



Are Women Human?

by Catharine MacKinnon

Reflections on the Universal Declaration of Human Rights (Barend van der Heijden & Bahia Tahzib-Lie, eds., Martinus Nijhoff Publishers, The Hague, 1999, 171)

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- 1 Fifty years ago the Universal Declaration of Human Rights defined what a human being is. It told the world what a person, as a person, is entitled to. Are women human yet?
- 2 If women were human, would we be a cash crop shipped from Thailand in containers into New York's brothels? Would we have our genitals sliced out to purify us (of what?) and to bid and define our cultures? Would we be used as breeders, made to work without pay our whole lives, burned when our dowry money wasn't enough or when men tired of us, starved as widows when our husbands died if we survived his funeral pyre, forced to sell ourselves sexually because men won't value us for anything else? Would we be sold into marriage to priests to atone for our family's sins or to improve our family's earthly prospects? Would be we sexually and reproductively enslaved? Would we, when allowed to work for pay, be made to work at the most menial jobs and exploited at barely starvation level? Would we be trafficked for sexual use and entertainment worldwide in whatever form current technology makes possible? Would we be kept from learning to read and write?
- 3 If women were human, would we have little to no voice in public deliberations and in government? Would we be hidden behind veils and imprisoned in houses and stoned and shot for refusing? Would we be beaten nearly to death, and to death, by men with whom we are close? Would we be sexually molested in our families? Would we be raped in genocide to terrorize and destroy our ethnic communities, and raped again in that undeclared war that goes

on every day in every country in the world in what is called peacetime? If women were human, would our violation be *enjoyed* by our violators? And, if we were human, when these things happened, would virtually nothing be done about it?

- 4 It takes a lot of imagination – and a determinedly blinkered focus on exceptions at the privileged margins – to envision a real woman in the Universal Declaration’s majestic guarantees of what ‘everyone is entitled to’. After fifty years, just what part of ‘everyone’ doesn’t mean us?
- 5 The ringing language in Article 1 encourages us to ‘act towards one another in a spirit of brotherhood.’ Must we be men before its spirit includes us? Lest this be seen as too literal, if we were all enjoined to ‘act towards one another in a spirit of sisterhood,’ would men know it meant them, too? Article 23 encouragingly provides for just pay to ‘[e]veryone who works.’ It goes on to say that this ensures a life of human dignity for ‘himself and his family.’ Are women nowhere paid for the work we do in our own families because we are not ‘everyone’, or because what we do there is not ‘work’? Don’t women have families, or is what women have not a family without a ‘himself’? If the someone who is not paid at all, far less the ‘just and favorable remuneration’ guaranteed, is also the same someone who in real life is often responsible for her family’s sustenance, when she is deprived of providing for her family ‘an existence worthy of human dignity,’ is she not human? And now that ‘everyone’ has had a right ‘to take part in the government of his country’ for the past fifty years, why are most governments still run by men? Are women silent in the halls of state because we do not have a human voice?
- 6 A document that could provide specifically for the formation of trade unions and ‘periodic holiday with pay’ might have mustered the specificity to mention women sometime, other than through ‘motherhood’, which is more bowed to than provided for. If women were human in this document, would domestic violence, sexual violation from birth to death including in

prostitution and pornography, and systematic sexual objectification and denigration of women and girls simply be left out of the explicit language?

- 7 Granted, sex discrimination is prohibited. But how can it have been prohibited for fifty years, even aspirationally, and the end of these conditions still not be concretely imagined as part of what a human being, as human, is entitled to? Why is women's entitlement to an end of these conditions still openly debated based on cultural rights, speech rights, religious rights, sexual freedom, free market—as if women are social signifiers, pimps' speech, sacred or sexual fetishes, natural resources, chattel, everything but human beings?
- 8 The omissions in the Universal Declaration are not merely semantic. To be a woman is not yet a name for a way of being human, not even in this most visionary of human rights documents. If we measure the reality of women's situation in all its variety against the guarantees of the Universal Declaration, not only do women not have the rights it guarantees – most of the world's men don't either – it is hard to see, in its vision of humanity, a woman's face.
- 9 The world needs to see women as human. For this, the Universal Declaration of Human Rights must see the ways women distinctively are deprived of human rights as a deprivation of humanity. For the glorious dream of the Universal Declaration to come true, for human rights to be universal, both the reality it challenges and the standard it sets need to change.
- 10 When will women be human? When?