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Mapping women's and gender rights as a globally contested arena

Report of the opening conference of the ZiF Research Group "Global contestations of Women's and Gender Rights", 7–9 October 2020 at the *Center for Interdisciplinary Research (ZiF)*, Bielefeld University



Research Group "Global Contestations of Women's and Gender Rights" (from left to right: Alexandra Scheele, Julia Roth, Anna Efremowa, Heidemarie Winkel (photo: Cathleen Falckenhayn)).

Gender equality is presently, in many parts of the world, being variously contested, challenged, and disputed. This new political 'common sense' against gender equality is considered to be part of an extreme right-wing, authoritarian, and fundamentalist alliance that has been using the concept of gender as an instrument to structure and direct an illiberal and non-democratic political practice. This landscape shows how even though there have been advancements in the direction of a gender equality agenda across the globe, we still need to understand the challenges posed to every gender-related issue in terms of rights and social and political conditions.

Helping fill this need is the *Center for Interdisciplinary Research (ZiF)* Research Group "Global Contestations of Women's and Gender Rights", headed by the convenors PD Dr. Alexandra Scheele, Prof. Julia Roth, Prof. Heidemarie Winkel, coordinated by Anna Efremowa (all of Bielefeld University) and comprised of 33 international fellows, junior fellows, and associated fellows from 16 countries. Over the next months (Octo-

ber 2020–July 2021) they will research the current political status of gender as an international language of contestation in different geographical locations and political contexts and critically think together to acquire a more diverse and profound understanding of the issue.

The convenors' goal of the opening conference, "Mapping women's and gender rights as a globally contested arena," held from 7–9 October 2020 at the *Center for Interdisciplinary Research (ZiF)* in hybrid-style (live in Bielefeld and virtual via Zoom), was to provide a space for giving an initial assessment of a current global trend that has the contestation of gender rights as a central political grammar and agenda.

Keynote: Gender equality and queer rights

The first day of the conference was dedicated to the debate on the progress and the limits of gender rights and on the advancement of illiberal movements. Prof. Elisabeth Holzleithner (Vienna, Austria) started her keynote "Global contestations of gender equality and queer rights – perspectives from legal philosophy" in the memory of late Supreme Court Justice Ruth Bader Ginsburg and above all highlighted the importance of the legal system in setting paradigms for gender and sexual rights. In light of the recent advancements on gender contestation, Holzleithner suggested that legal action must be forwarded in order to sustain a system of gender equality and sexual freedom protection. For her, the laws have to be interpreted against a framework of human rights. However, she problematised the fact that there is still much to be done in order to consider queer rights also as universal human rights, a direction she defended alongside the premise that feminism must be trans-inclusive.

In the direction of creating a wider gender inclusive framework, Holzleithner mentioned the innovative creation of the Yogyakarta principles, regarded as a way to deepen the debate on LGBT rights and extend the human rights framework. In opposition to any scepticism about the effectiveness of the law and legal institutions,



Hybrid-event with the speaker Ziba Mir-Hosseini (photo: Cathleen Falckenhayn).

Holzleithner argued that the law is a mirror of society and therefore must be included in actions that work on the advancement of a wider idea of human rights.

Panel I: How and why is gender equality questioned?

Prof. Andrea Petö (Vienna, Austria/Budapest, Hungary), whose gender studies department has been moved to Vienna after Hungarian Prime Minister Viktor Orbán banned gender studies programs, started her talk by offering answers to the question of how gender became a 'symbolic glue' and a central pillar for nationalist and illiberal contestations. She argued that the current (neo)liberal democratic order is in crisis and under a process of shifting paradigms into an illiberalism, whereby a systematic rejection of civic liberalism unfolds that undermines democracy itself. Petö identified how the illiberal right creates broad alliances – the so-called anti-gender movement – against what it calls 'gender ideology'. The new illiberal 'polypore state' has three functional characteristics: a parallel civil society, security narratives, and familialism.

Prof. Verónica Schild (London, Canada) addressed the neoliberal project in crisis from a different angle. She focused on the limits of gender rights in Chile's entrenched market society. Her investigation explored the relation between the discourse of human rights, neoliberalism as a moral project, and the implications for feminists and other social movements in Chile. The Chilean context was presented as the laboratory for the 'ideal' neoliberal state, where the moral project was enshrined in the constitution of 1980, leading to a society committed through law to promoting (economic) liberty above everything.

