



## **Without Reservation:**

the Beijing Tribunal on  
Accountability for  
Women's Human Rights

Edited by Niamh Reilly  
Center for Women's Global Leadership

Without Reservation: The Beijing Tribunal on  
Accountability for Women's Human Rights

Edited by Niamh Reilly

Production Manager: Sam Frost

Photographs by Dolores Alexander, Celine Hamilton, Debra Liebowitz, Anne S. Walker

Design by Parlour

Printed by Skillcraft, NYC

First Printing: August 1996

© 1996 Center for Women's Global Leadership

Douglass College, Rutgers University

27 Clifton Ave.

New Brunswick, NJ 08903, USA

Fax: (1:908) 932-1180

Printed on recycled paper

## Table of Contents

Acknowledgements	i
Preface	iii
<hr/>	
<b>PART ONE: Women's Human Rights from Vienna to Beijing</b>	
Introduction	1
<hr/>	
<b>PART TWO: The Tribunal</b>	
The Tribunal Program	16
Opening Remarks	17
<b>Chapter 1: Violence Against Women</b>	25
Human Rights Abuses Against Women in Conflict Situations	28
Human Rights Abuses Against Women in the Family	45
<b>Chapter 2: Economic Discrimination and Exploitation</b>	59
<b>Chapter 3: Violations of Health and Bodily Integrity</b>	91
<b>Chapter 4: Political Persecution</b>	113
<b>Chapter 5: Judges' Statements</b>	135
<hr/>	
<b>PART THREE: From Visibility to Accountability</b>	
<b>Chapter 6: Toward Greater Accountability for Women's Human Rights</b>	147
<b>Appendices:</b>	
A: Form for Documenting Violations of Women's Human Rights	173
B: Petition to the United Nations to Promote and Protect the Human Rights of Women	175
C: Report on the Petition Campaign, 1991-96	177
D: Tribunal Testifiers and Judges	181
E: International Coordinating Committee	184
F: International Human Rights Advisory Group and Other Supporters	187
Funders of the Global Tribunal on Accountability for Women's Human Rights	188
Publications List	189
Center for Women's Global Leadership	190

## **Without Reservation:**

The Beijing Tribunal on  
Accountability for  
Women's Human Rights

Edited by Niamh Reilly

**Published by:**

*Center for Women's Global Leadership  
Rutgers, The State University of New Jersey*

**Tribunal Co-Sponsors:**

*Asian Women's Human Rights Council  
Asian Women's Forum on Military Sexual Slavery  
Center for Women's Global Leadership  
DAWN-Development Alternatives for Women in a New Era  
Global Alliance Against Trafficking in Women  
ISIS Internacional — Chile  
United Nations Development Fund for Women — UNIFEM  
Women in Law and Development in Africa  
Women Living Under Muslim Laws*

## **Domestic Violence in the United States**

Thea DuBow

### TESTIMONY

I am a forty-three-year-old woman. I come from a white, middle class background. I have a B.A. in early childhood education and an M.S. in the same discipline. I am the Assistant Director of My Sister's Place, an organization working to end violence in the family. The agency is in Westchester county, New York, a suburb of New York City.

Last year, in 1994, My Sister's Place turned away 681 women because we were filled to capacity. This figure does not take into account the children that the women escape with.

I want to tell you about what motivated me to start doing this work to end domestic violence, and what raised my consciousness on this issue.

I lived in Westchester county when I was being abused by my husband, Albie, in the 1970's and early 1980's, and went to prison in the same county from 1984 through 1987 for his death.

My testimony will focus on the ways in which I tried to get help from the systems that we are taught will help us when we are in need. These systems that violated my human rights when I was being abused are still failing women in 1995.

I married Albie three months after I met him. I was 21 years old and he was 27. He was so exciting, so charming, so convincing, and so smooth. He had been married prior to his marriage to me. After being married only a short time, I noticed my husband was jealous of my relationships with my girlfriends. He made it difficult for me to see them. In a short time, I had no friends of my own at all. Isolated from my friends, my dependency on my husband grew. Albie also isolated me from my family.

Shortly after I was married, my parents found out my husband had been married before. When they found out, they tried to get me to leave him. I would not leave. I was going to make my marriage work.

After about two years of being torn between my husband and my parents, I needed to relieve the strain I was under in order to make my marriage work. I didn't speak to my parents for a year, even though they lived only a mile away.

During the same period, I let my driver's license expire, and Albie drove me everywhere I needed to go. This made my isolation complete. I had no friends for all intents and purposes. I didn't speak to my family and I had no means of transportation. I see my isolation as the vehicle for the battering; once isolated, then battered. I had nowhere to go, no one to see, and no way to get there. During my marriage to Albie he punched, slapped, kicked, and bound and gagged me. For example, one evening when my husband's friend was visiting our apartment, Albie and I started play fighting. Albie lifted my arm behind my back. He must have wanted to show his friend the control he had over me. He told me to say "uncle." Unfortunately, on this occasion, I decided to resist his control. I would not say "uncle." So, he kept lifting my arm until it broke.

