



Visible Rights: Watching Out for Women

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Abstract

This short article considers what surveillance and privacy mean to women experiencing violence and examines the extent to which such concepts have been overlaid with patriarchal assumptions, acting to mask the distinction between the private and the public and resulting in a global politics where only the public sphere is seen as suitable to political intervention. Using Afghanistan as a case study, the article demonstrates that while women as a 'class' are surveyed and monitored, individual women are frequently beyond the gaze of justice and rights.

“for whatever reason, people and populations are under scrutiny.”
(Lyon, 2002:2)

We live in a world where our lives are tracked, monitored and controlled to a degree that would surprise even Orwell. We are rich in data-knowledge about human movement and behaviour, yet despite this mass of knowledge, impunity for violence against women continues. Statistical details abound. The collection of data is of course important but only in so far as it can be put to practical use. Data flows and accompanied technology are not valuable merely as things in themselves. The unresponsive eye of the CCTV camera cannot stop violence; it can only observe and record. In the same way, observing and recording violence against women is only valuable if it has a human result: if it works to end violence. This article examines the intersection of surveillance and privacy in relation to violence against women and how knowledge constructed from such surveillance affects the privacy of the violated and the violator. The article also considers campaigning as a vehicle for surveillance of nation states. Women's rights groups are increasingly utilising human rights instruments to help illuminate violence against women but it is important to note that in the creation of much international human rights law, women, because of their sex, were excluded from participating in its early creation (Charlesworth, 1994). This has resulted in the invisibility of gender issues, creating and shielding gender-based abuses from public scrutiny and public condemnation (Amnesty International, 2004). Privacy may be held to

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be a human right, one that many people strive for (Lyon, 2002), but the concept is also a contested one frequently “based on concepts of individualism and separation ... [that] applies a 19th century conceptual framework to a 21st century problem” (Stalder, 2002: 122). Rarely is gender seen as a salient variable but for many women, privacy is little more than the right of men to abuse women.

We know that domestic violence is the major cause of death and disability for women aged 16 to 44 and that it accounts for more death and ill-health than cancer or traffic accidents (Council of Europe, 2002). What is the use of such data? In their 5th Periodic Report to the United Nations CEDAW Committee the Russian government estimated 14,000 women were killed by their partners or relatives in 1999, yet the country still has no law specifically addressing domestic violence. A UN expert on CEDAW, Aurora de Dios, was cited in Crawford (1998) as asking a group of women to guess in which country a woman suffered from violence every 20 minutes. She surprised the group by revealing that the country was Sweden. In Sweden the ideological imperative to be seen as the most gender equal nation within Europe has been an important issue. The early to mid 1990s saw a feminist challenge to the illusion of Swedish democracy. Elman (2001:39) has argued how this illusion “rested on the denial of violence against women”.

Across the globe there may have been an explosion of paper rights for women, the fact remains that women are routinely ignored and rendered invisible whilst subjected to torture, starvation, rape and mutilation, despite the fact that we have international documents which mandate the equality of women. Rape, as a weapon of war, has been seen in every region of the world. Geraldine Brooks (1995: 183) discusses how during the 1991 Gulf war, Kurdish women were raped by Iraqi soldiers “as part of the regime of torture ... Others had been raped as a means of torturing their imprisoned fathers, brothers or husbands”. Not only were women systematically raped they were filmed whilst being raped. The dehumanisation of the woman through this process is used to persecute the community to which they belong. This highlights the paradox of individual women’s invisibility in the face of systematic surveillance and abuse. Her individuality is of no importance: in this context any woman would do. Without a real commitment of political will to recognise such abuse, the invisibility of violence against women in the face of overwhelming evidence continues.

The paradox of individual women’s invisibility in the face of systematic surveillance and abuse is epitomised in the example of Afghani women under Taliban rule. Under the Taliban, a brutal regime was constituted that oppressed and terrorised Afghan men, women and children. The organisation, Human Rights Watch, argue that women have borne the brunt of this violence:

women have suffered massive, systematic, and unrelenting human rights abuses that have permeated every aspect of their lives ... on the basis of both gender and ethnicity. (Human Rights Watch, 2001:2)

Under such a regime women only became visible through rule-breaking. Women who had sex outside of marriage or were accused of being prostitutes were executed. Married women who were raped were deemed to have been unfaithful and faced being stoned to death. Girls were

only allowed to attend school until the age of 9 years old while women were banned from universities and not allowed to work. The Ministry for the Promotion of Virtue and Prevention of Vice enforced restrictions against women through public beatings. Deprived of the means of earning a living, many women, especially widows, were reduced to begging on the street to feed themselves and their children, relying on being given or buying mouldy bread or other unfit food. Forbidden from leaving home alone, unless they were accompanied by a male relative, women were forced to wear the all-encompassing burka, a top-to-toe veil and gown that created invisible, subservient nonentities who had to walk three paces behind the man.

It has been argued that “The Northern Alliance (NA) may be viewed by the West as a great improvement on the Taliban, but Afghan women do not see it that way. In 1992, after the NA entered Kabul and other cities, it embarked on a spree of murder, rape, plunder and torture, attacking men and women from 7 to seventy. They killed more than 50,000 people in Kabul alone between 1992 and 1996” (The Guardian, 7 March 2002). Just imagine, 50,000 people; that would more than fill a football stadium. Indeed, many of the executions took place in sporting stadia, under full public scrutiny.

