Women (under)development: the relevance of the "right to development" to poor women of color in the United States

Hope Lewis

Follow this and additional works at: http://lsr.nellco.org/nusl_faculty

Recommended Citation
Lewis, Hope, "Women (under)development: the relevance of the "right to development" to poor women of color in the United States" (1996). School of Law Faculty Publications. 95.
http://lsr.nellco.org/nusl_faculty/95

This Article is brought to you for free and open access by the Northeastern University School of Law at NELLCO Legal Scholarship Repository. It has been accepted for inclusion in School of Law Faculty Publications by an authorized administrator of NELLCO Legal Scholarship Repository. For more information, please contact tracy.thompson@nellco.org.
Women (Under)Development: 
The Relevance of "The Right to Development" to Poor Women of Color in the United States*

HOPE LEWIS

This article examines the applicability and relevance of the collective international right to development to poor women of color in the United States. It posits that alternative, sustainable forms of development may be as relevant to subordinated groups in the United States as they are to non-western peoples. The article argues, however, that implementing the right to development in this imagined context requires a grassroots approach.

This right to development I have defined as "the recognized prerogative of every individual and every people to enjoy in just measure the goods and services produced thanks to the effort of solidarity of the members of the community." (M'Baye 1981: 7)

[How can the textual production of this particular artifact be rethought creatively in a manner that can be liberating? Is that it? (Douzinas & Warrington 1992: 39)

Nobody cares and has ever cared for the poor Black woman in America. . . . I have learned to fight and to get information nobody intended for me to have. I have learned how to use that information and share it with other people in my community. I have also learned that I have to make connections with people outside my community. . . . My sewing shop is a place where people know they can come when they do not know what else to do. We make answers. (C. Johnson 1995: 15)

* An earlier version of this paper was presented at the 1995 Annual Meeting of the Law & Society Association in Toronto, Canada, as part of a panel titled "Beyond Rhetoric: Implementing the Right to Development." This paper is dedicated to Edith Stephenson. I would like to thank the following persons and institutions for their comments, support and encouragement: Blossom Stephenson, Ruth Gana, Ibrahim Gassama, Rebecca Johnson, Stuart Lewis, Laura Mangan, Makau wa Mutua, Leslye Amede Obiora, Richard Perry, James Rowan, Lucy Williams, Cooperative Economics for Women (Boston, MA), The Baldy Center for Law & Social Policy, the Northeastern University Support Fund for Black & Hispanic Faculty, and the Northeastern University Urban Law & Public Policy Institute. I am especially appreciative of the excellent research assistance of Phoebe Brown, Denise Figueroa, Nadia Gareeb, Stephanie Hand and Wendy Stander.

Address correspondence to Hope Lewis, Northeastern University School of Law, 400 Huntington Avenue, Boston, MA 02115.
I. INTRODUCTION

Some might view the right to development as an anachronism in the face of the apparent "globalization" of market-based economic development. However, "development" in the narrow form of a thriving industrial sector, reliable infrastructure, and steady economic growth, remains beyond the reach of many nations – particularly the poorer nations of Africa (Ogundipe-Leslie 1993). More important, the broader goals of human development – access to basic needs and an improved quality of life – are denied to millions of people within "developed" nations as well. Nevertheless, we may well feel a sense of reluctance before discarding completely a concept that inspired progressive post-colonial movements.

This symposium, "Beyond Rhetoric: Implementing the Right to Development," explores whether this most theoretical of theoretical human rights could take on practical meaning in context. If this right to development is to extend "beyond rhetoric," then poor and disadvantaged individuals must find it a useful tool; among these individuals are the poor women of color in the United States. Could a right to development mean anything to them?

Women of color¹ who are poor in the United States struggle with the effects of underdevelopment while surrounded by the resources of the most economically developed nation on earth.² These women experience violations of their social and economic human rights that are strikingly similar to those affecting poor women of color in the rest of the "Global South" (Buvinic 1995).³ Also, they face limited access to affordable health care;⁴ encounter discrimination in education, employment, and access to a living wage (DiMona & Herndon 1994: 8, 53–54; see also Malveaux 1992); lack access to credit (Buvinic 1995); cannot obtain affordable housing; and do not receive equal protection from public and private violence.⁵ "Development" implies progress toward better living conditions; instead, the lives of poor women of color, and of those they care for most, grow steadily worse.

The reinvigoration of right-wing ideology in the United States looks to make an already desperate situation an intolerable one, as policies that will result in the elimination or drastic reduction of basic services are implemented (Handler 1995; L. Williams 1995; Backer 1995; Cunningham & Reed 1995; Abelda 1992). In the most ironic sense of the words, poor women of color in the U.S. live "under" development. Nevertheless, many poor women of color are not simply victims of the crushing effects of class, gender, and ethnic discrimination and exploitation – they actively resist these conditions and struggle to maintain the well-being of their families and their communities (M. Davis 1993; Piven & Cloward 1977; Sarat 1990; Anderson 1980).⁶ The activism of such women has been a central (if under-recognized) base of support for the success of the U.S. civil rights movement and the women's rights movement, as well as for struggles for economic equity (Collins 1990).
The language of rights has been a key tool of empowerment for many disadvantaged groups including people of color, women, and the women of color who intersect both groups (Steiner 1996; P. Williams 1987; Schneider 1986; Crenshaw 1993; Sparer 1984; Harris 1994). As part of a larger strategy, leaders of minority ethnic groups in the United States have based their appeals for social justice on human rights concepts and have appealed to international institutions to assist in publicizing or supporting their struggles. Both W.E.B. DuBois and Malcolm X hoped to present violations of the human rights of African-Americans before the United Nations (Malcolm X 1970; Dudziak 1988; Lockwood 1984; Thomas 1996). The indigenous peoples and nations of the Americas have looked to the international human rights system as an alternative means of redressing harms not adequately dressed under domestic law and policy (R. Williams 1990; Tennant 1994).

This paper explores whether the call, based in Third World nationalism and non-aligned movements, for a right to development—has relevance for self-created communities of poor women of color in the developed North. In particular, it raises questions about the implications of certain aspects of “women and development” programs in the United States. Could poor women of color in the U.S. claim the right to development while geographically located within a highly developed national economy? If they were to do so, what practical use could be made of such a claim?

As imagined in this article, poor women in the U.S. could claim a right to (alternative) development. However, implementing the right could not depend solely on government ratification nor implementing legislation. If it is to have effective substantive impact for poor women of color, they must be able to deploy the concept as a basis for transformative coalition-building, and a weapon of political strategy, as well as a tool of formal human rights law (Thomas 1996: 22-26). The right to development could be creatively used to reconceptualize the implementation in the United States of women’s economic development projects. Similar projects have been subjected to abuse elsewhere in the Global South, but can also be an important means of empowerment.

Women-in-development programs in the U.S. are often characterized, as have been those targeted at African, Asian, and Latin American countries, as humanitarian efforts simultaneously to “uplift” the poor while relieving state actors from the burden of providing basic services to the “undeserving” poor (Backer 1995). As conceived by many government officials and international aid agencies, the purpose of such programs is to “empower,” as if by magic, women to maintain themselves and their families within minimal state or charitable assistance. Underlying that discourse is the belief that poor women of color are poor because they (or the men in their communities) lack initiative; they need only take advantage of a mythic national and local economy bursting with opportunities for newly empowered female
entrepreneurs. The effects of inequitable educational, wage, and benefits
systems; structural unemployment; violence against women; race, gender,
and class discrimination; inadequate child care, elder care, and health
services; and the global movement of capital—all are to be overcome
through top-down efforts to make poor women more efficient producers in
the informal sector (Wright 1995; P. Williams 1993). 8

What might happen were poor women of color in the U.S. to claim
development and their full participation in that process as a human right?
Rights-based calls for basic needs such as food, affordable housing, living
wages, and health care are not novel in the United States (Sparer 1971; M.
Davis 1993; Piven & Cloward 1977), 9 although public support for such an
approach seemed to be waning in the 1980s and 1990s (Handler 1995;
Backer 1995). Despite the limitations of rights discourse, 10 it is possible that
rights-talk could contribute to strategies that are effective in influencing
the state and other powerful actors to contribute to the conditions necessary for
fulfillment of women's human rights.

