

## Response

Caitlin Hannahan

Professor Rebecca Cook's essay on the structures of discrimination tackles two common problems within Western human rights discourse. The first concerns the overwhelming scope of the concept of human rights whereas the second involves its perceived exoticism. In other words, the term *human rights violations* has degenerated into an umbrella phrase used to describe various crimes in other, far-reaching parts of the world. They are seen as disconnected and certainly unrelated to Western culture. Yet by making gender inequality a human rights issue, Cook identifies a problem that occurs in both the "West" and in the "Third World." Secondly, by highlighting the cause of the perpetuation of gender inequality—namely stereotypes—she emphasizes a mode of thinking that is inherent in the individual. The result is a human rights violation that is both local and universal, and subsequently the responsibility of every individual on the planet. Gender inequality consequently becomes both a global and a local issue.

Despite her success in turning gender disparity into both a global and local issue, Cook needs to take each of these ideas a step further. First, she suggests that the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is the best international police force to monitor women's rights violations. Yet for CEDAW to be effective, it must have a deeper understanding of local cultural practices. Secondly, Cook needs to illustrate how women's rights are a more universal issue. Cook's thesis, in other words, fails to make the connection between one inequality and the next. The result is the presentation of an issue that does not describe its relevancy to other human rights violations. Put succinctly, Cook correctly labels the importance of gender stereotypes in the perpetuation of inequalities, but she fails to demonstrate how gender stereotypes perpetuate other dilemmas outside of the realm of strictly "gender issues."

This essay, therefore, offers a critique of Rebecca Cook's analysis. It first provides a brief overview of her argument, focusing particularly on the definition of stereotypes. It then underlines the strengths of the article, which it divides into two parts: first, the necessity of identifying the causes of human rights violations before addressing the effects, and secondly, the importance of framing human rights in both a local and a global context. Yet Cook's analysis does not go far enough. Instead, she

needs to take her universalism and localism a step further. Only then can gender stereotypes truly gain priority on the international agenda.

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Professor Rebecca Cook emphatically states that for men and women to be truly equal to one another, society needs to understand the structures of discrimination against both genders. These forms of discrimination, which she labels “gender stereotypes,” persist at all levels of society and subsequently deny both men and women their human rights. This statement, however, belies the extreme difficulty in overcoming gender stereotypes, perceptions that are truly ingrained within both society and the individual conscience. Cook tries to combat this difficulty by offering precise steps to both identify and combat gender stereotypes on individual, national, and international levels, consequently making it both a local and universal issue.

To strengthen her argument, Cook gives a clear definition of gender stereotyping and describes how such beliefs affect society. She believes that they are generalized views or preconceptions of attributes possessed by men and women respectively. Despite the dual nature of gender stereotypes, Cook emphasizes that because of the current power imbalance between men and women, gender stereotyping has heavier consequences for women. Indeed, most gender stereotyping creates a perpetuation and legitimation of women’s legal and social subordination.

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The main strength of Professor Cook’s analysis lies in its framing as both a universal and local issue—truly the key component in exploring the importance of any global phenomenon. She does this not just by her identification of stereotypes as the main deterrent to gender equality but also in the examples she chooses and the solutions she highlights.

As previously noted, human rights discourse is overwhelming. There is simply too much wrong in the world to be easily fixed. This is true on a broader spectrum as well. National government policy, for example, often lacks a clear prioritization regarding human rights and it either attempts to solve everything or nothing. By addressing both the local and universal causes and effects of gender inequality, Cook

is able to develop a much more feasible way of approaching women's rights violations.

Much of the literature on women's rights focuses on a specific issue or region, which does not appear interconnected or related to others. Indeed, much of the scholarship on gender inequality highlights issues that occur far away, in different cultures, regions, or religions. As a result, it seems to have nothing to do with liberal, Western, and democratic society. Cook's thesis, however, refutes this claim. By underlining the gender stereotypes that individuals perpetuate, Cook is not only able to mark discrimination as a global issue, but suddenly makes every member of society inherently responsible for a solution. It becomes, in other words, both a local and international problem underpinned by universally held misconceptions about gender.