Rendered individually invisible, yet collectively constantly monitored for rule-breaking, the women behind the burka, fought back. Foucault (1977) suggests that power is always accompanied by resistance and in Afghanistan the Revolutionary Association of Women of Afghanistan (RAWA)² used weapons not of destruction but of freedom. For example, they held illegal educational classes for girls and secretly photographed human rights violations to inform the West of the atrocities of the Taliban: the surveyed became the surveyors. Generating knowledge and transmitting knowledge are powerful weapons. RAWA taught women about basic human rights and educated them about the position of women in other countries.

They also advocated the use of nail polish and lipstick – these symbols of femininity were seen as powerful tools against the oppression they faced. However, women caught defying their subordination, perhaps by wearing lipstick under the burka, faced a flogging or had their fingernails pulled out for committing such a ‘crime’. RAWA activists speak of the irony of the burka. A tool of oppression, of rendering women invisible, the burka provided privacy from surveillance and was used to conceal the activities of RAWA activists smuggling materials into the secret schoolrooms.

The activities of RAWA illustrate how ‘invisible’ women can resist. But the way women are perceived affects their human rights. Made invisible by the burka, under the Taliban they were treated, at best, as though they were not there, as though they did not exist. Many of these atrocities continue. Amnesty International argue that in the power vacuum that has existed since the fall of the Taliban in November 2001, “armed groups have abducted, raped and abused women and girls with impunity” (2004: 57). Recommendations from the organisation Human Rights Watch include the demand that the Taliban and other political factions be held accountable for their “massive and systematic violations of women’s human rights” (Human Rights Watch, 2001:4)

² <http://www.rawa.org>

The denial of rights was written on the bodies of women in Afghanistan, in the form of the burka but this was not a hopeless cause. Women resisted the violence and women continue to strive for their rights. But a word of caution is necessary here about what is responsible for the violence and denial of rights. The burka is just an item of clothing. In itself it is not violent or abusive. It is the meaning that is attached to the burka that is important and the power of those who impose that meaning.

Many women behind the burka and many women without the burka live in terror. Outside of Islamic fundamentalism, women are also objectified; the burka is nothing more than another tool that has been used to oppress women. In constructing identity, symbols such as clothing gives us a location within society, it links us and the society in which we live. Our bodies are mediums through which we present ourselves to the world. Foucault has suggested:

The body is directly involved in a political field; power relations have an immediate hold upon it; they invest it, mark it, train it, torture it, force it to carry out tasks, to perform ceremonies, to emit signs. (Foucault, 1977:25)

Our bodies may present the uniqueness of an individual but, through being observed, monitored and controlled, they also serve to demonstrate collective identities. Seen in this way, our bodies are projects which may claim or subvert identity; alternatively, control over the body may be taken and identity negated.

The body, as represented within any particular culture, will reflect the values and anxieties of that culture. To use the example of Afghanistan, the burka provides a symbol of the anxieties about the strict social boundaries that existed between men and women. In the West there are assumed to be more relaxed boundaries. But, across the globe, violence continues. After military conflicts have ended, women continue to endure violence. The private realm of the home, free from surveillance and outside interference, provides the privacy necessary for domestic violence. The World Health Organisation suggests that “in many countries that have suffered violent conflict, the rates of interpersonal violence remain high even after the cessation of hostilities – among other reasons because of the way violence has become more socially acceptable” (2002: 15). Even where the end of hostilities is brought by peacekeeping forces women are not safe. The power of the military to control the peace extends to controlling the abuse of women. Amnesty International provide examples of Kosovo where women have been trafficked into the country for forced prostitution by the military, Somalia where a teenage girl was bought as a birthday present for a Belgian paratrooper and reports of sexual violence committed by Italian peacekeeping forces in Mozambique (Amnesty International, 2004:54-5).

Nation states have duties under international law to respect, protect and fulfil women’s rights: in other words, to take effective steps to stop violence against women. Governments continue to fail to demonstrate due diligence, regardless of the mass of information that is known. On a local level, justice systems often fail to deliver justice despite clear evidence. Although legislation may exist to protect women in theory, social tolerance of violence, cultural norms and a lack of political will, often combine to nullify the law in practice. Invisible women suffer invisible violence and violators act with impunity, because police forces are uninterested, justice systems are

expensive and are ridden with discriminatory attitudes. An example of this can be found in Spain when, in 1995, Rita Margarete Rogerio was raped by a police officer. Despite a lower court finding it “luminously clear” that she had been raped, the Supreme Court acquitted the implicated officers (Amnesty International, 2004: 83). International scrutiny is therefore useful in holding states to account and the creation of the International Criminal Court has increased the potential for crimes of violence against women to be addressed.

Women’s rights groups recognise the limitations, not only of local level legislation, but also of international conventions, treaties and courts to protect women from violence. Fortunately campaigning by women’s rights activists continues to scrutinize and challenge violence against women. Violence against women exists everywhere but it is not an inevitable feature of life for all. The power to invade the private realm of women’s bodies is not easily curtailed by scrutiny and surveillance or by policies and legislation but campaigns are having an impact. Whether the violence is committed in war, in terror, by governments, by ‘peacekeepers’ or by husbands in the privacy of the home, what is known is that violence against women, throughout the globe, has become more visible, due to the challenges from women speaking out and demanding to break the silence of privacy that underpins violence against women. Privacy is sustained by lack of accountability at the level of the state, the community and the individual. Only by opening each level up to scrutiny will violence against women begin to be achieved.

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