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Notes From the Field

The Human Rights Enterprise and Women's Rights Organizing

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Abstract.

The highly-contested discourse of human rights figures prominently in the pronouncements of the United Nations, nation-states, and civil society entities. As a result, the human rights label may be applied to activist networks that do not necessarily characterize themselves as *human rights* networks. Yet, the principles of these networks clearly align with rights-based human dignity claims. How does human rights terminology impact analyses of activist organizations? How might organizations respond to this labeling? Furthermore, what are the methodological lessons to be learned from this process? In this article, I examine one case that highlights my application of a human rights label to an organization committed to securing gender equality for Nepali women. By underscoring the relevance of Armaline and Glasberg's (2009) *human rights enterprise*, I account for human rights activism beyond the human rights discourse that prevails in the global North. The simultaneous *divergence* on the level of discourse and *convergence* on the level of goals illustrates how the *human rights enterprise* can be a powerful framework for the social scientific analysis of human rights.

Keywords

Human rights enterprise, women's rights, conferences, activism

My commitment to human rights advocacy and education inspired me to intern at the United Nations (UN) headquarters for a six-month period in 2005 in the Non-Governmental Organization (NGO) Section of the Department of Public Information (DPI). As an impressionable intern with direct contact with NGO representatives and UN staff members, I became accustomed to the ubiquitous espousal of the "human rights" label. At the UN, NGOs commonly build the "human rights" label into their names. In addition, UN commissions utilize human rights terminology in

mission statements, and meetings are often organized around human rights themes. The UN, member states, and civil society organizations habitually utilize the discourse of human rights that prevails in the global North. This exposure provided the lens through which I examined a transnational organization of Nepali women with local, national, and global concerns pertaining to gender equality. In 2009, when I began to study the social impact of the Nepali Women's Global Network's (NWGN) first conference, I referred to this assemblage as a human rights conference and met no disapproval from my interview participants.¹

In this article, I reflect back on my decision to use human rights terminology when referring to NWGN's first conference as a human rights conference.² Clearly, NWGN should hold authority over how others receive and process its message. Yet, the movement-NGO-UN nexus denotes how the goals of NGOs like NWGN are often processed through a human rights framework (Frezzo 2008). In this article, I will examine the following questions: (1) How is a human rights framework embedded in NWGN's human dignity-based activism in spite of the absence of human rights discourse? (2) How might the divergence from human rights discourse benefit transnational human dignity-based activism? (3) What are the implications of the convergences and divergences associated with values and terminology?

THE FIRST NWGN CONFERENCE AND STUDY DESIGN

In 2002, a group of Nepali women established NWGN in the US to draw attention to issues confronting Nepali women in the US and in Nepal. NWGN is committed to advancing the status of women in Nepal and Nepali women in the US through "networking, support and self reliance among Nepali women through education, advocacy, service and collaboration with groups with similar missions" at a grassroots level to promote future national and transnational projects that endorse women's human rights (Nepali Women's Global Network 2008). NWGN's platform converges with human dignity discourse; it recognizes the intersection of Nepali women's welfare at an individual level and its connection to associated challenges that undermine Nepali women's overall human rights. However, NWGN's activism diverges from the realm of formal human rights structures

and does not speak the language that is characteristic of global North institutions.

On 9 August 2008, the first conference, “Nepali Women Building Bridges: Advocacy, Collaboration, and Research,” brought together just over 100 women and men at a research university in New England to discuss gender equality issues for Nepali women on a local, national, and international level. The attendees were predominately Nepali and came from variant social class backgrounds. A member of Nepal’s Constituent Assembly and a Nepali ambassador also attended the proceedings. An academic assignment with the president of NWGN who presided over the conference brought me, a white, non-Nepali woman in contact with this organization and inspired me to attend the conference as an official note taker.

