



Scott Douglas Jacobsen

THE GOOD MEN PROJECT:  
COMPENDIUM VI

# In-Sight Publishing

## **The Good Men Project: Compendium VI**

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**Scott**

## **The Good Men Project**



# Introduction to Different Definitions of Race

Scott Douglas Jacobsen

August 1, 2018

*Why are there so many different definitions floating around this topic when most of us have no scientific training to define the term(s)?*

---

*Maya Bahl is an editor and contributor to The Good Men Project with me. She has an interest and background in forensic anthropology. As it turns out, I hear the term race thrown into conversations in both conservative and progressive circles. At the same time, I wanted to know the more scientific definitions used by modern researchers including those in forensic anthropology. Then I asked Bahl about conducting an educational series. Here we are, part one.*

To open this topic, I want to look into the expert opinion on the topic. Bahl opened with a thank you for the opportunity to take part in this educational series, as a fellow writer and editor on *The Good Men Project*. There exist different sources of a definition for “race” from common usage, sociology, forensic anthropology, and elsewhere.

Bahl stated, “In anthropology, race is seen as the groupings of people by physical or social qualities and sociology sees it as a direct difference in biological traits in a group, but in the end the fact would remain that race at a basic level is the distinguishing of groups of people against an observed pre-conceived standard.”

She continued to talk about the moderately more strict and racist terminology from when the fields of Anthropology and Sociology began with the terms “Caucasoid,” “Negroid,” and “Mongoloid.” Those were the standard categories to classify people based on origin: Europe, Africa, and Asia.

“Since the 1800s on though, the world has thankfully been a lot more tolerant of its classifications — though we still have much work to do on this end!” Bahl stated.

Then I asked about the common definition from within the field of forensic anthropology. She talked about the physical qualities of a group or individual. Those are important and crucial for the proper identification of someone within the field. The common definition of race is much looser and generalized. This can be taken in the wrong way in different scenarios, according to Bahl.

Bahl concluded, “Race and the Biological Construct of Species as ideas dovetails with each other, as both reflect on the assumptions that are set about a group or individual. In my opinion however, the biological construct of species is more assumed, so that there’s an expected outcome without any variance, whereas in race, variations could still be made.”

More to come in the future.

# Article 15 of the Convention on the Elimination of all Forms of Discrimination Against Women (1979)

Scott Douglas Jacobsen

August 1, 2018

*How does the elimination of discrimination against women function in regards to the law and civil matters?*

--

## Article 15

1. *States Parties shall accord to women equality with men before the law.*
2. *States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.*
3. *States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.*
4. *States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.*

## Convention on the Elimination of all Forms of Discrimination Against Women (1979)

The nature of the world appears morally neutral but human beings in their interpersonal relations and societal functions provide bases upon which to found morality or better-and-worse ways in which to relate to one another. The fifteenth article of the Convention on the Elimination of all Forms of Discrimination Against Women (1979) represents a basis for further equality of the sexes in the domain of law and civil life.

In Article 15 of the Convention on the Elimination of all Forms of Discrimination Against Women (1979), a number of stipulations exist to cover the legal and civil rights of women in different domains. Women lack these equal rights on a number of dimensions, which denotes the importance of this area for progress.

Article 15(1) directs attention for women to have equality with men before the law. It amounts to a simple statement but a large stipulation on the historical front because women lacked equal rights with men before the law. Indeed, in many religious systems, women were chattel or property of the men.

In the level of analysis of the state of the “States Parties,” the governments of the world had a keen interest in the guarding of women’s chastity to ensure virginity and the proper heralding of sons for the royalty or the family; women were not people by any reasonable modern metric.

In fact, in a democratic system, this can be seen in the ways in which women were reduced to the level of non-persons even in advanced democracies without the right to vote. For an individual to be considered a legal person, the women should have the right to vote, as with the men.

Article 15(2) speaks to the rights of women in “civil matters.” That is, if a woman is represented in a legal capacity, then the woman holds the right to exercise her capacity in an equivalent manner. This means that, across the board, women deserve the equal chance or opportunity for contracts and administration of property to the men in their country. This is at “all stages of procedure in courts and tribunals.”

In Article 15(3), the contracts and other private documents with a legal effect shall be usable by the women for a legal capacity; and if they restrict the woman in a sense of restricting her in some way, these become not truly representative of the equal rights inhering in the lives of the women of the world.

It remains important in the context of a woman being able to freely have the same legal representation and capacity as the men in the society, too. Article 15(4) states the important rights relevant to moving around and living. A woman reserves the same right as the men in their lives to move from place to place, house to house, and home to home.

The areas of the world in which women are restricted and have ratified the Convention become, immediately, in violation of the CEDAW in this article and subsection. This becomes relevant not only to the movement of the woman but also to the places in which a woman can live and set about her orderings of life.

A woman should, as a man already, for the most part, can be able to exist wherever she deems most appropriate for her life, barring some financial or another barrier. In that case, the woman should garner the appropriate funds in some way to make the proper travel arrangements and also in the long-term living quarters arrangements as well.

The proper place for women is the proper place of men: wherever they feel is best for them in a legal, travel, and living capacity.

—

One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women’s rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3 and Article 13.

International Covenant on Civil and Political Rights (1966).

Convention on the Elimination of all Forms of Discrimination Against Women (1979).

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).

The Declaration on the Elimination of Discrimination Against Women (1993).

Beijing Declaration (1995).

United Nations Security Council Resolution 1325 (2000).

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000).

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa or the "Maputo Protocol" (2003).

Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# Article 16(1) of the Convention on the Elimination of all Forms of Discrimination Against Women (1979)

Scott Douglas Jacobsen

August 2, 2018

*What remains women's rights in the areas of marriage and family relations? Let's begin to examine.*

--

## *Article 16*

*1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women: (a) The same right to enter into marriage;*

*(b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;*

*(c) The same rights and responsibilities during marriage and at its dissolution;*

*(d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;*

*(e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;*

*(f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;*

*(g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;*

*(h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.*

## Convention on the Elimination of all Forms of Discrimination Against Women (1979)

The fundamental equality of the sexes comes in the form of marriage and family relations as well. Women for almost all of recorded history in most societies have been considered the property of the family, the community, the society, and, in fact, the religion. If one looks, in one example taken seriously by half of the world's population in the Book of Exodus of the holy text collection called the Bible, there are the Ten Commandments.

In the commentary in one of the commandments about coveting one's ox, ass, manservant, and maidservant, in the same statement, there remains a reference to the wife. Women belong to the

men; the commandment references the men as the emphasis tacitly without referencing the husband but referencing the wife.

It seems within this context that we see the development of a religious foundation for historical discrimination against the women. Article 16(1) of the CEDAW, the Convention, or the Convention on the Elimination of all Forms of Discrimination Against Women (1979) speaks to the equal rights of women in the sphere of marriage and family relations.

Article 16(1)(a) discusses the right to the entrance into a marriage. If a woman wants to enter into a marriage contract with someone mutually interested in her in this regard as well, then the man and the woman hold the same right to enter into such as marriage as per the stipulation – straightforward.

In Article 16(1)(b), another stipulation about the fundamental equality of the sexes comes in the form of being able to freely choose one's spouse in life and in marriage with free and full consent for women, and for men for that matter but in most contexts that remains almost always a given.

Then this provides one of the most basic grounds for making arguably one of the most important decisions in life, which remains a cascade choice: do I want to spend my life with someone at all? If so, who do I want to spend my life with, in that case? It remains an important part of women's right to choose as it is also an important part of a man's right to choose.

Article 16(1)(c) states that the rights of a marriage and at its dissolution also imply a set of responsibilities; this amounts to the area of confusion among the different feminisms emergent in the modern period. The proper understanding of any acquirement of a right or a privilege is the equivalent or proportional responsibility in the relevant domain.

If someone marries another person, both have rights in and to the marriage but also responsibilities with regards to the marriage as well. This makes for an ability of either men or women in a heterosexual or homosexual marriage to stay in or leave a marriage as a fundamental human right.

Article 16(1)(d) speaks to the rights of a parent regardless of their marital status to the matters of children. The kids should have a parent and the parents have rights to the child and children in their lives barring some extenuating circumstance (one can think of examples easily).

This seems right in line with the prior thoughts that rights to children come with proportional responsibilities to them too. The rights of the children are the first and foremost concern here, but the parents remain the focus for both the rights and the responsibilities regarding the children.

Article 16(1)(e) speaks to the right of a responsible number and spacing of children with proper information and education, where the ability to partake of the community and the culture, and the family, results from the freedom to make these informed choices about family, family size, and so on.

The purpose is to note the importance, in another phraseology, of family planning through the mother being able to choose the number of children, having adequate information and education in order to make an informed choice on the matter of family life with these bases.

Through Article 16(1)(f) speaks about the identical rights and responsibilities for guardianship, wardship, trusteeship, and the adoption of children, women have the same rights as men in this

regard. The purpose is to have the access and ability to partake of this part of social and societal functioning.

It also ties into the fundamental notion of national legislation devoted to the equal rights and responsibilities here. However, as in all cases regarding the rights of the parent comes the responsibility of the parent, the parent has to keep or bear in mind at all times the best interests of the child or children if these rights are to be taken into account in a serious way.

Article 16(1)(g) talks about the rights of a husband and a wife to choose a family name, profession, and occupation. That is to say, if a woman is wife is married to a husband, then the wife and the husband hold the same rights in those regards – and not one holding more than the other in accordance with this stipulation.

The final article sub-section (1)(h) talks about the rights for the spouses to be able to own, acquire, manage, administrate, enjoy, and dispose of property. This can be in a free situation or in a situation of a valuable consideration. In either case and through this, we see the sensitive, and thorough coverage of the matters of rights applied to marriage and family matters.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3 and Article 13.

International Covenant on Civil and Political Rights (1966).

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Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

## Article 16(2) of the CEDAW

Scott Douglas Jacobsen

August 2, 2018

*How is the betrothal of a child related to the Convention on the Elimination of all Forms of Discrimination Against Women?*

--

### *Article 16*

*2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.*

### Convention on the Elimination of all Forms of Discrimination Against Women (1979)

The second part of Article 16 of the Convention on the Elimination of all Forms of Discrimination Against Women (1979) or the Convention speaks on the issues of child marriage and the minimum age for marriage. It is one of a number of intersecting violations against the child, the girl often, and the individual rights of a person regarding choice in marriage and cognitive maturity to make such a full, informed, free, and consenting decision.

For the individual who is young and beholden to a guardian of some form, the right to be able to live a childhood remains important for the health and well-being of this child's life trajectory. There comes particular violation of the right to the health and well-being over a long time of the child in the extreme cases, but not uncommon, of child marriage.

The forcing or enforcing by culture or religion or tradition of an individual child to marriage will not be considered seriously in terms of legal merits within the context and constraints of the Convention article subsection stipulation above. In addition, there is supposed to be in place, or in progress if not present, the specification of a minimum age necessary for marriage to then make the registration of a marriage a part of the official registry – something mandatory.

It seems reasonable within the total constraints of the document and for the rights of not only women but most often girls because of the fundamental violation of autonomy and the best interests of child when there are clear cases of enforced marriage prior to an age of consent or reasonable cognitive maturation in which the child's innocence and time of life and lesser experience and knowledge of the world is taken advantage of in these cases.

These remain stark and dark circumstances for many of the girls who undergo this and the women who were forced into it. However, the basic idea of an individual being able to work within their family to protect their child or in many cases for the relevant governmental bodies to protect the child from the family is the key component here.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:

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Convention Against Discrimination in Education (1960) in Article 1.



The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3 and Article 13.

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Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# Article 17(1) of the CEDAW

Scott Douglas Jacobsen

August 3, 2018

*How can we enforce the rights given in the CEDAW?*

--

## *Article 17*

*1. For the purpose of considering the progress made in the implementation of the present Convention, there shall be established a Committee on the Elimination of Discrimination against Women (hereinafter referred to as the Committee) consisting, at the time of entry into force of the Convention, of eighteen and, after ratification of or accession to the Convention by the thirty-fifth State Party, of twenty-three experts of high moral standing and competence in the field covered by the Convention. The experts shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution and to the representation of the different forms of civilization as well as the principal legal systems.*

## Convention on the Elimination of all Forms of Discrimination Against Women (1979)

In the battle for the equality of the sexes, the fight for number five on the Sustainable Development Goals listing, Gender Equality, remains a long-term one. There remains obvious pushback from the standard players in the communal, national, and international scene from the schools and churches, to the state and the legal system, to the international alliances hell-bent on the oppression of women.

It amounts to the consistent and long-term story of the world. One of the documents dealing with the violation of women's rights is the Convention on the Elimination of all Forms of Discrimination Against Women (1979) or the Convention. The Convention represents a documented bulwark of the rights inhering in women for being women, for being human beings.

As noted, the purpose is to implement the document's stipulated rights and then work to make appropriate progress in a variety of domains. One of these includes the formation of the Committee stated in the quotation at the top. The Committee comes with 23 experts. Those deemed of high ethical character or moral virtue.

The bases for these rights and values come in movements making consensus and then codifying these in documents. Then the rights become implemented or enforced through some formal recognition and representation. The Committee forms part of this. Those in the fields relevant to the Convention will also be competent. Not a trivial part of the implementation of the rights.

The members of this Committee come from the "States Parties" or nation-states. They come from among the nationals and then work within a service orientation. They are to be of competence, high moral standing, and of service to the ideals of the Convention. The difficulties come in the last portions of the statement about the geographical distribution and the representation of the different civilizations.

Granted, we are not talking about Byzantium and Roman; however, we are speaking of the different cultures that come with religious and ethnic heritage in many countries. The reason being the religious and ethnic histories of many countries of the world. Inevitably, there will be a difference in the emphasis of the values and so morals stipulated within the Convention.

Nonetheless, the major emphasis for the people of the world is the representation in a professional capacity on the Committee to be able to enforce the Convention. The equal rights for women around the world can be thought of, in a way, of upstream and downstream.

The upstream is at the top of the mountain connected to the lake that receives rainfall continually. It is the source of the ideals and the stipulations of the highest statements of morality insofar as we are able to determine them. Then there is the downstream that ends in the tributaries, rivers, smaller lakes, and the ocean, where the different cultures, civilizations, religions, and languages come to receive and in a way interpret those feeds of water into them.

The decisions about how best to contextualize and implement the rights become the basis for the independence of the representatives but the fundamental unity exists from the same source of ideals found in the Convention, where the Committee exists in a disparate fashion at each of the downstream locations.

It is in this sense that we can see the greater ability of women of the world to have equality with men through the implementation especially in the legal systems of these downstream locations, civilizations. The proper implementation may not happen overnight but can happen in due course because of the consistent efforts of formal activists with institutional status seen in the Committee for the Convention and informally on the ground, in the social and family life, and sometimes on the streets of the major city centers.

