

CCSJ's Critique of the Draft National Gender Policy and Action Plan

On Wednesday 6th April 2005 the following critique of the Draft National Gender Policy and Action Plan - which was issued by the Ministry of Community Development, Culture and Gender Affairs - was hand delivered to that Ministry - addressed to Senator The Hon. Joan Yuille Williams, Minister with responsibility for that Ministry. On that same day a copy of the critique was also hand delivered to the Prime Minister's Office - addressed to the PM.

6th April, 2005

The Hon Patrick Manning
Prime Minister of the Republic of Trinidad and Tobago
Office of the Prime Minister, Whitehall
Port of Spain

Dear Prime Minister,

Re: Draft National Gender Policy and Action Plan

CCSJ have studied the Draft National Gender Policy and Action Plan which has been issued by the Ministry of Community Development, Culture and Gender Affairs.

We attach a copy of the comments on this draft document which we have sent to Senator The Hon. Joan Yuille Williams. We would appreciate it if you could read our submission as we are really concerned about the implications of some of the recommendations in the draft document for our country.

Yours sincerely in Christ

Leela Ramdeen, Chair of CCSJ

6th April, 2005

Senator The Hon. Joan Yuille Williams
Minister of Community Development, Culture and Gender Affairs
Jerningham Avenue, Port of Spain

Hon. Senator,

Re: Draft National Gender Policy and Action Plan

Having studied the Draft National Gender Policy and Action Plan which has been issued by your ministry, CCSJ hereby submit our comments on the draft document.

Because of the far reaching consequences of some of the recommendations in the draft document, we are making a special plea to you to ensure that ample time is allowed for public consultation - perhaps until the end of July 2005.

We note that the draft document was drawn up by your Ministry in collaboration with the United Nations Development Programme and The CARICOM Gender Equality Programme, CIDA, and prepared by the Centre for Gender and Development Studies, UWI (Consultant).

CCSJ welcome such a document and support the overall aim which "seeks to secure for men and women alike the opportunities to maximise their potential as human beings and as valuable citizens of Trinidad and Tobago."

There are many positive suggestions/recommendations in the report. However, there are a number of recommendations that are contrary to the teachings of Christianity and of other religions and which, if implemented, would irreparably damage the fabric of our society.

The following is a brief analysis of the concerns we have about the draft document - in no particular order:

PREAMBLE

It is important to place the draft document in a world-wide context. Over the past 20 years or more the drive to promote equality and equity for men and women has intensified. While as Christians we support the promotion of basic human rights, we do not support philosophies that suggest that 'anything goes'.

Rights are accompanied by responsibilities. For example, while a woman may feel that she has a right to her own body, she has no right to willfully end the life of an unborn child who is growing in her womb. Instead, she and society, have the responsibility to nurture and protect life at all stages and in all circumstances.

Like many other Governments, TT Government has signed, ratified and/or acceded to a number of International Instruments (App.1). Certain provisions in some of these instruments are not in keeping with the teachings of Christianity. The implementation of some of these provisions will require

amendments to our own Constitution and other pieces of legislation as well as the passing of new legislation.

There is real concern by many that certain international bodies with agendas that do not promote the common good, are seeking to usurp national sovereignty and introduce in countries such as ours a way of thinking and acting that is anathema to many of our citizens. The pressure is building up to strengthen some of these international instruments in ways that will take humanity further down the slippery slope.

CCSJ note the recommendation on p100 that:

"An independent National Gender Commission appointed by the President must be established by an Act of Parliament to monitor the implementation of the Police and Plan on behalf of the People of Trinidad and Tobago. Representatives from relevant women's and men's organizations must be included. The commission will comprise a Chair and Vice-Chair and ten additional members."

I dare say that many of the "People of Trinidad and Tobago" will not wish to have some of these proposals implemented. God has a plan for His people. Therefore, the task of Christians and others who are opposed to some of the proposals contained in this draft document is to ensure that we raise our voices so that certain aspects of the draft does not become policy - contrary to God's plan - simply because we remained silent.

