

**CONTESTING WOMEN'S RIGHTS: THE
INFLUENCE OF RELIGIOUS FORCES AT THE
UNITED NATIONS**

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The focus of this paper is on the emergence of a transnational religious network – primarily between Catholic and Islamic forces– and its influence on the development of women's rights internationally. Through an analysis of the documents and commentaries of the aforementioned international conferences, the paper documents the various ways in which these forces, especially the Vatican and certain Islamic states, have united to frame an alternative vision of women's 'rights' to that proposed by feminists. The subject of this paper could not be more relevant to the current period. When others are arguing about the 'clash of civilizations' between the West and Islam, it demonstrates the synergies between the one of the key religions in the West – Catholicism - and Islam when it comes to women. The Vatican together with a number of Islamic governments have used their religious standing to advance arguments that sit in direct contrast the rights agenda proposed by the transnational feminist movement. They have framed their discussion about gender and equality, sexuality and reproduction and women's place in the family in ways which commonly appropriate human rights discourse but for conservative, patriarchal ends.

Measuring the influence of the network on the international discourse surrounding women's rights requires rethinking existing measures of success. Essentially, the aims of the network are negative in character – it seeks to obstruct, and in some cases, reverse, the expansion of women's rights norms. As a result, its influence must be measured not only by what is included in the international conference documents, but also what is excluded. The network has achieved some important victories, including the exclusion of rights related to reproduction and sexuality from being included in UN conference documents. Moreover, it keeps feminists in a defensive position in regards to women's rights, making it difficult for them to pursue a more expansive agenda internationally.

Examining the Conservative Patriarchal Network

Recent analyses of the contentious politics surrounding international efforts to secure women's human rights often mention the challenges posed by the 'unholy alliance' of Vatican, Islamic and anti-Abortion groups. However, usually only scant detail is provided about the nature of the alliance. Also, most accounts focus only a single site of contention – for example the Cairo International Conference on Population and Development (ICPD) or the Fourth World Conference on Women (FWCW) in Beijing (on Cairo see Neale 1998; on Beijing see Buss 1998). This paper seeks to advance an understanding of the nature and influence of the conservative patriarchal network by providing an account of its activities across time and place – specifically at the major United Nations international conferences held since 1994. It accepts that the claim that a conservative patriarchal network exists is in itself somewhat controversial. Therefore, the first task of the paper is to define what is meant by the terms conservative and patriarchal in this context and examine the specific features of the network in relation to Keck and Sikkink's (1998) framework on 'Transnational Advocacy Networks'.

Conservatism

Catholicism and Islam embrace a rich diversity of members, denominations, sects and ideas. Within both religions there exist both progressive and conservative forces, and more or less patriarchal structures. The Catholic Church has a long tradition of including lay and religious members who have advanced a progressive position as far as women are concerned. Certain religious orders, such as the Jesuits, have taken a less rigid position on the question of contraception and abortion that that put forward by the official voice of the Church (Finkle 1994. 21-2). Moreover, within the Church exist an array of individuals and groups who propose alternative readings of Church doctrine and the Bible to that advanced by the Vatican (see Buss 1998: 341). Of relevance to this study are the US feminist Catholic organisations *Catholics for a Free Choice*, who advocate a woman's right to control her sexual and reproductive

capacities, and *The Women-Church Convergence* who describe themselves as a coalition of women 'rooted in the Catholic tradition and feminist in commitment' (WCC N.d). By contrast, the 'official' Catholic Church, represented by the Vatican, is a conservative body in the sense that it seeks to maintain the *status quo* in relation to Church doctrine and teaching. The Vatican includes the papal offices in Rome and the Holy See, which has observer status at the United Nations and acts as the Pope's representative in international affairs. This conservatism has been a feature of Pope John Paul II's period as head of the Church, particularly in relation to matters concerning the family and sexual issues (see Finkle 1994: 23). As will be documented below, this conservatism has been clearly demonstrated in the official position of the Church at the international conferences that are the focus of this study. At Cairo, Beijing, Beijing +5 and the Rome Conference, the Holy See advanced a view of women as different to men, and as nurturers, firmly rooted in traditional heterosexual family relationships.

Similarly, in relation to Islam, there exists a wide spectrum of views from the very conservative to those that are more progressive on issues related to women. As Muslim feminists have documented, Western accounts of Islam as a backward and inherently conservative religion are over-generalised. Indeed, when compared to some Christian religions, including Catholicism, there appears historically to be a greater tolerance for women's right to control their reproductive lives through the sanctioning of family planning methods and in certain cases, abortion (Singh 1998: 112; Amit and Hassain 1994-5: 1333). Pinpointing an official Islamic position is further complicated by the fact that unlike the Catholic Church, it has no single leader or official bureaucracy. If an Islamic position exists internationally it must be read from the statements made by representatives of nation states who have adopted Islam as their state religion (see discussion below). But even then, as Tohidi (2003) warns, it is impossible to identify a single Islamic position in relation to women. As she has indicated, Islamic states can be categorised as representing three tendencies

along the progressive/conservative continuum. First is the Traditional/Conservative position that justifies women's inequality on the basis of a divine order and natural sex differences which includes countries Saudi Arabia and other Gulf Arab states. Second is a Liberal/Modern Islam that is increasingly receptive to egalitarian gender relations and feminist ideas. Such a position is identified with Turkey and Tunisia. Finally, Revolutionary or Radical Islam represented most notably by Iran, Libya and, increasingly, Egypt. As Tohidi notes, this last category has contradictory outcomes for women. On the one hand it is relatively progressive in that it seeks to mobilize women to become part of the struggle for power, which can include giving them the vote and allowing them access to education and certain forms of employment. Meanwhile, it is deeply conservative in that it seeks to control women's lives primarily through a strict application of traditional *sharia* law, which, as discussed below, is essentially patriarchal in nature (2003: 169). Commonly, it has been the representatives from states adopting a 'radical' approach to Islam who have joined with the Vatican in an effort to stifle attempts to expand women's rights internationally.

Patriarchy

Accepting that important differences exist *within* and *between* these two major religions does not avert the fact that there is an element of both which share a conservative position in relation to women's rights. Moreover, this position can be characterised as being *patriarchal* in character. In recent times many feminists have shied away from using the term patriarchy, seeing it as too static a notion of power to account for various ways in which women have challenged 'the rule of the father'. However, such arguments must be contextualised. It may be the case that in certain circumstances, such as in the relations between women and state institutions in the West, patriarchy has been transformed into a new modern 'fraternal contract' (see Pateman 1989: 35; Okin 1998) if not disrupted in a substantial way (see Chappell 2002: 11-12). But when viewing the practices and philosophies of the official voices of

these two religions, patriarchy is the only suitable definition that can be used; religious (and in the case of Islam) Political leaders are engaged in exercising a form of power to subject and oppresses women. Not only are the Vatican and those Islamist states working with the Vatican led entirely by men, but their beliefs and practices place women in a hierarchal relationship to men as dependents. Women who fall outside the accepted role of wife, mother, nurturer are treated as outcasts and often subject to punitive treatment; while Catholic women are excommunicated from the Church for procuring an abortion (see Neale 1998:108), women in certain Islamic states are subject to legally justified stoning for acts of adultery or beating for refusing to have sex with their husband (see Amit and Hassain 1994-5: 1319; Hajjar 2004: 12).

