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Book Review: Gender and Culture at the Limit of Rights

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I. INTRODUCTION

In Gender and Culture at the Limit of Rights, editor Dorothy Hodgson assembles a timely interdisciplinary interrogation of current rights-based strategies for gendered visions of social justice. Through a diverse interlocution of practitioners and academics, Hodgson succeeds not only in raising essential questions about gendered personhood, but also in critically unpacking the contemporary deployment of “human rights” as a foundational component of organizing, legislating, and executing struggles for the rights of women. Over three well-composed sections, eleven authors bring unique case studies into larger discussions of how and in what contexts the discourse of human rights has served to elevate or threaten potentialities of cultural and juridical justice around the world. They invite us to challenge our cultural assumptions, evaluate the perpetual reframing of ideologies constitutive of “human rights,” and assess the extent to which work toward justice encompassing gendered bodies relies on and/or rejects problematic constructions of rights as such.

Appeals to global understandings of human rights as rationales for international advocacy for the rights of women have not been without measurable successes (p. 1). For many international women’s rights organizations, the discourse of rights has served to excavate gendered injustices and inspire marked improvement in women’s political, economic, and cultural statuses. These improvements, however, do not come without questions as to how their reliance on ahistorical conceptualizations of “rights” succeed in reinforcing culturally biased—even imperialist—approaches to social justice. The three sections of Hodgson’s carefully curated forum provide three lenses for closer analysis of the potential—and potential problems—in contemporary negotiations of rights-based activism.

II. IMAGES AND INTERVENTIONS

The three chapters in the first section present some of the gendered assumptions underlying historical and present implementations of human rights. On the surface levels of the series of consensuses we recognize as “international law,” it is easy for policymakers and activists to adopt juridical vocabularies understood to be neutral in both their referents and discursive power. The
language of the state has served to successfully organize power, and thus any attempt to shift power’s distribution is necessarily understood to rely on these same terms. The three authors in this section examine the gendered realities that are muted by supposedly neutral policies’ erasure of complex cultural and social identities. They succeed in drawing our attention to the ways in which gender is systematically absent from broader political considerations of rights when these considerations are in fact shaped by and recognized within contexts of gender. Hodgson does well to include diverse examples of this problematic silence, and through three distinct and critical explorations from these authors, we are imbued with a sense of the pervasiveness of the tendency to neutralize the foundational language of human rights.

Pamela Scully introduces the contested figure of the “long-suffering African woman” to illustrate the convergence of external political forces upon the individual. In nineteenth-century British anti-slavery campaigns and today’s heart-wrenching television specials, the African woman has been negated as individual and edited for consumption as a racialized, gendered subject to be recognized and protected by white people (more specifically, white men) (p. 22). Human rights initiatives deployed with pithy pleas for international funding often ignore tensions between racial and gender identities, and critical histories are condensed into strategic narratives designed for effective mass media appeal. Even if the image of the “long-suffering African woman” succeeds in generating donor-sponsored advocacy on women’s behalf, Scully correctly censures the intrinsically oppressive removal of African women from their own narrative agency (p. 28). Often, Scully argues, discourses of rights succeed in parliaments as they fail in communities, particularly in communities still working to define their own conceptualizations of success (p. 29). Appealing to rights in order to “save” or otherwise “better” the plight of the suffering Other neglects the very personhood the strategy purports to uplift. Rights-based policies are in fact profoundly gendered, and they often privilege forms of community and conduct that discount the genuine empowerment of women moving in and creating alternative modes of being and thriving.

Salma Maoulidi extends this discussion as she explores specific renderings of images of Muslim women in Zanzibar. The history of these images, she writes, is one intimately tied to the flux of the women’s political and cultural rights, and she describes in detail how image and status inform one another as they remain contextually framed by patriarchal influence (p. 33). Analyzing Zanzibar’s colonial, post-revolutionary, and contemporary periods, Maoulidi exposes the extent to which women’s status became in many ways a stronghold of Muslim resistance to colonial influence (p. 33). As external forces destabilized the nation’s culture, women “became the ultimate cultural icons through which a society would resist cultural intrusion and assimilation” (p. 32). The author notes the particular danger in ascribing last vestiges of cultural authenticity to women, for it is women who remain situated in externally reinforced cultural stasis even as society itself evolves. Zanzibar today remains a
transitioning political climate, and the position of women, notes Maoulidi, remains a contested site upon which legal and cultural reflections still come into conflict (p. 53).

In the third chapter, Sally Goldfarb outlines the American legal system’s inherent authorization of a juridical status quo rooted in patriarchy. For years, key tenets of the American feminist movement cohered in several campaigns for the legal recognition and prosecution of acts of domestic violence. Even successful implementations of punitive legal response, however, problematically reinforce images of male domination (p. 57). Cases of violence against a partner, for example, are punished according to the severity of measurable physical acts. Goldfarb notes that this qualification of degrees of physical violence emerges from law that reflects understandings of conflict typically encountered by men (p. 58). Emotional abuse, strategically reoccurring patterns of smaller acts of violence or manipulation, and other less photographable damages that women experience are more difficult to name and prosecute. Similarly, current law frequently mutes cultural contexts that make certain juridical responses to domestic violence potentially damaging to women in minority or immigrant communities (p. 68). The law informs culture just as culture informs the law, and Goldfarb skillfully explores the problems of monolithic domestic violence doctrine for minority communities with a mind toward building the law into a more nuanced instrument of justice.

III. TRAVELS AND TRANSLATIONS

The second section of Hodgson’s collection considers how international communities and conversations have adopted, challenged, and deployed specific human rights discourses in the interest of bringing broader visions of universal rights to unique cultural populations. We are ushered through case studies framing how formations of rights-based cultures of international activism have had significant impacts on how women around the world come to know their own communities, potentialities, and identities. While there are certainly commonalities among various discursive iterations of rights, their effects and translations beget changes to women’s lives that remain critically mediated by cultural context.

Peggy Levitt and Sally Engle Merry open the section by challenging the popular understanding of “culture” as something existing in opposition to what we have come to recognize as “rights” (p. 81). While colonial narratives have frequently pitted the “civilizing” neutrality of rights against the “antiquated” traditions unique to a culture, the authors seek here to expose the extent to which this false dichotomy is predicated on the hazardous gendering (more accurately, feminizing) of culture as concept. When rights are invoked to influence allegedly neutral questions of infrastructure, for example, there are rarely (if ever) questions as to the potential for cultural damage—even as management of local governments’ technology and resources is a distinctly influential constituent of
every culture (p. 82). Culture, rather, is all too frequently measured as the adjudication of gender roles, with women’s position in a society understood to signify the culture’s adherence to and respect for its historical mores. Rights, Levitt and Merry argue, are themselves cultural phenomena, and the authors proceed to delineate the process they name “vernacularization” to explain how translation and culturally specific interpretation of rights begin to create spaces for liberating intervention for both women and society writ large (p. 83, 87).

Lila Abu-Lughod explores the “extraordinarily active social life” of Muslim women’s rights in contemporary times (p. 101). Between languages and continents, and media and political movements, the rights of Muslim women have served as contested sites of cultural transition throughout history. But what do we lose, Abu-Lughod asks, in assuming the ontological stability of rights and their roles in Muslim women’s lives? We are well served, she continues, by engaging questions of rights through the anthropological lenses of how and where these analyses of rights are circulated (p. 102). By unpacking the influence of cultural location, the author delivers compelling comparisons between the intersections of women’s historical roles and the evolving cultural framework of rights in Egypt and Palestine.

In Egypt, public discourse surrounding women’s rights in the past two decades has shifted most notably in the technologies through which it is filtered into public life (p. 103). The social life of rights in Egypt, the author asserts, has encountered an unprecedented governmentalization, an “imbrication with Islamic institutions and religious discourse,” and a “commercialization or association with the corporate world” (p. 103–04). Despite stringent regulation, women’s rights advocacy has proliferated in segments of Egyptian civil society, opening avenues for careers, organized sources of funding, and new ways of sustaining women’s globally networked professional communities (p. 118).

In Palestine, the political context acts upon the operation of Muslim women’s rights against the backdrop of occupation and militarization, and Palestinian feminists must negotiate political aims within the realities of displacement and everyday conflict (p. 111). Rather than tracing a genealogy of rights, Abu-Lughod impels readers to consider ethnographic frameworks when evaluating the subtleties of rights-based advocacy worldwide.

Abu-Lughod’s incorporation of the explicitly anthropological language of ethnography is a refreshing context against which to consider her broader political questions. A strength of the anthology in general is its engagement of multiple evaluative lenses from diverse disciplines, and Abu-Lughod succeeds in challenging us to assess not only our assumptions about gender or nationality, but also how these assumptions came to be and to function. Though ethnography may not always be a useful framework, by drawing our attention to the power of nuanced critique, Abu-Lughod offers a meta-critique of Hodgson’s volume itself as she reminds us to dig deeply into narratives and context that can far too easily be taken for granted.