Part II of this paper briefly summarizes the history of the legal and
political elaboration of the right to development. Part III discusses the ways
in which gender-conscious development concepts have entered international
and domestic discourse and the relationship of gender politics to the
implementation of the right. Part IV imagines how the participants in one
women's economic development organization in the U.S.—Cooperative
Economics for Women—might encounter, reinterpret, and reinvigorate
the concept of a right to development.

II. DEFINING DEVELOPMENT—and the RIGHT TO IT

Defining and implementing the right to development is problematic, in part,
because the term “development” defies universal definition. Feminist
cultural anthropologists Kay Warren and Susan Bourque characterize a
number of traditional definitions as follows:

Development is . . . a transition narrative that evokes a range of problematic
associations, from evolutionary (i.e. the transformation of ‘primitive’ to
‘developed’), to psychobiological (i.e. the individual’s growth from ‘infancy’ to
‘adulthood’), to Western-focused definitions of ‘progress’ (i.e. the movement
from ‘traditional’ to ‘modern’), and finally to the uncritical tendency to blame
the victims of political and economic marginalization for their poverty. (1991:
279)

A. BACKGROUND

After World War II, political leaders in both the East and West defined
increased industrialization and cash crop production as leading progress-
ively to more and more advanced stages of development. Imitation of the
economic structures of industrialized states served as the primary models of achievement (Ogundipe-Leslie 1993). Improving indicators of economic growth at the macro-level, such as Gross National Product, would lead naturally to “trickle-down” improvements in the standard of living of the majority of the population (Warren & Bourque 1991).

The World Bank, the International Monetary Fund, and western bilateral aid organizations supported this march to development on the theory that economic privation within national borders could cause civil and political unrest that could spill over into international conflicts. The goal was to maintain, as far as possible, the strategic spheres of influence created by the superpowers (Cahn 1993).

In the 1950s and 1960s, the newly independent nations of Africa, Asia, and Latin America faced economies ravaged by the rapid transfer of natural resources to the West, as well as fundamental disruptions in land ownership patterns and in traditional sources of subsistence and income. Facing widespread poverty, lack of industrial capacity, and a negative balance of trade, Third World leaders argued that the nations of the West, having grown rich on the exploitation of Third World labor and resources, now had the obligation, through economic aid and fair terms of trade, to support the development of less developed countries. Leaders of the Non-Aligned Movement called for the elaboration of a New International Economic Order (NIEO) that would address international economic inequities on a global level (Bedjaoui 1991: 1178). Third World member states, recognizing the importance of international economic relations in achieving economic development within national borders, pressured the UN General Assembly to adopt the Declaration on the Establishment of a New International Economic Order in 1974 (Howard 1993: 115).

B. LEGAL ELABORATION OF THE “RIGHT TO DEVELOPMENT”

The right to development was not explicitly elaborated until the 1970s, although the UN General Assembly designated the 1960s as the First Development Decade. Yet, the relationship between development and human rights had been referenced at least since the adoption of the Universal Declaration on Human Rights in 1948 (Nanda 1985: 295). The linkage of human rights with development (but not a right to development) was recognized officially in the General Assembly’s Declaration on Social Progress and Development in 1969 in preparation for the Second Development Decade (ibid.: 296). That document stated that “social progress and development shall be founded on respect for the dignity and value of the human person and shall ensure the promotion of human rights and social justice” (ibid., citing Gen. Ass. Res. 2542 (XXIV)(1969), art. 2).

By most accounts, the “right to development” first came into widespread international prominence as a result of a 1972 speech by an influential
Senegalese jurist, Kéba M’Baye. M’Baye envisioned the right and its corresponding duties and obligations as relevant not only to states and institutions, but also to peoples and individuals (Donnelly 1984: 264; see also Alston 1988). The right, he argued, has several philosophical bases. First, the “gross economic disparities between North and South” reflected a state of injustice that gave rise to the right (Donnelly 1984: 263). Second, M’Baye observed that such gross inequities were bound to lead to civil disturbances that could become international conflicts. The right to development, therefore, was essential to the achievement of international peace – a primary purpose of the United Nations. Third, the effects of colonialism, East–West strategic conflicts, and unfair terms of trade and investment between the North and South also created an obligation on the part of the developed North to aid the less developed South (ibid.: 263). Finally, M’Baye argued that the “true foundation” of the right to development “is the obligation of solidarity” (ibid.). As a third generation right, the right to development requires both national and international cooperation to achieve implementation. Largely as a result of M’Baye’s influence as chairman of the Human Rights Commission, as well as pressure by Third World member states, in 1978 the Commission recommended that the Economic and Social Council invite the UN Secretary-General to study the dimensions of a right to development within the context of “the requirements of the New International Economic Order and... fundamental human needs” (Donnelly 1985: 474–75).

The Secretary-General’s Report, issued in 1979, is the first official UN document to elaborate the basis of a right to development (ibid.). Jack Donnelly notes that the report found that the legal basis for an international human right to development already existed in the instruments constituting the International Bill of Human Rights:

Among the more prominent international legal sources cited are: Articles 55 and 56 of the UN Charter; the Universal Declaration of Human Rights, especially Article 22 (the right to social security and to the realization “of the economic, social and cultural rights indispensable to [human] dignity and the free development of [the human] person”) and Article 26(2) (“education shall be directed to the full development of the human personality . . .”); Article 1 of both International Covenants on Human Rights (the right to self-determination); and the International Covenant on Economic, Social and Cultural Rights, especially Article 2(1) (the obligation to implement progressively the enumerated rights) and Article 11 (“the right of everyone to an adequate standard of living”). (Donnelly 1985: 479)¹⁵

The Declaration on the Right to Development, adopted by the General Assembly in 1986, builds on these previously elaborated human rights obligations (Paul 1995a). According to human rights and development scholar James Paul, the Declaration contemplates three major aspects of the right:

© Blackwell Publishers Ltd. 1996
1. people-centered development;¹⁶
2. the promotion and protection of all human rights in and through
development processes;¹⁷ and
3. the adoption and promotion of legal measures designed to ensure
popular participation and the protection of human rights in and through
development.¹⁸

Like many human rights instruments, those elaborating a human right to
development take on a broad enough definition of the concept of develop-
ment to be politically expedient among the different socioeconomic systems
espoused by UN member states. The concept seemed equally applicable to
newly independent states with very different agendas. Some governments
hoped to achieve rapid, western-style industrialization; others saw develop-
ment as resulting from the re-transfer of resources from West to East
through direct foreign aid. These, and any number of other conceptions of
what the right to development could mean, were bedeviled by a central
problem: the divergent interests of those who would implement the right.
Although the right was to be "people-centered," implementation might filter
through Western governments, Third World governments, international aid
agencies, transnational corporations, and human rights organizations, all of
which would be heavily influenced by domestic and international political
expediencies. These expediencies would take on special significance for
women to the extent that they were ignored by, then co-opted into, various
development policies.

