



WOMAN AND THE FIGHT FOR RECOGNITION OF HUMAN RIGHTS

¹Jacqueline Meireles Valiense and ²Tania Rocha Andrade Cunha

¹Lawyer, Master Student of the Graduate Program in Memory: Language and Society at the State University of Southwest Bahia - UESB

²Sociologist, Doctor of Social Sciences. Professor of the Graduate Program in Memory, Language and Society at the State University of Southwest Bahia - UESB

ARTICLE INFO

Article History:

Received 19th September, 2019
Received in revised form
20th October, 2019
Accepted 17th November, 2019
Published online 30th December, 2019

Key Words:

Human rights, Women,
Inequality.

*Corresponding author:

Jacqueline Meireles Valiense

ABSTRACT

This article is a reflection that we developed in our Master's Dissertation on Memory, Language and Society - UESB on the condition of women in society, especially regarding gender inequalities. We focus on the struggle of women for the recognition of their rights since Olympe de Gouges (1748-1793), who had her life cut down for fighting for equal rights between men and women to the present day. Thus, we intend to discuss and analyze the effects of changes in women's lives, in a society inheriting patriarchal values and marked by power relations, inequality and violence, as well as future challenges and theoretical contributions, in terms of these inequalities and situations violence still affecting a large number of women, whether in Brazil and / or other countries.

Copyright © 2019, Jacqueline Meireles Valiense and Tania Rocha Andrade Cunha. This is an open access article distributed under the Creative Commons Attribution License, which permits unrestricted use, distribution, and reproduction in any medium, provided the original work is properly cited.

Citation: Jacqueline Meireles Valiense and Tania Rocha Andrade Cunha, 2019. "Woman and the fight for recognition of human rights", *International Journal of Development Research*, 09, (12), 32401-32404.

INTRODUCTION

This article, part of our Master's dissertation in Memory Language and Society, "Man and violence against women: memory, family and education" aims to address the trajectory of women's struggle for the recognition of their rights. In a society inheriting patriarchal values, the existing inequalities between the sexes continue to this day and in it men occupy a privileged place in relation to women in the most diverse fields: economic, social, cultural and political, a condition that makes them feel strong sex, the sex of power that can exert on women the most varied forms of domination and violence. It is necessary to take into account that only in recent decades women have become a specific field of study of the Humanities and Social Sciences, as well as for Legal Science, which began to consider the differences between the sexes as a fundamental fact in Western history. During this period, the emergence of the feminist movement, along with other actors, challenged the paradigms that had hitherto been determined in social science. Writing a women's story is an enterprise that reveals a profound transformation closely linked to a conception that women have a history are not just meant for reproduction, that they are historical agents, and have a

historicity relative to everyday actions, a historicity in relation to the sexes (Perrot, 1995). Until the nineteenth century, the presence of women in historical studies was still very timid; there was little or no question of elaborating studies that focused specifically on the role of women. The consolidation of the capitalist system of production at the end of this century caused enormous changes in the world economic structure. Among these changes, one brought profound changes in the behavior of women, especially from their incorporation into the labor market, a phenomenon that will radically alter the traditional system that had hitherto been natural, and the closure of women to the domestic sphere, which for some authors is called the private environment. The increasing participation of women in public activities, and the conquest of some formal rights, such as citizenship, were reasons that challenged the modern sexual hierarchy in contemporary societies, and more than that, they shook the foundations of the traditional family. At this moment, society is no longer structured based on the class issue, the economic issue, the power relations, but also based on gender. Women as a gender began to be considered, in the 1960s and 70s, as a structuring element of society, and became the subject of studies in academia. At this time, specific nuclei of anthropologists,

sociologists and other scholars concerned with the female condition appear in universities. The reflection on the female problem in the academy was motivated by the concern to rescue the role played by the Social Sciences through the alteration of the traditional concepts and methodologies and to build a project of feminine liberation. The use of the concept of gender has contributed to a greater and better understanding of women's subordination, to seek the place of difference, otherness, and from there, to fight for public recognition of these differences within a larger project of equality, citizenship and respect among all. This project will only become viable when everyone comes together to build a broad democracy.

From this perspective, this article addresses the struggle of women in pursuit of their rights and the difficulties faced by women in fully enjoying their achievements, because even though they have legally recognized their rights, women continue to be treated as weak sex, as subordinates, and as women which fall into all kinds of prejudice, discrimination and violence.