Caroline Yeezer considers the influence of human rights interventions in
indigenous villages of post-conflict Peru. As international aid organizations have expanded initiatives in these rural communities formerly under martial law, understandings of how villages engage new “freedoms” following militarization have altered how some practitioners evaluate the utility of rights-based interventions in certain societies (p. 121). The author examines the complexity of demilitarization’s impact on village culture and structure, and writes that while many foreign activists expected peace to bring order to previously militarized communities, the resultant “emasculaton” of men destabilized families’ and villages’ social cohesion (p. 121). The author does not argue in favor of permitting or supporting militarization in the interest of stabilizing developing communities, but rather skillfully calls us to more critically examine the categories by which we define reform and its successes. To assume uniformity in the efficacy of rights-based reform would be to problematically mute vital histories of social organization specific to evolving communities, particularly in indigenous populations. In any assessment of intervention’s effects, supposedly “objective” metrics of development must be reconfigured to reflect their place within cultural contexts and their origination from externally organized sources.

The editor Dorothy Hodgson closes the section with an evaluation of the transition from understanding female genital mutilation (FGM) as a health issue to recognizing it within the context of human rights. Nongovernmental organizations have turned toward explicitly evaluating the “progress” of African communities based upon communities’ eradication or continuance of FGM. In so doing, they have frequently failed to consider critical tensions among multifaceted rights-based claims to justice for women and the separate—though often similar and/or overlapping— claims to justice for indigenous communities (p. 139). International pressure has resisted local grassroots women’s advocacy organizations’ attention to alternative priorities, instead galvanizing outcry against such specific iterations of cultural practice as FGM that Western (and “increasingly African elite”) activists have deemed categorically unacceptable (p. 138, 140). Though local women’s organizations like the Maasai Women’s Development Organization explicitly outline concerns for economic well-being and political empowerment as paramount to their own communities’ advancements, influential NGOs and other elite sources of funding operate according to rubrics of programmatic success that privilege historically Western conceptualizations of valid activism. Hodgson rightfully criticizes the apprehension of rights as diametrically opposed to culture and unites the anthology’s selections when she names the “problem of culture” as “really a problem of power” (p. 140). “Even if we acknowledge the interconnection of all rights (including economic, political, and cultural),” she explains, “the question still remains as to who decides which rights to pursue at any given time.”

Hodgson’s argument is not a new one, and indeed each contributor understands this problem of power as integral to any question of rights or culture. The force of the anthology is rooted in its expert reflection on the diversity of the vectors along which the power problem operates. While many
interrogations of gender and culture consider the impact of power, far fewer inquiries are so strategically positioned alongside one another. If the reader has progressed through the collection in order, the second section in particular offers a sense of the vastness and often overwhelming intricacy of power’s dynamism. As discussion moves toward the final section, we begin to see more opportunities for opening and challenging the dialogues that have surrounded questions of power for those too often left without it.

IV. MOBILIZATIONS AND MEDIATIONS

The third and final section presents four authors’ analyses of specific mobilizations of gender-based collective action deployed within and against contexts of state regulation. The authors explore the tools with which women have successfully built collective power and political agency, and uncover the ways in which the media, the law, and grassroots civil society have been reframed to accommodate communities’ shifting renderings of gendered civic praxis. If the media and law have historically been engaged in the methodic disenfranchisement of marginalized populations, the authors ask, for what aims and with what strategies can we refigure them as engines of genuine social justice?

Lynn Stephen’s recounting of the recent mass mobilization of women in Oaxaca, Mexico opens the section with a compelling demonstration of collective reclamation. Over five months in 2006, in a city widely recognized as one of the poorest in Mexico, variegated movements for indigenous rights, women’s rights, teachers’ rights to collective bargaining, and others coalesced into popular uprisings that occupied federal buildings, built street barricades, and systematically took over state-run media outlets (p. 163). Stephen effectively outlines the most recent decades’ contributions to the fomentation of rights-based organizing in Oaxacan communities, and through a brief genealogical exploration of Oaxacan women’s political consciousness, she is able to sketch a history that positions the events of 2006 as a turning point in the movement to build women’s political power. Initially, explains march participant Mariana Gomez, the women sought entrance into state television and radio stations for airtime, to “be heard,” not to occupy (p. 167). When they were denied access to airtime, the women refused to return home. “They didn’t even give us permission to talk for even an hour,” one woman stated. “So the compañeras decided that we were going to stay” (p. 168). This right to speak became poignantly gendered, Stephen notes, as the women—many of them for the first time—rose to publicly lay claim to the rights of participation in civic life. For so many women in the community and even in grassroots movements, silence was understood to be the norm (p. 171). The capacities to speak and to be heard were embraced as women’s rights, and in the activists’ demanding attention to the silencing of marginalized voices, they succeeded in catalyzing the redefinition of citizenship for all. While the legacy of the 2006 takeovers is still evolving,
Oaxaca has since witnessed an unprecedented “proliferation of community radio stations” and public forums through which the rights to speak and be heard are upheld, and the women’s organizations that formed during this time continue to challenge the silencing of underrepresented communities throughout Mexico (p. 179).