A month or so after the conference, driven by my interest in gender equality and desire to follow the organization, I decided to chronicle the influence of this demonstration of solidarity via the conference mechanism. Through the support of NWGN leaders, I gained access to study this grassroots level organization’s social impact. My formal recruitment letter, that resulted in 15 semi-structured interviews, indicated that I was studying human rights conferences and that the name of my study was, “An Assessment of the Social Impact of Human Rights Conferences: A Qualitative Study of the First Nepali Women’s Global Network (NWGN) Conference.” Beyond the NWGN community, I also invoked this human rights frame in my recruitment of other members of the Nepali community in the US. To gain an external point of view of the organization’s efforts, I attended the 2009 Association of the Nepalis in the Americas (ANA) Convention in Oakland, California and invited nine individuals to participate in my “human rights” study by offering them a similar explanatory pamphlet at the Oakland meeting. Overall, in my role as a researcher, I believe that I contributed to the transnational feminist network’s mission by promoting the organization to external interested parties and by enabling my research participants to realize the great significance of the first NWGN Conference.

In my effort to conceptualize my study of this exceptional gathering to address gender equality matters, I invoked a human rights label in spite of the fact that NWGN does not define itself by using this terminology. I justify this initial framing by noting that at the

conference, the proceedings included focused panel discussions on typical, human dignity-based rights matters, as outlined in the Universal Declaration of Human Rights (UDHR) relating to human trafficking, citizenship, inheritance, marriage, and economic matters (United Nations 1948). Clearly, the issues that NWGN addressed denote its convergence with human dignity matters for this community. As such, the women were talking about the same matters that professional global North human rights organizations may use; however, they were using a different language. Their focus was on finding a space in the larger community in the context of their positions amongst each other and across class lines.

Methodologically, insights from post-colonial scholarship (Bulbeck 1998; Eisenstein 2004; Mohanty 2003; Narayan 1997; Oyewumi 1997) gender scholarship (Connell 2009; Kitzinger 2009; Pascale 2007; Vidal-Ortiz 2009; West and Fenstermaker 2002; West and Zimmerman 1987, 2009) and intersectionality scholarship (Collins 1990; Cranford 2007; Crenshaw 1995; Glenn 2002; Purkayastha 2010) informed my study's direction. I was exceptionally aware of the need to allow for the participants' voices to dictate the direction of my study. Specifically, theoretical strands from post-colonial literature facilitated an understanding of the social location of a diasporic population of conference participants who are from a developing nation. Gender and intersectionality literature guided my multilayered analysis of the complex relationship of factors that influence an individual's role in initiating social change. Participants' social location, ideology, and other identity matters were key considerations. Together, these three frames supported my analysis of Nepali women's organizing in an effort to supersede the practices that a patriarchal system has imposed on their lives.

Given that gender scholars recognize the significance of the participatory process of women recounting their experiences, I was methodologically cognizant of the need to incorporate my interview participants' voices into my research. Testimonies and narratives helped me to identify the lived experience under the hegemonic patriarchal structure that clarifies the politicization of the consciousness (Mohanty, Russo, and Torres 1991). While I am confident that I have accurately captured the voices of my study participants, I acknowledge that I interjected the human rights label

throughout my research. Furthermore, in the process of applying the institutional language of the global North, I came to see that even though human rights groups may be using different language, they may be arguing and organizing for the same human dignity-based rights.

HUMAN RIGHTS FRAMING AND WOMEN'S RIGHTS ACTIVISM

Human rights guarantees, as they are now rooted in state-endorsed human rights instruments, originate from religious (duty-based) and philosophical (rights-based) explanations that support respecting the individual as a result of his or her common humanity (Lauren 2003). Much recent scholarship takes note of the need to classify women's rights as human rights (Bunch 1990; Pearce 2011; Sjoberg, Gill, and Williams 2001; Snyder 2006). Armaline and Glasberg's (2009) concept of the *human rights enterprise* that refers to expansive state and civil society work centering on human dignity, explains how NWGN operated outside of a formal human rights frame. They note that the *human rights enterprise* "presents human "rights" as flowing from the struggles of people: within, outside of, and against formal state structures and powerful global players" (Armaline and Glasberg 2009:448). In this context, the implied human rights that are a part of NWGN's organizing are outside of the state-endorsed human rights frame given that they allow for cultural specificity. The *human rights enterprise* explains why NWGN Conference participants did not initially embody the human rights label and why they did not reject it when I used it. This framework clarifies how NWGN's stated goals that asserted women's human rights paralleled NGO and UN agency discourse and diverged from this discourse through ideological framing to address internal, cultural paradigm shifts.