METHODOLOGICAL RESOURCES

In methodological terms, this article is an exploratory, descriptive and qualitative study. According to Minayo (1994, p.21) "qualitative research answers very particular questions. It is concerned with social sciences with a level of reality that cannot be quantified." Thus, one can take into account the analysis of the individual constructed by variables such as those already mentioned above. In short, this paper aims to understand the history of women in the struggle for their rights from important authors who have contributed greatly to combat gender inequality, such as Christine de Pizan, Olympe de Gouges, Mary Wollstonecraft, Simone de Beauvoir, Rita Radl, Helleieth Saffioti, among others.

RESULTS AND DISCUSSIONS

The concept of "law" is born from the influence received from Enlightenment ideas and consolidates itself in the Western world amid the conflict established between the world of reason and the world of nature. In the debate between those who defended the social man and those who advocated the natural man, the former won, but the latter were not defeated. It was in the midst of this dispute that modern law was born, full of ambiguity and compromise. While on the one hand he consecrated and ensured before the State the rights and freedoms of the human person, on the other hand he legally installed the bourgeois liberal order in order to protect the human being from the diverse natural and pathological forces of his fellow men. As a product of modern law is born human rights, which consist of a grouping of rights considered indispensable for a human life based on freedom, equality and dignity. Human rights are the essential and indispensable rights to a decent life. The goal of human rights, in short, is the fight against oppression and the pursuit of the welfare of the individual. These rights are inherent in all people and are interconnected, interdependent and indivisible. The historical evolution of human rights has had several phases that, throughout history, have helped to consolidate the concept and legal regime of these essential rights. These rights were marked by the Universal Declaration of Human Rights of 1948. This Declaration establishes the following parameters of analysis: indicative of respect for human dignity and equality between human beings; the recognition of rights based on

human existence itself; the recognition of normative superiority even in the face of State Power and, finally, the recognition of rights aimed at the existential minimum. Women, as *Homo sapiens*, were also guaranteed their rights in the 1948 Universal Declaration of Human Rights, which is the genesis of human rights studies and discussions.

It is necessary to take into consideration that until the 19th century, prejudice against women was still very great. Even in the arts, the prevailing thought was that men were superior to women in both the biological and intellectual fields. He watches over the idea that men were more creative beings, capable of great inventions, while women, seen as more sensitive and detailed, had only the ability to imitate the opposite sex. From the late twentieth century onwards, women's participation in the debate on human rights became of fundamental importance, especially as their rights became part of the human rights agenda. However, although human rights are extended to women, women have undertaken many struggles for this recognition, such as women like Christine de Pizan (1364-1430), one of the first writers who in 1405 challenges and demands that women be recognized for their status. of woman / citizen. This author firmly rejected the idea of subordination, defending a new conception of woman that deserved to be treated with dignity and to have the same rights as men in all areas of society. Considered a pioneer of feminist thinking, she began the construction of theoretical knowledge about gender relations in the fifteenth century. Another woman who will worry about the female condition is Olympe de Gouges (1748-1793). In 1791 in contesting gender inequality and in response to the Declaration of the Rights of Men written in the context of the French Revolution, which mentioned little about women's rights, she writes a Declaration of the Rights of Women and Citizen, claiming for women the same rights as men. In this Declaration, she called on women to fight "O women! Women, When Will You Stop Being Blind? ", Alluding to the situation of inequality in which women lived Defending the ideals of equality for all individuals, she questions the unequal relations prevailing between the sexes. This woman's courage and boldness in defending women's equal rights has cost her a great deal, her own life.

In the struggle for women's rights, another prominent name was Mary Wollstonecraft (1759-1797), a leading name in defense of women in the nineteenth century. A libertarian intellectual, Wollstonecraft embraced the causes of the oppressed people of her time, and is now recognized as a leading abolitionist and a forerunner of feminism. In his most important work, "A Claim for Women's Rights," he argues that women should have the same rights to education as men. She argues that women are by nature not inferior to men; what they lack is education and schooling. Men and women are rational beings and should be treated equally. Another name that should be highlighted is that of Simone de Beauvoir (1908-1986), an important woman who stood out in the struggle for the guarantee of women's rights. At the end of World War II, between 1946 and 1948, she wrote one of the most influential works of modern feminism "The Second Sex" released in 1949. In this book the author vehemently defends the idea that women should be independent, free and "undivided", but a subject of rights, whose life and destiny are not linked to the life of the other, in this case man. Even in the twentieth century, the first women's rights movements appeared on the world public scene. These movements demanded rights of access to education and voting, with a view to achieving

