



# Backgroundunder

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## Executive Summary

No. 1407

February 5, 2001

## HOW U.N. CONVENTIONS ON WOMEN'S AND CHILDREN'S RIGHTS UNDERMINE FAMILY, RELIGION, AND SOVEREIGNTY

*PATRICK F. FAGAN*

As Bush Administration officials at the U.S. Department of State begin to familiarize themselves with the activities of the United Nations and its many affiliated agencies, they will be inundated with reports about mission creep, overstretched resources and waste, unfair dues assessments, and other problems repeatedly targeted for reform by Congress. One area, however, deserves focused attention: how various U.N. agencies are attempting to force countries to implement a radical interpretation of treaties on women's and children's rights. Like oversight of how the federal government implements the laws Congress passes, oversight of how U.N. agencies implement treaties, conventions, and agreements is vital to assure Americans that the activities funded comport with U.S. policy and are not inimical to U.S. interests.

A close examination of the reports issued by U.N. committees monitoring the implementation of the Convention on the Rights of the Child (CRC) and the Convention to Eliminate All Forms of Discrimination Against Women (CEDAW) shows that these committees are pushing an agenda that counters traditional moral and social norms regarding the family, marriage, motherhood, and religion. The advice that these agents of

the U.N. High Commissioner on Human Rights and other agencies give individual signatories often violates the language of the U.N.'s own founding documents and undermines a nation's sovereign right to determine its own domestic policy. The policies and laws they push also promote behavior that ultimately will cause greater harm to women and children, increasing family breakdown and the many problems associated with it.

As this report will show, the committees are very direct about what they want. One of them, for example, expressed concern that parents in England and Wales were allowed to withdraw their children from sex education programs in school; another criticized the celebration of

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Kathryn and Shelby  
Cullom Davis Institute  
for International Studies

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Mothers' Day in Belarus because it allegedly promoted a "sex-role stereotype." Committees have criticized "cultural and religious values" that support mothers staying at home to raise their young children, because they "undermine the universality of women's rights." They have urged countries to institute legal structures that would allow children to take their parents to court when they disagree about the content of sex education. They advise countries that prohibit prostitution to legitimize it, and countries that have relaxed their laws against prostitution to extend to prostitution all the legal rights afforded other professions. And they have criticized conscientious objection clauses in laws for doctors that object to abortion.

In general, the social policy agents at these U.N. committees, working often with radical special-interest groups, advise nations to alter the very structure of their societies to decrease the emphasis on marriage, the nuclear family, parental authority, and religious beliefs; mothers are encouraged to find fulfillment by leaving their children in the care of strangers and entering the workforce, and social or legal restraints on sexual activity among adolescents are targeted for removal. Surprisingly, these committees ignore the mounting evidence that the basic family unit of married parents who worship yields far superior social outcomes for children's health, intellectual development, and educational and income attainment, and lower rates of crime, welfare dependency, and teenage pregnancy. They also ignore polls that show most mothers would prefer staying home to raise their young children.

Although the United States has not ratified these conventions, the Clinton Administration supported the agenda of the U.N. implementing committees. The Bush Administration and Congress now have an opportunity to make a strong statement: The United States firmly supports parents' rights and national sovereignty and will oppose the efforts of U.N. agents to impose their radical agenda on any country, especially small and poor ones. The State Department should review the reports of these committees and devise a strategy to reduce the threat that their proposals pose to all societies. Specifically:

- **Make clear** that the United States will not ratify the Convention on the Rights of the Child or sign the Convention on the Elimination of All Forms of Discrimination Against Women because of the implementing committees' controversial interpretations.
- **Make clear** that the United States firmly supports the right of parents to make decisions regarding the health, education, and religious upbringing of their children.
- **Urge other nations, especially poor and lesser developed nations**, on a selective basis to refuse to cooperate with U.N. committee reporting systems in these areas because the directions they receive violate traditional family and religious norms.
- **Establish** ways to counter any threat or reprisals at the U.N. against nations, especially poor countries, that seek to defend their cultures, religious beliefs, and families.
- **Conduct** hearings on the efforts of U.N. committees to implement policies that undermine the family, religious freedom, and national sovereignty.
- **Demand** that the State Department submit by a fixed date an annual detailed report of the activities and spending of U.N. committees that deal with family and religious issues, and use the evidence in these reports to reduce funding for any activities aimed at changing traditional family and religious norms.
- **Request** the U.S. General Accounting Office to assess the flow of funds from the United States to non-governmental organizations acting under U.N. auspices to implement the committees' radical agenda.
- **Start** a new alliance at the U.N. with countries that will work to protect and strengthen social structures supporting the family, religious freedom, and national sovereignty.

—Patrick F. Fagan is William H. G. FitzGerald Fellow in Family and Cultural Issues at The Heritage Foundation.



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## HOW U.N. CONVENTIONS ON WOMEN'S AND CHILDREN'S RIGHTS UNDERMINE FAMILY, RELIGION, AND SOVEREIGNTY

*PATRICK F. FAGAN*

Few Americans are aware that agencies within the United Nations system are involved in a campaign to undermine the foundations of society—the two-parent married family, religions that espouse the primary importance of marriage and traditional sexual morality, and the legal and social structures that protect these institutions.<sup>1</sup> Using the political cover of international treaties that promote women's and children's rights, the social policy sector of the United Nations—specifically, committees that oversee implementation of U.N. treaties in social policy areas and the special-interest groups assisting them—is urging countries to change their domestic laws and national constitutions to adopt policies that ultimately will affect women and children adversely.<sup>2</sup>

This is a troubling agenda for an organization that proclaims, in its Universal Declaration of Human Rights, that “The family is the natural and fundamental group unit of society and is entitled to protection by society and the state.”<sup>3</sup> The United Nations historically has included in treaties and documents language affirming a nation's right to

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1. The key U.N. bodies involved include the Office of the U.N. High Commissioner for Human Rights, the U.N. Committee on the Rights of the Child and the U.N. Committee on the Elimination of Discrimination Against Women that work under that Office of the High Commissioner, the Economic and Social Council, and the bureaucracies of the United Nations Children's Fund, the U.N. High Commissioner for Refugees, the World Food Programme, the U.N. Development Programme, the U.N. Environment Programme, and the U.N. Centre for Human Settlements (Habitat).
2. A compilation of numerous excerpts from the actual reports issued by these committees to the member states and to the U.N. General Assembly is available at <http://www.heritage.org/library/backgroundunder/bg1407quotes.html>.
3. Universal Declaration of Human Rights, Article 16, at <http://www.unhchr.ch/udhr/lang/eng.htm>.

determine its cultural norms and practices. The U.N. Charter itself states that “Nothing contained [herein] shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter.”<sup>4</sup> And a 1960 General Assembly Resolution states that “All peoples have an inalienable right to complete freedom, the exercise of their sovereignty and the integrity of their national territory.”<sup>5</sup>

But the U.N.’s long-standing respect for the right of sovereign nations to set their own domestic policies has yielded to a new countercultural agenda espoused in U.N. committee reports and documents, particularly those relating to the implementation of the Convention on the Rights of the Child (CRC)<sup>6</sup> and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).<sup>7</sup> Under the auspices of the U.N. High Commissioner for Human Rights, many of these committee reports urge countries to:

- **Remove** their prohibitions on prostitution and eventually legitimize it; for example, a CEDAW committee report on Germany—which has legalized prostitution—notes with disdain that “although they are legally obliged to pay taxes,

prostitutes still do not enjoy the protection of labor and social law [in Germany].”<sup>8</sup>

- **Make** abortion a “demand right” protected by national and international law, with unrestricted access for teenagers, and make the non-provision of abortion a crime in all cases, even for reasons of conscience. A report to Croatia, for example, finds “the refusal, by some hospitals, to provide abortions on the basis of conscientious objection of doctors... [constitutes] an infringement of women’s reproductive rights.”<sup>9</sup>
- **De-emphasize** the role of mothers and increase incentives for them to work rather than stay home to care for children.<sup>10</sup> The U.N. criticized the republic of Georgia, for example, for “the prevalence of stereotyped roles of women in Government policies, in the family, in public life based on patterns of behavior and attitudes that overemphasize the role of women as mothers.”<sup>11</sup> One country report even criticized the observance of Mother’s Day.
- **Reduce** parental authority while expanding children’s rights. In 1995, a CRC committee rebuked the United Kingdom for permitting

4. United Nations Charter, Article 2, Para. 7.

5. U.N. General Assembly Resolution 1514 (XV), December 14, 1960, reiterated in General Assembly Resolution 52/119, December 12, 1997: “Popular sovereignty intensifies and fortifies the claim about the vital role that popular sovereignty plays in protecting and enhancing fundamental international human rights.” See Robert John Araujo, “Sovereignty, Human Rights and Self-Determination: The Meaning of International Law,” Brigham Young University Conference on the United Nations and the Family, June 2000, p. 14.