For women in the Islamic world, their experiences of patriarchy can vary dramatically depending upon the application of *sharia* law. The use of *sharia* as the legal framework for administering Muslim family relations including marriage, divorce, custody and inheritance varies between countries – while some states allow religious authorities to exercise semi-autonomy from the national legal regime, other states incorporate *sharia* as part of the national legal code (Hajjar 2004: 4). Moreover, *sharia* like all other legal and religious texts is open to wide interpretation, and at least five different schools of *sharia* jurisprudence exist. Each school offers divergent views on matters central to women's lives including the right of women to contract her own marriage, the duty of wives to obey husbands and women's right to initiate divorce (see al-Hibri 1997). Despite these variations though, there is a general belief within Muslim societies that domestic relationships are legitimately hierarchical. As Hajjar notes: '...this belief is both derived from and reinforced by *sharia*, which tends to be interpreted to give men power over women family members' (2004: 7). Under *sharia* men are regarded as the head of the family and have guardianship over and responsibility for women (Hajjar 2004: 10).

The view that women are dependent upon men, that they therefore exist in a 'special' or 'different' position in relation to them and that they should exist within the sheltered private realm of the family, are common themes running through Catholic and Islamic teachings. However, there are serious questions to be raised about the extent to which in either case these teachings stem from religious as opposed to cultural or political sources. Official representatives of both religions claim a theological (and therefore a natural or divine) basis for teachings about women's position in society. However, feminist scholars working in both traditions have revealed the extent to which these teachings are based on cultural patriarchal assumptions which have little or no foundation in the key religious texts (for Catholicism see Neale 1998 and Buss 1998 for Islam see al-Hibri 1997; Hajjar 2004; Tohini 2003). Al-Hibri notes in relation to Islam that 'these assumptions have become so deeply rooted in Islamic jurisprudence that many Muslims are no longer aware of their non-religious origins' (1997:5) – a claim that holds equally for many Catholics in relation to Church doctrine. As these critics explain, too often religious leaders have distorted religious texts to make rules which uphold cultural practices that serve to maintain their own authority. In both Catholicism and Islam, religion is used to sanction women's oppression, restrict their liberties and maintain men in a dominant position of authority. The challenge for feminists working within these traditions is two-fold: to separate the cultural and political from the religious teachings at the same time as reveal the egalitarian tendencies in these religions.

An emergent network

It is indisputable that the Vatican and Islamic states operating at the international level are conservative and patriarchal, but in what sense can we describe them as a network? A key analysis by Margaret Keck and Kathryn Sikkink of the influence of non-government organisations (NGOs) at the international level provides some guidance on this question. Their focus is on the role of transnational advocacy networks. They use the language of a network, rather than coalition or alliance, as it

best captures the 'fluid and open relations among committed and knowledgeable actors working in specialized issue areas'. In their view, transnational advocacy networks (TANs) are 'networks of activists, distinguished largely by the centrality of principled *ideas* or *values* in motivating their formation' (1998: 1). Aside from the centrality of values, TANs are identified by various other features including: operating at the international level, sharing a common discourse, believing that individuals can make a difference, using information creatively and employing sophisticated political strategies (1998:2). In order to influence change at the international level, TANs rely heavily on symbolic politics and in doing so carefully frame issues in ways that will attract attention. Dealing in the realm of ideas and values, they often frame their demands in a symbolic as opposed to a strictly rationalist way, and in simple terms that suggest there are right and wrong answers to complex moral and political issues. Using moral leverage, TANs seek to persuade powerful actors at both the domestic and international level first, a problem exists which needs attending to, then, that parties can be identified who are responsible for the problem and finally, that they provide credible solutions to the problem (1998: 19).

Ultimately, the aim of TANs is to influence state behaviour but they chose to do this through working at the international level. In what they call the 'boomerang effect' (1998:13-4) Keck and Sikkink describe how actors, faced with blockages to change at the domestic level, make links with like-minded activists in the international realm, and work through international fora to encourage (or shame) domestic governments to change their policies and practices. According to these authors, TANs have most success when seeking to influence either one of two issues: those involving bodily harm to vulnerable individuals, and legal equality of opportunity. This is because, in their view, these issues transcend a specific cultural or political context (1998: 204). How relevant is Keck and Sikkink's framework for understanding the nature, strategies and levels of success of the conservative patriarchal religious organisations

that are the focus of this paper? To what extent can we say that a conservative patriarchal religious TAN exists?

Keck and Sikkink note that members of advocacy networks include, *inter alia*, churches and parts of the executive and/or parliamentary branches of government (1998:9). Thus it seems acceptable to include representatives from the Holy See and from Islamic Governments as members of a TAN. Indeed in their discussion on Transnational Women's Networks on Violence Against Women, they note the presence of an opposing anti-abortion/pro-family organisations in operation at the conferences in Cairo and Beijing (1998: 189) and argue that it is clearly a network 'fueled by emotionally charged principles' (190). Moreover, the anti-abortion coalition fits within the issue of 'bodily harm to vulnerable individuals' which Keck and Sikkink see as one of the issues around which transnational networks can organise successfully (190).

The analysis presented in this paper applies Keck and Sikkink's framework with some slight modifications. One difference is that it takes a broader view of the anti-abortion TAN to include other issues around women's rights more broadly. The focus of this analysis is what is described as a conservative patriarchal TAN, not just one concerned with abortion issues. It is certainly not the case that the Catholic and Islamic forces that makes up this network share commonalities across all issues. One area though where mutual ground can be found between them is in relation to issues related to women's rights, gender issues and sex equality.

An additional alteration to the framework developed by Keck and Sikkink concerns the application of their 'boomerang effect' to this analysis. As the following discussion illustrates, the members of the conservative patriarchal TAN are participating in the international realm not so they can overcome blockages at the domestic level to bring about reform. Rather, they are seeking to protect the *status*

quo at the domestic level by attempting to stymie the emergence of progressive rights norms or, where this fails, frustrate the creation of new international mechanisms which could facilitate these norms filtering down to the domestic level. As such, the success of this TAN must be measured in other, *negative*, terms. That is: not only what the network has been able to achieve in terms of the text of international documents, but also what it has been able to block from being included.

The links between Christian and Islamic organisations around gender issues have been latent for a number of years but have been cultivated over the past decade. The international conferences held throughout the 1990s have provided a new opportunity not only for human rights advocates, but also for those more sceptical about the advancement of an international human rights agenda, to meet, converse and lobby around rights issues. What was seen by the international press as remarkable and controversial pre-conference caucusing and lobbying between these two sides at the 1994 Cairo ICPD (Singh 1998; Neale 1998), became commonplace but no less controversial through FWCW in Beijing, Beijing plus 5 and the International Criminal Court (ICC) Rome Conference and ICC Preparatory Committee meetings. With this caucusing came increasingly more sophisticated, elaborate and shared responses to issues around women's rights. As yet, no multi-denominational conservative patriarchal religious organisations have emerged to 'represent' these shared values. Rather, there exists a network of religious actors who come together through international fora such as the UN conferences to advance a consistent and complimentary conservative position on the specialised area of women's rights. To the extent that official Catholic and Islamic representatives have similar values and operate in a co-ordinated way internationally - sharing both information and tactics - it can be argued that a conservative patriarchal transnational advocacy network exists.