gender equality. According to Radl (2010), women's claims have always been focused on the right to education. An education that should have as its principle equality between men and women, respecting the specificities of each sex. Another important claim revolved around citizenship rights, especially voting for women, a central issue in the feminist agenda, especially in the late eleventh century in England, the USA and Germany, and in the early twentieth century in countries of Europe and from South America like Brazil. In Brazil, a country that lived through centuries of colonial exploitation and domination of Portugal, its social and economic organization was directed to the Portuguese commerce. Heir to this culture has long predominated here, poverty, illiteracy, and dependence on the slave labor. Only in 1822, the country left the condition of colony and proclaimed its independence. Since then some women have distinguished themselves in the struggle for recognition of women's rights, among which we can highlight the contributions and influences of Nísia Floresta (1810/1885) and Bertha Lutz (1894/1976) considered pioneers.

Concern about human rights and democracy in Brazil has strong links with the events of the last decades of the twentieth century, when new social subjects entered the political and social scene of the country (Sader, 1988) through the social movements that fought and claimed the end of the recession the country was subjected to. According to Paoli:

The emergence of these movements in the 1970s, and thereafter their constant (sometimes triumphant, sometimes erased, sometimes defeated) presence in this scene, are profoundly correlated with the fact that today we can define the issues surrounding the constitution of a public space as central to understanding the political dynamics of the social (Paoli 1989: 41). Thus, this new way of thinking about women's rights and citizenship is the attempt to develop a world where the most diverse interests are represented, where collective citizenship is contemplated in the historical practice of men. From the Federal Constitution of 1988, men and women were considered equal before the law. Women are able to perform the same activities performed by men, nothing differentiating them, in principle, from the legal point of view; however, this legality is not always recognized as legitimate, remaining the existence of violence by men against their women, rooted in the sociocultural traditions of peoples. On the struggle for women's rights, we need to study the feminist movement. The emergence of the feminist movement in Brazil is inserted in the scenario of social movements that occupied the social and political space in the second half of the 1970s. The formation of this movement is linked to the formulation of demands, demands or collective needs that go through the construction of an idea of rights, by the recognition of a collectivity, which at that time represented the other half of the Brazilian population.

Thus, despite the legality and legitimacy of human rights in the Federal Constitution of 1988, which includes the rights of women, in practice they do not fully enjoy them. Women continue to be the target of male domination endorsed by a patriarchal culture that insists on being present in affective relationships. The struggle for power, especially when it comes to social categories of male and female gender, is directly related to the unequal distribution of opportunities on a social and economic scale. "Gender in this case is the construction of masculine and feminine, ideologically diffused models as

opposites and, therefore, as complementary" (Saffioti and Almeida, 1995: 196). Moreover, the relationship of domination and exploitation of women, according to Saffioti (1992), does not imply a total destruction of women; on the contrary, it is important that it be preserved. The fact that the woman is a subordinate does not mean that she does not exercise any form of power. Thus, power is present at both poles of the relationship, albeit to different degrees. The division of society into antagonistic social classes and with profound differences in the chances of winning in life allows those who enjoy the greatest privileges - men - to dominate the other sex, namely women. The power of the male, though varying in nuance, is present in the ruling and subaltern classes, in the white and non-white population contingents. A woman who, because of her wealth, dominates many men and women, is subject to the yoke of a man, whether her father or her mate. Thus, as a rule, women are subordinate to men.

In this sense, we can observe that despite all these advances and achievements of women's rights, gender inequalities, discrimination and violence against women still persist. In this scenario, in which the achievements are not sufficient to overcome the advance of violence, discrimination, inequality and the loss or threat to women's rights, it is of paramount importance to take the 70th anniversary of the Universal Declaration of Human Rights as the genesis of reflection and construction of actions to protect these rights. It is necessary to bear in mind that threats and disrespect for human rights and women's achievements do not happen without resistance and without struggle. Thus, the social construction of the roles imposed on women and men is a legacy of the colonial system that remains alive to this day. Thus, it is essential to bring up not only the legitimacy and achievements of women's rights in the legal sphere, but especially the full and effective enjoyment of these achievements achieved with so much struggle, tears and blood. Only in this way can we experience a society rooted in the canopy of gender equality, rights and powers.

