

# Gender Stereotyping: Transnational Legal Perspectives

Rebecca J. Cook and Simone Cusack



Gender stereotypes are often studies in contradiction. They can be insidious or glaringly apparent; they are hostile, and occasionally operate out of “benign” sexism. The customs and mores of the society, the media that is consumed in that society, the predominant religion of a culture, and the family unit can all commingle in order to perpetuate gender stereotypes. Of course, a society's operative legal system can do this as well, which can do the most harm of all since the weight of law enforces entrenched gender stereotypes, often resulting in gender discrimination.

Women are most often burdened by the practice of stereotyping, since stereotyping is used to justify the subordination of women to men. *Gender Stereotyping: Transnational Legal Perspectives* is an academic book that analyzes the worldwide practice of gender stereotyping and discrimination through the framework of the 1979 United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), with an additional focus on the obligations of the law and state to avoid stereotyping and discrimination with the force of law.

Authors Rebecca J. Cook and Simone Cusack focus on both men and women in their study of stereotyping, and illustrate their points through international court cases in which gender stereotyping affected the verdict. While women are often the injured party, Cook and Cusack point out that harmful stereotypes about men can harm women as well, and vice versa. Stereotypes about men and women in fact are mutually reinforcing and end up as self-fulfilling prophecies. The solution to ridding society, media, law, and culture of stereotyping, the authors note, is by a process of Identification/Naming/Elimination/Remedy. It is necessary to both point to and give a name to the operative stereotype before it can be erased, and before reparations can be made to the injured party.

CEDAW and the protocols issued for the adoption of its ratifying countries are the focus for the book, but scant information is provided about the Convention itself. It is not indicated what countries and governments adopted its platform (presumably member nations of the U.N.), who was on the committee to draft its proposals, and who exactly is enforcing it outside of a nebulous “Women's Committee.” The governments targeted by CEDAW are referred to as “States Parties,” a term which is never clearly defined; from inference, I gathered that it is a combination of government, courts, and human rights treaties bodies. Furthermore, since several countries (Niger, Malaysia, and Israel are noted) have formally expressed reservations about several of CEDAW's articles for religious reasons, one wonders why they agreed to adopt CEDAW at all. CEDAW apparently also does not have the force of law behind it. Offending governments will be issued reports and recommendations, but there appears to be little impetus to follow CEDAW's instruction.

These are critiques of CEDAW, but several critiques may be noted about the book as well. The authors focus on only a handful of international cases that fall under CEDAW's jurisdiction, and no dates are given for any of these cases. Knowing the date might have provided an insight into sex and gender attitudes of the time. Furthermore, numerous commentators and scholars are quoted, but not named or sourced until the bibliography. Certain terms are used, but not defined (the most egregious being the "woman question.") There are also far too many hypothetical "for examples," especially for a book that deals in hard legal facts. The tone is dry and academic, but it is free of the subjectivity and injection of hyperbolic personal opinion that can accompany many feminist-related texts. On the whole, though *Gender Stereotyping* handles its subject matter fairly well, it is not a terribly interesting read except perhaps to policy wonks and the legally-minded. It's always appreciated when subjects such as these are brought to the forefront for analysis, but I am not sure for what target audience the authors intended it.

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