6. The 10 members of the United Nations Committee on the Rights of the Child (CRC Committee) include “experts” in human rights and international law, juvenile justice, social work, medicine, journalism, and governmental and non-governmental work. The committee holds three sessions a year. See <http://www.unhchr.ch/html/menu6/2/fs10.htm#ii>.

7. The United Nations Committee on the Elimination of Discrimination Against Women (CEDAW Committee) includes 23 “experts” on women’s issues. Its mandate is to monitor progress made by signatories in fulfilling treaty obligations. At biannual meetings, members review reports submitted by states the year after signing the treaty and every four years thereafter. See <http://www.un.org/womenwatch/daw/cedaw/reports.htm> for most of the CEDAW reports cited in this study.

8. CEDAW Committee, 22nd Sess. (2000), “Report on Germany,” Para. 39.

9. Report of the United Nations Committee on the Elimination of Discrimination Against Women, 13th Sess., to the General Assembly of the United Nations, 53rd Sess. (1998), “Report on Croatia,” Document #A/53/38, Para. 109.

10. See Mark Genuis, *The Myth of Quality Day Care* (Calgary, Alberta: National Foundation for Family Research and Education, 2000).

11. CEDAW Committee, 21st Sess. (1999), “Report on Georgia,” Para. 30.

parents to withdraw their children from sex-education classes if they disagreed with the content.<sup>12</sup>

- **Encourage** governments to change religious rules and customs that impede its efforts. A report on Indonesia states, for example, that “the most significant factors inhibiting women’s ability to participate in public life have been the cultural framework of values and religious beliefs.”<sup>13</sup>

Indeed, with such language, social policy agents working for and at the United Nations are promoting an agenda that attacks the natural rights of the family and the independent sovereignty of nations to determine their own domestic policies on parental rights and the free expression of religious values and beliefs. The U.N.’s CRC and CEDAW implementing committees may insist that their recommendations are in the best interests of children and women, but in reality they will greatly expand government programs and domestic power and adversely affect the future for women and children.<sup>14</sup> The potential consequences are extremely serious.

Rigorous academic studies show, for example, that separating a child from his mother too early or for too long risks long-term damaging effects on the child.<sup>15</sup> Yet the U.N. committees both disparage stay-at-home mothers and urge nations to make publicly funded day care widely available, even for newborns, so that more women can go to work or go back to work sooner after giving birth. Many studies show that family structure affects income, health, and happiness,<sup>16</sup> yet the committees advocate policies that will increase out-of-wedlock births, especially among teenagers. Studies also show that children of married families that worship have better incomes, better health, higher education, and lower rates of crime, abuse, addiction, and suicide; married families in developed nations also exhibit less violence against women and children.<sup>17</sup>

Evidence such as this from social science research continues to grow and shows that the best environment in which to raise healthy, well-adjusted children is the married, two-parent family that worships regularly. Moreover, polls show that a growing number of mothers want to stay at home to raise their young children, but that if they

12. CRC Committee, 8th Sess., *Concluding Observations of the Committee on the Rights of the Child: United Kingdom of Great Britain and Northern Ireland*, CRC/C/15/Add.34, February 15, 1995.

13. Report of the United Nations Committee on the Elimination of Discrimination Against Women, 18th Sess., to the General Assembly of the United Nations, 53rd Sess. (1998), “Report on Indonesia,” Document #A/53/38, Para. 10.

14. Nicky Ali Jackson, “Observational Experiences of Intrapersonal Conflict and Teenage Victimization: A Comparative Study Among Spouses and Cohabiters,” *Journal of Family Violence*, Vol. 11 (1996), pp. 191–203. For a review of literature on the effects of family structure on child abuse, see Patrick F. Fagan, “The Child Abuse Crisis: The Disintegration of Marriage, Family, and Community,” Heritage Foundation *Backgrounder* No. 1115, May 15, 1997, at <http://www.heritage.org/library/categories/family/bg1115.html>

15. For a review of the literature, see Robert Karen, *Becoming Attached: First Relationships and How They Shape Our Capacity to Love* (New York: Oxford University Press, 1998). See also Patrick F. Fagan, “How Broken Families Rob Children of Their Future Income,” Heritage Foundation *Backgrounder* No. 1283, June 1999, and National Foundation for Family Research and Education (Canada), “The Myth of Quality Day Care,” April 2000.

16. See, for example, Nadine F. Marks and James D. Lambert, “Marital Status Continuity and Change Among Young and Midlife Adults: Longitudinal Effects on Psychological Well-Being,” *Journal of Family Issues*, Vol. 19 (1998), pp. 652–686. For a review of the literature on the effects on income, see Patrick F. Fagan, “How Broken Families Rob Children of Their Future Income,” Heritage Foundation *Backgrounder* No. 1283, June 1999, Chart 10, at <http://www.heritage.org/library/backgrounder/bg1283.html>. For findings on Great Britain, see F. McAllister, *Marital Breakdown and the Health of the Nation* (London: One Plus One, 1995).

17. For a review of the literature, see Linda Waite and Maggie Gallagher, *The Case for Marriage* (New York: Doubleday, 2000), pp. 150–160, Chapter 11.

have to work, they want their children in family care, not government-run day care.<sup>18</sup>

**The U.S. Role.** President Bill Clinton signed the CRC on February 23, 1995, but the United States Senate has not ratified it, and the CEDAW has not been signed or ratified by the United States. Leaders in Congress and past Administrations considered both treaties too controversial. Because it has not ratified these treaties, the United States has not received a similar assessment of its policies from a U.N. implementing committee. Nevertheless, under President Clinton, U.S. representatives supported the general thrust of these treaties throughout the international debate over women's and children's rights, and became a major force behind the implementation efforts.

That support was demonstrated by the United States in 1997 when it joined a U.N. voting bloc on social issues, a bloc that includes Japan, the United States, Canada, Australia, and New Zealand.<sup>19</sup> The Clinton Administration joined the coalition on very controversial social issues in proceedings leading up to the five-year follow-up to the 1994 Beijing World Conference on Women (known as Beijing+5). The bloc voted to remove the conscience protection on abortion matters for medical personnel and to legalize voluntary prostitution.<sup>20</sup>

The Bush Administration and Congress must recognize that issues of personal freedom and the rights of parents, peoples, and institutions are at stake in every U.N. debate on social policies. Rather than supporting how the U.N. committees are using the CRC and CEDAW treaties to push

policy changes that would ultimately deconstruct the two-parent married family and counter traditional religious norms, the Bush Administration should examine the documents emanating from U.N. implementing committees, develop a plan to strengthen the voices of U.N. members that oppose this agenda, and take the lead in restoring the U.N.'s traditional approach of letting sovereign nations determine their own domestic policies on marriage, parenting, and religion.

Washington, for example, should urge nations that signed the CRC and CEDAW to consider not cooperating with the U.N. reporting system in these two areas. The United States should assist small and poor nations that face reprisals for taking this principled approach, perhaps by offering to work with them to develop ways to strengthen their domestic laws to protect their sovereignty. It should also work to establish a U.N. voting bloc of those countries that want to protect and strengthen the family, religious freedom, and national sovereignty—and, as an ultimate recourse, refuse to fund activities aimed at undermining traditional family and religious norms.

## THE U.N.'S COUNTERCULTURAL AGENDA

The nuclear family has always received special and honorable treatment because of the value it adds to social order. In many of the U.N.'s foundational declarations and treaties that are still in force, not only is the central role of the family recognized, but the inability of the state to replace the

18. A 1998 Wirthlin Worldwide poll, for example, found that 74 percent of parents in the market for day care want their children in family or extended family day care. Options for care were, in order of preference: (1) with the mother; (2) with a grandmother or other family member; (3) with the parents working split shifts; (4) at a church-run center; (5) with a trusted neighbor or friend; (6) with a day-care provider at home; (7) with a nanny or au pair; (8) at a commercial day-care center; and (9) at a government-run day-care center. See also Stuart M. Butler and Kim R. Holmes, eds., *Issues 2000: The Candidate's Briefing Book* (Washington, D.C.: The Heritage Foundation, 2000).

19. The bloc is known as JUSCANZ. Members may vary, and additional states may join depending on the issues they are voting on. The United States first became part of this voting bloc during the United Nations Framework Convention on Climate Change in Kyoto, Japan, in December 1997.

20. See, for example, George Archibald, "Feminist Proposals Routed at Conference; Sexual Orientation Is the Sticking Point," *The Washington Times*, June 12, 2000; "U.S. Seeks Softer Stance on Hookers; Clinton-Led Agenda Weakens Porn Curb," *The Washington Times*, June 7, 2000; and "China 'Sex Workers' Treaty Backed; Shalala Does Not See Any Clash in White House Policies," *The Washington Times*, June 1, 2000.

family's role in society is acknowledged and religious freedom is stressed.

