

THE GENDER OF INTERNATIONAL HUMAN RIGHTS LAW? UNCOVERING LEGAL ACADEMICS' VIEWS ON TEACHING WOMEN'S RIGHTS

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I. INTRODUCTION

Three decades ago Charlesworth, Chinkin and Wright's famous 'Feminist Approaches to International Law'¹ challenged international law scholarship to acknowledge the gendered nature of international law. This led to rich conversations that sought to explore what a feminist international law might look like and to re-evaluate how women's interests and voices could be better incorporated and made more visible within mainstream international law. In the interim there has been an explosion in scholarship offering a feminist perspective on international law,² so much so that Janet Halley claimed that feminism was 'running things' in several international institutions.³

In the same time period, a similar branch of feminist scholarship has looked closer to home and sought to offer feminist critiques of how law is taught in university law schools. This scholarship argues for gender mainstreaming⁴ in legal curricula and has suggested that for law to truly reflect feminist values, it needs to be taught in a way that better interrogates the ways

¹ Hilary Charlesworth, Christine Chinkin and Shelly Wright, 'Feminist Approaches to International Law' (1991) 85 *American Journal of International Law* 613.

² Dorinda Dallmeyer (ed) *Reconceiving Reality: Women and International Law* (American Society of International Law, Washington DC, 1993); Doris Buss and Ambreena Manji (eds), *International Law: Modern Feminist Approaches* (Hart, Oxford 2005); Anne Orford, *International Law and its Others* (Cambridge University Press: Cambridge 2006); Sari Kouvo and Zoe Pearson (eds), *Feminist Perspectives on Contemporary International Law: Between Resistance and Compliance* (Hart, London 2011); Susan Harris Rimmer and Kate Ogg, *Research handbook on feminist engagement with international law* (Edward Elgar Publishing 2019).

³ Janet Halley, *Split Decisions: How and Why to Take a Break from Feminism* (Princeton University Press, Princeton 2008), 20.

⁴ The Council of Europe uses the term gender mainstreaming to mean the inclusion of women in every aspect of policy. See <https://www.coe.int/en/web/genderequality/what-is-gender-mainstreaming>. The term is used throughout this article to denote a process that would centre feminist methods, approaches and content within human rights teaching. The term gender mainstreaming is sometimes used by feminist scholars to distinguish from an orthodoxy in which doctrinal law (critiqued as being concerned with the interests of white, male, middle-class, heterosexual subjects) is the focus, but where there might be minimal time dedicated to women's issues. However, it is acknowledged that gender mainstreaming is a process and not a result, and so gender mainstreaming may take different approaches and look different to individual feminist academics. See further Catharine A MacKinnon, 'Mainstreaming Feminism in Legal Education' (2003) 53 *J Legal Education* 199, 203.

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in which law upholds patriarchal rules and values.⁵ Yet, while there is substantial literature critiquing the paucity of feminist understandings, and women-centric study, of law,⁶ there is surprisingly little literature on using feminist legal methods as a pedagogy for human rights law teaching. This is at odds with the idea that feminism has supposedly become ubiquitous in both the academy and international organisations. It is also problematic, because the rise of the human rights project in particular has invited critical scholarship that consistently highlights the risk that human rights language can be co-opted by those with conservative or imperialist motivations.⁷ Indeed scholars from the Global South have sought to caution Western scholars from presenting the human rights project as a Western civilising mission that exports Western values and norms.⁸ Likewise, there is scholarship that is critical of how human rights teaching and the human rights project reproduces these gendered and imperialistic understandings of human rights.⁹ Indeed, in response to Halley's call to take a break from feminism, Kapur highlights that such a call can be helpful if we understand this break to be from 'Anglo-American feminism and the colonial, racial and civilizational certainties that have and continue to shape this project'¹⁰ She argues that such a break might help create space for alternative understandings of gender as well as freedom ... that are not confined within the generic liberal fishbowl and its accompanying hegemonies.¹¹

Thus, post-colonial feminist critiques and Third World Approaches to International Law (TWAAIL) scholarship in general has much to offer human rights students in presenting a more nuanced understanding of human rights, and so preventing the production of a further

⁵ See for example, the Scottish Feminist Judgments Project <https://www.sfjp.law.ed.ac.uk/>; Women's Legal Landmarks Project <https://womenslegallandmarks.com/> and First100 Years: Celebrating Women in Law <https://first100years.org.uk/>.