—  
One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

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Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# Article 17(2)-(3) of the Convention on the Elimination of all Forms of Discrimination Against Women

Scott Douglas Jacobsen

August 3, 2018

*How can we best eliminate discrimination against women in the arena of almost everything if taking a global perspective?*

--

## *Article 17*

*2. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.*

*3. The initial election shall be held six months after the date of the entry into force of the present Convention. At least three months before the date of each election the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall prepare a list in alphabetical order of all persons thus nominated, indicating the States Parties which have nominated them, and shall submit it to the States Parties.*

## Convention on the Elimination of all Forms of Discrimination Against Women (1979)

In the equality of the sexes, there should be formal mechanisms and representatives for the formulation of ways in which to implement the ideals. An ideal without a plan is a dream; the clouds are wonderful but not much without the ground to solidly peer at them and build a lattice.

The election of the members to the Committee on behalf of the Convention takes place within the context of a secret ballot. No one knows what the other representatives will vote. Those individuals will be voted who most qualify but also who represent nationals. An individual must be a national to represent properly the work of the Committee for the Convention.

The nations must select a national from their constituency. This becomes important for the equal opportunity in the representation of the vote. The proper measures from equal representation to a secret ballot keep the interests of all parties concerned at a level playing field.

The important consideration here is the timing and type of election. It has a secret ballot with representative nationals, and then the first election being held only six months after the force of the current Convention – to enter into force means the Conventions stipulation must begin to be implemented within the country.

It has to be en-forced – in a real way. The import of the elections comes with the message from the Secretary-General of the United Nations in the form of a letter to the relevant States Parties about the submissions. That is, they are invited to submit nominations within the next two months.

This then leads to a prepared list in alphabetical order, so as to not show preference, of the persons nominated. This will also note the relevant nations that have nominated those individuals, and then those will be given to the nations' representatives. It amounts to a

straightforward process of fair proceedings mediated by the Secretary-General several months beforehand.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3 and Article 13.

International Covenant on Civil and Political Rights (1966).

Convention on the Elimination of all Forms of Discrimination Against Women (1979).

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).

The Declaration on the Elimination of Discrimination Against Women (1993).

Beijing Declaration (1995).

United Nations Security Council Resolution 1325 (2000).

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000).

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa or the "Maputo Protocol" (2003).

Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

## CEDAW Article 17(4)-(6)

Scott Douglas Jacobsen

August 4, 2018

*Elections: why do most movements need documents? Why do most documents need committees, and committees' elections?*

--

### *Article 17*

*4. Elections of the members of the Committee shall be held at a meeting of States Parties convened by the Secretary-General at United Nations Headquarters. At that meeting, for which two thirds of the States Parties shall constitute a quorum, the persons elected to the Committee shall be those nominees who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.*

*5. The members of the Committee shall be elected for a term of four years. However, the terms of nine of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these nine members shall be chosen by lot by the Chairman of the Committee.*

*6. The election of the five additional members of the Committee shall be held in accordance with the provisions of paragraphs 2, 3 and 4 of this article, following the thirty-fifth ratification or accession. The terms of two of the additional members elected on this occasion shall expire at the end of two years, the names of these two members having been chosen by lot by the Chairman of the Committee.*

### Convention on the Elimination of all Forms of Discrimination Against Women (1979)

In the formation of the Committee, there are stipulations relevant to the internal workings of the Committee to formalize the processes for the Convention. Much or all of Article 17 deals with these minutiae. Within Article 17(4), the stipulation relates to the members of the Committee coming together at the United Nations HQ.

This is to be set forth by the Secretary-General of the United Nations, this is a huge honor for many people. Also, it remains an important show of the import of it. Now, a significant majority at two-thirds must be present at the meeting in order for a quorum to be met, and for the Committee's meeting to commence.

The individuals with the majority of the votes shall be the ones to be elected to the Committee to represent the Convention's interests, which makes this not only an international event with a significant majority to even begin but also those who are deemed most qualified become those elected to the Committee.

That is to say, it becomes majoritarian to the core, as is much of the internal operation and external manifestations of the United Nations in many respects. The count is called an absolute majority, or simply those with the most votes get on and those with the least votes do not get on.

Article 17(5) speaks to the term limits of the members who earn the "absolute majority" vote from the rest of the Committee. Of those who earn their rank within the Committee, they become

the people who take on the rights and responsibilities of the Committee to represent the Convention for four terms. Each term is four years.

There are some exceptions with the terms of nine members elected within the first election. Those individuals will be expired in their position within two years. The other positions are for four-year terms. A set of four-year terms and the nine who have only two-year terms.

With the first election, the Chairman of the Committee will then select a small group of nine from those elected by the absolute majority to then be able to take on two-year terms, while those not selected will remain the double-length in term at four years for theirs.

Article 17(6) notes five more members of the Committee will operate especially within the constraints of paragraphs 2, 3, and 4 of Article 17. This, apparently, follows the thirty-fifth ratification of the Convention. The two of two of these extra members will expire as with others at the end of a two-year stint. These two members will be selected by the Chairman of the Committee as well. These remain standard operations or regular procedural processes of the Committee on behalf of the rights enshrined in the Convention.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3 and Article 13.

International Covenant on Civil and Political Rights (1966).

Convention on the Elimination of all Forms of Discrimination Against Women (1979).

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).

The Declaration on the Elimination of Discrimination Against Women (1993).

Beijing Declaration (1995).

United Nations Security Council Resolution 1325 (2000).

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000).

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa or the "Maputo Protocol" (2003).

Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.



# Convention on the Elimination of all Forms of Discrimination Against Women: Article 17(7)-(9)

Scott Douglas Jacobsen

August 5, 2018

What are the minutiae in keeping a convention working through the formal operations of its committee?

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## *Article 17*

*7. For the filling of casual vacancies, the State Party whose expert has ceased to function as a member of the Committee shall appoint another expert from among its nationals, subject to the approval of the Committee.*

*8. The members of the Committee shall, with the approval of the General Assembly, receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide, having regard to the importance of the Committee's responsibilities.*

*9. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.*

## Convention on the Elimination of all Forms of Discrimination Against Women (1979)

In the case of the operations of a Convention, we find the need to fill slots of the committee that forms it. The Committee representative of the CEDAW or the Convention on the Elimination of all Form of Discrimination Against Women remains an important one.

It provides a foundation for the real-world deliberation and implementation through absolute majority elected people with high moral character. The issue then becomes what to make of the formalities found in these too. The State Party or nation who has had an expert leave their post in some capacity will have another expert fill the role.

This comes with two stipulations in Article 17(7). One is the need for this expert leaving on behalf of the country should have a replacement who is also a member or expert from that country. The other is the Committee as a whole has a final approval on this individual's placement within the Committee in service of the Convention.

Article 17(8) speaks to the importance of benefits to be received from the United Nations for the Committee. The Committee's benefits would be limited to the approval of the General Assembly. The terms and conditions would be dependent on the stipulations of the General Assembly.

However, the General Assembly in the consideration of the approval of further resources out of the United Nations to the Committee would be dependent on the regard for the Committee by the General Assembly. Based on the deliberation of the General Assembly, the importance of the Committee will determine the approval or disapproval of the funding for it.

In Article 17(9), the highest-ranking member of the United Nations, the Secretary-General, will be giving staff and facilities, as is necessary, for the proper performance and functions of the Committee. Those functions or operations are to be determined within the current instantiation of the Convention.

As noted in prior articles, there are stipulations within the Convention speaking to the possibility for revisions to the Convention as technology and science progress over time. The example given was within the reproductive health rights sphere. Over time, these developments in science and technology could easily influence the access to reproductive health technologies for women. This becomes one basis for recalling the ability to alter some aspects of the Convention.

In terms of Article 17, this deals with the provisions of materials and approval for resources by the General Assembly of the United Nations as well as the voting and membership structure of the Committee relevant to the Convention.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3 and Article 13.

International Covenant on Civil and Political Rights (1966).

Convention on the Elimination of all Forms of Discrimination Against Women (1979).

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).

The Declaration on the Elimination of Discrimination Against Women (1993).

Beijing Declaration (1995).

United Nations Security Council Resolution 1325 (2000).

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000).

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa or the "Maputo Protocol" (2003).

Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# CEDAW's Article 18

Scott Douglas Jacobsen

August 6, 2018

*How does the Convention on the Elimination of all Forms of Discrimination Against Women necessitate proper reportage?*

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## *Article 18*

*1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect:*

*(a) Within one year after the entry into force for the State concerned;*

*(b) Thereafter at least every four years and further whenever the Committee so requests.*

*2. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Convention.*

## Convention on the Elimination of all Forms of Discrimination Against Women (1979)

The Convention or the CEDAW gives a basis for the equality of the sexes in modern times. Many codes of ethics instantiated decent attempts at equality throughout the historical record. Some have simply been a code of ethics including the Code of Hammurabi, the Ten Commandments in Exodus, the Magna Carta including the Charter of the Forest, and others.

As far as I know, few required reports on activities as part of their stipulations. Article 18 of the Convention, or the Convention on the Elimination of all Forms of Discrimination Against Women, speak to the need for the member states to submit a report to the highest officer of the United Nations, the Secretary-General.

The report covers a variety of areas covered in some of the former articles of this educational and commentary series. With respect to the legislative and judicial sectors, these remain some of the most important parts of the equal rights movements for there to be equality of the sexes.

Many nations around the world do not have the legislation or the judicial force in place for the equality of the sexes. As this includes women around the world, in numerous nations in history and right into the present, our ideas about equality should come into the fore here. No reportage of progress in these areas can leave questions.

Two main concerns come up. One is if a violation of a set of rights is allowed to be set into motion then the violations will continue, as has been for the most part historically the case. because rights require the force of potential punishment for violation or if positive then identification for possible areas of improvement.

The other is the need to document what has and has not been done regarding the reality on the ground in a particular country and the ideals set forth in the Convention. It is incumbent on the

States Parties or the members bound to the Convention to enforce the ideals in their nation. Iceland has been an exemplar, as noted recently by Margaret Atwood, in gender equality.

Beyond most others, they continue to move forward and beyond many others. Other areas of the progressive movement reportage for the Convention are in administrative and “other measures.” It equates to the periodic table of elements portion of all the small bits of a human being and the universe, what they have in common: “other.”

It provides a foundation for consideration across the board in which the States Parties shall document their progress towards and adherence to the Convention. This becomes of utmost importance for the identification of problem areas. Big ones like lack of rights to vote or reproductive health rights, neither trivial. Small ones like certain social customs.

The report’s timing is stipulated as needing to be in place only one year after being enforced within the nation. Nations’ representatives sign onto the document, so now they must adhere to it. They have to prove this or provide evidence in favor of their progress towards these gender equality ideals.

Following this first-year reportage, there will be reports sent in once every four years. These reports provide a firmer foundation upon which to consider the adherence to the Convention by the member state. If the state, presumably, does not adhere to the document or implement the CEDAW as well as it could, then there could be penalties.

Then the same could be said for the case of a nation-state declining to report or showing no precision in adherence to the Convention. It becomes another protective means to ensure the implementation of the Convention.

Do not take these individuals who fought for equal rights and set these documents in order for fools; also, do not take for fools those who want to take down the possibility of an equitable world through the reinstantiation of magical thinking in the public and the redirection of needed activist attention towards the items that matter most to people, towards the trivial rather than the meaningful and lasting.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women’s rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3 and Article 13.

International Covenant on Civil and Political Rights (1966).

Convention on the Elimination of all Forms of Discrimination Against Women (1979).

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Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# Article 19 and Article 20 of the Convention on the Elimination of all Forms of Discrimination Against Women (1979)

Scott Douglas Jacobsen

August 6, 2018

*How do formalizing procedures make for a better substantiated rights document?*

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## *Article 19*

- 1. The Committee shall adopt its own rules of procedure.*
- 2. The Committee shall elect its officers for a term of two years.*

## *Article 20*

- 1. The Committee shall normally meet for a period of not more than two weeks annually in order to consider the reports submitted in accordance with article 18 of the present Convention.*
- 2. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. (amendment, status of ratification)*

## Convention on the Elimination of all Forms of Discrimination Against Women (1979)

Equality of the sexes provides a firmer foundation than others for an instantiation of the Golden Rule with an expansion of the moral sphere to the other sex or gender if preferred. One of the interesting or intriguing aspects of the Convention arose in the midst of reading and reflecting on it, as and before I write these articles.

Some of them amount to the operations of the Convention and so should not make too many individuals bat an eye; however, sometimes, it does become a catalyst for further thought. One of those was Article 19.

It states that the Committee, for the Convention, will adopt its own rules of procedure and then elect its officers for a term of two years. The officers for a term of two years did not surprise me. But the own rules of procedure part did shock me.

When I worked for the Canadian Alliance of Student Associations on committees for the Athabasca University Student Union, there were some general procedures for the operations of the committees and the events in the deliberation of the important points of dialogue among the young leaders present.

The noteworthy things also come in competitions including the World Model United Nations. These events have their own rules of operation standardized along the lines of others. Most of these types of things follow Robert's Rules of Order.

But the notion of adopting an organization's own rules of procedure seems interesting and worth pursuing as a point of inquiry. I do not know the reason, nor do I want to pretend; nonetheless,

the autonomy of the CEDAW committee seems a valuable asset in the work towards the greater gender equality. The second part of Article 19 simply speaks to term limits.

Article 20(2) sets a limit on the length of time the members of the committee may meet. These ones may only meet for two weeks or under per annum. These become the basis for deliberation and, of course, due process and scrutiny of the reports submitted to the Committee.

The Convention does speak on this in Article 18. Article 20(2) stipulates that the meetings must be held in the United Nations Headquarters or another convenient place determined by the elected representatives of the Convention, or the Committee.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3 and Article 13.

International Covenant on Civil and Political Rights (1966).

Convention on the Elimination of all Forms of Discrimination Against Women (1979).

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).

The Declaration on the Elimination of Discrimination Against Women (1993).

Beijing Declaration (1995).

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Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000).

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa or the "Maputo Protocol" (2003).

Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# Convention on the Elimination of all Forms of Discrimination Against Women (1979): Article 21 and Article 22

Scott Douglas Jacobsen

August 7, 2018

*How are reports on activities and agencies important for the documentation and implementation of gender equality?*

## Article 21

*1. The Committee shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities and may make suggestions and general recommendations based on the examination of reports and information received from the States Parties. Such suggestions and general recommendations shall be included in the report of the Committee together with comments, if any, from States Parties.*

*2. The Secretary-General of the United Nations shall transmit the reports of the Committee to the Commission on the Status of Women for its information.*

## Article 22

*The specialized agencies shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their activities. The Committee may invite the specialized agencies to submit reports on the implementation of the Convention in areas falling within the scope of their activities.*

## Convention on the Elimination of all Forms of Discrimination Against Women (1979)

The Convention on the Elimination of all Forms of Discrimination Against Women (1979), the CEDAW, or the Convention speaks to the equality of the sexes or, more properly, the equality of women with men. In Articles 21 and 22, we look into the reports and agencies aspects of the Convention's stipulations.

In particular, Article 21 speaks to the report to the General Assembly of the United Nations through the Economic and Social Council. The main part of the United Nations is the General Assembly. The report through the economic and social council organ also makes sense, almost as if a preliminary deliberation.