Four UN sponsored international conferences are included in the following analysis. The first of these is the 1994 Cairo International Conference on Population and Development (ICPD) that was held between 3-5 September with over 10,000 delegates from 180 countries. Its outcome document was the *Programme of Action* (UN 1995). The 1995 Fourth World Conference on Women (FWCW) was held in Beijing between 4-15 September with 17,000 participants from 189 states and produced the *Beijing Declaration and the Platform for Action* (BPFA)(UN 1996). The follow-up conference to the FWCW, known as Beijing +5, was held in 2000 in New York City with representatives from 180 states. The Rome Conference, held to seek ratification of the International Criminal Court (ICC), was conducted over a five week period in June and July 1998 with over 140 states represented. Its outcome document was the *Rome Statute of the International Criminal Court*. Preparatory committee meetings for the ICC, known as Prepcoms, took place prior and after the Rome conference to develop and finalise the details of the operation of the Court. These meetings resulted in the ICC's *Elements of Crime Annex* and *Rules of Procedure and Evidence* document. Each of these conferences were the culmination of years of planning and preparation with much negotiation occurring prior to the event between the participants, which included states, non-state actors such as the Holy See¹ and non-government organisations. While the reports which were the outcome of the first three of these conferences do not hold any formal legal weight, they are significant in a normative sense as they contribute to the articulation of international values and goals and as such contribute to 'soft' law at the international level (see Buss 1998: 342). In relation to the Rome Conference, and the preparatory committee meetings that finalised the details for the operation of the court, the stakes were somewhat higher. The outcome documents, the *Rome Statute* and the *Elements of*

¹ The status of the Holy See as a permanent non-state observer at these conferences is highly controversial. Its status has been recently challenged by a coalition of women's religious and reproductive rights NGOs known as *Seechange*, who has petitioned the UN to remove the special status of the Church (CFFC 1999). In its view, the status gives the Holy See an unfair advantage to other NGOs and religious groups, enabling it to benefit from the consensus voting system of the UN and exerts a degree of influence far beyond its authority (CFFC 1999).

Crimes and Procedures document, form the basis for the operation of the International Criminal Court and thus are part of 'hard' international law.

The following section considers the various ways in which the conservative patriarchal network defined above intervened to influence women's rights through these international conferences in the past decade.

Framing:

Issue framing is, as Keck and Sikkink remind us, a central component of the work of Transnational Advocacy Networks. The conservative patriarchal network has not missed the significance of framing its issues in black and white, right and wrong terms. The following discussion focuses especially on the way in which it has framed women's rights in relation to gender and equality, sexuality, reproduction and the family and in ways that sit in direct contrast to transnational feminist advocates. It also looks at the way the notion of human rights has been framed at a more general level through discussion of state sovereignty and 'western' individualism. This section does not propose to measure the success of these efforts in terms of the outcome of the conferences; this will be done later in the discussion. Rather, it seeks to assess the degree of coalescence between official Catholic representatives and particular Islamic states around women's issues.

Gender and Equality

Together the Holy See and particular Islamic states have advanced an alternative view of gender and of equality to that proposed by women's rights activists. In terms of this study, these issues – which are inextricably linked - were raised in the context of the Cairo conference, but became a central point of contention at Beijing, the Beijing +5 and the ICC Rome Conference and Prepcoms. At the core of the network's definition of gender is the notion that it is a *biological* given rather than a *social* construct. The Holy See made its position clear prior to the Beijing Conference when

it was involved in lobbying to block any inclusion of gender in the final document (Otto 1996: 11). Although its lobbying was unsuccessful, it clarified its interpretation of the use of gender in its reservations to the *Platform for Action*:

The term 'gender' is understood by the Holy See as grounded in biological sexual identity, male or female...[it] thus excludes dubious interpretations based on world views which assert that sexual identity can be adapted indefinitely to suit new and different purposes' (Reservations 1995, para. 11).

When gender was debated again at the preparatory meeting for the ICC, the Holy See and a group of Arab League countries including Syria, United Arab Emirates and Qatar contested the inclusion of the notion of gender-based (rather than sex-based) crimes using similar language (Copelon 2000: 236; Bedont 1999: fn 15). The interpretation of gender as a biological fact rather than as a social construct, is closely linked to arguments made by the Vatican and some Islamic states about equality and also sexuality. To frame gender as pre-given and immutable supports the view that men and women are essentially different thus justifying their different roles in society. As Copelon notes, it also rules out the possibility of any degree of fluidity in a person's gender/sexual identity, thus foreclosing the possibility of recognition of homosexual or transgender identities (2000: 236).

The notion of equality advanced by the network from Cairo through to the preparatory ICC meetings has been centred on the notion of an essential difference between men and women. Both representatives of the Holy See and Islamic states have used similar language to define and proscribe women's roles in relation to men and have lobbied hard to have these definitions accepted internationally. Iran's statement on equality at Beijing reflects the general position of conservative forces:

The concept of equality in our interpretation takes into account the fact that although women are equal in their human rights and dignity with men, their different roles and responsibilities underlie the need for an equitable system of

rights where particular priorities and requirements of the woman in her multiple roles are accounted for' (Reservations 1995 para. 14).

Some Islamic states have employed this notion of 'equal but different' to argue for differential access to inheritance rights for girls and boys. States including Libya and Egypt called for the language of 'equity' – often used by feminists as a basis to argue for affirmative action – to replace that of equality in the outcome documents from Cairo and Beijing. The argument advanced by these states was that the practice of unequal inheritances is based on Islamic law where men are obligated to support women and children fully (UN 1995 reservations para 17; Singh 1998: 112; Reservations 1995 paras: 8, 19 (f); Kissling 1995; Otto 1996:14). The Vatican did not join in the lobbying effort over inheritance. Nevertheless, the basis of the claim - that women are defined through their relationship with their husbands - is very similar to arguments the Holy See has mounted in the international arena relating to women's place within marriage, motherhood and the family (see for example Glendon 1995).

At international conferences, the Holy See has supported the notion of a 'complementarity' between men and women, which recognises their inherent differences. Moreover, it too has been reluctant to use the language of equal rights preferring instead to focus on the 'dignity and worth' of women (Beijing Reservations 1995 para 11). The Holy See 'considers women and men as being of equal dignity in all areas of life, but without this always implying an equality of roles and functions' (Holy See 1995 in Buss 1998: 347). It has rejected the notion that women should strive for sameness with men as 'this would only impoverish women, and all of society, by deforming or losing the unique richness...of femininity' (John Paul II 1995 in Buss 1998: 347). Instead, as the Head of the Holy See's delegation to Beijing, Mary Ann Glendon argued, the 'beneficent' influence of women must be recognised. 'The freer women are to share their gifts with society ...the better are the prospects for the entire human community to progress in wisdom, justice and dignified living' (Glendon 1995).

Sexuality

Sexuality is an area where there has been a particularly strong convergence of views between of Catholic and Islamic forces at the international conferences under review. There are three aspects to the position advanced in relation to sexuality. The first relates to the threshold issue of whether women have a right to control their bodies, including their sexuality. The second aspect concerns efforts to restrict the sexual orientation of women within a heterosexual paradigm. The third aspect is an attempt limit women's legitimate sexual relations to an 'intimate' relationship within a heterosexual marriage.