Drawing the two talks together, Prof. Ina Kerner (Koblenz, Germany) called for further exploration of our understanding of liberalisms, illiberalism, and neoliberalism in her comment.

Keynote: Intersectional justice from a global perspective

The second day of the conference put a focus on intersectionality and neoliberal regimes. Founder of the *Center for Intersectional Justice* (CIJ) in Berlin, Dr. Emilia Roig, started her keynote on the "The current challenges for intersectional justice from a global perspective" to positively remark that intersectionality is not as politically contested anymore. Instead, it is rather seen as a conceptual tool and has been adopted as a new paradigm in feminist studies. Roig highlighted the importance of constantly questioning the reinterpretation of terms we use and traced the evolution of 'intersectionality' with respect to the socio-political categories of 'race' and gender in the German and European context. Roig pointed out the biggest challenges facing intersectionality: its erasure of 'race', the way it has been used as a proxy for gender, and its diffuse highly politicised uses. Intersectionality tackles the systems which produce our identities and the underlying hierarchies which maintain inequalities. It is therefore important, also in academia, to shift our focus to these systems of oppression rather than identity.

Panel II: Citizenship as analytical lens and mobilising tool for contestations – gender, sexual and reproductive rights

Prof. Stefania Maffei (Dresden, Germany) reflected on the category of vulnerability in her talk, asking if it provides a sharp lens for ob-



Fellows and guests (photo: Cathleen Falckenhayn).

erving the theoretical, legal, and political recognition process of the human right to global mobility. She proposed affirmative positions to improve the notion of vulnerability from an intersectional legal perspective and introduced human rights as a right to rights: the right to action in a transnational perspective – in terms of transnational citizenship. Vulnerability, then, is about relationality versus sovereignty and autonomy, the ethico-political dispossession of the Self and priority of the Other.

Prof. Noya Rimalt (Haifa, Israel) proposed a comparative analysis of abortion rights. For Rimalt, the main problem in the law is that reproductive rights, and here in particular abortion, is framed as a unique problem not comparable to any other constitutional right. She problematised it as a basic feminine right and in doing so revealed the androcentric character of the law. Rimalt went on to ask if it is possible to frame abortion in a comparable norm, relevant for all sexes. Even if the foetus is considered a person, abortion rights should prevail, because one person's body may not be used to keep another person alive. The right to self-defence would apply here. Rimalt argues for a shift from choice to consent, de-conceptualizing abortion as a unique feminine right, and that morality is irrelevant for a comparative analysis with bodily sacrifices. Dr. Karsten Schubert (Freiburg, Germany) commented that the panel contributions represented different approaches to normativity of law and politics and highlighted its exclusive character.

Panel III: Contestations of equality and the reconfiguration of inequalities in the gen-

dered division of labour – continuities and changes at the local and the global level

Contributions in Panel III focused on the gendered division of labour and social reproduction in the capitalist system. Prof. Martina Sproll (Berlin, Germany) offered an intersectional perspective on social inequalities in global value chains. By looking at the process of feminisation of labour in the Mexican electronics sector, Sproll argues that the capitalist economy relies on the exploitation of women's care-work and contributes to informal economic structures by creating precarious and un-protected working conditions. Furthermore, the reproduction of racial relations rooted in the colonial past generates a new workforce, as in the case of migrant women workers in the households of the Global North. In the comment, Prof. Ania Plomien (London, UK) reflected on the multi-layered meaning of 'social reproduction', which refers simultaneously to the biological reproduction of people, the reproduction of the social system, and the unpaid household labour that intersects with the formal and informal structures of the market.

Round-table: women's and gender rights in neo-liberal times

The second day concluded with a stimulating round-table discussion by six scholars from across four continents: Prof. Birgit Sauer (Vienna, Austria), Prof. Verónica Schild (London, Canada), Prof. Amy Mazur (Pullman, USA), Ligia Fabris Campos (Rio de Janeiro, Brazil), Dr. Onyinyechukwu Durueke (Port Harcourt, Nigeria), and Dr. Brenda K. Kombo (Bloemfontein, South Africa). Upon invitation from the chair, Karina Theurer (*European Center for Constitutional and Human Rights e. V. Berlin, Germany*), they each situated their knowledges and problematised the neoliberal project, addressing what implications there have been for women's and gender rights in (Sub-Saharan) Africa, the EU (Austria), the US, and Brazil.