III. FEMINIST CRITIQUES: WOMEN IN/AND/UNDER DEVELOPMENT

A. FEMINIST INTERVENTIONS IN INTERNATIONAL DEVELOPMENT AGENDAS

In recent years international and national development institutions have
prioritized the role of women in achieving international economic
development goals (Herz 1989: 22; see also Holt & Ribe 1991; Schuler
1986). Beginning in the early 1970s, feminist development experts such as
Ester Boserup (1970) argued persuasively that development efforts are
destined for failure if they ignore or underestimate the central role of women
as economically productive members of their communities in both "public"
and "private" sectors. Women are farmers as well as mothers, market
women as well as housewives. The long-term success of any development
project is therefore threatened if women do not have equal access to
education, training, and entrepreneurial credit.

Changes in the terminology loosely track the variety of approaches to
the issues. Caroline Moser (1993: 2) notes that the term "Women-in-
Development" (WID) came into common usage as a result of Boserup's
influence on feminist development experts within and outside the U.S.
Agency for International Development. For USAID, women-in-devel-
opment was an aspect of development policy, "the underlying rationale of
which was that women are an untapped resource who can provide an economic contribution to development” (ibid.). In this sense, WID was primarily an “add-on” to existing development policies. Previous efforts were believed to have failed because development planners had not recognized the central role of women in Third World economies. WID programs first attempted to increase the number of women in large-scale development projects (referred to disparagingly as the “add women and stir” approach), then began to target women for specialized training and credit programs in order to more efficiently exploit their contributions to economic growth (Herz 1989). The related term “Women and Development” seems to recognize the concerns of women as occupying a separate, but overlapping, space with the concerns of development. Some approaches therefore focused on examining the effects of development (or the lack thereof) on women and on women’s rights (Moser 1993: 3; Howard 1993: 117).

Moser expresses a preference for the term “Gender Development” (GAD), which focuses on aspects of women’s lives that are implicated by gender (social relations between men and women) rather than by sex (biological differences between men and women). Moser notes that “[t]he focus on gender rather than women makes it critical to look not only at the category ‘women’ – since that is only half the story – but at women in relation to men, and the way in which relations between these categories are socially constructed” (1993: 3). She argues that the fundamental goal of GAD is emancipatory, while WID takes an “add-on” approach to women that takes economic development as its fundamental goal (ibid.: 4). Official World Bank policy statements now broaden development goals from mere economic efficiency to include social goals such as “improving the economic and social status of women” (Wright 1995: 881-84). However, women’s human rights theorist Shelley Wright views the stated commitment of international aid agencies to the advancement of women with suspicion, in that relatively few resources associated with “mainstream” projects explicitly target women (ibid.).

In addition to the macro-level programs, interest in “income-generation” projects involving the creation of small businesses for poor women has grown tremendously in the last fifteen years (Holt & Ribe 1991). Some of these programs are based on Mohammed Yunus’ highly successful Grameen Bank model which operates in Bangladesh (Cohen 1990). However, antecedents of that approach are rooted in a long history of traditional cooperative arrangements among women and men (Ardener & Burman 1995). Private non-governmental organizations, such as Women’s World Banking, ACCION International, and Oxfam International, as well as the World Bank, are often primary sources of international funding and support for these small projects.

In early 1997, microenterprise programs took on new significance with the advent of a World Summit on Microcredit that was attended by over two
thousand delegates from one hundred countries. Ironically, the summit was co-chaired by Hillary Rodham Clinton and took place in Washington, D.C. The administration’s explicit support for microcredit and microenterprise programs took place against the backdrop of President Bill Clinton’s controversial signing of welfare “reform” legislation, which will have an adverse effect on many poor women of color. Microenterprise programs are touted as ameliorative of the harsher effects of the planned reductions and alterations in public benefits. Despite the problematic manner in which microenterprise may be applied to the U.S. context, it is at least encouraging to note that the World Summit recognizes the existence of the “Third World” within the “First World.” As Nicole Gaouette reported, “the Summit will set the decade-long goal of getting 100 million of the world’s poorest families on microcredit. Of that total, . . . 4 million will come from industrialized countries, 2 million of them from the U.S.” (1997: 4)

Based largely in the informal sector, the businesses developed under the rubric of “microenterprise” for women take a wide variety of forms. They include microenterprises, worker-owned producer cooperatives, and self-employment projects. A microenterprise venture generally is limited to between one and five persons. A producer cooperative is a business in which control of management and ownership structure is generally shared jointly by the workers. Self-employment training seeks to provide low-income women with skills in business development and management so that participants can create their own jobs (Cronin & DiMatteo 1988: 79). The success of many of these small businesses relies on increasing women's access to alternative sources of credit, such as community development banks and peer lending circles. Peer lending programs, often based on Mohammed Yunus' popular Grameen bank model, involve structures in which each member of a small group (who need not be in business with each other) borrows a small amount (generally under $500) with the whole group acting as guarantor. All group members must keep their loan payments up-to-date in order for other members to receive loans from the central lending institution. Repayment is ensured primarily by peer pressure. Borrowers are expected to use the loans for small self-employment businesses. (Cohen 1990: 3; Holt & Ribe 1991; Ardener & Burman 1995). The use of various forms of microenterprise, self-employment, and peer lending models has entered the complex debates in the United States with regard to both the behavioral modification goals of some welfare reformers and the goals of community economic development advocates.

B. WOMEN AND THE U.S. COMMUNITY ECONOMIC DEVELOPMENT MOVEMENT

Development discourse is no stranger to the U.S. context. The long history of domestic efforts to achieve economic development in low-
income communities has its modern origins in the Johnson-era War on Poverty. These efforts focused on community projects intended to address the provision of basic needs such as housing, education, food, and access to health care through government-sponsored social service structures. However, these programs were not based on the legal implementation of economic rights. Rather, Supreme Court decisions supported due process in the administration of social services, but they did not characterize access to economic or social opportunities and services as fundamental rights.

As a correlative to direct social welfare transfer programs such as Aid to Families with Dependent Children (AFDC), community development corporations supported both by governmental programs and by private foundations (Pierce & Steinbach 1987; Bauen & Reed 1995) have engaged in community development efforts in the United States that directly or indirectly parallel Third World development efforts. Policymakers are increasingly attempting to strengthen ideological and methodological linkages with international development programs to address "Third World" problems in U.S. urban centers (as well as poor rural communities). Nowhere is this connection more evident than with respect to the mushrooming of women's economic development programs in the last ten to fifteen years. Such programs range from general efforts to increase the number of women-owned businesses, regardless of the economic circumstances of the owners, to microenterprise programs targeted specifically to women living on welfare (Inuzuka 1991; O'Brien 1993).

As in the Third World, Women-in-Development in the U.S. is simultaneously part of a larger, and destructive, economic agenda as well as the expression of an indigenous form of survival and resistance (R. Johnson n.d.; Anderson 1980). Women and men in urban and rural poor communities in the United States have a long history of working cooperatively for survival. These grassroots efforts have ranged from the occupation and restoration of abandoned buildings for housing and community centers to the organization of community patrols aimed at reducing crime and reporting on police brutality.