For example, the Universal Declaration of Human Rights—in addition to declaring that the family is “entitled to protection by society and the state”<sup>21</sup>—specifies that “Motherhood and childhood are entitled to special care and assistance.”<sup>22</sup> On its surface, at least, this implies that society should enable mothers to nurture their children and not push policies that would force mothers to forfeit precious time with their young children to go to work.

Such an understanding is also manifest in the International Covenant on Economic, Social and Cultural Rights,<sup>23</sup> one of two agreements to implement the Universal Declaration of Human Rights. It states that:

The widest possible protection and assistance should be accorded to the family, *which is the natural and fundamental group unit of society*, particularly for its establishment and while it is responsible for the care and education of dependent children.<sup>24</sup>

States Parties...have respect for the liberty of parents...to choose for their children schools, other than those established by the public authorities...and to ensure the religious and moral education of their children in conformity with their own convictions.<sup>25</sup>

The International Covenant on Civil and Political Rights,<sup>26</sup> the second treaty signed to implement the Universal Declaration of Human Rights,

states that “The family is *the natural and fundamental group unit of society* and is entitled to protection by society and the State.”<sup>27</sup> It also states that “Everyone shall have the right to freedom of thought, conscience and religion...and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.” This liberty, moreover, extends to parents’ rights to choose their child’s education “in conformity with their own convictions.”<sup>28</sup>

Yet, on the issue of women’s and children’s rights, the U.N. High Commissioner on Human Rights has permitted committees and agents under the U.N. umbrella to turn these principles on their head as they communicate with the signatories of the CRC and CEDAW treaties. These agents are targeting patterns of behavior and social norms that have had the greatest positive effects on society and the individual: marriage, motherhood and fatherhood, caring for children in the family, chastity, and the special role of religion. They have asked nations to change their domestic laws in ways that ultimately will promote sexual activity among adolescents, increase abortion and legitimize prostitution, and in general alter the foundations of society. The sexual norms they promote, moreover, are primarily those sought by radical feminists. They are becoming the tenets of a new “moral” code against which all religions, domestic policies, and cultures would be judged.

#### **Reinterpreting Treaties and Agreements.**

International law and the U.N. Charter recognize a society’s right to self-determination, especially when it comes to marriage and the family. In democratic nations, sovereignty comes not from

21. Universal Declaration of Human Rights, Article 16.

22. Universal Declaration of Human Rights, Article 25, Para. 2.

23. Adopted by the U.N. General Assembly on December 16, 1966.

24. International Covenant on Economic, Social and Cultural Rights, Article 10 (emphasis added). The covenant entered into force on January 3, 1976.

25. *Ibid.*, Article 13.3.

26. Adopted by the U.N. General Assembly on December 16, 1966.

27. International Covenant on Civil and Political Rights, Article 23.1 (emphasis added).

28. *Ibid.*, Article 18, which entered into force on March 23, 1976.

individual rulers but from the popular will of citizens. The International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights state in their opening articles that “All peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.”<sup>29</sup> Yet the CRC and CEDAW committees are violating such rules by modifying and reinterpreting treaties.

For example, in December 1996, human rights officials held a roundtable in New York specifically to figure out how to modify existing international agreements with regard to abortion and sexual orientation. Their conclusion:

A human rights approach to women’s health creates an international standard that transcends culture, tradition and societal norms. Although these forces may bind society together, they cannot justify value systems which perpetuate women’s subordination.<sup>30</sup>

In other words, according to the social policy agents of the U.N., not having full access to abortion, even for teenagers,<sup>31</sup> is a form of subordination that violates human rights. But there is little reason to believe that U.N. representatives and bureaucrats know better than individual societies how they should shape their own cultures and laws on family, marriage, sexual behavior, and the raising and education of children.

As the excerpts from the country reports that follow show, the U.N. committees have found a quiet way to subvert the sovereignty of nations: by changing the meaning of international agreements. Every 10 years, and increasingly now every five years, the U.N. holds conferences on the CRC and CEDAW treaties to reevaluate them and change

how signatories are to interpret and implement them. In almost every case, the U.N. committees advocate interpretations that are more and more hostile to the married family, the role of parents (particularly stay-at-home mothers), and religious norms. As far as the U.N. bureaucracy is concerned, the language of a treaty is continuously in flux; even though the treaties were negotiated carefully by the signatories, they can be continuously reinterpreted to meet the goals of each phase of the new agenda.

**Giving Standing to Special Interests.** The U.N., through these committees, also undermines the standing and sovereignty of nations by subtly promoting the status of non-governmental organizations (NGOs) that promote radical social policies in meetings where treaties and agreements are developed and interpreted and the strategies for implementation are designed. At the 1994 U.N. Conference on Population and Development in Cairo, for example, the chairman of the committee drafting the conference document was the president of International Planned Parenthood.

Such standing complicates the objective process of formulating international agreements and policies and weakens the role of official state diplomats at the conferences. It also undermines the ability and authority of state governments to make their own domestic policy decisions. Australia has stepped out in front to object to this type of interference, which gives special-interest NGOs a way to outflank a government’s exercise of its legitimate authority. Australia recently informed the U.N. that it would no longer cooperate with U.N. reporting systems because doing so had enabled environmental NGOs in Australia to sue the government for alleged non-compliance with a U.N. treaty in a matter that clearly lay within the purview of the country’s national sovereignty—mining.<sup>32</sup> Its decision to oppose the U.N.’s

29. *Ibid.*, Article 1.1, and International Covenant on Economic, Social and Cultural Rights, Article 1.1.

30. United Nations, “Round Table of Human Rights Treaty Bodies on Human Rights Approaches to Women’s Health, with a Focus on Sexual and Reproductive Health and Rights,” Glen Cove, New York, December 1996, p. 7.

31. In its directions to nations, the CRC committee urges “medical and legal counseling without parental consent” to mean particularly abortion and contraceptive services. See, for example, CRC Committee, 20th Sess. (1999), “Report on Belize,” and CRC Committee, 20th Sess. (2000), “Report on Austria.” See also discussion on “Expanding Children’s Rights.”



encroachment in matters of traditional sovereignty provides a model for countries that want to resist the U.N.'s new social policy agenda.

## **UNDERMINING THE FUNDAMENTAL ROLE OF THE FAMILY**

To most readers, the very idea that the U.N. might be involved in efforts to denigrate motherhood and the married family sounds farfetched. But few will be able to dispute the contrast between the assertions about family structure that are being put forth in U.N. committee reports and the mounting and contrary evidence produced by social science research that fractured families produce weaker generations of children. In the United States, the growth in single-parent families, divorced families, and out-of-wedlock births has led to more government programs to treat the problems such weak family structures create.<sup>33</sup> If the objective is to increase state control of all functions of society, then the U.N. approach makes sense.

In the social science research, all family forms other than the natural family in which children are raised by a married mother and father are associated with higher rates of crime, illegitimacy, dependence on welfare, and drug and alcohol addiction, as well as lower levels of education, less income, poorer health, and lower life expectancy. Out-of-wedlock births are associated with higher risk of infant mortality, especially among teenage mothers; retarded cognitive and verbal development; increased behavior and emotional problems; and higher rates of juvenile crime.<sup>34</sup> The social sciences also document the effects of divorce on children,<sup>35</sup> which include juvenile delinquency

and child abuse, increased poverty, diminished social competence, earlier sexual involvement, more out-of-wedlock births, and higher rates of cohabitation.

Despite such findings, the U.N. is not pursuing programs that would help nations stabilize marriage and strengthen families. Instead, the U.N. committees are pushing policies that ultimately will weaken the married family. The discussion of U.N. reports that follows offers specific examples of this unfolding agenda, a compilation of the directives U.N. committees have given nations over the past six years. Most of these reports are instructions to signatories on how they can best implement the next stages of the CRC and CEDAW agreements.

### **Undermining the Roles and Rights of Parents**

University of Chicago Nobel Laureate Gary Becker concludes from his research that a woman staying at home to raise her children makes a greater economic contribution to her family and community than her husband makes by working in the marketplace.<sup>36</sup> While women in all cultures have made great contributions outside of the family (in art, literature, education, science, medicine, politics, and business), women also achieve greatness by raising healthy and happy children. The U.N. member states acknowledged this in the Universal Declaration of Human Rights, which states that "Motherhood and childhood are entitled to special care and assistance."<sup>37</sup>

Yet, in the recent past, the U.N. committee recommendations to nations about women's rights

32. See Shawn Donnan, "Australia Vows to Stop Working with UN Panels," *The Financial Times*, August 30, 2000. At issue was control of mining on property designated by the U.N. as a World Heritage site.

33. For an overview of the issues and research, see Patrick F. Fagan, "The American Family: Rebuilding Society's Most Important Institution," in Butler and Holmes, eds., *Issues 2000*, at <http://www.heritage.org/issues/chap6.html>.