⁶ Ngaire Naffine, *Law and the sexes: Explorations in feminist jurisprudence* (Allen & Unwin 1990); Catharine MacKinnon, *Toward a feminist theory of the state* (Harvard University Press 1989); Carol Smart, *Feminism and the Power of Law* (Routledge 1989); Carole Pateman, *The Sexual Contract* (Stanford University Press 1988).

⁷ Anne Orford, *Reading Humanitarian Intervention: Human Rights and the Use of Force in International Law* (Cambridge University Press, Cambridge 2003); Anne Orford, 'Feminism, Imperialism and the Mission of International Law' 71 *Nordic Journal of International Law* 275

⁸ Anthony Anghie, *Imperialism, Sovereignty, and the Making of International Law* (Cambridge University Press, Cambridge 2005); Vasuki Nesiah, 'Toward a Feminist Internationality: A Critique of US Feminist Legal Scholarship' (1993) 16 *Harvard Women's Law Journal* 189; Ratna Kapur, *Erotic Justice: Law and the New Politics of Postcolonialism* (Routledge, London 2005).

⁹ David Kennedy, *The Dark Sides of Virtue: Reassessing International Humanitarianism* (Princeton University Press, Princeton 2005); David Kennedy, 'International Human Rights Movement: Part of the Problem?' (2002) 15 *Harvard Human Rights Journal* 101; David Kennedy, 'Autumn Weekends: an Essay on Law and Everyday Life' in Austin Sarat and Thomas Kearns (eds), *Law in Everyday Life* (University of Michigan Press, Ann Arbor 1993); Duncan Kennedy, 'Legal education and the reproduction of hierarchy' 32 *Journal of Legal Education* 591.

¹⁰ Ratna Kapur, *Gender, alterity and human rights: Freedom in a fishbowl* (Edward Elgar, 2019), 110.

¹¹ *Ibid*, 111.

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generation of Western scholars and lawyers who see human rights as tool with which to 'liberate' women in the Global South.

Yet, the lack of literature on gender mainstreaming human rights teaching may speak to the perception that human rights law is already overly gendered — more specifically that it is a feminised subject that is taught by women and studied by women. Tibbitts explores whether this perception is based on reality.¹² While recording that university classes at her own institution predominantly attracted female students, her survey of human rights institutions and organisations found that the majority of those employed in the human rights sector were actually male.¹³ Therefore, it is clear that even in the supposedly feminised realm of human rights, there is still much scope for and need for gender mainstreaming the curriculum.

With this in mind, this paper draws on a series of interviews with human rights academics carried out as part of a larger study into gender mainstreaming in human rights teaching to reflect on academic perceptions of mainstreaming of women's rights within human rights law modules in universities. It explores how legal academics construct and narrativise the topic of women's rights when teaching human rights law, and whether they consciously attempt to use feminist legal methods to present a wider spectrum of voices, and how they think this will be received by students. It concludes that, while academics often seek to draw on the rich source of feminist scholarship, and position women's rights as a key concept within human rights modules, they face barriers in delivering this content and fully gender mainstreaming their curriculum. It posits that the reason for this is that gendered stereotypes about the nature of women's rights continue to be pervasive among students and some legal scholars, and despite decades of varied scholarship, women's rights and gendered approaches are often only the focus of human rights modules for a very brief period of time, if at all.

This chapter sets out three specific ways that gendered stereotypical assumptions associated with women's rights present barriers to academics when attempting to gender mainstream their human rights teaching: first, that students can be overly attracted to the stereotype of victimized woman in the Global South; second, that focusing overtly on women's rights, will mean male

¹² Felisa Tibbitts 'The Feminization of Human Rights' 2020 <https://humanrightshere.com/post/the-feminization-of-human-rights>.