The models used in the developing world with respect to women's economic development are the object of increasing attention in the United States as an alternative for "welfare dependent" poor women (Cohen 1990; Ramdas 1991: 20; Germani 1991: 12; Abelda 1992; Carrington 1994; Wessel 1992). There are now hundreds of such programs in the United States. Many of the programs train women to start small independent businesses (such as hairdressing or home-based sewing or other assembly businesses). Most have operated under waivers from AFDC income and savings limitations that would ordinarily have restricted their ability to participate. The accumulation of even low-level profits from a marginally successful business could push a woman's assets over the income or asset limits for some public benefits, resulting in the loss of health insurance or other collateral supports.
There is support for these programs from among both conservatives and liberals. Some project organizers emphasize the ability of such programs to "empower" women who were formerly "dependent" by creating work opportunities or by training them to enter mainstream labor markets. The projects appeal to the popular perception that what women on welfare need is to be forced to work harder — whether in minimum wage paid employment, as "volunteers," or in self-employment projects. There is little discussion of the fact that microenterprise and small business projects alone cannot address structural underemployment and unemployment. Further, while the new federal welfare reform legislation makes it easier for states to adjust limits on recipient asset levels to accommodate microenterprise projects, it also encourages state governments to see WID as an easy way to reduce their public benefits budgets. Amidst the publicity surrounding WID in the U.S., some human rights and social welfare activists warn either that microenterprise is appropriate for only a small percentage of poor women in the U.S. or that women's economic development must be de-linked with punitive approaches to welfare reform (R. Johnson 1994b; L. Williams 1995).

C. WOMEN, DEVELOPMENT, HUMAN RIGHTS; COMPATIBLE OR INCOMPATIBLE?

Rhoda Howard, among others, has been critical of the idea that the right to development is necessarily emancipatory for women in the developing world:

Specific grievances of African women against both the African state and African men are lost. African women, like Africa in general, become the innocent victims of Western imperialism, and, as with Africa in general, their primary claim is for the right to development. Thus we come full circle: the rights of women in development become the right of women to development, defined not by them but by the development establishment, both inside and outside their own country. To break this circle requires assertion of women's rights, separate from development, possibly against the development establishment, and not necessarily compatible with the development enterprise. (1993: 118)

According to Howard, “the agenda of women's rights intersects, but is not synonymous with, the agenda of development” (ibid.: 119). Howard's concerns that the individual rights of African women will tend to be trumped by the agendas of non-democratic African governments, private interests, and international development agencies are well taken. Resources allocated to improve the status of poor women have been cynically diverted to further line the pockets of those in power in both the North and the South.

Other feminists, many among them women of color, find it ironic that the inclusion of women in certain forms of development contributes to the
violation of their human rights (Simmons 1992; Pala 1977: 12; Seidman 1981). Merely recognizing that women play an important role in the economy does not lead to more equitable development policies of benefit to women and their communities. The institutional focus on WID is often based in women's role as economically efficient workers for manufacturing or agribusiness (P. Williams 1993; Tirado 1994; Zavella 1991).

African-American feminist and international human rights activist Loretta Ross has noted:

The prevailing opinion of why women are underdeveloped and why such a tremendous amount of poverty still exists is that women have been left out of the development process. Thus solutions are predicated upon bringing women into the development process. Unfortunately, this is the opposite of what has happened. The facts are that Western style development does not leave African women out, it includes them by exploiting their labor, confiscating their land, and robbing them of their natural resources. African women are very much in the middle of development – as the pawns of development, not the beneficiaries of development. (TransAfrica Forum 1987: 86)

In these excerpts, both Howard and Ross see development as inconsistent with the promotion of the human rights of women, although Ross more precisely targets her critique on "Western-style" development. It is, in fact, the separation of women's self-defined human rights - including the right to alternative forms of development - from official economic, legal, and social policies that makes development a problematic force in the lives of poor women of color.

Instead of WID programs focused primarily on channeling "women's labour and produce through national and international businesses" (Simmons 1992), many women of color are exploring ways to achieve alternative forms of development that prioritize the survival of poor peoples. Some poor women have refused to be co-opted as passive participants in projects intended to keep them only marginally less poor. They have begun to recognize that the solidarity created among grassroots women in collective economic enterprises (Goldoftas 1992; Weiss & Clamp 1992) contributes to political activism as well. Women of color from other classes have attempted to work with poor women of color in furthering alternative notions of development as well. For example, Development Alternatives with Women for a New Era (DAWN), an international feminist collective formed by women of color, advocates such new approaches:

The experiences of many of the DAWN founders with grassroots initiatives at the community level strengthened their resolve to seek to comprehend such actions within a broader perspective: to link, as it were, the micro-level activities to a macro-level perspective. . . . [I]t is the experiences lived by poor women throughout the Third World in their struggles to ensure the basic survival of their families and themselves that provide the clearest lens for an understanding of development processes. And it is their aspirations and struggles for a future free of the multiple oppressions of gender, class, race,
and nation that can form the basis for the new visions and strategies that the world now needs. (Sen & Grown 1987: 9–10)

Just as “integrating women into development” in Africa, Asia, and Latin America often has translated into the exploitation of women as the targets of top-down development policies, similar dangers exist for poor women of color in the United States (Simmons 1992: 16). It is not in their interest to be passive recipients of either development projects or welfare benefits. The limitations of top-down women’s economic development programs were presaged by Martin Luther King’s critique of poverty programs:

Underneath the invitation to prepare programs is the premise that the government is inherently benevolent. It only awaits the presentation of imaginative ideas. When these issue from fertile minds, they will be accepted, enacted, and implemented. This premise shifts the burden of responsibility from the white majority by pretending it is withholding nothing, and places it on the oppressed minority by pretending that the latter is asking for nothing. This is a fable and not a fact. Neither our government nor any government that has sanctioned a century of denial can be depicted as ardent and impatient to bestow gifts of freedom. . . . We are in fact being counseled to put the cart in front of the horse. We have to put the horse (power), in front of the cart (programs). Our task is to do the organizing work that will bring people past all the material and psychological impediments to personal empowerment. (King & George 1987: 221, quoting Martin Luther King, Jr.)

King identified the central problem of rights-based claims on the resources necessary for development. Breaking free from poverty and the effects of gender and racial discrimination requires more than the passive acknowledgement of the existence of formal rights; it seems to require affirmative actions on the part of those whose policies contribute to underdevelopment. It therefore necessitates struggle by those making the claim to motivate those actions. The international community faces a similar conundrum in that implementation of the right to development for peoples and nation-states requires not only a demand from the rights-claimant, but also the power to influence the duty-bearer to meet that demand. King recognized that it is only through the exercise of community-based power that these programs can be successfully implemented. For poor women of color in the U.S., the right to development will not be a “bestowed gift of freedom” – certainly not under current political conditions.

IV. “WE MAKE ANSWERS”: COULD A RIGHT TO DEVELOPMENT BE MEANINGFUL FOR COOPERATIVE ECONOMICS FOR WOMEN?

A. COOPERATIVE ECONOMICS FOR WOMEN

In discussing the problems and opportunities facing poor women of color in the U.S. with regard to implementing a right to development, I will explore
what such a right might mean to a group of women who participate in one
women's economic development organization. Cooperative Economics for
Women (CEW) is a grassroots community development organization that
assists poor women in creating producer cooperatives in and around
Boston, Massachusetts.  

CEW provides technical and other assistance to help women organize
business cooperatives to meet their own economic needs and those of their
communities. The emphasis is on building those survival skills necessary
for the women to generate income for themselves and their families rather
than on "entrepreneurship" per se. Based on popular education models
developed in both the North and the South, CEW assists the women's co-
ops through a three-part training process (R. Johnson 1994b; Wignaraja
1990). In phase I, women who are interested in forming co-ops meet each
other, identify their own goals and needs, identify their existing skills, and
work with organizers trained in feminist popular education methodology
to learn more about the principles of cooperative business and the impact
of the U.S. economy on their communities. Once the women as a group
determine that they wish to work together, they decide how their unique set
of skills could translate to products and services that could fill unmet needs
in their communities. (Among the co-op needs identified have been child
care, food catering, and cleaning services.  