34. See Patrick F. Fagan, "Rising Illegitimacy: America's Social Catastrophe," Heritage Foundation *FYI*. No. 19/94, June 29, 1994.

35. For an overview of the literature, see Patrick F. Fagan and Robert Rector, "The Effects of Divorce on America," Heritage Foundation *Backgrounder* No. 1373, June 3, 2000, at <http://www.heritage.org/library/backgrounder/bg1373.html>.

36. Becker stressed this fact, for example, in a keynote address at a 1998 U.N.-sponsored conference on the family in Caracas, Venezuela.

demonstrate a great disdain for motherhood, frequently dismissing the role as mere stereotype. Rather than point out to member nations the fallacy of policies that jeopardize the position of women who want to stay at home to raise their children, U.N. statements denigrate the role of the stay-at-home mother as unfulfilling and damaging to her own welfare and decry national policies that support her.

The U.N. reports instruct nations to eliminate, through legislation, cultural norms that support the role of the mother at home. In the name of elevating the status of women and reducing discrimination, the U.N. committee reports make recommendations that denigrate the standing of women as mothers. The reports recommend, among other policies, that nations

- Regard motherhood as an unimportant “social construct” and Mother’s Day as “disturbing”;
- Change their constitutions where they protect the role of the stay-at-home mother; and
- Make it clear that professional women working outside the home have a higher social status than those who stay at home.

A CEDAW plenary session report, for example, recommended that the government of New Zealand “recognize maternity as a social function which must not constitute a structural disadvantage for women with regard to their employment.”<sup>38</sup> It also expressed to Ireland “its concern about the continuing existence, in Article 41.2 of the Irish Constitution, of concepts that reflect a ‘stereotypical view’ of the role of women in the home and as mothers.”<sup>39</sup> In that article, the constitution makes a clear statement of the importance of family and mothers to society:

The state, therefore, guarantees to protect the family in its constitution and authority, as the necessary basis of social order and as indispensable to the welfare of the nation and the state. In particular, the state recognizes that by her life within the home, woman gives to the state a support without which the common good cannot be achieved. The state shall, therefore, endeavor to ensure that mothers *shall not be obliged by economic necessity* to engage in labor to the neglect of their duties in the home.<sup>40</sup>

The U.N. committee members apparently saw such a role as demeaning to women. To overturn it, the CEDAW committee “strongly” urged the government of Armenia, for example, to use the education system and the electronic media to combat the traditional stereotype of women in the role of mother.<sup>41</sup> The committee also criticized Belarus for the “prevalence of sex-role stereotypes, as also exemplified by...such symbols as a Mothers’ Day and a Mothers’ Award, which it sees as encouraging women’s traditional roles.”<sup>42</sup>

The following recommendations for less developed countries are not as benign as they seem. Concerning Indonesia, the U.N. committee expressed

great concern about existing social, religious and cultural norms that recognize men as the head of the family and breadwinner and confine women to the roles of mother and wife, which are reflected in various laws, Government policies and guidelines. It is unclear what steps the Government is proposing to take to modify such attitudes....<sup>43</sup>

37. Universal Declaration of Human Rights, Article 25, Para. 2.

38. CEDAW Committee, 19th Sess. (1998), “Report on New Zealand,” Para. 269.

39. CEDAW Committee, 21st Sess. (1999), “Report on Ireland,” Para. 193.

40. See <http://www.irlgov.ie:80/taoiseach/publication/constitution/english/contents.htm> (emphasis added).

41. CEDAW Committee, 17th Sess. (1997), “Report on Armenia,” Para. 65.

42. CEDAW Committee, 22nd Sess. (1999), “Report on Belarus,” Para. 27.

43. CEDAW Committee, 18th Sess. (1998), “Report on Indonesia,” Para. 289.

This theme is repeated in reports to other countries such as Croatia<sup>44</sup> and the Czech Republic.<sup>45</sup> The message to these countries is clear: Women should be encouraged to be workers in the marketplace, not to stay at home to raise their young children.

The U.N. is not just “concerned” about the elevated status given stay-at-home mothers. It seeks to deconstruct the status given the family by telling states to normalize out-of-wedlock birth; the island nation of St. Kitts was criticized, for example, for “the apparent lack of legal protection with respect to the rights...of children born out of wedlock.”<sup>46</sup> The committees also submitted reports encouraging some states to demote the status of married fatherhood in public policy, institute massive transfers of payments to compensate for the deficits of fractured families, and change family law to eliminate the status of marriage regarding property.

Step by step, each of these recommendations seeks to change cultural values and norms to weaken the standing of the married family in society. Though children born out of wedlock deserve fair and loving treatment, this does not mean that the importance of marriage to the stability of the family, and the role of married mothers and fathers in raising good citizens, should be diminished either in law or in public policy.

**State-Sponsored Child Care as Surrogate Family.** To help more mothers enter the work-

force, the U.N. reports insist that countries change their laws to ensure that

- Child care is widely available even for newborns, and
- Government funds preschool education (another form of government child care).

The U.N. implementing committees consistently push for nations to boost government-managed and subsidized day care, despite overwhelming polling data showing that most mothers around the world prefer to stay at home to raise their young children<sup>47</sup> and research showing that child care outside the home often has lasting negative effects on children. For example, a recent analysis by the Canadian National Foundation for Family Research and Education found that on average, children in day care fare worse intellectually, emotionally, and socially than their stay-at-home peers.<sup>48</sup>

In the reports on day care that the U.N. sends to less developed nations, and even in reports to highly developed and rich nations, the best interests of the child are never put forth as a reason to intervene. To Slovakia, for example, the U.N. stated that the “decrease in pre-school childcare is particularly detrimental to women’s equal opportunity in the employment market since, owing to lack of childcare, they have to interrupt their employment career.”<sup>49</sup> The committee recommendation to Slovenia: “the creation of more formal and institutionalized child-care establishments for

44. The U.N. explained that the “Committee is particularly concerned about the consistent emphasis placed on women’s roles as mothers and caregivers in Croatian legislation pertaining to a variety of areas.” Report of the United Nations Committee on the Elimination of Discrimination Against Women, 18th Sess., to the General Assembly of the United Nations, 53rd Sess. (1998), “Report on Croatia,” Document #A/53/38, Para. 103.

45. The U.N. committee expressed concern about “the increase in over-protective measures for pregnancy and motherhood...[and] the cultural glorification of women’s family roles [that] could exacerbate the negative impact of economic rationalization policies on women.” Report of the United Nations Committee on the Elimination of Discrimination Against Women, 18th Sess., to the General Assembly of the United Nations, 53rd Sess. (1998), “Report on Czech Republic,” Document #A/53/38, Para. 185 and Para. 196, at <http://www.un.org/womenwatch/daw/cedaw/18report.pdf>.

46. CEDAW Committee, 21st Sess. (1999), “Report on St. Kitts,” Para. 21.

47. Wirthlin polling data, *op. cit.*

48. Researchers analyzed data on over 32,000 children for a variety of variables, including sponsor of care (for-profit nursery schools, government-run centers, “the woman down the street”); education of the caregivers; caregiver-to-child ratio; and program quality. Negative effects persisted, regardless even of the “quality” of care. See National Foundation for Family Research and Education (Canada), “The Myth of Quality Day Care,” April 2000.

children under three years of age as well as for those from three to six.”<sup>50</sup> The committee expressed disdain that only 30 percent of the children under age three were placed in formal day care, while the rest were cared for by family members and other private individuals.<sup>51</sup>

The CEDAW committee was direct in recommending that Colombia change its domestic laws:

[A]ppropriate measures [should] be taken to improve the status of working women, including through the establishment of child-care centers and the introduction for training programs, to promote the integration of women into the labor force and diversify their participation through the implementation of legislative measures....<sup>52</sup>

Regarding Germany’s policies, the U.N. committee was “concerned that measures aimed at *the reconciliation of family and work entrench stereotypical expectations* for women and men. In that regard the Committee is concerned with the unmet need for kindergarten places for the 0–3 age group.”<sup>53</sup>

The public cost involved in subsidizing day care is least bearable among underdeveloped and developing countries. Yet the U.N. CEDAW committee ignores this substantial issue in its reports.

**Expanding Children’s Rights.** If the U.N. committees have their way, the freedom of parents to raise their own children, to shape their behaviors, and to safeguard their moral upbringing will be a relic of past centuries—despite such clear articulation of parents’ rights in the Universal Declaration of Human Rights as the following: “Parents have a prior right to choose the kind of education that shall be given to their children.”<sup>54</sup> That almost all

cultures and religions have protected the time-honored role of parents in forming the character of children does not deter the U.N. from seeking changes in domestic laws to bypass parents on matters dealing with their children.

The U.N. committees are urging states to give minor children:

- The **right to privacy**, even in the household;
- The **right to professional counseling** without parental consent or guidance;
- The **full right to abortion** and contraceptives, even when that would violate the parents’ ethics and desires;
- The **right to full freedom of expression** at home and in school;
- The **legal mechanisms** to challenge in court their parent’s authority in the home.