In the backdrop of the UN-endorsed Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), we are reminded of commitments by Nepal and the US (to a lesser extent) to CEDAW that are unrealized.³ Activist organizing around rights-based claims encompasses morally grounded arguments that are rooted in a sense of universal humanity and equality for all individuals regardless of their gender, race, class,

citizenship, sexuality, religion, or ethnicity. A human rights framework offers an ideal vision of how the world ought to be and how we all ought to act in relationship to one another. The *human rights enterprise* represents the reality of activists' work that arises from a lack of state intervention pertaining to human rights abuses that are often the result of state inaction or inattention. Broadly, this framework suggests that there is more than one way to "do human rights."

Furthermore, Blau (2011) clarifies the role of the social scientist in studying human rights given that principles of human rights "can help us to organize our thinking, collaborate with others, and take action" (Blau 2011:ix). She notes that rights scholars study human rights in a "relational" context, "human rights are relational and depend not only on peoples' relations with one another, but their relations to the land, natural resources, and the environment, and yes, the arts and sports" (Blau 2011:x). As such, there is an interactive, locally derived component to the practice of transnational human rights advocacy in addition to a more formal, substantive focus that entails non-state actors making demands of the state with the goal of achieving a legal change (Burgerman 1998). Citing Keck and Sikkink's "boomerang effect," Smith (2008) discusses the challenges that transnational activists face to "*domesticate* international law" (Smith 2008:159). Armaline and Glasberg's (2009) *human rights enterprise* encapsulates these struggles that may be best understood in non-human rights terminology; the *human rights enterprise* recognizes that human rights work is not a fixed process.

HUMAN RIGHTS ADVANCEMENT WITHOUT A HUMAN RIGHTS LABEL

It was only after taking a step back from my original predisposition to this project that I came to realize my imposition of the human rights label. NWGN is a women's network that endorses gender parity for all Nepali women on a global scale. While many of NWGN's initiatives encompass the achievement of provisions that CEDAW addresses, I branded NWGN as a human rights network based on the nature of its work. How was I able to refer to the conference as a human rights conference for two years before I came to the realization that I was imposing this label? The answer to this question lies in the fact that in many ways, NWGN is a human rights

network. However, in terms of its own presentation to its members, affiliates, and an external audience, it is not branding itself as such. My interview data analysis revealed a classed hierarchy within the organization; this divide was largely based on educational attainment within the US. By diverging from human rights language, the organization was able to appeal to women who were not well versed in the global North language, but they were arguing for the same human dignity-based matters that are characteristic of global North human rights organizations.

Interviews with NWGN Conference participants reveal that NWGN's actions mirror the context of Armaline and Glasberg's (2009) *human rights enterprise*. Moreover, the way in which the conference enabled reflection, collaboration, and the realization of goals qualifies the ways in which this conference meets qualities that Blau (2011) identifies as commonly associated with human rights organizing. Undoubtedly, the topics of the conference are classified as human rights matters that are directly related to women's experiences that question their human dignity. Subsequently, my categorization of NWGN and its activities with a human rights label attests to the efforts of this organization to mobilize itself in a relational context to international human rights norms that were not necessarily championed by state structures.