Without necessarily being required to know how to read or write in any
language, the members learn the basics of savings, business planning,
marketing, and other business operations. Throughout, however, the focus
is on critical analysis of the negative roles that business enterprises can
sometimes play in poor communities (for example, in promoting negative
images of women of color in advertising) (L. Williams 1995). During this
phase CEW provides necessary technical and financial assistance in the form
of child care and other reimbursements, but the women who are on AFDC
do not earn income.

The co-ops enter phase II (which can last up to three years) in which they
begin practice work in their communities. They learn basic office skills, how
to make phone calls, plan a job, and evaluate the results of a job. In
addition, with the aid of translators, the women learn other skills such as
reading and basic arithmetic. Significantly, co-op members are involved in
the management structure of CEW in that at least one-third of them fill the
board seats. The process also involves political education (on welfare reform
and immigration policy, for example) with the input of both external
technical assistance (such as that available from law school clinics) and the
women themselves (for example, by educating other members about the
different cultures from which they come). In phase III, the co-ops are able to
sustain themselves and become independent of CEW.

What if CEW, and organizations like it, were to encounter a U.S.-
recognized right to development? This requires a significant stretch of
the imagination on at least two levels: (1) that the U.S. would ratify a

© Blackwell Publishers Ltd. 1996
Convention on the Right to Development,\(^3\) and (2) that the right would be interpreted to require the implementation, individually and collectively, of the social and economic rights of poor women of color within U.S. borders.\(^3\)

Formal ratification and implementation of a convention on the right to development would be a significant problem. At the international level, the U.S. and other western nations likely would object to the adoption of such a convention. Second, the U.S. history of ratifying human rights treaties has been a poor one. Even the ratification of the International Covenant on Civil and Political Rights in 1992 was accompanied by significant reservations. While contemplating the formal adoption of social welfare-based human rights in the United States seems far from possible in the current political climate, seemingly intractable social structures have a way of surprising us. The struggles of oppressed peoples as well as unforeseen political and economic forces can create new structures that present both new challenges and opportunities.

The possibility of implementing in the United States the rights under the Economic, Social, and Cultural Covenant (many of which lay the groundwork for any meaningful right to development) has been analyzed elsewhere (Stark 1992; Dutt 1994; Alston 1990).\(^3\) It is my purpose here to begin imagining ways in which poor women of color could engage a right to development in ways that have relevance prior to ratification of the required covenants, conventions, and implementing provisions; that are relevant in advocating ratification; and that are relevant once formal laws recognizing such a right are enacted. Certainly, this state of affairs does not appear to be on the legal or political horizon in the near term—but perhaps it is only by such acts of imagination that one can move forward.

Before CEW and similarly situated grassroots organizations can use the human rights framework as a transformative means of organizing around the achievement of an alternative development, the tools of the international human rights system must be accessible to them. Current barriers to international human rights structures prevent grassroots women in development organizations from beginning the process of effectively using these tools in their struggles, let alone taking ownership of the rights framework. CEW is a group of grassroots women working on securing women’s right to development on the domestic front, using and applying all the expertise available to it. How do the members of CEW begin the process of defining and taking ownership of the right to development if it appears to be shaped primarily by lawyers and policymakers within elite UN and human rights organizations? The answer may lie in the cross-fertilization of grassroots development organizations with human rights lawyers and scholars in determining whether, and when, traditional, modified, or alternative human rights frameworks will be useful to poor women of color.
An example of such cross-fertilization has occurred with respect to recent tribunals on the violations of women's human rights sponsored by the Center for Women's Global Leadership. In tribunals held at the Vienna Human Rights Conference, the Copenhagen Conference on Social Development, and the Beijing Conference on Women, representatives of grassroots women's groups worked with human rights lawyers and activists to present testimony on the violations prioritized by the women themselves (Center for Women's Global Leadership 1995; Reilly 1996).

In order for such an approach to work for the women of CEW, they, and those who work with them, must begin by addressing two issues: first, the problems of definition associated with development; and second, the problems associated with the various actors involved in the implementation of the right.

B. SOMETHING OUT OF NOTHING?: ENGAGING THE RIGHT TO DEVELOPMENT

1. What Content Could be Embedded in the Right to Development?

[Development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom. (UN Declaration on The Right to Development 1987: preamble)]

Another barrier to the implementation of the right to development for the women of CEW's co-ops is the struggle over the definition of its content. Assuming that the political will to implement a right to development existed, would implementation take, for example, the currently popular form of workfare? Will poor women be made a more efficient low-wage, non-unionized labor pool? Would the right to development simply mean that poor women would be expected to lift themselves and their communities out of poverty by their bootstraps?

Rebecca Johnson, the lead organizer of CEW, has spoken with hundreds of poor women of color about the needs on which they place priority. She summarizes their definitions of "development" as follows:

Poor women feel their economic and human development needs will begin to be addressed when they have access to affordable childcare close to home, affordable transportation and universal health care; when they have the ability to generate and control income and to make work decisions based on the needs of the family rather than out of fear of public welfare or the desperate inadequacy of multiple-job, minimum-wage work; and when they are active participants in renewing the communities where they live and work.

(R. Johnson n.d.: 2)
The women of CEW already have taken significant steps toward defining the content of their own right to development. They identify their own development goals based on their intimate knowledge of the social and economic needs of their communities. They provide for themselves and their families by relying on complex networks of support through cooperation with other members, family, friends, and their communities to make limited resources stretch as far as possible. They learn about each other's similarities and differences and about how to resist threats to their survival.

2. To Whom Should the Right Belong and Who Could Make the Right Have Meaning?

The human person is the central subject of development and should be the active participant and beneficiary of the right to development. (UN Declaration on The Right to Development 1987: art 2(1))

States have the right and the duty to formulate appropriate national development policies that aim at the constant improvement of the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom. (Ibid.: art. 2(3))

States have the primary responsibility for the creation of national and international conditions favorable to the realization of the right to development. (Ibid.: art. 3(1))

If the right to development belongs to the state, then the United States certainly seems to have taken full advantage of it. As envisioned in the Declaration, however, the right belongs to individuals and groups as well. The Declaration does not exclude those living within a highly developed nation-state and envisions equitable distribution of the benefits of development, such as fair access to housing, food, education, and health care. In fact, as the purported “central subjects” of development, the women of CEW should be the direct beneficiaries of development as among those most in need. All are poor; most rely on AFDC and related social welfare programs for subsistence income. Some are immigrants or refugees from political or social violations at home; others are survivors of domestic violence in this culture. The Declaration also provides that individuals are entitled to “contribute to” development (ibid.: art. 1). Despite media images to the contrary, poor women already contribute a great deal to development. Both the public and private sectors depend on the formal and informal work of poor women, including the enormous burdens of housework, child care, elder care, and domestic and other service sector employment they take on (Charlesworth, Chinkin & Wright 1996: 902; A. Davis 1981; Collins 1990).