We are conscious of the national context in which this draft document is being circulated e.g. breakdown of the family life, high incidence of crime, lack of respect by some for the laws of the land etc. Therefore, any proposals at this time should seek to heal and not harm our nation.

REDEFINING THE DEFINITION OF "FAMILY"?

The draft policy on p68 states:

"The family has never maintained a static composition or definition and is constantly adapting to the changing occupational and economic demands on both women and men as well as shifting notions of culture and gender roles. A gender perspective on the domestic and family life is non-judgmental, supportive of all forms and advocates for social welfare policy, law and social security systems which are organized to respond to the varied needs of different family forms and the domestic lifestyles to which they give rise."

While accepting the reality that today families may come in various 'forms', Christians have a duty to remember what our faith teaches us about 'families'. Today the definition of family totally depends on who you're asking.

The Catholic Church's definition of Family: "The family is the original cell of social life. It is the natural society in which husband and wife are called to give themselves in love and in the gift of life. Authority, stability and a life of relationships within the family constitute the foundations for freedom, security and fraternity within society. The family is the community in which, from childhood, one can learn moral values, begin to honour God and make good use of freedom. Family life is an initiation into life in society." (Catechism of the Catholic Church 2207).

We in TT need to take notice of developments in places such as the USA - particularly as this draft Gender Policy promotes same sex union. A number of states in the USA are grappling with the 'rights' of homosexuals and the definition of 'the family'. If this document is 'passed' as Government Policy, there could be legal challenges in court.

In the US Elizabeth Bartholet, a family-law expert at Harvard Law School states: "For a long time, courts have had a powerful role to play in redefining family. one of the major areas in which traditional definitions of family are being challenged has to do with gay and lesbian formations."

And the direction in which courts are moving is slowly shifting. In 1986, the Supreme Court ruled in *Bowers v. Hardwick* that criminalizing homosexual behavior was acceptable. But in the past five years, there's been what Ms. Bartholet calls a "powerful trend" of courts granting more family rights to homosexuals and lesbians.

Christians believe that marriage is by definition between a man and a woman. And some observers, including opponents of homosexuality/lesbianism, also argue that courts shouldn't be the ones to decide fundamental notions like family. We need to ensure that any Government policy truly reflects the kind of society we wish to create.

The underlying theme in this draft document suggests all embracing, non-exclusive definition and any family form (regardless of the sexual leaning of its members) would be included.

When one links proposals in the draft document to statements in it about the need for "mental shifts" regarding gender roles and sexual identities, we are creating a recipe for disaster. We read on p 81 that:

"If a society aims to empower both sexes to allow freedoms of _expression of gender roles and sexual identities, then it must be prepared to incorporate mental shifts which appear antithetical to proscribed rules of religion and culture, recognizing that such rules have themselves been culturally and socially constructed and may also undergo redefinition."

CCSJ feel certain that religious and other groups in TT are NOT prepared to "incorporate" certain kinds of mental shifts that are being proposed in this draft document.

REDEFINING MASCULINITY?

Although CCSJ members agree that men should also play a role in nurturing their children and that the current perception of masculinity as being 'macho' and aggressive should be altered, it is unclear from the document how far programmes would go in "recasting of men's roles in society to allow for more choices in the definitions of masculinity" (p81) - particularly in light of some of the other recommendations in the document e.g. same sex unions.

ABORTION

Our Prime Minister said some time ago that his Government is pro-life. At a time when the life of our citizens and basic human dignity are under constant threat, CCSJ implore you and our Government not to open the floodgates to abortion in TT.

Pages 43, 44, 93 and 94 of the draft document refer to abortion while p.130 refers to the need to review legislation related to women's "reproductive rights" (which, in the context of the document, will mean the right to abort an unborn child). The term "reproductive rights" is being bandied about internationally by those who wish to put a sugar coating on "abortion" thus denying the rights of the unborn.

The following extract from page 43 is false and grossly misleading.

"5.4.3 Reproductive rights

Abortion is legally available only to preserve the physical and/or mental health of the mother and requires corroboration by two medical practitioners."

Also, on p93 one reads: "Public hospitals treat over 5,000 women annually for complications related to incomplete or poorly performed abortions. Estimates suggest that over 10,000 illegal abortions are performed annually."