When you have a boss, and if they need some updates on the activities of the relevant sector of the job under your control, you will, typically, have to send them a formal report on the progress towards some previously specified targeted objectives.

Those targeted objectives become the basis for a metric with the reality. If the reality is far from the targeted objectives well into the programs of action, then the boss has reason to question the efficacy of the individual working on the project, or in charge of the managerial and administrative aspects of the work.



Within the report, the Committee of the CEDAW can then also make suggestions and general recommendations about the proper pathways for the individuals and, in particular, the nations or the “States Parties” to take for the improved functioning of their nation regarding the implementation of, and alignment with, the ideals of the Convention.

Now, the Convention’s Committee examines the reports sent to it. Those reports come from the nations bound to the statements and stipulations of the Convention. As part of the proper procedure, the reports must be sent into the Committee in a periodic, regular manner for the deliberation by the Committee.

These then get sent to the General Assembly through the Economic and Social Council. From these examinations, the status is given plus the recommendations. (You see the process.) The reports will be included will come from the reports sent from the nations or the “State Parties” as well as the additional commentary in the singular report of the Committee to the General Assembly.

These are then given to the Commission on the Status of Women for further information through the Secretary-General of the United Nations. An important figurehead on the international stage. Now, that is Article 21 – straightforward statements on the process.

Article 22 speaks to the entitlements. In North American culture, there is a public relations effort to demonize the idea of entitlements, but the idea of being entitled to something comes within a different contextualization in much of the rest of the world.

The specialized agencies – a general statement of the agencies – can be represented in the implementations of the provisions. The “present Convention” is an interesting phrase. Injecting a personal opinion, I suppose this implies prior to the next set of edits on the Convention.

The only limitation on the entitlement is the relevance of their domain of activities to the provisions of the present Convention. Then the Committee can then invite the specialized agencies to give their own reports about the proper implementation of the Convention, again within their area of operation.

All this speaks to the general openness, transparency, and generalized but limited to relevance contributions of interested parties including specialized agencies and others. It continues along a line of high ideals and standards for the furtherance of equality of the sexes.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women’s rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3 and Article 13.

International Covenant on Civil and Political Rights (1966).

Convention on the Elimination of all Forms of Discrimination Against Women (1979).

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).

The Declaration on the Elimination of Discrimination Against Women (1993).

Beijing Declaration(1995).

United Nations Security Council Resolution 1325 (2000).

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000).

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa or the "Maputo Protocol" (2003).

Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

## Article 23 and Article 24 of the CEDAW

Scott Douglas Jacobsen

August 7, 2018

*How important is the re-emphasis of equality of men and women and the need to enforce? Pretty important.*

### *Article 23*

*Nothing in the present Convention shall affect any provisions that are more conducive to the achievement of equality between men and women which may be contained:*

*(a) In the legislation of a State Party; or*

*(b) In any other international convention, treaty or agreement in force for that State.*

### *Article 24*

*States Parties undertake to adopt all necessary measures at the national level aimed at achieving the full realization of the rights recognized in the present Convention.*

### Convention on the Elimination of all Forms of Discrimination Against Women (1979)

The Convention on the Elimination of all Forms of Discrimination Against Women or the Convention deals with some of the aspects of equality of men and women around the world, which includes the stipulations about the necessary measures by nations bound to it.

The measures needed to be able to enforce equality, of which the country has considered themselves agreed to via being a signatory to the Convention. That makes the Convention's moral statements about gender equality ethical imperatives rather than dreams.

Article 23 deals with the relative consideration of gender equality. That is, some means of stipulations enforced in different parts of the world provide a firmer foundation for the equality of the sexes. In the instances of the other documents listed at the separate appendix of this article, and others, some may have more appropriate or better ideas for gender equality.

Within that frame of viewing the world, the ideals within any of these documents exist subservient or subordinate in emphasis, purpose, and eventual implementation to the ones that will, likely, produce the greater attainment of the lofty ideal – though quite mundane in any rational analysis – of gender equality.

The idea is to make an environment in which there are more conducive situations for the equality of the sexes, or of “men and women.” Article 23(a) speaks to the legislation of the State Party or of the government in power at that particular moment in the country's history.

If a nation or State Party becomes morally and legally bound to the Convention, there exists the tacit assumption of consistency on the part of the country to continue to endorse and implement gender equality, whether socialist, liberal, conservative, or other political parties happen to win the vote and take power in the nation. This gives a sense of the higher-order ethical deliberation here.

This higher-order implementation of gender equality becomes international emphasized – where the national emphasis is in Article 23(a) – in Article 23(b). It speaks to the series of international conventions, treaties, and agreements to be enforced at the level of the nation-state.

Those international rights documents stipulate the need to provide some level of force for gender equality at the level of each bound nation. With respect to the emphasis, the eventual implementation is at the level of the State Party, even though the stipulation may include the national or the international statement of emphasis in its particular statement.

Article 24 speaks to the similar emphasis of the nations using any reasonable measures within their powers throughout the country to enforce the equality. Because the need is of the “full realization” of the rights of women with men.

It comes in a variety of packaged forms, but it does not emphasize anything current instantiation of the Convention. As covered in other articles, the Convention can be updated at any point based on stipulations, in itself, that state the need to update the Convention based on scientific and technological advances, especially those coming more rapidly at us.

These two related articles merely stipulate the need to have the equality statements in the international documents and then to have those equal rights implemented at the national level, but the implementation should come with the caveat: if there are better or worse means by which to set about actualizing those rights, then we should work within those better representations of the rights in reality – because cultural and social differences exist, and similar with the notions of what should or should not be emphasized more or less in their own country.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women’s rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3 and Article 13.

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Convention on the Elimination of all Forms of Discrimination Against Women (1979).

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The Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa or the “Maputo Protocol” (2003).

Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

## CEDAW Article 25 and Article 26

Scott Douglas Jacobsen

August 8, 2018

*What are the ideals regarding equal rights in ratifications and revisions in one of its core documents, the Convention on the Elimination of all Forms of Discrimination Against Women (1979)?*

### *Article 25*

- 1. The present Convention shall be open for signature by all States.*
- 2. The Secretary-General of the United Nations is designated as the depositary of the present Convention.*
- 3. The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.*
- 4. The present Convention shall be open to accession by all States. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.*

### *Article 26*

- 1. A request for the revision of the present Convention may be made at any time by any State Party by means of a notification in writing addressed to the Secretary-General of the United Nations.*
- 2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such a request.*

### Convention on the Elimination of all Forms of Discrimination Against Women (1979)

The Convention on the Elimination of all Forms of Discrimination Against Women or the Convention provides one basis, among many other bases, to construct a situation for equal rights. The equality of the sexes requires the deliberation of the real-world policies and actions in proportion to the ideals of gender equality.

These stipulations about gender equality come in a number of different manifestations; however, the foundation remains more or less unchanging. This basis and its derivatives form the basis for the movements for equality between men and women and then the rights documents representative of the rights.

Article 25 provides the transparent, democratic, and open foundation of the Convention. Any nation can come forward and become a signatory of the Convention. Becoming a signatory, this makes for a more equitable world; then also, we can observe in hindsight decades down the road that countries unwilling or unable to adhere to the stipulations in the Convention.

The second subsection of Article 25 looks into the Secretary-General role in the current – at that time – instantiation of the Convention or the CEDAW. The role is as the depositary. The

“depository” is the role of trust; something, such as the Convention, has been entrusted to the highest official of the United Nations through the role of the depository.

Article 25(3) speaks to the ratification. That is, Convention can be ratified by a State, by a member of the United Nations. That makes the signatory bound to the document’s stipulations for gender equality. The instruments for the ratification lie with the Secretary-General of the United Nations.

The last subsection of the Convention speaks to the accession of all States. That is, the given power or attainment of a rank, or a position, with the consideration, limitation, and rules regulations of the Convention. It means: you [fill in the nation or “State”] are bound to this document now – hop to.

Article 26 provisions further details on the act of revision to the Convention. The term or phrase used is the “present Convention.” That is to say, the current version, like 2.0 versus 3.0 of a piece of software such as Linux or Windows, of the Convention on the Elimination of all Forms of Discrimination Against Women.

The present Convention or the current CEDAW can be requested for revision and, by implication, needs this formal procedure for changes. Of course, as noted in some of the prior articles, the Convention can be edited or altered given the changes, sufficiently reasonable, in the external scientific and technological landscape of the world.

Any country can make a formal request for an alteration of the Convention through the written notification addressed to the Secretary-General of the United Nations. From this address, the request should specify with some detail the areas in the present Convention and then, let’s call it, the changes wanted for a hoped-for Convention.

Then the General Assembly will then deliberate and make a decision on the request for the change, to make any or none. Not the most exciting portion of the Convention, granted; however, these internal processes provide some foundation upon which to alter the rights landscape of the international rights world for a more equitable national environment over time.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women’s rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3 and Article 13.

International Covenant on Civil and Political Rights (1966).

Convention on the Elimination of all Forms of Discrimination Against Women (1979).

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).

The Declaration on the Elimination of Discrimination Against Women (1993).

Beijing Declaration (1995).

United Nations Security Council Resolution 1325 (2000).

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000).

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa or the "Maputo Protocol" (2003).

Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.



# Convention on the Elimination of all Forms of Discrimination Against Women (1979): Article 27 and Article 28

Scott Douglas Jacobsen

August 8, 2018

*How can the Convention become enforced in a reasonable amount of time?*

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## *Article 27*

- 1. The present Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.*
- 2. For each State ratifying the present Convention or acceding to it after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the date of the deposit of its own instrument of ratification or accession.*

## *Article 28*

- 1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.*
- 2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.*
- 3. Reservations may be withdrawn at any time by notification to this effect addressed to the Secretary-General of the United Nations, who shall then inform all States thereof. Such notification shall take effect on the date on which it is received.*

## Convention on the Elimination of all Forms of Discrimination Against Women (1979)

The Convention on the Elimination of all Forms of Discrimination Against Women or the Convention provides one basis upon which to further the over century-long fight for the equality of women with men. It is, often inaccurately, stated as the equality of men and women or gender equality, or the equality of the sexes – as a series of shorthands, but the most accurate in most geographic and historical considerations – of place and time – are women with men as women have been the ones bearing the brunt of discrimination based on sex.

Article 27(1) of the Convention speaks to the force of the Convention with the 30th day of the deposit to the Secretary-General of the United Nations – its highest officer. Fairly straightforward, the need to operate through the auspices of the highest-ranking official in the United Nations for the consideration, deliberation, and actualization of equality.

Article 27(2) stipulates the ratification or consenting, or signing, on to the version of the Convention of the time. With the Secretary-General as the depositary, the nations or countries accepting the current instantiation of the Convention; the Convention then becomes enforceable

in the new form based on the 30th-day post-deposit. It amounts to term limits on the old and time limes to implement and actuate the new version of the Convention.

Article 28(1) states that the Secretary-General will then give what amounts to concerns, issues, and problems of the countries involved in the Convention in some form for reflection. The next subsection of Article 28 continues on this line with the specification of what gets in and gets left out of the set of concerns, issues, and problems.

Those become the basis for the permission of distribution to all nations within the legitimate purview of the Convention. The Secretary-General, as per the prior statements within the Convention or the CEDAW, amounts to the intermediary for the operations relevant for the Convention.

That individual, man or woman, with the highest office in the United Nations will be the one to get and give out the statements of “reservations” of the nations at the time of the “ratification or accession” to the changes to the Convention at such time the changes have been made and approved.

The final subsection of Article 28 stipulates the reservations potentially being withdrawn with the notification of address to the Secretary-General of the United Nations. This official then tells the relevant member states. The notification takes place that day.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women’s rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3 and Article 13.

International Covenant on Civil and Political Rights (1966).

Convention on the Elimination of all Forms of Discrimination Against Women (1979).

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).

The Declaration on the Elimination of Discrimination Against Women (1993).

Beijing Declaration (1995).

United Nations Security Council Resolution 1325 (2000).

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000).

The Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa or the “Maputo Protocol” (2003).

Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# Article 29 of the Convention on the Elimination of all Forms of Discrimination Against Women

Scott Douglas Jacobsen

August 9, 2018

*How are interpretation, and arbitration important aspects to the CEDAW since its inception?*

## Article 29

*1. Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.*

*2. Each State Party may at the time of signature or ratification of the present Convention or accession thereto declare that it does not consider itself bound by paragraph 1 of this article. The other States Parties shall not be bound by that paragraph with respect to any State Party which has made such a reservation.*

*3. Any State Party which has made a reservation in accordance with paragraph 2 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.*

## Convention on the Elimination of all Forms of Discrimination Against Women (1979)

The Convention on the Elimination of all Forms of Discrimination Against Women or the Convention, Article 29 covers a substantial territory as if a coda at the end of the publication. The basic idea is that if there is any disagreement or “dispute” between two of the nations involved in the Convention; then, there will be an arbitration between the two countries regarding their disagreement.

The disagreements or the foundations of the disputes focus on the interpretation or the application of the current version of the Convention, remembering, of course, that the Convention is subject to changes based on, for example, alterations in the scientific and technological landscape, where these changes in the world of science and technology merit an adjunction, deletion, or general edit to the Convention.

The interpretation of any document becomes important in the world of international rights because the line between what is and what is not contextually appropriate for a particular stipulation within the Convention is important. The interpretation statement could be clear to most States Parties or nations regarding the reasonable scope and limits of it.

However, to a small percent, it may not be so clear. That is where Article 29(1) comes into play. The other part of the article discusses the areas of concern in a dispute or disagreement in the area of implementation of a right in the Convention. An individual may consider the Convention relatively clear and then the nation-state may begin to actualize those reasonable interpretations,

according to the consensus of all parties and no objections, but then the implementation of the stipulation of equal rights may be a point of contention.

The first point of conflict resolution is the negotiation. The next stage, if the first stage is insufficient, will be the submitted request for an arbitration on the dispute. One of the two parties will submit the request. The time limit on stage two, if things head to stage two, is six months. That is, there is a time limit of party patience on the first stage and hard chronological time limit in the second stage.

That is the selection process time limit for an arbitrator to conduct the arbitration of the dispute. Then one of the parties of the disagreement simply refers to the International Court of Justice, an extremely important body, for the deliberation, which, according to the Statute of the Court – part of the *United Nations Charter*, is in conformity” with it. It follows the rules of the statute.

Article 29(2) stipulates the right of a state party to not consider itself bound to the statements of Article 29(1). That is a real possibility and something important to consider on this front. At the time of the accession or agreement via signature to the current version of the Convention, any of the nations’ representatives can declare that they’re not in any way signing to be bound to the first section of Article 29.

The last section determines the reservations made by a nation at the time of the agreement can withdraw said reservation with a notification sent to the highest official in the United Nations, the Secretary-General of the United Nations. These previous articles have covered a lot ground, but the CEDAW retains a certain importance based on its general application and international focus for rights and equality.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women’s rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3 and Article 13.