The principle of women's right to control their bodies and thus their sexuality has been a core concern for representatives from the Holy See and Islamic states at each of the conferences under review. Lobbying before the Cairo conference, the Holy See and Islamic states, including Egypt and Libya, opposed the inclusion in the *Programme of Action* any reference to women's sexual freedom (Neale 1998: 118). Indeed, Libya expressed a reservation to the entire chapter on *Gender Equality, Equity and Empowerment* because of the inclusion of this right, which it argued contravened *sharia* law (Amit and Hassain, 1994-5: 1337). When it was included in the final Cairo document, the Holy See made reservations to all eight chapters within the *Programme* that referred to women's sexuality (see Reservations para 27 (6)). At Beijing, women's right to sexual autonomy again loomed large on the agenda. The inclusion in the *Beijing Platform for Action* of Paragraphs 96 which deals with reproductive and sexual health, and 97 which includes the 'right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health' prompted outrage from network members. Indeed, these paragraphs received more reservations than any other in the document did. At the Beijing +5 conference, the Holy See with Iran continued to work to proscribe women's right to control their

sexuality by lobbying to have reference to it removed from the text of the final conference document.

The disquiet within the network about the freedom of women to control their sexual lives is in part related to its steadfast opposition to condoning lesbianism and homosexuality. Such opposition was apparent at the Beijing Conference, where, according to one participant, the Holy See together with right-wing American Protestant groups and some Islamic states blatantly perpetuated an anti-homosexual agenda (Otto 1996: 26). The Vatican made its views clear when it stated it: 'cannot accept ambiguous terminology concerning unqualified control over sexuality and fertility, particularly as it could be interpreted as a societal endorsement of ...homosexuality' (Reservations 1995 para 11). Malaysia² joined the Holy See at Beijing making a reservation to paragraph 96 on the basis that it does not endorse 'sexual promiscuity, [or] any form of sexual perversion that is synonymous with homosexuality or lesbianism' (Reservations 1995 para. 20). Islamic states including Iran, Egypt and Morocco also opposed any inclusion of sexual orientation in the final *Platform for Action* (Kissling 1995).

At the Beijing +5 conference sexual orientation was, according to one participant, 'by far the most contentious issues at the negotiations' (Lauber 2001: 18). At this conference, the association between the Holy See and Islamic countries was noted by seasoned diplomats to be 'stronger than ever' (Lauber 2001: 18) and they worked hard to halt any progress towards the recognition of sexual orientation as a ground for discrimination. The Holy See, Catholic groups and countries from the G-77³ pitted themselves against those they described 'radical feminist' who were seen to be

² Although Malaysia is purportedly a secular state and has not enshrined *sharia* law into its national legal code, it nevertheless has a large Muslim population that the government has demonstrated a sensitivity to in international forums.

³ The G-77 is the largest Third World coalition in the United Nations. It provides the means for the developing world to articulate and promote its collective economic interests and enhance its joint negotiating capacity on all major international economic issues in the United Nations system, and promote economic and technical cooperation among developing countries. Many Islamic countries who have played a prominent role in the conservative patriarchal TAN are members of the G-77 including Egypt, Morocco, Iran, Kuwait, Malaysia and Libya.

'hijacking' the conference with their pro-homosexual agenda (see LifeSite Daily News 2000). Sexual orientation was also a key issue for debate at the Rome Conference, and the ICC Prepcoms. Linked to the debate around gender, delegates from the Holy See aligned with Islamic Arab countries to argue against any understanding of the term which would include a provision to allow sexual orientation to be included as a ground for discrimination (see Bedont 1999:4; Spees 2003: 23; Copelon 236).

An additional aspect of the TAN's efforts around women's sexuality has been to limit it 'intimate' relations within the bounds of a traditional heterosexual marriage. Network members have condemned anything perceived to be, or lead to, acts of 'sexual permissiveness'. Prior to the Cairo conference the Holy See called for the inclusion of language supporting abstinence before marriage and then in its reservations to the *Programme of Action* stated that an individual's right to determine his or her own sexuality should only occur within the context of a married relationship (see Programme in Neale 1998). Similarly, Iran's submission to the Cairo *Programme of Action* stated that it was unacceptable to interpret anything in the document as applying to sexual relations outside the framework of marriage (UN 1995, Reservations para 28). At Beijing, the Holy See restated its position that women's right to control their sexuality can only be understood to endorse 'sexual relationships inside heterosexual marriage' (Reservations 1995 para. 11 see also Tauran 2000). Iran and Libya echoed similar sentiments in their reservations (Reservations 1995 para. 14).

Reproduction

One of the key reasons for the Holy See's reservation to the notion of a woman's sexual rights links directly to the issue of a woman's right to control other aspects of her body including reproduction. The official Catholic stance on reproduction and abortion is unambiguous and unwavering. Any form of 'artificial' contraception –

designed to regulate or interrupt the generative process – is rejected by the Church in the strongest possible terms (see Neale 1998 108). Its most vehement opposition is reserved for any proposals to secure for women the right to have access to safe abortion. It rejects abortion under any circumstances as it views the foetus as a person from the moment of conception and thus treats abortion as a form of murder. For Muslims, the position on reproductive rights is less clear cut. Some states with large Muslim populations, including Indonesia, Bangladesh, Egypt and Iran have historically interpreted Islamic teaching to support family planning (see Singh 1998; Amit and Hassain 1994-5: 1333). However, there are signs the fundamentalist elements in the three latter countries are asserting a different view of Islam that places greater restrictions on women's reproductive choices (see Amit and Hassain 1994-5: 1333). In relation to abortion, the interpretation of all but one of the five juristic schools of Islam prohibits abortion after the ensoulment of the foetus that is said to occur at 120 days. In accordance with these interpretations, the aforementioned four Islamic states have all legislated to permit abortion in the first trimester while Egypt has also legislated to allow abortion on the grounds of saving a woman's life (Amit and Hassain 1994-5: 1334). By comparison, Tunisia provides a general right to abortion.

These different positions on women's reproduction between Catholic and Islamic forces, as well as between Muslim nations, has not deterred the two sides coming together internationally to try and block the extension of women's reproductive rights, including access to safe abortion. At the Cairo conference the Vatican and the representatives of some Islamic states campaigned to have the international community reject the notion of 'reproductive rights' and strongly opposed the terminology used in the chapter on *Reproductive Rights and Reproductive Health* which recognises *inter alia* abortion as a legitimate dimension of population policy (Amit and Hassain 1994-5: 1337; UN 1996. para 27 of reservations). Catholic and Islamic representatives also rejected the text of Paragraph 107 (k) which called on

governments to “[c]onsider reviewing laws containing punitive measures against women who have undergone illegal abortions (Kissling 1995/6; Beijing Platform for Action). When both these efforts failed, the Holy See stated in its reservations that it ‘does not endorse any form of legislation which gives legal recognition to abortion’ (Reservations 1995 para 11). Again at the Beijing +5 conference, the Holy See and some Islamic States including Iran lobbied strenuously to dilute the language on abortion and reproduction (see Otto 1996 16; Lauber 2001: 18; Center for Reproductive Rights 2000).