For example, the U.N. Committee on the Rights of the Child recommends to the Japanese government that it “guarantee the child’s right to privacy, especially in the family.”<sup>55</sup> Such a measure would establish legal and structural wedges between parents and their children in the home. Normally, when children rebel against their parents, society frowns. Yet the U.N. is attempting to put in place, in policy and law, structures that foster this type of rebellion.

Among the broad “rights” of children articulated in the CRC are freedom of expression; freedom to receive and impart all information and ideas, either orally, in writing, or in print, in the form of art, or through any other media of the child’s choice;<sup>56</sup> freedom of association; and freedom of peaceful assembly.<sup>57</sup> The language of the treaty could be interpreted to prohibit parents, for

49. CEDAW Committee, 19th Sess. (1998), “Report on Slovakia,” Para. 89.

50. CEDAW Committee, 16th Sess. (1997), “Report on Slovenia,” Para. 115.

51. *Ibid.*, Para. 161.

52. CEDAW Committee, 20th Sess. (1999), “Report on Colombia,” Para. 388.

53. CEDAW Committee, 22nd Sess. (2000), “Report on Germany,” Para. 27 (emphasis added).

54. Universal Declaration of Human Rights, Article 26, No. 3.

55. CRC Committee, 19th Sess. (1998), “Report on Japan,” Para. 36.

56. United Nations Convention on the Rights of the Child, Article 13, at <http://www.unhchr.ch/html/menu3/b/k2crc.htm>.

example, from putting software on their children's computers to filter out pornography<sup>58</sup> if their children opposed their intervention. Once this "right" is embedded in domestic law, children could easily gain access to legal help from NGOs or government agencies to challenge their parents in court.

Indeed, the U.N. committee report to Belize recommends that the government set up legal mechanisms to help children challenge their parents, including making an "independent child-friendly mechanism" accessible to children "to deal with complaints of violations of their rights and to provide remedies for such violations."<sup>59</sup> In other words, the CRC committee is suggesting that the state create some entity *to supervise parents*, a structure that enables children in Belize to challenge their parents' parenting in court. Then the CRC committee goes even further: Its report asserts that it is "concerned that the law does not allow children, particularly adolescents, to seek medical or legal counseling *without parental consent*, even when it is in the best interests of the child."<sup>60</sup> This statement illustrates the committee's intent to undermine the authority of parents, especially those who hold traditional religious beliefs or who would disagree with the committee's radical interpretation of the CRC.

The definition of medical attention and counseling for adolescents is a continuing area of dispute at U.N. conferences, as illustrated in the preparatory commission reports and final conference proceedings<sup>61</sup> for such meetings as the Cairo International Conference on Population and Development (ICPD) in 1994, the Beijing World Conference on Women in 1995, the ICPD+5 con-

ference in 1999, and the Beijing+5 conference in 2000. The counseling for children is likely to include information on abortion and contraceptives, *regardless of parents' guidance*. The latest, most authoritative research published in the *Journal of the American Medical Association* indicates that opposition by parents to contraception for their teenage children is protective and effective in reducing rates of teen pregnancy.<sup>62</sup> At the Beijing+5 conference, the clash between those who wanted to protect parental rights and those who opposed those rights almost scuttled the possibility of a final conference document.

The U.N. committee's opposition to the freedom of parents to guide the moral education of their children is made clear in a CRC committee rebuke directed at the United Kingdom in 1995. The committee stated that

insufficient attention has been given to the right of the child to express his/her opinion, including in cases where parents in England and Wales have the possibility of withdrawing their children from parts of the sex education programs in school. In this as in other decisions, including exclusion from school, the child is not systematically invited to express his/her opinion and those opinions many not be given due weight, as required under article 12 of the Convention.<sup>63</sup>

The U.N. committee went even further in its recommendation to the Ethiopian government, urging it to change its laws so that "the limitation

57. *Ibid.*, Article 15.

58. The author has been told that in Montgomery County, Maryland, public libraries are not allowed to use such filters on the computers in the children's section because doing so would infringe on the rights of children.

59. CRC Committee, 20th Sess. (1999), "Report on Belize," Para. 11.

60. *Ibid.*, Para. 14 (emphasis added).

61. See <http://www.undp.org/popin/icpd/enb/index.html>.

62. Michael D. Resnick *et al.*, "Protecting Adolescents from Harm: Findings from the National Longitudinal Study on Adolescent Health," *JAMA*, September 1998, p. 830.

63. CRC Committee, 8th Sess. (1995), "Report on the United Kingdom of Great Britain and Northern Ireland," CRC/C/15/Add.34. This report is not available on the CRC Web site.

of the right to legal counsel of children be abolished as a matter of priority.”<sup>64</sup>

Consider how direct the CRC committee is in its advice to Austria to increase children’s rights over parents’ authority: “Austrian Law and regulations do not provide a legal minimum age for medical counseling and treatment *without parental consent*... [and] that the requirement of a referral to the courts will dissuade children from seeking medical attention and be prejudicial to the best interests of the child.”<sup>65</sup> Austria, like all nations, has defined the age at which the child becomes legally independent of the parent. This effort by the U.N. committee to make states define a different age for medical counseling and treatment is targeted specifically at removing parents’ control over the moral formation of their children and the parameters of their children’s sexual behavior.

The U.N. committee showed little awareness that Mali is among the poorest countries in the world, with 65 percent of its land area either desert or semi-desert. About 10 percent of the population is nomadic, and some 80 percent of the labor force is engaged in farming and fishing.<sup>66</sup> Per capita GDP in Mali in 1998 was estimated to be \$790. Yet the U.N. suggests that Mali allocate “adequate human and financial resources, to develop youth-friendly counseling, care and rehabilitation facilities for adolescents that would be *accessible without parental consent*, where this is in the best interests of the child.”<sup>67</sup> The preparatory session leading up to the Beijing 1995 conference illustrates that making “counseling” and “rehabilitation facilities” accessible is “U.N.-speak” for giving government agencies and NGOs the right to guide minor children toward abortion services and

counseling on contraceptives regardless of the wishes of their parents.<sup>68</sup>

The overall agenda is to seek changes in the laws of each nation that will weaken the freedom and authority of parents to direct the moral education and attitudes of their children. Nowhere is there a suggestion in the CRC reports to signatory nations that the role of parents should be strengthened, even though most parents and observers agree that raising children is becoming increasingly difficult.

The U.N. demonstrated that it is no longer a friend to parents in its deliberate stand at the First United Nations Conference of Ministers Responsible for Youth, which resulted in promulgation of the U.N. Declaration on Youth in Lisbon in August 1998.<sup>69</sup> During the deliberations, the U.N. conference rejected the inclusion of a statement about the role and importance of marriage, parents, and families to the upbringing of youth. The U.N. stand prompted an objection from the Vatican, which

repeatedly sought to introduce the concept of parent’s rights, duties and responsibilities to provide appropriate direction and guidance to their youth, in a manner consistent with their evolving capacities, a right enshrined in the most significant international documents of this century... Despite our best joint efforts... [the declaration] continues to fail to take into account the vital role which parents must play... [T]here is no language currently in the draft Lisbon Declaration as regards marriage and the creation of the family.<sup>70</sup>

64. CRC Committee, 14th Sess. (1998), “Report on Ethiopia,” Para. 27 (emphasis added).

65. CRC Committee, 20th Sess. (2000), “Report on Austria,” Para. 15 (emphasis added).

66. See <http://www.odci.gov/cia/publications/factbook/ml.html#econ>.

67. CRC Committee, 22nd Sess. (2000), “Report on Mali,” Para. 27 (emphasis added).

68. Evidence of this interpretation is found in the records of preparatory sessions leading up to major conferences like Beijing+5, at which nations intent on protecting the family thus far have succeeded in keeping the definitive final language from undermining traditional moral norms.

69. See <http://www.un.org/events/youth98>.

70. Nunciatura Apostolica Portugal, press release, Lisbon, August 12, 1998.

As this statement makes clear, the omission from the declaration of a statement about marriage and a parent's vital role in a child's upbringing was not an oversight; it was deliberate. The U.N. agenda is subverting parental authority and the standing of marriage, regardless of the language in the Universal Declaration of Human Rights.<sup>71</sup>

## CHANGING CULTURES BY CHANGING SEXUAL NORMS

For society, the benefits of channeling sexuality and reproduction into marriage are significant. Ironically, such a cultural norm ensures, better than any reform, the reduction of violence against women and children, which also happens to be one of the goals of the feminist movement. It also ensures the lowest crime rates, greater social cohesiveness, longer life spans, better health, higher levels of education, and higher levels of income.<sup>72</sup>

Yet the U.N. actively promotes sex outside of marriage as an acceptable cultural norm, and this agenda is made clear in its policies on abortion, contraception, gender definitions, prostitution, and pornography. The U.N. encourages governments to lend legal and financial support to the effort to change long-held and wise cultural norms. Whereas traditional cultures regulate sexual intercourse by shepherding the act toward marriage, the U.N. promotes unconstrained con-

sensual sex coupled with larger social insurance "safety nets" to address the problematic effects. If the U.N. can change the sexual norms of youth, it can change the structure of the family.

