Unit 48

Hand-out 2:

Four illustrative cases

**(1)** A social institution in sub-Saharan Africa governing the expression of respect between married women and their in-laws. In this traditional practice, a new bride is given a new name by her in-laws, is required by them to dress in a particular way and is excluded from the family compound (kraal) in which all social and cultural rituals take place. Although it may seem to represent a relatively benign case of potential discrimination, there are certain elements that could be interpreted as violating the bride’s cultural and other rights and it raises important questions as to how to respond to such cultural practices.

**(2)** In a particular West African puberty rite, pubescent girls would traditionally have been kept secluded for between nine and 12 months. This, of course, has become impractical in the modern world that requires girls to attend formal schooling. The confinement element of the ritual has now been dropped although its social significance for women and girls remains.

**(3)** The third case concerns a ritual form of apology and reconciliation found on a Pacific island whereby an individual who has been wronged is presented with a gift by the wrong-doer. However, this practice has been exploited by men who are accused of rape and, in response, the CEDAW Committee (of the Convention for the Elimination of Discrimination Against Women) has recommended to the relevant country’s Government that this traditional practice should be eliminated. This would appear to be an excellent example of an ICH element where the core content could be retained and unacceptable aspects modified or eliminated.

**(4)** This case concerns access to drinking water that is traditionally drawn from a village well by rural women in India. Access is governed by status according to caste and, on some days, lower caste women are excluded from drawing water from the well.