A feature of all the conferences, but especially the Rome conference and the ICC Prepcoms, was the push by feminist advocates to advance women's rights in relation to their experience of war and conflict. One of the ways in which they sought to do this was through the inclusion of [en]forced pregnancy as a war crime. In their effort to have this crime codified in international law, feminists met with strong opposition from the Holy See who argued that the term was ambiguous and could be ‘interpreted as a justification for abortion’ (Holy See 1998; Tauran 2000). Meanwhile, a number of Gulf Arab States also rejected the proposal because they thought it would open the door to intervention in domestic law (see *Terraviva* 1998). The Vatican concurred with this criticism; in its view forced pregnancy raised ‘the ironic prospect of making the enforcement of legitimate state and conventional law [against abortion] a “war crime” (Holy See 1998). In the end, the crime was included in the Rome Statute under Article 7 (2) (e), as ‘the unlawful confinement, of a women forcibly made pregnant, with the intent of affecting the ethnic composition of any population or carrying out other grave violations of international law’ . However, the rider was added that: ‘this definition shall not in any way be interpreted as affecting national laws related to pregnancy’. Observers at the conference were certain that the caveat had been included to appease the concerns of the conservative forces (see WCGJ 1998).

Family

Weaved throughout the arguments used by both the Holy See and Islamic countries at the international conferences has been a consistent subtext on the nature of the family and women and girls place within this arena. From the discussion above it is obvious that the only form of family countenanced by the conservative patriarchal TAN is one in which both parents are heterosexual. It also emphasises the role of women as mothers. This emphasis was made obvious at the Beijing +5 conference where 'pro-family' forces, including members of the Catholic lobby, who claimed to have support of a number of G-77 countries, walked around the UN wearing bright red 'motherhood' buttons. According to the lobby, the buttons were aimed at 'drawing attention of delegates to the failure of the Beijing document to affirm motherhood as a legitimate choice for women' and to combat 'the radical feminist agenda 'to restrict the freedom of women by pushing them out of the home and into the work force' (Life Site 2000).

The network also sees the individuals within the family unit as existing in hierarchical relations to each other. This point was made clear at Cairo, Beijing and Beijing +5, when network forces waged a battle to restrict the rights of the girl child, particularly in relation to her access to sexual and reproduction education and services (see Kissling 1995). Many countries including Iran, Libya, Malaysia and Yemen as well as the Holy See made reservations to the Cairo and Beijing documents asserting the rights of parents to limit and control the action of adolescent girls in relation to their sexual rights (see Cairo doc para 19 Reservations 1995 paras: 11, 14, 19). The prominence of this issue is significant. As Otto states: 'That the rights of girls remains so fundamentally contested indicates the widespread acceptance of masculinist control from the earliest stages of women's lives' (1996: 26).

It is not only girls that are conceived by the network as dependants within the private sphere of the family. The rightful relationship between men and women is

also viewed as one of dependence with women in a subordinate position. Nowhere was this made more apparent than in November 1999 when eleven Arab countries petitioned the ICC Preproc meeting to 'exclude crimes of sexual or gender violence when committed in the family or as a matter of religious or cultural concern' from this category of Crimes Against Humanity (WCGJ 2000:2). While there is no available record of an official Vatican response to this position, a large US-based conservative Catholic lobby group – C-Fam - did enter the debate with a document entitled 'Protection for Families Dropped from the New International Criminal Court' (C-Fam 1999). In the document, C-Fam lamented the lack of support for the proposal because it would have helped to uphold family traditions, including women staying at home. In its view, the rejection of this proposal, which was advanced by the Women's Coalition for Gender Justice (WCGJ) among others, 'confirms the broad suspicion that the court will be used for social engineering and attacks on the family' (1999).

Sovereignty and human rights

Aside from shared concerns about specific women's rights, the Holy See and certain Islamic states have adopted common positions on the issue of upholding state sovereignty in the face of the expansion of international human rights norms – especially where they are seen to conflict with traditional cultural and religious practices. The Holy See has invoked state sovereignty arguments as a defence in its efforts to limit the effect of expanded international norms surrounding reproductive rights on domestic-level anti-abortion legislation. Its position in this regard was made obvious in the debate on forced pregnancy at the ICC noted earlier. The conservative US Catholic organisation C-fam reflected a similar view when it attacked ICC feminist advocate Rhonda Copelon for stating that the court could be as a tool to change domestic laws to conform with international human rights law (see C-Fam 2000). As far as C-fam was concerned this was tantamount to suggesting that

a 'radical feminist' agenda will be imposed upon state signatories to the ICC which would include the right to abortion, sex education and homosexuality.

Some Islamic countries have been equally concerned about the encroachment of international norms relating to women's rights upon state laws. At the Cairo Conference, Jordan stated that it would apply the agreement on population and development 'within a framework of Islamic Sharia and our ethical values, as well as the laws that shape our behaviour' (Cairo Programme of Action, Reservations paragraph 11). This statement was typical of others made at the conference by Kuwait, the United Arab Emirates, Syria and Yemen. At Beijing, Egypt made clear that its compliance with the *Platform for Action* 'will be conditional on complete respect for the rights of national sovereignty and various moral and religious values' (Reservations 1995 para 8). Iran, Iraq, Libya, Morocco and Tunisia made similar reservations to the document (see Reservations 1995). These reservations are consistent with wider views of the international Islamic community about the primacy of local laws over international human rights. For instance, the Organization of Islamic Conference has passed a resolution which condemns the use of the 'universality of human rights as a pretext to interfere in ...states international affairs and impair their national sovereignty (OIC 2000a).

Related to the concern about protecting state sovereignty has been a critique put forward by representatives of both religious traditions about the underlying 'western' bias of the human rights discourse promoted in international fora. Most particularly, the conservative patriarchal TAN has been critical of the emphasis on individuals as rights bearing subjects. Such an emphasis, in its view, debases the notion of rights because it is founded on western liberalism and ignores the possibility of group rights, especially the rights of religions and cultures, to collectively defend their beliefs and practices. Prior to the Cairo Conference, Pope John Paul II wrote to all world leaders condemning the draft Programme for Action

on the basis that it promoted an individualistic lifestyle that was completely incompatible with marriage (Neale 1998: 110). Later the Holy See argued that the *Beijing Platform for Action* 'seems to want to impose a Western model of feminism that does not take due account of the values of women in the large majority of the world's countries' (Navarro-Valls in Kissling 1995). It also made reservations about the 'excessive individualism' of the final document (see Reservations 1995 para 11; Glendon 1995). Its position aligns closely with that of many Islamic states, especially those more conservative in orientation, that view the language of individual rights as Euro-centric tool to impose its values on Muslim countries (see Tohidi 2003: 176 and OIC 2000b). A common Catholic and Islamic stance on the importance of religious and group rights over those of individuals was reflected at Beijing, where the Vatican and some Islamic states rallied together for the reproductive health section of the *Platform of Action* to include a special qualification which would have subordinated the text on reproductive rights to cultural and religious values (Kissling 1995).

Together, the concern about sovereignty and the critique of rights has a profound influence on the ability of women to practice their human rights. Any developments in international women's human rights norms mean little unless domestic governments enforce them. When nation states view these norms as culturally inappropriate because they challenge traditional religious and cultural practices – many of which are patriarchal in nature – then these advances have no real application for women living in these countries. This problem is especially confounding for women in living in countries where a 'radical' version of Islam is practiced; in these states there is a pervasive belief the international standards for human rights are un-Islamic (Hajjar 2004: 16). Indeed, as Hajjar warns, the strengthening of international women's rights norms internationally can have the opposite effect in these states. Rather than encouraging change at the local level, these norms are treated as 'part of a cultural onslaught emanating from 'elsewhere'

and, as a result, 'the disadvantages that women experience *as women* can be justified and defended – even glorified – as an aspect of that particular culture' (2004: 15).