International Covenant on Civil and Political Rights (1966).

Convention on the Elimination of all Forms of Discrimination Against Women (1979).

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).

The Declaration on the Elimination of Discrimination Against Women (1993).

Beijing Declaration(1995).

United Nations Security Council Resolution 1325 (2000).

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000).

The Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa or the “Maputo Protocol” (2003).

Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

## Article 30 of the CEDAW

Scott Douglas Jacobsen

August 9, 2018

*How does the CEDAW conclude its statements and rules regarding equality of the sexes?*

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### *Article 30*

*The present Convention, the Arabic, Chinese, English, French, Russian and Spanish texts of which are equally authentic, shall be deposited with the Secretary-General of the United Nations.*

*IN WITNESS WHEREOF the undersigned, duly authorized, have signed the present Convention.*

### Convention on the Elimination of all Forms of Discrimination Against Women (1979)

The Convention on the Elimination of all Forms of Discrimination Against Women or the Convention gives one of the firm international foundations for nations around the globe to partake of the endeavour in the Sustainable Development Goals and others for the greater equality of the sexes, of men and women, of gender; in this work towards the greater equality of the genders in the past and seeing the effects now, in particular the educational world and women's ability to feel freer to speak out against abuses, those momentous documents and historical work act as auguries for the future of the world, of the set of possible futures – as hinted at by Atwood, recently – worth pursuing for the equality and human rights-minded people.

Throughout this extensive article series on the Convention or the CEDAW, we can see the development of a series of rights stipulations with rules of procedure, membership, and accession for the updates to the stipulations and then implementation and reportage on said implementation of human rights.

The human rights sub-set here comes in the form of women's rights. The rights of women in work, in the home, in the educational centers, in political life, in civic and public arenas, and in reproductive health, and others.

The Convention comes with an associated Committee to further state the rights to equality of all women with the men in the world. The right to simply be a human being equal to others, not necessarily in various domains or capacities per individual but in the principle, the ethical precept, found in the Golden Rule in religious traditions or in the highest ethics of Millian Utilitarianism (by John Stuart Mill's own assessment, by the way).

Our manner of being, of living, in the world, comes from a general acceptance of some ground rules. The human rights provide one level. The set of women's rights give another level in the distinction based on sex and gender. The biological birth and attributes that attach to it, innately. Then the socio-cultural influence on attitudes and behaviors with gender.

The Conventions gives a glimpse into a world that could exist and which, by implication, does not yet live before our eyes. It could; it might. These become human decisions. Same with human decisions to destroy the world in which we live.

Article 30 speaks to the need for each and every current incarnation of the Convention, which becomes the present Convention in light of the updates via correspondence with the realities of the new scientific and technological landscapes of the day, should be stated in some of the most common languages spoken in the world.

Those will be then given to what is called the depositary or a role given to the current Secretary-General of the United Nations – its highest official. Then it simply closes with a due authorization of the present Convention – the current instantiation – for the nations to begin implementing in their respective country.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3 and Article 13.

International Covenant on Civil and Political Rights (1966).

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Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# International Covenant on Economic, Social and Cultural Rights: Article 7(a)(i)

Scott Douglas Jacobsen

August 10, 2018

*How are women deserving of the work conditions equal, so not inferior, to those of men?*

## Article 7

*The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular:*

*(a) Remuneration which provides all workers, as a minimum, with:*

*(i) Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;*

*(ii) A decent living for themselves and their families in accordance with the provisions of the present Covenant;*

*(b) Safe and healthy working conditions;*

*(c) Equal opportunity for everyone to be promoted in his employment to an appropriate higher level, subject to no considerations other than those of seniority and competence;*

*(d) Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays*

The International Covenant on Economic, Social and Cultural Rights (1966)

The International Covenant on Economic, Social and Cultural Rights (1966) or the Covenant represents a similar document to the others covered in this educational series, where the emphases remain on human rights, in general, with a focus on women's rights, in particular. Real men support women's rights.

Maybe, this can become a big slogan some day. The entire article is above. However, the focus of this particular publication is Article 7(a)(i) in the Covenant with the explicit statement for the equality of the sexes.

In this particular stipulation, the description amounts to the standard form of a truism in the world of human rights but then shifts into the more particular mentioned earlier relating to the equality of women with men.

The CEDAW mentions several of these forms of statements and provides a broad and functional basis for the equality of the sexes. However, the main focus, here at least, is the specific relevance of this stipulation – along with Article 3 covered weeks ago.



The stipulation speaks to the right to equality in wages and remuneration. Not only in the financial aspects of the payback for a job done but also in the ways in which this gets implemented for the bonuses and other benefits of a job; these can often be non-trivial, especially for those who really need them.

The distinctive part of this stipulation starts with “in particular women” in which the obvious is made explicit. An important distinction in terminology by the way, but also an important acknowledgment within the Covenant.

The Covenant creators and signatories realized the need to emphasize the right of women to be the work equals of the men of the world without discrimination; wherein any form of a differential in the fair wages and equitable compensation becomes discrimination, that form of bias then being unacceptable to the wider set of communities: the international community.

The inferiority of women gets assumed at numerous levels in the world. One of the most prominent comes in the form of the transcendental secondary status in fundamentalist and literalist translations of the religious texts, particularly Christianity in “the West” and Islam in “the East.”

The main emphasis is the acknowledgment and then the equal pay for equal work. For those who have been following many of the publications as of recent, the emphasis in Canadian acts and documents have been, at times and for whole documents, the right for equal pay for equal work.

This becomes the slogan for the women’s rights activists. However, this does not limit to that statement alone. In the Canadian documents, they will emphasize a number of things including effort, time, and skill.

The equitable pay for women in a number of domains has been explicitly denied to them. This is, obviously, discriminatory and, therefore, unfair and unjust to about half of the human population based on sex alone.

That discrimination comes in the form of the lower paycheque for the women working in the same job with the same qualifications and at the same hours. It is discrimination based on sex. Many women are miffed over this, rightfully so.

Other times, it is only the appearance of inequality without looking into the details of the time, effort, and skill of the employees in question. However, and in general, the basic premise of women earning more than the men is not the historical norm based on a real and decreasing gender pay gap or sex pay gap in the cases of equal time, effort, and skill in a job.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women’s rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3, Article 7(a)(i), and Article 13.

International Covenant on Civil and Political Rights (1966).

Convention on the Elimination of all Forms of Discrimination Against Women (1979).

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).

The Declaration on the Elimination of Discrimination Against Women (1993).

Beijing Declaration(1995).

United Nations Security Council Resolution 1325 (2000).

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000).

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa or the "Maputo Protocol" (2003).

Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# International Covenant on Economic, Social and Cultural Rights: Article 13(1)-(2)

Scott Douglas Jacobsen

August 10, 2018

*Why is education one of the most important stipulations in this international rights document?*

## Article 13

*1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.*

*2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:*

*(a) Primary education shall be compulsory and available free to all;*

*(b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;*

*(c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;*

*(d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;*

*(e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.*

## The International Covenant on Economic, Social and Cultural Rights (1966)

The International Covenant on Economic, Social and Cultural Rights (1966) or the Covenant stipulates some of the most fundamental rights to equality in education in its Article 13. In its first section, it deals with the right to education of all people.

In particular, the right is given to all people for their education regardless of their sex. An important subtext without implementation around much of the world in many ways. The ideal of education in the documents is for the building of a person with a sense of dignity.

The purpose is to also respect human rights and the fundamental freedoms of individuals within the society. By which I mean, the international or global community for all of us. If a woman is unable to exercise her freedoms in education, and if this extends into the sphere of a free society along with the positive virtues including “understanding, tolerance and friendships,” then this violates the spirit of the Covenant.

The virtues extend across the traditional and identifiable boundaries of race, ethnicity, and religion. Within this context, we find the development of greater possibilities of peace for everyone in the world. The second part of the Covenant speaks to the full realization of the right of women to education; everyone but, by direct implication and relevance to this article, women in particular.

The stipulations provide a firm foundation that, at a minimum, the primary education levels are to be available regardless of a child’s, or someone’s for that matter, lot in life. That is to say, any and all people should have a primary education of some form, and this education should be mandatory.

The provisions for the second school come out somewhat different from the compulsory or mandatory aspect of primary education. Anyone can recall people within their school, peers, who simply disappeared from the attendance list of all classes because of dropping out. They became dropouts.

The inclusion of the curriculum is across the board from arts to vocational with the appropriate educational tools and teachers available for a “progressive introduction of free education,” i.e., education is a right from primary to secondary school with compulsory provision in the former and the right to the proper access and quality of provision of the latter.

The post-secondary or higher education provisions are to be made in the same manner accessible and quality but not mandatory. Something different in these latter subsection stipulations. The nature of the encouragement for more primary education.

Then this becomes the free choice of the individuals in the society but with the encouragement to pursue said education; regardless, the proper provisions are part and parcel of an adequate post-secondary education.

If you as a woman are denied this, and if knowledgeable of these documents, then you can make progressive steps to improve the conditions and livelihood of other women in need or want of an education.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women’s rights:

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Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3, Article 7, and Article 13.

International Covenant on Civil and Political Rights (1966).

Convention on the Elimination of all Forms of Discrimination Against Women (1979).

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Beijing Declaration(1995).

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Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# International Covenant on Civil and Political Rights (1966) Article 6(5)

Scott Douglas Jacobsen

August 11, 2018

*Why do women deserve equal social and politics rights with men?*

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*Article 3. The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.*

## International Covenant on Civil and Political Rights (1966)

The International Covenant on Civil and Political Rights provides another foundation upon which to base fundamental human rights. The coverage in the upcoming articles will take the rest of the listings and select from among them the explicit statements for women's equality.

The one for coverage in the Covenant today, Article 3. It speaks to some of basic of equal rights in regards to fundamental human rights. The civil and political world remain different, as we are seeing with the rights movements for women to be considered equals in the political and social worlds.

Once the finances are taken care of in an individual's life, we can examine the ways in which the civil and political life of a country can move forward for greater equality. Though we can see areas of opposition and regression to push women back into the home, to halt their reproductive health rights to keep them in the home and bound in poverty to children if they step out of line, and, furthermore, identify the language used prior to that action taken by those in power to reduce the rights.

Women between the ages of 18-35 have, probably, seen the first effort to repeal their rights since they were born. The language of the elimination of abortion is open and direct, as with the claims by American politicians including the current American Vice President Mike Pence.

The language is open and honest, either ignorant of or in direct opposition to the reproductive rights of women. In the civil and political spheres of life, the news cycle produces a series of examples of similar language and caricatures of women as not up to the task.

The Covenant provides one more foundation to reaffirm the equality of women in these domains; so that any time these linguistic tools or messages are used to denigrate or demean women's potential in various roles arise, they can be identified and targeted for activism.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3, Article 7, and Article 13.

International Covenant on Civil and Political Rights (1966).

Convention on the Elimination of all Forms of Discrimination Against Women (1979).

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Beijing Declaration (1995).

United Nations Security Council Resolution 1325 (2000).

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The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa or the "Maputo Protocol" (2003).

Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

## Article 23(1) International Covenant on Civil and Political Rights (1966)

Scott Douglas Jacobsen

August 11, 2018

*How is family entitled to protection from the state?*

—

*Article 23.*

*1. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.*

*The right of men and women of marriageable age to marry and to found a family shall be recognized.*

### International Covenant on Civil and Political Rights (1966)

The International Covenant on Civil and Political Rights speaks to two major domains of rights for women. One is the civic life of a country. Another is the political rights, e.g., presumably the right to vote and take part in the levers of power in some way. The basic premise of a lot of the Covenant is devoted to those two aspects of the rights to equality.

In regards to Article 23(1), the stipulation has a specific statement about women and a marriageable age. It stipulates the fundamental group unit in the society as the family; by implication, the basic non-group unit in the society is the individual. This does provide an argument for collectivism at the level of the family, and for individualism at the level of the — ahem — individual.

That seems as if a tacit assumption within the human rights document in civic and political life. This natural, group, and fundamental unit of the society, in the family, deserves and reserves the right to protection by not only the society at large but also the government at the helm of the society. No preference or bias given to either a conservative, centrist, or liberal government.

In that, we have arguments for a layered individualist-collectivism intended for the protection of the family as a right for the family, but then a responsibility of the society and the government to protect the family. For men or women, without statement one way or the other about the sexual orientation of the individual, they hold the right to marriage at marriageable age.

Of course, this may differ from state to state, province to province, and territory to territory; however, the fundamental right to marriage at or above the marriage age and then to have the marriage recognized is an important fundamental right of both men and women. We can, obviously, see many instances in either general statistics nationally and internationally or in individual news coverage the violation of both the rights of the child and the best interests of the child in the cases of child marriage.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:



The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3, Article 7, and Article 13.

International Covenant on Civil and Political Rights (1966).

Convention on the Elimination of all Forms of Discrimination Against Women (1979).

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The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa or the "Maputo Protocol" (2003).

Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) and Women's Rights

Scott Douglas Jacobsen

August 12, 2018

*How do women's rights relate to forms of mistreatment around the world?*

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## Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)

Looking at this particular convention, if we look for the terms women, men, sex, or gender, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) or the Convention does not match the reality for women's equality.

It does not use the term "women." In fact, the lack of inclusion of even the terms "sex" and "gender" with respect to the forms of cruel and inhuman, and degrading, treatment or punishment would seem suspicious, especially for a document, ironically, founded in 1984.

But there is some follow-up context. If one looks further into the United Nations Special Rapporteur on Torture and the Committee Against Torture, there is commentary via the London School of Economics on the nature of violence against women.

The violence against women or VAW can fit right into the forms of treatment stipulated in the contents of the Convention. The Convention is bound to investigate and prevent the actions related to torture in which it may have some jurisdiction from which to take action.

Also, the two additional aforementioned bodies have acknowledged VAW and want to have the anti-torture framework understand this. The expanded consideration and inclusion of the unique experience of women through VAW may make an impact in "armed conflict or peacetime, in the home, the street or in places of detention – or the identity of the perpetrator – whether a family member, member of the community, stranger or state official."

These are important additions for the document and hopefully can be enforced as the world moves into the future, even though, ideally, these would not be happening in the first place or at all.

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The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

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Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# The Declaration on the Elimination of Discrimination Against Women (1993): Article 2

Scott Douglas Jacobsen

August 12, 2018

*How is violence against women important for the broad base of consideration? Because it comes in a variety of forms.*

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## Article 2

*Violence against women shall be understood to encompass, but not be limited to, the following:*

*( a ) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;*

*( b ) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;*

*( c ) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.*

The Declaration on the Elimination of Discrimination Against Women (1993).

The Declaration on the Elimination of Discrimination Against Women (1993) or the Declaration represents a number of ways in which women deserve equal protections and, in many cases, special protection from violence.

In particular, as many of you are familiar, there is a phrase in the international world to determine the levels and areas of women's subjection to cruel and unjust treatment. That phrase is "Violence Against Women."

Sometimes, it is abridged as VAW. The VAW perpetrated around the globe is a serious problem. The Declaration amounts to one solid protection, through rights in writing, for the protection of women against violent and unjust physical treatment, or sexual for that matter.