Final Considerations

For all that has been outlined above, we can say that for millennia women were not considered as a social subject capable of contributing to alter social relations. Woman was and still is, to this day, one of the most disrespected and humiliated beings in society. Public recognition of gender differences is articulated with the fundamental idea of seeking equal rights between men and women, a struggle that began since the 15th century with Christine de Pizan, one of the first women to contest and demand recognition of their status of woman / citizen. She argued that qualities that were attributed only to men as intelligence, strength, value, creativity, tenacity, faithfulness, prudence could also be feminine qualities, as well as tenderness and caring of people, seen as inherent in women and considered qualities of lesser value. Thus, given the current situation in which women live, in a society that always governs in the male, the only recourse is to appeal to dialectics as a method and critical thinking, capable of unraveling reality, to reveal the paths that enable the search for identity feminine, which is continually created and recreated in a space where difference, alterity, and transformation coexist. In the elaborate discussion of power and gender, Saffioti (1992) states that in class societies, women remain ignored along with other categories. In these societies, in which social differences prevail, the relations established between men are relations of power. This power is

concentrated in the hands of men, and they fear losing the privileges that for millennia have been granted by society. It is not possible to isolate the female problem from the socio-cultural, political and economic context in which women are inserted, since this is not an isolated phenomenon. Just as it is not possible to analyze gender relations, ignoring the relations with capitalism and racism, this would imply compromising the research results definitively. Therefore, the strategy indicated to fight against social inequalities is to attack the association between patriarchy-racism-capitalism, so that democracy can be implemented. Humanization must be extended to men and women of all races, creeds and ethnicities in order to establish equality among all human beings. The recognition of women by society, the respect for their differences and the acquisition of their own identity imply the undertaking of efforts and struggles. However important and urgent these rights are for women, in fact, one cannot give up a greater struggle that will only be resolved through a broad organization of all around a democratic project: the liberation of the human being. To make this measure viable, it is up to the State to promote a human rights policy that encompasses women's rights, as well as those categories that feel discriminated against by society, such as blacks, Indians, homosexuals. The State must also take care that its institutions effectively practice these policies and to the satisfaction of all those who feel harmed by their rights, instead of exercising violence or even being compromised with them. By doing so, surely, women would find more strength to fight for their own rights, and to consolidate themselves as political forces.

REFERENCES

- _____. 1960b. *The second sex: the lived experience*. São Paulo: European Book Dissemination.
- BEAUVOIR, Simone. 1960a. *The second sex: facts and myths*. São Paulo: European Book Diffusion.
- GOUGES, Olymphe de. 2018. Declaration of the Rights of Women and Citizens, Interdisciplinary International Journal Interthesis, 2007. Available at: <<https://periodicos.ufsc.br/index.php/interthesis/article/viewFile/911/10852>>. Accessed May 30.
- MINAYO, Maria Cecília de S. 1994. Social violence from the perspective of political health. *Cad. Public Health*, Rio de Janeiro: v. 10.
- PAOLI, Maria Célia. 1989. "Workers and Citizenship: Public World Experience in the History of Modern Brazil" *Advanced Studies*, São Paulo: USP, 3 (7), Sep / Dec, pp40-60.
- PERROT, Michele. 2008. *My history of women*. Sao Paulo: Context.
- PERROT, Michelle. 1995. *Writing a Women's Story: an experience report*. In: *CadernosPagu*, No. 4, Campinas-Sao Paulo.
- RADL, Rita M. Philipp. 2010. *By way of introduction: epistemological aspects of women's research and gender*. In: .PHILIPP, R.R. *Investigations the actions of women and the gender*. Santiago de Compostela, University.
- SADER, Eder. 2001. *When new characters come into play: experiences, speeches and struggles of workers from greater São Paulo - 1970-80*. Rio de Janeiro, Peace and Earth, 4 Es.
- SAFFIOTI, Heleieth I. B. 1992. *Rearticulating gender and social class*. In: OLIVEIRA, Albertina; BRUSCHINI, Cristina (orgs). *A gender issue*. Rio de Janeiro: Rose of the Times / Carlos Chagas Foundation, p. 183-215.
- SAFFIOTI, Heleieth. 1995. I. B. and ALMEIDA, Suely Souza de. *Gender Violence: Power and Impotence*.
- WOLLSTONECRAFT, Mary. 2016. *Women's rights claim*. Trad. byIvaniaPocinho Motta.São Paulo:
