THE GLOBAL TRAVEL OF WOMEN'S HUMAN RIGHTS

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How do norms and ideas like human rights or gender equality travel from one place to another? This is a critically important question for women's human rights. After two decades of global feminism in the late 20th century in which there was a remarkable movement of ideas, practices, and people across national lines dealing with a variety of women's issues including violence against women, there is a more recent trend toward resistance, retrenchment, and a turn away from women's rights concerns. In the USA, some young women feel that the battle has been won. The country has witnessed the emergence of hyper-masculine leaders who survive despite misogynistic actions and comments. Globally, resistance has appeared in the area of reproductive rights, gender equality, and LGBTQ rights. Human rights organizations in many countries are under attack. Yet, protecting women's rights is fundamental to compliance with the core human rights principles of equality, autonomy, choice, and security of the body and person.

Under these conditions, it is important to ask how ideas of women's human rights move from one setting to another, when and how they are adopted, and how they are changed in the process. Under what conditions are they translated into local contexts and when are they resisted or rejected? Why are ideas of

gender equality readily accepted in some countries while others insist on seeing men and women as fundamentally different and unequal? Why are ideas of the acceptability of same-sex relationships spreading quickly in some countries but fiercely resisted in others? This is a temporal as well as a cultural question. Ideas resisted at one time may gradually be accepted later, and some groups, of various social, cultural, religious, regional, or class characteristics, may be more willing to adopt new ideas of various kinds than others.

When normative ideas or practices move from one social context to another, they are inevitably translated, redefined, and adapted to the new circumstances. I have studied the translation and adaptation of global human rights norms about violence against women from local areas to global areas and back to local social contexts, a process I have labeled vernacularization (Merry 2006a; 2006b; Levitt and Merry 2009). Clearly, the production of such global norms is a social process, deeply shaped by local social movements. As these ideas coalesce in international institutions based on the efforts of local movements and are articulated in international laws and declarations, they take on a more fixed definition. They then offer a repertoire of ideas and practices legitimated by their acceptance by a global community that can be both normatively and strategically adopted by local organizations seeking to promote similar goals.

But they are inevitably transformed in the process, even becoming unrecognizable in their local instantiation. There are typically intermediaries who take the global ideas, useful in some social contexts, and interpret them

in other terms that are more effective in other social contexts. In this way, vernacularization is a process in which ideas and practices are constantly being renegotiated and reinterpreted in the context of particular social situations. It is important to recognize that vernacularization is both a pragmatic and strategic approach to norms as well as an ideological one inspired by moral convictions.

Based on my ethnographic research in the USA as well as many other countries, I find that in order for women's rights ideas to be accepted, they have to be adapted to local cultural categories, symbols, and ideologies: they need to be made to fit in with what is already there. In the late 1980s, Abdullahi An Na'im described this process in terms of cultural legitimacy (1990; 1992). He argued that ideas are more readily accepted if they fit into existing value systems, using the example of Islamic law and human rights. He argued that seeking out areas of compatibility between human rights and Islamic law enables advocates to negotiate a shared moral and legal system. The adaptation of rights ideas to frameworks found in local communities makes them more acceptable, particularly to local communities with differing ideas about gender and sexuality. Global laws and policy statements that are appropriated by local organizations need to be translated into terms that make sense in their communities. This is the process of vernacularization: the extraction of ideas and practices from the universal sphere of international organizations and their translation into ideas and practices that resonate with the values and ways of doing things in local contexts. Local places are not empty, of course, but rich with other under-

standings of rights, the state, and justice. Some of the most important actors in this process are non-governmental organizations (NGOs) that translate human rights ideas into terms that make sense to them.

Human rights vernacularization is a process of translation within context. How various ideas are redefined or rejected varies across countries and settings. NGOs select how to use women's human rights according to their funders' preferences, their allies' interests, and their clients' support. They adapt them to local meanings of human rights, formed by the political and historical experience with human rights in the country. Where human rights ideas are central to political movements and have a long history, as in Peru, framing women's claims to equality or freedom from violence in rights terms evokes greater public support than where human rights seem to be threatening, as in China. In general, enthusiasm for human rights discourse depends on its historical and cultural resonance in particular locales.

