunalernas grundläggande idéer och diskurser. Tribunalerna figurerar i sin tur som fallstudier för undersökandet av den västerländska feministiska aktivismens idéhistoria från slutet av 1960-talet och fram tills mitten av 1990-talet. Detta är en period då idéer om det personliga som politiskt utgjorde en stor del av den feministiska diskursen, fast innebörden av frasen visade sig vara mångtydig och inte så koherent och enkel som slagordet ger sken av.

Den första tribunalen var planerad som ett feministiskt svar på FNs utnämnda kvinnoår 1975. Tribunalen, som utgjorde en del av en större gräsrotskonferens med namnet *Crimes Against Women* ägde rum i Bryssel 1976 och var starkt förankrad i de av 'andra vågens' feministiska rörelser som förespråkade kvinnlig frigörelse och radikal omstrukturering av samhället. Den andra tribunalen, *The Vienna Tribunal for Women's Human Rights* hölls i nära anslutning till FNs konferens om mänskliga rättigheter 1993 med mål att påverka utfallet av denna med fokus på kvinnors rättigheter. Den var en del av en större kampanj som gick ut på att omdefiniera mänskliga rättigheter så att de kunde riktas mot kvinnors könsbaserade utsatthet globalt.

Den förra tribunalen hade en tydlig gräsrotsprägel och organisatörerna ställde sig mycket kritiska till traditionella politiska institutioner på både

nationell och internationell nivå. De avfärdade således alla idéer om att kämpa för kvinnors inkludering i ett "manligt" samhälle som de såg som i grund och botten hierarkiskt. De personliga vittnesmålen hade i Bryssel 1976 en tydlig koppling till medvetandehöjandepraktiker och kultiverandet av politiskt subjektskap och internationell solidaritet bland kvinnor, med vreden som drivkraft. Inga domare var involverade i processen även om evenemanget spelade på symboliken och formen av en rättegång. Det avsiktliga undvikandet av domare grundades i en tanke om att det patriarkala samhället redan hade dömt kvinnor tillräckligt. Tanken var att vittnesmålen inte skulle bli utsatta för granskning av någon utomstående. "Vi är våra egna domare" som en av organisatörerna stolt utropade. Evenemanget var endast öppet för kvinnor och inte ens manliga journalister var tillåtna på plats.

Som kontrast var den senare tribunalen i högre grad präglad av en liberal politisk idé om erkännande och inkludering och det personliga vittnesmålet användes där för att väcka empati och förståelse hos aktörer som ansågs vara i position att kunna sätta saker i rörelse på institutionell nivå. Även om Wien-tribunalen 1993 var inspirerad av tribunalen i Bryssel 1976 så utvecklades idén och formades efter den nya kontexten. Som ett tecken på det ändrade klimatet var den konceptuella föreskriften för evenemanget som tribunalen var en del av: "Kvinnors rättigheter är mänskliga rättigheter". I Wien var vittnesmålen således riktade utåt i stället för inåt och närvarande var speciellt utvalda 'domare' som var en samling individer som ansågs som inflytelserika inom det internationella mänskliga rättighetsområdet. 'Domarna' lyssnade på vittnesmålen, kommenterade och utlovade sitt stöd för saken. Ett grundläggande mål var att visa på hur partiskt mänskliga rättighetssystemet var i förhållande till kön.

Avhandlingen fungerar likaså som fallstudie och en ingång in i en diskussion om filosofisk och praktisk debatt om mänskliga rättigheter och 'det politiska' under senare hälften av 1900-talet. Diskussionen berör således ämnen som kan anses så klassiska inom politiska idéhistorien att de närmar sig klichéer; det vill säga inkludering, reform och erkännande kontra radikal systemförändring. Frågan om mänskliga rättigheters politiska dimension är central i denna diskussion. Vilka är de som åberopar dem, i vilket sammanhang och i vilket syfte? Vad händer när politiska krav erkänns som mänskliga rättigheter och inkorporeras och institutionaliseras? I avhandlingen fokuseras kvinnorörelser engagerade utanför och inom FN samt konventioner, dokument och protokoll som berör mänskliga rättigheter och i synnerhet kvinnors rättigheter.

Utöver den jämförande läsning av rapporter och förberedningsmaterial för de två ovannämnda tribunalerna, undersöker jag idéer om det personliga och det politiska i några feministiska politiskt-teoretiska texter till vilka jag kopplar tribunalernas idéer och diskurser. Denna teoretisk-politiska kontext består av ett urval feministiska texter som fick stor spridning och inflytande under den tid som ofta betecknas som den 'andra vågen'. Den så kallade 'andravågs-feminismen'

har i sin tur varit ett föremål för olika affektiva diskurser och tidsperioden kring 1970-talet talas ofta om i termer av den kontemporära feminismens vagg. I kontemporära utsagor utgör den antingen feminismens förlorade radikala moment eller så får den stå som en naiv och ungdomlig, om än (teoretiskt och politiskt) passé, tid. Detta sagt, så överskrider diskursen om 'andravågen' både tid och plats och syftar på en viss typ av stämning. Genom en idéhistorisk, genealogisk undersökning vill jag försöka se hur feministiska idéer kring politiskt subjektskapande har diskuterats, förhållandet till makt samt hur strategier har förändrats eller bestått.

Jag hävdar i denna avhandling bland annat att aktörerna bakom de två tribunalerna hade olika syn på vittnesmålen syfte. Wien-gruppen hade en relativt instrumentell syn på vittnesmålen, som visas i deras bruk av en *personifiering av det politiska* och att motivera andras empati, jämfört med Bryssel-tribunalen där vittnesmålen sågs som del av den egna gruppens politiska medvetandehöjande. Emellertid blev den tyngd som lades på personliga vittnesmål en källa till konflikt i Bryssel. Vissa ansåg att vittnesmålen och medvetandehöjandepraktiker var en väsentlig del av feministisk politik, att metoden återspeglar målen medan andra kraftigt kritiserade denna prioritering av personliga berättelser, som de såg som sentimentala anekdoter, vilka hämmande djupare fokus på politiska analyser och strategier. Signifikant för perspektivet i denna avhandling är att mänskliga rättighetsdiskursen har varit kritiserat för avpolitisering. I denna avhandling hävdar jag att varierande idéer om det personliga och det politiska, det privata och det offentliga, återspeglar olika uppfattningar av politiska strategier och mål.

De två tribunalerna är stora internationella evenemang organiserade just kring personliga berättelser, och formade som till synes symboliska rättegångar med ett tydligt anammande av det juridiska språkbruket. Tillsammans utgör de intressanta exempel på en sammanställning av å ena sidan den partikulära och personliga erfarenheten och å andra sidan det juridiska språkbruket som hänvisar till det universella, gemensamma och det generella. Evenemangen manifesterar ytterligare olika och ofta konfliktfyllda idéer om (politiskt) medvetandehöjande och den personliga berättelsens relevans i den offentliga politiska sfären.

Nyckeltema för denna avhandling är: personligt och politiskt, privat och offentligt, politiska subjekt, mänskliga rättigheter, medvetandehöjande.

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