¹³ Ibid.

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students are less interested; and third, that academics are often overly cautious about focusing on women because they fear there is a perception that women's rights are more controversial.

II. PILOT STUDY ON MAINSTREAMING WOMEN'S RIGHTS IN HUMAN RIGHTS TEACHING

The data collected for this chapter formed part of a small pilot study conducted by the author on mainstreaming women's rights, which was funded by the Society of Legal Scholars. This study aimed to determine whether human rights academics consider reproductive rights, and women's rights in general, as a core component of their human rights syllabus,¹⁴ in order to determine to what extent reproductive rights were framed as human rights within legal education.¹⁵

A. Methodology

Phase 1 of the study used an online survey to gather data on the content, structure, and reading list of various human rights modules across a variety of universities. Participants were recruited via social media and academic human rights networks. The online nature of this survey meant that there were no geographical restrictions on which academics could complete this survey. However, the use of predominantly UK based English-language academic networks and social media meant that the majority of the respondents were UK based. There were 36 responses in total from a range of participants teaching human rights law in universities in Europe, Australia and the Middle East. Many of the respondents chose to fully anonymise their responses, but of those who did not, participants were generally European, with the majority of respondents based in the UK. Phase 2 involved semi-structured interviews with twelve participants who had completed the survey and were happy to be interviewed either in person or online to discuss their views and experiences of gender mainstreaming women's rights content in human rights

¹⁴ Given the paucity of research into perceptions and attitudes toward abortion and its place in human rights education, there is a gap in understanding how legal professionals come to situate reproductive rights and this is likely to have real consequences when those students go on to become solicitors or even judges.

¹⁵ The study complements existing research on attitudes and perceptions on the visibility of women's rights in other disciplines. Such research understands that student and academic perceptions and reception to teaching material are crucial since university teaching can influence professional perceptions when students move into the workplace and have decision-making power. See Gunn Helen Hagen and others, 'Attitudes of medical students towards abortion' 131 *Tidsskrift for den Norske laegeforening: tidsskrift for praktisk medicin, ny raekke* 1768; Robert Gleeson and others, 'Medical students' attitudes towards abortion: a UK study' 34 *Journal of Medical Ethics* 783; Pollyanna Cohen and others, 'What should medical students be taught about abortion? An evaluation of student attitudes towards their abortion teaching and their future involvement in abortion care' 21 *BMC Medical Education* 1.

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modules. The participants were self-selecting having intimated their willingness in the survey to be contacted by the researcher and interviewed in person. The remit of the study was human rights law modules in general, so the findings are not specific to the teaching of international law.¹⁶ Participants were allowed, and encouraged to categorise their own human rights teaching. This meant there was a variety of participants with varied expertise and specialities. Some taught human rights content within wider international law modules or core public law modules. Some participants taught entire modules focussed on human rights, which included international human rights law, European human rights law, domestic human rights law, or modules that encompassed all of these jurisdictional perspectives. Other participants taught on interdisciplinary modules that approached human rights from a historical, critical, sociological, or methodological perspective. The interviews were then transcribed to allow for the identification and subsequent use of thematic analysis. In terms of sample size, this was a pilot study, which only allowed for interviews with twelve participants, so there is scope for further research. Future research plans involve a similar study utilising surveys, interviews, and focus groups with students to gain greater insight into student perceptions of gender mainstreaming in human rights teaching.