The language in the Declaration providing for state responsibility for the creation of national as well as international development policies that are aimed at the entire population seems promising. However, it may have little
impact in a domestic environment of drastic cuts in social welfare entitlements and when it has become commonplace to replace those entitlements with coercive behavior modification programs. As envisioned here, the implementation of a right to development would require the U.S. government to take specific, concrete steps, legislative and otherwise, to implement the right. If it did not do so, the women of CEW conceivably would have the advantage of appeal to an international forum which could, in turn, place pressure on the U.S. government to comply. These efforts would likely rely on the “embarrassment effect” of having the actions of the U.S. government toward women within its borders condemned at a global level. In the Cold War context, some have argued that the embarrassment of the U.S. government over international condemnation of its treatment of African-Americans helped influence the elaboration and implementation of some U.S. civil rights (Dudziak 1988; Lockwood 1984). But the Cold War is over – can the U.S. still be embarrassed on the world stage over its treatment of the poor? The practical difficulties associated with placing pressure on the most economically and militarily powerful nation on earth might appear overwhelming to the women of CEW individually. However, the right to development, a quintessential “collective” or group-based right, requires some form of group-based solidarity or coalition building to implement. One such potential coalition is among poor women of color, but there are many others. It is still possible that the U.S. would respond to the exposure of the fact that the richest nation on earth tolerates grinding poverty in its midst.

Nevertheless, CEW cannot merely be a pawn of the state in the process of implementing such a right to development. Women must be active participants in shaping implementation strategies and in the actual process of implementation. If they were to claim their participation in the right to development, the right of CEW members to obtain basic needs would not be based on the benevolence of the state, nor on whether members were recognized as “deserving” and efficient economic producers. CEW would need to demand the right to development and demand participation in the implementation of the right. To accomplish this task, CEW not only must have the knowledge of the availability of such a right and its scope, but also must use this knowledge as an organizing tool to constitute a grassroots movement, powerful enough to exercise the leverage needed to effectively make that demand. This in turn would require human rights non-governmental organizations and individual activists to share their knowledge of the human rights framework and its scope with CEW and with similarly constituted organizations. Such a collaborative effort must also focus on finding ways of teasing out how grassroots concepts of rights or justice may relate to the established human rights concepts – in this case the right to development.

This process of consciousness-raising cannot itself be effective or lay the groundwork for future claims to the right, if it does not involve grassroots
participation. In the already rarefied atmosphere in which human rights discourse and instruments exist, the right to development is truly without content absent the substantive right of participation (Steiner 1988: 78). Often, however, "participation," as UN bureaucracies and member states define it, means the participation of elite women and organizations in defining human rights agenda independent of grassroots women (Oloka-Onyango & Tamale 1995). Increasingly, grassroots organizations have pressed for greater participation in UN and other international fora that define the agenda on economic development. Language in the Declaration provides that development should be a broadly participatory right, and one that requires the state to take special, effective measures to ensure the active role of women. The responsibility to ensure such grassroots participation in defining and shaping the international agenda and development of rights lies not only with the states, but also with the more prominent international human rights organizations.

How would a grassroots, democratic form of participation be implemented? It would require grassroots participation in the governmental structures set up to administer WID programs. It also would require more equitable representation of poor women of color even in the community development organizations that have tended to take a top-down approach to their concerns (Sen & Grown 1987). Further, the women themselves would have to identify the goods and services they need to support their participation. Certainly, current discussions and debates on welfare reform and the role of WID rarely include the poor women of color who are the subjects of the proposed legislation or programs. Congress, the statehouse, and the non-profit organizations that administer the programs rarely look to the women for their visions of economic development. For the co-op members, as for many poor women around the world, the lack of true participation in the creation of development policies is likely to remain a significant barrier to implementation of the right to development.

Furthermore, although states have a responsibility toward the fair and equitable distribution of resources, state action alone is not enough. The private and non-profit sectors have a responsibility as well, because fair and equitable distribution of resources among the people of a state cannot be accomplished without their participation in the process. Equitable distribution of resources in itself is not development. Rather, development is a dynamic process that requires the participation of all. The process requires the efforts of the private sector, domestic and international non-governmental organizations, and governments, toward the goal of ensuring equality of opportunity for all in their access to basic resources, and to public goods beyond the basics (Ogundipe-Leslie 1993). To successfully realize the right to development, CEW and other grassroots organizations could use human rights strategies as an organizing tool. As Martin Luther King recognized, power to influence the duty bearers is a necessary antecedent to the fulfillment of rights (King & George 1987).
V. CONCLUSION

As a relic of the traditional human rights system, the "right to development" is so far a failure in the international arena — it has not yet gone beyond rhetoric. Economic and social development remains a prisoner of the political will of the dominant national economies and of the old international economic order. For many women in the Global South, the WID movement has renewed patterns of patriarchal and neocolonial exploitation of the labor of women. In the U.S., it often provides symbolic and moral support for workfare and other behavior modification programs aimed at poor women of color.

Nevertheless, even this failed rights claim has opened space for alternative, even revolutionary, forms of organizing and empowerment. Even in problematic forms, Third World governments made their versions of the right to development heard at the UN Conference on Environment and Development in Rio de Janeiro in 1992. Discussion of such a right still serves as a reminder to developed nations of the source of their development — the resources and labor of poor people of the Global South. Within this context, women are beginning to use small business development as a tool toward the generation of more equitable notions of development — an "alternative development." In the U.S., the call for a right to such an alternative development could provide additional fuel for women to press their goals at levels over, under, and through the sovereign state. Such alternative visions of development by no means relieve the state of its responsibility toward the poor. Rebecca Johnson and other community development activists stress that individual and even small group cooperative efforts cannot address all of the income-generation needs of poor people. Human rights provides a basis of appeal that is not dependent on citizenship, or, at least as a formal matter, on national political will. Rights-based claims have energized grassroots, community-based organizations to make claims that cannot effectively be made on mere humanitarian terms. And it creates room, however small, for direct advocacy of domestic legislative fora and judicial interpretation. Both before and after the enactment of federal welfare reform, welfare rights activists have taken to the streets to protest recent cuts. Further, welfare rights, immigrants' rights, and community development activists and scholars are seeking to use the global human rights movement as an alternative transformative framework for rights advocacy (see, e.g., L. White 1996). Most important, poor women of color are using opportunities to reach out to each other — to share similarities, differences, and solutions. CEW's co-ops, for example, are enriched by the experiences and knowledge of women from Ethiopia, Cape Verde, and Cambodia, as well as from rural and urban America. Their worker cooperatives are modeled on groups in the Caribbean and Zimbabwe (Smith 1987; Wignaraja 1990).
The economic role of women is now widely recognized to be central to the development of poor communities, and to the ability of women to organize around other issues of concern to them, such as political and educational participation, and reproductive and health-related rights. However, as long as the focus of U.S. WID remains on replacing one stereotypical image of poor women of color as lazy and dependent with another stereotype of poor women of color as independent, free-standing mini-capitalists, U.S. WID will not be about the empowerment of women. Programs that focus solely on “motivating” poor women to pull themselves up by their bootstraps could lead to more of the top-down, ineffective approaches that have characterized some efforts in developing countries. Instead, U.S.-based women’s development programs could create legal and political spaces that support women’s efforts to seek truly transformative development for themselves and their communities.

Women continue to break down barriers within the traditional UN system; but even more important, they are restructuring and re-imagining the system. Women's non-governmental organizations have begun to make a significant impact on the conceptualization and implementation through their activities at UN-sponsored conferences from Nairobi to Vienna to Copenhagen, and now to Beijing (see Sullivan 1993). Even the Chinese government’s attempt to marginalize the women’s non-governmental forum by moving it thirty miles away from the Fourth World Conference on Women illustrates the fact that some governments consider organized, politicized women a real threat.