It extends into the psychological, and so emotional, too. The general scope is given within the three paragraphs, or as I have been stating them: "subsection," of the second article. Furthermore, the permission in its 'preface' is the non-exhaustive nature of the listing.

In the first subsection, it describes the three domains of abuse potentially applicable in most or all cases. That is, the physical violence against a woman, e.g., battering. The psychological violence against a woman, e.g., exploitation. The sexual violence against a woman, e.g., marital rape.

These extend in a number of sub-domains but the general picture given are the aspects of abuse done to women in some of their more severe forms. Of course, there are even cases of a woman being not only raped but murdered based on sex and gender, not being a man is a pre-requisite.

Because there are legitimate and widespread cases of women, individually or serially, being raped even gang-raped and then murdered in some of the harshest and vile circumstances with premeditation by the male perpetrator – rapist and murderer. But the violation of an individual person – whether physically, psychologically, or sexually – can instill a constant vigilance about the future potential re-occurrence; a certain form of long-term torment and terror of the mind. Mostly male veterans from war live in the similar hell of the psyche. It's called trauma.

The “female children” – so girls – are included within the statements of the stipulations. That is to say, women and girls retain the same rights for their safety from their peculiar predicament of VAW. A worldwide, historic and ongoing phenomenon.

Whether in the hallowed halls of the Roman Catholic Church (#ChurchToo) or the purportedly holiest sites including the eventual destination of one of the Five Pillars of Islam with the *hajj* journey to Mecca at the Qabba (#MosqueToo and #MeccaToo), or in the liberal-progressive central establishments including Hollywood (#MeToo), the narratives contain the similar troubles of women often hidden but only willingly and openly and assertively motivated to tell their stories as they recalled and experienced them because of the encouragement of other women and the inspiration of seeing others speak their truths in heartbreaking stories. Some turn out as lies, as in the *Rolling Stone* rape campus story.

However, this should not detract from the core points of underreporting, fear of reporting, mistreatment of claimed rape victims by authorities, mismanagement by universities in a matter better left to the police and law enforcement, and the important educational point directed to by Professor Noam Chomsky with the distinction between demonstration and allegation:

*I think it grows out of a real and serious and deep problem of social pathology. It has exposed it and brought it to attention, brought to public attention many explicit and particular cases and so on. But I think there is a danger. The danger is confusing allegation with demonstrated action. We have to be careful to ensure that allegations have to be verified before they are used to undermine individuals and their actions and their status. So as in any such effort at uncovering improper, inappropriate and sometimes criminal activities, there always has to be a background of recognition that there's a difference between allegation and demonstration.*

The allegation/demonstration distinction provides the basis for the consideration of women or girls who come forward, and who should be encouraged to do so, to be treated with proper treatment, compassion, and respect while following the rule of law to respect due process to show the accused the same proper treatment, compassion, and respect.

In the current climate, the socio-political left – some sectors – forget the due process aspect of law for the people asserted as rapists, where, as in the *Rolling Stone* case – being one high-profile and dramatic instance of lies by a young woman and the media slavishly following a salacious headline rather than truth and justice, the purported rapists can be innocent with their lives and reputations destroyed – not hypothetical as this happens in the past and right into the present, e.g. students with scholarships and endorsements revoked, and professionals near retirement age even canned from high-paying and long-term careers; the socio-political right

tend to downplay the real suffering of women in numerous domains of life, especially as regards the sexual violence committed, likely, against a girl or woman who could be in their own family and, in essence, downplaying the reality of rape of women by men as VAW and a violation of women's rights in particular and human rights in general.

Article 2(b) continues with stipulations within those three domains of the first sub-section but with the emphasis on the more general. The most general forms of violence against women with "rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution."

The categories here focus on sexual violence and psychological violence. The psychological at work, even sexual, but then the sexual in the most general sense in a society from the street corner to the executive suite of the highest high-rise Goldman Sachs building.

Article 2(c) states the violence used by the state is a no-no, a no-go. We often see the totalitarian regimes, as remarked on in multiple venues by Margaret Atwood, highly interested in the reproductive capacities of women.

In particular, the restriction on the freedoms of women to be able to determine their own livelihoods. The various totalitarian regimes in history or extant retain a peculiar, noticeable, and rights-violating interest in the interior lives of women's bodies.

The nature of the control, as this amounts to its central focus, comes in lack of provisions of reproductive health technologies, neonatal care, childcare, daycare, school programs, school lunches, and other social services and then the expectation of all women to have as many children as possible.

Even in the cases of a cap on the number of children, the selectivity of the sex of the children becomes filtered through the status of the women and the girls in the society with the obvious preference for a boy over a girl, so the number of men in China, for example, outnumbers the number of women; to further exacerbate the effects of bigotry and misogyny, the derivative consequences comes in the mismatch for the heterosexual women and the heterosexual men in the society of marrying and childbearing age.

As happens with too many single men in history, this may create a destabilizing effect on the economy and so the country as a whole over the long-term. Disgruntled men in large groups tend to be a destabilizing force in not only the economic well-being of the country but also in the social life of the nation as well.

In the Computer Age, we find the emergence of sophisticated, powerful, and assertive ignorance posturing across the political landscape and taking up too much news coverage. If these topics were typically covered as they have been in the media, women's rights and livelihood would be sidelined or ignored while at the same time having dog whistles to the listening, watching, or reading base of the individual touting falsehoods.

The questions around VAW and the nature of the current debates – some covered in the earlier parts of this article – relate to the basic truth. Women have rights. They have rights as men have rights. If not, then the equality of the sexes would be a pipe dream. Rights are not to be ignored or taken away. If not implemented, then they should be made part of the society as soon as possible.

If an individual denies the rights of women to reproductive health technologies based on a religious rights and belief rights objection, then the individual should, via the Golden Rule – ironically in their own religious holy texts, revoke their own right to religious practice and faith because the same documents giving women the right to control their own bodies and have bodily autonomy give these self-same individuals the right to practice their religious faith.

Women deserve reproductive health technologies as a right. The religious deserve the practice of their faith in their lives as a right. The access to the reproductive health technologies for everyone does not infringe on the right of the religious person to practice their faith. If they have an objection to it, then they do not have to use it; if someone wants to use it, then they can use it.

In this way, both rights are respected – no problems, but, of course, there are religious leaders, often men, seen in movements including the Reconstructionist Christian and Dominionist Christian – not necessarily the same but definitely overlap – movements.

They do not care about reproductive health rights because of the assertion in Genesis about God giving Man dominion over the Earth, as in everything including women. That is, they care about God's Law and not human rights and, therefore, by internal logical and rationale of the belief system dismiss women's rights and so women's equal status: meaning women do not equate to equals to them.

Any debate or conversation becomes illegitimate within an international context, because these rights are global, when the fundamental premise of the inherent humanity, dignity, respectability, and worth of women and human rights given to women as women is not agreed upon by the parties present in the dialogue. Because this asserts a lesser-than status of women based on sex.

The ability of women to garner these rights has taken an exceptionally long time. The entire generation who began the movements for the right to vote, to be considered a legal person in a democracy, started about a century ago. Meaning, most women from the same period are deceased.

Think of the geniuses not seen then who could have emerged, the Hypatias from centuries ago, the Marie Curies from the 20th century, the Marilyn vos Savants still extant, and others unable to flourish because of unequal status. It would be seen as unbecoming of a girl or woman to enter into the "man's world." If not unbecoming, then the barriers certainly existed for generations from theological justifications and church-mosque-synagogue enforcement to sexual coercion in the workplace, to unequal pay, and so on. Dead and forgotten people set the dial forward for the current generation. Only some small part of women's history has them surpassing men in education, now and only in the developed nations for the most part.

The fundamental basis for the equality of the sexes seems obvious in the cases of VAW, as women remain subject to the physically more dominant sex of the species. Men with power, or men in power giving lesser men control, over women. As Richard Pryor rightfully described with sexual violence taking away a person's humanity, and I will extend the sentiment to VAW in general, the taking away of someone's humanity remains one of the most catastrophically disgusting aspects of these acts and rights violations.

To ignore the power dynamics not only in history, whether crystallized in the holy texts or seen in the historical record, seems naive and foolish, and obvious (not appalling as some may claim in modern movements), it is a fact of history, of which we will be coming to grips with as time

moves forward – and in this same move to recognize the VAW; we will, indeed, potentially recognize the powerless feelings of men who only emote in the language of violence, too.

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Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.



## Article 3 of The Declaration on the Elimination of Discrimination Against Women (1993)

Scott Douglas Jacobsen

August 13, 2018

What is the range of women's rights according to the Declaration?

### *Article 3*

*Women are entitled to the equal enjoyment and protection of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. These rights include, inter alia:*

- ( a ) The right to life;*
- ( b ) The right to equality;*
- ( c ) The right to liberty and security of person;*
- ( d ) The right to equal protection under the law;*
- ( e ) The right to be free from all forms of discrimination;*
- ( f ) The right to the highest standard attainable of physical and mental health;*
- ( g ) The right to just and favourable conditions of work;*
- ( h ) The right not to be subjected to torture, or other cruel, inhuman or degrading treatment or punishment.*

The Declaration on the Elimination of Discrimination Against Women (1993).

The Declaration on the Elimination of Discrimination Against Women (1993) or the Declaration Article 3 covers some rapid-fire sectioning of rights for women in the world through the stipulations (a) through (g).

With even the barest glimpse at the contents of the third article, the generalized statements provided, by implication, a broad palette menu from which to argue for the equality of women with men. In the equal enjoyment and protection of the human rights, we see the entire suite of possible human areas covered for said “enjoyment and protection.”

Thinking of rights, most consider the protection but not, as often, the enjoyment. A sense of comfort and contentment in the existence of rights and the privileges endowed as a human being, as a woman in this case.

The first stipulation speaks to the right to life of an individual woman. This seems one of the most fundamental. Note, the category stipulated is “women” and not “unborn fetus,” “baby,” even “girl.” The fundamental right to live, full stop.

The next right is equality and the ones following this are liberty and security of person. The ability to live in an equal society as a woman is not a simple statement as many men feel as if

they can and even morally should keep women in their place – in the home, with the children, and making the meals.

Equality with the men means equal pay for equal work, justice in sexual violence, consideration in the halls of power in the society, ability to vote and take part in civic and political life, and so on. The right to liberty links to the other rights with the ability to freely do as she pleases within the society granting this exercise of liberty does not infringe on the right of another person.

The ability to live, to live equally with men, and to freely live in an equal society comes with the right to live in security without the fear for a woman's own life at any time.

Article 4(d) and Article 4(e) stipulate the protection from, for example, domestic violence or sexual violence with the force of law and the freedom from discrimination (that relates to equality). It does not by any means imply the elimination of violence against women or a panacea of protection but it does provide the force of state to protect the individual woman.

The ability to live without discrimination and have the comfort of the law protecting you even in the case of potential violence against you. It gives another layer of acknowledgment to the unfair and unjust treatment of women.

Then Articles 4(f) and 4(g) associated with one another through the protection of an individual woman's well-being over the long-term. The health and wellness of a woman in life come also with the implication of a choice taken for work would include the conditions of the workplace environment for her flourishing.

The extreme statement on this comes from the right to not be subjected to torture and other ill-treatment as a matter of principle and as a right of a woman as a woman. It happens in the kidnapping and so on. But the basic claim is for the reduction and eventual elimination of these forms of cruel and unjust treatment through the implementation of these various rights stipulations in the real world over time.

Good wine takes time.

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# The Declaration on the Elimination of Discrimination Against Women: Article 4(a) and Article 4(b)

Scott Douglas Jacobsen

August 13, 2018

*What are the rights for women in the Declaration? How do these relate to the CEDAW?*

## Article 4

*States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should:*

*( a ) Consider, where they have not yet done so, ratifying or acceding to the Convention on the Elimination of All Forms of Discrimination against Women or withdrawing reservations to that Convention;*

*( b ) Refrain from engaging in violence against women;*

The Declaration on the Elimination of Discrimination Against Women (1993).

The Declaration on the Elimination of Discrimination Against Women (1993) or the Declaration states, in Article 4, some important truths about the need for timeliness and not to take excess time in the deliberation and implementation of the equal rights for women.

In its opening rights salvo, the statements pertain to the open condemnation of violence of which women are uniquely subject to enough to earn the category of Violence Against Women or VAW. From this VAW, the open condemnation is one start to the prevention against violence women are subject to, in the future.

The invocation of any cultural artifact behavior or belief cannot be used to justify the violence against women too. The fundamental right of women to live free of VAW is the ideal inherent in the women's rights documents on one level of rights, in one domain of stipulations.

Religion can be invoked at times to justify violence but this is illegitimate in accordance with Article 4 of the Declaration. Furthermore, there should be immediate work and no delays in the work of the nations and so on to develop the appropriate policy to prevent further violence against women.

Article 4(a) simply manifests the realization of women's equal consideration in the ratification of more than one document. The example taken is the one given the most eye-time in this article series with the CEDAW or the Convention on the Elimination of All Forms of Discrimination against Women.

Then (b) simply articulates the obvious implication for the reduction and elimination of VAW – simply stop taking part in it as an individual, collective, or a nation. Without delay, mind you.

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Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# The Declaration on the Elimination of Discrimination Against Women: Article 4(c) and Article 4(d)

Scott Douglas Jacobsen

August 14, 2018

*How can nations investigate and sanction forms of violence in various domains of societal life?*

## Article 4

*States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should:*

*( c ) Exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons;*

*( d ) Develop penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs caused to women who are subjected to violence; women who are subjected to violence should be provided with access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm that they have suffered; States should also inform women of their rights in seeking redress through such mechanisms;*

The Declaration on the Elimination of Discrimination Against Women (1993).

The Declaration on the Elimination of Discrimination Against Women (1993) or the Declaration states the rights of women extend into not only the inability or restrictions on the use – or abuse – of custom and religion to impose themselves on women or become justifications for the restrictions on women but also the details around investigation of cases and sanctions, too.

With respect to the victims of the gender-based violence, more often women in sexual and physical forms, Article 4(c) stipulates the need to exercise proper methodology and procedure when investigating the punishment of the acts of Violence Against Women or VAW.

The article subsection distinguishes between the governmental harms, as in Decree 770, and the individual violent perpetrator. Nonetheless, both remain actors or agents in the VAW perpetrated in history right into the present.

If we look into the various sanctions listed – “penal, civil, labour and administration,” the proper redress does not get listed; no specification mention of the forms in which the redress will take, which, supposedly or one may assume, will be determined by the proper legal apparatus and judicial body.

The indication within the subsection is that there will be a series of mechanisms in the justice system of which a woman, or women, can utilize in order to garner some form of retributive justice for themselves. Some semblance of a recompense for the damages.

Although, and of course, these underly potential other problems seen in sexual abuse cases with monetary settlements. The judicial system assumes and the culture permits the use of money to cover trauma.