NARRATIVES OF INSPIRATION: INSIGHTS FROM NWGN CONFERENCE ATTENDEES

Interviews with a diverse sample of 15 women, ranging in age from 20 to 52, who attended the first NWGN Conference, reveal the reflective, collaborative, and action-oriented potential of this first formal assembly.⁴ The conference served a foundational purpose for educating members of the Nepali community of the US of women's struggles that were impeding the full realization of their rights. The conference served a reflective, educational role in identifying issues for attendees who may or may not have been aware of such rights abuses that originate from state non-intervention. Insights from NWGN Conference participants illustrate the ways in which the conference employed human rights advocacy tactics of collaboration, organization of thought, and action through its program that diverged from human rights discourse. Each of my 15 interview participants

from the NWGN community referred to the stimulating context of the conference as it enlightened the community to pay attention to the influence of patriarchal values. In terms of the conference's ability to serve as an outlet for advocacy, it has already displayed its potential in inspiring national and transnational efforts.

Kritee, who is in her thirties and holds a graduate degree from a US institution, addressed the organization's ability to stimulate and energize conference attendees through the act of organizing and through the program itself.⁵ Kritee responded to the conference's most effective aspect:

It was so inspiring and, just, you know, the conference was able to bring so many people together and since the conference, I felt at least, I've heard it from some people now, that they've been more interested in the organization now, even from those who didn't attend the conference.

Kritee's insights underscore the conference's ability to engage people to pay more attention to this organization and its work. As such, the conference stimulated interest from individuals who had not been as involved with the organization prior to the conference.

Abhijita, who is in her early fifties and holds advanced degrees from Nepal, noted the power of solidarity that was inherent in the physical assembly of women and the pointed areas of discussion:

Just to be with the women with vision and with that vision, maybe many women can be benefited because just talking on the phone, having simple conversation, I am helping so many people, really, I am helping them make feel better and if they are saying that again and again and I feel better saying that. So, the group of people like me, it might be helpful. And, if I get something from there, then I can talk to other people about that and it can be helpful. There is no way I would not have gone.

The conference established a framework that future NWGN members could build from in their efforts to take action in sharing information on Nepali women's rights concerns and in establishing effective arenas for calling attention to egregious assaults on members of the Nepali community and in taking action to help victims to cope with painful circumstances such as domestic violence or sexual violence. The act of forming a collective community conscience outside of the language that is a feature of global North organizations benefited this group.

Ajala, who is in her thirties and holds an advanced US university degree, noted that the conference served as a stepping-stone for NWGN's future advocacy work:

Prior to the conference, yeah, okay, I mean – NWGN – it's still in its infancy. Um, after the conference, it has a different standing. The awareness about the organization is more. But, before the conference, I think it was more getting it started; you know the paperwork – getting the non-profit status done.⁶

Given that awareness of NWGN increased following the conference, it has been able to collaborate with other South Asian American organizations.⁷ This collaboration has largely occurred because of the women's issues focus that has enabled the organization to partner with other organizations that provide direct service opportunities. Ajala, who has taken on a leadership role with the organization following its first conference, acknowledged that a small, focused conference setting was ideal for NWGN to start making a mark within the Nepali community. In the past, she had tried to organize a survey on women's rights issues at an ANA Convention and did not have a successful response rate. As such, this transnational feminist network's conference that granted impromptu opportunities for non-leaders to speak, provided an ideal setting for this diasporic population to organize on women's issues.⁸

Ajala's insights also attest to the relationship between this women's rights conference and the broader scope of organizing among Nepalis within the US. She offers a perceptive view of the

specific strength of this conference, in the context of her other conference experiences, with regard to the way in which women's issues were the emphasis of this conference:

[B]ut in US it is very unique because – first of all, NWGN was just a small network. Um, and if you would see the women's role in other Nepali organizations – it was just insignificant. Um, and um, for the Nepali women's network of women to just like you [know] even think about holding a conference and plan and just make it happen – is a huge thing. And, it showed the community, I think, that women's issues are not just there – you know ANA – they put women's forum and then like they think, like you know, all the women should go there and that's yours and you're okay in your own small congress and be happy that you have a women's forum [...] No, we want mainstream.