In the frame: the view of women advanced by the conservative patriarchal TAN

The Holy See and Islamic states have presented a convergent and stark view of women and their rights through the international forums during the past decade. They have conceived of women in terms of their 'special' attributes and reinforced the notion of their difference to men. Framing women through such language has served a dual purpose: it has helped to maintain a discourse at the international level where women are limited to traditional roles, primarily as wives and mothers. In doing so, it has shored up the position of men as the normative standard.

The conservative patriarchal TAN have framed women's autonomy in moralistic terms, especially where it relates to a woman's right to control her sexual and reproductive life. The network shares a concern that to give women sexual freedom would promote homosexuality among women and allow for sex outside conjugal relations. If women should take up the opportunity to live in non-traditional relationships, it would directly challenge the family – the realm in which women 'naturally' exist. Moreover, to give women the right to control her child bearing capacity would not only conflict with important religious and moral reasoning on the right to life but could result in promiscuousness in sexual relations – an outcome which could only accelerate the demise of the traditional family. The preservation of the traditional family unit is paramount to both the Catholic Church and conservative Muslims. If necessary, this means closing the door of the private realm to outside influences, especially to western, individualistic human rights norms that could corrupt traditional religious and cultural beliefs and practices.

Influence

Having demonstrated that the conservative patriarchal TAN has advanced a distinct view of women and their rights in the past decade, the question now turns to the extent to which this network has influenced women's rights internationally. Keck and Sikkink's work is relevant here. Because it is domestic states which enforce international norms, the ultimate aim of a TAN – and its ultimate measure of success – is to bring about a change in state behaviour in accordance with the values it promotes (1998: 12-13). While recognising that this goal can be difficult to achieve, these authors also consider 'second order' objectives which can include: creating issues or setting agendas; influencing the discursive position of states; influencing institutional procedures; or, influencing policy change in international organisations, states, corporations or non-government organisations (1998: 25).

The nature of the conservative patriarchal TAN that is the feature of this study, suggests it is necessary to revise Keck and Sikkink's framework for understanding the influence of international networks in three ways. First, as has been made apparent in the earlier discussion, the conservative patriarchal network is not so concerned to change the behaviour of states but to maintain the *status quo*, especially in those instances where religion and culture uphold a view of women as dependants. Second, commonly this network is interested in is what is *not* included in international conference documents. Therefore, for this particular TAN, and other conservative alliances, success can include an ability to *obstruct* rather than facilitate policy change at the international level. Finally, to the extent that this TAN wants to implement policy change, it is usually in a *regressive* sense, that is a return to a previous and more limited reading of women's rights.

Accepting these extensions to Keck and Sikkink's framework, it is possible to argue that the conservative patriarchal TAN has had a significant degree of success in shaping international conceptions of women's human rights. It is difficult to judge

within the scope of this paper the extent to which this network has contributed to the maintenance of the *status quo* in terms of gender practices at the national level – this task requires a careful analysis of individual state responses to arguments of the network. However, it is sobering to bear in mind Hajjar's point (2004) noted above about the extent to which, at least in some Islamic countries, governments have seen the growth of women's rights internationally as 'un-Islamic' and have responded by celebrating and reinforcing traditional patriarchal relations. What is possible to examine here is the extent to which the network has been able to fashion international conference documents - by preserving, obstructing or reversing text to suit its purposes - and also directing conference procedures in important respects.

Influence on texts

The policy documents to emerge from the Cairo, Beijing and Beijing +5 conferences as well as the Rome Statute and associated ICC documents, each reflect the influence of the conservative patriarchal TAN. Its success has been especially apparent in three ways. The first is in a general sense where conservative states as well as the Holy See have been able to make a large number of reservations to each of the documents to emerge from the conferences. These reservations, many of which have been outlined about, weaken the impact of the documents in terms of building international norms and for the incorporation of these rights at the domestic level. They also leave open for future contestation many women's rights claims. Additional successes include its ability to restrict the language used in an outcome document and/or to prevent the inclusion of more progressive text.

Gender and Equality

The *Beijing Platform for Action* as well as the *Rome Statute* both bear the hallmarks of the influence of the conservative patriarchal network in relation to the language on gender and equality. In the BPFW, the term gender was left undefined, but the document included a statement that 'there was no indication that any new meaning

or connotation of the term [gender], different from accepted prior usage, was intended' (United Nations 1996). The purpose of this caveat was to ensure that the BPFA was not read to include a socially constructed view of men and women (see Otto 1996: 12). At the Rome conference, the debate of the meaning of the term gender was strongly divided between those wanting to include or exclude a social constructivist approach. The final text of the ICC Statute was an attempt to reach some compromise: 'it is understood the term 'gender' refers to the two sexes, male and female, within the context of society. The term 'gender' does not indicate any meaning from the above' (Rome Statute Article 7 (3)). According to a feminist ICC delegate, the reference to the 'two sexes' reflects the position of Vatican and some Islamic states: they had lobbied for this wording with the objective of excluding sexual orientation from being read into the definition (Copelon 2000: 237).

Sexuality

In Beijing, the network was successful at ensuring that any reference to sexuality or sexual orientation was excluded from the final document. Such reference had been made in the draft Platform for Action but at the conference the text was dropped as a 'compromise' with these conservative advocates (see Buss 1998: 248; Otto 25-6). Feminist advocates hoping that by Beijing +5 the environment would be more conducive to the international recognition of rights based on sexual orientation were to be disappointed. The threat by conservative forces to reject the report in its entirety should sexual orientation be included was taken seriously by conference delegates. In the end all references to sexual orientation were removed from the final document (Lauber 2001: 18).

Reproduction

At Cairo, the most significant influence of the TAN on the final document related to the language on abortion. After much debate the Holy See together with some Islamic states were successful in blocking the inclusion of abortion as a family

planning device and were able to ensure access to safe abortion was not mentioned as a right in relation to reproductive health (Center for Reproductive Rights 2000; Kissling 1995). At Beijing, both pro and anti-abortion activists agreed that conservative forces were successful in holding back attempts to embrace more liberal language on abortion and reproductive rights more generally (see Kissling 1994-5; Minnery 2000). At an ICC Prepcom, as was noted earlier, the TAN were successful in adding a rider to the definition of forced pregnancy to ensure that it could not be interpreted as diluting the application of anti-abortion laws at the national level (see Copelon 2000; Bedont 1999).

Influence on conference proceedings

Aside from influencing international texts in significant ways, the conservative patriarchal TAN has also been successful in influencing the nature of the proceedings at each of the conferences under review. As with its influence over language, its effect has been essentially a negative one; it has frustrated, blocked and slowed down conference procedures on matters that it considers important. Whether this has been a conscious strategy of the network is debatable. Nevertheless, the result has been that it has used up precious time at these forums for dealing with other issues and moving forward a more progressive agenda on women's rights.

Time and again participants at each of these conferences have commented on the fact that the Vatican primarily, but often in combination with their Islamic partners, have slowed down discussions by forcing issues onto the agenda, especially around reproduction and particularly on abortion. At Cairo, according to Neale:

[t]he Holy See, with relatively little assistance from its allies, was able to monopolize the conference agenda and to some extent the media...[in its view] The Holy See was not only spiritually empowered but also morally and ethically bound to redirect the conference's course of action, particularly surrounding abortion (1998: 117).

