



Australian Bahá'í Community

Beyond Legal Reforms: Culture and Capacity in the Eradication of Violence Against Women and Girls*

1. By many measures, the status of women and girls has improved significantly over the last 50 years. They have achieved higher rates of literacy and education, increased their per capita income, and risen to prominent roles in professional and political spheres. Moreover, extensive local, national and global networks of women have succeeded in putting women's concerns on the global agenda and catalysed the creation of legal and institutional mechanisms to address these concerns. Notwithstanding the positive developments, a relentless epidemic of violence against women and girls—perpetuated by social norms, religious fanaticism, and exploitative economic and political conditions—continues to wreak havoc in every corner of the world. As the international community struggles to implement laws to protect women and girls, it is evident that a massive divide still separates the legal apparatus and the culture—embodied in our values, behaviours and institutions—required to stem the epidemic.

2. The alarming violence against women and girls takes place against the backdrop of two simultaneous processes that characterise the present global condition. The first is a process of disintegration, which in every continent and every arena of human life reveals the impotence of outworn institutions, obsolescent doctrines and discredited traditions, and leads to chaos and decline in the social order. The deterioration of the ability of religions to exercise a moral influence has left in its wake a moral vacuum filled by extremist voices and material conceptions of reality that deny the dignity of human life. An exploitative economic order, fuelling the extremes of wealth and poverty, has pushed millions of women into positions of economic slavery and denied their rights to property, inheritance, physical security and equal participation in the productive enterprise. Ethnic conflicts and failing states have swelled the number of women migrants and refugees, forcing them into positions of yet greater physical and economic insecurity. Within the home and community, the high incidence of violence within the family, the increase in degrading treatment of women and children, and the spread of sexual abuse have accelerated this decline.

3. Alongside a pattern of deterioration, a second constructive and unifying process can be discerned. Rooted in the ethic of the Universal Declaration of Human Rights and fuelled by a growing solidarity of women's efforts around the world, the last 15 years have succeeded in putting the issue of violence against women and girls on the global agenda. The extensive legal and normative framework developed during this time has

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brought to the attention of a distracted international community, the culture of impunity within which such abuse was tolerated and even condoned. 1993, the landmark UN *Declaration on the Elimination of Violence Against Women* defined violence as:

Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or in private life.¹

This definition challenged the fallacious notion that violence against women and girls was a private matter. The home, the family, one's culture and tradition were no longer to be the final arbiters of just action where violence against girls or women was concerned. The subsequent appointment of a Special Rapporteur on violence against women provided yet another mechanism for investigating and bringing the many dimensions of this crisis to the attention of the international community.

4. Despite major advances in the last fifteen years, the failure of nations to decrease the violence has laid bare the shortcomings of a primarily 'reactive' approach and has gradually come to embrace the broader goal of prevention of violence in the first place. Framed differently, the challenge now before the international community is how to create the social, material and structural conditions in which women and girls can develop to their full potential. The creation of such conditions will involve not only deliberate attempts to change the legal, political and economic structures of society, but, equally importantly, will require the transformation of individuals—men and women, boys and girls—whose values, in different ways, sustain exploitative patterns of behaviour. From the Bahá'í perspective, the essence of any program of social change is the understanding that the individual has a spiritual or moral dimension. This shapes their understanding of their life's purpose, their responsibilities towards the family, the community and the world. Alongside critical changes in the legal, political and economic architecture slowly taking shape, the development of individuals' moral and spiritual capabilities is an essential element in the as yet elusive quest to prevent the abuse of women and girls around the world.

5. The idea of promoting specific morals or values may be a controversial one; too often in the past such efforts have been associated with repressive religious practices, oppressive political ideologies and narrowly defined visions of the common good. However, moral capabilities, when articulated in a manner consistent with the ideals of the Universal Declaration of Human Rights and aimed at fostering the spiritual, social and intellectual development of all persons, represent a key element of the kind of transformation required for a non-violent society to take shape. Moreover, such capabilities must be anchored in the central social and spiritual principle of our time—namely the interdependence and interconnectedness of humanity as a whole. The goal of moral development, then, is shifted from individualistic notions of 'salvation' to embrace the collective progress of the entire human race. As our understanding of the world's social and physical systems has evolved to embrace this paradigm, so too must we develop the moral capabilities required to function ethically in the age in which we live.