III. FINDINGS: THE DIFFICULTIES IN CENTRING WOMEN'S RIGHTS OR UTILISING FEMINIST APPROACHES IN HUMAN RIGHTS TEACHING

One of the key themes that emerged from the research was around the labelling of women's rights within human rights teaching. Using particular labels such as 'women's rights', 'feminist', 'critical', 'post-colonial' or 'gender' runs the risk of inviting negative perceptions about content that ultimately presents barriers to human rights academics from fully gender mainstreaming their curricula. These negative perceptions manifested in a variety of different ways. First, students often equated women's rights with Global South issues and tended to unwittingly reinforce stereotypes of human rights as a rescue mechanism. Secondly, classes or topics that were badged as 'women's rights' were perceived by many as being only relevant to female students, and thus led to a lack of engagement or attendance by male students in that particular class. Thirdly, there was also a perception that women's rights content could be seen

¹⁶ Due to the nature of the phase 1 online survey in asking respondents to consider human rights teaching from a thematic and holistic perspective, it is difficult to ascertain exactly how many responses solely related to the teaching of international law. In the phase 2 interviews, approximately 1/3 of respondents taught human rights as part of an international law curriculum.

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as 'controversial' and as such this could lead to 'push-back' from academic colleagues against delivering such content or a worry that students might find the content challenging.

A. Gendered Stereotypes: The Subject of Women's Rights is the Victimised Woman in Need of Rescue

There is a well-established body of scholarship that cautions Western scholars who research human rights to be mindful of their Western gaze and avoid fetishising women from the Global South.¹⁷ In international human rights law modules there is often a danger that students focus on the use of law as a tool to deliver rights to 'others', and as such, come to view human rights abuse as something that happens 'over there' rather than domestically. This historical lack of attention to women's rights within domestic jurisprudence even by feminist scholars is expressed by Thornton:

An element of presbyopia, for example, underpins the Eurocentrism of human rights discourse. Indeed, it was long averred that human rights were unproblematic or irrelevant in the Australian domestic context because violations occurred mainly in illiberal regimes, such as South American dictatorships or developing states. The international/domestic dichotomy is also a subtext of women's human rights.¹⁸

Some of the respondents understood why their students might have a tendency to focus on human rights abuses happening overseas. They referenced their own experiences and narrated how their attraction to human rights law had been initially influenced by overseas events such as conflict or humanitarian crisis or societal inequality and so could understand their instinctive appeal to students.

So, I actually ended up going to Kosovo with one of the [NGOs]...so I went out with one of those. And, yes, it basically took me from a very humdrum

¹⁷ Isabelle R Gunning, 'Arrogant Perception, World-travelling and Multicultural Feminism: The Case of Female Genital Surgeries' (1991) 23 Columbia Human Rights Law Review 189; Karen Engle, 'Female Subjects of Public International Law: Human Rights and the Exotic Other Female' 26 New England Law Review 1509; Chandra Mohanty, 'Under Western Eyes: Feminist Scholarship and Colonial Discourses' (1988) Feminist Review 61; L Amede Obiora, 'Feminism, Globalization, and Culture: After Beijing' (1997) Indiana Journal of Global Legal Studies 355.

¹⁸ Margaret Thornton, 'Can We Feminise Human Rights?' in Margaret Thornton (ed), *Sex Discrimination in Uncertain Times* (ANU Press 2010), 323.

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secretarial life to thinking about it more seriously, so I went on to do my degree...which had quite a lot of human rights elements to it.¹⁹

But in human rights you can actually imagine where you want humanity to be and then you can get everybody above that. And, that's just, you know, as the romantic person that I am, that's compelling for me.²⁰

While as academics, the respondents were usually able to acknowledge their own biases as Western scholars, some acknowledged that it was difficult to get students to view human rights critically and not view them as a tool by which they can 'liberate' women.²¹ Thus, in focusing on women's rights there is a danger that students will embrace what Kapur has called the 'Third World victim subject'.²² This is an easy framing for students because human rights discourse in the West is often premised on a narrative in which Western scholars position themselves as the saviours of victims from the Global South,²³ which ultimately allows students to see themselves as 'white men saving brown women from brown men'.²⁴ As such, academics need to be mindful of how they present materials to students and push students to both acknowledge and then dismantle any such saviour reflexes.²⁵

This suggests that centring women's rights within human rights teaching is a double-edged sword. While it is necessary that academics focus on women's rights, there is a danger that in

¹⁹ Interview with respondent 2.

²⁰ Interview with respondent 4.