At this conference the entire first week was taken up by the question of abortion, raised by the Holy See, instead of addressing the wide range of population questions that were up for debate (see Neale 1998: 117; Shepherd 1994). Also at the Beijing +5 conference, pro-choice participants commented that the conservative patriarchal TAN of was seen to be stalling on key issues on abortion and sexual orientation. The point being, in their view: 'to chip away at the Beijing Platform's principles' (see Center for Reproductive Rights 2000). The conference ran longer than expected because these contentious issues around reproductive rights.

At the Rome Conference, some delegates were critical of the Holy See's intervention on the question of forced pregnancy as they saw this as an excuse by them to get abortion on the agenda. As the WCGJ noted in relation to this debate:

It is difficult to understand how the debate about the crime of enforced pregnancy has become a debate about abortion. National laws which criminalize the termination of pregnancy are not violations under international law and thus would not come within the ICC's jurisdiction...(WCGJ 1998)

Once the issue of abortion was opened up, it made the discussion on forced pregnancy the most contentious and drawn-out debate at the conference (see Bedont 1999; Copelon 2000)

As noted earlier, according to Keck and Sikkink, the two issues around which TANs generally have had success include those involving bodily harm to vulnerable individuals, and legal equality of opportunity. To some extent, their analysis that these issues allow for caucusing across cultures and political differences holds here. Certainly, the members of the conservative patriarchal TAN have found common ground on abortion and other reproductive issues which, in its view involves harm to vulnerable individuals, and have been successful in holding back developments in these areas. However, their argument about equality is less convincing as this TAN

has also been successful in impeding developments around formal equality principles, at least in relation to lesbians and transgender people. Its influence has included obstructing the inclusion of a socially constructed notion of gender in international documents.

The analysis presented here then suggests either one of two things in terms of Keck and Sikkink's analysis about TANs success in advancing equality arguments. Either it has to be amended to include as an exception to formal equality the right to claim discrimination on the basis of homosexuality. Or else, it needs to expand the categories that create some consensus across cultures and religions to include homosexuality. If the latter suggestion is taken up, it needs to include the caveat that homosexuality creates a negative consensus; it is a rallying point to hinder the expansion of international human rights for people whose sexuality lies outside the mainstream heterosexual paradigm.

Lessons for feminist activists

Other feminist analysis of the Cairo, Beijing or Rome suggest that conservative forces did not get as far with their agenda as expected (on Cairo see Neale 1998; Keck and Sikkink 1998:189, on Beijing see Buss 1998). And, there is no debating that in the struggle between conservative and progressive forces internationally over women's rights, the latter can claim more 'victories' in terms of the text of international documents as well as the development of norms related to women's rights. But by taking a cumulative and longer-term view of the position and influence on the conservative patriarchal TAN as has been done in this paper, gives reason for pause and reassessment of the triumphalist tone of some feminist rhetoric (see for example Kissling 1995/6).

The conservative patriarchal TAN presents two key problems for feminists that they must find a way to address. The first relates to its ability to unsettle and destabilise

an already fragile feminist coalition through its appropriation of the language of equality, equity and rights. The emphasis on differences between men and women espoused by conservatives is not so far removed from the view of some feminists who also seek to celebrate women's difference; particularly their reproductive and mothering roles (see Bacchi 1990: 87). The TAN has also successfully employed the language of equity used by previously used by feminists to argue for affirmative action for women. The problem with this formal approach to equality is that it men are retained as the standard to measure women's lives. Moreover, the way in which the Holy See and some Islamic states critique the so-called 'western individualistic' approach to rights reinforces existing tensions between transnational gender advocates about how to address differences between women across religions and cultures (for a discussion see Desai 2002:28). The conservative patriarchal TAN presents feminists with a challenge to address their own internal inconsistencies and helps to undermine their attempts to develop common position in order to confront conservative forces (on this point see Buss 1998: 347).

The second problem is that by advancing a negative agenda, at times with success, the conservative patriarchal TAN keeps those with more progressive agendas in a defensive position. Otto emphasises this point in relation to the experience at Beijing. In her view:

Although, at one level, the contestation in Beijing between feminist and anti-feminist perspectives resulted in a hard-won reaffirmation of previously agreed 'equality' commitments by states, at another level the outcomes represented few, if any advances for women. And the many reservations lodged by dissenting states indicate the continuing competence of fundamentalist forces and the ongoing precariousness of even small advances made in the name of formal equality (1996: 27-8).

A similar argument can be made about developments at the follow-up conference in New York and, to some extent at Rome; feminists were locked into maintaining what

had already been achieved within the confines of formal equality, rather than pursuing more expansive goals.

The contestation between conservative and progressive forces around women's rights is far from over. The conservative patriarchal TAN realigned at UN meetings in 2001 on AIDS and in 2002 on children's rights. At the latter conference, it successfully blocked a provision for 'reproductive health care services' in the final document and lobbied to protect 'family values'. A new participant in the TAN emerged at these conferences: the official US delegation who included a former Vatican adviser as well as other well-known anti-abortion activists (Lynch 2002). The seeming contradiction of the US aligning with countries such as Iran and Iraq to push forward a conservative agenda at the 2002 conference was brushed aside by a US official: 'We have tried to point out there are some areas of agreement between [us] and a lot of Islamic countries on these social issues' (Lynch 2002:A1). According to a report of these conferences, long-term observers have noted a change in tactics by the conservative patriarchal TAN from a defensive to a more offensive position in trying to undo international agreements around women's rights (Lynch 2002). Members of the TAN have begun holding conferences outside UN forums in order to develop a firmer alliance and clearer strategies for promoting 'family values' in international fora. Future UN meetings are sure to reflect these developments.

Conclusion

Despite important steps towards the development and expansion of women's rights internationally, feminist advocates cannot be complacent. Throughout the past decade the conservative patriarchal TAN has advanced an alternative vision of women's rights. It has framed women as wives and mothers who belong in the natural realm of the heterosexual family unit. Moreover, it has challenged their rights to control their bodies especially in relation to their sexual and reproductive lives. In contrast to some previous analyses, this longitudinal analysis suggests the

conservative patriarchal TAN has had a significant degree of influence in shaping the international agenda around women's rights, mostly in a negative sense. The TAN has shaped the text of the documents from UN conferences in Cairo, Beijing, New York and Rome through blocking the inclusion of, or adding limitations to, particular text. It has also obstructed the progress of debate on women's rights at each of these conferences. The issues around which it has been the most influential include abortion and reproductive rights as well as homosexuality. The success of the network in relation to the latter suggests the need to revise existing accounts about the possible influence transnational advocates can have.

Reports from recent UN meetings suggest that the conservative patriarchal TAN is, if anything, in a period of expansion. New strategies are being devised to challenge what has been seen to be the primacy of the liberal western position in international debates on women's rights. Transnational gender advocates must remain alert to these developments and be able to think through new strategies to combat attempts by the TAN to appropriate the discourse of equality in order to undermine an expansionist agenda on women's rights.

Bibliography:

Al-Hibri, Azizah. 1997. 'Islam, Law and Custom: redefining Muslim Women's Rights' *American University Journal of International Law and Policy* 12: 1-44.