6. How does this translate into educational objectives? A number of Bahá'í schools and institutions of higher education have identified specific moral capabilities which help to

¹ United Nations General Assembly resolution 48/104 of 20 December 1993. *Declaration on the Elimination of Violence Against Women*, Article 2. UN Document A/RES/48/104.

equip children and youth to develop skills of moral reasoning and to assume the responsibility of contributing to the betterment of their communities. The basis for such curricula is the belief that every person is a spiritual being with limitless potential for noble action but that potential, in order to manifest, must be consciously cultivated through a curriculum attuned to this fundamental human dimension. Among the moral capabilities identified by Bahá'í educational institutions include the ability to: participate effectively in non-adversarial collective decision-making (this includes the transformation of exploitative patterns of behaviour based on the use of force and falsely rooted in the idea of conflict as a mainstay of human interaction); to act with rectitude of conduct based on ethical and moral principles; to cultivate one's sense of dignity and self-worth; to take initiative in a creative, disciplined form; to commit to empowering educational activities; to create a vision of a desired future based on shared values and principles, and to inspire others to work for its fulfilment; to understand relationships based on dominance and to contribute towards their transformation into relationships based on reciprocity and service. In this way, the curriculum seeks to develop the individual as a whole—integrating the spiritual and the material, the theoretical and the practical and the sense of individual progress with service to the community.

7. While such values can be taught in schools, it is the family environment in which children grow and form views about themselves, the world and the purpose of life. To the degree that a family fails to meet the fundamental needs of the children, to that same degree will society be burdened with the consequences of neglect and abuse and will suffer greatly from the resulting conditions of apathy and violence. In the family, the child learns about the nature of power and its expression in interpersonal relationships; it is here that she first learns to accept or reject authoritarian rule and violence as a means of expression and conflict resolution. In this environment, the widespread violence committed by men against women and girls constitutes an assault on the foundational unit of the community and the nation.

8. The state of equality in the family and in the marriage requires an ever-increasing ability to integrate and unite rather than to separate and individualize. In a rapidly changing world, where families find themselves unbearably strained under the pressures of shifting environmental, economic and political upheavals, the ability to maintain the integrity of the family bond and to prepare children for citizenship in a complex and shrinking world takes on paramount importance. It is imperative, then, to help men as fathers understand their responsibilities in a family beyond economic well-being to include setting an example of healthy male-female relations, of self-discipline and equal respect for the male and female members of the family. This is a complementary role to that of the mother, who is the first educator of her children and whose happiness, sense of security and self-worth is essential to her capacity to parent effectively.

9. What children learn in the family is either confirmed or contradicted by the social interactions and values that shape their community life. All adults in the community—educators, health workers, entrepreneurs, political representatives, religious leaders, police officers, media professionals and the like—share a responsibility for the protection of children. In so many cases, however, the protective web of community life appears irreparably torn: millions of women and girls are trafficked every year and subjected to forced prostitution and slavery-like conditions; migrant workers face a double marginalization as females and as migrants, suffering mental, physical and economic abuse at the hands of their employers in an informal economy; violence against older women, whose numbers have risen and who often lack the means for self-protection, has

greatly increased; child pornography has spread like a virus feeding the appetite of a seamless, unregulated global market; in many countries, even the act of getting to and attending school has put girls at a tremendous risk for physical and sexual abuse. Exacerbating the conditions brought on by weak states and the failure of law enforcement, is the profoundly moral dilemma that forces the community to ask: what moves an individual to exploit the life and dignity of another human being? What fundamental moral capacity has the family and community failed to cultivate?

10. Across the world, religions have traditionally played a defining role in cultivating the values of a community. Yet today, many voices raised in the name of religion constitute the most formidable obstacle to eradicating violent and exploitative behaviours perpetrated against women and girls. Using religious appeals as a vehicle for their own power, proponents of extremist religious interpretations have sought to ‘tame’ women and girls by limiting their mobility outside of the home, limiting their access to education, subjecting their bodies to harmful traditional practices, controlling attire and even killing to punish acts which were claimed to abase the family honour. It is religion itself that stands in desperate need of renewal. A core element of such renewal is the need for religious leaders to state unequivocally and become the standard bearers of the principle of equality of men and women—a moral and practical principle urgently needed to realise progress in the social, political and economic spheres of society. Today, religious practices and doctrines in flagrant violation of international human rights standards must be subject to deeper examination and scrutiny, bearing in mind that all religions contain the voices of women, which have often been absent from the evolving definition of what religion is and what it requires.