Ajala responded to the way in which this first conference put NWGN on the map as a serious organization that is ready and eager to take on the real issues that are impacting Nepali women both in the US and abroad. Prior attempts to incorporate women had been token efforts that acknowledged women's presence without actually respecting their substantive contributions and parity with men. She applauded NWGN's efforts and made the following statement with regard to past efforts of involving women in conference or convention proceedings:

So, I think women's conference just um, made it more clear that we are capable. It's not just high fashion parade. I have nothing against fashion parade and you know, fashion shows. But, it's not just like fashion shows and, you know having women's basketball [...] It's more substantive. We can take care of more substantial issues than just, you know fun stuff.

The women and men who organized at the first NWGN Conference demonstrated that they had serious issues to discuss with regard to gender parity in the context of a culture that does not generally endorse women's equality with men. In the context of the *human rights enterprise*, these participants succeeded in operating outside of normalized, mainstream human rights discourse. They domesticated international human rights norms by drawing attention to cultural inconsistencies with international human rights. Diverging from formal human rights structures in its first conference prompted NWGN's post-conference efforts to converge with human rights based dignity matters.

POST-CONFERENCE ADVOCACY AND HUMAN RIGHTS: DIVERGENCE PROMOTES CONVERGENCE

Following the conference, NWGN's leaders engaged in advocacy efforts by responding to rights abuses within the American Nepali community and by sending forth a list of recommendations to suggest gender neutrality in the language of the forthcoming Constitution of Nepal. In operating outside of the formal human rights structure through its conference, NWGN's leaders confirmed the convergence of human rights values through their post-conference advocacy that incorporated formal human rights discourse and references to human rights instruments. At a transnational level, in response to a call for recommendations from the keynote speaker, a woman who was an attorney and part of the committee to draft the new constitution, a subset of leaders of NWGN drafted a statement as members of the Non-Resident Nepali Association International Coordination Council, Constitution Recommendation Committee. The statement emphasized Nepal's compliance with CEDAW that Nepal adopted and signed. The document contains a number of directives with regard for the organization's unified voice on matters pertaining to caste-based discrimination, education, employment, governmental opportunities, rights in social spheres, divorce and marriage rights, women's health, social rights, economic rights, banking rights, citizenship and nationality, and judicial rights.

Furthermore, NWGN issued a unified message in response to a grave incident within the Nepali community that involved the conviction of an ANA leader who was charged with sexually abusing

his adopted daughter. NWGN reacted to this situation through e-mails to its members that condemned this action and brought awareness to the issue of domestic violence. NWGN demonstrated its reactionary capabilities through e-mails and letters that condemned this man's action and by issuing a statement on its website. Following the conference, NWGN has demonstrated how it can actively play a role in advocating for women's rights and its voice resonates beyond the network audience. NWGN maintains a leading role in asserting its views on marriage rights, reproductive rights, judicial rights, economic rights, and the overall gender neutral language in the forthcoming Constitution.⁹ While NWGN did not initially see itself as tied to the rights structure, its leaders' post-conference activism operated within the space of human rights discourse.

WHAT DOES "NOT DENYING" MEAN SOCIALLY?

NWGN Conference participants represent what Ranjeet and Purkayastha (2007:38) refer to as a heterogeneous "minority within a minority." In this context, they navigate a dual marginalization associated with a patriarchal social structure in addition to the indiscernible distinction of Nepali issues in the context of South Asian public discourse in the US. As such, NWGN and its leaders did not have the agency or the political opportunity structure to contribute to the broad field of human rights activism at the time of the August 2008 conference. The first NWGN Conference that operated outside of a state-endorsed human rights frame gave the network more significant visibility and power among external audiences.

In the framework of international human rights settings, Merry (2006) underscores the contradictory role of privileged educated, often expatriate activists, who lobby on behalf of the gender equality of "their sisters" at the international level, but simultaneously marginalize the voices of the women they seek to represent. This dynamic is essential to consider given the way in which NWGN leaders operated in the context of the network in which they are largely of privileged status as a result of their US-based educational and professional backgrounds. Yet, in a macro level context, NWGN leaders did not have this sort of prestige that Merry acknowledges to appeal to a larger national or international body at the time of the first conference. NWGN leaders were cognizant of their limitations; they

patterned their conference that diverged from human rights discourse and post-conference plan of action that converged with human rights discourse to account for their potential roles within a patriarchal Nepali community and in a larger national and international state context. Rights-based organizations can achieve considerable national and transnational visibility in promoting attention to human rights based claims if they are attentive to their political opportunity structures and network audiences.