1. The Vernacularization Process

Women's rights are typically produced in particular places, become redefined as global, and are then set to travel. For example, violence against women is the sum of a wide variety of particular issues, some more general such as rape and domestic violence, others more specific such as honor killing, dowry murders, female genital cutting, face veiling, and sex trafficking, which are all merged into a general category of violence against women. Women's human rights ideas

emerged from national women's movements, which pressured the international human rights system to incorporate women's rights as human rights. The 1993 Vienna Conference on Human Rights marked the first substantial recognition of women's rights by the UN human rights system. This idea was accepted only after a massive mobilization by women's groups around the world. Throughout the 1990s, leaders of national women's movements worked to establish women's rights as human rights by attending UN conferences, drafting documents, and demanding media attention, building on networks and ideologies that local activists had already put into place. These global institutions were shaped by the pressures of local and national social movements. Thus, women's human rights came out of local social movements, were formalized in the international system, and subsequently traveled back to local communities.

This is a spiral process. Women's human rights are created through diverse social movements in many parts of the world. Over time, they have coalesced in international organizations and have, to some extent, crystallized into international law under the supervision of the UN and its human rights organizations. They take the form of treaties such as the Convention on the Elimination of all Forms of Discrimination against Women or the Convention on the Rights of the Child and many resolutions and agreed conclusions of important commissions such as the Human Rights Council and the Commission on the Status of Women. In many ways, the high point of women's human rights was the Fourth World Conference on Women in Beijing in 1995 and its

outcome document, the Platform for Action 1995.

2. The Problem of Resonance

Yet, the process of vernacularization poses a dilemma for activists working to translate ideas from one context to another in order to promote social change. If the idea or norm which is appropriated is very similar to the existing set of norms or ideas, it will be more readily adopted. On the other hand, it is then less likely to produce change. Change comes when naturalized forms of inequality are challenged. Familiar-sounding ideas are less likely to challenge inequality. If an idea is more dramatically different and challenges existing patterns of inequality, it is less likely to be widely adopted but has greater potential to enact change. This is the resonance dilemma.

For example, the battered women's movement in the USA, as in many other countries, argued that violence against women in the family is a crime. In many places, including the USA in the past, male heads of house have the right to discipline women and children. As heads of house, they are responsible for the order of the household, while the state is responsible for order outside the house. To redefine this disciplinary authority as a crime is a dramatic shift in the way family social order and kinship are conceived. To define violence within the family as an action that the state takes an interest in and is willing to intervene to stop and punish is a big change. Stopping domestic violence depends on developing new ideas of gender, marriage, family, kinship, the role of the state,

and of law. It requires changing established ideas of kinship obligations, family arrangements for marriage, ideas of responsibility for misbehavior, and the social order of the family. It promotes individual safety over family solidarity.

My ethnographic research in a small town in Hawai'i in the 1990s showed the dramatic shift this idea gave to conceptions of kinship, family, gender, and the state (Merry 2003; 2009). Men who had assumed they could hit their wives for what they viewed as misbehavior found themselves in court and batterer retraining programs. Some of these men were both surprised and outraged that they ended up in court for violence that they had long seen as a normal part of their everyday lives. Many felt entitled to use violence to discipline their partners, wives, and children when they thought they were misbehaving. In batterer treatment program meetings, they justified their violence as appropriate because women flirted with other men or they suspected that they might, or they failed to take care of the house and children adequately, or the women disobeyed them. Under the influence of this new perspective on domestic violence brought by the battered women's movement, however, women who had long assumed that violence was an unpleasant but inevitable dimension of marriage began to call the police and take their complaints to court. Some women who were forced to have sex with their partners or husbands began to see this as an instance of rape. There was a dramatic increase in the number of cases of domestic violence coming to the courts.

The transition to a new view of domestic violence as a crime was not

a smooth or easy process, as many family members of both men and women rejected women who turned to the law for help. Women with supportive mothers tended to fare better than those whose mothers felt that they had chosen this relationship and now had to put up with it. Thus, there was both acceptance and resistance to the new regime of criminalizing domestic violence. In the process, some women were better protected but faced hostility from kin and some men refused to accept the legitimacy of the new regime.

As this example shows, changing ideas about the acceptability of domestic violence is a long, slow process, one that challenges many basic understandings of social life. It is a relatively radical change, framing kinship obligations and marriage relationships in terms of crime and the law. Instead of viewing the family as inviolate from the law, it is now constructed as open to state intervention. This idea has not been adopted equally everywhere, by any means. Activists typically present criminal justice interventions into domestic violence as a radical break from past ideas of male authority in the family. In my research, I found that it is often experienced as such. Thus, the idea that domestic violence is a crime that the state takes seriously is an idea that leads to a radically different conception of the family. This makes it hard to accept.

