

# Gender, Culture and Human Rights

Suad Joseph

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**M**ost human rights movements have rightly focused on the state as a mobilization site for change. The family is an additional site of contestation for human rights and particularly for women's human rights. Without addressing its structure, culture, and dynamics, neither women nor men will be freed of relations of domination.

## Family as a site of human rights

I suggest we look at the family as a site for construction of notions of rights and as an arena in which rights are continually contested and reworked. The family, however, is not an arena separate from the state. We must challenge the public/domestic dichotomy as dangerously misleading in understanding the enactment of rights, particularly women's human rights. Violations of women's human rights are often hidden by their presumed association with family and domestic affairs and the presumed separation of public and domestic arenas.

## The Lebanese Case

I make a case for bringing family into the arena of Arab human rights debates and activism based on my work in Lebanon.

While it would be unfounded to argue a Pan-Arab paradigm, the specificity of the pattern in Lebanon may raise similar issues for other Arab countries. The relevance of this research may be enhanced by the fact that my research site, the Greater Beirut urban working class municipality of Borj Hammoud, has residents from Lebanon, Syria, Palestine, Jordan, and Iraq of all religious sects.

In Lebanon, people carry their family relations into the public arena, civil society, and the state. Both political leaders and lay people privilege kin and idiomatic kin (acting as if someone were kin) relationships in the public domain. Therefore, family structure, culture and dynamics have been a central part of the political process of enacting rights in civil society and the state in Lebanon.

## Relational Rights in the Family

The family is a crucial site which embeds, in early formative years and throughout one's life time, notions of entitlement and what gives a person their sense of rights. Who gets what, when, and who must give it to them are learned in early childhood in family settings. Among persons with whom I have worked, the predominant sense of rights were relational, not contractual or individualist. Persons have not felt that they had rights that inhered abstractly and unconditionally in their own personhood. Rather, persons' rights were embedded in sets of relationships.

That is, among urban working class people in Lebanon with whom I have worked for over twenty years, I have observed that persons felt they had rights to access in an agency or in an arena because they had relationships with specific people in that agency or arena. They had relationships of obligation and reciprocity that they call upon. Often they were either kin or idiomatic kin relationships. People often had relatives in public agencies. Alternatively, they created temporary or long-term social relationships that were modeled on kinship that allowed them to call each other in

kin terms (brothers, sisters, uncles, aunts) and to claim the expectations and obligations of kinship either directly or indirectly through networks or brokerage (wasta).

### Not Collective Rights

This, however, was not a collective notion of rights that I observed. It was not by membership in a collectivity that one obtained access to rights or a sense of entitlement, but rather by having specific relationships of mutual involvement with specific persons from which obligations and reciprocities flowed. I observed a relational construct of rights in which relationships were fluid, changing, and continually contested. The rights that flowed from these relationships were thus also fluid, changing and continually contested. Rights were therefore not experienced as inherent, absolute, or embodied in the self among these urban working class persons and families in Lebanon. Rights were experienced as flowing from relationships of significance, primary to which was kinship and idiomatic kinship.

### Patriarchal Relational Rights

Given the patriarchy of the family system and social order, however, these relational rights privileged males and elders. Given that patriarchal family relationships flowed mutually between family, civil society, religious institutions, and the state, then the privileging of males and elders was mutually reinforced in multiple arenas. The

rights of males and elders, though, were also relationally embedded. Males and elders, therefore, experienced their rights as shifting, fluid, and contested.

### Dilemma for Women's Universal Human Rights Movements

Why are these issues important for developing analyses and strategies for women's human rights? The human rights movement has posited itself on an individualist construct of personhood and the assumption that rights inhere abstractly, contractually, and universally, in an autonomous, bounded self. This concept of rights developed as a notion that boundaries must be created to limit the power of the state. The notion of rights conceived as a boundary (Nedelsky, 1990) to state power. This notion of rights carried a bounded, autonomous entity.

I am not interested in advocating either relational rights or individualist rights at this point. Clearly, there are different and multiple notions self, personhood, and rights at stake. Each has roots with complex historical and cultural bedding that require separate analysis. I simply suggest that we must identify, recognize, and understand the different constructs and experiences of rights in order to figure out how we can build the ground on which to stand together to advocate human rights and women's human rights. This suggests that what is at stake in the human rights movement is a profound contestation over the nature of self-

hood -- what it means to be a person, what it means to be a human being. The process of contestation is itself creating, shaping, and reconfiguring selfhoods.

Since a crucial site of cultural creation, self creation, and creation of rights is the family, then the family must be site of contestation over human rights and women's human rights. In this struggle, it is important for us to recognize what ground to stand on when we fight and who occupies the ground. If someone fights on a ground that we do not occupy, we may sympathize with their struggle but not be able to join it. If someone struggles on the same ground and shares visions, we may join hands in the struggle. If someone stands on the same ground, struggles over the same issues and tries to dislocate us, silence us, co-opt us, or incarcerate us, then we must fight.

Culture and family occupy a ground which women cannot relinquish to any reactionary forces. In the process of struggling over family and culture, we not only create our own agencies, but we humanize the cultures we live in and make them ours.

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