The examples Cook chooses provide both a local and a global perspective. On the one hand, each case study tackles a different form of discrimination. The Executive Order in Manila prohibiting the distribution of hormonal contraceptives, for instance, is connected to the "growing catholicization of public health policies in the Philippines."<sup>1</sup> In another case study, Cook showcases a police officer's reaction to the disappearance of young Mexican women. In his statement, the girls had not "disappeared but were out with her boyfriends or wandering around with her friends."<sup>2</sup> Clearly, the policeman believed that such "loose" women did not deserve the authorities' attention. Despite occurring in different parts of the world, both examples are caused by negative stereotypes regarding the sexual behavior of women. Cook therefore succeeds in analyzing localized case studies with universal causes.

Not only does Cook offer case studies in a variety of regions and cover a myriad different topics—including family life, health disparities, and justice codes—but every single one of them is currently being analyzed by CEDAW. Through its fact-finding missions by in-country experts, CEDAW demonstrates that a comprehensive understanding of cultural contexts is necessary to understand particular human rights violations. This approach sends two very powerful messages: first, that stereotypes must be understood before they can be dismantled, and second, it offers hope that women's rights violations can be addressed by one international body with a universal commitment to gender equality. It is clearly a universal approach to local issues. Yet this idea must be expanded in order for gender equality to become an international priority.

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Cook's thesis contains two potential points of contention. The first is her lack of critical analysis regarding CEDAW, whereas the second revolves around her failure to address the universal relevancy of gender stereotypes. The ultimate result of these two problems creates an incomplete solution to gender stereotyping. Ironically, her solution is at once too international and yet not universal enough. Her thesis, therefore, does not present gender stereotypes as internationally relevant and, at the same time, her solution does not account for the difficulty of using an international governing body to address extremely localized instances of gender inequality. The following section therefore addresses each of the two issues in turn and provides viable solutions.

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The first issue in Rebecca Cook's argument involves her lack of critique regarding CEDAW. Although seemingly a small issue, her analysis of CEDAW is in direct conflict with the article's thesis; namely, that cultural stereotypes emerge from local contexts and it is these cultural contexts that need to be understood in order to be overcome. CEDAW, as an international organization primarily organized by Western secular nations, often experiences a disconnect with certain countries. Therefore, this section quickly outlines the problems with Cook's analysis of CEDAW. It then uses these problems and applies them to the current dilemma in Afghanistan. Finally, it ends with specific suggestions for how CEDAW can be improved.

Cook's analysis of CEDAW fails on two counts. First, despite declaring that culturally embedded stereotypes are extremely difficult to overcome, Cook believes that CEDAW is an international organization capable of identifying incredibly localized gender issues. This affirmation, however, seems to be a contradiction: how can an international mandate fully understand a local issue? The second issue revolves around the supposed "agenda" of CEDAW. Many nations, especially in Muslim regions, view CEDAW as a culturally imperialistic organization that has little respect for a diversity of values. Both issues, however, point to the same dilemma: if overcoming one's own stereotypes is difficult, how does an international organization combat the prejudices of others?

In Cheshmak Fourhoumand-Sims' essay, "CEDAW and Afghanistan," the author maps out the key difficulties created by CEDAW. Like Cook, she believes in the ultimate vision of the project. Indeed, Fourhoumand-Sims even possesses the same view on the detrimental effects of gender stereotyping. As she clearly states in her article, "The CEDAW is in recognition of social, customary and cultural practices and stereotyped sex roles that are detrimental to women's achievement of full equality."<sup>3</sup> Yet despite this well-intentioned manifesto, the very international character of CEDAW prevents it from effectively addressing many worldwide gender issues.

Fourhoumand-Sims divides her criticism of CEDAW into two categories, one general and one specific. Her first, and perhaps most important, is CEDAW's lack of a cohesive mandate equally applicable to all nations—a common problem with international human rights regimes. The second involves CEDAW's silence on women's rights in times of conflict, an omission that has the potential to alienate certain signatories of the Treaty. As a result, CEDAW fails to connect with the very nations who need it most.

The CEDAW may be the U.N. mandate with the most signatories, but it also contains the most reservations and exceptions.<sup>4</sup> This, in turn, creates a document riddled with contradictions that subsequently lacks the strength to enforce its norms or connect with certain nations. As Fourhoumand-Sims presents in her report, for example, "many Muslim states such as Bangladesh, Egypt, Morocco, among others, have more reservations to allow non-compliance whenever [there are] conflicts with the Islamic Shariah [consequently] making the reservation incompatible with requirements to abolish discriminatory laws, customs and practices."<sup>5</sup> Like many human rights organizations, in an effort to be culturally sensitive, the mandate contradicts the very principles for which it stands.