Women have used unwieldy formal structures to create their own vibrant, activist anti-structures. They have held tribunals on crimes against women that circumvent the nation-state structure to make the voices of women heard (Center for Women’s Global Leadership 1995; Reilly 1996). But the claim cannot effectively be made against the nation-state alone. Women are beginning to hold the International Monetary Fund and the World Bank accountable for the human rights effects of structural adjustment policies (Wright 1995; Sparr 1994; Charlesworth, Chinkin & Wright 1996).

The right to development requires the accountability of “private” enterprise as well. As a result of corporate social responsibility movements, gender and race issues are beginning to be included in corporate codes of conduct, if only for the sake of good consumer relations. Still, resisting the negative influences of powerful multinational corporations remains a constant challenge for poor women.

Feminist human rights scholars have begun to change the terms of reference with respect to traditional notions of sovereignty, community, and nation-state within the context of the formal UN system (Cook 1994). Poor women of color in the United States are recognizing their connections to international systems. Poor women of color are beginning to change the terms of reference with respect to traditional notions of “North” and “South.” Women from China, South Korea, Mexico, Jamaica, Guatemala,
and Bangladesh produce our clothing and our technological toys not only in their home countries, but also in the sweatshops of the North (Myers 1992). Many escaped violence and privation in their home countries, only to discover new forms in inner-city sweatshops, suburban domestic service, or rural farming camps. Malnutrition, homelessness, lack of access to health care and education are as at "home" in the urban centers of the U.S. as they are in the urban centers of Kinshasa and Kingston. This state of affairs calls for new definitions of community and collective organization that are specifically based in social, political, and economic solidarity. Such coalitions must, of necessity, be temporary and fluid, but they are nonetheless as legitimate as those based on geography. Whether the terms will be in the form of a newly invigorated "right to development" remains to be seen.

HOPE LEWIS is an Associate Professor of Law at Northeastern University. She received her A.B. in 1983, and her J.D. in 1986, from Harvard University. From 1986 to 1988, she was both a Women's Law and Public Policy Fellow and a Harvard Fellow in Public Interest Law at TransAfrica Forum in Washington, D.C. She teaches international human rights and business law and does research on human rights, gender, and ethnicity.

NOTES

1. Poor women of color experience the triple threat of gender, racial, and class discrimination, they often constitute the poorest members of poor communities, and they currently are the focus of particularly abusive legal and social policies in the United States. Wilhelmina Leigh notes that "of the nearly 249 million people counted as U.S. residents in the 1990 census, 51.3 percent of them were women, and over 31 million were women of color" (1994: 3). Chandra Mohanty has discussed the significant political content of the term "women of color" in the international context:

A number of scholars in the U.S. have written about the inherently political definition of the term women of color (a term often used interchangeably with third world women, as I am doing here). This is a term which designates a political constituency, not a biological or even sociological one. It is a sociopolitical designation for people of African, Caribbean, Asian, and Latin American descent, and native peoples of the U.S. . . . . What seems to constitute "women of color" or "third world women" as a viable oppositional alliance is a common context of struggle rather than color or racial identifications. Similarly, it is third world women's oppositional political relation to sexist, racist, and imperialist structures that constitutes our potential commonality. (1991: 7, emphasis added)

2. Citing a UN Development Program report, Anthony Taibi notes that "the disparity between the richest countries in the world (bearing in mind that at least half of our people are not so rich) and the poorest in terms of income and access to basic resources (safe drinking water, sufficient calorie intake, medical attention and sanitation, education, and so on) is about 150 to 1. . . . The North, with about one-fourth of the world's population, consumes 70% of the world's
energy, 75% of its metals, 85% of its wood and 60% of its food" (Taibi 1995: 975, n.118).

3. The term "Global South" is used to convey the fact that poverty, unfair terms of trade, colonialism, and neocolonialism are not confined to the geographic south. I occasionally use the problematic term "Third World" in this paper to refer to peoples, whether located in the North or South, who are affected adversely by those conditions. I recognize, however, that no such term could fully comprehend the variety of conditions experienced by Third World peoples.

4. Women of color suffer disproportionately from the health effects of poverty, lack of access to health care, or the misuse of the health care system. For example, "the death rate for all women of color from diabetes in 1987 was more than double that of White women. For Native American women, the rate was 2.7 times that of White women" (Leigh 1994: 24). In the United States, women of color are at a much higher risk of infection from HIV than white women (Boston Women's Health Book Collective 1992: 329–30). Women of color also have higher death rates from breast and cervical cancer than white women (Leigh 1994: 1). Sterilization abuse and lack of informed consent to use of long-term contraceptives continues, particularly affecting Native American, Puerto Rican, and African-American women (Boston Women's Health Book Collective 1992: 301); reporting that the number of hysterectomies among women of color is twice as high as among white women. Finally, infant mortality, which reflects the health of the mother, remains high in poor communities of color. "Among all women of color from 1984 to 1986 infant mortality rates were highest for the babies of Black women – at 18.3 deaths per 1000 live births, more than double the 8.8 rate for White mothers" (Leigh 1994: 31–32; 1989) and see generally Nsiah-Jefferson (1989); and Rutherford (1992).

5. Violence against women remains a problem of global proportions. In the United States, "a woman is beaten every 15 seconds, one of every five women will be raped in her lifetime, and almost half of all female homicides will be committed by the victim's male partner. Race, immigrant status, and class crosscut gender to further exacerbate violence against women" (Dutt 1994: 25; see also Crenshaw 1991; Schneider 1986).

6. Examples of activist organizations on welfare issues include the National Welfare Rights Organization and the Coalition for Basic Human Needs.

7. Here I refer to development projects and policies that are based on the top-down "add women (to existing development policies) and stir" approach, and that aim at exploiting women's labor as an untapped resource to be used for the purposes of economic development. Development policies based on such an approach have resulted in sweatshops, abusive work conditions, and other forms of exploitation of women's labor (see generally Ho, Powell & Volpp 1996; Wright 1995).

8. On the complex implications of culture, race, globalization, and the informal economy (both "legal" and "illegal") in certain urban contexts, see Coombe (1995) and Austin (1994a).


10. Scholars of critical legal theory have identified a number of weaknesses of liberal rights discourse. Two such examples are "the embrace of the public/private distinction" (Klare 1991: 97) in which rights discourse focuses primarily on the relationship between the individual and the state, and the indeterminacy of rights, which some critics believe may "turn out to be dependent on controversial assumptions and arguments of political philosophy" (ibid.: 99).
11. The 1968 Teheran Declaration of the International Conference on Human Rights stated that human rights are "dependent upon sound and effective national and international policies of social and economic development" (Sohn 1982: 53).

12. M'Baye was later chairman of the Commission on Human Rights and a member of the International Court of Justice. He discussed the concept of a right to development in a lecture to the International Institute of Human Rights in Strasbourg (Donnelly 1985: 474). Mohammed Bedjaoui, a jurist and former judge of the International Court of Justice, notes that he himself also called for such a right in a speech to a congress of the Association of Attenders and Alumni of the Hague Academy of International Law in Algiers in 1969 (Bedjaoui 1991: 1178).


14. International human rights are sometimes categorized, somewhat misleadingly, by "generations." Individual civil and political rights are first generation rights; individual economic, social, and cultural rights are second generation rights; and collective rights, such as the right to development, were described as third generation rights. This categorization has been criticized in that it implies an evolutionary process. The basis for the recognition of all three forms of human rights exists in foundational documents such as the Universal Declaration of Human Rights (see Mutua 1995: 340 n.4).