Amit, Sajeda and Sara Hossain. 1994-5. 'Women's Reproductive Rights and the Politics of Fundamentalism: A view from Bangladesh', *American University Law Review* 44: 1319-1343

Bacchi, Carol 1990. *Same Difference: Feminism and Sexual Difference*, Allen and Unwin, Sydney.

Bedont, Barbara C. 1999. 'Gender-Specific Provisions in the Statute of the ICC' in F. Lattanzi and W. Schabas ed.s *Essays on the Rome Statute of the ICC*, Naples: Editorial

Scientifica accessed at <http:iccwomen.addr.com/recourses/genderprovs.html> 14 June 2004.

Buss, Doris. 1998. 'Robes, Relics and Rights: The Vatican and the Beijing Conference on Women' *Social and Legal Studies* 7:3 339-363.

Catholics for Free Choice (CFFC). 1999. 'International Campaign Calls in to Question Vatican's Seat at UN' Press Release. Accessed at www.cath4choice/nobandwidth/English/new/pressrelease/internationalcampa on 2 February 2004.

Center for Reproductive Rights. 'Five Year Review of the Beijing Fourth World Conference on Women, 2000' Briefing Paper accessed at http://www.crlp.org/ww_adv_beijing.html on 3 February 2004.

C-Fam. 2000. 'Radical Feminists Laud International Criminal Court' accessed at <http://www.lifesite.net/ldn/2000/mar/00030905.html> on 3 February 2004.

C-Fam. 1999. 'Protection for Families Dropped from the New International Criminal Court' *Friday Fax* 17 December 3:5

Chappell, Louise 2002. *Gendering Government: Feminist Engagement with the State in Australia and Canada* UBC Press, British Columbia.

Copelon, Rhonda. 2000. 'Gender Crimes as War Crimes: Integrating Crimes against Women into International Law' *McGill Law Journal* 46: 217-240.

Desai, Manisha. 2002. 'Transnational Solidarity: Women's Agency, Structural Adjustment and Globalization' in Nancy A. Naples and Manisha Desai *Women's Activism and Globalization: Linking Local Struggles and Transnational Politics* Routledge: New York.

Finkle, Jason L and C. Alison McIntosh. 1994. 'The New Politics of Population' *Population and Development Review* 20: 3-34.

Glendon, Mary Ann. 1995. Holy See Statement to the Fourth World Conference on Women, 5 September. Accessed at <http://www.un/org.esa.gopher-data/conf/fwcw/conf/gov/950905214652.txt> on 13 July 2004.

- Hajjar, Lisa. 2004. 'Religion, State Power , and Domestic Violence in Muslim Societies: A Framework for Comparative Analysis' *Law and Social Inquiry* 1-38.
- Holy See.1998. 'Intervention of the Holy See Diplomatic Conference of Plenipotentiaries on the Establishment of An International Criminal Court', Working Group on War Crimes accessed at <http://147.222.27.5/people.dewolf/hs.html> on 14 June 2004.
- Keck, Margaret and Kathryn Sikkink, 1998. *Activists Beyond Borders: Advocacy Networks in International Politics*, Cornell University Press, Ithica.
- Kissling, Frances. 1995. 'From Cairo to Beijing and Beyond' *Conscience* accessed at <http://www.catholicsforchoice.org/articles/roadlong.asp> on 15 July 2004.
- Lauber, Sabina. 2001. 'Where to Now? International Women's Rights', *Alternative Law Journal* 26:1 16-21
- LifeSite Daily news. 2000. 'Beijing +5 Prepcom Final Report' 3 April. Accessed at <http://www.lifesite.net/ldn/2000/apr/000403a.html> on 20 January 2004.
- Lynch, Colum. 2002. 'Islamic Bloc, Christian Rights Team Up to Lobby UN' *Washington Post* June 17. A.1.
- Minnery, Tom 'Focus on the Family' Press Statement C-Fam <http://www.c-fam.org/holysee/voicesoftruth.html#9> accessed on 1 November 2003.
- Neale, Palena R. 1998. 'The bodies of Christ as international bodies: the Holy See, wom(b)an and the Cairo Conference' *Review of International Studies* 24: 101-18.
- Organization of Islamic Conference (OIC) 2000a. 'On Slanderous Campaigns waged by certain Non-Governmental Organizations (NGOs) Against a number of OIC Member States Targeting the Islamic Sharia under the Mantle of Human Rights Protection' 62/9-P (IS) accessed at www.oic-un.org on 9 July 2004.
- Organization of Islamic Conference (OIC) 2000b. 'On Coordination Among member States in the Field of Human Rights' Resolution 61/9-P (IS) accessed at www.oic-un.org on 9 July 2004.
- Okin, Susan Moller. 1998. 'Feminism, women's human rights and cultural differences' *Hypatia* 13:2 32-53.

- Otto, Dianne. 1996. 'Holding Up Half the Sky, But for Whose benefit?: A Critical Analysis of the Fourth World Conference on Women', *The Australian Feminist Law Journal* 6: 7-28.
- Pateman, Carole. 1989. *The Disorder of Women*, Polity Press, Cambridge.
- Reservations and Interpretive Statements on the Beijing Platform for Action. 1995. New York.
- Singh, Jyoti Shankar. 1998. *Creating a New Consensus on Population: The International Conference on Population and Development* Earthscan, UK.
- Sabon, Diane. 1999. Is the UN riding roughshod over religion? Washington Post Symposium. Accessed at <http://www.seechange.org/media/insight.htm> on 3 February 2004.
- Shepherd, Anne. 1994. 'Abortion Debate Deferred as More Voices Join the Vatican' Press Release, Women's Feature Service. Accessed at <http://www.iisd.ca/Cairo/wfsabort.txt> on 23 July 2004.
- Spees, Pam. 2003. 'Women's Advocacy in the Creation of the International Criminal Court: changing the landscapes of justice and power' *Signs* 2003 28:4 1233-1256.
- Tauran, H.E. Mons. Jean-Louis 'The Defence of Life in the Context of International Policies and Norms' accessed at <file:///C:/Docume1~/ADMINI~ENT/Locals~Temp/triIAOF.htm> on 3 February 2004.
- Terraviva. 1998. 'Who's Obstructionist? Arabs Ask' *Terraviva. The Conference Daily Newspaper* accessed at <http://www.ips.org.iss/tv020703.htm> on 2 November 2003.
- Tohidi, Nayereh 2003. Women's Rights in the Muslim World: The Universal-Particular Interplay' *HAWWA* 1:2 152-188
- United Nations. 1996. *Population and Development: Programme of Action Adopted at the International Conference on Population and Development*. New York.
- United Nations. 1996. *The Beijing Declaration and Platform for Action*. UN Department of Public Information, New York.
- Women-Church Convergence. N.d. 'Equal is as Equal Does' <http://www.cathoilcsforchoice.org/articles/equallong.asp> Viewed 12 July 2004.

Women's Caucus for Gender Justice. 1998. 'The Crime of Forced Pregnancy'
Accessed at <http://www.iccwomen.org/icc/iccpc/rome> on 2 October 2002.

Women's Caucus for Gender Justice. 2000. 'Excluding Crimes Against Women from
the ICC is Not an Option' accessed at [http:
www.iccwomen.addr.com/reports/marpaneleng.htm](http://www.iccwomen.addr.com/reports/marpaneleng.htm) on 16 June 2004.