²¹ Karen Engle wrote that as a law student who was interested in human rights, she was asked whether she wanted to 'call in the Troops' in order to protect women's rights. She acknowledged that military intervention was not the way to promote women's rights, but noted how there is an emotional appeal to this suggestion. See Karen Engle, 'Calling in the Troops: The Uneasy Relationship among Women's Rights, Human Rights, and Humanitarian Intervention' (2007) 20 *Harvard Human Rights Journal* 189; See also Deborah M. Weissman, 'The Human Rights Dilemma: Rethinking the Humanitarian Project' (2003) 35 *Columbia Human Rights Law Review* 259; Lila Abu-Lughod, 'Do Muslim Women Really Need Saving? Anthropological Reflections on Cultural Relativism and its Others' (2002) 104 *American anthropologist* 783; L.J. Shepherd, 'Veiled References: Constructions of Gender in the Bush Administration Discourse on the Attacks on Afghanistan Post-9/11' (2006) 8 *International Feminist Journal of Politics* 19

²² Ratna Kapur, 'The Tragedy of Victimization Rhetoric: Resurrecting the "Native" Subject in International/Post-Colonial Feminist Legal Politics' (2002) 15 *Harvard Human Rights Journal* 1, 2.

²³ Ibid. See also Makau Mutua, 'Savages, Victims, and Saviors: the Metaphor of Human Rights' 42 *Harvard International Law Journal* 201.

²⁴ Gayatri Chakravorty Spivak, 'Can the Subaltern Speak?' in Cary Nelson and Lawrence Grossberg (eds), *Marxism and the Interpretation of Culture* (Macmillan, Basingstoke 1988), 297.

²⁵ For a helpful reflection on attempting to decolonise a human rights module as a white western academic see Sophie Rigney, 'Creating the law school as a meeting place for epistemologies: decolonising the teaching of jurisprudence and human rights' 54 *The Law Teacher* 503.

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doing so, they might unwittingly reinforce the gendered stereotype of the 'exotic victimized woman' in need of rescue. Academics are also generally aware that issues that encourage problematic stereotypes are often the same issues that students are most interested in learning about.

You try and show the map of all the things that have made it impossible for someone, usually a woman, to be able to access their rights. There tends to be then quite an interest, and particularly if you're talking about violence, because, a lot of the students, they themselves or their friends, will have experienced some level of violence, be it sexual harassment in the workplace, sexual harassment in school. Or, they will have read stories of violence in their own jurisdiction, or they will have seen about violence. They're very aware about violence against women, and so that tends to be a really good hook, unfortunately.²⁶

B. Lack of Engagement by Male Students

Despite the growing popularity of feminist approaches, there is still the perception that feminist scholars are 'ghettoised'.²⁷ Therefore feminist academics are perhaps mindful of not creating further ghettos or silos by overly focusing on gender. Indeed, many of the respondents gave examples of how a dedicated class or seminar on 'women's rights' saw reduced attendance or engagement by the male students on their module. Thus, many acknowledged that specifically labelling a particular class, seminar, or topic as 'women's rights' or 'feminist perspectives' may turn off male students. While focusing on, and giving space to, issues that are clearly identified as women's allows the study of rights to be pursued in a way that centers women, and may also provide a draw for female students, there is a real danger acknowledged by several respondents, that we are continuing to 'talk to ourselves'.²⁸

I remember in the module that I taught where we had a section specifically labelled feminist perspectives and women's rights, there was a group of lads who had a lecture in the lecture theatre before I gave that lecture, and they

²⁶ Interview with respondent 5.

²⁷ Hilary Charlesworth has observed that feminist theories form a scholarly ghetto in international law. Hilary Charlesworth, 'The Women Question in International Law' (2011) 1 *Asian Journal of International Law* 33,35.

²⁸ Hilary Charlesworth, 'Talking to Ourselves? Feminist Scholarship in International Law' in Sari Kouvo and Zoe Pearson (eds), *Feminist Perspectives on Contemporary International Law: Between Resistance and Compliance* (Hart, London 2011), 17.