Simply put, we cannot escape the effects of modernity and liberalism. Through tracing the colonial legacy of law, especially family law, analysing modes of governance, treating neoliberalism as both a discourse and a political economic practice, attending to specific local real-life lived experiences, and mapping out concepts in an epistemological project, the roundtable experts assessed and illustrated neoliberalism (and the neoliberal state) as a gendered project.

These feminist scholars embrace empiricism, listening, and intersectionality as tools for identifying real implications of the neoliberal project

and strategies for mapping out alliances. They argued anti-liberal movements are not a reaction to, but rather a realisation of neoliberalism. This picture of tension again confronted us with the hard question of what the limits and possibilities are for progressive change via legal reform and rights. Drawing from Gramsci, the roundtable discussants carry on with both 'pessimism of the intellect and optimism of the will', calling on us to remember to tell the hard stories and stories of empowerment, to practice empathy *and* solidarity in the further pursuit of a better future.

Panel IV: Contested religion – religion(s) as contestations of rights

The final day of the conference focused on religious rights and feminist movements in Muslim countries. In his keynote, Prof. Heiner Bielefeldt (Erlangen-Nürnberg, Germany), reflected on the relational nature of every human right. He warned of the tendency to weaponise religious freedom against other human rights, including gender-related emancipations, by giving examples of conservative Secretary of State Mike Pompeo or LGBT-free zones in Poland, and emphasised the necessity to reclaim freedom of religion. He discussed the complexities of prioritising one human right over another and stressed the intersectional approach. He underscored the importance of discursive spaces between and within religions and criticised the state-enforcement of religion, such as religious-based family laws in many countries.

Dr. Ziba Mir-Hosseini (London, UK), reflected on the contested notions of feminism and Islam in her response. She emphasised religious authority and power politics as two elements that should be recognized in Muslim contexts for those who are seeking change. Islamic feminism refers to an approach that tries to reclaim the ethical and egalitarian face of Islam and challenge patriarchy from within the discourse of Islam and reviewed the historical process of development of Islamic feminism. Mir-Hosseini suggested a legal pluralism framework for equality action in the context of Muslim countries and concluded her talk by stressing the necessity of meaningful constructive conversation between feminism and Muslim tradition and transcending ideological dichotomy of Islam versus human rights to locate real sites of struggle.

Panel V: Tension between secular and religious notions

The last panel of the conference focused on the interplay between feminist movements and the

tensions between secular and religious notions in Muslim countries. Prof. Fatima Sadiqi (Fez, Morocco) described the antagonism between secular and religious trends within the specific historic context of Morocco during the pre-Arab uprising, arguing that Moroccan women have been able to organise beyond ideological lines and managed to historically ascribe themselves as the first feminist voices in North Africa. Prof. Shirin Zubair (Lahore, Pakistan) analysed the linguistic landscape of women's marches (*Aurat March*), concluding that the resurgence of women's struggles in Pakistan are a neo-secularist wave of indigenous movements emerging locally and connecting globally with the western movements of women. In her comment, Dr. Viola Raheb (Vienna, Austria/Bethlehem, Palestine) emphasised the significance of contextualisation, plurality, and intersectionality and described women's rights and gender issues as the historical motor of change in Muslim countries.

Research perspectives and concluding remarks

The convenors of the inaugural conference were uniformly enthusiastic about the three days of intense debate, in which the complexity of the field of the global contestations of women's and gender rights was introduced and further complexified by various disciplinary perspectives, transdisciplinary concepts, methodological considerations, and tensions between practical application and scientific analysis. How can we deal with and understand how human rights, individual and collective rights can be used as tools of emancipation and progress at the same time as they can be wielded to dominate and inherently produce inequalities? How do we understand liberalism(s) in the first place? How do we name and address oppressive systems? What possibilities are there for changing or dismantling the master's house, with what tools, and with what kind of feminist attitude? What role have neoliberalism, authoritarianism, and political religion played in the rise of anti-feminism and anti-genderism? What has happened to care and social reproduction? What is specific to the local, and what points of dialogue and relationality can be drawn globally? These are just a few of the many questions opened up over the conference, and the research group will continue to meet over the next several months to build on this opening discussion. You are cordially invited to join them in their upcoming public events, which can be found at:

🌐 [https://www.uni-bielefeld.de/\(de\)/ZIF/FG/2020/Gender/Events/](https://www.uni-bielefeld.de/(de)/ZIF/FG/2020/Gender/Events/)

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