CONCLUSION

Scholars who research, join, or advise rights-based networks should be aware of the ways in which activist networks can simultaneously operate within their locally derived rights-based missions to impact state level human rights campaigns. This article demonstrates how a network of women initially claimed women's rights outside of a stated human rights frame.

My application of the unstated human rights label to NWGN enabled me to identify the potential of the *human rights enterprise*. NWGN demonstrated that it could arrange a conference that would subsequently put the organization on the radar screen as a rights-based organization with the capacity to make noise and be heard in the US and in Nepal. As a network that did not define itself as a human rights network, NWGN was able to make its conference open to a broad based group of individuals who may or may not have had social platforms to launch conference themes. While the data reveal that some NWGN Conference participants came away with less of a sense of how to advance the NWGN mission given the absence of a leadership title or professional platform, I argue that the divide would have been more apparent and significant had NWGN associated itself with human rights doctrines in its mission.

Organizing around the label of human rights is certainly meaningful at the policy level insofar as it often involves the participation of elite, highly educated, and influential leaders. My finding has policy-level implications given that funding agencies for rights campaigns must look beyond the language of activists to find the underlying values and goals of campaigns. While activists' language may not clearly translate into the discourse that prevails in global North human rights, the activists may actually be advancing the

same values and pursuing the same goals. This discussion of NWGN's movement success reveals how networks that include participants, in this case women's rights advocates, with diverse educational and professional backgrounds, are most effective in advancing their rights-based concerns if they pattern their work outside of a legally derived, state-structured human rights framework. Individuals who "do human rights" based on a formally structured paradigm that cites UN conventions and instruments must recognize that while activists may walk a walk that reflects principles of human rights, they may not necessarily speak the same language. NWGN is a perfect example of this point.

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Endnotes

1. Hewitt (2008) addresses the experience of the scholar-activist and the methodological implications of this relationship in her feminist methodological analysis of the World Social Forum.
2. Mertus (2007), in her study of LGBT advocacy groups in the US, acknowledges that human rights framing may not always be an appropriate movement frame when identity based matters pertaining to categorical oppression, such as gender-based oppression, form the basis of a movement.
3. CEDAW was first accepted at the UN in 1979. Nepal signed CEDAW on 5 February 1991 and ratified CEDAW on 22 April 1991. The US signed CEDAW on 17 July 1980; however the US has failed to ratify the treaty. The complete status of the CEDAW treaty can be found at: <http://www.un.org/womenwatch/daw/cedaw/>.
4. Fourteen of the 15 women were born in Nepal and all the women ethnically identified as Nepali. These women migrated to the US for higher education and economic opportunities for themselves and/or for their husbands, or came as children with their families. Some of the women benefitted from diversity visas. The majority of the women earned US higher education degrees. Twelve of the women are married, two have never been married, and one is divorced. Eight

of the 15 women are mothers.

5. I use pseudonyms for all interview participants.

6. Since 2008, NWGN has worked to develop a more robust presence on the Internet, had a dinner to raise funds for a social justice fund to help Nepali women in the US who are victims of gender-based violence, and has established its first local chapter in St. Louis, Missouri.

7. Interviews with nine men and women who attended the ANA Convention in Oakland, California in 2009 in addition to NWGN's increased Internet presence qualify this statement.

8. Moghadam (2005) notes the exceptional importance of feminist network organizing in a globalized world and cites the strength of these loosely structured organizations to provide powerful platforms for women in solidarity to counter the effects of extraordinary inequalities.

9. In the wake of a new Maoist government, the Constituent Assembly in Nepal is still in the process of drafting a new Constitution.

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