## Reshaping Sexual Norms

Contraception for teenagers is a highly controversial issue, especially when governments advocate access for minors over the wishes of parents. Nowhere in the U.N.'s committee reports or on its Web site does the organization propose abstinence until marriage. Instead, the CEDAW committees repeatedly urge that teenagers have:

- Universal access to contraceptives and abortions without their parents' permission, and
- Access to medical counseling services without their parents' consent.
- For example, the U.N. committee urged Ireland to "improve family planning services and the availability of contraception, including for teenagers and young adults."<sup>73</sup> Yet, since making contraception available to single people three decades ago,<sup>74</sup> Ireland has seen its rates of divorce, out-of-wedlock birth,<sup>75</sup> sexually transmitted disease,<sup>76</sup> violence, and abortion<sup>77</sup> soar. The U.N. committees also give similar advice to other countries, including Peru,<sup>78</sup> Russia,<sup>79</sup> the Maldives,<sup>80</sup> Yemen,<sup>81</sup> and Macedonia.<sup>82</sup>

71. Allan Carlson, "A History of 'The Family' in the United Nations," Brigham Young University, World Policy Forum, Provo, Utah, July 11, 2000.

72. For an overview of the issues and research, see Fagan, "The American Family."

73. CEDAW Committee, 21st Sess. (1999), "Report on Ireland," Para. 26.

74. Contraception was first legalized by the courts in Ireland in 1973; legalized by the Dail in 1980; liberalized in 1985 by Desmond O'Malley, Minister for Health and long-term member of the U.N.'s oldest NGO, International Planned Parenthood; and further liberalized in 1992 and 1994.

75. Out-of-wedlock births in 1980 represented 5 percent of all births; by 1998, they represented 28.3 percent of all births.

76. Sexually transmitted diseases have increased 400 percent between 1982 and 1998, from 1,823 to 7,436 per 100,000 population.

77. Abortion as a percentage of total live births increased from 4.5 percent in 1980 to 11 percent in 1998.

78. CEDAW Committee, 19th Sess. (1998), "Report on Peru," Para. 341.

79. CRC Committee, 22nd Sess. (2000), "Report on Russia," Para. 48.

80. CRC Committee, 18th Sess. (1999), "Report on Maldives," Para. 39.

81. CRC Committee, 20th Sess. (2000), "Report on Yemen," Para. 25.

The U.N. committees have long sought the protection of abortion in domestic law; but at the 1995 CEDAW conference in Beijing and at the 2000 Beijing+5 conference in New York, enough participating nations repeatedly voted not to include the protection of abortion in the treaty, effectively removing it from the U.N.'s legitimate agenda. Despite such a clear outcome, the U.N. implementing committees continue to advocate a denial of parental authority and instead advocate an expansion of state authority into this intimate domain of family life:

- In countries where abortion is highly controversial, such as Peru, the U.N. committee advocates abortion on the grounds of safety (though abortion is about four times more dangerous to the mother's health than childbirth<sup>83</sup>);
- In countries where laws forbid abortion, such as Mexico, the U.N. committee encourages the local and district governments to "review their legislation so that, where necessary, women are granted access to rapid and easy abortion."<sup>84</sup> The committee even urges the Mexican national government to "weigh the possibility of authorizing the use of the RU-486 contraceptive, which is cheap and easy to use, as soon as it becomes available."<sup>85</sup>
- In countries where the constitution forbids abortion, such as Ireland, the U.N. "urges the Government to facilitate a national dialogue on women's reproductive rights, including on the restrictive abortion laws."<sup>86</sup> The people of Ireland, however, already have rejected two

recent referenda to change the national constitution to allow abortions.

The U.N. committee even goes so far as to attack freedom-of-conscience provisions in national law. It has reprimanded Croatia, for example, for the refusal by some of its hospitals to offer abortions to patients because their doctors on staff object.<sup>87</sup> When there is a clash between traditional or sacred norms of personal freedom and the new but radical "rights" promoted by the international feminist movement, the U.N. committees target the old and true to make room for the new. For example, the committee "expressed particular concern with regard to the limited availability of abortion services for women in southern Italy, as a result of the high incidence of conscientious objection among doctors and hospital personnel."<sup>88</sup>

**Legitimizing and Promoting Prostitution.** The U.N. recommendations concerning prostitution dramatically illustrate one of that organization's social policy goals: the decoupling of the reproductive act and marriage. A review of CEDAW committee recommendations makes clear that the U.N. implementing committees want to elevate the status of prostitution to that of a profession and afford it the full protection of labor law and the social benefits accorded other professions. The initial steps the committees recommend to nations that prohibit prostitution are benign, but the recommendations progress to full legitimization in nations that already legally allow it. From the reports, the process involves these steps:

- **Eliminate** the economic vulnerability of poor women who prostitute themselves for income;

82. CRC Committee, 23rd Sess. (2000), "Report on Macedonia," Para. 41.

83. David C. Reardon, "Abortion Is Four Times Deadlier Than Childbirth," *The Post-Abortion Review*, Vol. 8, No. 2 (April-June 2000).

84. CEDAW Committee, 18th Sess. (1998), "Report on Mexico," Para. 426.

85. *Ibid.*, Para. 408.

86. See <http://www.un.org/womenwatch/daw/cedaw/Irl.htm> (September 19, 1999).

87. Report of the United Nations Committee on the Elimination of Discrimination Against Women, 18th Sess., to the General Assembly of the United Nations, 53rd Sess. (1998), "Report on Croatia," Document # A/53/38, Para. 109.

88. Report of the United Nations Committee on the Elimination of Discrimination Against Women, 17th Sess., to the General Assembly of the United Nations, 52nd Sess. (1997), "Report on Italy," Document #A/52/38/Rev. 1, Para. 353 and Para. 360.



- **Combat** the feminization of poverty;
- **Rehabilitate** prostitutes;
- **End** international trafficking in prostitution;
- **Enforce** some laws concerning prostitution;
- **Punish** pimps and procurers;
- **Decriminalize** prostitution;
- **Legalize** prostitution;
- **Regulate** prostitution; and
- **Grant** the full protection of labor and social law to prostitution as a profession.

Consider the progression in the actual report excerpts that follow. The U.N. committee advises the Czech Republic to “take effective action to combat feminization of poverty and to improve the economic situation of women in order to prevent trafficking and prostitution.”<sup>89</sup> The U.N. committee urges Bulgaria

to cooperate at the regional and international levels with regard to the problem of trafficking in women and their exploitation through prostitution. [The U.N.] suggests that in order to tackle the problem of trafficking in women, it is essential to address women’s economic vulnerability, which is the root cause of the problem.<sup>90</sup>

The last sentence reveals that for the U.N. committee, the “problem” is solely a woman’s

economic condition, not also the sexual exploitation of women. But in France, Germany, the Netherlands, Belgium,<sup>91</sup> and other highly developed economies, prostitution prospers; neither poverty nor “economic vulnerability” is the root cause. Furthermore, in developed Western countries, the feminization of poverty is largely due to the breakdown of marriage, as social science research has shown.<sup>92</sup>

The U.N. committee is pushing Mexico to legalize prostitution; it “strongly recommends that new legislation should not discriminate against prostitutes but should punish pimps and procurers.”<sup>93</sup> To tiny Liechtenstein, the U.N. recommends that “a review be made of the law relating to prostitution to ensure that prostitutes are not penalized.”<sup>94</sup> The U.N. policy goal becomes clear in the report to Greece, where prostitution has been decriminalized and “instead is dealt with in a regulatory manner”—though the U.N. “is concerned that inadequate structures exist to ensure compliance with the regulatory framework.”<sup>95</sup> To Germany, the U.N.’s advice is to raise the standing of the legalized profession even higher because, “although they are legally obliged to pay taxes, prostitutes still do not enjoy the protection of labor and social law.”<sup>96</sup>

This progression, from urging countries that prohibit prostitution to move quickly to foster a national debate on legalizing the activity<sup>97</sup> to chastising Germany for not elevating it to the status of

89. CEDAW Committee, 18th Sess. (1998), “Report on Czech Republic,” Para. 208.

90. CEDAW Committee, 18th Sess. (1998), “Report on Bulgaria,” Para. 256.

91. The top eight destination countries for women in illegal prostitution rings include the Netherlands, Germany, the United States, Greece, Italy, Spain, Turkey, and Kosovo. According to Dr. Laura Lederer of Harvard University’s John F. Kennedy School of Government, “Over the last 10 years the number of women and children who have been trafficked have multiplied so that they are now on a par with estimates of the numbers of Africans who were enslaved in the 16th and 17th centuries.” Laura J. Lederer, Ph.D., “The New Slavery,” presented at a Conference on Sex Trafficking, U.S. Senate Caucus Room, September 13, 1999.