Trauma does not disappear with the inclusion of finances. Indeed, it may take more than this to simply paper over the trauma, as the historical record shows the case file and financial payout but not the internal dialogue and chaos that ensued from the sexual or other violence perpetrated against the woman, or women.

The national legislation will stipulate – so some national independent of justice and fairness for the payback via the law – the level and kind of recompense for the VAW crime. Another important part, as a sendoff to Article 4(d), is the inclusion of knowledge and education as mandatory to be provided for women in order to know about and properly enforce their fundamental human rights.

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Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

## Article 4(e) and Article 4(f) The Declaration on the Elimination of Discrimination Against Women

Scott Douglas Jacobsen

August 14, 2018

*How can nations begin to develop comprehensive strategies for the protection of women's rights around the world?*

### Article 4

*States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should:*

*(e) Consider the possibility of developing national plans of action to promote the protection of women against any form of violence, or to include provisions for that purpose in plans already existing, taking into account, as appropriate, such cooperation as can be provided by non-governmental organizations, particularly those concerned with the issue of violence against women;*

*(f) Develop, in a comprehensive way, preventive approaches and all those measures of a legal, political, administrative and cultural nature that promote the protection of women against any form of violence, and ensure that the re-victimization of women does not occur because of laws insensitive to gender considerations, enforcement practices or other interventions;*

The Declaration on the Elimination of Discrimination Against Women (1993).

The Declaration on the Elimination of Discrimination Against Women (1993) or the Declaration stipulates the need for nations to work on the development of a national action plan for work to reduce and eliminate discrimination against women.

In particular, the form of discrimination found in the violence against women or VAW. VAW is the form of violence most noticeable in the statistics around gender-based discrimination, where the men may maritally rape their wives or domestically abuse them.

The discrimination makes a lasting mark and can, in some cases, change their lives forever with the possibility of a child resulting, especially possible without contraceptives and abortifacients available – a fundamental human right by the way.

The use of religion for the enshrinement of respect for women as equals comes in the more mainline liberal churches, even those noteworthy Canadian figures such as Rev. Gretta Vosper from the United Church of Canada, typically.

The invocation of religion to restrict the possibilities of women remains a current theme in numerous areas of the world. Also, there exist the cultural traditions used to function in a similar manner for the benefit of the powerful.



Some of this starts with the distinction made by Dr. Cornel West with the Roman Empire becoming the Holy Roman Empire under Emperor Constantine who made the religion of the oppressed to the religion of the oppressors. Credit to West for the commentary on the distinction between Non-Constantinian and Constantinian Christianity and to Chomsky for the “religion of the oppressed to the religion of the oppressors.”

In a similar manner, religion remains, in a way, a hammer, akin to science, which means a neutral object with values-based utility in accordance with the human application; the axiological status of an object in this sense comes from its function: Functional Axiology if that field exists. Something like a utilitarian evaluation system based on function.

The functional axiological status relative to human wants, needs, and desires, even murderous ones or expressions of the creativity of the human spirit. A wide number of dimensions for utilitarian and functional axiological analysis there.

The basis for a national plan of action to eliminate VAW is not trivial, but the process will be difficult as many men, if you look at some informal and formal documentary footage, seem to feel as if they own the women in their lives in some ways.

That is, they consider the ethical duty or honor of the men in the family to be the enforcers of the restrictions on the possibilities for the flourishing of women. The purpose of Article 4(e) is to provide a rights basis in a more recent document than the CEDAW to enforce women’s equality in one of the more difficult subject matters to discuss: VAW – let alone combat.

Article 4(f) continues in a similar tone on the national plan. However, it continues in a more formalized tone. That is, the prevention strategies for combatting VAW – an odd phrasing by the way. The development and implementation of strategies for the protection of women in the legal, political, and administrative, and cultural areas of a country, or in general.

These areas of consideration for the protection of women from psychological, sexual, and physical violence – the three recognized categories of violence given in some of the prior articles or subsections of articles. These amount to the means by which to prevent violence in specific domains with further detail on the types of violence.

That is to say, the methodology of oppression against women through violence by individual men and encouraged by cultures and religions come with some precise terminology and boundaries of definition in two places.

One of the domains of the nation for consideration – legal, and so on. Then the types of violence against women with the physical, sexual, and physical violence often imposed on women. Of course, we have the violence of white school shooters, black gang members, and blue-uniformed cops shooting black unarmed civilians, and so on. We also have the imposition of a draft on men in history.

However, these documents focus on the global phenomenon of women simply having violence meted out to them for being women – gender-based or sex-based violence. It is VAW straightforward and basic, or “pure and simple” as more say.

One other specification not given in some of the others writings is the experience of re-victimization of women. Not me to tell women what they experience, but, the basic statement here seems to imply the insensitive enforcements and interventions which can recreate the traumatic experience for women.

Even with the best of intentions, these can head into a bad direction and harm the women, and girls for that matter, in a nation. Those wishing to align their policies and laws with the Declaration should bear in mind the nuanced position regarding how implementations could be taken by some women. If unsure, then ask the women what they think would best work for them.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3, Article 7, and Article 13.

International Covenant on Civil and Political Rights (1966).

Convention on the Elimination of all Forms of Discrimination Against Women (1979).

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).

The Declaration on the Elimination of Discrimination Against Women (1993).

Beijing Declaration (1995).

United Nations Security Council Resolution 1325 (2000).

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000).

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa or the "Maputo Protocol" (2003).

Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# Declaration on the Elimination of Discrimination Against Women Articles 4(g) and 4(h)

Scott Douglas Jacobsen

August 15, 2018

*How can women get the proper help in the case of violence against them?*

## Article 4

*States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should:*

*( g ) Work to ensure, to the maximum extent feasible in the light of their available resources and, where needed, within the framework of international cooperation, that women subjected to violence and, where appropriate, their children have specialized assistance, such as rehabilitation, assistance in child care and maintenance, treatment, counselling, and health and social services, facilities and programmes, as well as support structures, and should take all other appropriate measures to promote their safety and physical and psychological rehabilitation;*

*( h ) Include in government budgets adequate resources for their activities related to the elimination of violence against women;*

The Declaration on the Elimination of Discrimination Against Women (1993).

The Declaration on the Elimination of Discrimination Against Women (1993) or the Declaration, in Articles 4(g) and 4(h), speaks to the right of women to be free from the discrimination imposed by religion and by culture.

When these become tools for the imposition on women, the Declaration indicates the proper right of women to be free from its discrimination and, therefore, to have a basis for advocacy, activism, and effectuating change within the larger culture or religion.

All progressive change came from the bottom up, especially for the women of the world. Then the policies to enforce the change are to be made without delays because Violence Against Women or VAW is a serious issue around the world.

Article 4(g) speaks to the need for various forms of identifiable and accepted care for women around the world. This spans much of the gamut for women's proper healthcare. The provisions in post-violence and trauma, to childcare and reproductive healthcare provisions too.

Not only this, there is a proper stipulation – in this long subsection – on the need for support structures as well; then this care also extends into the provisions for the children too. Overall, Article 4(g) gives a robust basis for helping women in a number of domains of life in the case of violence against them.

Article 4(h) covers some of the similar material with the budgets through the government for the resources devoted to the purpose and cause of the reduction of violence against women. These

provisions in statements from the international documents help with the national governments and the organizations on the ground to be able to point to a document and the enforce the rights of women.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3, Article 7, and Article 13.

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# Thaddeus Howze on Black Panther, Killmonger, T'Challa, and Young Men

Scott Douglas Jacobsen

August 15, 2018

*What does our own GMP writer - and published author - Thaddeus Howze have to say about the hit movie?*

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*Thaddeus Howze was a New York native and found his way to the West Coast as a consequence of his military service. He's a California-based technology executive and author whose non-fiction and online journalism has appeared in publications such as The Enemy, Black Enterprise Online, Urban Times, the Good Men Project, and Astronaut.com. Thaddeus Howze has published two books, Hayward's Reach (2011) and Broken Glass (2013). He maintains a nonfiction blog on science and technology at A Matter of Scale ([bit.ly/matterofscale](http://bit.ly/matterofscale)). He writes speculative fiction at [hubcityblues.com](http://hubcityblues.com). Here we talk about Wakanda, Killmonger, T'Challa, and young men.*

The conversation started on the topic of the film, the *Black Panther*, and Wakanda and Erik Killmonger. I noted the brilliance of someone also consumed with anger and hate, and the way in which this took him – trapped him. This led to a question about the bad paths of some young men.

Howze stated, “Killmonger is a good example of a character who has all the right stuff. He is smart. He is capable. He has been to MIT. He is obviously a genius. He has been there. He has been in some type of program all his life. When he graduates from MIT, he goes out to work for the government and becomes a super spy, super soldier.”

He continued to comment on the scarification of Killmonger's body as indicative of the people murdered by him. He killed to solve problems. However, Howze remarks the problem does not exist outside of Killmonger, but inside of him. He has trouble with channeling frustrations.

“His frustration with his family protocol. His family protocol is that he was the son of a diplomat in Wakanda. When his father, basically, went against the king's rules, the king killed him and left the boy behind. Leaving him behind, he was left out of what he thought was his birthright, which was access to Wakanda and even the opportunity to be king if he could win the challenge,” Howze explained.

The issue for Killmonger, according to Howze, the less he had then the angrier he became at his predicament. Killmonger felt the missing potential. Then Howze related personal experience with personal challenges. An autism diagnosis did not exist before. He was accused of being incapable.

Howze, with a note on his son, continued, “As with my son now, he is autistic and dealing with the very same challenges. It is hard to get free of the frustration of people thinking that you are going to be less than you are or that you cannot achieve your goals.”

Relating back into personal experience, Howze spoke to the same frustration permeating all aspects of life for him. He became a “better worker, smarter worker, longer worker.” He did not

want anyone to outwork or outfight him. However, Howze remarked, on a wise and touching note, hate was not – and is not – a good driver because hate consumes you.

“When you hate, it consumes you. You start to hate yourself. When I realized that was happening, I realized that I had to change where I was and start trying to like myself – giving me permission to make mistakes, giving me permission to learn, giving me permission to grow, and in a way that was positive,” Howze described.

Then I shifted the conversation into the Wakandan context, where I asked about the individual(s) who represented a healthier path in the narrative presented in the *Black Panther*. The character brought to the front and center of the conversation was T’Challa.

Howze said, “T’Challa is the exact opposite. T’Challa’s father does end up getting killed at a conference. The Black Panther, T’Challa, could not save him in time. He has his own griefs. His grief is that his father is passed. His father passed the mantle of the Black Panther on to him.”

With the rulership of Wakanda, T’Challa did not make a resolution with his father. T’Challa thought Wakanda should stop isolating itself. T’Challa’s father believed in the continued isolation of Wakanda from the rest of the world.

“After meeting Killmonger, he was even more of the belief that by separating themselves from the diaspora of Africa, such as it was with chattel slavery and the like, and isolating themselves from that,” Howze explained, “Ultimately, they feel that they have done a disservice to our brethren who have struggled all over the world. T’Challa came to grips with his frustration. “

In the spirit realm scene, T’Challa explicitly disagree with his father. T’Challa held anger and hate of the Western world. However, he channeled the emotional energy into something positive. Killmonger could not channel the anger into the positive.

“He channeled it, brilliantly. Except, it wasn’t a positive thing. When he finally achieved his goal, his goal was to destroy the world that he wanted to be a part of. That makes him a villain. That is what makes him a villain. He couldn’t channel his frustration effectively,” Howze opined.

Near the end of the conversation, we focused on the final portions of the film, where – spoiler alert (!) – Killmonger died. At the moment before death, Killmonger had a realization. I asked Howze about it.

Howze said, “For him, his realization was that if he opted to live then they were going to imprison him. They wouldn’t ever let him be free. As far as he was concerned, the only thing he had to live for was to be free. If the best you could offer him was being a slave or a prisoner, he would rather die.”

The slave and prisoner position for Killmonger was a lifelong struggle. Howze spoke to how Killmonger was, at a minimum, free, where he was king for a moment – even a bad one. He was okay with it.

Howze concluded, “He decided that was how he wanted to be remembered because so many of us die unremembered. He was going to die the king.”

# Declaration on the Elimination of Discrimination Against Women Articles 4(i) and 4(j)

Scott Douglas Jacobsen

August 16, 2018

*What are the rights of women in law enforcement and education regarding Violence Against Women?*

## Article 4

*States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should:*

*( i ) Take measures to ensure that law enforcement officers and public officials responsible for implementing policies to prevent, investigate and punish violence against women receive training to sensitize them to the needs of women;*

*( j ) Adopt all appropriate measures, especially in the field of education, to modify the social and cultural patterns of conduct of men and women and to eliminate prejudices, customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women;*

The Declaration on the Elimination of Discrimination Against Women (1993).

The Declaration on the Elimination of Discrimination Against Women (1993) or the Declaration speaks, in Article 4(i)-(j), about the rights of women in the domains of law enforcement through the investigation of Violence Against Women or VAW and in the area of the social and cultural practices with an emphasis on the fields of education.

Let's run through some of the consideration of these subsections of the Declaration. The level of the rights to be implemented here comes in the form of the law enforcement officers and then the public officials who will be in charge of the initiatives around VAW prevention.

Those officials, whether in public office or officially involved with the law, have a duty and moral obligation within the confines and stipulations of the Declaration to enact proper prevention, investigation, and punishment of the perpetrators of VAW.

It can come in the form of an individual; it can come in the form of a larger organization. However, women are determined to have undergone some form of psychological, physical, or sexual violence, they should have the correct and ethical provisions within the state representatives of the law and public office for their ability to have their needs met regarding these measures.

The measure of prevention, investigation, and punishment do not come with specifications except insofar as these domains get listing. Nonetheless, the sensitization towards the needs of women and, more importantly, to orient the prevention, investigation, and punishment

techniques towards the needs of women become acutely salient in an era where powerful men have been reduced to ash heaps and rubble in the wake of reports and allegations – most often true – of foul behaviour ruining the psychological and emotional lives of women victims.

To give the basics for the ability to rehabilitate and enter back into the mainstream in some way, it would mean the minimum of compassion in order to permit women the same privileges as men in this regard; of course, veterans can undergo similar lack, in terms of provisions of re-entry into some of the society through rehabilitation, for example.

Article 4(j) speaks to the need for all appropriate implementations to be taken to change the ways in which citizens of a nation deal with one another, interact with each other, and consider the equality of the sexes – view men and women in the society in other words.

The work to eliminate the prejudices against women in the society comes in a variety of unstated forms. But the extension of the customs and culture to justify the suppression and subordination of women should not be a means by which to continue to reduce women to implicit or explicit secondary status compared to their male counterparts.

The central focus of women's equality with men or gender equality should be kept in mind as the work to reduce women to a lower-than or lesser status comes from a series of domains of operation in a society. One of the core parts of the need to reduce the reduction of women in the society is in the views.

The stereotyped views and eventual behaviors and constricting, restricting, roles expected of the females in the country. The ability to prevent this or work to reduce and then eliminate these perceptions could help with the moves towards greater gender equality and the global economic, social, and legal equality of women with the men in the society.