Even though I didn't recognize or identify myself as a battered woman until after I was in prison, I had reached out and tried to access help. I called the police, went into therapy with a psychiatrist, and went to an emergency room at an area hospital. But not one of these interventions helped me. In fact they made matters worse. One night after Albie slapped and punched me, he threw me practically naked out of our apartment but he would not let me back in. Finally, I went to a neighbor's apartment and called the police. When the police arrived, I apprised them of the situation and told them I only wanted to get some clothing and my pocketbook. The only question they asked me was whose name the lease for the apartment was in. When I told them it was in my husband's name, they said there was nothing they could do for me. Finally, after begging, pleading, and apologizing, later that night he let me in.

On another occasion, after Albie beat me one evening, I decided to go to the emergency room. I couldn't let Albie know my plan. The emergency room doctor examined me and confirmed I had bruises and contusions. I told him that I had received them from a beating my husband had given me earlier that evening. I had asked him to please record the way I became injured in the medical record. He would not. He said he would only write the nature of the injuries, but not how I received them, because he wasn't there to witness the abuse. I left feeling frustrated and frightened. I had not gotten the validation that I needed and I had taken a big chance lying to my husband.

Ultimately, after nine and a half years, my relationship with my husband ended violently and tragically in December of 1982. Albie

and I had an intense argument. It ended when he told me I had better take some pills that he had clenched in his fist or he would hit me. I knew he would definitely carry through on his threat, so I let him put the pills in my mouth. I have no recollection of what happened after the pills took effect. My husband died of a single gunshot wound to the head. To this day I have no memory of this horrendous event, but I do take responsibility for it. I was charged with second degree murder, but took a plea of first degree manslaughter, which carried a sentence of three and a half to ten and a half years.

Again, the system meant to protect my rights failed me. At the time of sentencing, after accepting the final plea offered, my attorney made a pre-sentence report to the judge. This consisted of letters written by each member of my nuclear family. Individually, they addressed their experience of me. They wrote about a frightening change they had observed in me while I was under his control. Two sworn depositions were signed by people who had witnessed my husband's physical violence towards me. These were also submitted to the judge.

When the judge pronounced the sentence, he banged his gavel, and told me that because I had a college education, and a better than average upbringing, I should have known better. I should have had the wherewithal to get out of the marriage before it came to this. He said he was remanding me to prison not to be rehabilitated but to be punished. I could not help but wonder, had I not been punished enough?

In 1985, after approximately one year of imprisonment, I heard that groups from outside of the prison were planning a hearing dealing with domestic violence. Women from the prison were being sought to testify about the family violence they had suffered and which ultimately had led them to prison. It was hoped that such a hearing would help women who were presently being abused out in the community. When I thought about the possible impact the hearing might have, I decided to testify. In doing so, I shared my darkest secrets.

The other women who testified felt similarly to me. Organizers of the hearing saw our need and helped us to form a support group. Ultimately, the hearing at Bedford Hills Correctional Facility gave birth to a permanent Family Violence Program at the prison, a program I have been involved with since its inception in 1987. I currently facilitate a support group for women who have been victims of intimate

violence. The women who are members of the Family Violence Program want you to know who they are and what they need. They asked me to speak the following words to you:

We are mothers, sisters, lovers, daughters. We are women, not just people who committed a crime and are now inmates. We are not born criminal. And we are certainly not who you think we are — we are not cold-blooded, we are not vicious.

We are you, and you are everything you think we are. We are sensitive, caring, softhearted, sweet (sometimes). We have a heart, a conscience, and we are as scared of society as it is of us. But, we desperately need you to see us as individuals — not collectively, not stereotypically.

The way we grew up, we were in prison in our homes and all of our lives. No one listened and when we spoke up it was turned against us. There was never anyone to trust, no confidentiality, no one cared. We are human beings, who in spite of it all survived. We survived beatings with iron cords, belts, fists, and worse. We survived being sexually assaulted and ripped to pieces at age two, three, four, five, six, seven, eight, twenty-eight. We survived living in terror all the time.

The most important thing we need to know and trust is that if you are going to start something, don't fail (and give us the usual excuses: lack of funding, partial and bandaid responses). Don't start something you can't finish. That doesn't mean you don't struggle and some things work better than others. But don't give up too easily. It's not about money, it's not about programs. It's about relationships, it's about trust and commitment, it's about integrity, consistency, and tenacity. Because the bottom line is that people make the difference, not a program, not an agency, not a service, but people — people who are consistent, knowledgeable, and who care.