In addition to a large number of conflicting reservations and addenda, CEDAW says nothing about violence against women in times of conflict. Men and women experience conflict differently. Women and girls, for example, suffer from higher instances of rape, enslavement, and sterilization. The overall effect is a mandate that not only is seen as incompatible with Muslim values but also fails to address the "number one" concern of women in some of these regions.

Fourhoumand-Sims uses these two critiques to analyze the current position of CEDAW in Afghanistan. Like many countries in the region, Afghanistan suffers from enormous gender inequality. However, most

Afghanis, including women's rights activists, view the CEDAW agenda as primarily Western and ill suited to address Afghani concerns. This has resulted in an acceptance of CEDAW, but only through the inclusion of certain exceptions that further undermine women's rights. The question then becomes how to widely promote CEDAW across the country without disavowing Afghani culture and religion. How can CEDAW avoid "simultaneously not supporting and strengthening the attributes and structures that support the patriarchy and undermine the rights of women"?<sup>6</sup> It is this very paradox, which Cook fails to address, that represents the true dilemma with international human rights mandates.

Fourhoumand-Sims' tentative solution focuses on providing Afghanis with the tools to create "ownership" of CEDAW's mandates.<sup>7</sup> This idea is significant because it demonstrates that local initiative trumps international norms. According to the author, this can be achieved by a multifaceted approach "whereby national and international actors work collaboratively with local organizations and activists and employ dialogue and action that engages CEDAW from within a negotiated cultural and religious framework."<sup>8</sup> In many ways, however, this statement seems to be in disagreement with Cook's examples, which instead are initiated from the top down. The decision in the Philippines, for instance, emerged from an international rather than a domestic court. Similarly, the ruling regarding the missing Mexican women came from outside of the Mexican state.

Fourhoumand-Sims, however, believes that such an approach is failed from the start. Instead, citizens within the nation must decide and eventually agree upon every regulation within the CEDAW Treaty. In the case of Afghanistan, she outlines how this process would work:

I would argue that a good place to start effecting change is for transnational feminists working in Afghanistan to build solidarity through creating more spaces for the exchange of ideas, critical reflection and mutual learning. Through and not disavowing, traditional religious sources of the Quran and Sunnah, in addition to centering the nuances of culture, our discussions with Afghan women were perhaps able to move into those different spaces whereby a closer reading of each article helped to clarify and contextualize the varied meanings and purposes behind each article.<sup>9</sup>

This quote demonstrates two important qualities. First, for CEDAW to be accepted, multiple sectors of Afghan society must agree to its vari-

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ous “meanings and purposes.” At the same time, however, these principles have to be viewed as being in tandem with traditional religious sources. Although incredibly difficult to achieve, Fourhoumand-Sims believes that with the right mix of both transnational and domestic actors, Afghanistan will eventually be able to sign the CEDAW Treaty without reservations.

Bringing the women’s rights policing body back “down to earth” is oddly paradoxical to the second gap in Cook’s thesis. The first critique demonstrates that Cook’s solution to gender stereotypes must become more local. At the same time, for gender issues to appear more relevant, Cook needs to widen their scope. Professor Cook’s stance does not link gender issues to other global crises. Instead, she implies that issues of gender inequality should become more prominent on the world stage despite being unrelated to other global dilemmas. I suggest instead that gender stereotypes often perpetuate worldwide crises and indeed must be framed this way if they are ever to gain the international spotlight.

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Cook correctly assumes that women’s inequalities constitute a global issue. She does not, however, make the connection between these inequalities and the continuation of global crises. In fact, in her own conclusion, she states, “There is no doubt that global priorities such as terrorism, financial downturns, and climate change have eclipsed the priority of women’s issues.” Gender inequality is actually an inherent component of many global problems. Indeed, framing them this way is absolutely necessary if society wishes to place gender equality on the public agenda. The following section looks at the relationship of gender stereotypes to particular global dilemmas, with a particular emphasis on the HIV/AIDS pandemic.

The idea that gender inequalities are both a cause *and* effect of global processes is gaining credence in both academic literature and U.N. special reports. There have been several reports based on gender and climate change that observe how men and women experience resource shortages differently. In another study, OXFAM recognized that global economic crises often highlight gender discrepancies. Yet even clearer than these two examples, however, is the relationship between the spread of HIV/AIDS and gender inequality.