92. For a review of the literature, see Patrick F. Fagan, “How Broken Families Rob Children of Their Chances for Future Prosperity,” Heritage Foundation *Backgrounder* No. 1283, June 11, 1999.

93. CEDAW Committee, 18th Sess. (1998), “Report on Mexico,” Para. 414.

94. CEDAW Committee, 20th Sess. (1999), “Report on Liechtenstein,” Para. 168.

95. CEDAW Committee, 20th Sess. (1999), “Report on Greece,” Para. 197.

96. CEDAW Committee, 22nd Sess. (2000), “Report on Germany,” Para. 39.

a legally protected profession, is even more startling when one remembers that for the U.N. committees, the celebration of Mother's Day is disturbing, and policies and laws that protect the role of the mother at home are offensive.

**Redefining Gender: Reconstructing Social Norms.** The U.N. is intent on removing the cultural and legal structures that have shepherded reproduction and the nurturing of children into the married family. The U.N. committees recommend:

- **Combating** traditional sex roles and stereotypes;
- **Defining** gender as merely a social construct, not a biological distinction;
- **Rewriting** textbooks and curricula in all school grades to promote the new definition of gender;
- **Funding** gender studies that will foster these attitudes;
- **Retraining** professions in gender issues and gender equity; and
- **Conducting** public relations campaigns on gender issues.

To the layman, the issue of redefining gender sounds like a strange battle in semantics, since the definition of gender is a biological distinction—male and female. But in U.N. policy documents, gender is seen as a “social construct,” a delineation of the ways men and women act differently and the structures society organizes around these differences. In this way, “gender” includes alternative lifestyles like homosexuality.

Redefining gender has two components: eliminating social constraints and creating a new framework whereby homosexuality and other non-

traditional lifestyles are accepted as normal.<sup>98</sup> According to the U.N. bureaucracy, all “constructs” should have equal standing in society and law; all aspects of gender that reinforce the biological differences between males and females, including the traditional roles they hold, are to be eliminated.

When the U.N. committees speak of gender, they sometimes mean the different treatment that men and women receive. Other times, they mean the treatment of heterosexuals and homosexuals. Recent international debates at the U.N. illustrate the determination of developed nations to eradicate the distinctions between these distinctions in social policy. For example, a number of wealthy nations allied with radical feminist NGOs at the Beijing+5 conference in New York in June 2000 sought to have the term “sexual orientation” included in the final conference document.<sup>99</sup> Despite the fact that enough delegates had voted to delete references to “sexual orientation” and use the term “other status” instead, members of this alliance declared that they would not abide by the agreed-upon language, and instead would interpret references to “other status” to include sexual orientation.<sup>100</sup> Such definitional battles are at the forefront of ongoing debates over cultural issues at the U.N.

**Changing Laws and Textbooks.** Government efforts to reengineer social norms are not new. They are endemic to totalitarian regimes, which try to remake individuals and societies through thought control. Socialists, for example, believe the quickest way to change social mores is to change laws and public education.<sup>101</sup> The U.N. committees implementing the CRC and CEDAW agreements are no different. Denmark,<sup>102</sup> China,<sup>103</sup> and Georgia<sup>104</sup> received recommendations similar to the following given to Ireland:

97. CEDAW Committee, 18th Sess. (1998), “Report on Mexico,” Para. 414.

98. Also worthy of note is the fact that the Department of State delegation to 1996 Habitat negotiations in Istanbul held out for language that called for equal respect of “various forms of the family,” including homosexual couples; during that same week, on September 21, 1996, President Clinton signed the Defense of Marriage Act (P.L. 104–199), which protects states from having homosexual “marriage” forced upon them.

99. The alliance included member nations of the European Union and JUSCANZ, a voting bloc made up of Japan, the United States, Canada, and New Zealand, as well as other nations depending on the issues.

100. See <http://www.iisd.ca/4wcw/csw44/informals.html>.

“provide sex disaggregated data on academic personnel in the universities [and] information on the activities and programs on women’s studies centers... [showing] to what extent gender and women’s studies courses are integrated into the curricula of conventional disciplines in tertiary education.”<sup>105</sup> The CEDAW committee also asked Ireland to

ensure, through various means and channels, that gender training is not only an integral part of law school curricula but that it is also part of the continuing education of legal professionals and the judiciary. It also encourages the Government to ensure that an adequate number of women are selected for appointment to specialized courts such as, for example, family courts.<sup>106</sup>

This theme is repeated often. To Peru, the U.N. committee “recommends, as a matter of priority, the inclusion in gender equality programs of a component to promote the gradual elimination of harmful stereotypes, and a general awareness-raising campaign to eradicate them.”<sup>107</sup>

Such reeducation, redefining, and retraining is all part of the effort to change sexual and social norms to promote unrestricted sexual behaviors. To achieve that goal, however, governments must provide universal legal support for sex outside marriage; ensure the trivialization of marriage, motherhood, fatherhood, and family in law; and begin to erect structures for the continuous transfer of revenue to pay for the massive effects from the breakdown of the family.

**Animus Toward Religious Freedom.** Western moral norms are founded generally on the Judeo-Christian tradition. Both have powerful norms for personal behavior. The U.N., because it seeks the acceptance of behaviors that have long been prohibited by these major religions, realizes that its policies eventually will provoke a direct clash with these religions. To quote Radhika Coomaraswamy, the U.N.’s Special Rapporteur on Violence Against Women:

The right to self-determination [of nations] is pitted against the CEDAW articles that oblige the state to correct any inconsistency between international human rights laws<sup>108</sup> and the religious and customary laws operating within its territory... While international human rights law moves forward to meet the demands of the international women’s movement, the reality in many societies is that women’s rights [as interpreted by the feminist movement] are under challenge from alternative cultural expressions... The movement is not only generating new interpretations of existing human rights doctrine...but it is also generating new rights. The most controversial is the issue of sexual rights... One can only hope that the common values of human dignity and freedom will triumph over parochial forces attempting to confine women to the home.<sup>109</sup>

The moral issue of abortion highlights this clash of cultures. The U.N. committee believes, for example, that religiously affiliated hospitals that

101. There are a number of parallels in recent history: the French Revolution in the late 1700s, Bismarck in the 1800s, and Lenin in the early 1900s.

102. CEDAW Committee, 17th Sess. (1997), “Report on Denmark,” Para. 270.

103. CEDAW Committee, 20th Sess. (1999), “Report on China,” Para. 313.

104. CEDAW Committee, 21st Sess. (1999), “Report on Georgia,” Para. 31.

105. CEDAW Committee, 21st Sess. (1999), “Report on Ireland,” Para. 37.

106. *Ibid.*, Para. 39.

107. CEDAW Committee, 19th Sess. (1998), “Report on Peru,” Para. 318.

108. In this case, the family, moral, and religious issues discussed in this paper.

refuse to offer abortions discriminate against women.<sup>110</sup> Hospitals and doctors that adhere to their religious beliefs and uphold a tradition that goes back to ancient Greece and Hippocrates are targeted for violating human rights by the Office of the U.N. Commissioner on Human Rights. One illustration of this is the U.N. report to Italy, which noted “*particular concern* with regard to the limited availability of abortion services for women in southern Italy, as a result of the high incidence of conscientious objection among doctors and hospital personnel.”<sup>111</sup> In such a strongly Catholic part of Italy, it would be paradoxical if the opposite were the case.

In the United States and many other countries, a clear distinction is drawn between the roles of church and state in ensuring religious freedom. Not so at the United Nations. The U.N. committees attack the national religious culture of Ireland by suggesting that expressions of the popular will, even in democracies, *are invalid precisely because the people have deeply held beliefs with religious roots*. The people of Ireland have voted down two referenda that sought to legalize abortion. The CEDAW committee objects to this expression of the public will. Its report asserts that

although Ireland is a secular State, the influence of the Church is strongly felt not only in attitudes and stereotypes, but also in official State policy. In particular, women’s right to health, including reproductive health [i.e., abortion], is compromised by this influence....<sup>112</sup>

And to highly secular Norway, which protects religious minorities in law, the U.N. writes:

The Committee is especially concerned with provisions in the Norwegian legislation to exempt certain religious communities from compliance with the equal rights law. Since women often face greater discrimination in family and personal affairs in certain communities and in religion, they asked the Government to amend the Norwegian Equal Status Act to eliminate exceptions based on religion.<sup>113</sup>

The U.N.’s hostility to religious freedom is also clear in its advice to Indonesia, which is vastly different in culture from Ireland: “Cultural and religious values cannot be allowed to undermine the universality of women’s rights,”<sup>114</sup> and “[i]n all countries the most significant factors inhibiting women’s ability to participate in public life have been the cultural framework of values and religious beliefs.”<sup>115</sup>

To Croatia, the U.N. states, “there is evidence that church-related organizations adversely influence the government’s policies concerning women and thereby impede full implementation of the [CEDAW] Convention.”<sup>116</sup> And the U.N. committee tells China, after it had sought to uphold the tradition of religious freedom in Hong Kong following the takeover, that it is most concerned with the fact that China “entered seven reservations and declarations in respect of the provisions of the

109.Radhika Coomaraswamy, *Reinventing International Law: Women’s Rights as Human Rights in the International Community* (Cambridge, Mass.: Harvard Human Rights Program, 1997).