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walked out as I walked in and I was, like, 'where are you going?', and they just said, "it's all women's stuff this week, isn't it, so we didn't really think there was much that we could add", and off they went.²⁹

Similarly, another respondent stated:

I can see the glazing over on a lot of the boys, certainly the younger ones, there is a sense that this doesn't concern me. And very often when the women's rights workshop is coming up you tend to get more of the female students turning up than you do the male students, and I've had it where none of the boys have turned up at all and I think that that's not coincidental.³⁰

There was a common theme from the responses that the respondents wanted all students to benefit from discussions on women's rights and wider discussions on gender, and what this means for our understanding of human rights. However, there was an acknowledgement that it was a struggle in choosing how to label or present this content so as not to turn off some students because 'rather than "preach to the converted" it is important to acquaint all students with feminist perspectives.'³¹

The corollary of this was that some respondents noted that while it was disappointing that male students were less likely to attend and contribute, this effectively created a stronger female space which meant that female students were more likely to contribute and engage. One commented that they were pleased that they had provided a 'safe space' for female students and reported increased engagement and discussion.³² Where respondents had highlighted the lack of male engagement, there was a sense that it was important that all students engage with this material, but there was little consensus on how to achieve this. When asked if this would encourage them to focus less on gendered issues within their modules, there was a consensus that these issues were too important to ignore, and instead they hoped to entice all students to engage by rejecting the labels of women or feminism.

²⁹ Interview with respondent 3.

³⁰ Interview with respondent 2.

³¹ Margaret Thornton, 'An Inconsistent Affair: Feminism and the Legal Academy' in Martha Albertson Fineman (ed), *Transcending the Boundaries of Law: Generations of Feminism and Legal Theory*, Routledge (GlassHouse), Abingdon, Oxon/New York, 2011, 32.

³² Interview with respondent 2.

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So, I would avoid, say, just women's rights, for example, I would avoid using that because I think, first of all, it occludes that fact that what we're really talking about here are unequal gendered social structures and processes which adversely impact everyone, but for people who identify as women to a much greater extent, etc. And, I think it helps men to get on board, as well, and think, yes, think about hegemonic masculinities.³³

In order not to alienate students, many respondents spoke about how they had specifically removed any references to 'feminism' when titling their lectures or reading material. There was a perception that the badge of feminism or women's rights itself was off putting.

Whether I would badge them separately as women's rights or not. I guess there is a danger if you badge something as women's rights then students will either like it or hate it. Whereas, I find teaching it more pervasively students are just accepting.³⁴

Some respondents spoke of how they utilized feminist scholarship, but they did not explicitly label this material as feminist. Some also responded that they preferred to embed women's rights throughout their module, specifically to avoid presenting women's rights as 'other' or as an exceptional add on. This suggests that gender mainstreaming is something that is pursued by many of the respondents but they are very aware that they have to do so in a way that avoids making students uncomfortable.

I would not use that language, I would not say this is your feminist material, this is your race critical material and stuff because, again, I see it as problematic categorising these things.³⁵

C. Controversy and Offence: Women's Rights are 'Controversial'

³³ Interview with respondent 9.

³⁴ Interview with respondent 6.

³⁵ Interview with respondent 8.

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The third strand of gendered stereotyping around the labelling of women's rights content on human rights modules to emerge from this research was that women's rights were considered to be controversial. All respondents used words like 'controversial' 'provocative' and 'difficult' when describing women's rights content. While many of the respondents acknowledged that they themselves did not think that women's rights were controversial, they used such a framing because they had experience with students or other colleagues objecting to such content, and hence they were more cautious when it came to driving class discussion or setting readings.

We spoke about abortion with the class and a student was very visibly upset, and it was quite a small class and ever since then I never taught it in that way again.³⁶

There was often a worry that discussions on particular women's rights issues, such as reproductive rights, would alienate or offend some students.