Professor Margrethe Silberschmidt at the University of Copenhagen examined how HIV/AIDS disempowers both men and women. Her arguments, which are certainly in tandem with Cook's, state that, "Patriarchal structures and stereotyped notions of gender hide the increasing disempowerment of many men in rural and urban East Africa."<sup>10</sup> In other words, socioeconomic change has left men with a patriarchal ideology without its legitimizing conditions. She breaks the idea down into four steps and subsequently conforms to Cook's idea that a stereotype must be understood before it can be effectively dismantled. First, the current socioeconomic situation in sub-Saharan Africa has created incredibly high rates of unemployment. In addition, most aid programs in Africa only focus on women and children, often excluding men altogether. This lack of employment has created a generation of men "bereft of legitimizing activities" and self-esteem. Unable to fulfill their role as breadwinner, they seek to affirm their masculinity in other ways. This, according to Silberschmidt, has resulted in "Multi-partnered sexual relationships and sexually aggressive behavior [in order] to strengthen male identity and sense of masculinity."<sup>11</sup>

Silberschmidt hypothesizes that men's inability to fulfill their stereotypical role as the family's main breadwinner causes them to find other ways to assert their masculinity, either through domestic and sexual violence or multi-partnered and extra-marital affairs—two actions that exacerbate the spread of HIV/AIDS. One quote in particular from an environmental and HIV/AIDS activist in Kenya illustrates this view: "I think that when we talk about the position of women in Africa and see how miserable it is, quite often we forget that these miserable women are married to miserable men."<sup>12</sup>

Silberschmidt argues that experts must develop a more comprehensive understanding of the stereotypes and embedded cultural norms governing male sexuality and male sexual behavior. This statement is significant because she agrees with Cook that the identification of gender stereotypes is an absolute necessity. But Silberschmidt is also able to connect these stereotypes with an overwhelmingly pervasive global pandemic. In addition, by deciding to focus on male instead of female sexual behavior, Professor Silberschmidt is able to provide concrete evidence that gender inequality negatively affects both men and women. Cook, of course, does not deny this reality. Yet the example Professor Cook provides—involving the inability of Western males to gain full paternity leave—although important, is not a powerfully pressing international issue.

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The aforementioned argument is not in disagreement with Cook's thesis. Instead, it simply broadens the relevancy of gender inequality. First, the article clearly agrees that stereotyped notions of gender have a negative effect on both men and women. Indeed, in many ways, this thought process follows Cook's guidelines for identifying gender stereotypes. But Professor Silberschmidt goes further by outlining how these notions have backfired on the male population and subsequently affected an issue considered to be outside the realm of women's rights. This is not to say that Cook's examples are not legitimate, but they are issues almost exclusively within the realm of gender inequality. HIV/AIDS, however, represents a problem that is not typically seen as a "gender issue." Therefore, Silberschmidt successfully proves the necessity of gender equality and makes it a more salient issue. This, in turn, represents the type of framing that must happen if society is ever to put the erasure of gender stereotyping on the international agenda.

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In conclusion, Cook's message is inspiring. She not only defines women's rights as a universal problem but she brings it down to earth by providing case studies throughout different communities. Her solutions, in turn, offer both a global and a local "fix." On the one hand, she relies on the rulings and procedures of international institutions like CEDAW, but she also asks us as individuals to destroy our own preconceived notions about gender. I simply ask that she take both of these ideas further; on the one hand, by providing more locally based solutions, and on the other, by broadening the relevancy of gender issues. Only by doing this can we truly place women's rights on the global agenda.

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### Notes

1. Rebecca Cook, "Structures of Discrimination," Macalester International Roundtable essay (October 2010).
2. Ibid.
3. Chesmak Farhoumand-Sims, "CEDAW and Afghanistan," *Journal of International Women's Studies* 11 (September 2009): 136.
4. Ibid., p. 137.
5. Ibid., p. 138.
6. Ibid., p. 140.
7. Ibid., p. 140.

8. Ibid., p. 150.

9. Ibid., p. 154.

10. Margrethe Silberschmidt, "Disempowerment of Men in Rural and Urban East Africa: Implications for Male Identity and Sexual Behavior," *World Development* (April 2001): 657.

11. Ibid.

12. Ibid.

### **Bibliography**

Cook, Rebecca. "Structures of Discrimination." Macalester International Roundtable essay (2010).

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