110.CEDAW Committee, 18th Sess. (1998) “Report on Croatia,” Para. 109.

111.Report of the United Nations Committee on the Elimination of Discrimination Against Women, 17th Sess., to the General Assembly of the United Nations, 52nd Sess. (1997), “Report on Italy,” Document #A/52/38, Para. 353 (emphasis added).

112.See <http://www.un.org/womenwatch/daw/cedaw/Irl.htm> (September 19, 1999).

113.Report of the United Nations Committee on the Elimination of Discrimination Against Women, 14th Sess., to the General Assembly of the United Nations, 50th Sess. (1995), “Report on Norway,” Document #A/50/38, Para. 460.

114.Report of the United Nations Committee on the Elimination of Discrimination Against Women, 18th Sess., to the General Assembly of the United Nations, 53rd Sess. (1998), “Report on Indonesia,” Document #A/53/38, Para. 282.

115.*Ibid.*, Para. 10.

116.CEDAW Committee, 18th Sess. (1998), “Report on Croatia,” Para. 108.

Convention as applied to Hong Kong. Of particular concern is the reservation exempting 'the affairs of religious denominations or orders' from the scope of the Convention."<sup>117</sup>

Clearly, this hostility to any manifestation of religious belief in public policy will bring the U.N. into direct confrontation with peoples that hold traditional beliefs.<sup>118</sup>

The U.N. committee even recommends that the government of Libya reinterpret the country's *religious laws and scripture* in order to pave the way for other Islamic governments to do the same.<sup>119</sup>

### WHAT WASHINGTON MUST DO

The United States and other signatories of the U.N. Charter recognize that each nation has a right to determine its own domestic policies. The United States jealously protects its own sovereignty and on principle should respect the sovereignty of other nations when those policies do not conflict with important U.S. interests. Clearly, while the United States is working to strengthen the family domestically through legislation like welfare reform and buttressing parents' rights, these same efforts among nations that have signed and ratified the U.N.'s Convention to Eliminate All Forms of Discrimination Against Women and its Convention on the Rights of the Child are under attack.

Though it has not ratified either of these treaties, the United States under President Bill Clinton supported the efforts of the U.N. implementing bodies to force nations that afford legal and institutional support for the two-parent married family, for the role of mothers and fathers in raising their children, and for the importance of traditional social norms to change those laws and policies. As the leader of the free world and a strong proponent of individual and religious freedoms, the United States under President George W. Bush must take the lead in efforts to expose the fallacies

inherent in this radical new agenda at the United Nations. To this end, the Administration and Congress should:

- **Make clear to the United Nations that the United States will not ratify** the Convention on the Rights of the Child or sign the Convention on the Elimination of All Forms of Discrimination Against Women because of the U.N.'s controversial interpretations of and efforts to implement them.
- **Make clear to the United Nations that the United States is firmly in favor of the right of parents** to make decisions regarding the health, education, and religious upbringing of their children. Congress could emphasize this point by introducing legislation to protect the family, much as the Parental Rights and Responsibilities Act (S. 984/H.R. 1946) introduced in the 104th Congress affirmed parents' fundamental right to direct the upbringing of their children. Such legislation also could offer other nations a model for strengthening their own laws to protect the family.
- **Urge U.N. member states to refuse, as Australia has done**, to cooperate with U.N. reporting systems when U.N. committees work to undermine their sovereignty. The United States should counter reprisals against countries that follow this advice. Norway, Sweden, and Germany, for example, threatened to withdraw their aid from Nicaragua last year unless it removed its Minister of the Family, Max Padilla, from his post. At the Cairo+5 and Beijing+5 preparatory conferences, Padilla had blocked resolutions by a voting bloc known as JUSCANZ<sup>120</sup> to redefine gender, to require all obstetricians and gynecologists to learn to do abortions regardless of their beliefs, and to remove "conscience clause" protections. For Nicaragua, with its faltering economy,<sup>121</sup> losing that source of revenue was a significant

117.CEDAW Committee, 20th Sess. (1999), "Report on China," Para. 314.

118.Coomaraswamy, *Reinventing International Law*.

119.CEDAW Committee, 13th Sess. (1995), "Report on Libya," Para. 132 (emphasis added).

120.See footnote 19.

threat to which it would have difficulty adjusting in the short term, so the president removed Padilla from his post.

To take the teeth out of such threats, the United States should make known that it will assist countries that are threatened for rejecting U.N. proposals. Too many small countries have little recourse and are too dependent on development assistance to fight assaults on sovereignty by the U.N. bureaucracy. The United States must protect the interests of these countries as well. For example, it should assist representatives from NGOs that support the family and marriage and countries that oppose the committee's attacks on these valuable institutions to enable them to attend U.N. conferences and have their voices heard, alongside those of left-leaning NGOs that promote anti-marriage and family policies.

- **Hold hearings** on the efforts of agents of the U.N. to force nations to implement policies that undermine the family, religious freedom, and national sovereignty, to give particular attention to the way the United States has voted and will vote at U.N. conferences on these social issues.
- **Require the Department of State to submit an annual performance report** on the activities of all U.N. agencies and committees. U.S. contributions to the U.N. agencies should be weighed against performance,<sup>122</sup> consistent with national interests, and meet an acceptable level of professional competence. Congress should set benchmarks for performance with regard to strengthening the family and traditional religious institutions. Funding for U.N. agencies and organizations that work deliberately to undermine the right of sovereign nations to determine their own domestic policies should be restricted. U.N. agencies should

be subjected to the same oversight Congress gives domestic programs. Congress demands performance outcome reporting from U.S. government agencies under the Government Performance and Results Act; it should expect no less an accounting from international bodies that spend U.S. tax dollars. It should use these reports each year to determine whether the U.N. programs, agencies, and affiliated organizations deserve continued funding.

- **Require the Assistant Secretary of State** for International Organizations, in coordination with the State Department's Legal Adviser, in the State Department's annual *President's Report to Congress on U.S. Participation in the U.N.*, to report on the performance and activities of the U.N. CEDAW and CRC committees and to develop new instructions for the involvement of the United States in any conventions and meetings dealing with issues of the family, marriage, sexual activity, and abortion.
- **Attach a rider to funding** for the U.N. and the World Bank specifying that any distribution of U.S. funds or contracts awarded to NGOs be made publicly available in a manner similar to that practiced by the U.S. government in its competitive bidding process. Funds should not be appropriated for activities that violate traditional family and religious norms or that undermine a nation's sovereignty.
- **Request that the U.S. General Accounting Office assess** the flow of funds from the United States to NGOs acting under the auspices of the U.N. in the past eight years to determine whether there has been any indirect support of their countercultural activities.
- **Start forming a new alliance** at the U.N. with countries that work to protect and strengthen the family, religious freedom, and national sovereignty.

121. Nicaragua is one of the hemisphere's poorest countries, with an estimated 50 percent of the population below the poverty line in 1999, an estimated GDP per capita of \$2,650 in 1999, and huge external debt. See *CIA World Factbook 2000*, at <http://www.odci.gov/cia/publications/factbook/geos/nu.html#Econ>.

122. For more on this reform, see Virginia L. Thomas, "Restoring Government Integrity Through Performance, Results, and Accountability," Heritage Foundation *Backgrounder* No. 1380, June 23, 2000.

## CONCLUSION

The United Nations has become the tool of a powerful feminist–socialist alliance that has worked deliberately to promote a radical restructuring of society. This alliance is attempting to sway nations to accept an agenda that, from the U.N.'s foundation, has been outside its jurisdiction. The alliance is advancing its agenda primarily by promoting the reinterpretation of the CRC and CEDAW treaties at the five- and ten-year follow-up conferences and encouraging nations to change their domestic policies.

The United States should object to this interference and work to reverse this trend, for the good of families, women, and children around the world. Congress and the President should devote the time and resources necessary to assess the danger these U.N. policies pose to the sovereignty and stability of nations and to build an alliance of family-friendly nations that will work together to ensure that the rights of parents and religious freedom are protected in U.N. policies.

—Patrick E. Fagan is William H. G. FitzGerald Fellow in Family and Cultural Issues at The Heritage Foundation.