Ousseina Alidou discusses the interplay of rapid innovations in information and communication technologies and the evolving democratization of communication in contemporary Muslim societies. By engaging in critical analysis of the Kenyan women’s radio program, *Ukumbi Wa Mamama* (Women’s Forum), Alidou explores the strategic application of secular resources and education to the advancement of women in religious and cultural spheres. The post-colonial successes of mass education policies and the democratization of technology that began in the 1990s enabled women to participate in new forms of authorship of their own religious and political stories (p. 181). As state control of the media weakened, privatized stations and organizations developed new avenues for specific constituencies to reach their own communities. Women, in particular, were able to cultivate heretofore impossible dialogic mechanisms for the analysis of their own lives as educated Muslim women and activists. As the included transcript excerpt from *Ukumbi Wa Mamama* evidences, these forums serve as powerful venues for reframing discourses of “womanhood” according to newly gendered visions for the potentialities of participatory citizenship. As Kenyan women’s voices reach one another, they are also diverse international interlocutors on imperative questions of faith, culture, and the future of Muslim women’s leadership.

Robyn M. Rodriguez considers the gendered subtexts and strategies of rights-based advocacy for immigrants and their families in the United States. Unpacking the intersecting struggles of male immigrant detainees with families, she assesses how these detainees frame their claims to rights in the United States and how their advocates may ignore critical components of their client’s subjectivity as they work toward securing their client’s release or initial steps toward citizenship (p. 201–02). Rodriguez offers her own history of legal work with immigrant detainees as indicative of the tendency to rely on the ostensibly non-gendered arguments for detainee release. Many legal advocacy organizations, she writes, invoke claims to constitutional rights for all or work to affirm recognition of immigrants as drivers of economic growth (p. 201–02). While these approaches can be effective in appealing to certain segments of the public, they are also effective at erasing constitutive elements of immigrants’ own commitments to their families and identities. Rodriguez notes that “many immigrant detainees affiliated with the New Jersey Civil Rights Defense Committee, for instance, construct their demands for release from detention on the basis of their status as fathers” (p. 202). They understand themselves as vital to the continued stability of their families, and emphasis on their roles as emotional and financial providers may offer more nuanced tools with which to approach advocacy for immigrants’ rights. If we are to believe genuinely in just
futures for all citizens, Rodriguez cogently insists that we challenge assumptions about how rights are earned, granted, and deployed.

Mary Jane Real concludes the anthology with a trenchant evaluation of the promises and pitfalls of transnational political organizing. As a founder of the Women Human Rights Defenders International Coalition, she has worked at the forefront of women’s communities seeking to capitalize on the power inherent in cooperative struggle while still remaining cognizant of community particulars requiring attention and unique political response. In addition to the challenges of negotiating divergent interests, women’s rights advocates around the world still operate within and against patriarchal histories of governmental and cultural organization, and as demonstrated throughout Hodgson’s collection, women are often precariously situated at the fault lines between modernity and the preservation of cultural tradition (p. 219). The strength of Real’s argument coheres in its thoughtful rejection of the confronting of international women’s organizing as incompatible strategic monoliths. Advocacy has tended to emerge from claims to “universal” rights for all across cultures or from culturally specific movements predicated on belief in localized knowledge and historical contexts. Real acknowledges the utility of “a shared articulation of rights on which to build alliances across movements,” but also embraces the complexity of localized claims to particular visions of justice (p. 223). It is imperative that the “highly contested terrain” of the language of human rights be constantly interrogated and reframed, and the anthology appropriately concludes with Real’s call for an active, perpetual renegotiation of the fragile compromises constitutive of contemporary rights-based activism (p. 233).

V. CONCLUSION

Hodgson’s greatest success in Gender and Culture at the Limit of Rights is its somewhat unexpected optimism. To trace diverse histories of gender and its often violently contested significance is to recall innumerable injuries to individual and collective identities. The selections here, however, reveal the authors’ dedication to uncovering moments of profound agency. We are introduced to diverse coalitions of people of all genders that have gracefully considered the messy significance of history and moved radically forward toward new political, cultural, and juridical imaginaries. Many of the selections engage case studies for careful articulation of specific organizing strategies, and each author takes care to provide digestible context for their arguments and attentive critique of their own vocabularies. Ultimately, the questions with which the collection begins remain open: How are we to advocate best for women when that advocacy is itself rooted in problematic histories? Can we operate effectively within existing political frameworks, and if so, are we able to do so without compromising the empowerment of historically marginalized voices? In the end, the reader comes away with the sense that, while the answers to these and other questions may be far from complete, we are making definitive progress
toward challenging restrictive norms of gender, opening global discourses of “rights,” and building collectively upon inclusive potentialities of justice for all.

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