Statistics are plucked out of the air and do not appear to be backed up by reference to any scientific evidence on which they are based.

Page 94 states that "The gender policy urges review of all issues (for example legal, medical, religious and/or cultural) relating to the termination of pregnancy."

In 1925, after many years of slavery and indentureship, our lawmakers in T&T introduced a law (Offences Against The Persons Act Ch 11:08, Sections 56 & 57 - App. 2) that sought to protect the life of our unborn children. This law makes abortion illegal in T&T.

In 1967, as a result of a UK court case entitled: R v Bourne, abortion became legal in the UK. In TT statute takes precedence over case law from the UK. Therefore, the decision in the UK case of R v Bourne has NOT led to a change of our Statute and is NOT law in

TT, although it may be used to persuade a judge to consider whether an abortion was necessary to prevent a woman from becoming a "mental wreck." To date no 'test' case has been brought before our courts. Sadly, the majority of those who may read the draft document may be unaware of the information that I have outlined above.

While CCSJ oppose abortion, we must be aware that our society, like many others have fallen down sadly and shamefully, in failing to recognise the dignity of the woman who becomes pregnant and who, for a variety of reasons, feels that she does not want to give birth to the unborn child in her womb.

We must address her side of the equation. We should help women in these situations to re-evaluate their position and encourage them to recognise that abortion is not the solution.

We should strive to create conditions in our country and worldwide that will offer women and men real alternatives to abortion e.g. addressing poverty and social exclusion; pre and post natal care facilities; employment; decent housing; better health care; access to basic amenities; the elimination of sexual harassment and domestic violence; the promotion of chastity, abstinence, and family life; publicity to raise awareness of institutions/organizations that are available to support pregnant girls/women who are experiencing difficulties - as well as the construction of further support for these women etc.

Let us respond to the real needs of people and provide mothers/parents/families with the concrete medical, financial, psychological, and spiritual help they need rather than opening up the floodgates to legalized abortion.

The violence of abortion is unacceptable at any time, but it is particularly abhorrent to propose that it should be made legal at a time when our Government, NGOs, CBOs, faith communities and concerned citizens are striving to move our country from the dark shadow of the culture of violence and death that is threatening to engulf us, to a culture of life. Let us not legalise evil/sin.

The proposals in this draft document come at a time when around our country people are concerned that life seems to have lost its value. Many support moves to promote moral and spiritual values in our homes, schools, work-places and so on. The question we need to ask is: "What kind of society do we wish to create?"

SEX EDUCATION: (pages 43, 87, 95)

The language that is used in this document, reflect the language of the secular world i.e. the language of the body. CCSJ is concerned that students should have an opportunity to learn about 'sex' in its proper spiritual and moral context, and that, ideally, sex education should begin in the home.

The curriculum should be designed around a framework that aims to promote in students responsible relationships, abstinence before marriage, chastity and fidelity within marriage etc. Indeed, CCSJ commends our Government for its "Abstinence"

programme in our schools. This is certainly a step in the right direction.

CCSJ believe that reference to the need for designing 'innovative and interesting ways of teaching sex education in schools' may not be in keeping with a Christian perspective - particularly since this suggestion appears in a draft document that promotes same sex unions etc.

The following are quotations from the document - offered for ease of reference:

"5.4.3 Reproductive Rights

There is no national programme on sex education in schools. Some teaching on sex and sexuality has taken place through teaching in family life education (FLE) however this is not universal. Teenage sexual activity is cause for much concern; however, young people are not provided with formal sex education." (p43)

"6.4.3 Gender concerns in Primary and Secondary Education

130. The concerted effort to design innovative and interesting ways of teaching sex education in schools." (p87)

"6.5.3 Increasing Female Vulnerability to HIV/AIDS

.The HIV epidemic in T&T is considered to be fuelled by poverty, lack of sex education."(p95)

SAME SEX UNIONS/PERSONS WITH ALTERNATIVE SEXUALITY: (p 18, 47, 59, 60, 77)

There is an underlying theme running through the draft policy that TT society should legitimise same sex unions/relationships between persons with alternative sexualities. Christians and most other religions, believe that marriage is between a man and a woman. Therefore, while CCSJ will not condone violence or discrimination in the workplace etc. against individuals because of their sexual orientation, we cannot support a national policy that promotes same sex unions.