Even if a difficult task and not even in our lifetimes, why not try for it? If not for us, or legacy, or the country, or the gods, or God, or the future generations of humankind, why not simply as a general target with global utility for improving the health and well-being of people here-and-now and even more as things progress along a non-linear line of better lives and livelihoods?

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3, Article 7, and Article 13.

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Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# Articles 4(k) and 4(l) of the Declaration on the Elimination of Discrimination Against Women

Scott Douglas Jacobsen

August 16, 2018

*Why are statistics important in order to document and properly deal with Violence Against Women?*

## Article 4

*States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should:*

*(k) Promote research, collect data and compile statistics, especially concerning domestic violence, relating to the prevalence of different forms of violence against women and encourage research on the causes, nature, seriousness and consequences of violence against women and on the effectiveness of measures implemented to prevent and redress violence against women; those statistics and findings of the research will be made public;*

*(l) Adopt measures directed towards the elimination of violence against women who are especially vulnerable to violence;*

The Declaration on the Elimination of Discrimination Against Women (1993).

The Declaration on the Elimination of Discrimination Against Women (1993) or the Declaration deals with the ways in which Violence Against Women or VAW can be dealt with and eventually eliminated from nations bound or taking seriously the Declaration.

Within the provisions of the Declaration, women have a greater opportunity to share in the equality of the nation. In terms of a utilitarian standard of evaluation – *a la* John Stuart Mill and Harriet Taylor Mill, the utility of peace through reduced and eliminated violence orients the global ethical qualitative metric to the higher good – akin to the Golden Rule or in direct isomorphism with the Nazarene's ethical standards found in the New Testament of the collection of small religious books entitled *The Bible*.

Obviously, the move toward the elimination of violence against, approximately, half of the world's population human population can produce greater well-being for the individual women undergoing the harms of abuse but also to the men at large with the inclusion of women in the economic, social, and political life of the nation; although, of course, many men will resent the equal status of women for a variety of reasons ranging from misogyny to fundamentalist religion, to extra competition in civic and economic life, to simple loss of control.

The last one may be a big factor for many men in the world who feel entitled to the bodies, minds, and reproductive organs of women. Now, Article 4(k), as we will discover today, speaks to the statistical analysis and data collection side of the work for gender equality; bearing in

mind, of course, the Sustainable Development Goals and numerous documents with direct statements about a whole suite of topics and subject areas around the world and in societies for women's equality with men.

However, in order to implement the greater equality of women with the men in the world or the nation, there should be some loose or even precise qualitative/quantitative data from which proper statistical analyses can be done, to identify areas to work for equality of the sexes.

Some areas will show regressions to less desirable states; other areas will represent progressions to more desirable states in specific metrics and areas of the world, and over specified periods of time, to mark greater or lesser progress towards higher utility or lesser utility for the human population at large: in this case, the move towards the ideal of elimination of VAW or away from elimination towards something approximating maximum VAW.

The ability to "research, collect data and compile statistics" provides a firmer foundation for giving concrete actionables on the issues of VAW, especially compared to not doing it. Data is a friend here. From this research set about by the national government or governmental organizations, the pathways to VAW can be examined in a systematic way.

Those systematic analyses can provide the bases for pragmatic solutions to the international crises of VAW. Not only this, the information and statistical analyses can be re-applied after the implementation of prior VAW preventative initiatives to look into their respective efficacy in reducing VAW, in moving the proverbial Golden Rule dial to the area of fewer incidents of VAW and/or, at least, lesser severity in the occurrences.

Then the final portion of this particular article relates to the transparency and honesty principles. That is, all data and findings are to be made public for examination, if so desired, by the general populace, by the citizens of the State.

Article 4(1) states the need for the adoption of measures for the elimination of VAW but, in particular, notes the vulnerable populations. As these focus on women, the vulnerable targets of violence would be various subpopulations of women and the means by which to provide additional resources and emphasis for the reduction and eventual elimination of violence against those women, or girls, in particular.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:

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Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# The Declaration on the Elimination of Discrimination Against Women: Article 4(m) and Article 4(n)

Scott Douglas Jacobsen

August 17, 2018

*How are reports to the central international body of the world, the United Nations, important for women's equality with men?*

## Article 4

*States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should:*

*( m ) Include, in submitting reports as required under relevant human rights instruments of the United Nations, information pertaining to violence against women and measures taken to implement the present Declaration;*

*( n ) Encourage the development of appropriate guidelines to assist in the implementation of the principles set forth in the present Declaration;*

The Declaration on the Elimination of Discrimination Against Women (1993).

The Declaration on the Elimination of Discrimination Against Women or the Declaration from 1993 stipulates something echoing even in the modern period, in our generation. The right or not of a woman to be free from violence.

The stipulations here speak to the right of women to be free from Violence Against Women, but the statements also remark on some of the precise methodologies and provisions around it. As Article 4(m) describes, the inclusion of reportage is an important component of the elimination of VAW.

As noted in the prior articles, the gathering of data and the production of statistics for transparent and honest communication with the public help with the efforts to eliminate VAW. One big issue comes in two forms. It comes from a lack of respect for the truth.

One manifestation is in the denial of the widespread occurrence of VAW around the world as justification for doing nothing about it. Imagine a kitten, or a cat sometimes, going half under the bed with their but and tail jettisoning out because they did not want to be hidden.

The truth comes out, eventually, as we find out with the Roman Catholic Church sexual abuse cases. Another manifestation is the admittance of VAW but then the unwillingness to catalog and document aspects within the society of it.

Because then, you do not have to do anything about it. Take the stark case of climate change, many in the Republican Party in the United States of America deny its reality; while those who accept it, they think human influence is negligible or should be ignored because we cannot do anything about global warming anyway.

This can be the mentality: denial or resignation in disregard or dismissal of the truth. VAW has gone through the same process. Our issue with VAW in these subsections is the reportage of VAW to the wider public. The ways in which to deal with it.

The manner in which to report it. The methodology within the Declaration is the submission of reports, as a requirement of the instruments of the United Nations regarding human rights. That means data about VAW then some measures initiated by the nation or the State.

The inclusion of the data and the implementations is not the most that can be done for the reduction of VAW, but the wheels are more in motion with these inclusions. Now, the next article subsection is an interesting one.

Article 4(n) states the need to encourage the development of measures for helping with making the ethical theory into practical reality. The setting about of guidelines – this, this, and this – to implement the rights of women in the real world.

Anyone who has ever run a team simply cannot state what needs to be done and then expect the projects to be completed by the following Monday. It takes kindness, compassion, cooperation, and teamwork to get tasks and overall project goal markers accomplished.

In a similar manner, the process of having international rights documents took a long time and continue to be churned out or adapted in strict accordance with the changing dynamics and needs of the modern world.

In particular, we can see the need to provide assistance to implement complex ethical stipulations found in the Declaration, the CEDAW, and other international human rights documents listed as an addendum to this article – and several others in this series.

The help for the implementation can be considered, in a sense, guards in a bowling lane while playing with newcomers to the sport of bowling. Those who want to bowl but not feel the sense of utter failure off the bat can then begin to work with the guardrails to help with the early work in developing the form for proper bowling, standard bowling technique involved in a throw or toss of the bowling ball.

The guidelines are not specified within Article 4(n); however, the fundamental provisions do give a sense in which the respect for the individual rights of women can be realized. As in any complicated situation, a Swiss Army Knife approach – as my mentor, Professor Sven van de Wetering, states – in order to effectively deal with the issues of at present and to arise into the future.

It is in this sense the problems around VAW and its concomitant solutions come in polycasual or multicausal chains with many unexpected emergences as things progress over time, especially in a world of several billion people, modern technology, newer communications methodologies, and the means by which to empower even a small coterie of people to make powerful change – positive or negative.

Women's rights amounts to nothing more than the realization of equality of women with men. There are powerful movement working, as you read this, to dial the clock backwards and reduce women's rights and create less equal societies for some purported higher purpose or empirically unidentifiable cause rather than consensus reached among the world's leading representatives of nation-states for an example.

Our work now will provide a bulwark for the future generations to be able to protect their lives and livelihoods and any wins now should not be taken for granted as these can be taken away at the drop of a hat, in the midst of whipped up hysteria to draw citizens into a frenzy to find an identifiable scapegoat group. These have been, in the past, mostly women followed by members of the LGBTQ+ community.

Our civilization rests on delicate assertions and trendlines of progress. The work to give some semblance of guidelines to assist with the implementations of the equality of women with men through rights gives the basis for equality of the sexes or, in the terminology of the Sustainable Development Goals, the realization of “Gender Equality.”

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women’s rights:

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Convention Against Discrimination in Education (1960) in Article 1.

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Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

## Article 4(o), Article 4(p), and Article 4(q) – The Declaration on the Elimination of Discrimination Against Women

Scott Douglas Jacobsen

August 17, 2018

*Why are NGOs and other organizations at all levels needed in order to coordinate for the elimination of Violence Against Women?*

### *Article 4*

*States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should:*

*( o ) Recognize the important role of the women's movement and non-governmental organizations world wide in raising awareness and alleviating the problem of violence against women;*

*( p ) Facilitate and enhance the work of the women's movement and non-governmental organizations and cooperate with them at local, national and regional levels;*

*( q ) Encourage intergovernmental regional organizations of which they are members to include the elimination of violence against women in their programmes, as appropriate.*

The Declaration on the Elimination of Discrimination Against Women (1993).

The Declaration on the Elimination of Discrimination Against Women or the Declaration deals with the basic bodily integrity issue of violence, in particular Violence Against Women or VAW, and the context with women having the fundamental right to bodily autonomy and integrity.

However, the grim reality – and it's rather unfortunate, ubiquitous, and seeps into and affects other areas of the operations of a society – comes in the physical, psychological, and sexual violence against women, where these can impact the long-term livelihood of women and girls.

I have spoken to women in areas of the world where female genital mutilation (FGM) was done by to them by family members as a matter of traditional religion and culture; those who may undergo similar consequences in their lives because of remaining single and the family sincerely believing more FGM will bring marriage and family for their daughter.

From their point of view, they follow tradition, do Allah's will, and increase the potential fortunes of the family by keeping the daughter 'pure.' In this sense, we can see the development of cultures carried over generations to impose trauma and suffering on women and girls.

Hearing the stories, it breaks your heart. Women and girls are given little in the way of a life, especially comparatively, and then having even more born into them – the intimate areas of their



bodies – stripped from them in non-hygienic conditions without proper medical tools – without consent and/or below the age of consent.

The women's movement, or the women's rights movements as a collective international force, is recognized within the Declaration as an important force for the increased knowledge and elimination of VAW in different countries and domains around the world.

Not only the movements focused on the associated networks of NGOs or non-governmental organizations acting for the benefit of women and girls through the advocacy and implementation of women's rights as stipulate in documents including the Declaration here; Article 4(p) continues a similar vein with the emphasis for further easing of the work of the women's rights movements and the improvement of the already effective measures at all relevant and easily identifiable levels – “local, national and regional.”

Both working in coordination with one another provide a basis for the improvement of the livelihoods of women around the world and their young, including girls, through the implementation of women's rights and, in this case, children's rights too, for the reduction in and complete elimination of VAW.

Not a small task for a small set of implications from an actual small set of statements, the fundamental premises are such as that women and girls deserve the equal rights with the men and boys in their lives in some of the most important areas of living a healthy and long life, i.e., the ability to live free and comfortably away from VAW – often, mind you-me, done by the hands of men against women and girls from rape to psychological abuse including, for example, threatening to leave in a relationship continuously, degrading comments, or the potentially real threats of removal of both children and financial resources from the woman.

In each of these cases, the rights of women are violated and in particular ways. Many women and girls may be raised to coddle men and be polite on the matters on arguing for and affirming their own rights if they have not been kept bereft of proper knowledge and education of their rights to be equal with the men in their lives.

As an individual who is not a woman or a girl, the freedom, socially, exists for me to speak with greater freedom for the rights of women and girls, with more assertiveness and boldness of tone. The tone and assertiveness coming from the proper look at the documents listing women's rights as fundamental rights for the ability of women to live equally with the men in their lives.

These collective efforts across borders can be the strongest basis, possibly, for action to reduce and eliminate forms of VAW in a similar way to a mass vaccination against a particular disease. Behaviors were taken for granted by men, and become unpalatable socially.

This creates a formation of a movement to eliminate the social ills of VAW. It comes from movements to create international rights documents from which organizations can point to for the proper orientation on the equality of women and the stipulations upon which to base mass activism for the elimination of VAW.

Then the coordination of the women's movement and the NGOs within the constraints of the Declaration and other documents, at all levels, can produce a significant change in short amounts of time; although, and of course, these movements will take, potentially, several generations in some geographic divisions of the world. Some sexism and misogyny are deeply rooted; others benign.

Article 4(q) speaks to the need to encourage not only the women's rights movements as a whole and the NGOs as individual organizations but also the intergovernmental regional organizations – big collectives – in order to eliminate VAW.

“As appropriate,” the programmes should set about the inclusion of VAW's elimination as an important marker of the equal rights of women in the society in addition to the action plans in a manner of speaking, the programmes by which VAW can be eliminated or kept a priority.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3, Article 7, and Article 13.

International Covenant on Civil and Political Rights (1966).

Convention on the Elimination of all Forms of Discrimination Against Women (1979).

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).

The Declaration on the Elimination of Discrimination Against Women (1993).

Beijing Declaration (1995).

United Nations Security Council Resolution 1325 (2000).

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000).

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa or the “Maputo Protocol” (2003).

Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

## Article 5(a) and Article 5(b) – The Declaration on the Elimination of Discrimination Against Women

Scott Douglas Jacobsen

August 18, 2018

*What are the rights of women regarding Violence Against Women in international and regional cooperation and the promotion of meetings and seminars for awareness?*

### Article 5

*The organs and specialized agencies of the United Nations system should, within their respective fields of competence, contribute to the recognition and realization of the rights and the principles set forth in the present Declaration and, to this end, should, inter alia:*

*( a ) Foster international and regional cooperation with a view to defining regional strategies for combating violence, exchanging experiences and financing programmes relating to the elimination of violence against women;*

*( b ) Promote meetings and seminars with the aim of creating and raising awareness among all persons of the issue of the elimination of violence against women;*

The Declaration on the Elimination of Discrimination Against Women (1993).

The Declaration or the Declaration on the Elimination of Discrimination Against Women in Article 5(a) and Article 5(b) states the areas of equality for women in regards to the geographic scale of cooperation in combatting Violence Against Women or VAW and the means by which to raise awareness. The raising of awareness is not a trivial matter.

It can be taken as one of the significant markers for the contributions to the larger movements, so it can place everyone on, more or less, the same playing field to be able to enact the fight for fundamental rights and, in this case, the elimination of VAW.

The opening statement of Article 5 speaks to the subunits of the United Nations or the UN. The various organs and specialized agencies working in concert for the larger aims and implementations of the initiatives of the UN. Within this framework, there can be a general implementation of the work for reduced and eventually eliminated VAW.

