

# COMPARING THE UN CHARTER AND CEDAW

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The 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) came 34 years after the formation of the United Nations by its Charter in 1945. Yet CEDAW sought to create a view of human rights, fundamental freedoms, men and women, marriage and family, and civil society and government that was a radical departure from the Charter and the traditional views of most people throughout all of history.

1945 United Nations Charter	1979 CEDAW
Upholds “fundamental human rights” meaning “respect for...all without distinction as to race, sex, language or religion” (Art. 1, par. 3).	CEDAW seeks to create a radically different view of human rights than was understood at the time of the Charter, as is evident below.
Encourages respect for “equal rights of men and women and of nations large and small” (Preamble). Women and certain peoples, such as Jews or minorities, did not have the same legal rights and protections as others; and a few nations had risen to conquer or utterly destroy other peoples and nations.	CEDAW seeks to redefine “equal rights” to mean an unnatural and absolute equality between men and women in all areas: marriage, work, public affairs, and government. CEDAW rejects the true basis of equality: that men and women are equally created in the image of God. Equality does not mean identical responsibilities. Men cannot have babies and women were not designed to be the protectors and providers of the family.
The Charter did not question the God-given roles of men and women (which may or may not correspond to their traditional roles in any nation).	CEDAW calls for “a change in the traditional role of men as well as the role of women in society and in the family...to achieve full equality between men and women” (Preamble). CEDAW mandates that National Parties “take all appropriate measures...(t)o modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of... stereotyped roles for men and women” (Art. 5).
The Charter does not mention the word “discrimination.”	CEDAW says that “discrimination” is “any distinction, exclusion or restriction made on the basis of sex” in any field (Art. 1). CEDAW seeks to redefine women, and their value to society, in terms of: <i>power</i> (whether they have equal decision-making power with their husbands in the home, and men in society); <i>economic</i> (whether they are working outside the home and earning money); <i>political</i> (whether 50% of the public offices

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Mr. Jacobson originally wrote this paper in 2002 when he was serving as Representative to the United Nations for Focus on the Family (U.S.A.), from 2001 to 2010.

<p>The Charter does not mention the word “discrimination.” (continued)</p>	<p>are held by women); <i>social and public policy</i> (whether there are an equal number of women in leadership roles in community and non-governmental organizations). All this without any thought to the cost to their children or future generations by their absence at home, which is irreplaceable.</p>
<p>The Charter does not give special rights to women, seek to elevate them above men, or have any provisions that are divisive or destructive of marriage and the family.</p>	<p>CEDAW proclaims that “irrespective of marital status” (Art. 1), irrespective of their fathers or husbands, women have the “right” to:</p> <ul style="list-style-type: none"> <li>• “choose a family name” (Art. 16.g);</li> <li>• “choose their residence or domicile” (Art. 15.4);</li> <li>• “access to health care services, including... family planning” (Art. 12.1) — <i>e.g.</i>, contraceptives.</li> </ul> <p>CEDAW seems to pit wives against husbands, girls against fathers, and to attempt to remove them from under any male authority.</p>
<p>The Charter prohibits the United Nations from intervening “in matters which are essentially within the domestic jurisdiction of any state (nation)” (Art. 2.7). Matters of marriage, family structure and relations, sex, who may vote or serve in public office, etc., are all within the domestic jurisdiction of nations.</p>	<p>CEDAW, by its provisions and mandates, such as those mentioned above, violates the domestic jurisdiction of nations.</p>
<p>The Charter restricts the United Nations authority in domestic matters, through the Economic and Social Council, to making “studies and reports” and “recommendations” (Art. 62.1).</p> <p>The Charter does not authorize the UN, or any of its agencies or committees, to require nations to submit reports to it, or appear before it to defend any of their domestic policies.</p>	<p>The power granted to the CEDAW Committee to <i>require</i> nations to submit reports—on “the legislative, judicial and administrative or other measures” adopted to implement CEDAW—to it every four years (Art. 18.1) violates the UN Charter.</p> <p>The powers exercised by the CEDAW Committee exceed the UN Charter and even CEDAW, such as when the Committee criticized nations:</p> <ul style="list-style-type: none"> <li>• Ireland, 1999: for its “stereotyped view of the role of women in the home and as mothers”;</li> <li>• Ireland, 1999: for “the influence of the Church...in attitudes and stereotypes but also in official state policy”;</li> <li>• Belarus, 2000: for “the continuing reintroduction of such symbols as ... Mother’s Day”;</li> <li>• Slovenia, 1997: for having “less than 30 percent of children under three years of age ... in formal day care.”</li> </ul> <p>The Committee also condemned China for its laws against prostitution, and “recommends the decriminalization of prostitution in China.”</p>