Since TT's ratification of the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) in 1990, TT submitted its first report to the UN Committee on the Elimination of Discrimination Against Women on January 21, 2002. The draft document under discussion states that:

"The International Committee of Experts which received the report. noted that the proposed Equal Opportunities Act excluded sexual orientation and placed the issue of discrimination against persons with alternative sexualities firmly on the agenda." (p18)

The following are further quotations from the draft document relating to this issue:

"In conclusion therefore, efforts aimed at transforming the inequitable and counter-productive gender relations described above should not be directed only in the area of macro-economic and social policies and interventions although these are extremely important. The transformations required cannot be achieved without commensurate attention to the much more challenging and taboo issues such as patterns of gender socialisation of children at home, school and in the community, unequal power relations between the sexes in households and workplaces, sexuality, sexual behaviours and homophobia."

(p47)

" (5) The Equal Opportunity Act, 2000

"This Act is intended to prohibit certain kinds of discrimination. Sex as a ground of discrimination is expressly stated to exclude sexual preference, or orientation. As such the Act discriminates against the gay and lesbian community and persons with alternative sexualities. The Act is still in abeyance.

"In keeping with its international legal obligations, the state should facilitate public debate on the promotion and protection of fundamental human rights and freedoms of all persons, irrespective of sexual preference or orientation." (p 59 & p60)

"The gender policy advocates for the following: .Rape and Sexual Offences in same-sex unions must be brought within the ambit of the Sexual Offences Act." (p77)

CCSJ notes that buggery is a crime in TT. As can be seen from the above, this document is littered with recommendations, many of which are driven by an international agenda, which are not in keeping with the religious doctrine of many of our people in TT.

CONTRACEPTIVES AND REPRODUCTIVE RIGHTS

The Catholic Church is opposed to the use of contraception (p 95 & p 104).

Although we have referred to "reproductive rights" in the section on "Abortion" above, we would like to reiterate that is likely that any reference to 'women's reproductive health' in this document means a woman's right to decide whether or not she wishes to abort her unborn baby.

Therefore, the following extracts from the draft policy document should be read in this context:

"158 The gender policy advocates programmes for the sensitization of women about issues related to their sexual and reproductive health.

162 The gender policy advocates for increased access to contraceptives targeting male health promotion and greater availability and access to contraceptives."(p93 & p94)

"Policy 10: Health, Nutrition and Family Planning:

Objective: To contribute better health and wellness for women and men, healthy relationships between them, advancing their potential toward individual (see below *), personal and professional goals.

Proposed action (include) : Review legislation related to women's reproductive rights." (p130)

* While it is a commendable objective to seek to promote "individual" goals, we need to be careful that the negative aspects of individualism, which are wreaking havoc in our current society/world, are not being embraced by this draft document. There is a danger that this could very well be the case, particularly in light of the concerns that we have expressed above.

INDEPENDENT NATIONAL GENDER COMMISSION (p100)

If the content of this draft document did not contain all the above which could damage our society, CCSJ would not be concerned about the recommendation calling for the establishment of an "Independent National Gender Commission" as referred to in our Preamble. However, the independence that such a Commission will have if the draft document is passed in its current form, is cause for concern.

CONCLUSION

Hon. Minister, we thank you for the time that you have taken to read our comments on the draft document. We are aware that many other citizens/organisations are also concerned about some of the recommendations contained in the draft document and, no doubt, they will be submitting their comments also. We are here to support you and our Government in your difficult task of governing our country. We offer our comments in a spirit of love and respect for you and for our people and in the expectation that these comments will assist you in arriving at the right decision that will be for the benefit of the citizens of our beloved Republic.

Yours sincerely in Christ

Leela Ramdeen, Chair of CCSJ

cc The Hon. Patrick Manning,
Prime Minister of the Republic of Trinidad and Tobago