On the other hand, I also studied an organization that introduced the idea of domestic violence as a violation in less challenging ways. In the same town, a large Pentecostal Christian church took a very different approach to domestic violence (Merry 2001). Interviews with several pastoral counselors

who work with women and couples revealed that violence against women is a common issue, for which pastors use both Christian ideas of demonic influence and psychotherapy. The Christian model used in this church teaches women to submit to their husbands, to turn away wrath with gentle words, and to pray to dislodge demons who hide in strongholds created by resentment, grudges, and hostility. Forgiving or being forgiven weakens these strongholds and helps to eliminate the demonic forces which produce anger and violence. Like other Charismatic and Pentecostal churches, this church envisions the process of healing as a battle between the power of God and Satan. Anger is caused by demons in a person's body while the devil, residing in the flesh, is the ultimate source of sin. As one pastor put it, "When you walk with the Lord and you do something wrong you know it's Satan doing it." This does not mean that the person is "possessed," but that there is enemy influence. The enemy can put ideas in people's minds. For example, if a person who is abusive suspects his wife of relations with other men, that idea was put into the person's head by demons. It is sometimes necessary to expel the demons. This process, called deliverance, requires prayer, reading Scripture, and renewing the mind as well as commanding the demons to leave. Deliverance requires eliminating the stronghold where a demon lives and opening the space to the Holy Spirit to prevent the demons from returning. Bitterness and lack of forgiving create strongholds for evil spirits. If a person is not repentant and able to remove these strongholds, even demons that are rebuked and driven away will come back.

People involved with abuse are especially likely to have strongholds for demons. Demons move into these strongholds. A person who retains grudges or who has hurts or wounds creates a stronghold. In one counselor's words, "When people stuff anger, it gives a stronghold to the enemy." Counseling helps to explore hurts such as childhood abuse or unexpressed anger which have created strongholds. Eliminating strongholds requires forgiving those who have injured you as well as asking forgiveness of those you have injured. Prayer is a fundamental part of the process as are relevant Biblical passages. A counselor frequently quotes relevant stories or passages from the Bible.

A woman who is experiencing anger or violence from her husband or partner is admonished to have a meek and quiet spirit and not provoke her husband, using the Biblical advice that "a gentle word turns away wrath." This does not mean she should be a doormat or stay in an abusive situation. If there is serious violence or she is in danger, she should separate from her husband for a while. Pastors agree that the law has an important role to play at this point. But interviews with former church members indicated that some pastors discouraged women from leaving violent partners.

If they do separate, the couple should work toward reconciliation rather than divorce. The woman should seek to change herself and pray that her husband will lose his spirit of violence. The couple should use counseling, prayer, and reading Scripture to allow God to heal the marriage. The counselor may meet with the wife and pray for the husband to be saved, for God to soften

his heart, and for God to deliver him from the spirit of violence. This means dislodging the demons that encourage violence. The counselor encourages a person to explore hurts in childhood and to forgive and let go of that anger and hurt. Those who have been abused as children may abuse others because childhood abuse creates an enemy stronghold, but a person can choose to respond to this situation in different ways. God has given hope even to those abused in the past that they will be able to change. If the person forgives those who have injured him he can eliminate the stronghold. Some people get saved and get transformed right away, others struggle for years. One counselor described a man who made a choice to talk with God and was set free by his own prayers and those of his prayer group.

This, this approach to domestic violence builds on the Pentecostal Christian understanding of human behavior rather than on ideas of criminality. It presents the importance of diminishing violence in families in a way that is compatible with Christian beliefs about persons and families. In contrast to the idea that domestic violence is a crime, it builds on existing ideas of the role of God and demons. On the other hand, it does not challenge the authority of men over women. Nor was domestic violence this an issue of great significance within this church in 2000 when I did the research or in the Hawaiian evangelical community. Thus, while offering a more culturally compatible framework for understanding violence against women, the Pentecostal Christian approach also did relatively little to challenge gender hierarchies or the importance of ending violence in families.

In sum, if the new ideas are close to established ones, they fail to induce much social or cultural change. If an organization tells women that leaving a marriage is not possible but she should work within it, she has some possibilities for change, but not a great deal. Clearly there is a tension between providing culturally legitimate ideas and ideas that can produce dramatic, radical change. This is a key problem for social change activists, especially in an area as socially embedded and culturally weighted as gender rights.