15. The right to development is also found in other specialized human rights instruments. For example, article 22 of the African Charter on Human and Peoples' Rights provides that "All peoples shall have the right to their economic, social, and cultural development with due regard to their freedom and identity and in the equal enjoyment of the common heritage of mankind. States shall have the duty, individually, or collectively, to ensure the exercise of the right to development." The Convention on the Elimination of All Forms of Discrimination Against Women (1979) addresses some economic development issues in article 14, requiring that state parties ensure women's right "to have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform. . . ."

16. According to article 2(1) "The human person is the central subject of development and should be the active participant and beneficiary of the right to development."

17. Article 1 notes that the full realization of all human rights and fundamental freedoms can only be achieved in the context of the implementation of an inalienable right to development. Article 6 notes that implementation of this right requires cooperation among states to promote observance of all human rights and fundamental freedoms without distinction as to race, sex, language, or religion, and that "All human rights and fundamental freedoms are indivisible and interdependent; equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights."

18. The Vienna Declaration of the 1993 UN World Conference on Human Rights confirmed these goals and principles in article 10.

19. While all of these programs could be characterized as development programs that focus on women, they nevertheless embody a wide range of sometimes conflicting goals and methods. These conflicts include, for example, whether poor women should be "mainstreamed" into larger market-based economic systems, or whether income-generation of direct benefit to poor women is the primary focus (R. Johnson 1994a).
20. For an excellent discussion of a variety of women's economic development movements in South Asia, Africa, and Latin America, see Wignaraja (1990).

21. In *Goldberg v Kelly* 397 US 254 (1970), the Court assured due process protections to welfare recipients, stating that "statutory welfare grants were legal entitlements; as such, they could only be withheld or terminated according to due process of law" (Handler 1990: 899; see also *Brooklyn Law Review* 1990). However, it must be noted that the Supreme Court limited support of due process in the administration of social services to certain programs. In particular, subsequent to *Goldberg*, the Court refused to extend due process protections to administration of Social Security benefits (Handler 1990: 900 n.5, citing *Mathews v Eldridge* 424 US 319 (1976)).

22. Handler (1990: 899) discusses the ways in which the "ideology of entitlements" has been attacked from the left ("for further dividing the poor, for failing to protect welfare recipients from substantive cutbacks in benefits and for contributing to the 'legalization of welfare'. . . . At the same time, conservatives . . . have used entitlements to justify the new efforts at social control in welfare, namely 'workfare'.")

23. For example, USAID recently consulted with the City of Baltimore with regard to addressing that city's infant mortality and other poverty-related problems; the city has illiteracy rates of 14%, 45% unemployment rates in some neighborhoods, and infant mortality rates in some areas as high as 19 per 1000 live births — higher than some developing countries (Inter Press Service 1995).

24. One source, citing a 1994 Aspen Institute Study, notes that 64% of U.S. microlenders lend to recipients of AFDC; 78% of the borrowers are women, and 62% are members of a racial or ethnic minority (Johnson 1995; see also Gaouette 1997). Many of the forms that these projects take are related to traditional and modern forms of social and economic organization that are indigenous to the Global South. For example, I first learned about "susu" lending circles from my mother, who is from Jamaica. Cultural anthropologists have described the practice as a manifestation of "African cultural survival in Afro-America." See generally Ardener and Burman (1995).

25. One source notes that microlending programs in the U.S. expanded "from 50 programs in 1991 to some 248 operating in 44 states last year" (Gaouette 1997).

26. Gaouette (1997) quotes Ray Boshara of the Corporation for Enterprise Development: "For roughly 5 percent of welfare recipients, self-employment will be the ticket."

27. CEW was largely the vision of longtime community organizer Rebecca Johnson, who now acts as its lead organizer. Johnson works tirelessly with a small staff, including Betsy Erbaugh and original cooperative member Evelyn Vargas. Although I was a member of the CEW board from 1994–1996, the positions taken in this article do not reflect formal positions of the organization or its members. Rather, this discussion reflects my own exploration of whether the rarefied world of international human rights theory can be reconciled with the practical concerns of a grassroots women's organization. I began to explore briefly some of these issues in a short newsletter article for CEW (Lewis 1995).

28. The description of CEW that follows is based on CEW organizing documents prepared by its lead organizer, Rebecca Johnson.

29. See also Pitegoff (1993) on child care enterprises and community development in Buffalo, New York.

30. A convention on the right to development would likely be based on the UN Declaration on the Right to Development (1987).

© Blackwell Publishers Ltd. 1996
31. The struggle against apartheid in South Africa is one example. The civil and political rights of blacks long were violated by the apartheid regime in South Africa. Now, with the recognition of civil and political rights of black South Africans, that country faces the challenge of reconciling formal rights guarantees with external and internal economic and political barriers (Gassama 1996).

32. The United States recently has ratified the International Covenant on Civil and Political Rights, with reservations. However, it has not ratified the Economic, Social, and Cultural Covenant (Thomas 1996; DePaul Law Review 1993).

33. Furthermore, under article 8, "States should undertake, at the national level, all necessary measures for the realization of the right to development and shall ensure, inter alia, equality of opportunity for all in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income. Effective measures should be undertaken to ensure that women have an active role in the development process. . . . States should encourage popular participation in all spheres as an important factor in development and in the full realization of all human rights."

34. For some of the practical implications of implementing international social welfare law, see Stark (1992).

35. As long as the U.S. uses aid and trade conditionality as part of human rights policy, it will always be subject to charges of hypocrisy, to the extent that human rights violations, similar to the ones it condemns abroad, exist in this country.

36. For example, similar forms of multilevel organizing on political, legislative, economic, and cultural fronts among African-Americans, Africans, and Caribbean peoples helped to influence U.S. policy toward apartheid in South Africa and toward recent Haitian and Nigerian dictatorships (Holmes 1995: A4; Walters 1987: 65-82; Holmes 1994: A1). These coalitions were furthered and strengthened by national and international activism around the human rights aspects of their struggle against apartheid.

37. For example, child care, safe meeting places, transportation, and translators could be necessary supports in many cases. Women of all classes have encountered the irony of attending conferences or other meetings about the needs and rights of women in which no provision for child care (primary responsibility for which is still left to women) is made.

38. A recent conference held at Northeastern University School of Law in October 1996, titled “Putting Human Rights to Work,” brought together immigration and asylum lawyers, community activists, academics, and students to strategize on ways to identify and monitor human rights violations against immigrant workers. On the impact of recent legislative initiatives on immigrant women, see K. Johnson (1995).

39. Among black women, for example, organizations such as the National Black Women's Health Project (in the U.S.), the Women and Development Unit (WAND) in the Caribbean, and AAWORD (Africa region), have for many years exchanged information and political support on issues ranging from health concerns to structural adjustment (see McLaughlin 1995).

40. At the 1995 World Summit on Social Development, women were very active in calling for their economic, social and cultural rights (Howard-Matthews 1995: 15, 50; Center for Women's Global Leadership 1995). At the Fourth World Conference for Women, in August 1995, the activism continued and resulted in a section on microenterprises and economic development, in the Platform for Action.
REFERENCES


INTERNATIONAL INSTRUMENTS


Declaration on Social Progress and Development, GA Res 2542, UN GAOR, 24th Sess (Supp No 30 at 49), UN Doc A/7630 (1969).


Vienna Declaration and Programme of Action, UN Doc A/Conf. 157/24 (Part 1); 32 ILM 1661 (1993).