So, I thought about that for the abortion seminar, I thought maybe I should flag we're going to be talking about abortion today and that's going to be contentious. But then that's privileging certain discourses around abortion, and, kind of, denying that other rights are not contentious, and it's setting it out on a foot that I don't really want that, because it's still just a legal discussion.³⁷

However, when questioned on instances of student objections, very few respondents spoke of specific incidents, although many perceived that students who objected to women's rights content would be censured by other students, and so may have chosen to self-censure. Again, in order to avoid sensationalizing the topic of women's rights some respondents attempted to mainstream content on reproductive rights, domestic abuse, or trans rights throughout their modules rather than have sessions explicitly labelled women's rights, specifically to avoid making these issues the focus of the seminar, in an attempt to avoid conflict or complaint.

³⁶ Interview with respondent 6.

³⁷ Interview with respondent 5.

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So, Article 2 [of the ECHR] is a good, sort of...reproductive rights is a good vehicle through which to discuss things like abortion. What's it called...We talk about in-vitro fertilization and that kind of stuff...So sometimes it's not a particular lecture on women's rights, but I try to bring a critical perspective in at some point within the lecture. So there's a bit of both.³⁸

In the same way, many respondents spoke of hostility towards women's rights content from academic colleagues. Respondents who team teach on modules expressed that other colleagues rejected the need to centre women's rights, include feminist perspectives, or increase visibility of women in module reading lists. This was a surprisingly common issue, despite the fact that human rights is often considered a feminized area of law.

When I took over [the module] the reading list did not have a single female author on the list, not a single one.³⁹

Other respondents spoke specifically of colleagues being concerned or objectionable to content that those colleagues considered to be controversial.

I wanted to introduce the students to queer theory a little bit, there was some raised eyebrows.⁴⁰

There was also a perception that introducing feminist or other critical approaches would be problematic for students and would make modules theory heavy. Indeed, it was clear from the interview responses that many academics found their colleagues or their institution to be more likely to challenge their gendered content than students were. This is interesting because it suggests that universities are perhaps becoming needlessly cautious about presenting material that is mistakenly presumed to be controversial. In many interviews, respondents themselves often acknowledged that women's rights issues (which the respondents interpreted differently, but generally included reproductive rights and violence against women), were not logically more controversial than other rights that may invoke discussions on torture, slavery, sexuality,

³⁸ Interview with respondent 1.

³⁹ Interview with respondent 3.

⁴⁰ Interview with respondent 3.

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racialization or terrorism. Yet, they all acknowledged that it was difficult to overcome the instinctual framing of women's rights content as controversial.

However, what was also clear, was that many of the participants who were interviewed expressed their enthusiasm for gender mainstreaming and many were extremely passionate about doing so while acknowledging that it may take time for this to become the norm. However, often there was a sense that they were the only staff member using feminist tools and methods, and as such, some felt like lone feminist or critical scholars.

So, for me, if people do this it's placing a huge burden on an individual lecturer to expect them to be the one that says, well, we're going to deconstruct what's going on here and we're going to look at feminist critical legal theory or whatever. I think that has to be embedded in first year and that, in turn, is dependent, I guess, on the leadership in the faculty, in the school.⁴¹

IV. CONCLUSION

While it is correct to say that feminist scholarship in international law has increased the discussion of women under the law and challenged scholars and practitioners to think differently about international law, the discussion on women's rights and the wider use of feminist methods of inquiry are still viewed as a scholarly niche. As a result, there is a danger that academics who fully gender mainstream their module content reinforce ghettoized conversations with particular students and continue to promote harmful stereotypes when teaching the next generation of lawyers and scholars.

While this study can only tell us about academic perceptions of teaching women's rights, this does mirror real world perceptions. Although there is a demand for feminist approaches and methods in the legal curriculum, fears about student and colleague receptiveness still pervade. What is clear is that labels such as 'women's rights', 'gender', or 'feminism' continue to promote gendered perceptions and stereotypes. Yet, at the same time, there is an appetite for discussion around women's rights and for promoting women's voices.

⁴¹ Interview with respondent 9.

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Thus, while we need to be mindful not to ostracize students or colleagues, it is important to overcome perceptions that women's issues are controversial by treating these the same as other topical issues within human rights.