But it needs to be done through the proper procedures or through mass popular movements. However, through the more formal channels, these can help with the implementation of rights given many of the international rights documents including Declaration have been signed by Member States of the UN.

That makes for a firmer foundation upon which to ground efforts for the reduction of discrimination and VAW. In article 5(a), we see some interesting stipulations points about the need to foster international and regional cooperation. In this context, a region can be a massive geographic area, e.g. the Middle East and North Africa or the MENA region. So, nothing to be trifled with in terms of sheer size.

Then we can also see the development of the forms and focus of the strategies around VAW. The exchange of experience and financing programmes is, in fact, a brilliant tactic to further the

efficacy of regional strategies for the elimination of VAW. If one programme does not work as well as another, or another can do the same towards the reduction of VAW through a different methodology and fewer financial resources, then the knowledge of the latter group's methodology for the former group would help with the regional efforts, the overarching targeted objective, of the reduction in VAW.

Article 4(b) states the promotion of activities for the raising of awareness and education about the problem of VAW. One of them is the promotion of meetings. The ability of people to come together, coordinate, organize, and work for the reduction and eventual elimination of VAW. Nothing guaranteed in any effort but the contributions of meetings for the exchange of ideas, knowledge, and strategies is an important facet of the elimination of VAW.

The other form of activity emphasized for promotion is seminars. These can particularly important for the improvement of knowledge about specific issues of relevance to the community of conscience or becoming more aware of the issues facing the females of the species around VAW. The raising of awareness simply translates into the raising of consciousness.

In this regard, it becomes akin to the women's movements of the 60s and 70s in the United States, where women and some men identified structures of obvious discrimination and oppression beyond the right to vote and then used this to work towards greater equality between the sexes in order for women to have more equality with the men.

It's often recollected as the raising of consciousness by a variety of women's movements. It is important to remind ourselves of this, as women are half of the population and often condescended to – while, at the same time, they came forward in some force in the 60s and 70s asking fundamental questions about the relationships between men and women and then posing what might a more equitable society, family, and workplace look like for women and men.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3, Article 7, and Article 13.

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The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa or the "Maputo Protocol" (2003).

Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

# The Declaration on the Elimination of Discrimination Against Women: Article 5(c) and Article 5(d)

Scott Douglas Jacobsen

August 18, 2018

*What can foster the coordination and exchange with the UN for the furtherance of human rights to reduce Violence Against Women?*

## Article 5

*The organs and specialized agencies of the United Nations system should, within their respective fields of competence, contribute to the recognition and realization of the rights and the principles set forth in the present Declaration and, to this end, should, inter alia:*

*( c ) Foster coordination and exchange within the United Nations system between human rights treaty bodies to address the issue of violence against women effectively;*

*( d ) Include in analyses prepared by organizations and bodies of the United Nations system of social trends and problems, such as the periodic reports on the world social situation, examination of trends in violence against women;*

The Declaration on the Elimination of Discrimination Against Women (1993).

The Declaration or the Declaration on the Elimination of Discrimination Against Women in Article 5(c) and Article 5(d) speaks to the areas of needed fostering of coordination and exchange and the proper means by which to include analyses for greater equality of the sexes. The stipulations relate to the fostering of a form of dialogue with the United Nations systems – organs and specialized agencies, for example – to work towards the further decrease in the Violence Against Women or VAW.

Not a small task and even with several large movements devoted to not only the Member States bound to the documents – where representatives of the countries signed them – but also to the regions of the world which include several countries or nations within each region and then all-the-way-up to the international community.

For the fostering of coordination and exchange with the systems of the United Nations or the UN, this becomes a colossal enterprise with no singular aspect of a solution; in fact, this often, as with many complex problems and issues, requires a complicated set of solutions to and then prior planning to figure out the probable paths of the next set of problems emerging from various subsets of implemented solutions.

Nothing in the world will by necessity come in neat little packages; oftentimes, it will come in messy packets with the need for the consideration of intended and unintended consequences and then secondary plans for the problems that will inevitably arise in the implementation of a hugely complex solution set to a multi-causal plural problem.

Article 5(d) speaks to the need to analyze the results of work in order for the bodies and organizations of the UN to be able to track the trends in the socio-cultural context as well as use

the trends over time to indicate the statistically significant areas of problems or issue areas. If we can note the areas of problems for the elimination of VAW, then, as far as I am concerned and I suspect you agree with me, we can comprehend the proper areas for implementation of new solutions or course corrections.

With the analyses, we can know this, or even in general terms know the domains and regions with problems in gender equality through the reduction of VAW. There is a further statement about the “world social situation” in the periodic reports and then the examination of trends; this simply is a reiteration of the prior points.

The notion of a reduction in VAW through the acknowledgment of places where VAW has increased or may have decreased in general but some of the more severe forms including marital rape and murder have, in fact, increased over some specified period. Equality of the sexes will not happen in a short period of time, nor will this gender equality occur within our lifetimes possibly. But there can be consistent work in order to move the dial more towards equality over the long-term because none of this came from on high but from down low through the hard work of becoming more knowledgeable with reading – such as yourselves right now – and then through activism of the brave people who put their bodies on the line for the implementation of women’s rights.

Whether in the case of VAW or in reproductive health rights seen emerging in Argentina, in Ireland, in America, and elsewhere, we can observe the problems women face with stark clarity because of the communications technologies. Our basic needs are met but our rights have the need to be implemented for women to be feel safer and to actually be safer in the world. The implementations of recommendations, necessities, and reminder of rights are part and parcel of this process.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women’s rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3, Article 7, and Article 13.

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Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.



# Men and the Outgrowths of Manliness

Scott Douglas Jacobsen

August 19, 2018

*How does conscientiousness build into male character according to an expert?*

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According to Dr. Nathan Heflick in *Psychology Today*, the concept of manliness comes with its consequences.

As he noted based on some of the research by experts at the University of Wisconsin Madison, 117 students were studied to rate 19 of their emotions. They wanted to know the average woman's and the average man's emotion range and set of experiences. As it turns out, the men were more likely to feel anger, contempt, and pride.

The women were more likely to feel awe, disgust, distress, embarrassment, fear, guilt, happiness, love, sadness, shame, shyness, surprise, and sympathy. That is, the women had a predominantly wider palette of emotions to pluck from for relevant occasions. Both women and men felt jealousy and interest at the same rate.

As reported, "Now in a world where women are believed to experience both happiness and sadness more than men (along with most other emotions), it should come as no surprise really that men are in a strange position when it comes to mental health, and to expressing emotions more generally."

Men, on the other hand, the man who experiences a variety of the other emotions, especially those predominantly experienced by women, must run a risk of seeming or coming off atypical. Some sort of non-normal and anti-man.

"Psychologists Joseph Vandello and Jennifer Bosson at the University of South Florida have developed the theory of 'precarious manhood.' This posits that masculinity is a fragile social status, that is—in their words—'hard fought and easily lost.' Men must always be weary of coming across as unmanly, and to the extent that this status has been challenged, men will tend to act out in more stereotypically masculine ways," the article explained.

That is, if a male feels as if his masculinity or manhood has been fundamentally challenged in some manner, then he feels the immediate need to display aggression, and often with more force than normal. When the men feel as though their masculinity is at risk, they will be more approving of negative treatment of the effeminate men – the stereotypical representations of it.

"Recent work headed by Kenneth Michniewicz, an assistant professor in psychology at Muhlenberg College (and well versed in old Nintendo culture—though he only dreams of executing a back brain kick in real life), tested how feminine and masculine men and women believe different mental illnesses to be," the reportage stated, "Anti-social personality disorder, alcoholism, and drug addiction were found to be perceived as masculine, whereas depression, anxiety, and a variety of eating disorders were perceived as feminine. In a follow-up study, these researchers found that men imagined that they would be particularly distressed to have the feminine disorders, would be less likely to seek help for these disorders, and felt that these disorders would threaten their masculinity status."

This points to masculinity as a fragile conceptualization – in both beliefs and behaviors. When a man acts in an aggressive way or hides tears, these men are trying to show that they are a real man. In the arena of manhood and masculinity, and mental health, it is important for us men to know this and be mindful as our mental health may be at risk if we are not mindful of the non-conscious substructure of our beliefs and actions.

## Public Sector Equitable Compensation Act (S.C. 2009, c. 2, s. 394): Section 6

Scott Douglas Jacobsen

August 19, 2018

*What are the employer-employee relations in regards to the possibility of having "no female predominant job group"?*

*Employers with Non-unionized Employees*

*Obligations*

*The following provision is not in force.*

*Marginal note: Determination — no female predominant job groups*

*6 (1) If an employer that has non-unionized employees determines that there are no female predominant job groups that contain at least the prescribed number of employees, the employer shall post, in the prescribed manner, for at least 90 days, a notice to that effect setting out the prescribed information.*

*Marginal note: Dissatisfaction with employer's determination*

*(2) A non-unionized employee who is dissatisfied with his or her employer's determination in the notice because the employee believes that he or she is part of a job group that contains at least the prescribed number of employees that is female predominant may, in the prescribed manner, so notify the employer within the prescribed period after the day on which the notice referred to in subsection (1) is first posted.*

*Marginal note: Employer's response*

*(3) Within the prescribed period after the day on which the notice under subsection (2) is given, the employer shall consider the issues raised in the notice and provide the employee with a response in writing.*

The Public Sector Equitable Compensation Act (S.C. 2009, c. 2, s. 394)

Canadian history remains rife with a series of disjunctions between the men in the society and the women. The domains with the possibility for more rapid progress are one step, but the others with the need for more time provide a sense in which the gender equality goals of a nation, in accordance with international rights documents, take a generation, even more.

The Public Sector Equitable Compensation Act or the Act speaks, in this section, to the "Employers with Non-unionized Employees." People working with union backing or protections. The important note – or "marginal note" – stipulates the lack of force of this part of the Act.

That is to say, it is not enforceable at the present moment. Section 6(1) speaks to the non-unionized employees of an employer where "there are no female predominant job groups" with the "prescribed number of employees"; here, the employer would be required to post a notification about the prescription information for a minimum of 90 days. It basically becomes an informational notice without force.

Section 6(2) states the potential perspective of the employer's non-unionized employee who remains dissatisfied with the notice of the employer. The specifications of the dissatisfaction are not listed. However, the general discontentment with the notification in section 6(1) becomes an important part of the subsequent subsection.

The general dissatisfaction is known, however, where the individual non-unionized employee may feel as if they are a member of the job group with the prescribed number of employees in which it is female predominant – "he or she" by the way. Then this second subsection functions within the time constraints of the post, i.e., the 90 days, for a notification to the employer.

The final section deals with the response of the employee to the employer over the notification and the dissatisfaction. Here, we see the simple consideration of the other side of the aisle for the stipulations from subsections (1) and (2) with the employer of the non-unionized employee.

As a matter of due diligence and course, the employer is required to provide a response about the dissatisfaction raised over the notification through record with a response in writing. This amounts to a particular section dealing with one minutiae about formal communication and record-keeping of the communications between the employer and the non-unionized employee.

# The Declaration on the Elimination of Discrimination Against Women: Article 5(e) and Article 5(f)

Scott Douglas Jacobsen

August 19, 2018

*What can help with the coordination of organizations and the UN and the production of manuals relevant to Violence Against Women?*

## Article 5

*The organs and specialized agencies of the United Nations system should, within their respective fields of competence, contribute to the recognition and realization of the rights and the principles set forth in the present Declaration and, to this end, should, inter alia:*

*( e ) Encourage coordination between organizations and bodies of the United Nations system to incorporate the issue of violence against women into ongoing programmes, especially with reference to groups of women particularly vulnerable to violence;*

*( f ) Promote the formulation of guidelines or manuals relating to violence against women, taking into account the measures referred to in the present Declaration;*

The Declaration on the Elimination of Discrimination Against Women (1993).

The Declaration or the Declaration on the Elimination of Discrimination Against Women in Article 5 stipulates the need for the domains of operation of specialized agencies and organs of the United Nations or the UN to work to contribute to both the “recognition and realization” of the rights of women.

That is, it becomes a series of statements of the right to equality of women through the elimination of violence, or Violence Against Women (VAW). The VAW becomes one of the bases upon which to measure the level of inequality of women with men, and these get delineated into psychology, physical, and sexual violence. Of course, the psychological violence includes the emotional and verbal.

The degree to which women are not free to explore their own way in the world indicates the level of inequality in many regards; one of the barriers to equality remains the abuse of women psychologically, physically, and sexually.

The VAW comes in those three well-accepted and identifiable forms, which then, of course, break down into the smaller forms of it – not lesser but more particular. In Article 5(e), we can note the stipulation about encouragement. The work to bring together different organizations and bodies of the United Nations to work towards the elimination of VAW.

The purpose of the encouragement – without specification into what this may look like – remains the development of VAW programmes and action plans to be incorporated into the organization structure of the United Nations system, i.e., the organizations and bodies comprising the system; through these mechanisms developed with the encouragement, the reference to VAW in general – and in its particulars – gives the basis for tackling it.

The reduction and eventual elimination of violence against women remains an incredibly difficult problem with no immediate solution and, as with any international problem, requires numerous paths of action & problem-solving as the different religions, cultures, languages, and histories of peoples requires nuance to solve this global problem of VAW.

In my own nation, Canada, there will need to be different solutions or similar but still unique solutions for the problems of VAW in the rural Indigenous communities compared to the urban Indigenous population, and even different once more for the non-Indigenous communities.

It requires the subtle knowledge from those within the communities and the support of those with the resources from external to the community to coordinate to tackle justice issues around Missing and Murdered Indigenous women and other women in a long-term manner.

Article 5(f) speaks to the need for the development of some standard practices to deal with VAW. Once more, not an easy task as this will require a pluralistic solution set, any number of things can go wrong in the improper planning and faulty implementation of purported 'solutions' to the issue of VAW.

To be effective, there should be research into efficacy of different strategies over time and then these can be built into the guidelines and the manuals in order to reduce VAW. The data, the statistical analyses, the extrapolations to the future of the culture if certain measures are taken, the potential generalizability of the findings, and the formalization of these recommendations in guidelines or manuals for the implementation of efforts to eliminate VAW.

Now, the final portions of Article 5(f) talk about the present incarnation of the Declaration and the measures "referred to" in it. The recommendations can be most often general. Nonetheless, the utilization of the Declarations stipulations throughout its articles to the context of a particular region or nation can, quite likely, reduce the prominence of VAW. That is something worth bearing in mind as these are issues needing long-term solutions.

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One can find similar statements in other documents, conventions, declarations and so on, with the subsequent statements of equality or women's rights:

The Universal Declaration of Human Rights in the Preamble, Article 16, and Article 25(2).

Convention Against Discrimination in Education (1960) in Article 1.

The International Covenant on Economic, Social and Cultural Rights (1966) in Article 3, Article 7, and Article 13.

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Council of Europe Convention on preventing and combating violence against women and domestic violence or the Istanbul Convention (2011) Article 38 and Article 39.

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