



**IV CONGRESO
LATINOAMERICANO JURÍDICO
SOBRE DERECHOS REPRODUCTIVOS
2, 3 Y 4 DE NOVIEMBRE 2015
LIMA - PERÚ**



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LATINOAMERICANO
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SOBRE DERECHOS
REPRODUCTIVOS
VIOLENCIA CONTRA LA MUJER
Y JUSTICIA REPRODUCTIVA
2, 3 Y 4 DE NOVIEMBRE 2015
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Violence against Women and Reproductive Rights: Revealing Connections

Joanna Erdman

Schulich School of Law, Dalhousie University

IV Latin American Legal Conference on Reproductive Rights

Violence against Women and Reproductive Justice

2 November 2015

Lima, Peru

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What are the connections between freedom from violence and reproductive justice?

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Global Advocacy: Securing rights of access & agency

- Criminal law repeal & access to lawful services
- Access to skilled birth attendance & emergency obstetric care
- Access to range of quality contraceptive methods without discrimination



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Too little attention to the ways ...

- Restrictive laws subject people to violence
- Health systems are sites of violence
- Violence is a tolerated feature of our social, economic & political lives



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Tragedy of Reproductive Violence

- Normalized, even accepted condition of our lives
- As advocates, we work instead to reduce and protect from its harmful consequences



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**Is this the most we ever hoped for in our
reproductive rights agenda?**

... to survive violence?

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To see reproductive violence in ...
Law, Care & Life

To see freedom from violence as
intimately bound to reproductive justice

**Freedom from Violence as
Reproductive Justice**

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Theme 1: Violence in Law

- Criminalization as a violation of the right to be free from torture & other cruel, inhuman and degrading treatment
- Applied to unsafe abortion, but human rights authorities rarely acknowledge the inherent violence of criminalization



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Theme 1: Violence in Law

- Reproductive agency as act of conscience
- To compel or constrain acts of conscience is repugnant to human dignity
- BUT gender norms rationalize harm of reproductive violence as no harm at all
- Harm is disappeared into physiology & social roles



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Theme 1: Violence in Law

- Make plain the violence criminal laws inflict
- Reproductive rights are not only health rights
- Reproductive rights are civil & political rights
- Reproductive rights are preconditions of full & equal citizenship in open & democratic states



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Theme 2: Violence in Care

- Violence against women during labor & delivery
- ***Alyne da Silva Pimentel Teixeira v. Brazil***
(CEDAW, 2011)



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Theme 2: Violence in Care

- **Institutional Violence:** set of norms, hierarchies, & conventions through which violence is rationalized, even normalized
- **Special Rapporteur on Torture:** routine defense of violations on grounds of medical need (& authority) fosters culture of impunity



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Theme 2: Violence in Care

- HRs *empower* patients within closed settings to challenge entrenched power through
 - Lived experience
 - Articulations of harm, suffering & injustice
 - Claims of entitlement
- Reproductive justice begins & ends with the justice claims of people themselves



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Theme 3: Violence in Life

Caution: In the particularity of experience, we may lose the structural dimension of violence

- Its social, political & economic origins

HRs language of individual empowerment

- Right to decide #, spacing & timing of children



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Theme 3: Violence in Life

How do we ensure this right ...

- In relations of economic dependence
- in precarious and informal work conditions
- in conditions of poverty, racism & violence

Otherwise enforces conditions of violence ...

- Relieves state responsibility for conditions
- Prevents collective action to change conditions



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Theme 3: Violence in Life

HRs language of obstetric violence

- Reproductive violence within generalized pattern of violence & social inequality
- Links VAW in reproductive health with other realms of everyday life: home, street, school
- Links reproductive justice advocates with larger social justice movements



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Way Forward: Advocate For ...

- Health rights of access & agency
- Political rights to full & equal participation
- Economic rights to livelihoods & resources
- Social rights of freedom from violence

**Let these be the human rights of our
reproductive justice agenda for the future**

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