Local activists using human rights face what I call a "resonance dilemma." The more similar and culturally compatible the new idea is, the more readily it will be adapted. However, it is also less likely to challenge basic ideas about gender and sexuality. The more radically different and challenging the idea is, the more it will be resisted, but also the more transformative its consequences if it is adopted. In a study of women's NGOs in 2003-5, Peggy Levitt and I examined two women's human rights NGOs in each of four cities: Baroda, India, Beijing, China; Lima, Peru, and New York City, USA looking at how women's rights NGOs vernacularize human rights (Levitt and Merry 2009). The NGOs in these four cities remade international human rights in the vernacular, depending on what the local community was willing to accept. Human rights ideas were not the only inspiration for these women's NGOs, of course. They also drew on civil rights and other ideas of morality, sometimes based on religion or nationalism. Some groups put more emphasis on national rights while others turned more to the international legitimacy of human rights. Here again,

we found that human rights constituted a valuable political resource in many situations, as advocates adapted universal ideas of women's human rights to particular situations. Human rights had a transcendent authority based on the recognition that these were ideas that many countries had accepted, that they represented the collective opinion of a global society, perhaps also of modernity.

In every case, however, the NGO activists faced the resonance dilemma. This means that the more extensively a human rights issue is transformed to fit with existing cultural frameworks, the more readily it will be adopted but the less likely it is to challenge existing modes of thinking. The less extensively the human rights idea is vernacularized, the less likely it is be adopted but the more likely it is to challenge existing social structures. For example, one NGO we studied in India focused on familiar women's issues such as female infanticide and domestic violence and had widespread support, while another sought to improve the rights of LGBTQ individuals, a far more radical idea in the mid-2000s, and had limited uptake from individuals or other women's organizations.

The extent to which any translator can promote new ideas that are only somewhat resonant with local issues depends on organizational autonomy and funding sources. Funding has important implications for the ability to promote unpopular or transformative ideas and projects. Those locally supported were less radical than those receiving foreign funding. International funding allows activists to promote ideas that are more likely to be resisted or rejected. External funding, including international funding, offers more space to move into chal-

lenging issues and to engage in work that is relatively unsupported by local and national women's organizations and ideologies, such as lesbian rights in India or the Human Rights Initiative's efforts to persuade New York City to pass human rights legislation. Both projects challenged conventional ways of thinking about women's status. Funding allowed them greater latitude to develop campaigns that are less resonant with local cultural understandings.

On the other hand, this funding comes with strings attached. Organizations must respond to the agendas of their donors. Donors may exert pressure to offer culturally incompatible ideas. Insofar as the donors wish to promote human rights, the organizations must take this approach. Groups that are less dependent on external funding tend to rely on ideologies and discourses grounded in national or local movements and domestic rights frameworks. These groups appropriate human rights in more limited and pragmatic ways. Their work is more resonant with local ideas.

For all these organizations, human rights are an important aspect of the way they do their work, but human rights are only one set of ideas and approaches available to them.

Some groups are deeply embedded in other justice ideologies such as liberation theology or the feminist violence against women movement and make only fleeting and indirect references to human rights. Some rely on national justice ideologies or local ideas of morality and justice.

4. Conclusion: No Easy Answers

What does the human rights framework offer in situations in which it does not have a strong resonance or a close fit with existing ideologies? It offers the legitimation of a transnational set of standards, the magic of a universal moral code, and technologies of building cases through reporting and documentation. But perhaps the most important contribution is access to allies outside the local community. By phrasing issues in the language of human rights, they become understandable to other organizations and individuals who circulate through the transnational human rights system. The human rights framework helps ideas travel. International networks for information and support are important for groups that lack support from local women's groups. These international links provide political resources and ideas that challenge local ways of thinking and working. However, groups that rely on such international support are less in tune with national and local ways of framing problems.

Active appropriation and redefinition of human rights is an inevitable dimension of the global circulation of ideas and practices that allows them to travel. Yet, this process confronts the resonance dilemma: human rights ideas need to be locally adapted, but in order to be deeply transformative, they cannot be overly resonant. On the other hand, if they are insufficiently different from prevailing moralities, they may well be accepted but not institute change. Thus, the need to vernacularize human rights in a way that is resonant with local cultural practices is essential to their travel but also limits their transformative power.

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