11. The individual, her family and community environment are ultimately under the protection of the state; it is at this level that enlightened and responsible leadership is desperately required. Most governments, however, continue to abdicate their international obligations to punish and prevent the violence and exploitation of women and girls; many lack the political will; some fail to allocate adequate resources to implement the laws; in many countries specialized services addressing violence against women and girls do not exist; and work on prevention has in almost all contexts been limited to local short-term measures². In fact, few states can claim even the smallest reduction in overall prevalence.³ Many states continue to hide behind cultural and religious reservations to international treaties condemning this violence—further perpetuating a climate of legal and moral impunity rendering the violence and its victims largely invisible.

12. The era of developing legal frameworks must now be followed by an emphasis on implementation and prevention. The foundation of such measures is a strategy rooted in the education and training of children in a way that enables them to grow intellectually as well as morally, cultivating in them a sense of dignity as well as a responsibility for the wellbeing of their family, community and the world. From a budgetary perspective, prevention involves the deliberate adoption of gender-specific measures to ensure that an adequate proportion of resources is allocated towards the provision of accessible social

² United Nations Division for the Advancement of Women (2005). *Report of the Expert Group Meeting: Good practices in combating and eliminating violence against women*. 17-20 May 2005, Vienna Austria.
[<http://www.un.org/womenwatch/daw/egm/vaw-gp-2005/docs/FINALREPORT.goodpractices.pdf>]

³ *ibid*

services and law enforcement. Such efforts must be reinforced by clear definitions of violence, as well as comprehensive data collection methods in order to evaluate national efforts in this area, and to raise awareness among men and women of the gravity and prevalence of violence occurring in their community.

13. The international community, despite its important leadership on this issue through the 1993 Declaration, its acknowledgement of violence against women and girls as “an obstacle to the achievement of equality, development and peace” and the work of the Special Rapporteur, has been divided and sluggish to put its words into practice. In 2003, the failure to act was highlighted at the meetings of the 47th session of the UN Commission on the Status of Women which, for the first time in the history of the Commission, proved unable to arrive at a set of agreed conclusions regarding violence against women. In this case, cultural and religiously-based arguments were used in an attempt to circumvent countries’ obligations as outlined in the 1993 Declaration. It is imperative, therefore, at future meetings of the Commission that decisive language with regards to the elimination of violence against women and girls be adopted as agreed conclusions, setting out not only the legal but moral tone befitting of this global epidemic.

14. In order to deliver on its many commitments, the international community needs to dramatically increase the power, authority and resources dedicated to women’s human rights, gender equality and women’s empowerment. The Bahá’í International Community is part of discussions that suggest creating an autonomous United Nations agency with a comprehensive mandate dedicated to the full range of women’s rights and concerns. These derive from the Beijing Platform for Action, the Cairo Programme of Work, and the Convention on the Elimination of All Forms of Discrimination Against Women and ensure that the human rights perspective is fully integrated into all aspects of UN work. To guarantee a voice for women at the highest levels of decision-making at the UN, such an agency should be led by a director with the status of Under Secretary-General. To effectively carry out its mandate, the institution requires a sufficient national presence as well as independent women’s rights experts as part of its governing body.

15. Efforts to eradicate the epidemic of violence against women and girls must proceed from and be reinforced by every level of society—from the individual to the international community. However, they must not be limited to legal and institutional reforms, for these address only the manifest crime and are incapable of generating the deep-rooted changes needed to create a culture where justice and equality prevail over the impetuosity of authoritarian power and physical force. Indeed the inner and outer dimensions of human life are reciprocal—one cannot be reformed without the other. It is this inner, ethical and moral dimension which now stands in need of transformation and, ultimately, provides the surest foundation for values and behaviour which raise up women and girls and, in turn, promote the advancement of all of humankind.